The Pathway from Exclusionary Discipline to the School to Prison Pipeline

Exclusionary discipline encompasses any type of school disciplinary action that removes or excludes a student from his or her usual educational setting. Disparities in the use of exclusionary discipline can lead to a school-to-prison pipeline for some of the most vulnerable members of our society. Public policies can interrupt this path from exclusionary discipline to contact with the criminal justice system that many young people find themselves on.

KEY FINDINGS

Suspensions and expulsions are two types of exclusionary discipline practices for which national level data is available. Students of color and students with disabilities are disproportionately suspended and expelled from public schools.

- **The school to prison pipeline starts early.** Preschool is a critical period to nurture curiosity, a sense of discovery and achieve key learning milestones among our youngest students in order to establish overall school readiness. In public pre-K programs, however, the rate of expulsion is more than 3 times that of grades K through 12 combined. In childcare programs, the rate of expulsion is more than 13 times that of grades K through 12 combined.¹

- **Black students and students with disabilities are more likely to receive harsh school discipline than their counterparts.** Data from the Government Accountability Office (GAO) found that among six different areas of disciplinary action (out of school suspensions, in-school suspensions, referrals to law enforcement, expulsions, corporal punishment and school-related arrests) black boys and girls were the only student groups overrepresented in all six areas.² In addition, schools with larger populations of Black students are less likely to use mild forms of punishment (e.g. counselor visits) and employ punitive discipline (e.g. expulsion) more frequently and rapidly in its place.³ Comparedly, students with disabilities experience suspension and expulsion at a rate almost two times higher than students without disabilities.⁴

- **Disproportionate suspensions of girls of color are alarming.** Black girls are suspended at higher rates than girls of any other race or ethnicity and most boys. For example, from 2015 to 2016, Black girls were suspended at a rate of 14%, compared to the rate of 2% for white girls. During the same period, Black girls were suspended more than girls
of any other race or ethnicity and more than white and Asian boys. American Indian and Native-Alaskan girls are suspended at higher rates than white boys or girls.5

- **Students of color with disabilities face increased disproportionality across harsh discipline categories.** Black students with disabilities and boys with disabilities disproportionately receive exclusionary discipline. For example, Black students with disabilities represented about 19 percent of all K-12 students with disabilities and accounted for nearly 36 percent of students with disabilities suspended from school (about 17 percentage points above their representation among students with disabilities).

- **The link between school discipline and the school to prison pipeline is well-recognized.** Disparities in school discipline are of great concern because research shows the correlation between school discipline and involvement in the criminal justice system.5-7 Students who experienced even just one suspension were twice as likely to be involved in the criminal justice system than those who received no harsh discipline.8 Additionally, students who received harsh punitive discipline, such as suspension, were four times more likely to report being arrested than an individual who had not received suspension.9

- **Implicit bias influences disciplinary decisions.** Implicit bias refers to the attitudes or stereotypes that influence our understanding, actions, and decisions in an unconscious manner. These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control.10 Research suggests that providing strategies to educators to neutralize the effects of implicit bias could reduce disparities in exclusionary discipline.11 Education and training can help teachers and administrators overcome preconceptions about students.

### Recommendations

The American Psychological Association (APA) calls for sensible school discipline policies to address disparate outcomes for youth in our nation’s education and criminal justice systems. Research suggests that if the policies in schools were changed to address the link between race and school-based punishment, then racial inequalities in arrests could be reduced up to 16 percent.12 Policymakers should consider proactive, evidence-informed and data-driven initiatives that aim to foster equity in school discipline and inclusive school environments for all students.

- **Enact legislation to expand access to childhood and adolescent behavioral health counseling and related supportive services.** APA supports the Mental Health Services for Students Act of 2019 (H.R.1109) which would provide comprehensive school-based mental health services, facilitate community partnerships, as well as training and interventions delivered by qualified behavioral health professionals. APA urges Congress to sustain investments federal safety programs that provide coverage for childhood and adolescent behavioral healthcare, e.g. the Children’s Health Insurance Program.

- **Implement alternatives to disciplinary actions that remove students from the classroom.** An APA review of the research literature found no evidence to support claims that severely punitive disciplinary actions that remove students from schools are an effective in improving student behavior. Instead such policies may result in more arrests and incarceration.13 A number of promising prevention-focused interventions exist and are worthy of consideration. For example, social and emotional learning programs enhance students’ abilities to deal effectively and ethically with daily tasks and challenges. Jurisdictions can use social and emotional learning to achieve more equitable school discipline outcome.

- **Adopt policies to address discrimination and bias in application of exclusionary discipline practices.** The Trump Administration’s decision to rescind Obama era school discipline guidance ignored well established research that documents how best to create inclusive learning environments for all students and could have a chilling effect on proactive state and local efforts to reform harmful and ineffective exclusionary discipline practices.14 DoED and DOJ should issue new guidelines describing how school districts can ensure their discipline policies do not unfairly discriminate against racial and ethnic minority students and students with disabilities. Such guidance would replace Obama era documents the Trump Administration rescinded in December 2018 while acknowledging widespread disparities in the application of exclusionary discipline practices.
• **Anti-bias intervention and training.** A brief intervention aimed at encouraging an empathic mindset about discipline halved student suspension rates over an academic year. This intervention, an online exercise, can be delivered at near-zero marginal cost to large samples of teachers and students. Findings from this intervention could mark a paradigm shift in society’s understanding of the origins of and remedies for discipline problems. Further, resources should be available for education and training for school personnel in addressing implicit bias in discipline decisions.

• **Enhance data collection and reporting.** DoED should continue to monitor expulsion and suspension rates across the nation. National data collection enhances our understanding of the student most impacted by exclusionary discipline and helps policymakers target interventions to improve educational outcomes. The agency should also provide states with the resources and tools to implement equitable school discipline policies.

• **Diversify the teacher workforce.** Data show that when teachers are more racial and culturally reflective of their students reduce rates of exclusionary discipline for Black and Latino students. Federal policies should promote the diversifying of faculty, student bodies, and syllabi in teacher preparation programs and should invest in teacher diversity programs, such as Grow Your Own. Legislation like the Educators for America Act and the Save Education Jobs Act must be enacted.

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