

A Report by FIGHT CRIME: INVEST IN KIDS CALIFORNIA:

Classmates not Cellmates

Effective School Discipline Cuts Crime and Improves Student Success



Acknowledgements

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FIGHT CRIME: INVEST IN KIDS is a national, bipartisan, nonprofit, anti-crime organization. The organization has a membership of more than 5,000 police chiefs, sheriffs, district attorneys, other law enforcement leaders and violence survivors. The members take a hard-nosed look at what approaches work—and what don't—to prevent crime and violence. They then recommend effective strategies to state and national policymakers. It operates under the umbrella of the Council for a Strong America.

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Executive Summary

California schools issued over 700,000 suspensions during the 2010-11 school year – 11 suspensions for every 100 students. Because some students are suspended multiple times, this corresponds to approximately seven percent of all students suspended one or more times. Over half of California suspensions were for relatively minor, non-violent, non-drug-related incidents. While the transgressions were often minor, the risks for those suspended were not. A study from Texas found that students in trouble who were suspended or expelled were three times more likely to become involved in the juvenile justice system than similar students who did not face suspensions or expulsions.

While law enforcement leaders who are members of FIGHT CRIME: INVEST IN KIDS CALIFORNIA will not accept violence in our schools, they remain concerned about the high number of California students who are suspended and expelled from school for minor infractions. To their credit, California schools have reduced the rates of suspensions and expulsions in recent years, but the total number of suspensions and expulsions for minor infractions remains too high in many districts.

School leaders must continue to have the authority to suspend, expel or take other school disciplinary action, including referring students to the juvenile justice system, when dealing with students who commit weapons offenses, violent crimes or are selling drugs. However, in many cases, schools are compelling students to stay out of school for relatively minor offenses rather than using alternative approaches that can reduce bad behavior and even prevent some discipline problems before they happen. The Texas study found that rates of suspension and expulsion varied greatly, even among similar districts, suggesting that schools have the ability to impact suspension and expulsion rates.

The best way to help students learn and to prevent later crime is to ensure students can remain in school and off the streets. In many cases, pushing students who are getting into trouble out of school and into an often unsupervised environment can exacerbate rather than help deal with problems. Suspensions and expulsions can have serious and lasting consequences. One study found that among students disciplined more than



Adapted from Ryan McVay/Getty Images, 2012

10 times, only 40 percent graduated from high school. Another study found that high school dropouts are eight times more likely to be incarcerated than graduates.

Teachers clearly need help managing classroom behavior and schools need new approaches for responding to students' misbehavior. Fortunately, there are proven and promising approaches that can help ensure that schools are safe and that troubled students are given more opportunities to learn.

Approaches that can help include:

- The Good Behavior Game;
- Incredible Years' Dinosaur School;
- Positive Behavioral Interventions and Supports (PBIS);
- Restorative justice; and
- Social-emotional skills curricula.

When teachers have the tools they need, they will have more time for effective instruction and students will have more opportunities to learn in a safe environment. It is critical that these approaches are implemented with fidelity and have sufficient funding. Further, data collection on school discipline should be improved. The consequences of not taking the needed steps to prevent and effectively respond to misbehavior in schools are too severe to ignore. Change is needed now.

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We Cannot Accept Dangerous Behaviors in Our Schools Too Many Suspensions for Minor Reasons

Law enforcement leaders firmly believe that crime and violence have no place in our nation's schools. Every child should feel safe at school and not have their learning disrupted by classroom disorder or discipline problems. However, research shows that this is not the case for many school children today. Nearly six percent of high school students nationwide report that they missed at least one day of school in the last month because they felt unsafe at school or on the way to school.¹

