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POLICY BRIEF

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WHAT ARE THE SOURCES OF SCHOOL DISCIPLINE DISPARITIES BY STUDENT RACE AND FAMILY INCOME?

By Nathan Barrett, *Tulane University,*
Andrew McEachin, *RAND Corporation,*
Jonathan N. Mills, *University of Arkansas,*
and Jon Valant, *Brookings Institution*

Overview

In the United States, low-income students and students of color are suspended and expelled from school at much higher rates than their peers. These disparities are concerning both because of what causes the disparities (e.g., various types of discrimination) and because exclusionary discipline practices are at least correlated with numerous negative outcomes for students. In this study, we examine differences in suspension rates and durations by race and family income in the state of Louisiana. Our key findings are:

- Black students are about twice as likely as white students to be suspended, and low-income students are about 1.75 times as likely as non-low-income students to be suspended. Discipline disparities are large for both violent and nonviolent infractions.

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- Disparities in suspension rates are evident within schools (black and low-income students are suspended at higher rates than their same-school peers) and across schools (black and low-income students disproportionately attend schools with high suspension rates). While across-district differences account for a small portion of the disparities, within-school and across-school differences each account for a sizable share of the disparities.
- Black and low-income students receive longer suspensions than their peers for the same types of infractions.
- For fights involving one white student and one black student, black students receive slightly longer suspensions than white students. The difference is about one additional suspension day for every 20 fights. This disparity is evident even after accounting for students' prior discipline records, background characteristics, and school attended.

Assessing the presence of direct discrimination by schools, which occurs when schools punish students of different backgrounds differently for the same behavior, is a fundamental challenge for research on student discipline and requires many assumptions. Researchers typically cannot observe students' true behaviors—only the records that result when schools write up students for an infraction. We examine the punishments that occur after interracial fights, which we believe provides a credible check for the existence of direct discrimination in cases where students behave similarly. Given that we find that direct discrimination occurs in this context, with a black and white student receiving different punishments for the same exact incident, it seems likely that direct discrimination would occur where discipline disparities are less visible. More broadly, this study helps better explain the sources of discipline disparities and therefore provides a useful basis for identifying solutions.

BACKGROUND

In the United States, poor and minority students are suspended and expelled—and therefore excluded from school—at much higher rates than their peers. For example, the U.S. Department of Education reports that 18% of black boys and 10% of black girls received an out-of-school suspension in 2013-14, compared to only 5% of white boys and 2% of white girls. Concerns about the overuse of exclusionary discipline practices have persisted for decades, along with concerns that such practices disproportionately affect minority populations. These disparities are especially troubling because of the associations between exclusionary discipline and negative outcomes for students, including lower academic achievement, lower probability of on-time high school graduation, and greater contact with the juvenile justice system. While correlation does not imply causation, both research and common sense suggest that students learn more when they are present at school. Discipline disparities could exacerbate gaps in educational achievement that are already large, while also reflecting opportunity gaps and obstacles that disproportionately harm poor and minority children.

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Although discipline disparities by race and family income are well documented, analyzing and interpreting these disparities correctly is challenging. This is due, in part, to the various ways that disparities could arise. Disparities could arise *within schools* (if poor and minority students are punished at higher rates than their same-school peers), *across schools* within the same district (if students in predominantly poor and minority schools are punished at particularly high rates), or *across districts*.

These distinctions are important, since the appropriate ways to address disparities depend on where and why they arise. For example, across-school and across-district disparities might require attention to the disciplinary approaches of schools with large populations of poor and minority students. Within-school disparities might require professional development and oversight to reduce the occurrence of discriminatory practices. If discipline disparities reflect differences in students' actual behaviors, eliminating these disparities might require addressing the root causes of misbehavior.

In this study, we carefully examine discipline disparities in Louisiana. We start by examining data on student infractions and punishments to assess the extent to which disparities arise within districts, across schools in the same district, and across districts. The analysis considers several questions of policy interest, including whether disparities arise from violent or nonviolent offenses and whether poor and minority students are especially likely to accrue records of multiple suspensions. Perhaps the most distinctive aspect of our analysis is that we explore the possibility of discriminatory school practices by analyzing the punishments that result from fights involving one black and one white student or involving one low-income and one non-low-income student.

