



Doc H's Blog

Kentucky Education Commissioner
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Rethinking school discipline

On January 8, 2014, Secretary of Education Arne Duncan released a “Dear Colleague” letter to state chiefs regarding new discipline guidelines. The overarching purpose of the new discipline guidelines is to address apparent disparities discipline data.

In Kentucky, we have very safe schools and teachers feel strongly that school discipline policies are working. (See the TELL Kentucky Survey at www.tellkentucky.org). Also, Kentucky has been working for a number of years to implement programs such as Positive Behavior Intervention Support throughout our schools. However, it is critical that local school districts review the guidance from the U.S. Department of Education and review some of Secretary Duncan’s remarks. Here are highlights from Secretary Duncan’s address announcing the new guidelines.

We’re gathered here today to talk about school discipline---which, far too often, is not applied equitably or as effectively as it could be in our nation’s schools.

So today, the Departments of Education and Justice are joining together to release a guidance package on school discipline for a broad range of stakeholders--educators, principals, district administrators, school board members, charter school heads, school resource officers, counselors, social workers, parents, community leaders--and, importantly, students themselves.

Our school discipline package has several elements, but I’ll just highlight two important ones. The first is a [Dear Colleague Letter](#) from Catherine Lhamon and Jocelyn Samuels, who head the civil rights offices, respectively, at ED and DOJ. Their joint letter provides information on how schools and districts can meet their legal obligations to administer student discipline without discriminating on the basis of race, color, or national origin.

Racial discrimination in school discipline is a real problem today, and not just an issue from 40 to 50 years ago. I want to thank Catherine and Jocelyn and their staffs for their tremendous leadership and commitment in addressing inequities in discipline that have been much discussed but rarely addressed. We must tackle these brutal truths head on—that is the only way to change the reality that our children face every day.

This is the first Administration to provide guidance to the public on discrimination in school discipline. And we want to continue to provide leadership on this critical problem going forward to ensure equal opportunity for all students.

The second part of the guidance package that I want to highlight is a [Guiding Principles document](#) that provides voluntary action steps for local leaders and educators. It lays out three core principles and related action steps to guide efforts to improve school climate and school discipline.

There is no single formula, no silver bullet for ensuring school discipline is equitable and effective. This work is too complex and too important to try to simplify it in that way.

Our Guiding Principles document highlights the need for locally-developed approaches to promote positive school climates and equitable discipline practices. Yet at the same time, we think those locally-tailored approaches should be grounded in research and promising practices--instead of being based on indiscriminate zero tolerance policies, or, at the other extreme, ad-hoc approaches to discipline.

The need to rethink and redesign school discipline practices is long overdue. Too many schools resort too quickly to exclusionary discipline, even for minor misbehaviors.

Exclusionary discipline is so common that in some cases, pre-K students as young as three- and four-years old are getting suspended. Here in Maryland, 91 pre-K students were suspended or expelled during the 2011-12 school year.

Schools should remove students from the classroom as a last resort, and only for appropriately serious infractions, like endangering the safety of other students, teachers, or themselves.

Unfortunately today, suspensions and expulsions are not primarily used as a last resort for serious infractions.

A landmark study in Texas found nearly six in ten public school students—a majority of students--were suspended or expelled at least once between 7th and 12th grade.

Nationwide, as many as 95 percent of out-of-school suspensions are for nonviolent misbehavior--like being disruptive, acting disrespectfully, tardiness, profanity, and dress code violations.

Let me be clear—these are all issues that must be dealt with clearly, effectively, and with a sense of urgency when they arise. But I would just ask, is putting children out of school the best remedy, the best solution to the problem? In California, nearly half of the more than 700,000 suspensions statewide in the 2011-12 school year were for, quote, “willful defiance.”

Over time, the overreliance on exclusionary discipline has gotten much worse. The number of secondary school students suspended or expelled over the course of a school year has increased by roughly 40 percent in the last four decades.

In recent years, secondary schools have suspended or expelled an estimated two million students a year. That is a staggering amount of lost learning time--and lost opportunity to provide support.

Making matters worse, exclusionary discipline is applied disproportionately to children of color and students with disabilities. Educationally, and morally, that status quo is simply unacceptable.

Our department’s Civil Rights Data Collection shows that African-American students without disabilities are more than three times as likely as their white peers to be expelled or suspended.

And we know that discipline policy and practices matter tremendously—there is nothing inevitable about high rates of suspension and expulsion. We can, and must, do much better.

According to CRDC data, schools in South Carolina suspended 12.7 percent of students—about one in eight students during the 2009-10 school year. By contrast, schools in North Dakota suspended 2.2 percent of students—about one out of every 50 students.

I am absolutely confident that students in South Carolina are not six times more likely than their peers in North Dakota to pose serious discipline problems worthy of an out-of-school suspension. That huge disparity is not caused by differences in children; it's caused by differences in training, professional development, and discipline policies. It is adult behavior that needs to change.

The same gaping disparities show up at the district level. Across the country, more than 300 districts suspend over 25 percent of students with disabilities. Yet more than 600 districts suspend less than 3 percent of students with disabilities.

So, state and local policies and practices are both enormously variable and have a huge impact on exclusionary discipline. Those are just two reasons why this guidance package--spelling out three guiding principles for equitable school discipline—is so important.

USED offers several resources to schools and districts on the supportive school discipline initiative. You can access them on USED's [school climate and discipline webpage](#).

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