While most discipline incidents are relatively minor, there are serious issues in some schools. Half of violent incidents at schools nationwide occur in just 8 percent of schools. Serious violent incidents – such as sexual assault, robbery and aggravated assault – are even more concentrated, with the majority of incidents occurring in less than 2 percent of schools nationwide. These schools have persistent, major violence and discipline problems that must be forcefully addressed. Thankfully, such incidents are decreasing. According to data from the U.S. Department of Education, the rate of violent incidents in U.S. schools fell by a quarter between the 2003-04 school year and 2009-10.²

Even if children are not facing direct harm, disruptive students may compromise other students' learning. California issued over 250,000 suspensions for disruptive or willful defiance of authority in 2010-11.³ It is thus no surprise that one out of every three teachers nationwide say that student misbehavior interfered with their teaching.⁴ Teachers cite help in classroom management as one of their top two professional development needs.⁵ Teachers clearly need support and a range of responses for dealing with student misbehavior.

Over half of California suspensions are for non-violent, non-drug offenses.

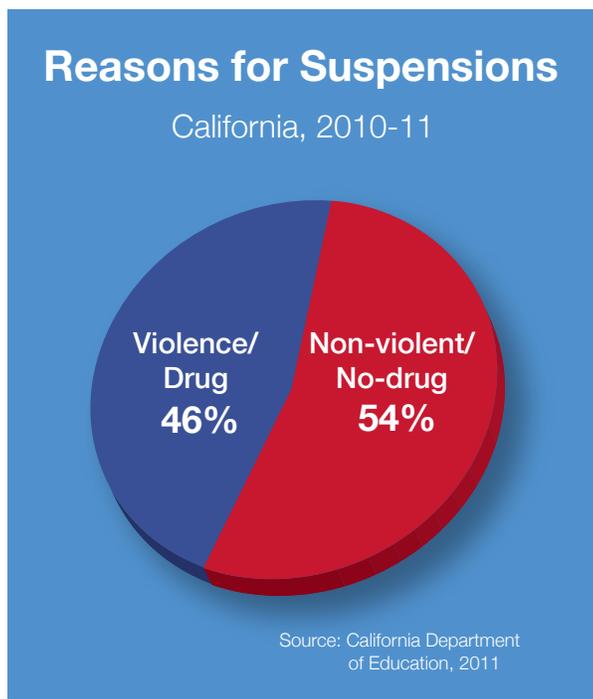
– State of California, 2010-11

Overall, California schools issued over 700,000 suspensions in 2010-11. This equates to 11 suspensions for every 100 California students.⁶ Because some students are suspended multiple times, this corresponds to approximately 7 percent of students being suspended one or more times in the 2009-2010 school year.⁷ While federal and state law require suspension or expulsion for certain offenses like bringing a weapon to school, most disciplinary actions are based on district- or school-level choices. In California, schools are issuing more than half of the

state's suspensions for non-violent, non-drug-related offenses.⁸ In fact, the most common reason for suspension in California is disruption or willful defiance of authority, which is the most serious charge for approximately 42 percent of suspensions.⁹ While students certainly should not be disrupting class, suspending them is often not the best solution. When students are

suspended or expelled for minor incidents, the primary result is a missed opportunity for learning without addressing any underlying issues contributing to the misbehavior. And putting troubled kids out on the streets without constructive adult supervision can be a recipe for greater misbehavior and crime.

Suspension rates vary widely by race. In California, 18 percent of African American students, 11 percent of American Indian students, and 7 percent of Latino students were suspended in 2009-10, compared to 6 percent of White students and 3 percent of Asian American students.¹⁰ Why are there such disparities? There is research showing that racial disparities do not appear to be simply due to higher levels of serious misbehavior by some groups of students. However, a thorough analysis of the various reasons behind these disparities is beyond the scope of this report. Whatever the underlying cause



of such disparities, schools with clear, positive disciplinary expectations and responses appear to have fewer problems with disproportionate suspensions. (See page 3 for more information on alternative solutions.)

