

Make school discipline fair and equitable.



When children misbehave, they should be held accountable; similarly, when schools treat children unfairly and consign certain children to harsher punishments than others, they, too, should be held accountable for their actions.

The more school children receive supports to reach their potential, the better off Texas will be. We expect our schools to provide a welcoming climate for every child and to help guide kids to success. Unfortunately, schools can stunt children's potential, too, with misguided punishments that remove students from the classroom and are unfairly directed toward some groups of kids more than others. Research shows Texas schools can act as a child's portal into the juvenile justice system¹ and that this practice does a great disservice to kids and their communities alike, causing fewer children to reach their potential. With certain kids consistently removed from their classroom regardless of the frequency or level of their wrongdoing, some Texas students miss out on the equal shot at completing their education that every child deserves.

What to Know:

- **Despite comparable rates of misbehavior with white children, kids of color are far more likely to be removed from the classroom.** Where the punishment for a disciplinary issue can be decided at the discretion of school personnel—usually for misbehavior included in the local code of conduct



(referred to as discretionary violations, which differ from a punishment at school that's mandated by law)—African-American and Latino children are much more likely to receive harsher punishment than their white counterparts.

- A Council of State Governments study of nearly 1 million Texas students' records showed that African-American kids have a 31% higher likelihood of receiving a discretionary disciplinary action compared to white students.² Yet for nondiscretionary violations—misbehaviors for which the punishment is already prescribed—African Americans were 23% less likely than their white peers to receive a suspension or expulsion. **The Council of State Governments study controlled for factors like poverty and absenteeism before confirming race as a predictive factor** in Texas students' expulsions and suspensions.
- Students in special education are more likely to be disciplined harshly, too. While the Council of State Governments study found an alarming **15% of all Texas middle and high schools students were expelled ten or more times over a six-year period, for children with an emotional disturbance, this climbed to a full 50% of students.** Additionally, Texas Appleseed reports that 317 Texas school districts disproportionately suspend special education students.³
- **Schools don't collect consistent data about disparities in how they use police-based discipline.** Only 26 of 42 school districts responding to a 2012 survey by Texas Appleseed were able to report the race and ethnicity of the children whom they had arrested or issued Class C misdemeanor tickets to at school.⁴ However of those 26 that could report

this data, 23 reported African-American students were overrepresented in ticketing and/or arrests. Hispanic students were overrepresented in three districts (however, not all districts collected data that could separate Hispanic students from white students).

How to Make it Happen:

- **Improve school districts' transparency and accountability regarding school-based police disciplinary practices.** Data on arrests and school ticketing, including race, ethnicity and special education status, should be collected uniformly in all districts across the state and made available to the public, so parents and communities can gain a better understanding of practices within their local schools.
- **Require that school districts that consistently direct harsh discipline towards certain groups of kids set a course for change:** When school district data collected by TEA shows disproportionate discipline of students of color or special education students, the district should be required to create and make public an improvement plan.

For more on this, see <http://tinyurl.com/RepairDiscipline>

Thinking About Costs

School discipline practices that remove students from the classroom are linked to devastating outcomes for Texas youth. Students who get suspended or expelled face five times higher odds of having to repeat a grade or eventually dropping out of school. Being expelled or suspended even one time roughly doubles a child's odds that, by the end of the following school year, he or she will come into contact with the juvenile justice system.

Allowing our schools to become gateways to the criminal justice system instead of to achievement and employment carries a heavy cost for society. That's because every additional 100 students Texas helps to keep in the classroom through graduation, when they might have otherwise left school, is believed to save \$200,000 in annual crime costs for society, while netting an *additional* \$200,000 in annual economic activity due to improved productivity and human capital growth.

Sources



"Thinking About Costs"

- Tony Fabelo and Dottie Carmichael et al. "Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement." (Council of State Governments Justice Center and The Public Policy Research Institute, Texas A&M University, 2011), x. <http://justicecenter.csg.org/resources/juveniles>
- Enrico Moretti. "Does Education Reduce Participation in Criminal Activities?" Teachers College, Columbia University. 2005. http://devweb.tc.columbia.edu/manager/symposium/Files/74_Moretti_Symp.pdf
- 1 Dottie Carmichael, Guy Whitten, and Michael Voloudakis, Study of Minority Over-Representation in the Texas Juvenile Justice System: Final Report to the Office of the Governor Criminal Justice Division, (College Station, TX: The Public Policy Research Institute at Texas A&M University, 2005), <http://dmcfinalreport.tamu.edu/>.
- 2 Tony Fabelo and Dottie Carmichael et al. "Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement." (Council of State Governments Justice Center and The Public Policy Research Institute, Texas A&M University, 2011), x. <http://justicecenter.csg.org/resources/juveniles>
- 3 Deborah Fowler, et al. "Texas' School-to-Prison Pipeline: Expulsions, The Path from Lockout to Dropout." (Texas Appleseed 2010). http://www.texasappleseed.net/index.php?option=com_docman&task=doc_download&gid=380&Itemid
- 4 Texas Appleseed "Ticketing & Arrest Data Update," (Texas Appleseed 2012). <http://www.senate.state.tx.us/75r/senate/commit/c530/handouts12/1030-TexasAppleseed-2.pdf>