

BREAKING SCHOOLS' RULES:

A Statewide Study of How School Discipline Relates
to Students' Success and Juvenile Justice Involvement

Summary of Findings

Presentation to Joint Senate Education and Senate
Criminal Justice Committee Hearing , October 30, 2012

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Overview



Background

Findings

Conclusions and Next Steps

Large Volume of School Discipline Incidents as Officially Reported by TEA

Discipline Action	2011	
	Number of Actions	Number of Students
In-School Suspensions (ISS)	1,537,324	596,422
Out of-School Suspensions (ISS)	529,699	265,543
Disciplinary Alternative Education Programs (DAEPs)	112,580	87,553
Juvenile Justice Alternative Education Programs (JJAEPs)	4,182	4,039
	State Cumulative Year-End Enrollment 5,063,863	

Study Examines Inter-relationship Between School Discipline and Future Outcome Indicators

How school discipline is administered:

.....at student level over time?

....and is there a “disproportional” impact on certain students?

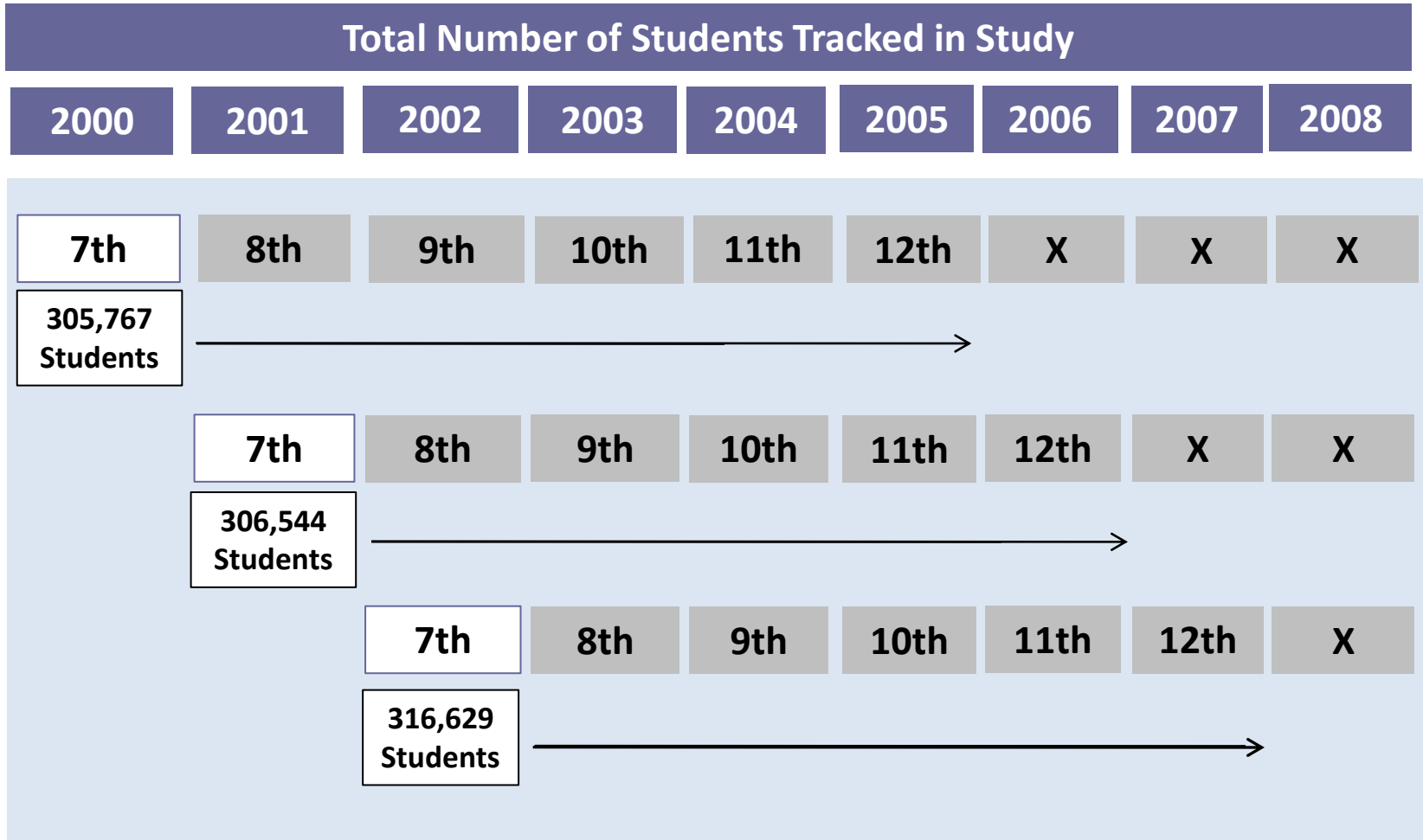
How school discipline involvement impacts:

....grade retention?

....dropout?

....juvenile justice involvement?

Study Follows Over 900,000 Texas Students Overtime to Examine These Questions



Student Record Data, Campus-Based Data and Juvenile Justice Record Systems Put Together for Robust Analysis

Texas Education Agency

1. Academic Excellence Indicator System (AEIS)

Example of Campus Attributes

Accountability Rating

Student/Teacher Ratio

Percent Met State Test Standard

Racial Makeup Students Teachers

3,896 campuses

2. PEIMS – Public Education Information Management System

Example of Student Attributes

Demographics

Disability

Grade

Retention

Attendance

Test Scores

Discipline

Mobility

Records for 5,157,683 students
Grades 6-12 (1999-2000)

