

## **School Discipline Data: A Snapshot of Legislative Action**

Research suggests that suspensions, expulsions, and other disciplinary actions that remove youth from their classrooms put students at greater risk for poor academic and behavioral outcomes. These students are more likely to repeat a grade, drop out of school, receive future disciplinary actions, or become involved in the juvenile justice system.<sup>1</sup> Youth of color, English Language Learners (ELLs), LGBT youth, and those with identified special education needs tend to experience exclusionary discipline actions at higher rates than their peers.<sup>2</sup> Although school discipline data collection and reporting efforts are not mandated by federal law, states, districts, and campuses may choose to collect, report, and analyze school discipline data to better assess the scope and impact of school disciplinary actions. It is only by collecting and analyzing data that schools, districts, and states can understand how policies and practices affect particular groups of students and can create more effective and equitable disciplinary procedures.

Some states include student discipline data in larger, overall accountability reports. Others choose to create specific school safety and discipline reports or use the data for workgroups and task forces. Still other states report no disciplinary data at all.<sup>3</sup> Currently, at least 18 states require some type of student discipline data collection or reporting through state statute: AL, AR, CA, CO, DE, FL, GA, KY, LA, MI, NC, NJ, NY, OH, PA, RI, UT, and WA.

In 2013, the following three states enacted legislation related to student and school discipline data:

1. Arkansas SB 1147 directs all public schools to indicate on attendance records when a student's absence is due to an out-of-school suspension. Additionally, the bill requires the department of education to prepare and provide a report to the state board of education, and to all school districts, which includes the rate for each discipline measure (i.e., in-school suspension, out-of-school suspension, expulsion, corporal punishment, and referrals to law enforcement) for the total student enrollment in a school district. The report should also include the rate for each discipline measure for each subgroup (White, nonwhite, low-income, students with disabilities, and, students with basic or below basic academic achievement levels) and the rate of disciplinary actions for each subgroup compared to the subgroup with the lowest disciplinary rate.
2. Oregon HB 2192 directs each local school board to adopt a weapons policy that must include annual reporting to the Department of Education of each school that had an expulsion and the number of students expelled from each school.

*This research and compilation of state statutes was completed by the National Conference of State Legislatures, including background discussions with state legislative staff. This summary provides a snapshot of legislation passed in 2013 as well as previous statutes that relate to the collection of data on school discipline. It only includes an examination of education statutes and any cross-referenced statutes. It does not otherwise include reviews of statutes found in the criminal code. Special thanks to Lauren Heintz who conducted this review.*

3. Washington SB 5946a amends the current statute to ensure data on student expulsion and suspension are publicly available, easily accessible, and disaggregated on the superintendent of public instruction's website.<sup>4</sup>

The scope of school discipline data collection and reporting varies from state to state. Some states choose to collect and report on school discipline data on a wide range of disciplinary actions and offenses, while others focus on specific offense types such as weapon possession, bullying, and harassment.<sup>5</sup> The data collected are often reported in the aggregate. Some states, however, require the disaggregation of school discipline data by factors such as race/ethnicity, age, gender, and income level. As of September 2013, eight states require student discipline data to be disaggregated by at least the aforementioned subgroups: AR, GA, KY, NC, OH, PA, RI, and WA. All educational and governmental entities must abide by federal privacy laws regarding the collection and reporting of student data.

Summaries of states' requirements for student and school discipline data are provided below as of September 2013. States lacking statutory language that specifically addresses student discipline data collection, analysis and reporting may have state regulations that provide such information or may leave regulation to the discretion of local education agencies.

### **Alabama**

Alabama requires each local board of education to provide a report on its district's compliance with the state department of education regarding school discipline. This annual accountability report for each school and vocational center must include statistical information related to school safety and discipline.

