



# **DISPROPORTIONATE IMPACT OF K-12 SCHOOL SUSPENSION AND EXPULSION ON BLACK STUDENTS IN SOUTHERN STATES**

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## CONTENTS

Executive Summary	1
Message from U.S. Congressman Cedric Richmond (D-LA)	2
Background and Research Methods	3 - 4
School Discipline Trends Across the South	5
Southern School District Data Tables	
Alabama	6 - 9
Arkansas	10 - 16
Florida	16 - 18
Georgia	18 - 23
Kentucky	24 - 28
Louisiana	28 - 31
Mississippi	32 - 35
North Carolina	36 - 41
South Carolina	41 - 44
Tennessee	44 - 47
Texas	48 - 78
Virginia	79 - 83
West Virginia	84 - 85
Resources and Recommendations	86
Conclusion	87

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## EXECUTIVE SUMMARY

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*Nationally, 1.2 million Black students were suspended from K-12 public schools in a single academic year – 55% of those suspensions occurred in 13 Southern states. Districts in the South also were responsible for 50% of Black student expulsions from public schools in the United States.*

This report aims to make transparent the rates at which school discipline practices and policies impact Black students in every K-12 public school district in 13 Southern states: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

On average, Blacks were 24% of students in the 3,022 districts we analyzed, but rates at which they were suspended and expelled are disproportionately high.

### Disproportionality in Suspensions

In 132 Southern school districts, Blacks were disproportionately suspended at rates five times or higher than their representation in the student population.

In 84 districts, Blacks were 100% of the students suspended from public schools.

In 346 districts, Blacks were 75% or more of the students suspended from public schools.

In 743 districts, Blacks were 50% or more of the students suspended from public schools.

Blacks comprised 74% of suspensions from public schools in Mississippi, which was the highest proportion among the states. Florida schools suspended the highest number of Black students (n = 121,468).

### Disproportionality in Expulsions

In 77 Southern school districts, Blacks were disproportionately expelled at rates five times or higher than their representation in the student population.

In 181 districts, Blacks were 100% of the students expelled from public schools.

In 255 districts, Blacks were 75% or more of the students expelled from public schools.

In 484 districts, Blacks were 50% or more of the students expelled from public schools.

Blacks comprised 72% of expulsions from public schools in both Louisiana and Mississippi, which was the highest proportion among the states. Tennessee schools expelled the highest number of Black students (n = 5,559).

### School Discipline Inequities by Sex

Boys were 65% of Black students suspended from K-12 public schools in the 13 southern states. Despite this, when compared to girls from other racial/ethnic groups, Black girls were severely and most disproportionately affected by school discipline policies and practices.

Nationally, Blacks were 45% of girls suspended and 42% of girls expelled from K-12 public schools, which was highest among all racial/ethnic groups. Across the Southern states, Black girls comprised 56% of suspensions and 45% of expulsions, both of which were also highest among all girls. In 10 Southern states, Blacks were suspended most often among girls.

Blacks were 35% of boys suspended and 34% of boys expelled from K-12 public schools in the United States. Across the Southern states, Black boys comprised 47% of suspensions and 44% of expulsions, which was highest among all racial/ethnic groups. In 11 Southern states, Blacks were suspended most often among boys.

### Using this Report

We hope this report will be useful to parents and families, educators and school leaders, policymakers, journalists, and a wide range of community stakeholders (NAACP chapters, religious congregations, activists, etc.). As such, we present data district-by-district within each state. For every state, we also highlight districts in which school discipline policies and practices most disproportionately impact Black students. Our aim is to equip anyone concerned about the school-to-prison pipeline and the educational mistreatment of Black youth with numbers they can use to demand justice from school boards, educational leaders, and elected officials.

We also want faculty in schools of education, as well as other sites in which teachers are prepared (e.g., Teach for America) and administrators are certified, to use this report to raise consciousness about implicit bias and other forces that cyclically reproduce racial inequities in school discipline. We hope this report is not misused to reinforce deficit, criminalized narratives about Black children. The alarming data presented herein go beyond student misbehavior and bad parenting – they also are attributable to racist practices and policies in K-12 public schools across the South.

