

THE EFFECTS OF THE NEW ORLEANS SCHOOL REFORMS ON EXCLUSIONARY DISCIPLINE PRACTICES

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Overview

Over the last decade, there has been much debate about whether and how schools should use discipline practices that remove or exclude students from class. These exclusionary practices, most notably expulsions and out-of-school suspensions, are correlated with numerous negative student outcomes including increased likelihood for contact with the juvenile justice system, especially among low-income students and students of color. There are also concerns that the use of exclusionary discipline may be more prevalent under market-based school reforms. Some charter schools adopt strict approaches to discipline, and market accountability may encourage schools to use expulsions or suspensions to push out certain students.

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In this study, I examine the effects of the post-Katrina school reforms on the expulsion and out-of-school suspension rates of New Orleans' publicly funded schools. I compare the rates of these exclusionary discipline practices in New Orleans to those of other Louisiana school districts that had similar expulsion and suspension rates before the reforms. I draw three main conclusions:

- In the first few years, the reforms increased the expulsion rate for New Orleans' publicly funded schools by 1.5-2.7 percentage points (140-250%). I find similar evidence of an increase in the out-of-school suspension rate for serious offenses.
- These effects were driven primarily by increases in reported suspensions and expulsions in schools that were directly run by the Recovery School District.
- One year after the peak in 2009, New Orleans' measurable expulsion rate sharply decreased and eventually returned to pre-Katrina levels. The results suggest that this significant decline likely resulted from public pressure and legal challenges related to a lawsuit filed by the Southern Poverty Law Center. After the drop, the expulsion rate remained near pre-Katrina levels through 2015. Officials established a centralized expulsion system in 2013, and this may have contributed to the stabilization of the expulsion rate.

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These results are broadly consistent with media reports that highlighted seemingly harsh punishments in the early years, a concern that has dissipated over time. However, our conversations with local educators suggest that schools reported suspensions and expulsions inconsistently, which would affect the data and findings.

Regardless of how discipline shows up in the data, there can be little doubt that discipline practices play a critical role in shaping the schooling environment and students' opportunities to learn and that more accurate data are needed to understand this important topic.

BACKGROUND

In recent years, exclusionary discipline practices like suspensions and expulsions have been the subject of much debate. On one hand, schools might have good reasons to expel or suspend disruptive students, because they interfere with other students' learning and, in extreme cases, compromise school safety. On the other hand, students who are expelled or suspended learn less because they are not in school and are more likely to repeat a grade, drop out of school, and have contact with the juvenile justice system.

Debates about exclusionary discipline practices have intensified in recent years as the charter sector and school choice have grown. Choice and charter critics express concern that suspension and expulsion rates may increase under market-based school reforms, as charter schools have the autonomy to determine their own discipline policies and practices. This autonomy could lead charter schools to adopt a No Excuses approach, which involves strict policies for school discipline and safety. Increased accountability may also encourage schools to use expulsions or suspensions to push out certain students so that those students do not pull down school performance scores.

School choice could also have the opposite effect and reduce suspension and expulsion rates if students are able to enroll in schools that better meet their academic and socio-emotional needs with different course offerings, extracurricular activities, support services, and disciplinary approaches. However, there is minimal evidence to support this more positive theory, and the current debate is largely about whether school choice increases suspension and expulsion rates or has no effect.

New Orleans offers an important case for examining the impact of choice and charters on school discipline practices, as the nation's

first majority-charter school district. This study looks closely at discipline practices in New Orleans and answers three key questions:

1. What are the trends in New Orleans' out-of-school suspension and expulsion rates?
2. How did the New Orleans school reforms affect expulsion and out-of-school suspension rates?
3. How did the reforms' effects on expulsion and out-of-school suspension rates vary by school sector?

POLICY CONTEXT

After Hurricane Katrina, the state of Louisiana moved oversight of almost all the city's public schools from the locally elected Orleans Parish School Board (OPSB) to the state-run Louisiana Recovery School District (RSD). Most OPSB schools were quickly turned into autonomous charter schools, and over the first decade, so too were all RSD schools.