- ALA. CODE § 16-6B-5 (2013): In addition to providing quality instruction in classrooms and fiscal soundness, all local boards of education shall be accountable for compliance with statutes and regulations regarding school safety and discipline. The State Department of Education shall send to all local boards of education and all local superintendents of education . . . a manual containing all acts of the legislature and all regulations promulgated by the State Board of Education which pertain to school safety and discipline. Within thirty days of receipt of this manual, each local board of education shall provide to the State Board of Education a report, in the form prescribed by the State Department of Education, describing its compliance with these acts and regulations.
- ALA. CODE § 16-6B-7 (2013): The local board of education shall prepare an annual accountability report for each school and area vocational/technical center under its jurisdiction, and for itself, to be provided to the public under regulations promulgated by the State Board of Education. Such accountability reports shall include . . . a School Safety and Discipline Report which shall include statistical information relating to student safety and discipline in each school and any other data deemed necessary by the local board of education or the State Board of Education to inform the public about safety and discipline in each school.

### **Arkansas**

Arkansas allows local school districts to establish task forces focused on closing the achievement gap. These task forces may choose to use student discipline data disaggregated by race, ethnicity, gender, and socioeconomic status in their work.

- ARK. CODE ANN. § 6-15-1603 (2013): The State Board of Education shall adopt a policy for local school districts to establish local task forces on closing the achievement gap. . . . Each task force shall . . . [d]etermine what information and data [it] will need, [then] plan and schedule presentations on the information and data which shall be disaggregated by race, ethnicity, gender, and socioeconomic status. Examples may include state test data, discipline statistics, teacher-student ratio, student and teacher attendance data, faculty composition by race, gender, ethnicity, and professional preparation of educators.

### **California**

California calls for a contract to conduct an independent evaluation of education that should include student discipline data. This evaluation only applies to schools that have failed to meet accountability targets over a state-specified period of time and are required to undergo educational restructuring.

- CAL. EDUC. CODE § 58920 (Deerling 2014): It is the intent of the Legislature to contract for an independent evaluation of education restructuring implemented pursuant to this chapter. The purposes of evaluation shall include . . . [a]n assessment of the school environment, as measured by school attendance, discipline, and dropout data.

### **Colorado**

Colorado requires the principal of each school to submit an annual written report on school learning environment to the district board of education, which in turn the board will compile with all school reports and submit to the state department of education. School learning environment reports must include the number of conduct and discipline code violations, including weapon possession, drug possession, disobedience, and disturbing the learning environment. State statute also authorizes the office of dropout prevention and student re-engagement to assist local education providers in analyzing suspension, expulsion, and discipline data for the purpose of increasing student graduation rates.

- COLO. REV. STAT. § 22-14-103 (2013): [T]he office of dropout prevention and student re-engagement . . . shall assist local education providers in . . . [a]nalyzing student data pertaining to student dropout rates, graduation rates, completion rates, mobility rates, truancy rates, suspension and expulsion rates, safety or discipline incidences, and student academic growth data at the state and local levels . . . .
- COLO. REV. STAT. § 22-32-109.1 (2013): [T]he principal of each public school in a school district shall submit annually . . . a written report to the board of education of such school district concerning the learning environment in the school during that year. The board of education of the school district annual shall compile the reports from every school in the district and shall submit the compiled report to the department of education in a format specified by rule of the state board. [The reports] shall include . . . [t]he number of conduct

and discipline code violations . . . [for: p]ossessing a dangerous weapon on school grounds, in a school vehicle, or at a school activity or sanctioned event without the authorization of the school or the school district; [u]se or possession of alcohol on school grounds, in a school vehicle, or at a school activity or sanctioned event; [u]se possession, or sale of a drug or controlled substance on school grounds, in a school vehicle, or at a school activity or sanctioned event; [u]se or possession of a tobacco product on school grounds, in a school vehicle, or at a school activity or sanctioned event; [b]eing willfully disobedient or openly and persistently defiant or repeatedly interfering with the school's ability to provide educational opportunities to, and a safe environment for, other students . . . .