3. TX Juvenile Probation Commission Records

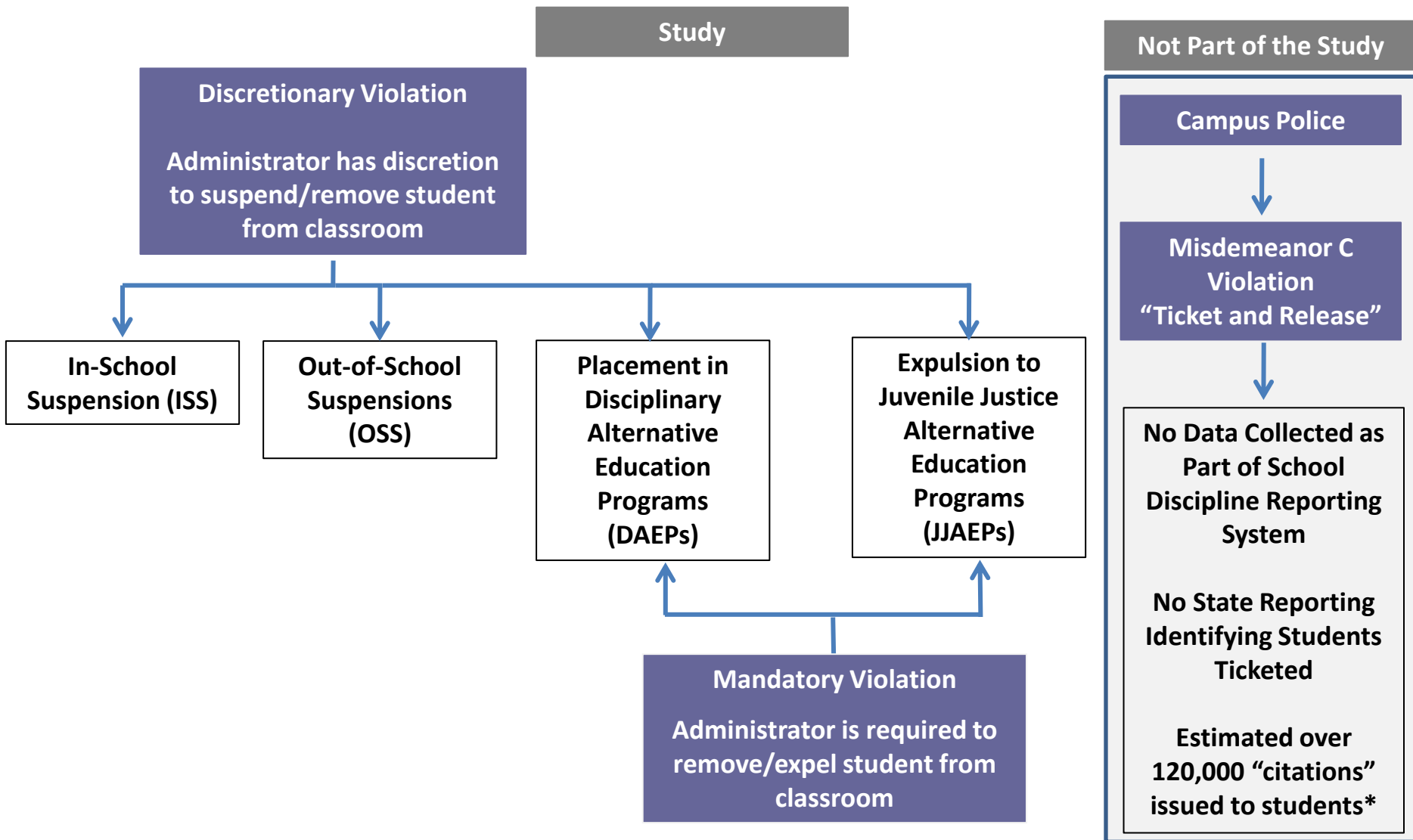
Attribute

Probation Referral

840,831 individuals referred to Texas juvenile probation 1994-2008

87% of probation records had a matching school record

Scope of the Study



*See Texas Apple seed , Ticketing, Arrests and the Use of Force in Schools, at:
http://www.texasappleseed.net/index.php?option=com_content&view=category&layout=blog&id=27&Itemid=264

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Summary of Findings Regarding Involvement of Student in Discipline Violations and Disproportionate Impact



Majority of students are suspended or expelled between 7th and 12th grades



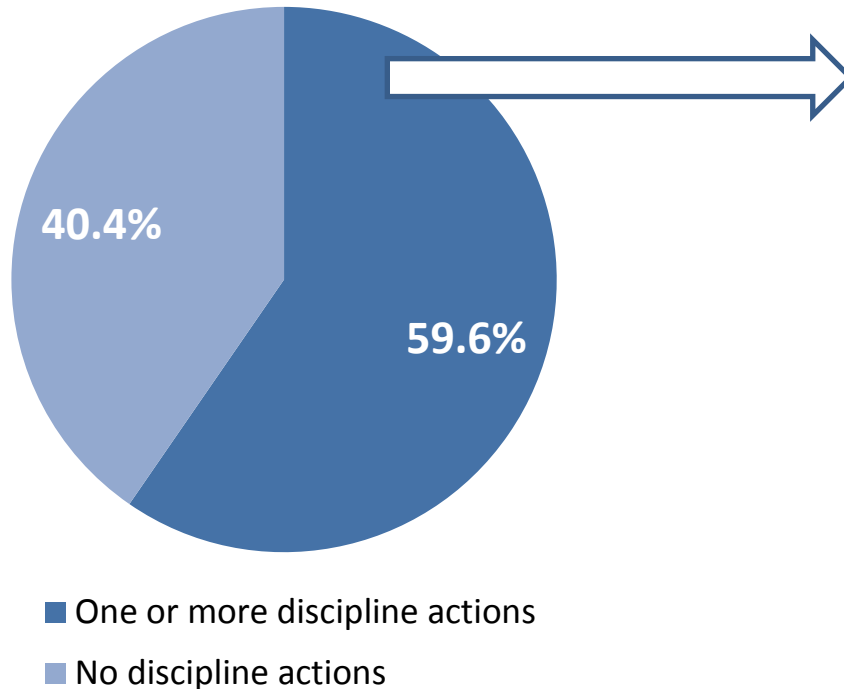
Just three percent of suspensions/expulsions are the result of misconduct for which state mandates removal of the student from the classroom



African-American students and students with particular educational disabilities especially likely to experience discretionary violations

Almost 2/3 of Students Suspended or Expelled During Study Period

Percent of Students with Discipline Actions During Study Period



553,413 of the 928,940 students studied had at least one discipline action during the study period