We therefore address the following questions using data from Louisiana:

1. Are there disparities in the likelihood and frequency of suspensions for black or low-income students compared to their peers?
2. Do race-based and poverty-based gaps in discipline rates arise within schools, across schools in the same district, or across districts?
3. Do students cited for the *same type of infraction* receive different punishments?
4. Do students involved in the *same specific incident* receive different punishments?

HOW DID WE CARRY OUT THE ANALYSIS?

We analyzed student-level discipline data, provided by the Louisiana Department of Education (LDOE), for K-12 students in publicly funded schools (including both traditional public and charter schools). The data cover the 2000-01 through 2013-14 school years. Results are reported as averages across all of these years. These data allow us to analyze discipline infractions and their corresponding punishments by race and free-or-reduced-price lunch eligibility (a common measure of family income).

Unfortunately, researchers cannot generally observe students' actual behaviors except at a very small scale, such as in an individual school. What we can observe are students' infractions, as recorded by schools, and the punishments that resulted (e.g., the length of students' suspensions). This provides an incomplete look at discipline disparities because, for example, we cannot observe whether behaviors that were tolerated for some groups of students were coded as infractions for other groups of students. Still, with over one million unique disciplinary incidents in our data and records of the related punishments, we can provide new insights into the origins of disparities and potential biases in exclusionary discipline practices.

Glossary

Behaviors: What students do in school (not observable in data)

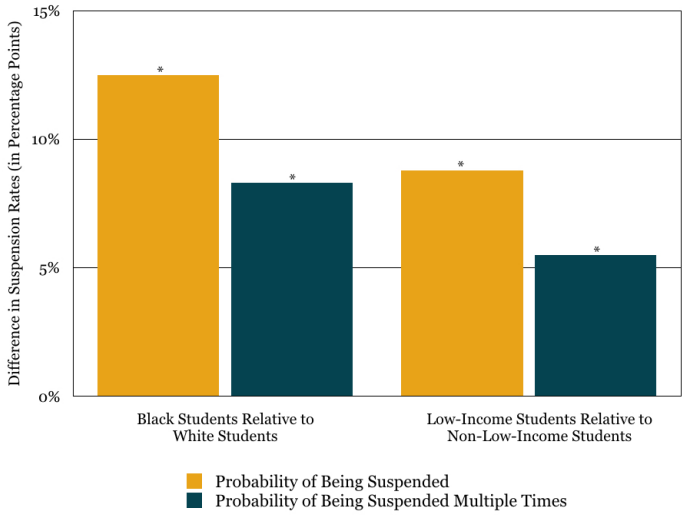
Infractions: How behaviors are recorded as per a school's code of conduct

Punishments: The penalties associated with infractions

ARE THERE DISPARITIES IN THE LIKELIHOOD AND FREQUENCY OF SUSPENSIONS FOR BLACK OR LOW-INCOME STUDENTS COMPARED TO THEIR PEERS?

Figure 1 shows disparities in both the probability of student suspensions and the probability of multiple suspensions in the same school year. The orange bars indicate that black and low-income students are 13 and 9 percentage points more likely to be suspended in a given year than their white and non-low-income peers, respectively. These are large differences. For example, 12% of white students are suspended each year, so the 13-percentage-point gap means that black students are more than twice as likely as white students to be suspended. Similar gaps appear in in the blue bars, which show the probability of being suspended multiple times in the same year.

Figure 1. Black and low-income students are more likely to be suspended than white and non-low-income students.



* Indicates statistical significance here and in all figures.

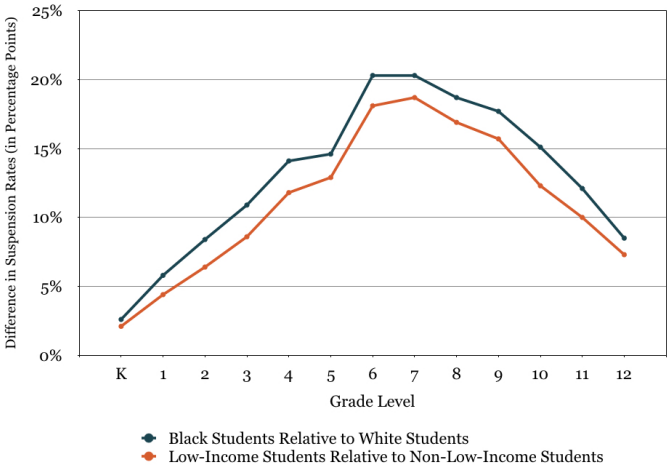
The differences by race and income shown in Figure 1 do not control for any student characteristics. The technical report that accompanies this policy brief includes results that control for different combinations of student characteristics (such as gender, prior test scores, and special education status). In these results, the estimated disparities tend to be somewhat smaller than the ones shown in Figure 1 but still large and statistically significant. In other words, even among students with similar background characteristics, race- and poverty-based discipline disparities persist.