## **Delaware**

Delaware requires the department of education to issue public education profiles for each school that must include student discipline data. Public school districts are required to submit reports containing these data. State statute also requires the boards of education for reorganized school districts to report on student discipline.

- DEL. CODE tit. 14, § 124A (2013): [T]he Department of Education shall issue Delaware Public Education Profiles on all Delaware public schools, including charter schools, reorganized and vocational - technical school districts . . . . Education Profiles shall report on the state of Delaware's public education system and the progress toward achieving the educational goals established by the General Assembly, State, and the federal Elementary and Secondary Education Act . . . . The Education Profiles shall contain [state, district, and campus level school safety and discipline data.] The Department [of Education] shall require public school districts to file district reports containing the data necessary to prepare the Education Profiles and shall prescribe a uniform format for such district reports.
- DEL. CODE tit. 14, § 121 (2013): [The state department of education has control and supervision over public schools, and may require] boards of education of reorganized school districts to submit reports covering student achievement, discipline, expenditures, business methods, accounts, registration, attendance, and any other matter it finds necessary and advisable with the State's policy . . . to avoid duplicative or unnecessarily burdensome reporting obligations . . . .

## **Florida**

Florida requires each school principal to ensure the timely and accurate submission of reports on school safety and discipline to the department of education. Additionally, each school must include in their anti-bullying and harassment policies a procedure for reporting discipline related to those acts. The department of education will aggregate the information from school reports. State statute also requires that the department of education, department of juvenile justice, and the department of law enforcement create an information-sharing workgroup to help streamline access to information needed to provide joint services to youth involved in the juvenile justice system.

- FLA. STAT. § 985.046 (LexisNexis 2013): The [state] Department of Education, the Department of Juvenile Justice, and the Department of Law Enforcement shall create an information-sharing workgroup for the purpose of developing and implementing a workable statewide system of sharing information among school districts, state and local law enforcement agencies, providers, the Department of Juvenile Justice, and the Department of Education. . . . The information to be shared shall focus on youth who are involved in the juvenile justice system, youth who have been tried as adults and found guilty of felonies, and students who have [had] serious discipline problems in school. The participating agencies shall implement improvements that . . . streamline access to the information needed to provide joint services to disruptive, violent, and delinquent youth.
- FLA. STAT. § 1001.54 (LexisNexis 2013): Each school principal must make the necessary provisions to ensure that all school reports are accurate and timely, and must provide the necessary training opportunities for staff to accurately report attendance, FTE program participation, student performance, teacher appraisal, and school safety and discipline data.
- FLA. STAT. § 1006.09 (LexisNexis 2013): The State Board of Education shall adopt by rule a standardized form to be used by each school principal to report data concerning school safety and discipline. . . . Each school principal must ensure that standardized forms prescribed by rule of the State Board of Education are used to report data concerning school safety and discipline to the department. The school principal must develop a plan to verify the accuracy of reported incidents.
- FLA. STAT. § 1006.147 (LexisNexis 2013): [Each school district's anti-bullying and harassment policy must include a] procedure for including incidents of bullying or harassment in the school's report of data concerning school safety and discipline . . . . The report must include each incident of bullying or harassment and the resulting consequences, including disciplinary actions and referrals. . . . The Department of Education shall aggregate information contained in the reports.

## **Georgia**

Georgia requires each local board of education to file an annual report to the department of education regarding any disciplinary actions taken in schools in its jurisdiction. For each type of disciplinary action, the board should provide the number of students that were disciplined, as well as their age, grade, gender, race, and eligibility for free or reduced-price lunch under federal guidelines. The report is to be used by the department of education to study trends in discipline, and the resulting report findings is to be presented to the general assembly annually.