Suspension Rates Vary

Suspension rates vary considerably between districts. For example, Los Angeles Unified School District had 5 suspensions for every 100 students, compared to 10 suspensions per 100 students in San Diego Unified. Sacramento Unified School District's suspension rate (16 suspensions per 100 students) was three times higher than the rate in Los Angeles.¹¹ Other school districts have even higher suspension rates.

One of the most critical findings of a Texas study was that schools have the power to mitigate students' misbehavior and reduce the need for suspensions and expulsions in the first place – if they take proactive, preventative measures. For instance, schools with similar characteristics, including school performance and the racial/economic composition of the student body, varied greatly in how frequently they suspended or expelled students. Half of schools had discipline rates that were consistent with what would be expected based on their student and school characteristics. But the other half of schools had actual discipline rates much higher or lower than would be expected.¹²

California has made progress in addressing suspensions and expulsions. The suspension and expulsion rates have fallen over the last five years.¹³ Nonetheless, too many suspensions and expulsions are still issued for minor incidents not involving safety threats in many school districts.

Lasting Consequences

Law enforcement leaders know that we must stop these discipline problems before students end up on the streets. The consequences of student misbehavior that is improperly addressed do not stop at the schoolhouse door. Students can go on to commit more serious offenses unless successful interventions are provided.

Simply suspending or expelling students does not solve students' behavior issues. Students expelled and sent to the streets face long odds of success. A Centers for Disease Control and Prevention study found that out-of-school 12- to 19-year olds were more likely to be involved in a physical fight, carry a weapon and engage in risky behaviors like drug use.¹⁴

If students drop out of or are removed from school, they are more likely to become involved in crime. Ultimately, high school dropouts are eight times more likely to be incarcerated.¹⁵ While staying in school even one year longer reduces the likelihood that a youngster will turn to crime, graduating from high school has a dramatic impact on life outcomes. Research suggests that a 10 percentage point increase in graduation rates reduces murder and assault rates by about 20 percent. A 10 percentage point increase in graduation rates would prevent approximately 3,400 murders and over 170,100 aggravated assaults in the U.S. each year.¹⁶ Nationwide, almost 70 percent of state prison inmates have not received a high school diploma.¹⁷

Students who are suspended or expelled are almost three times more likely to have contact with the juvenile justice system.

– Council of State Governments, 2011

The roots of this disheartening outcome may begin as early as elementary and middle school and grow over time. A groundbreaking study of Texas middle and high school

Whatever the underlying cause of racial disparities, schools with clear, positive disciplinary expectations and responses appear to have fewer problems with disproportionate suspensions.

students found that students with suspensions or expulsions were more likely to struggle academically and come into contact with the juvenile justice system. The study found that almost 60 percent of students statewide were suspended (in- or out-of-school) or expelled at least once between 7th and 12th grades. Nearly 15 percent of the million students followed were suspended or expelled more than 10 times over this period. As is typical nationwide, most disciplinary actions were at the discretion of school officials, typically in response to violations of local schools' conduct codes. Only three percent of the disciplinary actions were mandated by state policy.

This unique study controlled for over 80 factors – like prior disciplinary history, school practices and student characteristics – that might influence whether a student was suspended (in- or-out of school) or expelled. Compared to similar students with no suspensions or expulsions for misbehavior, middle and high school students with one or many discretionary suspensions or expulsions for misbehavior were:

- Twice as likely to be held back in school. Thirty-one percent of students disciplined one or more times repeated their grade at least once.
- Nearly three times more likely to be in contact with the juvenile justice system the following year. One-quarter of students who were involved in the school disciplinary system (including students subject to a mandatory removal from the school) had contact with the juvenile justice system, compared to just two percent of students without disciplinary actions.

Ultimately, nearly 10 percent of those students with at least one disciplinary contact dropped out of school, compared to just 2 percent of students with no disciplinary action. Among

students disciplined more than 10 times, only 40 percent graduated from high school during the study period.