## MESSAGE FROM U.S. CONGRESSMAN CEDRIC RICHMOND

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*Cedric Richmond represents Louisiana's 2nd Congressional District in the United States House of Representatives. Congressman Richmond currently serves on the House Committee on Homeland Security and the House Committee on the Judiciary.*



In 1954, the United States Supreme Court ruled that all children had a right to a quality public education. They did so, in part, because they recognized the key role education plays in the lives of individuals and in society. "Today, education is perhaps the most important function of state and local governments," wrote Chief Justice Earl Warren. "Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. It is the very foundation of good citizenship.... In these days, it is doubtful that any child may reasonably be expected to succeed in life if he [or she] is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms."

More than 60 years later, these words are a reminder of an unchanging truth. All children deserve the chance at success. However, today it is clear that there are still problems with our educational system that prevent truly equal access. Far too many

students across the country find themselves suspended, expelled, or involved with the criminal justice system for misbehaviors that occur during school. Just as a good education has positive effects that are still felt long after graduation, not receiving a good education has serious negative effects that last a lifetime. This is reflected in troubling statistics. People who do not graduate from high school are twice as likely to be unemployed as those who do. Those without high school diplomas also earn much less than those with diplomas throughout their lives. We publish and pore over high school graduation rates, and puzzle over ways to increase test scores. In these conversations, though, we often leave out an important part of the problem: actions taken by schools that actively hurt students and make it harder for them to succeed.

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*"From the data available, we know that Black students are disproportionately suspended, expelled, and referred to the criminal justice system by schools. The overuse of these punishments and their disproportionate use on students of color are serious problems that we have to address right now."*

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Making all of this worse is the fact that these punishments are not applied equally. From the data available, we know that Black students are disproportionately suspended, expelled, and referred to the criminal justice system by schools. The overuse of these punishments and their disproportionate use on students of color are serious problems that we have to address right now. We need to place greater importance on getting data from schools on the use of suspensions, expulsions, and arrests in schools. Getting complete data on who suffers these punishments, why they receive them, and what the outcomes of the punishment are can help us fully understand what is happening in our nation's schools. We need to provide better training to teachers and administrators so that they have the tools to deescalate and mitigate situations. We also need to provide better guidance to schools on best practices so that student discipline is handled fairly instead of through arbitrary and heavy-handed 'zero tolerance' policies. Encouraging administrators, police, and judges to prioritize rehabilitation and school attendance over severe punishments would also lead to better outcomes.

The unfair discipline practices that hurt students involve many complicated and interrelated factors, but there are steps that we can take right now that would help. It is time for everyone who cares about education and our nation's children to come together and act.

## BACKGROUND AND RESEARCH METHODS

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Nationally, over three million public school students received at least one out-of-school suspension and 130,000 were expelled during the 2011-2012 academic year (U.S. Department of Education, 2014). In July 2015, educators, policymakers, and others gathered at the White House for a national summit on school discipline. Much of the discussion there and on social media (using #RethinkDiscipline) focused on how suspensions and expulsions disproportionately affect students of color and students with disabilities. Our aim in this report is to contribute to this conversation by making data transparent for parents and families, teachers and school leaders, activists, policymakers, journalists, and concerned others in Southern states.

Russell Skiba (Indiana University), Daniel Losen (UCLA), Pedro Noguera (UCLA), Jamilia Blake (Texas A&M University), Ivory Toldson (Howard University), Anne Gregory (Rutgers University), Brianna Kennedy-Lewis (University of Florida), Claudia Vincent (University of Oregon), and many other scholars have consistently written on this topic. Additionally, The Atlantic Philanthropies, Open Society Foundations, The California Endowment, and several other foundations have invested considerably into projects focused on reducing disproportionality in school discipline. The Southern Education Foundation has worked in myriad ways on school climate and juvenile justice issues in the South since 2007. Hence, this report contributes to a wide range of ongoing efforts in the field that highlight the differential applications and effects of discipline policies and practices on students by race. Along with other published evidence, we hope this report brings more attention to and ultimately helps dismantle the school-to-prison pipeline in the South and all across our nation.