- GA. CODE ANN. § 20-2-740 (2013): Each local board of education shall file an annual report . . . with the Department of Education regarding disciplinary and placement actions taken during the prior school year. [Reports shall include in-school suspensions, out of school suspensions, expulsions, alternative education placement, school bus violations, any corporal punishment administered, and any removal of a student from class. For each type of incident the board shall provide] the number of students subject to the type of disciplinary or placement action; the age and grade level of such students; such students' race and gender; and the number of students subject to the type of disciplinary action who were

eligible for free or reduced price lunches under federal guidelines. . . . The data required by this [section] shall be reported separately for each school within the local school system . . . . The Department of Education shall conduct a study for each school year based upon the statistical data filed by local boards pursuant to this [section] for the purpose of determining trends in discipline. The department shall also utilize existing demographic data on school personnel as needed to establish trends in discipline. . . . The department shall prepare a report [on school discipline trends] for the General Assembly . . . annually.

## **Kentucky**

Kentucky requires that the department of education establish and maintain a statewide data collection system through which school districts report disciplinary violations by students' gender, race, and grade level. The department is required to provide these data to the office of education accountability and the education assessment and accountability review subcommittees. State statute also requires that each local school assess school safety and student discipline to assist in the adoption of a plan for immediate and long-term strategies to address school safety and discipline. The department of education is directed to assist districts in the analysis of data to identify at-risk students, including those with a record of school disciplinary issues. The department is also directed to obtain statewide data on major discipline problems in schools.

- KY. REV. STAT. ANN. § 158.444 (LexisNexis 2013): [The Kentucky Department of Education shall establish and maintain a statewide data collection system by which school districts shall report school discipline data disaggregated by gender, race, and grade level. Included in school discipline reports should be all incidents of violence and assault against school employees and students; possession of guns or other deadly weapons on school property or at school functions; possession or use of alcohol, prescription drugs, or controlled substances on school property or at school functions; and serious or criminal offenses. Reports shall also include the number of arrests, charges, and whether civil damages were pursued by the injured party; suspensions, expulsions, and corporal punishments; and data required during the assessment process. These data include reports of school incidents relating to disruptive behavior; the school's behavior and discipline codes for clarity and appropriate notice to students and parents; the school's hierarchy of responses to discipline problems and disciplinary outcomes; training needs for instructional staff to enhance teachers' capacity to engage students and minimize disruptive behavior; the array of school services to students at risk of academic failure, dropping out, or truancy; the engagement of parents at the earliest stages of problem behavior; training needs for students in the development of core values and qualities of good character, anger reduction, conflict resolution, peer mediation, and other necessary skills; training needs of parents; existing school council policies relating to student discipline and student information; the school's physical environment; the school's student supervision plan; existing components of the school improvement plan that focus on school safety and at-risk students, and the effectiveness of the components; and other data deemed relevant by the school council or school administration. The department shall provide all data collected relating to this subsection to the Center for School Safety. The Department of Education shall provide the

Office of Education Accountability and the Education Assessment and Accountability Review Subcommittee with an annual statistical report on the number and types of disciplinary incidents. Data in the report shall be sorted by individual school district, campus, and grade level within each campus. The report shall not contain information personally identifying any student.]

