

School Discipline in the Eyes of School Superintendents

July 2014

A report based on the April 2014 Superintendent School Discipline Survey administered and jointly developed by AASA and CDF

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Executive Summary

In April 2014, AASA, The School Superintendents Association, and the Children's Defense Fund partnered to survey 500 school superintendents to determine the state of district-wide school discipline policies and practices. It examined how and why districts use out-of-school suspension, the revision and parameters of districts' discipline policies, outside partners districts seek in improving school discipline and efforts underway to create positive school climates to reduce discipline disparities.

While discipline policies and practices differ considerably from district to district and state to state, recent national data from the Office for Civil Rights at the U.S. Department of Education show that too many students are suspended out of school and that disparities persist. AASA and CDF are working together with superintendents to find best practice solutions that keep children in school and improve school climates.

Snapshot of Survey Findings:

- Half of the superintendents reported that reducing out-of-school suspensions and expulsions is important/very important to their leadership agendas.
- Forty percent replied insubordination, defiance, failure to obey and disrespect of teachers and staff are the most common infractions that account for OSS in their districts. Thirty percent indicate fighting is the most common cause.
- Of the 92 percent who believe there are negative consequences to the use of OSS in their districts, 67 percent indicated that lost class time is the most significant while 27 percent identified increased disengagement, absenteeism, truancy and/or dropout as the most significant negative consequences.
- Of the 85 percent who reported there are positive consequences to using out-of-school suspension, 33 percent report that suspension maintains or improves school climate by removing the worst offenders. Fifteen percent said suspension improves the behaviors of disciplined students.

DISCIPLINE POLICY AND CODES OF CONDUCT

- Superintendents describe maintaining safety and order in the school building (42%) as the primary purpose of OSS followed by providing consequences for student misbehavior, which communicate to students, parents and teachers that the school is taking an issue seriously (20%) and removing students from a setting where they are disruptive to the learning of others (20%). Only 12 percent of respondents say that the primary purpose is to change student behavior and discourage future misconduct.
- The vast majority of districts (95 percent) limit the ability to suspend students to principals or other building administrative staff such as deans, or to superintendents and central staff. Two percent of superintendents indicated that teachers have the authority to suspend students in their district.
- Seventy-one percent indicated that their states have laws or regulations requiring out-of-school suspension or expulsion for certain infractions, limiting the discretion of district and school staff.
- Only 21 percent of districts have policies that restrict the use of suspension to certain grade levels.
- Eighty-two percent of superintendents indicated they ensure that suspended students are able to make up work and receive full credit during their exclusion from school and 50 percent provide suspended students with access to tutoring or other academic assistance. Nineteen percent of districts reported that they provide suspended students with one-on-one or small group instruction with a certified teacher during the suspension.
- Eighty-four percent of respondents report that their districts have updated their code of conduct within the last three years. During the revision process, 78 percent received input from teachers, 49 percent received input from parents and 33 percent received input from students. Superintendents (74 percent) generally believe their district's code of conduct reflects their district's current discipline philosophy.

WORKING WITH STAKEHOLDERS AND COMMUNITIES

- When asked about opposition and support from school stakeholders toward policies that would reduce out-of-school suspension, 72 percent of superintendents expect opposition to come from teachers while 57 percent expect pushback from principals.
- More than half surveyed said they expect students and parents to support policy changes that reduce OSS.
- Of those who indicated that reducing the use of out-of-school suspension and/or expulsion is very important to their leadership agendas, 80 percent have partnerships with outside entities to improve school discipline compared to 65 percent of all responding superintendents
- Fifty-three percent reported that greater parental involvement would have the greatest impact on reducing OSS in the district. Forty percent of superintendents

reported that character education, conflict resolution, skill building and/or social/emotional learning for students would have the greatest effect. Thirty-eight percent reported more mental health supports, counselors or social workers and 38 percent reported support and training for teachers and staff on building positive relationships with students would have the greatest effect on reducing OSS.

- Of the 65 percent of districts that partner with outside entities to improve school discipline policy and practice, the most common partners are:
 - Local police/law enforcement – 84 percent
 - Health/mental health agencies – 75 percent
 - Social service agencies – 65 percent
 - Local judges/juvenile courts – 58 percent
 - Parent/community advocate groups – 48 percent
 - Students/ student advocacy organizations – 29 percent

A DEEPER DIVE INTO DISAGGREGATED DATA

The data show some interesting differences in how superintendents in varied settings perceive current discipline policy and practice.

A. Urban, Suburban and Rural

- Urban districts are more likely (51 percent) to believe their codes of conduct are in need of revision and do not reflect the district's disciplinary philosophy than suburban (19 percent) and rural districts (24 percent).
- Suburban districts are the most likely to craft a plan for re-entry; 34 percent of all districts surveyed ensure that there is a re-entry plan.
- Urban districts (74 percent) are more likely to partner with outside organizations to improve discipline policy/practice than suburban (65 percent) and rural (62 percent) districts.
- Urban districts are much more likely (43 percent) to think that OSS encourages disengagement and absenteeism than suburban (21 percent) and rural (21 percent) districts. Rural (65 percent) and suburban (62 percent) districts are more likely to identify loss of class time as the most negative consequence compared to urban districts (48 percent).