One of the key policy changes gave charter schools autonomy over discipline policies and practices. To regulate these policies and practices, the RSD established a Student Code of Conduct in 2008 that outlined the required process for expulsions and out-of-school suspensions in RSD direct-run schools. However, these rules generally were not enforced.

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The Student Code of Conduct was not enough to prevent community concerns about the rates of expulsions and out-of-school suspensions in some New Orleans schools. The Southern Poverty Law Center (SPLC) filed a federal civil rights lawsuit in 2010 against the Louisiana Department of Education (LDOE) and the Board of Elementary and Secondary Education. The lawsuit documented how New Orleans students with disabilities were excluded from schools and disciplined without the procedural

safeguards required by federal law. It also documented how RSD schools disciplined special education students at higher rates than the state average and provided evidence of students who were suspended or expelled illegally because of manifestations of their disabilities.

Under mounting political and legal pressure, the RSD took three key steps for the 2012-13 school year: centralizing the expulsion process within a new Student Hearing Office, establishing a formal intervention and prevention process to reduce unnecessary student expulsions that included not only RSD direct-run schools but also RSD charter schools, and explicitly defining certain offenses as non-expellable. These steps significantly reduced school autonomy over expulsions.

In the remainder of this brief, I explain the effects of these various policies, both the school reforms generally and the subsequent attempts to stem exclusionary discipline practices.

HOW DID I CARRY OUT THE ANALYSIS?

Understanding the effects of the reforms on expulsion and suspension rates requires more than just comparing New Orleans' exclusionary discipline rates before and after the reforms. I use a technique called synthetic control analysis to create two distinct comparison groups (returnees-only and cross-cohort) by calculating weighted averages of other districts that almost exactly mirror the pre-reform patterns in New Orleans' exclusionary discipline rates. These comparison groups provide a sense of how New Orleans' rates would have changed in the absence of the reforms. The differences in expulsion and suspension rates between New Orleans and the comparison groups therefore can then be interpreted as the effect of the reforms.

Using data provided by the Louisiana Department of Education, I calculate overall expulsion and suspension rates from 2001 to 2015 for New Orleans' publicly funded schools, including those governed by the state Recovery School District and those still under the control of the local district. I omit the 2006 and 2007 school years because these years immediately followed Hurricane Katrina and those data are not instructive. Here and throughout the brief, I refer to a given school year using the spring year (i.e., 2006 refers to the 2005-06 school year).

I then use two different approaches to identify comparison groups. In the first approach, the returnees-only analysis, I only study those

students who returned to their school districts after Hurricane Katrina (e.g., comparing students' change in discipline incidents between 2005, when they were in 7th grade, and 2010, when they were in 12th grade). By studying a fixed group of individuals, I can account for any possible changes in population. However, this approach limits the number of students I can include; my sample might not be representative of all students who attended New Orleans' publicly funded schools.

The second approach, the cross-cohort analysis, addresses the limitations of the returnees-only analysis by studying the discipline rates of different cohorts of students before and after the reforms (e.g., comparing the changes in discipline incidents for students in grades 5-12 in 2005, with changes for students in grades 5-12 in 2014). This has the advantage of including all students, not just those who attended New Orleans' publicly funded schools pre-and post-reform. I show results only for the cross-cohort analysis below, but I discuss any differences between these and the returnees-only analysis results.

Statistical significance has a somewhat different meaning with synthetic control analyses. Throughout the brief, we discuss the confidence of our findings by reporting the number of comparison districts that would have had more positive (or less negative) changes than New Orleans in a given year, had they experienced the school reforms.

Ideally, it would be useful to know to what degree any changes in suspensions and expulsions are due to changes in student behavior, strict discipline, or better reporting of disciplinary infractions. An increase in reported exclusionary discipline could mean that behavior worsened, that schools were more likely to punish students for the same infractions, or that schools were reporting infractions with more accuracy. To better understand this distinction, I examine suspensions according to the severity of the offense. Serious offenses, for example, are more likely to be punished and reported equally across schools and over time.