- KY. REV. STAT. ANN. § 156.488 (LexisNexis 2013): [T]he [state] department [of education] shall assist districts in the analyses of government data to identify students who are academically behind, who have higher than normal absentee rates, or who have a record of discipline problems at the end of grade [6, 9, 10, 11, and 12] who are academically behind to help them meet the college and career-readiness standards.
- KY. REV. STAT. ANN. § 158.148 (LexisNexis 2013): The [state] department [of education] shall obtain statewide data on major discipline problems and reasons why students drop out of school. In addition, the department, in collaboration with the Center for School Safety, shall identify successful strategies currently being used in programs in Kentucky and in other states and shall incorporate those strategies into the statewide guidelines and recommendations . . . .
- KY. REV. STAT. ANN. § 158.445 (LexisNexis 2013): Each local school shall begin an assessment of school safety and student discipline . . . including a review of the following: (a) Reports of incidents relating to disruptive student behaviors; (b) The school's behavior and discipline codes for clarity and appropriate notice to students and parents; (c) The school's hierarchy of responses to discipline problems and actual disciplinary outcomes; (d) Training needs for instructional staff in classroom management, student learning styles, and other specialized training to enhance teachers' capacity to engage students and minimize disruptive behavior; (e) The array of school services to students at risk of academic failure, dropping out, or truancy; (f) The engagement of parents at the earliest stages of problem behavior; (g) Training needs for students in the development of core values and qualities of good character, anger reduction, conflict resolution, peer mediation, and other necessary skills; (h) Training needs of parents; (i) Existing school council policies relating to student discipline and student information; (j) the school's physical environment; (k) the school's student supervision plan; (l) Existing components of the school improvement plan or consolidated plan that focus on school safety and at-risk students, and the effectiveness of the components; and (m) Other data deemed relevant by the school council or school administration. A school that does not complete an assessment process shall not be eligible for funds under the state school safety grant program . . . . [E]ach local school district shall complete a district-level assessment of district-level data, resources, policies and procedures, and district-wide needs as identified from the individual school assessment process. As a result of the district assessment and analysis of data, resources, and needs, each board of education shall adopt a plan for immediate and long-term strategies to address school safety and discipline. The development of the plan shall involve at least one representative from each school in the district, as well as representatives from the community as a whole, including representatives from the local juvenile delinquency prevention council if a council exists in that community.

## **Louisiana**

Louisiana requires the department of education to establish a standardized data collection and analysis system to collect school discipline data. Each school board should ensure that all of its schools are reporting school discipline information accurately through a uniform system established by the state board. The department should aggregate and review the data. Additionally, city, parish, and other school boards are authorized to regularly review school discipline data to determine what additional classroom management training and supports are needed in schools.

- LA. REV. STAT. ANN. § 17:252 (2013): City, parish, and other local public school boards shall provide ongoing classroom management courses and regularly review discipline data from each school to determine what additional classroom management training is needed, if any, and what additional classroom support activities should be provided by the principal and school administration.
- LA. REV. STAT. ANN. § 17:3911 (2013): The [state] department [of education] shall establish a standardized data collection and analysis system [to collect] . . . discipline information, including suspensions and expulsions. . . . Each city and parish school board shall ensure that all schools under its jurisdiction accurately report student discipline information, including referrals by teachers for serious disciplinary offenses, using the uniform reporting form developed by the State Board of Elementary and Secondary Education . . . . Each board shall have school-level summaries of the reported student discipline information prepared for its use and shall formally review and analyze the summary information on a regular basis. Upon request by the state Department of Education, the student discipline information . . . shall be collected as part of the data collection system . . . . The department shall . . . [d]evelop all procedures and formats for the defining and reporting of all data and statistical components and annually review them[; a]ssist each local board in compiling the information by identifying and providing any required and discretionary information currently collected at the state level[; p]erform the statistical analyses necessary to aggregate the reported data[; and, c]oordinate all existing and new data collection efforts so as to minimize paperwork at the school and school system level.

## **Michigan**

Michigan requires schools to report any disciplinary action related to bullying to the board of the school district.

- MICH. COMP. LAWS SERV. § 380.1310b (LexisNexis 2013): [T]he board of a school district or intermediate school district or board of directors of a public school academy shall adopt and implement a policy prohibiting bullying at school . . . . A procedure [must be established] for each public school to document any prohibited incident that is reported and a procedure to report all verified incidents of bullying and the resulting consequences, including discipline and referrals, to the board of the school district or intermediate school district or board of directors of the public school academy on an annual basis.



## **New Jersey**

New Jersey requires the superintendent of schools to report twice a year to the board of education all acts of violence, vandalism, harassment, intimidation, and bullying occurring in individual schools and the district. Disciplinary data should be reported at public hearings and should include information on incidents as well as disciplinary actions taken. Discipline data must also be reported to the state department of education annually.