B. School Discipline and Poverty

- Reducing the use of out-of-school suspension and/or expulsion is 'very important' to 48 percent of superintendents in high poverty districts compared to 21 percent of superintendents in low poverty districts.
- Superintendents in high poverty districts are more likely to report that their codes are in need of revision to reflect greater tiered supports and reduce OSS and expulsion (39 percent) than superintendents in low poverty districts (11 percent).
- Thirty-eight percent of superintendents in high poverty districts believed that the most significant negative consequence to using OSS is that it encourages disengagement, absenteeism, truancy, and/or dropout in suspended students, compared with 15 percent of superintendents in low poverty school districts.

Recommendations for Superintendents, School Staff, and Advocates

- Superintendents play a critical role in addressing exclusionary discipline and racial disparities and their partnership and leadership should be sought by stakeholders and advocates. The engagement of superintendents is critical to meaningful discipline reform. As system leaders, they set much of the policy and practice that drives school and classroom level decision making.
- School districts should ensure their discipline policies and practices align with the philosophy of the district and community and that the policies support the educational success and inclusion of all students.
- Data collection and increased knowledge about the use of suspensions and expulsions – their frequency, for what and for who can have an important impact on policy and practice decisions at the school and district levels. Examine district data to identify areas of improvement and work with stakeholders to co-develop solutions.
- School exclusion should be a last resort and special care should be taken when addressing discretionary infractions (such as “willful defiance” and other ill-defined categories of behavior). It is critical that disparities due to student race, gender or disability are identified and remedied, which may require additional training for teachers and staff.
- There are established alternatives to exclusionary discipline, such as restorative practices, and superintendents and advocates should familiarize themselves with effective strategies used in schools and districts.

AASA and CDF would like to express our gratitude to the 500 school leaders that responded so thoughtfully to our survey. The full report starts below.

School Discipline in the Eyes of School Superintendents

Throughout the past decade, the topic of school discipline has received increased attention from federal policymakers, state legislators and local school boards as organizations with long histories of challenging racial disparities and exclusionary discipline, such as the Children’s Defense Fund, have helped to bring the issue to the nation’s attention. As a result, local school leaders are increasingly aware of how school suspension and expulsion policies impact students, particularly how zero tolerance policies and other exclusionary discipline policies have, at times, pushed students of color, students with disabilities and other students out of classrooms and into the juvenile and criminal justice systems.

In January 2014, the Obama Administration released a Dear Colleague Letterⁱ and guidance package advising schools and districts of their responsibilities around school discipline under the Civil Rights Act. The new information encouraged all school personnel to be more conscious of how exclusionary discipline policies are used and how seemingly neutral discipline policies can disparately impact one or more groups of students.

As part of a larger effort working with superintendents to address school discipline reform and to better understand how and why schools use exclusionary discipline policies, AASA, The School Superintendents Association, and the Children’s Defense Fund , embarked on an innovative survey of school superintendents. The organizations wanted to determine:

- How districts utilize out-of-school suspension;
- The rationale for using exclusionary discipline techniques;
- The revision and parameters of districts’ discipline policies;
- Outside partners that districts seek in improving school discipline;
- The perceived opposition by members of the school and local community if superintendents enacted policies that limited the use of out-of-school suspensions.

This paper contains seven sections describing the various findings from our survey. AASA and CDF disaggregated the data by socio-economic status and geography when applicable. Also included are policy recommendations for school superintendents and school discipline reform advocates seeking opportunities to improve school discipline practices and policies at the local level. AASA and CDF hope that the following survey results contribute to current school discipline research efforts, provide school superintendents with a contextual understanding of how their peers implement school discipline policies and practices and offer stakeholders and advocates greater insight into superintendent perspectives.

Methodology

From March 26, 2014 to April 15, 2014, AASA requested the participation of school superintendents in a school discipline survey. The survey had a nine percent completion rate and received responses from 500 superintendents in 48 states.ⁱⁱ The survey respondents are relatively representative of national school district leaders by locale and size of district, although our survey over-represents in the following categories: districts educating between 2,500 and 10,000 students, districts identifying as geographically rural, districts educating between 26-50 percent and 51-75 percent of students eligible for free and reduced price lunch.ⁱⁱⁱ

Survey respondents represent rural school districts (56 percent), suburban districts (29 percent), urban districts (12 percent) and county districts (3 percent). The majority of districts represent smaller districts: student enrollment is less than 2,500 students (51 percent); student enrollment between 2,500 and 10,000 students (32 percent). Almost 14 percent of districts have a student enrollment between 10,001 and 50,000 and fewer than two percent of districts have an enrollment greater than 50,000 students.

Not including demographic information, superintendents answered 25 multiple choice questions in regards to their discipline policies and codes of conduct, their data practices, as well as information on engaging stakeholders in their districts.

Survey Findings

I. Rationale for using out-of-school suspension, and the positive and negative consequences to using exclusionary discipline

AASA and CDF wanted to better understand the rationale behind the use of out-of-school suspension by school superintendents. According to data from the U.S. Department of Education's Civil Rights Data Collection, more than 1.5 million students in grades K-12 were given multiple out-of-school suspensions during the 2011-2012 academic year. Almost every district superintendent surveyed employs OSS as a disciplinary consequence, and some states require OSS for specific acts of student misconduct.

Multiple studies have found that reductions in suspensions correlate to improved academic outcomes for students and decrease the likelihood a student will drop-out of school. Even one suspension increases the likelihood of a student dropping out of school and each additional suspension increases the risk for dropping out by 20 percent. Moreover, frequent use of suspensions can damage school climate and the conditions for learning^{iv}.