### What Prior Research Tells Us

“Minority overrepresentation in school punishment is by no means a new finding in school discipline research. Investigations of a variety of school punishments over the past 25 years have consistently found evidence of socioeconomic and racial disproportionality in the administration of school discipline” (Skiba et al., 2002, p. 318). Despite the regularity with which racial disparities and racism in school discipline have been documented, Blacks and other students of color continue to be suspended and expelled at disproportionately higher rates than their peers from other racial/ethnic groups. During the 2011-12 academic year, Black kids comprised only 18% of preschoolers in the U.S., but were 42% of students suspended once and 48% of students suspended multiple times from preschools (U.S. Department of Education, 2014). Black students were being

suspended at disproportionately high rates as early as elementary school in the district Raffaele Mendez and Knoff (2003) studied. In a 2015 report, *Black Girls Matter: Pushed Out, Overpoliced, and Underprotected*, Kimberlé Williams Crenshaw and colleagues note that 90% of all girls expelled from New York City public schools in 2011-12 were Black. According to Taylor, Cregor, and Lane (2014), Black students enrolled in Massachusetts public schools were 3.7 times more likely than their White peers to receive an out-of-school suspension. Skiba et al. (2002) found that Black students are most often disciplined for being disrespectful and threatening, loitering, and excessive noise, whereas their White schoolmates are likelier to be referred to school discipline officers for less subjective offences (i.e., smoking, leaving without permission, vandalism, and obscene language). Similar findings emerged in Blake et al.’s (2011) comparative study of reasons Black, Hispanic, and White girls were disciplined in an urban school district.

Zero tolerance school discipline policies were supposedly established to create safer learning environments for all students (Kang-Brown et al., 2013; Skiba & Rausch, 2006). These policies are often enacted through rigid practices and predetermined consequences that greatly limit discretion in individual cases, usually remove students from schools, and occasionally involve law enforcement personnel. Monahan et al. (2014) posit that the implementation of zero tolerance policies has increased the prevalence of suspension and expulsion to address behaviors that range from dress code violations and talking back to teachers to weapons possession and selling drugs. These policies negatively and disproportionately impact students of color, students with disabilities, and low-income students (Fabelo et al., 2011; Giroux, 2003; Harry & Kinger, 2014; Kennedy-Lewis, 2014; Kim, Losen & Hewitt, 2010; Losen et al., 2015; Losen & Skiba, 2010; Noguera, 2003; Skiba & Knesting, 2001; Toldson, 2011; Vincent et al., 2011), plus they are outrageously ineffective. An American Psychological Association taskforce on zero tolerance policies found “a negative relationship between the use of school suspension and expulsion and school wide academic achievement” (2008, p. 854). Notwithstanding, several school leaders across the nation still use them. This is extremely consequential for students of color, as Skiba et al. (2014) found that principals’ attitudes about discipline are among the most powerful determinants of racial disproportionality in school discipline.

Losen et al. (2015) estimate that public school children lost nearly 18 million days of instruction during the 2011-12 school year because of exclusionary discipline policies. Students who

## BACKGROUND AND RESEARCH METHODS

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are suspended or expelled from school are often stigmatized in ways that compel educators and peers to view them as “problem students,” a perception that is difficult to change (Kennedy-Lewis, Murphy, & Grosland, In Press; Weissman, 2015). Also, the constant removal from and reentry into school, coupled with the loss of classroom instruction time can profoundly disrupt a student’s academic progress and performance. Gregory, Skiba, and Noguera (2010) therefore reasonably argue that racial disproportionality in school discipline contributes, at least in part, to lower rates of academic achievement among students of color. This argument is supported by an alarming finding in Fabelo et al.’s (2011) study: “Students who were suspended and/or expelled, particularly those who were repeatedly disciplined, were more likely to be held back a grade or to drop out than were students not involved in the disciplinary system” (p. xi). Balfanz, Brynes, and Fox (2015) found that out-of-school suspensions in ninth grade are also significantly and negatively correlated with high school graduation, as well as postsecondary enrollment and persistence. As Marchbanks et al. (2015) summarize, higher suspension rates are closely correlated with higher delinquency and high school dropout rates, which have tremendous economic costs for the suspended student, the school, and our larger society.