- N.J. REV. STAT. § 18A:17-46 (2013): Two times each school year . . . at a public hearing, the superintendent of schools shall report to the board of education all acts of violence, vandalism, and harassment, intimidation, or bullying which occurred during the previous reporting period. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying . . . , the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reporting period to the [state] Department of Education. The report must include data broken down by . . . each school in the district, in addition to district-wide data.

## **New York**

New York authorizes district superintendents to hold a district-wide conference to discuss school courses of study and to receive reports on student discipline, school management, and other school issues.

- N.Y. EDUC. LAW § 2215 (McKinney 2012): [A district superintendent of schools shall have the authority to assemble teachers of his district for the purpose of developing reports on discipline, school management and other school work, and for promoting the general good of all the schools of the district.]

## **North Carolina**

North Carolina requires the superintendent to keep data on students that received corporal punishment, were expelled or suspended, and were reassigned for disciplinary purposes. This data should also include the race/ethnicity, gender, age, grade level, and disability status of each student, as well as information on the provision of alternative education services and student behavioral history. Discipline data should be collected through the North Carolina longitudinal data system to help improve the state education system.

- N.C. GEN. STAT. § 115C-276 (2013): The superintendent shall maintain student discipline . . . data on each student to whom corporal punishment was administered, who was suspended for more than 10 days, who was reassigned for disciplinary reasons, or who was expelled. This data shall include the race, gender, age, grade level, ethnicity, and disability status of each student, the duration of suspension for each student, whether alternative education services were provided for each student, and whether a student had multiple suspensions in that academic year.

- N.C. GEN. STAT. § 116E-2 (2013): The North Carolina Longitudinal Data System is a statewide data system that contains individual-level student data and workforce data from all levels of education and the State's workforce. The purpose of the system is to . . . [f]acilitate and enable the exchange of student data among agencies and institutions within the State[; g]enerate timely and accurate information about student performance that can be used to improve the State's education system and guide decision makers at all levels[; and f]acilitate and enable the linkage of student and workforce data..

### **Ohio**

Ohio requires the department of education to prepare a report on student discipline data annually for each school, which must include suspensions and expulsions disaggregated by student race and gender.

- OHIO REV. CODE ANN. § 3302.031 (LexisNexis 2013): In addition to [district] report cards . . . the department of education shall annually prepare . . . [a] school safety and discipline report which shall consist of statistical information regarding student safety and discipline in each school building, including the number of suspensions and expulsions disaggregated according to race and gender . . . .

### **Oregon**

Oregon requires the department of education to collect data on expulsions resulting from student possession of a weapon on school property.

- OR. REV. STAT. § 339.250 (2012): The [state] Department of Education shall collect data on any expulsions required [of this] section including . . . [t]he name of each school; [t]he number of students expelled from each school; and [t]he types of weapons involved.

### **Pennsylvania**

Pennsylvania requires each chief school administrator to report incidents of violence involving students, possession of a weapon or controlled substance, and tobacco use on school property. Disciplinary reports must include the age, grade, race, and disability status of the student, as well as other factors such as school sanctions and the circumstances surrounding each incident.

- 24 PA. CONS. STAT. § 13-1303-A (2013): Each chief school administrator shall report to the [Office for Safe Schools within the Department of Education] all new incidents involving acts of violence, possession of a weapon or possession, use or sale of controlled substances . . . , or possession, use or sale of alcohol or tobacco by any person on school property. Reports on a form to be developed and provided by the office shall include: (1) Age or grade of student. (2) Name and address of school. (3) Circumstances surrounding the incident, including, but not limited to, type of weapon, controlled substance, alcohol or tobacco, the date, time and location of the incident, if a person other than a student is involved in the incident and any relationship to the school entity. (3.1) Race of student. (3.2) Whether the student [has a disability]. (4) Sanction imposed by the school.