These disciplinary actions did not impact students equally. African-American students had a 31 percent higher likelihood of a school discretionary action (non-mandatory responses), compared to otherwise identical White students. Similarly, students with emotional disturbances were a quarter more likely to be suspended or expelled for a discretionary offense than children without disabilities.¹⁸

California Suspension Rates

Percent suspended in 2009-10

African American	18%
American Indian	11%
Latino	7%
White	6%
Asian American	3%

Source: UCLA Civil Rights Project

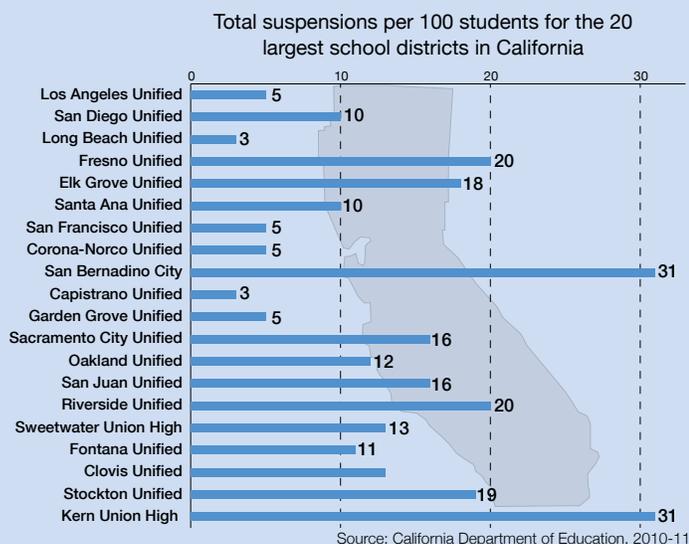
Alternative Solutions

Fortunately, evidence-based approaches can effectively improve students' behavior and improve school-wide academic outcomes, while minimizing the use of unnecessary suspensions and expulsions. Schools need an array of disciplinary approaches to address situations appropriately, as they arise. Schools also need far better data on students' behavior and attendance. Comprehensive data systems and early warning systems can help identify students in need of extra support to avoid getting kicked out or dropping out, based on factors like grades, attendance and disciplinary history. Additional intervention approaches include:

Classroom Management Strategies

The Good Behavior Game is a relatively inexpensive, elementary school classroom-wide intervention in which a class is divided into groups and the groups compete for simple privileges, such as lining up first for lunch or recess.

Suspension Rates Vary Greatly



A statewide study in Texas showed that schools with similar characteristics, including school performance and the racial/economic composition of the student body, varied greatly in how frequently they suspended and expelled students. Schools have the power to mitigate students' misbehavior and reduce the need for suspensions and expulsions – if they take proactive, preventative measures.

Source: Council of State Governments

The approach, implemented by teachers, uses positive peer pressure to improve aggressive/disruptive classroom behavior and prevent later criminality. By developing students' self-control, later outcomes can be improved.

Children assigned to first grade classrooms without the Good Behavior Game and an enhanced curriculum had a 37 percent

higher risk of suspension in sixth grade than children in classrooms with those elements. In eleventh grade, the students left out had 2.5 times higher risk of recent suspension than those with the Good Behavior Game and enhanced curriculum, and the program also cut conduct disorders (a behavioral disorder with high correlation to delinquency) and experimentation with illicit and hard drugs by more than half.¹⁹ In California, the Good Behavior Game is being successfully implemented at Ethel I. Baker Elementary, Pacific Elementary, A.M. Winn Elementary, and Abraham Lincoln Elementary in Sacramento, Sheridan Elementary and George Washington Carver Elementary in San Francisco, and Bear River School and Wheatland Elementary School in Wheatland, with additional schools across the state in the preliminary stages of implementation.²⁰

We need to ensure schools are safe. Six percent of high school students nationwide report that they missed at least one day of school in the last month because they felt unsafe at school or on the way to school.