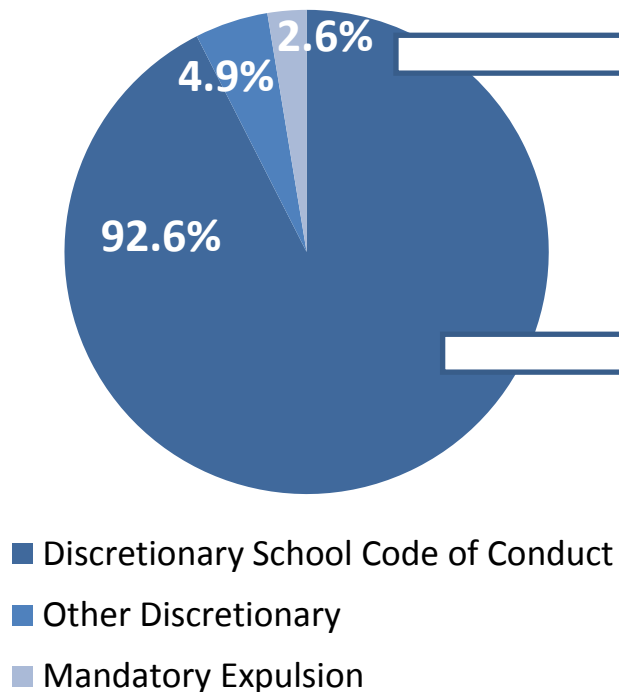


The 553,413 students accounted for 4,910,917 suspensions or expulsions

Median # of violations experienced per student = 4

Most Violations Were Discretionary Violations -- Not Mandatory Violations

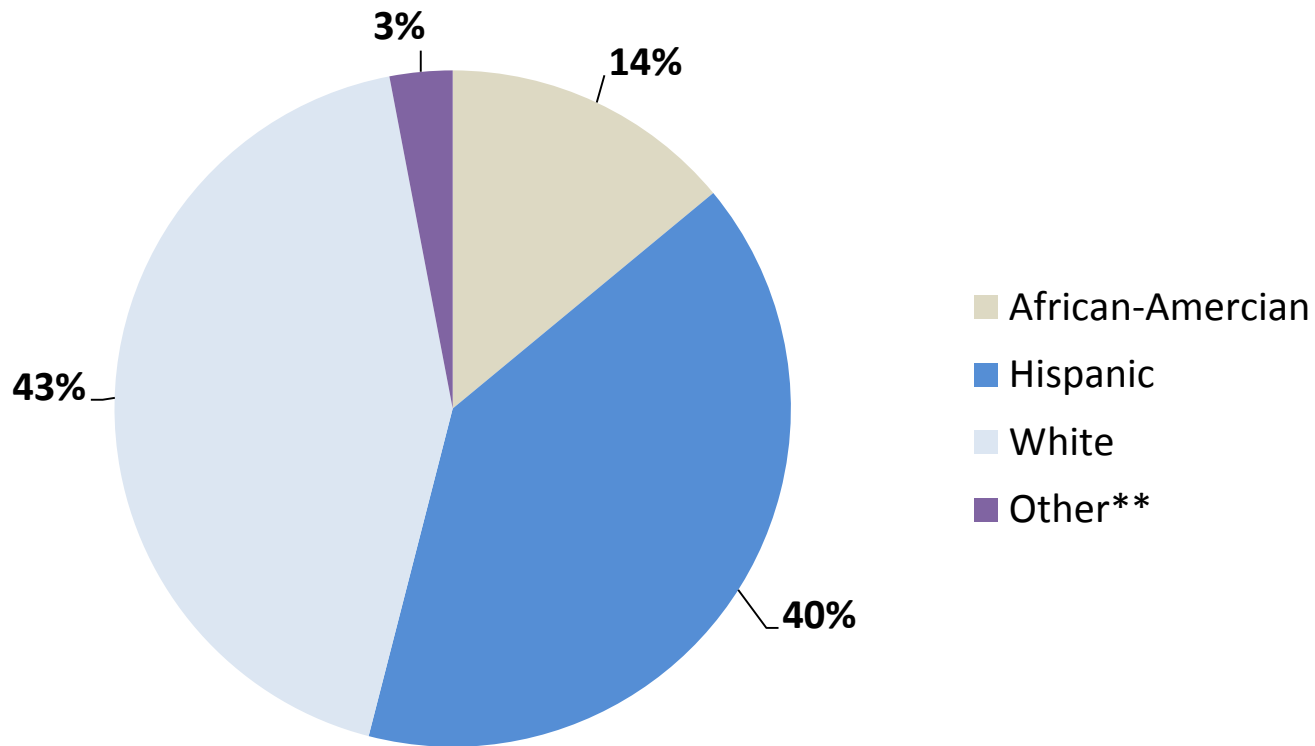
Percent of Students Discretionary vs.
Mandatory Violation



Mandatory
Less than three percent of violations were related to behavior for which state law mandates expulsion or removal

Discretion
Nine times out of ten, a student was suspended or expelled for violating the school's code of conduct

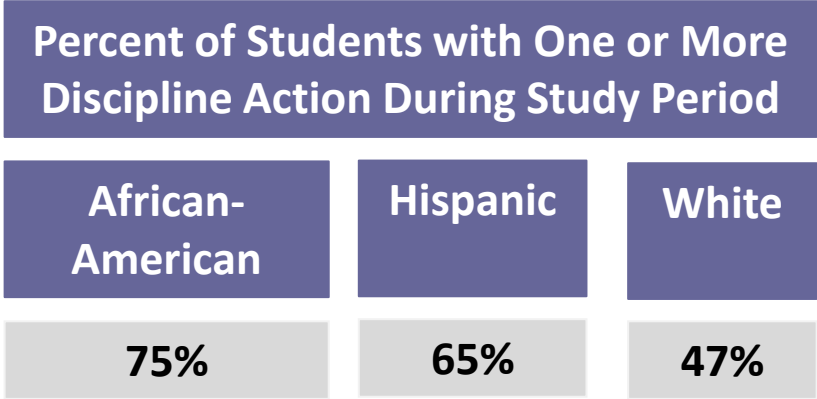
Racial / Ethnic Distribution of Study Group



