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## ARTICLE

**Paving a Path to Best Practices in Washington State: How Changing School Discipline Policies Can Curb Disproportionality and Close the Achievement Gap**

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Washington State is one of a handful of states in the nation with a growing achievement gap between students of color and White students. These gaps are apparent when measured by differences in graduation rates and assessment proficiency rates. In 2011, White students in Washington graduated from high school at a rate of roughly 15 percentage points higher than that of African-American, Latino, and Pacific Islander students, and nearly 25 percentage points higher than that of Native American students (Office of the Superintendent of Public Instruction [OSPI], 2012). That same year, low-income third graders in Washington passed the state reading assessment at a rate of 20 percentage points lower than their more affluent peers (OSPI, 2011c). On the seventh grade math assessment, White students in Washington passed the exam at a rate of 25 to 30 percentage points higher than that of their African-American, Latino, Native American, and Pacific Islander peers (OSPI, 2011c). As unacceptable as these statistics are, they are but a few examples. Washington has no shortage of challenges to address in the next several years if we are to make headway and alter the reality for students in our public school system.

As activists, educators, scholars, and students have come to understand the school-to-prison pipeline, its definition is evolving. The conversation began by highlighting the increase in police interaction after a student dropped out of school, but the discussion has broadened to encompass much more — including a focus on the actual school policies and cultures seeming to push students out of school. One issue garnering significant focus among educators and advocacy groups alike is how school discipline practices contribute to lost opportunities for learning and increased likelihood of dropping out, and the League of Education Voters is among these organizations.

The League of Education Voters (LEV) is an education advocacy non-profit organization working to create an educational system in which every student has an equal and adequate opportunity to succeed in college, work, and life. Within this work, LEV focuses on increasing student postsecondary success and closing the achievement gap. To accomplish this, LEV works to reform the systems, policies, and practices impacting students and schools at the state and local level.

LEV primarily approaches discipline linked with dropout prevention as a means to close Washington's growing achievement gap. The simple fact remains that when students are removed from the classroom, they fall further and further behind their peers. In light of Washington's achievement gap, we are particularly concerned with the implications of over-discipline for students of color and low-income students. And, as research shows, a history of disciplinary action is one of many factors increasing the likelihood of students' dropping out of school. The full list includes truancy, suspensions, expulsions, behavioral problems, course failure, and repeating grades. Additionally, if a student is in special education, an English language learner, a migrant, in foster care, or has serious health concerns, the likelihood of graduation significantly decreases (OSPI, *n.d.a*).

We use the term *school pushout* to describe the written and un-written policies and practices within a school that lead to student dropout. The framing is intentional: While it is true that students drop out for a variety of reasons, we know there are policies that directly contribute to students' leaving their school environments. In Washington, we do not know the full extent of the problem. Schools across the state use different systems for tracking and measuring student discipline and, as a result, we are unable to report the full impact of exclusionary discipline practices on student achievement.

Washington can learn from other sectors and states on how to address some of our problem areas. For over a decade, most juvenile and criminal justice systems have been actively engaged in reducing racial profiling and youth arrests by changing procedures as well as committing to more transparency in the collection and dispersal of data. In fact, data played a critical role in making reforms in the justice system. The notion that the public sector be held accountable for their progress through the meticulous collection of publicly available data is a relatively new concept. And yet, access and information on youth arrests served as both a catalyst and barrier to creating change in the realm of public policy. In many instances, to make the case for more and better data systems, one must have access to data that may be insufficient or nonexistent. The same is true for tracking the effectiveness of school discipline policies. It is difficult to prove what we cannot prove, for lack of solid, statistical evidence that the problem exists.

Through the limited access we do have to reliable data, we know disproportionality in discipline is a problem. We also know, anecdotally, that this has been an issue from which communities of color have been feeling the effects for decades. Community engagement primarily sought changes in the criminal justice system but this is changing. LEV is helping cast a new light on the school end of the school-to-prison pipeline. Through altering outdated policies, implementing a robust and transparent data system, and promoting best practices, we hope to demonstrate that Washington can do more to prevent dropouts and close the achievement gap. Additionally, we must understand that the implementing a comprehensive data system or revamping policies to clarify definitions on discipline will not, on their own, address the issues of disproportionality and racial bias. However, with a few simple adjustments, we can begin to close the school-to-prison pipeline as early as the 2013 school year.