We asked school superintendents to describe the purpose of using OSS in their districts. The responses were mixed. Forty-two percent of respondents stated that the primary goal of OSS is to maintain safety and order in the school building. Twenty percent said that the goal is to provide consequences for student misbehavior that communicates to students,

SUPERINTENDENT SURVEY REPORT

parents and teachers that the school is taking an issue seriously. Another 20 percent said that the main function of OSS is to remove students from a setting where they are disruptive to the learning of others and 12 percent indicated the purpose is to change student behavior and discourage future misbehavior.

When asked whether there are any positive consequences to using OSS, 85 percent of school superintendents replied affirmatively. In districts where more than 75 percent of students are from low income families, superintendents are more likely to believe there are no positive consequences to using OSS, as compared to more affluent districts. Eleven percent of respondents in districts with fewer than 25 percent low-income students believe there are no negative consequences to using OSS, as compared to 7.3 percent of superintendents in higher poverty districts.

There appears to be a lack of alignment when discussing the reasons for using OSS and its positive and negative consequences. While 42 percent of superintendents think the primary purpose of OSS is to maintain safety and order in the building, only 24 percent believe the most positive consequence of using OSS is that it supports school staff in maintaining an orderly environment. If many superintendents believe that the intention of OSS is to maintain order and safety, it is interesting that fewer respondents think that maintaining safety and order is not the greatest advantage to using OSS. Districts enrolling a higher percentage of low-income students are more likely to describe the primary purpose of OSS as to maintain safety and order than other districts.

Similarly, there seemed to be disagreement among superintendents as to the role OSS plays in transforming student behavior and deterring future misbehavior. While 30 percent of superintendents believe that the most positive effect of using OSS is that it changes the disciplined student's behavior for the better or deters other students from similar behavior, only 12 percent of respondents believe that the primary purpose of OSS is to modify student behavior and prevent future misbehavior. Superintendents leading districts with the least student poverty (0-25 percent of students qualifying for free and reduced lunch) are much more likely than district leaders with the greatest student poverty (76-100 percent of students qualifying for free and reduced lunch) to think the primary purpose of OSS is to change student behavior and discourage future misbehavior.

When disaggregating responses by locale, urban district leaders are more skeptical that OSS changes a student's behavior for the better (only six percent identified this as the primary positive consequence of the practice) or that OSS deters other students from similar behaviors (three percent), when compared to suburban and rural district leaders. In contrast, 12 percent of rural district superintendents and 18 percent of urban superintendents identified changing student behavior as the most significant positive consequence of out-of-school suspension.

Twenty percent of respondents believe the primary purpose of OSS is to remove students from disrupting the learning of others, and 32 percent think the most significant positive

effect of employing OSS is that it maintains or improves school climate by removing the worst offenders.

Superintendents of lower-income districts are much more convinced that the most significant positive effect of OSS is maintaining or improving school climate by removing the worst offenders, whereas superintendents of wealthier districts are much more divided on what they consider to be the greatest positive consequences of OSS.

Of the 92 percent of superintendents who believe there are negative consequences to using OSS, two thirds believe lost class time is the most significant. Rural (65 percent) and suburban (62 percent) district leaders are more likely to think the most negative consequence of OSS is loss of class time than urban districts leaders (48 percent). District officials from the most well-to-do districts also view lost class time as more consequential than superintendents with a substantial share of low-income students.

Twenty-seven percent of superintendents surveyed believe the most significant negative consequence of OSS is that it “encourages disengagement, absenteeism, truancy and/or drop-out in suspended students.” There is a substantial divide in the response between urban and suburban/rural districts and high- and low-poverty districts. Urban districts (43 percent) are much more likely to report disengagement as the most significant negative consequence of OSS than suburban (21 percent) and rural (21 percent) districts. Similarly, 40 percent of superintendents educating the largest proportion of low-income students (76 percent or more students qualifying for free and reduced lunch) believe the most significant negative consequence of OSS is disengagement, absenteeism, truancy and/or drop-out, while only 15 percent of superintendents educating the largest proportion of high-income students (less than 25 percent of students qualifying for free and reduced lunch) believe that disengagement/absenteeism is the worst consequence.

These findings suggest OSS is employed because of perceived benefits to the larger community (safety and order and easier to manage classrooms) while, intentionally or not, risking the continued education of the suspended student. Research has shown significant negative effects of the practice on suspended students (as recognized by many of the survey respondents), although there is little research to show evidence of the perceived benefit.^v

II. Code of Conduct

A school district’s code of student conduct establishes and communicates the district’s policies for addressing conduct in the classroom and on campus, and it sets forth procedures for maintaining an overall safe and positive school climate. The code typically begins with an outline of roles and responsibilities for both students and school personnel and lists different infractions (often categorized by varying degrees of discipline responses) and the rights granted to individuals to appeal any disciplinary action. The survey posed the following questions: 1) When was the most recent revision of your district’s code of

conduct? 2) Which stakeholders were involved in revising the code? and 3) Is your district's current code in need of revision?

