Getting Back On Track
By Daniel J. Losen
My Story....

- Discipline issues...
Out-of-school Suspension Impact

- Loss of instruction
- Lower achievement
- Lower graduation rates
- Heightened risk for gang involvement
- Increased risk of involvement in the juvenile justice system
- Higher crime rate in the community
- Long-term economic costs for individual and the community
Straight forward Review

• Common sense
• Math we can all do
• Improve outcomes for all children in Syracuse.
Two Basic Calculations

• What is risk?
• How is that different from suspensions per 100?
• Other ratios...will be explained as they arise....
National Secondary Suspension Rates: Then and Now

<table>
<thead>
<tr>
<th>Year</th>
<th>Black</th>
<th>White</th>
<th>Latino</th>
<th>American Ind.</th>
<th>Asian American</th>
</tr>
</thead>
<tbody>
<tr>
<td>1972-73</td>
<td>11.8</td>
<td>5.6</td>
<td>6.1</td>
<td>5.6</td>
<td>2.4</td>
</tr>
<tr>
<td>2009-10</td>
<td>24.3</td>
<td>7.1</td>
<td>12</td>
<td>8.4</td>
<td>2.3</td>
</tr>
</tbody>
</table>
Educational Justification?

• How about when students are a danger to themselves or others, or exhibit other extreme misbehaviors? But unsupervised?
• Are these justifications for the frequent use of out of school suspension for less serious, non-violent conduct?
Three Prominent Justifications

• To get parents’ attention....

• To deter future misbehavior...peers and student....

• To ensure a safe, orderly, and effective educational environment, “So the good kids can learn.”

• What does the research say?
We need to kick out the “bad” kids so the “good” kids can learn....

• We are a public school, “so we take kids as they come....” (Andres Alonso, Superintendent of Baltimore City Schools)

• Research has “busted” this intuitive theory as “myth.” (Texas; Indiana).

• Wrongly assumes that there are only two options....

• There are research-based approaches, and alternatives to frequent suspension out-of-school, that work better.
Risk for Suspension at the Elementary and Secondary Levels by Selected Subgroups
Syracuse Suspension Rates Are Above the National Average

<table>
<thead>
<tr>
<th>Secondary Schools</th>
<th>National Average</th>
<th>Syracuse</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALL</td>
<td>11.3</td>
<td>30.8</td>
<td>+19.5</td>
</tr>
<tr>
<td>White</td>
<td>7.1</td>
<td>19.1</td>
<td>+12</td>
</tr>
<tr>
<td>Black</td>
<td>24.3</td>
<td>38.2</td>
<td>+13.9</td>
</tr>
<tr>
<td>Hispanic</td>
<td>12</td>
<td>29.5</td>
<td>+17.5</td>
</tr>
<tr>
<td>English Learners</td>
<td>11.3</td>
<td>15.2</td>
<td>+3.9</td>
</tr>
<tr>
<td>All Students with Disabilities</td>
<td>19.3</td>
<td>44.1</td>
<td>+24.8</td>
</tr>
</tbody>
</table>
Elementary Rates are High

• Out of 5,675 districts across the nation, the 12.6 percent of enrollment that Syracuse suspended (at least once) in 2009-10 ranked it among the top 100 suspending school districts in the nation.
Rates in Syracuse Remain High and Have Increased Since 2009-10
Nearly All are High-Suspending in 2012-13

- In 10 Syracuse schools, 25% or more of ALL the enrolled secondary students were suspended at least once.
- 15 of 17 Syracuse City School District’s schools, serving secondary students, suspended at least one major subgroup at that high rate. (by race, ethnicity, disability)
- Of these, 4 secondary schools suspended at least one subgroup at a rate of 50% of their total enrollment.
- Syracuse City School District had 6 schools where no elementary students experienced a suspension rate above or equal to 10%, including when disaggregated by these major subgroups.
Syracuse is High-Suspending in 2012-13

• No school in Syracuse suspended less than 10% of students when data were further disaggregated by subgroups such as race and disability.
Disparities are Large

• Risk = Percentage of Enrolled Suspended at least once
• Days of Lost Instruction
• Suspensions Per 100
• Rate of ISS to OSS
• Race with Gender....next report
Syracuse Disparate Rates of Suspension (All Students) 2012-13