## **Landscape in Washington State**

At present, the Office of Superintendent of Public Instruction (OSPI), the agency that oversees Washington's K-12 system, collects some data about discipline from school districts. Districts report on the number of suspensions and expulsions resulting from incidences of bullying, drug use, fighting with and without major violence, and weapons use (OSPI, 2011a, 2011b). These data are only publicly available at the district and state level and not broken down by student group e.g., race/ethnicity, socioeconomic status, education program (OSPI, n.d., *School*). A typical report would include the number of students disciplined in a given school year for the offenses listed above, but would not provide demographic information about those students.

In 2012-13, OSPI will begin to collect student-level data from districts on the above incidences of suspension and expulsion (Conversation, 2011). This level of data collection will allow for more accurate analysis as well as disaggregation by student demographics. While this is a step in the right direction, it is unclear what OSPI and/or school districts will do with the data, although most states pursuing meaningful changes to their discipline systems are incorporating ways to measure and analyze improvements through data.

Some districts in Washington currently provide detailed data and analysis to the public, and from these districts we can see that Washington likely follows national discipline trends. In Seattle Public Schools, African American high school students are four times more likely to be suspended than their White peers (Seattle Public Schools, 2011). In the Central Kitsap School District, African-American students represent 3.8 percent of school enrollment but account for 11.3 percent of suspensions in elementary schools and 10.8 percent of suspensions in high schools (Okinaka, 2011).

This emphasis on data collection is not meant to wag a finger at those districts currently reporting data, but rather highlight one of the challenges of working on this issue in Washington. Without an accurate picture of what is occurring in schools and districts across the state, policymakers, educators, parents, and students cannot begin to address areas of need in their communities.

The lack of clarity around what is currently happening in Washington's schools is further compounded by variation in policies and practices across districts. What warrants a suspension in one district may result in an expulsion in another and no disciplinary action in another. Even within a school district, what one school deems as harassment or gang activity, another may not, which creates tremendous variation in who receives punishment and why.

## **Practice and Policy Do Not Always Merge**

In Washington, student conduct definitions, policies, and consequences are largely left to local districts. The state sets some general guidelines around specific actions, namely violent and/or gang behavior. Districts, however, have great latitude over implementation of these and locally created policies. As we learned from conversations with a number of districts, student conduct and discipline policies on paper are not always followed in practice.

This creates an incredibly nuanced problem for policymakers. Best practices suggest that districts and schools should have the autonomy to develop the learning environments that best meet the needs of their students. However, this can also lead to cultural biases becoming institutionalized into school policies. Depending on school leadership and culture, adults can use suspension and expulsion inconsistently with different students. In other words, students can receive different punishments in terms of severity and length for the same infraction. Following a string of violence on campus in the United States in the early 1990s, school districts adopted harsh discipline policies against the use and possession of weapons. However, the *zero-tolerance* mentality grew to encompass things like possession and use of illicit and over-the-

counter drugs, gang activity, and vague statutes against harassment and or/insubordination on campus. As a result, suspensions and expulsions nearly doubled in the past 20 years despite evidence showing violence on campuses have flat-lined (Skiba, 2004; Planty, Hussar, Snyder, Kena, KewalRamani, Kemp, et al., 2009).

We know of no research suggesting that suspensions and expulsions deter students from committing more rule infractions. In fact, we see the opposite. As students get into trouble and begin to develop reputations for behavior problems, they tend to act out more (Losen & Skiba, 2010). This notion comes from the idea that young people internalize characterizations introduced and reinforced by their peers and adults. Schools across Washington utilizing alternative discipline models found success in a series of subtle shifts. It is the difference between telling students they have done something bad versus telling them they are bad. If young people can work through their misbehavior and understand its effects on school culture — their school culture — they are more apt to change their behavior. In many ways, suspension and expulsion are a way of dealing with discipline that only serves to mask the underlying behavior problem. On an institutional level, suspensions and expulsions serve to mask the social inequity in our school system, as opposed to addressing it at its root cause (Davis, 2003).

### **Changing Policies from Exclusion to Inclusion**

While research continues to emerge around best practices in discipline, the examples we do have clearly illustrate the success students experience with less exclusionary approaches. Baltimore, Maryland, revised its discipline policies in 2007, focusing more on prevention and intervention. Since implementation in 2008, suspensions in Baltimore dropped by 60 percent, and graduation rates increased significantly (Green, 2010). While gains in graduation rates cannot be solely credited to decreases in suspensions, it is hard to ignore the impact fewer suspensions likely had on graduation rates.