## **Rhode Island**

Rhode Island requires the board of regents for elementary and secondary education to prepare an annual report on school discipline—with the assistance of the commission of education and school superintendent—for the general assembly. The report should include all disciplinary actions, alternative placements, and additional demographic information including ethnicity and race of the student, age, and gender.

- R.I. GEN. LAWS § 16-60-4 (2013): The board of regents for elementary and secondary education shall . . . prepare . . . a report on school discipline in Rhode Island schools. This report shall include: (A) Expulsions by district, including duration and the reason for each action. (B) Suspensions by district, including duration and the reason for each action. (C) Placements to alternative programs for disciplinary reasons. (D) Assaults on teachers, students, and school staff by students. (E) Incidents involving possession of weapons on school property . . . (F) Incidents of the sale of controlled substances by students. (G) Incidents of the possession with the intent to sell controlled substances by students. (H) Additional demographic information including, but not limited to, the ethnic and racial classifications, age, and gender . . . of each of the students involved in the incidents, events or actions . . . [; and] (I) A description of the education program provided to each student suspended for over 10 consecutive school days in a school year. . . . All school superintendents shall supply the necessary information on forms established by the commissioner of elementary and secondary education to the board of regents to assist in the preparation of the board of regents' report on school discipline.

## **Utah**

Utah requires the state board of education to collect and electronically report on incidents of student discipline including suspensions and expulsions.

- UTAH CODE ANN. § 53A-3-602.5 (LexisNexis 2013): [T]he State Board of Education, in collaboration with the state's school districts and charter schools, shall provide for the collection and electronic reporting of . . . incidents of student discipline as defined by State Board of Education rule, including suspensions, expulsions, and court referrals . . . .

## **Washington**

Washington requires the state K-12 data governance group to establish parameters for statewide collection of student discipline data. School districts must collect and submit this information, which must be disaggregated and made publicly available. The superintendent of public instruction must also convene a task force to study student discipline and develop data collection standards for school disciplinary actions. These data are required to be disaggregated at least by school, district, race, low income, special education, transitional bilingual, migrant, foster care, homelessness, behavior infraction code, and intervention applied.

- WASH. REV. CODE ANN. § 28A.300.046 (LexisNexis 2013): The K-12 data governance group . . . shall establish the parameters and an implementation schedule for statewide collection through the comprehensive education and data research system of . . . [s]tudent discipline

data with a focus on suspensions and expulsions from school. . . . Student suspension and expulsion data . . . must be . . . [m]ade publicly available and easily accessible on the superintendent of public instruction’s website . . . . [The data must be d]isaggregated and cross-tabulated as established under [WASH. REV. CODE ANN. § 28A.300.042]. . . . School districts must collect and submit student attendance data and student discipline data for high school students through the comprehensive education and data research system for purposes of the PASS program under [WASH. REV. CODE ANN. § 28A.300.042].

- WASH. REV. CODE ANN. § 28A.300.042 (LexisNexis 2013): All student data-related reports required of the superintendent of public instruction in this title must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and students covered by section 504 of the federal rehabilitation act of 1973 . . . . All student data-related reports required of the superintendent of public instruction regarding student suspensions and expulsions . . . are subject to disaggregation by subgroups including: (a) Gender; (b) Foster care; (c) Homeless, if known; (d) School district; (e) School; (f) Grade level; (g) Behavior infraction code, [intervention applied, including, and number of days a student is suspended or expelled].
- WASH. REV. CODE ANN. § 28A.600.490 (LexisNexis 2013): The office of the superintendent of public instruction shall convene a discipline task force to develop standard definitions for causes of student disciplinary actions taken at the discretion of the school district. The task force must also develop data collection standards for disciplinary actions that are discretionary and for disciplinary actions that result in the exclusion of a student from school. The data collection standards must include data about education services provided while a student is subject to a disciplinary action, the status of petitions for readmission to the school district when a student has been excluded from school, credit retrieval during a period of exclusion, and school dropout as a result of disciplinary action. . . . The office of the superintendent of public instruction and the K-12 data governance group shall revise the statewide student data system to incorporate the student discipline data collection standards recommended by the discipline task force, and begin collecting data based on the revised standards in the 2015-16 school year.
- WASH. REV. CODE ANN. § 28A.600.460 (LexisNexis 2013): All school districts must collect data on disciplinary actions taken in each school and must record these actions using the statewide student data system, based on the data collection standards established by the office of the superintendent of public instruction and the K-12 data governance group. The information shall be made available to the public, but public release of the data shall not include personally identifiable [student] information . . . .