K-12 | Secondary | Elementary
---|---|---
All | 21 | 30 | 10
Black | 27 | 39 | 14
White | 21 | 13 | 7
Latino | 20 | 31 | 9
Syracuse Disparate Rates of Suspension (Students With Disabilities) 2012-13

<table>
<thead>
<tr>
<th></th>
<th>All</th>
<th>Black</th>
<th>White</th>
<th>Latino</th>
</tr>
</thead>
<tbody>
<tr>
<td>K-12</td>
<td>27</td>
<td>33</td>
<td>18</td>
<td>27</td>
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<tr>
<td>Secondary</td>
<td>38</td>
<td>44</td>
<td>28</td>
<td>40</td>
</tr>
<tr>
<td>Elementary</td>
<td>15</td>
<td>20</td>
<td>9</td>
<td>14</td>
</tr>
</tbody>
</table>

Legend:
- Blue: K-12
- Red: Secondary
- Green: Elementary
Days of Lost Instruction 2012-2013

• Total of 23,555 days of lost instruction resulting from out-of-school suspension in one year alone.
In Syracuse, Disparities in Lost Days From Out of School Suspension (Average Per Student)

<table>
<thead>
<tr>
<th></th>
<th>All</th>
<th>White</th>
<th>Latino</th>
<th>Black</th>
<th>Asian/PI</th>
<th>Amer. Ind.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.2</td>
<td>0.8</td>
<td>1.1</td>
<td>1.6</td>
<td>1.1</td>
<td>0.7</td>
</tr>
</tbody>
</table>
## Suspensions in Syracuse (K-12) Per 100 Students Enrolled 2012-2013

<table>
<thead>
<tr>
<th>Race Ethnicity</th>
<th>Without Disabilities</th>
<th>With Disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian/Pacific Islander</td>
<td>4.1</td>
<td>16.1</td>
</tr>
<tr>
<td>Black</td>
<td>64.2</td>
<td>104.9</td>
</tr>
<tr>
<td>Latino</td>
<td>44</td>
<td>75.8</td>
</tr>
<tr>
<td>American Indian</td>
<td>40.6</td>
<td>21.5</td>
</tr>
<tr>
<td>White</td>
<td>31.2</td>
<td>57</td>
</tr>
<tr>
<td>ALL</td>
<td>47.1</td>
<td>84.1</td>
</tr>
</tbody>
</table>
Research and Experts in Children’s Development

• American Psychological Association
• Academy of American Pediatrics
• National Association of School Psychologists
• Center for Disease Control
• National School Boards Association all agree:

Suspension should be only utilized as a measure of last resort.
Rate of ISS to OSS
2012-2013

• For each group divide the number of ISS by the number of OSS at each school.
• A rate of 1.0 means that as many students received an OSS as received an ISS.
• District wide there was almost no difference for Black and White students on this measure (1.14 and 1.11 respectively). This suggests that for violating a school rule in Syracuse, students are almost equally likely to get an OSS as an ISS.
• Shows relationship between an alternative to out of school suspension and OSS
• 2.0 or higher: Bellevue Elementary; Delaware, Dr. Weeks ES, Hughes ES, H.W. Smith K-8; Roberts K-8; Salem Hyde ES; Seymour ES; Van Duyn ES
• 0.75 or less: Clary MS, Corcoran HS; Danforth MS; Expeditionary Learning MS; LeMoyne ES, Fowler HS; Huntington MS; Institute of Technology at Syracuse Central; Nottingham HS
Second Chances?

- All that had ISS/OSS ratio over 2 were relatively low suspending for Black students. None were secondary schools.
- All that had ISS/OSS ratio at 0.75 or lower suspended 25% or more of their Black students except Expeditionary Learning Middle School (20%).
More on What Works

- **Cleveland**: Study of Cleveland Ohio: Social emotional learning strategies, and revised code of conduct were much more effective for safety than more police and metal detectors. (Osher)
- **Virginia**: Statewide study on the Virginia Threat Protocol: reduced suspensions for all. (Cornell)
- **Chicago**: Strong relationships between teachers and students and teachers and parents adds the most to sense of safety; schools serving children from the highest crime neighborhoods had produced environments that felt as safe as those serving youth from the wealthiest low-crime neighborhoods. (Steinberg)
- **Denver**: Restorative justice reduced both suspension rates and racial disparities.
- **Randomized Control**: Teacher training focused on teacher-student engagement.
School Levels Analysis