Research also makes clear that expulsions and out-of-school suspensions are strongly associated with subsequent participation in juvenile and criminal justice systems (Fabelo et al., 2011; Noguera, 2003; Toldson, 2011). The overrepresentation of Blacks among students impacted by discipline policies and practices has incontestably helped sustain the “school-to-prison pipeline,” a term that signifies the roles schools play in putting certain students on pathways into the criminal justice system. Weissman (2015) powerfully documents the troubling ways in which suspension and expulsion excessively funnel students of color out of classrooms and into jail cells.

### Research Methods

All public schools are required to report discipline numbers to the U.S. Department of Education’s Office for Civil Rights (OCR). We retrieved data for every public school district in 13 Southern states ( $n = 3,022$ ) through a publicly available OCR data portal (<http://ocrdata.ed.gov>). For each district, we determined the proportion of Blacks among students who received out-of-school suspensions and expulsions in 2011-2012, the academic school year for which the most recent federal-level school discipline data are available.

Additionally, OCR sent data files to us, which we used to determine the cumulative numbers of girls and boys who received out-of-school suspensions and expulsions nationally and within each Southern state. We calculated for each district a Disproportionate Impact Factor – the number of times Black students are over-suspended relative to their enrollment in a district’s public schools. For example, if Blacks comprised 5% of students enrolled in a district, but were 20% of students suspended, the Disproportionate Impact Factor would be 4x.

### Limitations

Our study has four noteworthy limitations. First, the OCR dataset was either missing or had incomplete data for 269 Southern school districts. We had no other consistent way to get reliable statistics about those districts, thus they are marked with --- on our state data tables. Second, data presented herein are not disaggregated by disability status. Prior research (e.g., Harry & Kinger, 2014; Losen et al., 2015; Taylor et al., 2014) shows that school discipline policies and practices especially disadvantage students of color with disabilities.

Third, we report only out-of-school suspension trends. Across the country, over 1.1 million Black students received in-school suspensions during the 2011-12 academic year; 70% of those occurred in public schools in the 13 Southern States. We acknowledge that more needs to be known about the effects of in-school suspension on students. Finally, data reported herein aggregate students receiving one or more suspensions in an academic school year. Further analyses would reveal the extent to which Blacks are even more overrepresented among students suspended multiple times, a trend documented in other studies (e.g., Losen & Martínez, 2013; U.S. Department of Education, 2014).

We document in this report statistics that OCR has in its publicly available database for every public school district in the United States. Questions or concerns about the accuracy of these federal data should be addressed to the U.S. Department of Education at [ocrdata@ed.gov](mailto:ocrdata@ed.gov) or 1-800-421-3481.

### Data Presentation

This study is based on a sample of 17,259,605 students (and 1,494,519 suspensions) in public schools across the South. We present key trends (disaggregated by sex) on the next page, followed by OCR statistics for every public school district in the 13 Southern states.

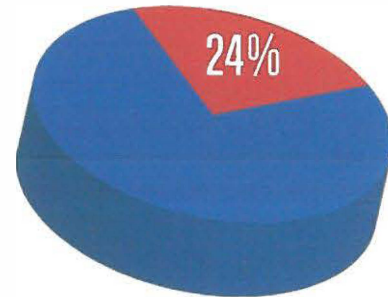
# SCHOOL DISCIPLINE TRENDS ACROSS THE SOUTH

Blacks were nearly half of all students suspended and expelled from public schools in the South. 427,768 Black boys were suspended and 14,643 were expelled, the highest numbers among both sexes and all racial/ethnic groups. Blacks were 56% of girls suspended and 45% of girls expelled, the highest percentages among both sexes and all racial/ethnic groups.