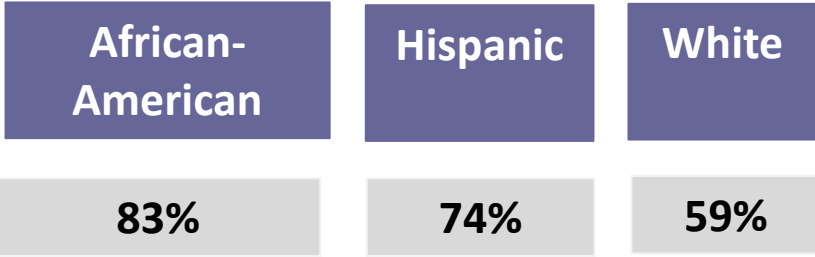
*Percentages rounded

**Other includes American Indian or Alaskan Native and Asian or Pacific Islander

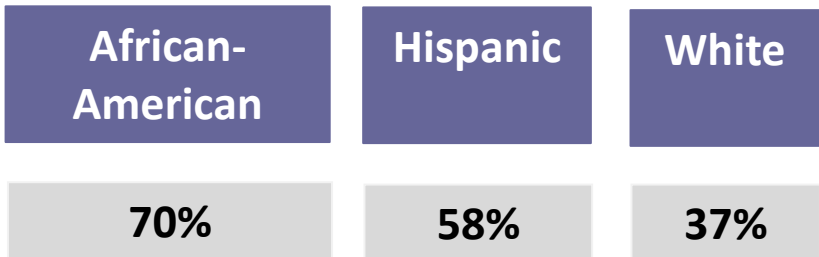
Most African-American Students Experienced at Least One Discipline Violation During Study Period