Frequency of Revisions

The data show that 48 percent of superintendents revised their district's code of conduct within the past year and 36 percent revised their code between one and three years ago. The survey did not allow us to discern whether these districts are updating their codes in light of an increased awareness of the consequences of exclusionary discipline policies or whether the frequency of updating the code has remained constant for decades. It is possible that the recent revision of school codes is a result of legislation passed in 25 states since 2011^{vi} requiring districts to document more explicitly how they are managing and preventing bullying and cyber-bullying. For some districts, perhaps their code updates and revision reflect solely the intermittent processes in place to review and amend conduct policies. When disaggregating the data on the frequency of code updates, rural districts are more likely than urban and suburban districts to have updated their codes within the last 1-3 years rather than within the last year. While only six percent of respondents updated their codes more than five years ago, urban districts were 40 percent more likely than rural districts to have updated their codes over five years ago.

Stakeholders Engaged in Code Revisions

Principals (96 percent) and district leaders (93 percent) are the most likely stakeholders involved in revising the district's code. Teachers (78 percent) are the third most commonly engaged in updating the district's policies, followed by support staff (50 percent) and parents/guardians (49 percent). Thirty-three percent of districts involved students in the revision of the code. Juvenile justice/law enforcement (21 percent), community leaders (20 percent), clinicians (12 percent) and child welfare entities (7%) were the least likely to be involved.

Superintendents leading urban districts are more likely than other superintendents to involve law enforcement in the revision of their codes of student conduct. Teachers are more involved in revising the code in rural areas than in suburban and urban communities. Child welfare workers in rural areas are rarely engaged in the revision of the code. Districts serving higher percentages of low-income students are less likely to engage clinicians than more affluent districts, but are more likely to engage support staff in their school discipline revisions.

Further Code Revisions

When asked whether their code needs further revisions, the majority of respondents (75 percent) indicated that their code reflects the district's "discipline philosophy." Seventy-five percent of superintendents believe the frequency with which they suspend students out of school is the "right amount." Twenty two percent of respondents indicated they are suspending students too often, while only two percent indicated they are suspending students too infrequently. As the share of students from low income families increased, so did the superintendent's belief that the district's code needs updating and that the code is not an accurate reflection of the district's discipline philosophy. Suburban (81percent) and

rural district leaders (76 percent) are much more likely to believe their codes do not need revision and reflect the district's disciplinary philosophy than urban district administrators (49 percent).

Tiered support systems such as Positive Behavioral Interventions and Supports (PBIS) have well-documented positive effects on school safety, student behavior and academics. Twenty percent of respondents stated that their district's code is in need of revision to reflect greater tiered supports and reduce out-of-school suspension and expulsion. Districts leaders with a greater percentage of low-income students are increasingly likely to think their code needs to be revised to reflect greater tiered supports to reduce suspensions and expulsions than wealthier districts. Superintendent convenings reveal that some administrators are unfamiliar with PBIS or other response to intervention systems, which may be the reason why districts have not included these tiered supports in their codes. As more superintendents and school personnel engage with and implement these systems, it is more likely that superintendents will integrate these interventions and prevention measures into their codes of conduct.

Despite new federal guidance on Title IV and Title VI of the Civil Rights Act of 1964 and a crop of new state laws and regulations over the past five years^{vii}, only 2.4 percent of all respondents believe they need to update their codes in light of federal or state statutes. Since this survey came on the heels of guidance issued by the Obama Administration instructing districts to ensure their codes of conduct comply with federal civil rights laws, it is surprising that so few superintendents reported that their codes are in need of revision. This is especially true given the Administration's strong caution to district leaders to ensure their district's discipline policies do not disparately impact students on the basis of race, gender or disability status.

III. Supports and Rights of Students Suspended Out of School

Three-quarters of districts provide students with academic, mental health or ancillary support services when they are suspended. A concern over lost-class time for suspended students may be why 82 percent of superintendents indicated the district almost always or always ensures that suspended students are able to make up work and receive full credit during their exclusion from school and 50 percent provided suspended students with access to tutoring other academic assistance. Rural districts are less likely than suburban and urban districts to provide suspended students with opportunities to make up work and receive full credit. Only 19 percent of respondents provide suspended students with one-on-one or small group instruction with a certified teacher during the suspension.

When asked about the kinds of supports offered to students who are suspended or returning to school from suspension, 37 percent of superintendents indicated that personnel in the district are required to craft a plan for re-entry, which may entail services provided to students while suspended. Suburban districts are the most likely to have personnel in the district who craft a plan for re-entry. As a trend, the more affluent a district's students, the more likely the district is to provide re-entry plans. Districts

comprised with the smallest share of low-income students were the least likely to offer access to academic assistance during OSS or one-on-one or small group instruction with a certified teacher.

Urban districts (34 percent) are much more likely than suburban (24 percent) and rural districts (15 percent) to offer wrap-around or ancillary support services to students suspended out-of-school. Similarly, rural districts (38 percent) are much less likely to offer suspended students access to support staff such as social workers, psychologists or other mental health professionals than suburban (49 percent) and urban (61 percent) districts. These findings are unsurprising given that rural districts typically have low numbers of health care providers, are challenged by transportation barriers, and have less access to needed services.

The ability to appeal a suspension through a formal or informal hearing is fairly consistent among districts. Seventy-four percent of districts always or almost always give students an opportunity to appeal their suspension or expulsion, but rural districts are somewhat less likely to provide hearing opportunities for students than suburban and urban districts. Notification of parents and guardians regarding a student's out of school suspension is near universal: 94 percent of respondents said that parents and districts are always or almost always notified.