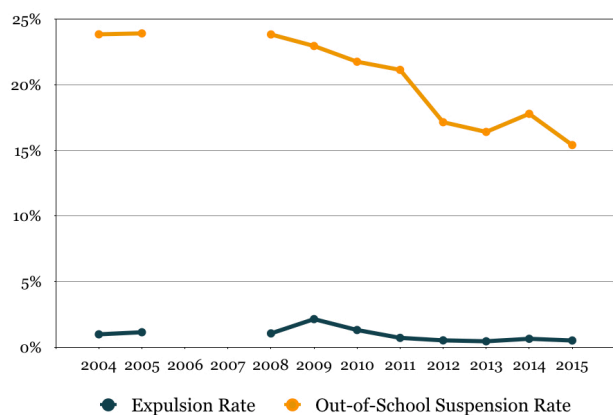
I also limit the analysis of suspensions to those occurring out-of-school because New Orleans schools are not obligated to report in-school suspensions and, as a result, they may not report them. Based on our conversations with local educators, in-school suspensions are common in New Orleans even though they do not show up in our data.

WHAT ARE THE GENERAL TRENDS IN NEW ORLEANS' OUT-OF-SCHOOL SUSPENSION AND EXPULSION RATES?

Figure 1 below shows New Orleans' exclusionary discipline rates before and after the reforms. The data specifically report the percentages of students suspended out-of-school and expelled at least once in the given year.

The data show that New Orleans had relatively high out-of-school suspension rates before the reforms, with 24% of students suspended out-of-school in 2005. The out-of-school suspension rate for the rest of Louisiana was 16 percent in the same year (not shown).

Figure 1. Reported out-of-school suspension and expulsion rates have declined since the reforms started.



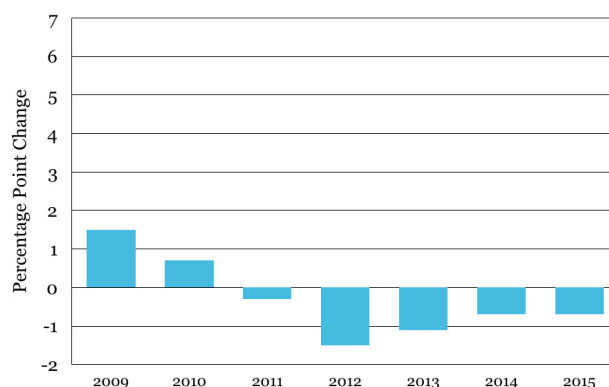
Expulsion is the most severe punishment available to schools and is therefore much less common in New Orleans and elsewhere. In New Orleans, 1.1% of students were expelled in 2005, compared with 1.7% for the rest of the state (not shown). Given the high rates of out-of-school suspensions in New Orleans, the relatively low rate of expulsions is somewhat surprising. Anecdotal evidence suggests that the city's schools may have under-reported expulsions during the pre-Katrina period.

These levels and trends in out-of-school suspensions and expulsions are also important because they provide a basis of comparison for the effects of the reforms I report below. Understanding how the reforms affected school discipline requires more than just comparing suspension and expulsion rates before and after the reforms. To answer the questions below, I compare New Orleans' trends to those in other districts that had similar discipline rates before Katrina.

HOW DID THE NEW ORLEANS SCHOOL REFORMS AFFECT OUT-OF-SCHOOL SUSPENSION AND EXPULSION RATES?

Figure 2 shows the difference between New Orleans' expulsion rate and that of the comparison group from 2009 through 2015.

Figure 2. The reforms increased New Orleans' expulsion rate in 2009, but in the long term, the effects were no different than changes for most comparison districts.



