

WHEREAS decades of research confirm that suspensions and other forms of exclusionary discipline consistently result in poor outcomes for students, for example:

- The American Psychological Association, the Council of State Governments, and the Center for Disease Control and Prevention have all found that extreme discipline, including arrests, predict grade retention, school dropout, and future involvement in the juvenile and criminal justice systems;¹
- A recent comprehensive statewide study from Texas found that students who are suspended or expelled are 5 times more likely to dropout and 6 times more likely to repeat a grade. They were also 3 times more likely to have contact with the juvenile justice system in the following year than similar students who were not suspended or expelled;
- Another study, focusing on suspensions in middle school, reveals great disparities in the use of out-of-school suspensions by race and gender, noting that young African-American males are being suspended at significantly higher rates than their peers with long-term repercussions for their future well-being;²
- In California, African American students are 3 times as likely to be suspended as their white peers (18% vs 6%). In some districts, the disparities are even more profound; and
- Research further indicates that inappropriate school-based referrals to the juvenile court and/or student arrests disproportionately impact students of color and contribute to unacceptably high disproportionate minority contact (DMC) rates;

WHEREAS suspension and other forms of exclusionary discipline remain at a troublingly high level and are not reserved for serious or dangerous behavior, for example:

- During the 2009-2010 school year, California schools issued more than 750,000 out-of-school suspensions,³ and more than 420,000 students were suspended out-of-school at least one time.⁴ In the same year, only 408,861 students received their high school diplomas;⁵
- The most common reason a student is suspended out-of-school is for disrupting or otherwise willfully defying authority (48900(k)) --- this is the grounds for 42% of

1 Skiba, R., Reynolds, C. R., Graham, S., Sheras, P., Conoley, J. C., & Garcia-Vazquez, E. (2006). Are zero tolerance policies effective in the schools? An evidentiary review and recommendations. A Report by the American Psychological Associate *Zero Tolerance Task Force*.

² Losen, D. & Skiba, R., *Suspended Education: Urban Middle Schools in Crisis* available at <http://www.splcenter.org/get-informed/publications/suspended-education>.

³ California Department of Education (CDE) DataQuest, available at <http://dq.cde.ca.gov/dataquest/> (2012) [hereafter, CDE DataQuest].

⁴ Losen, D., Martinez, T., & Gillespie, J. (2012), *Suspended Education in California*, The Center for Civil Rights Remedies at the Civil Rights Project.

⁵ CDE Dataquest (2012).

California suspensions.⁶ Suspensions for “willful defiance” can include anything from chewing gum in class, to talking back, or wearing the wrong clothes. In a survey of school administrators conducted by EdSource, 47% of school administrators surveyed reported that this category --- “willful defiance” – was overused and misinterpreted;⁷ and

- In addition to out-of-school suspensions, the frequent use and/or misapplication of other forms of exclusionary discipline, such as in-school suspensions, police citations, school-based arrests and referrals to the juvenile court as a punitive disciplinary response to student conduct, negatively impacts school climate and has long-term implications for student achievement.

WHEREAS there are positive alternatives to suspensions and other forms of exclusionary discipline that are broadly supported by stakeholders throughout Los Angeles County, the State and nationwide, for example:

- Individual school sites have demonstrated initiative and leadership by simply choosing to end the practice of out-of-school suspensions as a disciplinary response to student behavior including, for example, the Los Angeles Unified School District (LAUSD)’s Garfield High School;
- The LAUSD Board of Education passed a School-Wide Positive Behavior Interventions and Supports based Discipline Foundation Policy in 2007. In the 2011-2012 school year, 26,286 instructional days were lost to suspension, down from 46,006 the previous school year;
- Oakland Unified School District has adopted Restorative Justice as its key approach to resolving school discipline issues. A UC Berkeley study of a restorative justice program at Cole Middle School in Oakland showed an 89% drop in suspensions from 2006-2007;⁸
- The California legislature recognizes that: “The overuse of school suspension and expulsion undermines the public policy of this State and does not result in safer school environments or improved pupil behavior. Moreover, such highly punitive, exclusionary practices are associated with lower academic achievement, lower graduation rates, and a worse overall school climate.”
- The National Council of Juvenile and Family Court Judges (NCJFCJ) initiated a project entitled *Judicially Led Responses to Eliminate School Pathways to the Juvenile Justice*

⁶ CDE Dataquest (2011).

⁷EdSource (2012), *Understanding School Discipline in California: Perceptions and Practice*, available at <http://www.edsource.org/pub12-school-discipline.html>

⁸San Francisco Unified School District’s Restorative Practices training;Thelton E. Henderson Center for Social Justice, University of California Berkeley, School of Law (Boalt Hall) (2010), *School-based Restorative Justice as an Alternative to Zero-Tolerance Policies: Lessons from West Oakland*.

System to support alternatives to zero tolerance policies and practices of extreme discipline that push young people out of school and into the juvenile and criminal justice system.

WHEREAS the Los Angeles County Education Coordinating Council, made up of educational, judicial, and child welfare leaders and youth advocates, has been charged with raising the academic achievement for L.A. County's most vulnerable children and is focusing on improving school attendance, school climate, reducing suspensions and other exclusionary discipline practices as a key strategy, is essential to this effort:

BE IT THEREFORE RESOLVED that the Education Coordinating Council urges all school districts in Los Angeles County to take bold actions to address exclusionary discipline and to implement positive alternatives to improve school climate and student achievement, including but not limited to:

1. Adopting smart and supportive discipline practices, such as school-wide positive behavior supports, restorative practices and other affirmative alternatives to exclusionary discipline that do not limit students' learning time or discriminate based on gender, race or disability status;
2. Working to reduce reliance on out-of-school suspensions, expulsions and other punitive exclusionary discipline practices, such as in-school suspensions and school-based citations, arrests or referrals to the juvenile court;
3. Prioritizing keeping students in their regular classroom setting and school to the greatest extent possible. In cases where students are temporarily removed to an equivalent educational setting, provide positive supports to ensure that there is an effective transition back to their regular classroom setting that meets student academic, social and emotional needs;
4. Providing supports to teachers, administrators and other educational staff to address discipline challenges in a way that protects students' human rights to education and dignity; and
5. Engaging parents, students and community members in the development and implementation of more educationally sound and equitable policies and practices.