IV. Meting Out Discipline

Insubordination, Defiance or Failure to Obey or Respect Teachers/Staff

When asked which infractions account for the greatest number of OSS in a district, 40 percent of respondents indicated that insubordination, defiance or failure to obey or respect teachers and staff accounted for the bulk of their suspensions. This matches data uncovered in California, which found that willful defiance is listed as the reason for nearly half of the 700,000 suspensions given in California schools each year.^{viii} Districts with more than 50 percent of the student population qualifying for free and reduced lunch are more likely than districts with a smaller share of low-income students to suspend for insubordination/defiance. An AASA analysis of state discipline laws found that 23 states explicitly authorize districts to suspend for willful defiance or disruptive behavior.^{ix} Four other states allow districts to discipline for behavior that is similarly vague.^x

Fighting

Thirty percent of respondents indicated that fighting infractions lead to the greatest number of out-of-school suspensions in their district. Assault is grounds for automatic suspension or expulsion in 16 states,^{xi} particularly assault against a school employee.^{xii} These mandatory state laws or regulations requiring discipline for specific types of infractions limit the discretion of district and school staff to discipline students. In fact, seventy-one percent of superintendents reported that their state has laws or regulations that mandate suspensions and expulsions for certain infractions. Fortunately, states are beginning to pass legislation that removing the mandates for out-of-school suspension and expulsion. Since 2011, five states^{xiii} have passed laws or regulations ending or greatly

limiting mandatory uses of out-of-school suspension or expulsion. Nevertheless, when 30 percent of all districts list fighting as the top reason for suspending students out-of-school, policymakers eager to reduce district suspension and expulsion rates may want to consider reviewing how the mandatory suspension and expulsion policies for assault are working in their states.

Drugs, Alcohol, Substance Abuse

Twelve percent of respondents indicated that drugs, alcohol or substance use is the leading trigger for out-of-school suspensions. As of 2013, students in 14 states must be expelled or suspended for substance use, and four states require teachers to report any suspicion of substance abuse.^{xiv} States are moving toward rehabilitation and recovery in response to substance use offenses in schools. For example, Rhode Island recently passed a law allowing for the establishment of recovery high schools for students with drug addictions that offer a comprehensive high school education combining treatment with rigorous educational opportunities. In addition, rehabilitation is required in California and Louisiana, and six states are required to offer rehabilitation for students who are disciplined for substance abuse^{xv}.

Bullying and Truancy

Eleven percent of all respondents indicated that bullying and harassment are the top infractions leading to OSS. The wealthier a district's student population, the more likely the superintendent is to point to bullying and harassment as the infraction responsible for the greatest number of OSS. Rural districts were one and a half times more likely than urban districts to list bullying and harassment as the top infraction. Only one percent of districts indicated that truancy is responsible for the most OSS. Suspension for truancy was flagged as a policy of concern in the January Title VI guidance given the incongruousness of excluding a child from school for failing to appear at school. District responses to truancy have been amended in 17 states since 2011,^{xvi} and perhaps changes in state laws addressing districts' responses to truant students explain the lower truancy rates. While truant students are not seen as a significant cause for out of school suspensions, seven percent of respondents believed that if the state prohibited OSS for truancy, there would be a significant reduction of students suspended for truancy. Nineteen percent said the reduction would be minimal.

The vast majority of districts limit the ability to suspend students to principals (95 percent), other building administrative staff such as deans (25 percent), or superintendents and other central staff (57 percent). Only two percent of respondents indicated that teachers had the authority to suspend students. No districts indicated that education support staff members—such as counselors—have the ability to suspend a student out of school. Rural districts are most likely to concentrate suspension authority to and central office staff, but this may be because superintendents in rural districts handle more day-to-day school administration than superintendents in more populous districts.

V. How Important is Discipline Reform, How Do We Make Reform Happen and How Do We Track It?

The Importance of Reducing Suspensions and Expulsions

When asked to rate the importance of reducing the use of out-of-school suspension and/or expulsion to the district's leadership agenda, 50 percent of superintendents responded it was "important" or "very important" to them. Urban district school leaders were much more likely than suburban district leaders to indicate that reducing OSS and expulsion is "very important." None of the respondents leading urban districts listed the issue as "not important." A similar percentage of rural district administrators said that reducing OSS was "very important" as said that it was "not important" to their leadership agenda.

As a trend, school leaders' prioritization of school discipline reform is correlated to the percentage of low-income students in the district. The greater the representation of low-income students in a district, the more likely it is to be viewed as important. Only ten percent of superintendents educating the highest proportion of low-income students indicated that reducing OSS and expulsion rates was "not important" to their leadership agenda.

Effective Strategies to Reduce Suspensions and Expulsions

When asked what would have the greatest effect in reducing school suspension, over half of superintendents (53 percent) selected greater parental involvement. Rural district leaders (56 percent) are more likely to cite greater parental engagement as effective in reducing district OSS rates than urban or suburban district leaders. The second most common response for all superintendents was character education, social-emotional learning and conflict resolution (40 percent). Thirty-eight percent of respondents said that more mental health supports, counselors, or social workers would have the greatest effect on reducing suspension and 38 percent said that support and training for teachers and staff on building positive relationships with students would have that effect.