> *"Black and low-income students are 13 and 9 percentage points more likely to be suspended in a given year than their white and non-low-income peers, respectively."*

Looking more closely at these differences, we find that they arise both from gaps in suspension rates for violent offenses (such as fighting and assault) and from gaps in suspension rates for nonviolent offenses (such as disrespecting authority and using profanity).

Next, we analyze whether and how these disparities appear across grades. We see that disparities are evident in kindergarten, reach a peak in grades six and seven, and continue to persist throughout high school (Figure 2).

Figure 2. Black and low-income students have higher suspension rates beginning in kindergarten and continuing across all grades.

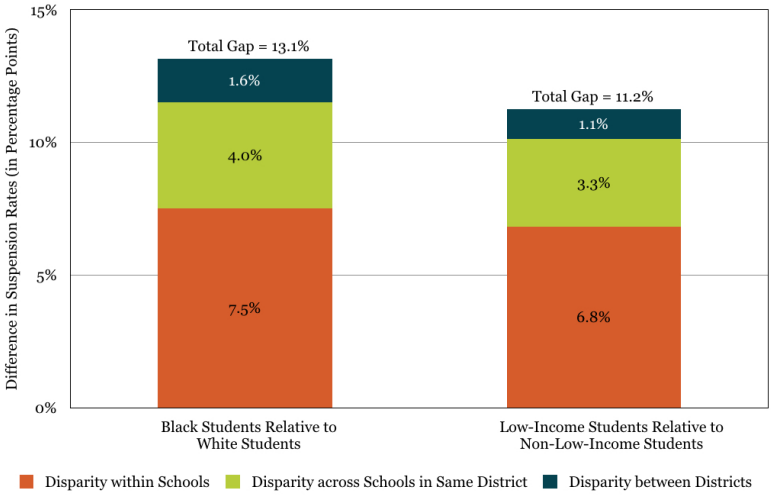


Disparities may appear lower in some grades—such as early elementary grades—because suspension rates are relatively low in general. The shrinking disparities in high school might also reflect students who have higher-than-average chances of suspension dropping out of school at high rates.

DO RACE-BASED AND POVERTY-BASED GAPS IN DISCIPLINE RATES ARISE WITHIN SCHOOLS, ACROSS SCHOOLS IN THE SAME DISTRICT, OR ACROSS DISTRICTS?

Figure 3 shows total disparities in the probability of being suspended in a given year, but here we also show the origins of those disparities. As indicated by the orange bars, the majority of these differences arise within schools (between black and white, and low-income and non-low-income, students in the same school). Disparities across schools in the same districts (in green) represent a smaller but still substantial share. Disparities across districts (in blue) constitute a relatively small share of the overall disparities. The percentages explained at each level are similar for disparities by race and family income.

Figure 3. Within-school disparities account for a majority of the overall disparities in suspension rates.



* Note: These data are compiled from Tables 1 and 2 of the appendix in the technical paper.

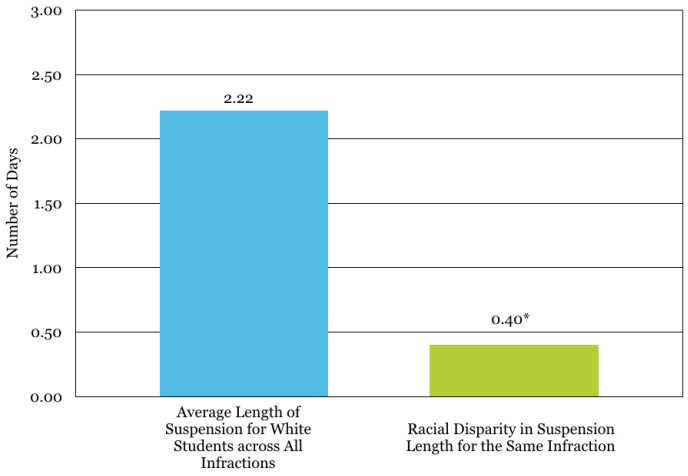
These analyses suggest that eliminating discipline disparities would require addressing the causes of both within-school and across-school disparities.

