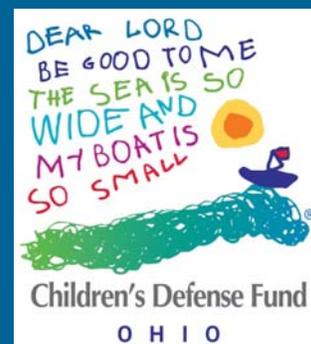


School Discipline Policies and the Cradle to Prison Pipeline®



Executive Summary

Ohio's public schools mete out too many out-of-school suspensions and expulsions, actions that remove children from classrooms and, often, fail to improve overall academic performance and school safety. Ohio schools also disproportionately suspend and expel poor and minority children, and students with disabilities. In November 2012, we released our [Issue Brief](#), *Zero Tolerance and Exclusionary Discipline Policies Harm Students and Contribute to the Cradle to Prison Pipeline®*, identifying the extent of these disparities.

This update provides the most recent available information on how Ohio schools are doing with regard to issuing suspensions and addressing disparities. In providing an outline of the current landscape, it also highlights comparisons of urban districts that have succeeded in keeping more children in school, and provides examples of widening gaps for our youngest children.

Out-of-school suspensions and expulsions that exclude children from school have increased dramatically since the implementation of "zero tolerance" policies in Ohio in 1998.¹ Adopted in response to increasing fears of the presence of drugs and weapons in schools, these policies mandate automatic and harsh discipline for many offenses, including nonviolent ones like disobedient behavior, truancy, dress code violations, and insubordination.



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NUMBERS TO KNOW

6.4

Factor by which Black students are more likely to be suspended* than White students.

9

Factor by which students with emotional disturbance are more likely to be suspended than students without disabilities.

6

Factor by which economically disadvantaged students are more likely to be suspended than financially stable students.

Source: Ohio Department of Education, Report Card Data (iLRC) (2015–16).

*Where unspecified, all Ohio Department of Education data analyzed by CDF-Ohio refers to out-of-school suspensions.



Professional discretion plays a pivotal role in whether student conduct warrants a finding of “disobedient or disruptive” behavior, because administrators have discretion to modify disciplinary sanctions on a case-by-case basis. Over time, rather than using discretion to address misbehaving student behavior in school, zero tolerance policies have been used more and more broadly, resulting in harsher discipline—including out-of-school-suspensions—for increasingly minor offenses.²

In the 2015–16 school year, students were more often suspended for typical child and adolescent behavior rather than dangerous behavior, such as bringing a weapon or drugs to school. While 61 percent of out-of-school suspensions were for disobedient or disruptive behavior, truancy, or intimidation,* only 5.7 percent were for weapon or drug offenses.

Since the 2010–11 school year, the disparate number of suspensions for children of color, poor children, and children with disabilities has continued to grow.³

This expanded use of zero tolerance policies erodes student trust and negatively affects academic outcomes without increasing school safety.⁴ The increased use of law enforcement officers in schools and higher rates of suspensions and expulsions

*“Intimidation” often includes dress code violations or a disrespectful attitude.

present additional risks to students’ academic and life outcomes. This leaves students worse off overall. As our original report and this addendum show, these increased risks in the name of safety disproportionately harm the most vulnerable students, and cost them a fair chance to succeed in the classroom. The goal should be to try to keep every student in school and on the path to graduation.

Table 1
ALL OHIO SCHOOL PUBLIC SCHOOL DISTRICTS

Student Characteristic	School Year	
	2010–11	2015–16
	Disparity*	
Economic Disadvantage	4.4	6
Emotional Disturbance	7.2	9
Cognitive Disability	2.5	2.7
Black	5.2	6.4

Source: Ohio Department of Education, Report Card Data (iLRC).
*Factor by which a Black student, economically disadvantaged student, or students with disabilities are more likely to be suspended than a White student, a financially stable student, or a student without a disability.

Discriminatory Policies and Practices Harm Students

Unfortunately, equitable treatment in Ohio’s schools is the exception rather than the norm. Schools mete out the harshest and most unforgiving punishments to vulnerable students.

For example, in the 2015–16 school year, students with an emotional disturbance (one of several federal disability categories) were 9 times more likely to be suspended than students without disabilities, an increase from 7.2 in the 2010–11 school year. Similarly, a student with a cognitive disability was 2.7 times more likely to be suspended than one without a disability.

Black students were 6.4 times more likely to be suspended than White students, an increase from 5.2 in the 2010–11 school year.

Economically disadvantaged students were 6 times more likely to be suspended—the highest disparity in ten years—than those in economically stable homes. Students who meet any of the following conditions are defined as economically disadvantaged by the Ohio Department of Education: Eligible for free or reduced-price lunch; resident of a household in which



Table 2

OHIO’S URBAN PUBLIC SCHOOL DISTRICTS OUT-OF-SCHOOL SUSPENSIONS PER 100 STUDENTS *BLACK AND WHITE STUDENTS*

District	2010–11	2010–11	2015–16	2015–16
	Black	White	Black	White
Akron	97.2	25.6	76.3	21.6
Canton	38.8	16.2	50.8	19
Cincinnati	4.0	.3	2.7	.3
Cleveland	24.2	10.6	38.4	19.6
Columbus	68.4	36.4	73.9	28.8
Dayton	54.2	28.0	39.5	16
Toledo	71.5	20.2	62.7	21.5
Youngstown	64.1	20.8	61.6	20.7
Overall Urban Average	52.8	19.8	50.7	18.4