Percent of *MALE* students with at least one *DISCRETIONARY* violation

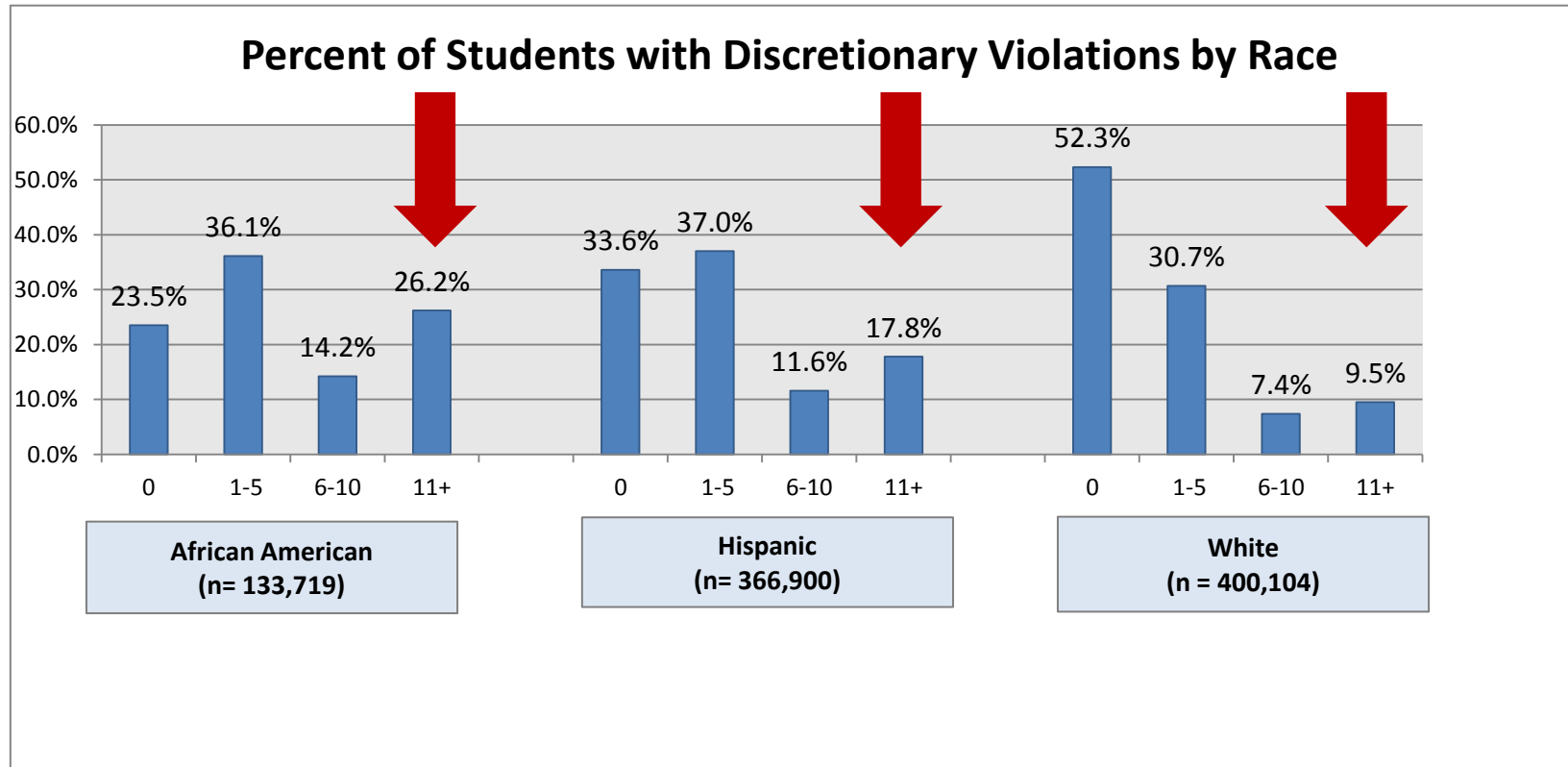


Percent of *FEMALE* students with at least one *DISCRETIONARY* violation



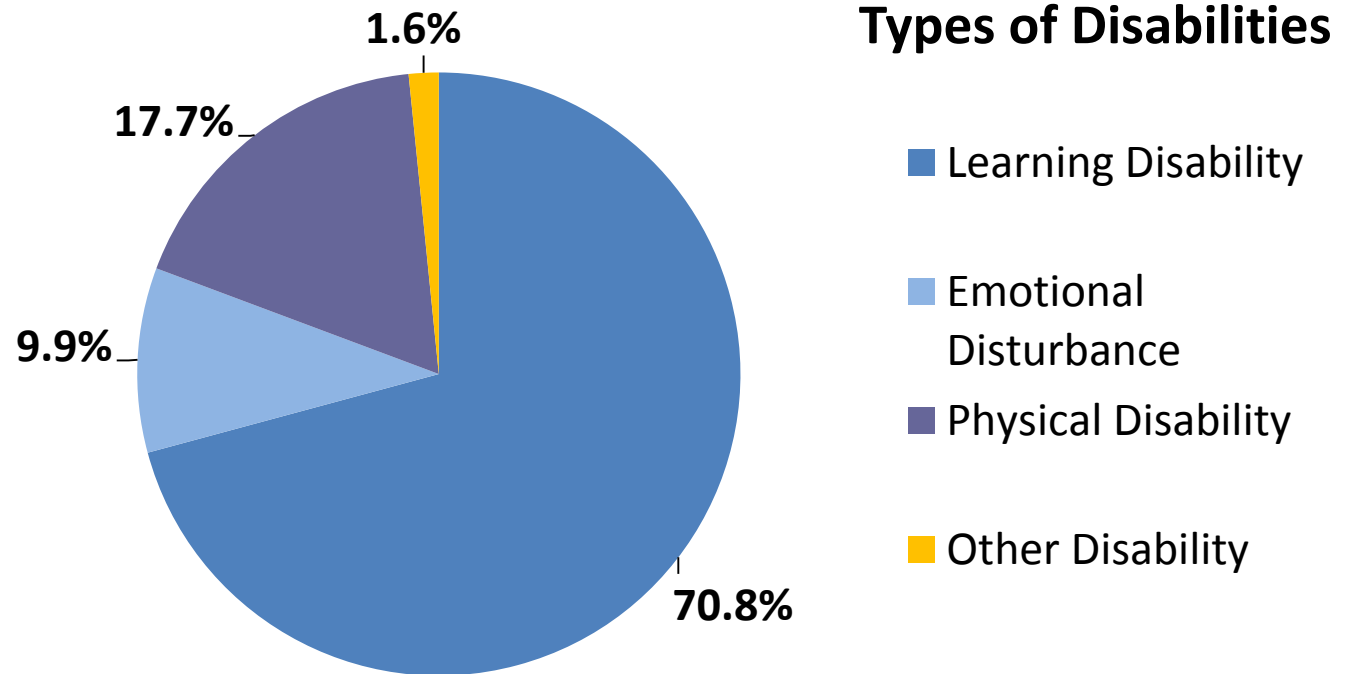
*Percentages rounded

One Fourth of AA Students Experienced Eleven or More Discretionary Discipline Actions

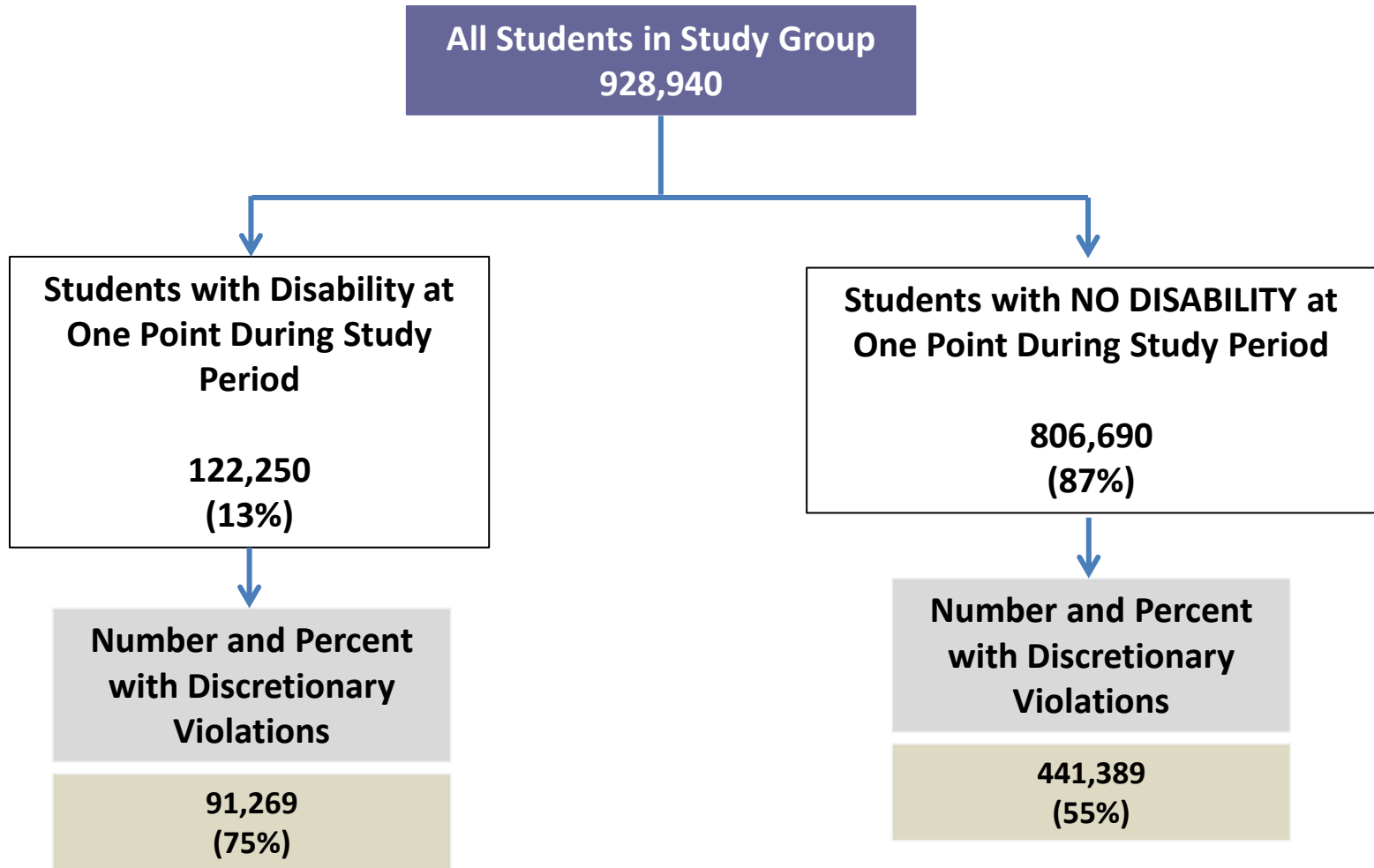


Students Identified as Having Educational Disability

122,250 students
(13.2% of students in the study)
qualified for special education
services



Higher Percentage of Students with Educational Disabilities Involved in a Discretionary Discipline Violation



*Percentages rounded

Racial and Disability Analysis Controlling for All Known Factors Considered in the Study

African-American Students Most Likely to be Removed for Discretionary Violation But Least Likely for Mandatory Violation

DISCRETIONARY Action

MANDATORY Action

31% HIGHER Likelihood

23% LESS Likelihood

Students with Emotional and Learning Disabilities Most Likely to be Removed for Discretionary or Mandatory Violations

DISCRETIONARY Action

MANDATORY Action

Emotional Disturbance

24% HIGHER Likelihood

13% HIGHER Likelihood

Learning Disability

2% HIGHER Likelihood

8% HIGHER Likelihood

*** Please consult full report for complete explanation of multivariate analysis methodology and findings**

Summary of Findings Regarding Outcomes



Suspension/expulsion increases the likelihood of student repeating a grade, dropping out, or not graduating.