DO STUDENTS CITED FOR THE *SAME TYPE OF INFRACTION* RECEIVE DIFFERENT PUNISHMENTS?

Next, we look more closely at disparities in how students are punished for participating in the same type of infraction. Figure 4 shows that black students receive, on average, 0.40 more suspension days than their white peers when suspended for the same type of infraction (e.g., willful disobedience, fighting, disrespecting authority).

> *"... black students receive, on average, 0.40 more suspension days than their white peers when suspended for the same type of infraction."*

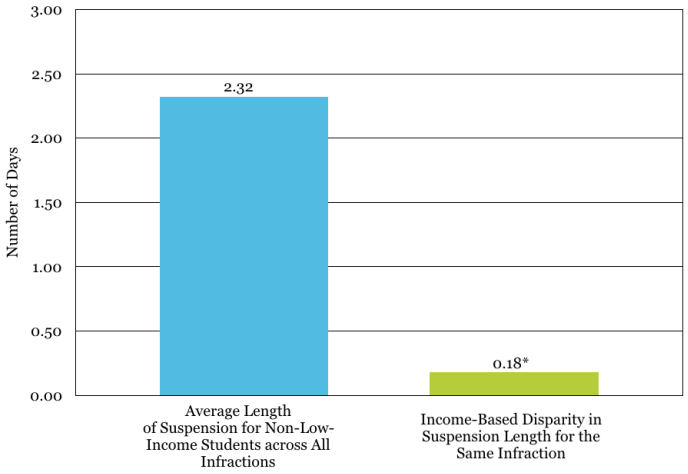
Figure 4. Black students receive longer suspensions than white students for the same type of infraction.



In analyses not shown here, we estimate this difference within schools by year and grade (i.e., looking for gaps that arise within students' grade-level cohorts in their schools). We find that black students, on average, receive suspensions that are 0.10 days longer than the suspensions given to white students written up for the same type of infraction in the same school, grade, and year.

The patterns are similar when we look at disparities by family income. Figure 5 shows that low-income students were suspended, on average, for 0.18 more days than their non-low-income peers for the same type of infraction.

Figure 5. Low-income students receive longer suspensions than non-low-income students for the same type of infraction.



In analyses not shown here, we estimate this difference within schools by year and grade and find that, while more modest at 0.10 more days, low-income students, on average, receive longer suspensions.

Taken together, these analyses suggest that black and low-income students are not only suspended at much higher rates than their white and non-low-income peers, but they also tend to receive longer suspensions for the same types of infractions.

DO STUDENTS INVOLVED IN THE *SAME SPECIFIC INCIDENT* RECEIVE DIFFERENT PUNISHMENTS?

The previous section showed differences in how students of different races and family income are punished for the same types of infractions. While perhaps suggestive of a form of discriminatory punishment, our inability to observe students' actual behaviors creates too much uncertainty to conclude that this is evidence of discrimination. For example, if black students receive harsher punishments than white students for infractions labeled "willful disobedience," this could reflect either discriminatory practices by schools or that these infractions tend to be more severe when they involve black students. We cannot distinguish between these two explanations in the data.

We pursue an additional approach that we believe isolates situations in which black and white students likely behave similarly and therefore should receive similar punishments if not for discriminatory school behaviors. Specifically, we examine suspensions resulting from fights between one black student and one white student or between one low-income student and one non-low-income student. In these analyses, we control for students' prior discipline records and other background characteristics to account for the possibility that schools might punish students differently if, for example, they are first-time fighters, academically successful, or designated for special education services.

Observing only fights that result in suspensions, we analyze differences in the length of suspensions between students from different subgroups. We find that black students are suspended longer than their white counterparts in these interracial fights. The difference is about 0.05 days on average, meaning every 20 interracial fights yields one extra day of suspension for black students. This difference is statistically significant in all cases.

While the magnitude of the difference may appear small in isolation, interpreting this finding is still challenging. The purpose of analyzing these fights is to examine a setting in which discipline disparities, if they exist, most likely reflect discriminatory practices by schools. This analysis is still vulnerable to the possibility that black and white students behaved differently in these fights—and therefore warranted different punishments. However, we believe this analysis provides the most credible look in our data at whether discriminatory practices exist.

We also examined specific fights that included one low-income student and one non-low-income student, but we did not see consistent evidence of differing punishments between students from these subgroups. Some estimates indicated that low-income students are more likely to receive longer punishments; other estimates showed no statistically significant differences.