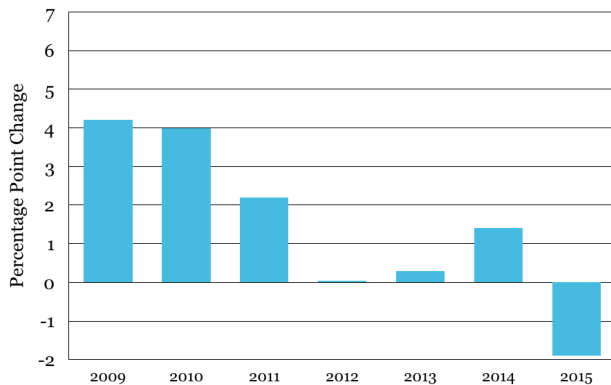
Note: In 2009, changes in New Orleans' expulsion rate were greater than 14 of the 16 comparison districts, indicating that this initial increase was an effect of the reforms.

Based on the above discussion, I conclude that in the years immediately following the reforms, the expulsion rate increased 1.5 percentage points more than the comparison group, representing a 140% increase relative to the pre-Katrina level of 1.1% (see Figure 1). This increase is greater than what I see in 14 of the 16 comparison districts. The reforms, however, had no long-term effects, positive or negative, on the expulsion rate. After the initial increase in 2009, expulsions decreased abruptly between 2009 and 2012. By 2015, the New Orleans' expulsion rate was slightly below that of the comparison group, but this result was no different than changes I observe in most comparison districts, suggesting no long-term effect from the reforms.

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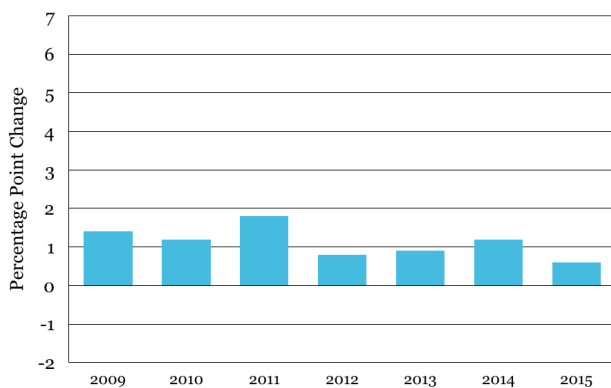
In Figure 3, I find similar but less convincing evidence of a 4.2 percentage point (17%) increase in New Orleans' out-of-school suspension rate in 2009. Unlike expulsions, these results are no different than the changes I observe in the comparison districts.

Figure 3. The pattern in reform effects on out-of-school suspension rates is similar to the expulsion rates shown in Figure 2, but the individual estimates are not statistically different than changes in comparison districts' rates.



In the above results, it is difficult to distinguish between effects on student behavior, discipline strictness, and reporting accuracy. For example, it is possible that new schools were especially strict when they first opened, or they were just more likely to report suspensions and expulsions than pre-reform schools. Therefore, in Figure 4, I show the results for out-of-school suspensions for serious offenses, such as fights or “habits that injure others,” which tend to be sanctioned and reported equally across schools.

Figure 4. The reforms increased the out-of-school suspension rate for serious offenses.



Note: In 2009-11 and 2014, changes in New Orleans' out-of-school suspension rate for serious offenses were greater than at least 15 of the 16 comparison districts, indicating that the sustained increase was an effect of the reforms.

The results reveal that out-of-school suspensions for violent offenses increased 1.4 percentage points more than the comparison group, representing a 93% increase relative to pre-Katrina levels. This increase is sustained through 2014, and the increases in 2009-11, as well as 2014, were greater than at least 15 of the 16 comparison districts, giving confidence that these effects were caused by the reforms. While this reinforces the idea that suspensions and expulsions increased right after the reforms, the prior figures showed that the effects reversed immediately after. In Figure 4, the increase persists.

The above results are from the cross-cohort analysis. The conclusions I draw from the returnees-only analysis are similar. They reveal an initial significant increase in the expulsion rate (2.7 percentage points or 250%) and in the out-of-school suspension rate for serious offenses (1.4 percentage points or 66%).