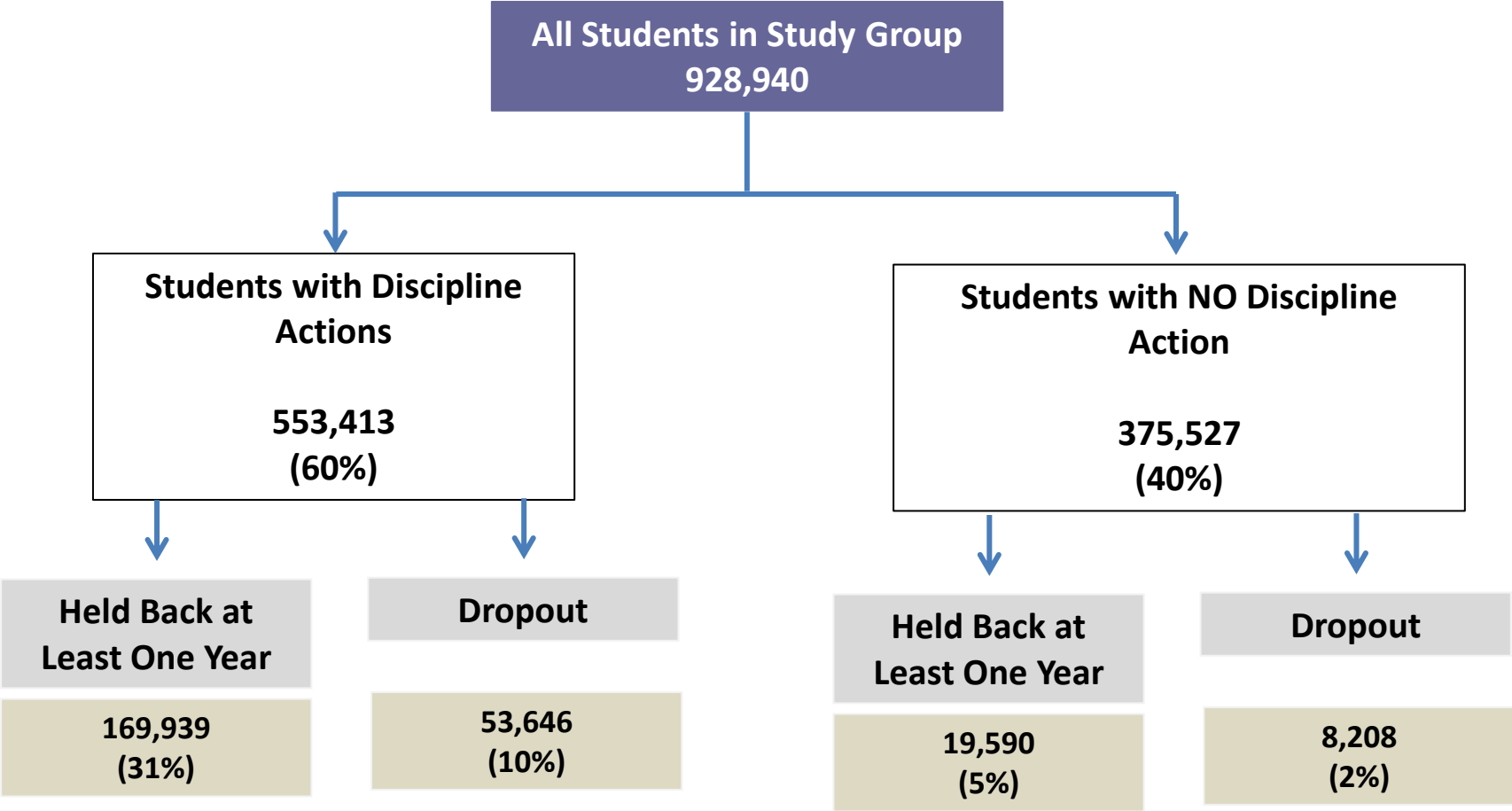


Discipline actions increase the likelihood of juvenile justice involvement, particularly for those repeatedly disciplined



Campus discipline rates varied considerably from their expected rates

Discipline and Grade Retention and Dropout



*Percentages rounded

** See report for issues related to the dropout data

More Discipline Actions, Higher Percentage of Failures

Percent of Students	Discipline Involvement				
	None	1 Violation	2-5 Violation	6-10 Violation	11+ Violation
Repeating Grade	5%	12%	22%	36%	56%
Dropout	2%	5%	8%	11%	15%
Did Not Graduate During Study Period	18%	24%	34%	46%	59%

A student that experiences a discretionary discipline action was more than twice as likely to repeat a grade than a student with the same characteristics, attending a similar school, but who was not suspended or expelled