– Youth Risk Behavior Surveillance System, 2011

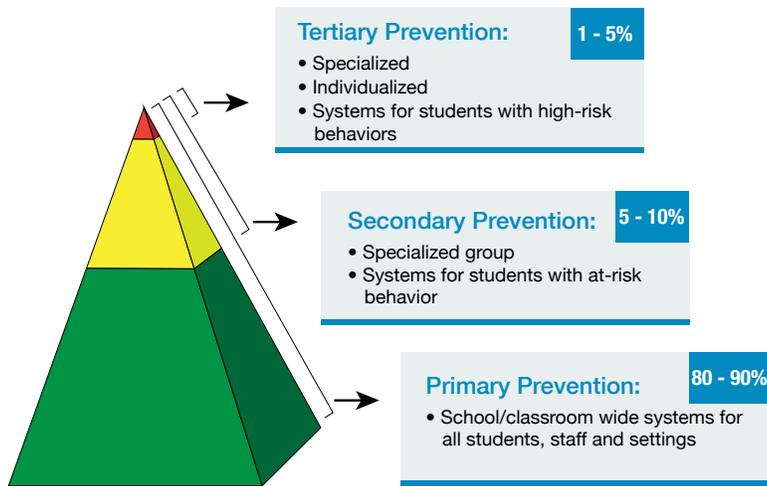
The **Incredible Years** is an approach that helps teachers manage the classroom environment. The Incredible Years has long been known as a proven parent training and child training approach for young children with severe early behavior problems. But researchers have now developed a teacher-led classroom management curriculum, Dinosaur School, which can be used as

a prevention approach with all students in the early grades, not just those with severe behavior problems. Teachers work with children in small group activities and through vignettes, incorporating puppets, picture cue cards for non-readers, games and homework activities. Topics addressed include learning school rules, anger management, social skills and communication skills. One evaluation found that after 30 classroom lessons per year for preschoolers, kindergartners and first-graders, teacher use of positive classroom management strategies increased and students showed more emotional regulation and fewer conduct

problems. The study found that Dinosaur School led to the greatest improvement for the kids who started with the highest levels of conduct problems. Similar improvements were seen for students with very poor initial levels of school readiness.²¹ The Incredible Years has been implemented in at least 30 sites across

Positive Behavioral Interventions & Supports (PBIS)

Continuum of school-wide positive behavior support



13 California counties, including Del Norte, Fresno, Los Angeles, Sacramento and San Diego.²²

School-Wide Strategies and Curricula Teaching Positive Behavior

Positive Behavioral Interventions and Supports (PBIS), also known as School Wide Positive Behavioral Support (SWPBS), is a universal, school-wide prevention strategy for improving behavior and school climate. PBIS is being implemented in schools and districts throughout California, including Los Angeles Unified, Oakland Unified and Santa Clara County districts. PBIS uses a three-tiered public health model to create primary (school-wide), secondary (targeted) and tertiary (individual) systems of support. At the universal level, schools create three to five clear behavioral expectations and rules that all students and teachers know. Responses to inappropriate behavior are clearly defined, such as a teacher response – like a warning, time out, privilege loss or parent contact – versus sending a student to the principal’s office or suspension or expulsion. Disciplinary data is used to guide decision-making about program implementation and student response.

Teachers and school leaders implement a rewards system to encourage students to exhibit positive behavior and be leaders for their peers. Students receive points or token rewards for positive behavior and are recognized periodically for their success. Students who do not improve their behavior under this universal level of support can receive more targeted interventions. For example, at the secondary level, students may participate in group therapy sessions or role-playing exercises. At the individual (tertiary) level, students can have an individualized behavioral functional analysis and/or receive individualized therapy.²³

PBIS can reduce office disciplinary referrals (ODRs) and suspensions. For example, a recently completed randomized trial of 37 elementary schools in Maryland found that the percentage of students with major or minor ODR events decreased significantly in PBIS schools, as did the number of ODR events per student. Similarly, the percentage of students receiving suspensions

significantly declined over time for PBIS schools, but not for comparison schools.²⁴