Overall, I find a clear long-term increase in New Orleans out-of-school suspension rate for serious incidents, but no long-term effect on expulsions. These results for violent incidents are most convincing because such incidents are most likely to be reported accurately. There is also little question that the number of out-of-school suspensions and expulsions increased in 2009.

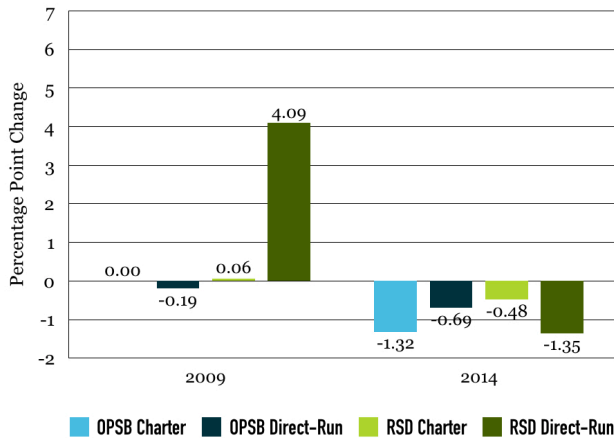
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HOW DID THE REFORMS' EFFECTS ON EXPULSION AND OUT-OF-SCHOOL SUSPENSION RATES VARY BY SCHOOL SECTOR?

Figure 5 further breaks down the change in expulsion rates by school sector for two selected years. The first year (2009) represents changes in the short term, while the second year (2014) represents changes in the long term. The effect on the overall expulsion rate in 2009 was explained by larger effects in schools that were directly run by the

RSD. In these schools, the school reforms increased the expulsion rate by 4 percentage points, and this increase was greater than that of all the 16 comparison districts.

Figure 5. The increase in the expulsion rate in 2009 was driven by RSD direct-run schools.



We do not see the same increase in RSD charter schools. One local education leader told us this may be because RSD charter schools were pushing students out using the threat of expulsion, and students left without an expulsion technically occurring.

I also observe patterns similar to Figure 5 in out-of-school suspension rates by sector (not shown).

ARE THERE ANY OTHER POTENTIAL EXPLANATIONS FOR THESE RESULTS?

In addition to the role of disciplinary strictness and reporting accuracy, I also examine whether my results could have been influenced by disruption from Hurricane Katrina, legal or community pressures, or other changes in policy.

New Orleans was disproportionately affected by the hurricane, compared to the rest of Louisiana. The hurricane could have created trauma among New Orleans students, causing them to misbehave and be expelled from schools. However, if this were the case, expulsions would have increased in the immediate aftermath of Katrina; and as trauma receded, expulsions would have decreased slowly over time. My results suggest otherwise. The post-Katrina expulsion rate

peaked in 2009, three years after the reforms initiated, and dropped immediately after. Nonetheless, I perform additional analyses to account for the hurricane’s impact by including only other hurricane-affected districts in the comparison group. The results of these analyses are shown in the accompanying technical report and are consistent with the findings detailed above.

Given that the initial increase in expulsions was driven by changes in RSD direct-run schools, I looked more closely at whether RSD direct-run schools were serving students with higher levels of previous disciplinary incidents than other schools, using the sample of returnees. I find that students in RSD direct-run schools after Katrina had more discipline incidents and lower achievement before Katrina, compared with students in RSD charter and OPSB schools. However, I find no evidence of a change in the student population of RSD direct-run schools in 2009 that would have explained the sudden increase in expulsions that happened during this year.

It is plausible that RSD leadership played a role in the expulsion rate increase in 2009. RSD leaders spoke of the importance of strict discipline to maintain school safety and discipline. In 2007, the RSD also hired a security firm and a former New Orleans Police Department commander to ensure safety at RSD schools. During the 2008 school year, RSD officials also encouraged several RSD elementary schools to introduce education models known for having strict discipline approaches.