Thirty-four percent of superintendents cite a system of positive behavioral supports as having the greatest effect in reducing suspensions in their districts. Focused efforts on improving classroom management of teachers (27 percent) and more engaging instruction (30 percent) are also seen as key levers for reducing school suspension. Urban superintendents were more likely than other superintendents to believe support and training for teachers on building positive relationships with students would have the greatest effect and were also more likely than suburban districts to think engaging instruction is significantly impactful.

When disaggregating the data by poverty, there are major differences in beliefs as to which classroom and leadership changes would have the greatest impact on reducing suspensions. Only 24 percent of the superintendents in districts where less than 25 percent of students are low-income believe that better classroom management would have the greatest effect on reducing suspensions, but 80 percent of superintendents in districts where over 76 percent of students are low income thought that greater classroom

management would have the greatest impact. Three percent of all superintendents believe that more effective principals would have the greatest impact in reducing suspensions, although the higher the poverty in the district, the more likely a superintendent is to place value on more effective principals.

Only 16 percent of superintendents believe more teen courts or restorative justice practices, a widely promoted alternative to out-of-school suspension, would have the greatest effect on reducing district suspensions. Urban districts are more likely than other districts to believe the use of restorative justice would have a great effect on reducing discipline rates, perhaps because these programs are better known and used more frequently in urban school settings.

There have been well-publicized efforts by advocates, community leaders, and student groups to request that district school boards amend school policies to reduce the number of infractions that result in mandatory suspensions and expulsions and prohibit discretionary discipline infractions from resulting in exclusionary school discipline.^{xvii} Only two percent of all superintendents, however, reported that changing policy at the district level would have the greatest effect in reducing suspensions, presumably indicating their belief that issues reside in practice and implementation, rather than in the policies themselves. Among urban district leaders, 11 percent believe amending district policy would be the most effective strategy in reducing OSS rates, but only one percent of rural districts and two percent of suburban districts agree.

A Role for Data Collection

In addition to reporting on the policies and practices superintendents perceived would positively support school discipline changes in their districts, superintendents also shared district-level discipline data collection practices. About 50 percent of superintendents reported that their central office staff reviews discipline data either weekly (21 percent) or monthly (29 percent) and about 60 percent reported that they share data with school principals either weekly (38 percent) or monthly (21 percent). Many superintendents reported that they disaggregate data in a variety of ways to understand if student subgroups are being disproportionately suspended (students with disabilities, male students, English language learners, etc.) or the extent to which individual schools and classroom teachers have higher discipline referrals.

VI. Outside Partners and Perceived Stakeholders' Opposition

School superintendents were asked if their district currently partners with individuals or organizations outside of the school to improve school discipline policy and practice, and 65 percent of respondents replied affirmatively. Urban districts (74 percent) are more likely to partner with outside organizations to improve discipline policy/practice than suburban (65 percent) and rural (62 percent) districts.

When undertaking efforts to improve school discipline, 84 percent of respondents indicate that they partner with local police/law enforcement. Health and mental health agencies are

a close second to law enforcement, with 75 percent of districts reporting that health and mental health agencies were engaged in their school discipline work. Nearly two-thirds of districts indicated that they partner with social service agencies, and 58 percent partner with local judges/juvenile court staff, although this practice is more common in urban areas than rural and suburban areas. Half of all respondents said they engage with parent and community advocacy groups, and lower levels of engagement are reported with student groups (29 percent) and religious organizations (20 percent).

Districts that indicated reducing the use of out-of-school suspensions and expulsions is very important to their leadership agenda were more likely to have partnerships with outside entities to improve school discipline. Eighty percent reported having outside partnerships compared to the average of 65 percent of all districts who indicated having partnerships. Specifically, these districts were more likely to have partnerships with students/student advocacy organizations (35 percent); parent/ community advocate groups (58 percent); and local judges/juvenile courts (64 percent).

Eleven percent of district leaders believe that additional partnerships would have the greatest impact on reducing suspensions and expulsions. When disaggregating by student income, there are stark differences. The greater the proportion of low-income students in a district, the less likely it is to engage with local police or law enforcement in efforts to improve school discipline and the more likely it is to engage with social service agencies. The highest poverty districts also reported much greater engagement with juvenile justice and judges (69 percent) than the lowest poverty districts (only 28 percent partnered with juvenile justice and courts).

While many districts partner with outside organizations to improve school discipline policy and practice, superintendents expected some internal opposition from key district stakeholders to discouraging and limiting out-of-school suspension. Superintendents expect teachers and principals to offer the greatest opposition. Principals are perceived as likely to oppose OSS limits by 57 percent of respondents. Almost three-quarters of superintendents believe teachers are likely to oppose limiting OSS. Rural district leaders are more likely to expect support from teachers than urban district leaders.

Generally, superintendents expect parents and students would be more supportive of efforts to limit OSS. Fifty-one percent said they expect parents would support limits to out-of-school suspension, and 54 percent said students would support such limits. Rural and suburban district superintendents expect students to oppose OSS limitations more than urban district leaders. Suburban districts superintendents expect parents to be less likely to support limiting OSS than urban and rural districts leaders.

There is a mixed response regarding how supportive school boards and community leaders would be to changes to limit OSS, with 42 percent of respondents believing that community leaders would be neutral. Urban district leaders expect school board members and community leaders to support limits to exclusionary discipline at a higher rate than suburban and rural district leaders. Superintendents overseeing suburban districts are

more likely to anticipate pushback from community leaders if they limited OSS, when compared to urban district leaders. District leaders in the lowest poverty districts are more likely to expect school boards to oppose limits to OSS than leaders in the highest-poverty districts.