*Percentages rounded

** See report for issues related to the dropout data

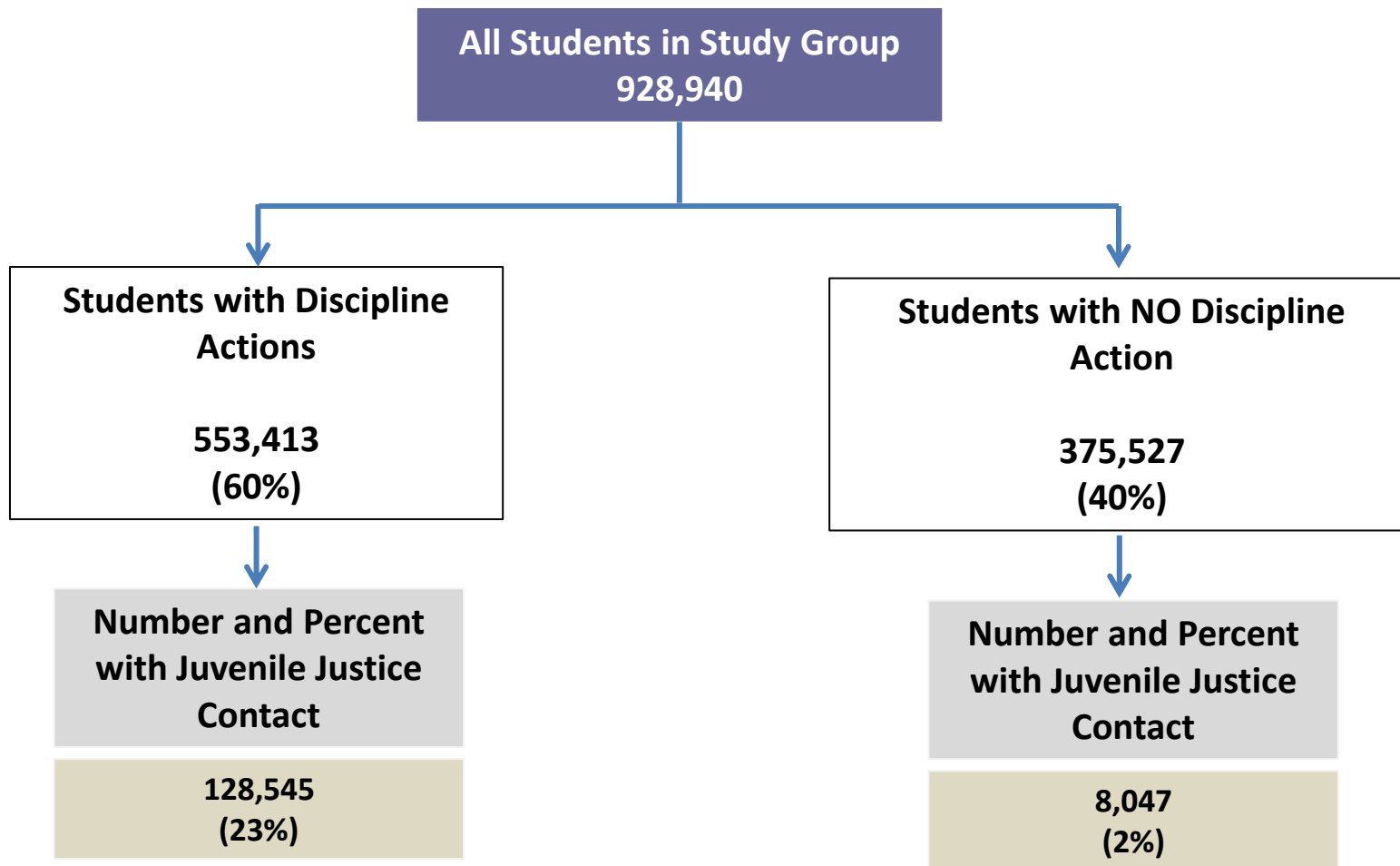
Juvenile Justice Contact Among Students Not Uncommon

More than one in seven (15%) of all students had a juvenile justice contact

	Percent of Males	Percent of Females	Total
African-American	26%	14%	20%
Hispanic	22%	13%	17%
White	14%	8%	11%

*Percentages rounded

Higher Percentage of Student with JJ Contact in Group with Disciplinary Actions*



*Percentages rounded

More Discipline Actions, Higher Percentage of Juvenile Justice Contacts

	Discipline Involvement				
	None	1 Violation	2-5 Violation	6-10 Violation	11+ Violation
Percent of Students with Juvenile Justice Involvement	2%	7%	15%	27%	46%

A student who is suspended or expelled for a discretionary school violation is almost 3 times (2.85 times) more likely to have a juvenile justice contact in the next school year

*Percentages rounded

Five School Districts and Their Distribution of Campuses Along Actual vs. Expected Rates

Variation Among 116 Campuses Studied in Five Populous School Districts

In 3 of the 5 districts the majority of the campuses were LOWER than expected discipline rates

	Actual Discipline is Lower than Expected	Actual Discipline is As Expected	Actual Discipline is Higher than Expected
District 1	64.3%	14.3%	21.4%
District 2	55.6%	27.8%	16.7%
District 3	76.9%	15.4%	7.7%
District 4	20.0%	33.3%	46.7%
District 5	23.7%	39.5%	36.8%
Number of Campuses	51	34	31

In one district almost half of the campuses were HIGHER than expected discipline rates

There was variation from one district to another

There was variation within a district

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The Bottom Line



Suspension, and to a lesser degree expulsion, is very common in middle and high schools.



African-American students and students with particular educational disabilities especially likely to experience discretionary violations

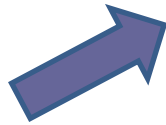
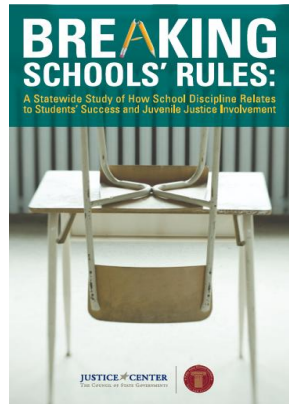


Suspension / expulsion significantly increases likelihood of student repeating a grade, dropping out, and/or becoming involved in the juvenile justice system



Schools, even those with similar characteristics, suspend and expel students at very different rates

Report Generating State and National Conversation



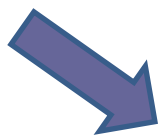
Supreme Court Chief, Wallace Jefferson

Committee on Juvenile
Justice



US Attorney General Holder and US
Education Secretary Duncan

Supportive School
Discipline Initiative



CSG, Justice Center

National Consensus Project

Supreme Court Committee Already Issued Recommendations

Members:

Hon. Orlinda Naranjo, Chair

Judge, 419th Judicial District, Travis County

Hon. Sharon Keller

Presiding Judge, Court of Criminal Appeals

Hon. Glenn D. Phillips

Presiding Judge, City of Kilgore

Hon. Gary Bellair

Presiding Judge, Ransom Canyon Municipal Court

Hon. Valencia Nash

Justice of the Peace Pct. 1, Place 2, Dallas County

Mr. Henry Nuss

Welder Leshin, Corpus Christi

Hon. Polly Spencer

Judge, Probate Court #1, Bexar County

Authorize local governments to implement “deferred prosecution” measures in Class C misdemeanors to decrease the number of local filings from schools