In California, schools implementing PBIS have reduced suspension rates and improved academic performance, with minimal costs:

- After implementing PBIS, **Pioneer High School in Woodland Joint Unified School District** reduced suspensions by 65 percent between March 2012 and the prior school year.²⁵ The school also increased its Academic Performance Index by 48 points between 2010-11 and the prior school year. Pioneer High School’s reduced suspensions, along with an increase in Average Daily Attendance (ADA), led to an increase of \$97,200 of revenue from the state in a single school year.²⁶ To obtain these results, Pioneer High spent \$30,000 in 2009-10 and \$40,000 in 2010-11 on PBIS implementation. Because Pioneer High has now built capacity among its existing staff, it anticipates no additional expenditures going forward.

Bullying

Bullying is a major school discipline problem in many schools. Twenty percent of high school students nationwide reported being bullied at school in the last year. Bullying is often the entry point to more serious crime and a sign of serious discipline issues. Boys who bully at school at least once per week are 5 times more likely to carry a weapon to school than children who do not bully.³⁶ One study showed that 4 out of 10 boys who bullied others as kids had three or more convictions by the time they turned 24.³⁷

Victims of bullying may also be at risk for future crime. A study by the U.S. Secret Service, conducted in collaboration with the U.S. Department of Education, examined 37 school shootings in the U.S. since 1974 and found that nearly three-quarters of the school shooters had previously been bullied or injured by fellow students.³⁸

What works to stop bullying? The **Olweus Bullying Prevention Program** enlists the entire school community, from the principal to the bus drivers, in an effort to communicate clearly to all students that bullying is not accepted. The program works individually with both victims and perpetrators along with their parents to stop further bullying. Regular school rules against bullying are established, class meetings on



bullying are held, and teachers are encouraged to establish positive consequences for those who help prevent bullying and swift, negative consequences for bullies. Schools ensure adequate adult supervision of outdoor areas, hallways, lunch rooms and other specific areas where bullying is likely to happen. Parents are also included in the school-wide effort through individual interventions with bullies and victims. For example, talks with bullies and their parents reinforce the message that bullying will not be allowed. Meetings with victims and their parents stress that there are adults at the school who will help. The Olweus Bullying Prevention Program produced a 50 percent reduction of bullying in Norway and a 20 percent reduction when it was replicated in South Carolina.³⁹

- Los Angeles Unified School District** included PBIS as a requirement in its discipline policy adopted in 2007. District officials estimate that the initial cost of adopting PBIS district-wide averaged just over \$1,000 per school.²⁷ Among the Los Angeles schools that saw reductions in suspensions after implementing PBIS were **Gardena High School**, which implemented PBIS in 2008-2009 and reduced suspensions by 83 percent between 2010-11 and the year prior to implementation, and **Garfield High School**, which implemented PBIS in 2009-10 and virtually eliminated suspensions, going from over 500 suspensions in the year prior to implementation to 1 suspension in 2010-11.²⁸

Social-emotional skill curricula are also promising. These curricula or stand-alone programs help students proactively learn and practice valuable social-emotional skills like empathy, stress-management and problem-solving. A review of over 200 school-based, school-wide social and emotional learning programs found that participants demonstrated better social-emotional skills, fewer conduct problems and had lower levels of emotional distress. Academic performance was also improved, with participants scoring 11 percentiles higher on achievement tests. To be successful, such programs must be well implemented and include the "SAFE" criteria – Sequenced, Active, Focused, Explicit. Researchers believe that programs are more likely to be effective if they include a sequenced step-by-step training method, use active

forms of learning, focus on skill development and specify explicit learning goals.²⁹ In California, schools throughout the state have implemented evidence-based social-emotional skill curricula.³⁰