Locally, the Shelton and Walla Walla school districts have made significant progress in keeping students in school and decreasing the reliance on exclusionary discipline. Shelton tackled the issue by piloting a dropout early warning and intervention system (OSPI, n.d.a). The system, meant to flag students at risk of dropping out, looks at a number of risk factors, including students' discipline history. Once students are identified, the school, community, and parents work together to apply interventions to prevent students from dropping out. Since implementing the dropout early-warning system, the dropout rate in Shelton has decreased from 7.8 percent to 5.4 percent, and the on-time graduation rate has improved from 59.7 percent to 76.5 percent (OSPI, 2011e).

In Walla Walla, school leaders shifted their approach to discipline by working with students to identify root causes of student misbehavior and applying interventions when necessary. Students still receive consequences when appropriate; however, Walla Walla minimizes the amount of time a student spends out of school, either through detention, in-school suspensions, or minimum-length, out-of-school suspensions and expulsions.

Lincoln High School in Walla Walla completely overhauled its approach to discipline by introducing a community partnership with a local health center. Educators saw that for many students, basic needs were not being met at home. Additionally, many students showed strain from exposure to multiple Adverse Childhood Experiences (ACEs) and experienced toxic stress and trauma. These experiences have a negative impact on brain development and make it difficult to regulate emotions and temperament, leading to behavioral issues in the classroom. Through training of staff and students, Lincoln reduced the number of days students were suspended or expelled by more than 75 percent in two years, and increased its graduation rate from less than 10 percent to nearly 60 percent (Interview, 2012; OSPI, 2011d).

The work in these districts highlights the powerful and positive changes local communities can make for their children. By transitioning to a discipline system organized around prevention, intervention, and keeping students in school, these districts demonstrate what is possible for all students. But we cannot expect them to continue to do this great work without help.

At the state level, districts would benefit from a statewide dropout early-warning system. Building data systems is neither easy nor inexpensive. Districts often do not possess the time or expertise to develop their own data systems, and with the amount of information districts already send to the state, it seems natural for the state to build upon existing data systems to track early-warning dropout indicators, including discipline rates.

The state also uses its authority to put guardrails around some disciplinary action on students through laws and administrative regulations, providing loose guidance to districts in specific areas. Districts and students would benefit from the states tracking emerging research and updating laws and regulations to reflect best practices. For example, as we learn more about the positive results to students from more common sense and inclusionary discipline practices, state

policies should be updated to help districts stay current in their practices.

Sharing best practices would also help districts make headway in their own policies and practices. Armed with models from other districts and states, local communities — including school officials, parents, educators, and students — could work together to shift community attitudes toward student misconduct, change discipline policies to be more inclusive, and implement a system built around intervention. Erasing a zero-tolerance mentality to non-violent student misconduct is the first place to start.

## **Moving Forward**

Washington needs more information on the severity of this issue in its schools, including a better grasp of which students are disciplined and why. Implementation and promotion of school, district, and statewide systems to gather discipline data must be prioritized by the state. Policies at the district and school level must encourage staff to utilize inclusive and preventative discipline practices over exclusionary practices like out-of-school suspension and expulsion. The state must create more clarity around how we define certain infractions and how we measure progress.

Through raising awareness around the ineffectiveness of exclusionary suspension and expulsions, and through highlighting its disproportionate application to students of color and low-income students, we can begin to turn the tide on Washington's growing achievement gap. Our school administrators and teachers need our support and to hear our concern.

As we've discussed, issues of student misbehavior can be addressed, at their most fundamental level, through personal change. Teachers and principals can work to adopt school cultures that promote accountability by building trusting relationships where young people are not afraid to take risks and make mistakes. As is the case with structural inequality, disparity in punishment is rooted in a multitude of factors. Sometimes, a meaningful relationship between adults and youth makes all the difference. In cooperation with personal and cultural shifts, changes should occur at the state level, too.

Of the root causes contributing to school push-out, disproportionality and racial bias is the hardest to correct through legislation and policy changes. It requires an understanding of privilege within the context of our nation's history. It includes discussions and tactics that address inequities in race, income levels, gender, sexual orientation, and ability. We know solutions exist. By sharing what has worked in other school districts and building an understanding that investing in prevention is worth the effort, schools can make big shifts to empower instead of marginalize students through discipline. Despite this daunting task, it is a critical piece in our efforts to close the achievement gap. We can and must do more.

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