Suggested citation: Council of State Governments Justice Center, “School Discipline Data” (New York: Council of State Governments Justice Center, February 2014).

On January 8, 2014, the U.S. Department of Education released a compendium of school discipline laws and regulations. The PDF and online tool can be accessed at <http://safesupportivelearning.ed.gov/school-discipline-compendium>.

To learn more about the CSG Justice Center's School Discipline Consensus Project, visit <http://csjusticecenter.org/youth/projects/school-discipline-consensus-project>.

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<sup>1</sup> Anna Aizer and Joseph J. Doyle Jr., "Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges" (NBER Working Paper 19102) (Cambridge, MA: National Bureau of Economic Research, 2013); Dottie Carmichael, Guy Whitten, and Michael Voloudakis, "Study of Minority Over-Representation in the Texas Juvenile Justice System" (College Station TX: The Public Policy Research Institute at Texas A&M University, 2005); Council of State Governments Justice Center, *Breaking Schools' Rules: A Statewide Study on How School Discipline Relates to Students' Success and Juvenile Justice Involvement* (New York: Council of State Governments Justice Center, 2011).

<sup>2</sup> Catherine P. Bradshaw, et al., "Multilevel Exploration of Factors Contributing to the Overrepresentation of Black Students in Office Disciplinary Referrals," *Journal of Educational Psychology* 102, no. 2 (2010): 508-520; Daniel J. Losen and Jonathan Gillespie, *Opportunities Suspended: The Disparate Impact of Disciplinary Exclusion from Schools*, The Civil Rights Project at UCLA, retrieved from <http://civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/upcoming-ccrr-research/losen-gillespie-opportunity-suspended-ccrr-2012.pdf>; Anne Gregory, Russell J. Skiba, and Pedro A. Noguera, "The Achievement Gap and the Discipline Gap: Two Sides of the Same Coin?" *Educational Researcher* 39 no. 1 (2010): 59-68; Hanno Petras et al., "Who is Most at Risk for School Removal? A Multilevel Discrete-Time Survival Analysis of Individual- and Context-Level Influences," *Journal of Educational Psychology* 103, no. 1 (2011): 223-237; Katherine E.W. Himmelstein and Hannah Brückner, "Criminal-Justice and School Sanctions against Nonheterosexual Youth: A National Longitudinal Study," *Pediatrics* 127, no. 1 (2011): 49-57, available at doi:10.1542/peds.2009-2306.

<sup>3</sup> Council of State Governments Justice Center, "Fifty-State Survey of State Education Agencies' Online School Disciplinary Data," available at <http://tinyurl.com/lmr8p8t>.

<sup>4</sup> Under Washington SB 5946, suspension and expulsion data must be disaggregated by subgroups outlined in RCW 28A.300.042 including: gender; foster care; homelessness, if known; school district; school; grade level; behavior infraction code; intervention; and, number of days a student is suspended or expelled, to be counted in half or full days.

<sup>5</sup> Weapons possession is typically not a high-frequency offense. Schools that report this information may be doing so if they receive federal gun-free schools act funds. See <http://www2.ed.gov/policy/elsec/leg/esea02/pg54.html>.