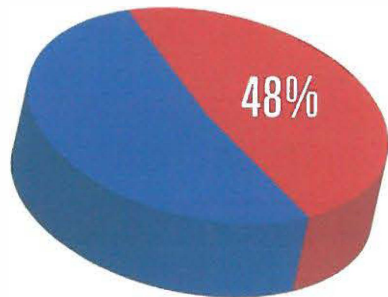
## GIRLS

*Black Percentage of Female Students Suspended and Expelled*

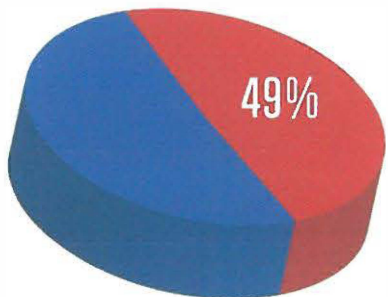
State	Black % of Suspended Girls	Black % of Expelled Girls
Alabama	70.1	52.5
Arkansas	57.9	31.9
Florida	46.1	34.2
Georgia	73.3	65.1
Kentucky	31.5	13.0
Louisiana	74.1	77.8
Mississippi	80.0	74.2
North Carolina	58.1	31.1
South Carolina	65.5	65.8
Tennessee	64.9	75.4
Texas	35.3	22.3
Virginia	56.4	37.2
West Virginia	13.0	9.0
<b>Nationally</b>	<b>44.7</b>	<b>41.7</b>



**Blacks as % of Students Enrolled in Public Schools**



**Blacks as % of Students Suspended from Public Schools**



**Blacks as % of Students Expelled from Public Schools**

## BOYS

*Black Percentage of Male Students Suspended and Expelled*

State	Black % of Suspended Boys	Black % of Expelled Boys
Alabama	60.6	59.3
Arkansas	46.9	32.7
Florida	36.4	26.0
Georgia	64.2	63.1
Kentucky	24.3	13.0
Louisiana	63.4	69.1
Mississippi	71.5	71.2
North Carolina	48.5	40.0
South Carolina	57.5	61.1
Tennessee	54.1	68.8
Texas	29.6	22.6
Virginia	48.1	41.7
West Virginia	9.8	7.8
<b>Nationally</b>	<b>35.4</b>	<b>34.1</b>

## RESOURCES AND RECOMMENDATIONS

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Kavitha Mediratta, Chief Strategy Advisor for Equity Initiatives and Human Capital Development at The Atlantic Philanthropies, is a highly respected leader on school discipline. In her 2014 *Education Week* article, Mediratta suggests that schools abandon zero tolerance discipline policies. She instead points to promising practices in Baltimore, Maryland and Austin, Texas, where schools adopted alternative approaches to suspensions and expulsions. We join her and a chorus of others (e.g., APA, 2008; Fabelo et al., 2011; Kim, Losen, & Hewitt, 2010; Skiba & Rausch, 2006) in insisting that schools discontinue use of zero tolerance policies and practices – they do not make schools safer, but instead annually harm millions of children, a disproportionate number of whom are Black. Because so many researchers, policymakers, and activists have repeatedly offered this recommendation, we are surprised that school leaders still rely on them and similar courses of action. Zero tolerance approaches to discipline must stop.

As noted earlier in this report, considerable work has been done on school discipline. Listed on Page 3 are several expert scholars who have written extensively on the topic. We have decided against simply recycling and restating excellent recommendations offered in other publications. To do so would be unnecessarily duplicative. Strategies that have been proven to keep students out of trouble and engaged in school are included in the 436-page *School Discipline Consensus Report* (Morgan et al., 2014). We highly recommend this publication, which is available online in PDF at no cost. Other outstanding alternatives to zero tolerance have been offered elsewhere (e.g., Dwyer, Osher, & Warger, 1998; Gagnon & Leone, 2001; Gregory et al., 2015; Sherman et al., 1998; Taylor et al., 2014; Toldson et al., 2015). Chiariello (2013) wrote a teacher's guide to rerouting the school-to-prison pipeline. Specifically, she presents different categories of student behavior and describes within each five different culturally responsive questions teachers should ask that will likely dissuade them from referring students of color for disciplinary action. All teachers should read, discuss, and integrate lessons from this article into their practice. It is available at no cost on the Southern Poverty Law Center's Teaching Tolerance website.

