Disproportionate Discipline in Oregon's K-12 Schools

Issue Brief

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INTRODUCTION

To reach Oregon's education goal of 40-40-20, which seeks to ensure every Oregon student is college and career ready by 2025, it is essential that every Oregon student be consistently connected to the most stable, engaging, safe, and supportive learning environment possible.

School discipline strategies and associated policies are receiving attention across the state, (e.g. Positive Behavioral Interventions and Supports-PBIS). However, large numbers of students who display behaviors deemed inappropriate are still separated or removed from the learning environment. National research indicates that those who have the greatest academic, social, economic, and emotional needs are disproportionately impacted by discipline policies that remove them from the learning environment leading to increased disengagement from school[2,3,4,6,7,10]. **During the 2011-12 school year approximately 43,000 (8%) of Oregon students were subject to formal disciplinary action** of in or out-of-school suspension, or expulsion[8].

Overview

Of the 43,000 instances of disciplinary action across the state Approximately[8]:

- 70% involved students from low-income families
- 70% involved males
- 25% involved those in elementary school
- 40% involved those in middle school
- 35% involved those in high school
- 60% were related to disruptive behavior
- 60% resulted in out of school suspensions; 4% in expulsions
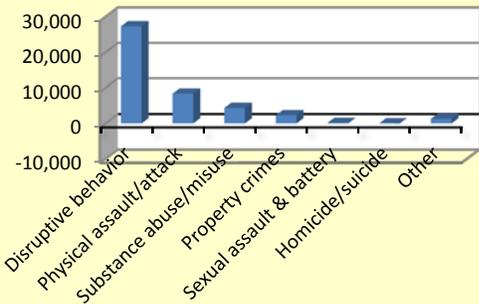- 95% lasted less than 10 days; 55% lasted one day or less

Disaggregating data by race and ethnicity and viewing as a proportion of each student subgroup population illustrates with clarity that students of color are disproportionately impacted by disciplinary action. Students within subgroup population with one or more discipline incidents in the 2011-12 school year[8]:

- 16% of all 14,000 Black/African American students
- 11% of all 10,000 American Indian/Alaska Native students
- 9% of all 118,000 Hispanic/Latino students
- 9% of all   4,000 Native Hawaiian/Pacific Islander students
- 8% of all 26,000 Multiracial students
- 7% of all 366,000 White students
- 2% of all 22,000 Asian students

Impact

While there are numerous complex challenges to be considered in maintaining a safe and effective learning environment for every teacher and student, in all but the most extreme cases the consequence of exclusion reinforces negative behavior while doing nothing to uncover underlying issues that must be addressed to support positive student engagement in school, community, and life[2,3,4,5,7].

Primary Offense Reported Resulting in Disciplinary Action 2011-12[8]

Population vs. Discipline Incidents* 2011-12[8]

	Population Percent	Discipline Incident Percent
Hispanic/Latino	21%	25%
Black/African American	3%	5%
American Indian/Alaska Native	2%	3%
Native Hawaiian/Pacific Islander	1%	1%
Multiracial	5%	5%
Asian	4%	1%
White	65%	60%

*Represents the distribution of total student population in State by subgroup vs. distribution of total student discipline incidents by State subgroup population

The impact of disciplinary action resulting in suspension and expulsion is known to be cumulative, and often has serious and far-reaching consequences for students including, but not limited to[1,3,4,5,7]:

- Immediate loss of educational opportunities
- Academic decline and failure
- Increased likelihood of dropping out
- Increased likelihood of being sent to the juvenile justice system

Underlying factors leading to these disturbing variances have been attributed, but are not limited to[1,2,3,6]:

- Social and cultural factors such as, stereotyping or misperception of communication style as combative, or defiant of authority
- Zero-tolerance policies that can lead to overly harsh punishment for relatively minor infractions
- Inconsistent and overbroad application of disciplinary rules resulting from vague sets of standards
- Institutional racism whereby systemic policies, access to decision making, practices, and structures overtly or covertly disadvantage people of color

Alternative Options

Multifaceted and interconnected approaches that collectively address system, educator, and student responsibilities for behavior and discipline have been shown to be effective in closing opportunity gaps that exist when working to build strong connections between students and school.

Examples of interconnected approaches that engage/address adults, students, and system include, but are not limited to[1,2,4,5,6,7]:

- *Continuous improvement of educator preparation and practice* (e.g. critical reflection on subjective/objective roots of disciplinary action; Courageous Conversations about Race)
- *Building positive educational climates in classrooms and schools* (e.g. promoting a bias-free culture of respect and appreciation of cultural differences)
- *Increased awareness of, and empowerment for, early and ongoing intervention* (e.g. anti-bullying programs; Positive Behavior Interventions and Supports)
- *Focus on disciplinary practices that support student learning* (e.g. restorative practices; replacing zero-tolerance policies)
- *Engagement of family and community supports* (e.g. partnering with out-of-school support systems)

Statewide Graduation Rates 2011-12[8]		
	4 Year Cohort Graduation Rate*	**5 Year Cohort Completion Rate****
American Indian/ Alaska Native	51%	66%
Black/African American	53%	71%
Hispanic/Latino	60%	71%
Native Hawaiian/ Pacific Islander	66%	78%
Multiracial	69%	85%
White	71%	83%
Asian	81%	85%

*Started in 9th grade and graduated with regular diploma within 4 years

**Started in 9th grade and completed a regular diploma, modified diploma, GED, or community college completion within 5 years

"We must address and overcome the barriers that too often deter students of color and those from economically disadvantaged backgrounds from achieving success in our educational system."

—*Oregon Learns,* Oregon Education Investment Board, 2011[9]

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Selected References and Resources
1. American Civil Liberties Union of Oregon Report, *Oregon's School to Prison Pipeline,* 2010
2. Education Week. Report - *Quality Counts 2013: Code of conduct,* 2013
3. Education Rights Center, *Discipline*, n.d. educationrightscenter.org
4. Multnomah County Commission on Children, Families & Community Report, *Exclusionary Discipline in Multnomah County Schools,* 2012
5. NAACP Legal Defense and Education Fund Report – *Dismantling the School-to-Prison Pipeline,* 2005
6. National Center for Culturally Responsive Education Systems, *Practitioner Brief: Racial Disproportionality in School Disciplinary Practices,* 2006
7. Nogurea, P. *What is Discipline For: Connecting Students to the Benefit of Learning*, 2008 tolerance.org/tdsi/asset/what-discipline-connecting-students-bene
8. Oregon Department of Education, Data from *Report Card \ Data Explorer \ Graduation Tables,* 2011-12
9. Oregon Education Investment Board, *Oregon Learns, Report to the Legislature,* 2011
10. US Department of Education Office for Civil Rights, *Helping to Ensure Equal Access to Education: Report to the President and Secretary of Education,* November, 2012