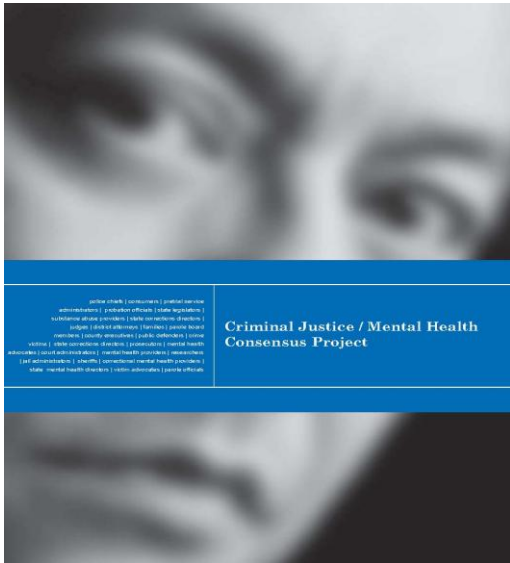
Ensure that local courts are the last and not the first step in school discipline (i.e., Amend Section 8.07 of the Penal Code to create a rebuttable presumption that a child younger than age 15 is presumed to not have criminal intent to commit a Class C Misdemeanors - with exception for traffic offenses)

Amend offenses relating to Disruption of Class, Disruption of Transportation, and Disorderly Conduct so that age (not grade level) is a prima facie element of the offense

Amend existing criminal law and procedures to increase parity between “criminal juvenile justice in local trial courts” and “civil juvenile justice in juvenile court and juvenile probation”

Building a National Consensus Around Policies and Practices

JUSTICE CENTER
THE COUNCIL OF STATE GOVERNMENTS



Criminal Justice / Mental Health
Consensus Project

Report of the Re-Entry
Policy Council

Charting the Safe and Successful Return
of Prisoners to the Community

WWW.REENTRYPOLICY.ORG

A public/private partnership funded in part by the US Department of Justice, US Department of Labor,
and US Department of Health and Human Services

CSG Justice Center has successful history
building consensus among leaders of multiple
system

Over 100 leaders in education, law
enforcement, juvenile courts, behavioral
health working on consensus

First meeting held in October 9-10, 2012

Senator Whitmire is Chair of the Steering
Committee overseeing project

Other Potential Ideas to Consider

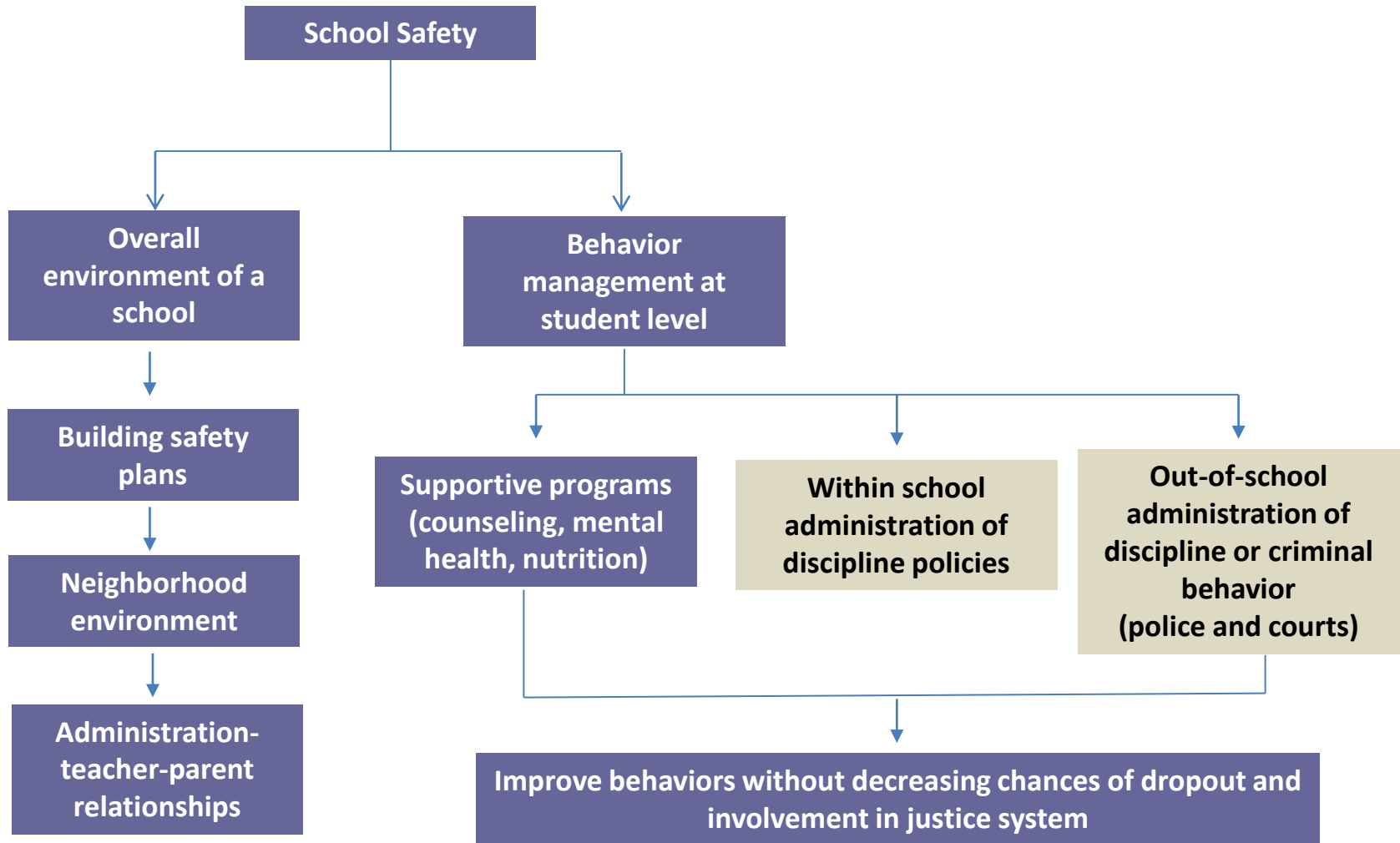
Model Behavioral Management System: Require TEA to develop a model behavioral management system directed at preventing discipline violations and/or reducing the number of discipline violations

Campus Law Enforcement Training: Require campus law enforcement personnel to receive training in student behavior management techniques

Cap on Suspension Days: Encourage the use of suspensions to be more selective, by possibly placing a cap in the number of days a student may be placed in-school and out-of-school suspensions in an academic year

Discipline as Performance Monitoring Indicator: Require TEA to incorporate discretionary student discipline information in performance monitoring based on both total and disaggregated numbers

Are We Getting Safer Schools and Better Student Outcomes Thanks to Our Discipline Policies?



Thank You

Report at:

www.justicecenter.csg.org

tfabelo@csg.org

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