It is important to note that the fight analysis is not a comprehensive look at all possible sources of direct discrimination by schools, which occurs when schools punish students of different backgrounds differently for the same behavior. Direct discrimination could arise in many different contexts beyond these fights. The fight analysis intends to be a glimpse into one type of incident in which disparities seem likely to be attributable to discriminatory school behaviors.

DISCUSSION

Questions about whether and why discipline gaps exist between black and white, and low-income and non-low-income, students are both critically important and empirically challenging to answer. At this point, there is little dispute that black and low-income students are suspended and expelled at higher rates than their peers (as seen in Figure 1). However, addressing inequities also requires explaining their origins. Gaps in exclusionary discipline could arise from true differences in students' behaviors, differences in how schools translate those behaviors to infractions, and differences in how schools punish students for the same infractions. The reality that gaps could arise within schools, across schools within districts, or across districts complicates the analysis, as does the lack of available data on the true behaviors.

A fundamental—and much debated—question about discipline gaps is whether they arise from school leaders discriminating against minority or low-income students. Discrimination of this type is extremely difficult to identify across large numbers of schools, since these data typically do not provide information about students' true behaviors. Many existing studies that look closely at student behavior examine only a handful of schools or rely on subjective measures of behavior such as student surveys. Our analysis of fights between two students of different races (white and black students) provides a credible check for the existence of direct discrimination across the entire state. We find that black students are punished more severely than white students, with the difference being approximately one suspension day for every 20 interracial fights. Still, if direct discrimination does occur in this context, it is likely that it occurs in contexts where discipline disparities would be less visible.

Of course, discriminatory practices might exist even where we observe gaps across schools rather than within them. If schools that enroll high percentages of low-income and minority students employ harsher discipline practices than other schools, then low-income and minority students could accrue different discipline records than non-poor and white students for similar behaviors. Moreover, broader economic and societal patterns of discrimination that occur outside of schools could yield varying behaviors from students of different races and socioeconomic classes. These represent different types of problems than within-school gaps—and would require solutions tailored to those problems—but still can reflect discrimination in student discipline.

The way in which students are disciplined is a difficult issue that affects many students—and perhaps some groups of students more than others. Policymakers must take great care in crafting sensible discipline policies, and school leaders must be attentive to and thoughtful about how they discipline students. We hope this study contributes to a richer understanding of student discipline disparities and that our forthcoming studies will contribute to better policy and practice in this area.

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

This is the first of a series of studies ERA-New Orleans will be releasing on school discipline. In ongoing analyses, we are examining the New Orleans school reforms' effects on the frequency of suspensions and expulsions, and on students' likelihood of committing crime (outside of school).

In 2012, the city of New Orleans instituted a centralized expulsion system. Run jointly by the state Recovery School District and the Orleans Parish School Board, this system limits expulsions to specific types of severe infractions and requires a hearing with system leaders outside the school. We are examining the effect of this policy on the number of suspensions and expulsions.

We are also beginning work that examines disciplinary practices that are less likely to exclude students from the classroom, such as restorative justice. Advocates for these non-exclusionary approaches argue that they are better for students, both increasing learning time and using challenging incidents as learning opportunities for everyone involved. By studying and comparing exclusionary and non-exclusionary practices, we hope to better understand the effects of these strategies on the outcomes of students who are involved in disciplinary incidents as well as their classmates.

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 Orleans Parents' Guide, 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.

EducationResearchAllianceNOLA.org

Contact Information

1555 Poydras Street
7th Floor, Room # 701
New Orleans, LA 70112
(504) 274-3617
ERANewOrleans@gmail.com

An Initiative of

Tulane University

About the Authors

Nathan Barrett

Nathan Barrett is Associate Director and Senior Research Fellow at Tulane's Education Research Alliance for New Orleans. He holds a Ph.D. in public policy from the University of Kentucky.

Andrew McEachin

Andrew McEachin is a Policy Researcher at RAND Corporation and a member of the National Research Team at Tulane's Education Research Alliance for New Orleans.

Jonathan N. Mills

Jonathan N. Mills is a Senior Research Associate at the Department of Education Reform at the University of Arkansas and a Non-Resident Research Fellow at the Education Research Alliance for New Orleans at Tulane University.

Jon Valant

Jon Valant is a Fellow at the Brown Center on Education Policy at the Brookings Institution and a Non-Resident Research Fellow at Tulane's Education Research Alliance for New Orleans.