Legal pressures may have also influenced discipline practices, as the Southern Poverty Law Center (SPLC) filed a federal civil rights lawsuit in 2010 that attracted national attention and exposed New Orleans’ discipline disparities. Expulsions peaked in 2009 and sharply decreased in 2010, coinciding with the start of the lawsuit, which is why I conclude that the legal pressures likely contributed to the decrease in exclusionary discipline rates from 2009 through 2012. During this time, school leaders also faced significant pressure from community advocates about disciplinary practices, and this also may have contributed to the decline.

Under political and legal pressure, the RSD formalized and enforced a centralized public school expulsion system at the beginning of the 2012-13 academic year. This could not have caused the decline in suspensions and expulsions that occurred earlier, in 2010, but it may have helped maintain those declines after the pressure from the SPLC lawsuit subsided. The RSD also gradually narrowed the range of infractions for which students could be expelled, which could

have kept expulsions down. However, expelling students for fewer infractions would likely have led to an increase in suspensions in the years after expulsions were centralized. I do not observe that pattern, so the centralized expulsion system is likely not the explanation.

DISCUSSION

I conclude that New Orleans' school reforms resulted in a large increase in expulsions in 2009, primarily driven by schools run by RSD. The effects of the reforms on out-of-school suspensions are similar to expulsions, as observed in my analysis of suspensions for serious infractions.

This increase in suspension and expulsion rates was temporary. Expulsions started to decrease in 2010, coinciding with the SPLC

lawsuit that alleged high discipline rates of special education students in New Orleans schools. After the increase in expulsions in 2009 and the SPLC lawsuit in 2010, RSD fully formalized and enforced its centralized expulsion system in 2012-13. Prior to 2009, there was a written policy for expulsions, but it was not enforced.

This study suggests that there may be a valuable role for the broader community in school reform efforts, through the courts and media, in helping encourage policymakers and practitioners to address or prevent unintended effects or behaviors during times of change. Districts and charter authorizers can also play an important role by enforcing discipline policies and facilitating improved data accuracy.

How is this Research Related to Other ERA-New Orleans Studies?

This research continues our study of school discipline, looking more closely at whether and how the New Orleans school reforms have affected discipline practices.

In *What are the Sources of School Discipline Disparities by Student Race and Family Income?*, Nathan Barrett, Andrew McEachin, Jonathan Mills, and Jon Valant examine the differences in suspension rates and durations by race and family income in Louisiana. The study helps better explain the sources of discipline disparities that disproportionately affect low-income and minority students, which provides a useful basis for identifying ways to address these gaps.

In *A Different Approach to Student Behavior: Addressing School Discipline and Socio-Emotional Learning Through Positive Behavior Intervention Systems*, Nathan Barrett and Douglas Harris provide

evidence that a software-based platform designed to accompany Positive Behavior Interventions and Supports (PBIS) reduced the number of suspensions and expulsions, keeping students in school without harming the classroom environment in ways that might reduce student achievement. The PBIS approach contrasts with the methods chosen by the RSD, for example, in hiring an outside security firm.

In ongoing analyses, we are examining the reforms' effects on students' likelihood of committing a crime outside of school, as well as how alternative approaches to discipline, like restorative justice, affect student outcomes.

About the Education Research Alliance for New Orleans

The mission of the Education Research Alliance for New Orleans (ERA-New Orleans) is to produce rigorous, objective, and useful research to understand the post-Katrina school reforms and their long-term effects on all students. Based at Tulane University, ERA-New Orleans is a partnership between university-based researchers and a broad spectrum of local education groups. Our Advisory Board includes (in alphabetical order): the Louisiana Association of Educators, the Louisiana Association of Public Charter Schools, the Louisiana Federation of Teachers, the Louisiana Recovery School District, New Schools for New Orleans, the Orleans Parish School Board, the Orleans Public Education Network, and the Urban League of Greater New Orleans. For more information, please visit the organization's website.

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