Superb, practically useful ideas are put forth in Daniel Losen's (2015) book, *Closing the School Discipline Gap*. Its authors are several of the scholars whose research is cited in this report. The final chapter includes instructive insights from Karen Webber, former Executive Director of the Office of Student Support and Safety for Baltimore City Public Schools, who explains how discipline reform efforts reduced out-of-school suspensions by 24%

in a single academic year and helped significantly bolster achievement in her predominantly Black, low-income school district.

We point readers to a range of free online resources. For example, a section of the U.S. Department of Education's website ([www2.ed.gov/policy/gen/guid/school-discipline](http://www2.ed.gov/policy/gen/guid/school-discipline)) is devoted to school discipline. Included are a compendium of state school discipline laws and regulations; instructions on how to file a complaint if one believes a student has been unfairly disciplined; responses to commonly asked questions about discipline procedures for students with disabilities; links to guides for educators and school district leaders; and a letter jointly authored by the U.S. Department of Education and the U.S. Department of Justice that describes how schools can administer student discipline in non-discriminatory ways. We encourage readers to take advantage of these resources, as well as the online data portal we used to gather most statistics presented in this report. Suspension and expulsion rates for every public school and school district in the U.S. can be easily found on this website: <http://ocrdata.ed.gov>.

Other online resources include Dignity in Schools ([www.dignityinschools.org](http://www.dignityinschools.org)), which unites parents, students, and others in efforts to end unfair school discipline policies and practices. The Georgia Appleseed Center for Law and Justice offers the *Keeping Kids in Class Toolkit* (<https://gaappleseed.org>), which includes numerous helpful discipline-related resources for families. The UCLA Center for Civil Rights Remedies also regularly publishes online reports and makes publicly available other school discipline resources at no charge.

### An Imperative for Schools of Education

Teachers and school leaders (principals, superintendents, etc.) are often prepared in schools of education. Some enter the profession through Teach for America and programs like it. In most teacher education and administrator preparation programs, too little emphasis is placed on racial disproportionality in discipline and ways educators help sustain the school-to-prison pipeline. More time and attention must be placed on educating aspiring teachers and school leaders about implicit bias and other racist forces that annually reproduce horrifying statistics such as those presented in this report. Teachers refer students to principals' offices, and school leaders make suspension and expulsion decisions. Therefore, faculty in programs that prepare these professionals must introduce alternative approaches to zero tolerance into curricula and skill-building experiences. Otherwise, they will continue to be complicit in the harm disproportionately inflicted on Black children in P-12 schools.



## CONCLUSION

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We conclude this report with a sincere apology. While neither of us has ever suspended or expelled any student, as educators, we are participants in a system that continually disadvantages Black children, families, and communities. We are sorry that schools of education and other sites where teachers and educational leaders are prepared and certified do so little to raise consciousness about the implicit biases that ultimately lead to trends such as those documented in this study. In most programs across the country, aspiring teachers, principals, and superintendents are taught far too little about disproportionality in school discipline and its racist undercurrents. The same is apparently true of professional development activities that occur in the majority of P-12 schools and districts.

Moving forward, we commit ourselves to doing more with what we know to raise the individual and collective consciousness of our colleagues; we will work hard to disrupt the assumptions and cultural misunderstandings that compel them to suspend and expel Black students at such outrageously high rates. We will also use this report to empower parents and families, support ongoing and new activist efforts, advise policymakers and educational leaders on necessary systemic changes, and repeatedly assure Black children they are not as bad as school discipline data suggest. Hopefully our research helps advance other important efforts in the field to ultimately dismantle the school-to-prison pipeline.

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