• Middle schools tended to have higher suspension rates than high schools

• One theory is that because being suspended is correlated with a dramatic increase in the risk for dropping out, the attrition of students with a history of behavioral problems contributes to slightly lower rates of suspension in high school (Back to risk data)
Syracuse Suspension Risk in Grades 6-8 for Middle Schools versus in K-8

Grades 6-8 Disparities in 2012-2013

<table>
<thead>
<tr>
<th></th>
<th>6-8 in K8</th>
<th>Middle School</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black</td>
<td>30</td>
<td>55</td>
</tr>
<tr>
<td>White</td>
<td>15</td>
<td>29</td>
</tr>
<tr>
<td>Latino</td>
<td>26</td>
<td>39</td>
</tr>
</tbody>
</table>

Black, White, Latino
Racial Differences in Absolute Terms

- Black/White gap for students in grades 6-8 was 15 points in K8 schools and 26 points in middle schools.
- The analysis excluded all elementary students.
- The Latino/White gap was 11 points in K8 schools and 10 points in middle schools.
- Similar pattern in all three years.
- K8 settings in the aggregate had lower risk for suspension for each racial group.
Not All K8* Schools Were Lower-Suspending

Ed Smith: Black - 38, White - 10, Latino - 38
Frazer: Black - 45, White - 13, Latino - 35
Hughes: Black - 46, White - 17, Latino - 13
Huntington: Black - 29, White - 11, Latino - 25
H.W. Smith: Black - 33, White - 20, Latino - 19
Roberts: Black - 37, White - 15, Latino - 7
Not All Middle Schools Were High-Suspending

- Clary: Black 48, White 25, Latino 19
- Danforth: Black 58, White 43, Latino 55
- Ex. Learning: Black 20, White 7, Latino 13
- Grant: Black 50, White 26, Latino 29
- Lincoln: Black 61, White 34, Latino 38
- Westside Ac.: Black 66, White 50, Latino 46
Wide Range of Approaches Raises Questions

• There is a big difference between suspending 30% and 55% of a group’s enrollment.
• Most middle schools were suspending high volumes of ALL kids.
• What is the justification?
• What are Expeditionary Learning and Roberts K8 doing differently?
• Expeditionary Learning Middle School had the highest ELA and Math scores among middle schools.
• Roberts’ 8th graders outperformed all but Edward Smith’s 8th graders.
• K8 schools had better grade 8 test scores.
The Test Score Analysis

• Not a scientific correlational study but there does seem to be a relationship at first glance.

• Research covering all the schools in Indiana did show a correlation between higher scores and lower suspension rates after controlling for race and poverty. (Skiba 2006)
Civil Rights Implications

- Disparate Impact
- Different Treatment
- Due Process
Need to Move Beyond Compliance

• Voluntarily self audit for compliance...
• Learn from the experience of other school districts:
Entangled Contributors
Disparate Impact Approach

• Changes are warranted even if there is no evidence of different treatment. Whether or not one group misbehaves more is NOT relevant because:
  • -the research says that frequent out-of-school suspensions for minor offenses is not educationally justifiable; or
  • -there are alternative approaches to discipline that are equally effective that would reduce the harmful disparate impact
Disciplinary Alternatives

• Restorative practices
• Social and Emotional Learning
• School Wide PBIS
• RtI with behavioral component
• Classroom and behavior management training
• Eliminate suspensions for minor offenses and replace with alternatives
• Counseling
• Quality: Behavioral Improvement Plans
Other Challenges: Discomfort
The MIT Beer Experiment

• Predictably Irrational: Economist, Dan Ariely
• In a blind-fold test, tasters overwhelmingly preferred vinegar laced MIT micro-brewed beer over a commercial brand of lite beer.
• When the taste test was repeated without being blind, and participants were told that the MIT beer had a trace of vinegar added, tasters crinkled their noses when they sipped the MIT beer and overwhelmingly chose the commercial lite beer.
• The knowledge of the vinegar changed the perception of the beer from favorable to unfavorable.
Coffee and Music, too!