VII. Recommendations for Superintendents, School Staff, and Advocates

- Superintendents play a critical role in addressing exclusionary discipline and racial disparities and their partnership and leadership should be sought by stakeholders and advocates. The engagement of superintendents is critical to meaningful discipline reform. As system leaders, they set much of the policy and practice that drives school and classroom level decision making.
- School districts should ensure their discipline policies and practices align with the philosophy of the district and community and that the policies support the educational success and inclusion of all students.
- Data collection and increased knowledge about the use of suspensions and expulsions – their frequency, for what and for who can have an important impact on policy and practice decisions at the school and district levels. Examine district data to identify areas of improvement and work with stakeholders to co-develop solutions.
- School exclusion should be a last resort and special care should be taken when addressing discretionary infractions (such as “willful defiance” and other ill-defined categories of behavior). It is critical that disparities due to student race, gender or disability are identified and remedied, which may require additional training for teachers and staff.
- There are established alternatives to exclusionary discipline, such as restorative practices, and superintendents and advocates should familiarize themselves with effective strategies used in schools and districts.

It is promising that superintendents have updated their codes of conduct fairly frequently and are engaging some important stakeholders—principals, teachers and parents—in the development of the district’s code, although only a third of superintendents engaged students. Only 20 percent of superintendents reported engaging juvenile justice or law enforcement in the development of the district’s code.

While some states are prescriptive in telling districts when they must engage law enforcement for specific student offenses, many districts’ codes specify that law enforcement will be engaged for a variety of infractions that may not be required by state law, including cyberbullying, substance abuse, and property damage. According to advocacy groups^{xviii}, the majority of student arrests are for discretionary offenses such as disruption, disorderly conduct, and minor school fights.

The nation’s largest organization of school-based police officers recommends that law enforcement officers not be involved in school disciplinary action.^{xix} Superintendents should be sensitive to how frequently engaging law enforcement—individuals or entities

contracted to work for the school as well as those wholly independent of the school— in disciplinary infractions may push students through a “school-to-prison pipeline.” School resource officers, when employed, should be ‘outward-facing’ and tasked with keeping students and staff safe, not enforcing school discipline policy.

District leaders should educate administrators, principals and teachers on the issues and challenges that surround ‘willful defiance’ and other vaguely defined infractions in discretionary discipline. Consider removing these offenses from the code of conduct. All types of people, including school personnel, may have inherent prejudices that lead to harsher sanctions for persons of color or persons with disabilities and unconscious, negative responses to types of hair, dress, speech or body language. It is critical that district leaders create opportunities for school personnel to critically reflect on how stereotyping and implicit bias can affect students and student discipline practices in their schools. Reviewing of “How Educators Can Eradicate Disparities in School Discipline: A Briefing Paper on School-Based Interventions,”^{xx} which contains excellent information on how districts can reduce negative stereotyping and implicit bias that may directly influence disparate discipline rates for students is recommended.

Twenty-three percent of superintendents believe their districts are suspending students “too often;” 85 percent believe there are negative consequences to using OSS; and over half report that reducing out-of-school suspension is important or very important to their leadership agenda. These results are very encouraging, and we recommend that superintendents review high-quality research, specifically the “Briefing Paper” mentioned above, to learn how to further “shift disciplinary conflicts and consequences toward a less conflict-ridden school climate, benefitting both educators and students.”

Research tells us that building supportive relationships among school staff and focusing professional development on improving teacher-student relationships are proven ways to reduce exclusionary discipline, particularly racial disparities in student discipline. While almost 40 percent of superintendents acknowledge that greater support and training for teaching on building positive relationships with students would have the greatest effect in reducing OSS rates, we do not know how many districts are willing or able to invest in this type of training. We also know that 40 percent of superintendents acknowledge that individual teachers are responsible for a disproportionate number of school discipline referrals, and we encourage district leaders to target their professional development towards addressing this issue.

Since almost all superintendents acknowledge there are negative consequences to using OSS, district leaders should consider how the district can limit the use of OSS and mitigate suspensions’ most significant negative consequences. While 27 percent of survey respondents think the most significant negative consequence of OSS is that it encourages disengagement, absenteeism, truancy and drop-outs, it is not clear whether districts are targeting any evidence-based interventions at suspended students to ensure they do not miss more school or feel increasingly disengaged. We believe that identification of the reasons for and consequences of using OSS will spur district leaders to work with central

office staff, school boards and all relevant school and community members to review district policies and practices with an eye towards understanding why exclusionary discipline is being used in the district and how the district can minimize the impact of policies that may drive students out of school.

Pressure from federal agencies, state legislatures, civil rights groups and other child advocates is requiring careful consideration of, and changes to, exclusionary discipline policies. Since school leaders' chief priorities are the education of students and the need to provide all students and school personnel with a safe educational environment, discipline reform advocates should highlight research demonstrating how positive behavioral interventions in school can improve student achievement, enhance school safety and reduce OSS rates.

Survey data show that almost a quarter of superintendents think their district is over-suspending students, and over half believe it is important or very important to reduce OSS rates. Forty percent also know that certain classrooms and teachers have higher rates of discipline referrals than others. However, superintendents perceive many of their stakeholders (principals, teachers, parents, school boards) as potential barriers to implementing more restorative discipline policies. As a result, the short average tenure for a superintendent means there may be professional consequences to moving the district in a direction that would garner considerable push-back from key stakeholders and constituencies.