Restorative justice in schools is another alternative school discipline policy that seeks to “encourage accountability, repair harm, and restore relationships.”³¹ A primary component of restorative justice is the use of circles, which bring together the offender(s) and those harmed and gives them the opportunity to sit down to discuss the issue and work together to find solutions to repair the damage and come up with an appropriate solution. Examples of solutions include a written apology from one student to another, an agreement between students to avoid the behaviors that led to a conflict or an agreement for students to help teachers with chores.³²

An International Institute for Restorative Practices 2009 presentation showed before-and-after success stories of school-wide restorative justice in 10 schools in the United States, Canada and England, with meaningful to very impressive reductions in problem behaviors and suspensions.³³ Similarly, a University of California Berkeley Law School study of a restorative justice pilot at Cole Middle School in West Oakland found an 87 percent decline in suspensions and an end to all expulsions.³⁴ This coincided, however, with a change in the principal and a downsizing of the school in preparation for closing it, which might have contributed to those strong outcomes.

An earlier, 2007 review by Lawrence Sherman and Heather Strang, top researchers in the field, found that when restorative justice programs were not fully implemented there were no significant differences in results between schools implementing restorative justice and control group schools. But, in the minority of schools where the effort was more fully implemented and for a longer period, the whole-school restorative justice model produced significant results compared to control group schools.³⁵ Taken together, this indicates that restorative justice is certainly a promising approach that deserves to be more carefully studied and more widely disseminated if those studies confirm these very promising results.

Cost Savings

Smarter school discipline can also be more cost-effective. California spends over \$8,000 per school year per pupil on

education.⁴⁰ Given the close link between suspension and grade repetition, limiting the overuse of suspensions through smarter preventative steps could help districts avoid paying for extra years of schooling. Researchers found a return of \$31 dollars for every dollar spent on the Good Behavior Game.⁴¹ Similarly, schools in California, such as Pioneer High School in Woodland, have seen increased revenue through reduced suspensions and increased Average Daily Attendance after implementing PBIS.⁴²

Recommendations

Improve data collection

Schools should be required to collect and publicly report accurate data (disaggregated by income, race, etc.) on the use of school suspensions, expulsions and other discipline approaches, as well as on incidents of bullying, drug use and violence.⁹ The best way to address a problem is to understand it fully, and it is difficult to do that without reliable data.

Implement evidence-based programs with fidelity

To effectively reduce suspensions and expulsions, these interventions must be implemented as designed, with the proper staffing, services and follow-through. If programs stray from the evidence-based model, they may not demonstrate any results. Local, state and federal initiatives must support programs with the strongest evidence and provide sufficient support for proper implementation.

Fund training for school staff on alternatives to suspension

Despite serving all students, not just those with discipline problems, many of these approaches are low-cost because they involve primarily policy changes and some training for teachers and administrators. The expense is particularly low compared to the amount of teaching time and resources currently dedicated to managing disruptive students in school, in juvenile facilities and in the courts. Up-front investments can be far more fiscally responsible and cost taxpayers far less in the end than removing students from school unnecessarily.

a Key data elements include: the grade level of students subject to discipline, the length of time of any exclusionary discipline action, school based arrests and referrals to law enforcement. It is also critical to disaggregate data by the type of the incidents giving rise to the disciplinary action, going beyond simple categories of “serious” vs. “non-serious”.

Conclusion

The over 400 law enforcement leaders of FIGHT CRIME: INVEST IN KIDS CALIFORNIA and 5,000 members nationwide believe in punishment that fits the crime. Just like law enforcement authorities need to sanction criminal offenders, school leaders need the authority for serious cases, to suspend, expel or take other school discipline actions including referral to the juvenile justice system. However, in most cases, students and schools are better served by alternative responses – and better yet, prevention approaches that reduce behavior and discipline problems before they happen. Several promising programs can improve school climate and reduce disciplinary problems. Local, state and federal officials should support these approaches and encourage schools to implement effective discipline approaches that can help students, improve the learning environment and prevent more children from entering the criminal justice system.

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