• Experiments with coffee demonstrated that the same coffee will be rated more highly if tasters see expensive looking containers for condiments next to the coffee pot.
• They also were willing to pay more for the coffee.
• Women musicians won far more jobs when auditions for orchestras were performed behind a screen.
Gender Bias?

• Think about gender bias.
• Do we still accept deteriorating performance by girls in math?
Ariely Concludes

• Bias can be easily activated.
• Although we rarely can avoid having perceptions influenced by bias, we’ll be better off if we can at least acknowledge that we are trapped within our own perspective and partially blind to the truth.
Implicit Bias Measurement

• Brain science – based on speed of positive and negative associations.

• Implicit racial bias favoring whites exhibited by both blacks and whites.

• Data can help overcome bias....
We Hope You Test Yourself

www.implicit.harvard.edu
The Author’s Results

• Results can change but are difficult to manipulate.

• Personal proof that stereotype can be activated or mitigated.
Color blindness and the intuition of non-racists

• Most educators think they are color-blind and just in their actions,

• The idea that they may act with bias in dealing with children counters their intuition.
Cognitive Dissonance
Status Quo?
Discipline and Parental Relationships
Unconscious or implicit bias

• May influence:
  • what data we discuss and use
  • which students gain access to the highest quality resources
  • teacher training
  • programmatic decision making (what not spend money on)
• Relationships with students and parents
This is NOT proof

• It is difficult to prove different treatment.
• Proof of different treatment would look like: Similar students, nearly identical circumstances, yet different punishments meted out along racial lines.
• However, much greater disparities are found where the opportunity for subjectivity to influence the perceptions of behavior and punishment decisions exists.
• There IS evidence to suggest that some level of different treatment exists in Syracuse.
Racial Disparities In Use of Suspension for First Time Offenders By Type of Offense

Black first-time offenders suspended at higher rates than Whites for the same minor offenses.
Syracuse: Frequent and Disparate Use of Out-of-School Suspension for Minor Offenses Compared with Serious Violations by Race

- Offenses involving weapons, drugs, and violence with injury: Gap 1.3
- All Minor Offenses: Gap 27

Number of out-of-school suspensions per 100 students

- White: Out-of-School Suspensions per 100 Students
- Black: Out-of-School Suspensions per 100 Students

- 1.2
- 2.5
- 30.0
- 57.0
Syracuse 2012-2013: Frequent and Disparate Use of Out-of-School Suspension for Minor Offenses Compared with Serious Violations by Race and Disability Status

- **White Students with Disabilities: Out-of-School Suspensions per 100 Students**
- **Black Students with Disabilities: Out-of-School Suspensions per 100 Students**

**Gap**
- **80 suspensions**
- **44 suspensions**
- **Gap 36**

**Serious offenses involving weapons, drugs, and violence with injury**
- **Gap 2.1**
- **4.0 suspensions**

**Minor Offenses**
Disparate Impact Policy (and the law)

• A. If current policies are not educationally justifiable...
• B. If there are better policies and practices, even if there is some justification for current policies...
• If there is a better way to ensure a safe and productive learning environment, ...
• Then Syracuse should pursue it.
• ...And there is a legal obligation to reduce the harm along the lines of race, disability status and gender if there are alternatives that would reasonably do so, and still meet the goals of the current policies and practices.
Policy Change Possibilities in Syracuse

• Actively and regularly use the race and disability data.
• Restrict out-of-school suspensions to only permitted as a measure of last resort for the most serious violations. LAUSD
• Implement restorative practices (Denver)
• Provide opportunities for teacher training focused on student engagement.
• Spend resources in more effective ways. Counselors or cops?
The Need to Look at Procedural Protections

• Federal law regarding students with disabilities.

• State law and regulation.

• The purpose of due process is to ensure fairness.

• A more systemic change to discipline is likely needed...and viable.
Systemic Changes Have Been Successful

- Baltimore City, MD
- Cleveland, OH
- Denver, CO
How to Measure Success?

- Improving sense of safety and school climate for teachers as well as students
- Improving achievement scores
- Improving attendance
- Improving graduation rates
- Decreasing involvement in the juvenile justice system
- Improving community safety
- More efficient and productive schools
- Tax savings
Next Steps

• Additional analysis
• Review code and recommend revisions
• Continue to involve community members
  – Continue taskforce work
• Review due process issues in implementation
• Work plan for future studies
• Quarterly report
The End

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