Nevertheless, if community stakeholders and outside partners demonstrate a desire to work with district personnel in developing a better code of conduct and helping support the resources needed to implement needed reforms, this momentum could embolden superintendents to shoulder opposition and move forward to implement desired reforms. Engagement of parents in the school and in positive discipline reform activities could also be a helpful strategy.

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About AASA

AASA, The School Superintendents Association, founded in 1865, is the professional organization for more than 13,000 educational leaders in the United States and throughout the world. AASA's mission is to advocate for the highest quality public education for all students, and develop and support school system leaders. For more information, visit www.aasa.org, follow @AASAHQ on Twitter or on Facebook. For more information, contact Bryan Joffe, bjoffe@aasa.org, or Sasha Pudelski, spudelski@aasa.org

About CDF

The Children's Defense Fund Leave No Child Behind® mission is to ensure every child a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start* and a *Moral Start* in life and successful passage to adulthood with the help of caring families and communities. For more information visit, www.childrensdefense.org or contact Elizabeth King, eking@childrensdefense.org or Sheba Rogers, srogers@childrensdefense.org.

SUPERINTENDENT SURVEY REPORT

ⁱ Lhamon, C.E. & Samules, J. (2014) Dear colleague Letter from the U.S. Department of Justice and the U.S Department of Education. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html>

ⁱⁱ Nine percent is an average survey response rate for AASA

ⁱⁱⁱ Fifty-two percent of AASA respondents are superintendents of districts with student populations between 0-2,500 students compared to 71% of school districts in the U.S. that enroll less than 2,500 students. For our survey, 33% of respondents led districts of less than 10,000 students compared to an average of 25% of districts which enroll less than 10,000 students. 14% of survey respondents were superintendents in districts of over 10,000 students. Nationally, the percentage of districts enrolling over 10,000 students is 5%. Fifty-six of superintendents responding lead districts in rural areas compared to a national average of 48%. AASA respondents identified as working in suburban districts compared to an average of 40% of districts that are comprised of suburban areas and towns. Twelve percent of AASA's survey respondents are in urban districts compared to an average of 13% urban districts nationally. Fourteen percent of all districts responding are in the highest quartile of poverty (75% of students qualifying for free and reduced price lunch or FRLP) compared to a national average of 20%. Districts educating 51-75% of students on FRLP responded at a rate of 33% compared to a national average of 26%. Districts educating 26-50% of students qualifying for FRLP responded at a rate of 34% compared to an average of 26%. Districts educating the lowest proportion of low-income students (0-25% FRLP eligible) were represented by 20%, which is the same as the national average.

^{iv} Gregory, A., Bell, J., & Pollock, M., (2014). How educators can eradicate disparities in school discipline: A briefing paper on school-based interventions. Bloomington, IN: The Equity Project at Indiana University. Available at <http://rtpcollaborative.indiana.edu/briefing-papers/>

^v Fabelo, T., Thompson, M. D., Plotkin, M., Carmichael, D., Marchbanks, M. P. III, and Booth E. A. (2011). *Breaking schools' rules: A statewide study of how school discipline relates to students' success and juvenile justice involvement*. New York, NY; College Station, TX: Council of State Governments Justice Center; Public Policy Research Institute of Texas A&M University. http://justicecenter.csg.org/files/Breaking_Schools_Rules_Report_Final.pdf

^{vi} NCSL. "State bullying legislation since 2008." NCSL. Web. 7 July 2014. <http://www.ncsl.org/research/education/bullying-legislation-since-2008.aspx>

^{vii} AASA: The School Superintendents Association. (2014). *Legislative trends report* (Winter 2014 ed.). Washington, DC: Pudelski, S and Finnan, L.

^{viii} Rott, Nathan. "LA Schools Throw Out Suspensions For 'Willful Defiance'" *All Things Considered*. NPR. 15 May. 2013. Web. 01 July. 2014.

^{ix} AASA: The School Superintendents Association. (2014). *Legislative trends report*

^x *ibid* NH ("won't conform to reasonable rules of school) OK ("immorality"), SC ("persistent disobedience") TX ("conduct violates code of conduct")

^{xi} *ibid*

^{xii} *ibid*

^{xiii} *ibid*

^{xiv} *ibid*

^{xv} *ibid*

^{xvi} *ibid*

^{xvii} FixSchoolDiscipline.org. *Civil Rights Leaders & Students to Gov. Brown: Time Is Now to Sign AB 420 and Fix 'Willful Defiance' Suspensions*. FixSchoolDiscipline.org. N.p., 15 Aug. 2013. Web. 07 July 2014.

^{xviii} Advancement Project. *Coalition Says Armed Police in Schools Wrong Answer For Stopping Gun Violence*. N.p., 12 Jan. 2012. Web. 07 July 2014.

^{xix} NASRO. News Releases. *NASRO Agrees Police Should Stay out of School Discipline*. Global Newswire. Global Newswire, 08 Jan. 2014. Web. 07 July 2014.

^{xx} Gregory, A., Bell, J., & Pollock, M., (2014). How educators can eradicate disparities in school discipline: A briefing paper on school-based interventions. Bloomington, IN: The Equity Project at Indiana University. Available at <http://rtpcollaborative.indiana.edu/briefing-papers/>