Source: Ohio Department of Education, Report Card Data (iLRC).

a member is eligible for free or reduced-price lunch; in receipt of public assistance, or whose guardians receive public assistance; or Title I qualification.⁵

One contributing factor to these disparities is that many of the behaviors leading to suspension or expulsion stem from often invisible daily adversities. Excluding students from school for behaviors linked to barriers such as disabilities, trauma, hunger, and poverty wastes school resources and possibly a child's future rather than facilitating a child-centric culture supporting every student. Research shows implicit bias also contributes to disparities in school discipline for students.⁶

Harm to Black Students

While Black students comprise only 16.5 percent of enrollment in Ohio's public schools, they accounted for 52.4 percent of all out-of-school suspensions in the 2015–16 school year, up from 36.6 percent in the 2010–11 school year. In contrast, White students made up 71.1 percent of student enrollment in 2015–16, but accounted for only 35.4 percent of such suspensions.

Black students are more likely to be suspended for disobedient/disruptive behavior, intimidation, or truancy, receiving 53.6 percent of suspensions for this behavior, whereas White students only received 33.7 percent of these suspensions.

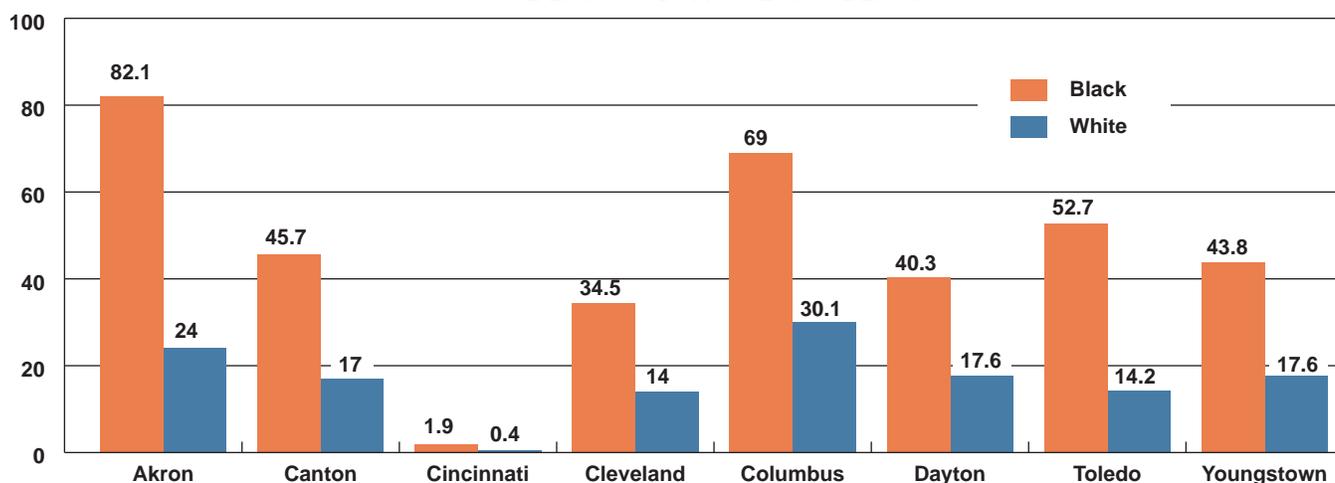
On the other hand, White students are more often suspended for offenses involving weapons or drugs, in proportion to their share of the student population, at 66.2 percent. In contrast, Black students only received 23 percent of these suspensions.

In Ohio's urban school districts, Black students are 2.8 times more likely to be suspended than White students. Since the 2010–11 school year, the suspension rate has increased for Black students in Canton, Cleveland, and Columbus. Cleveland has almost doubled its suspension rates for both Black and White students.

While overall rates have fallen for both Black and White students, disparate treatment has persisted in Akron, Dayton, and Youngstown, urban districts where the suspension rate has declined since the 2010–11 school year.

Black students make up only 16.5 percent of Ohio's public school students, but received 52.4 percent of all out-of-school suspensions in the 2015–16 school year, making them 6.4 times more likely to be suspended than White students.

Figure 1
OHIO'S URBAN PUBLIC SCHOOL DISTRICTS
OUT-OF-SCHOOL SUSPENSIONS PER 100 STUDENTS
BLACK AND WHITE STUDENTS



Source: Ohio Department of Education, Report Card Data (iLRC) (2015–16).



Harm to Students with Disabilities

While exclusion from school is detrimental to every student, it is particularly harmful for the academic futures of children with disabilities. Discipline for behavior often related to their disability compounds daily struggles to keep up with their peers, and increases their risks of dropping out of school.

The Individuals with Disabilities Education Act mandates that schools provide students with disabilities with Individualized Education Programs (IEPs), one function of which is to support educators in addressing student behavior with alternatives to suspension.

Despite this safeguard, 28.4 percent of the total out-of-school suspensions for the 2015–16 school year were given to students with disabilities, who made up only 14.5 percent of student enrollment.

Students with disabilities are also disproportionately suspended for disruptive and disobedient behavior, as well as truancy. Students with disabilities received 28.4 percent of the total suspensions for disruptive or disobedient behavior, and 24.7 percent of suspensions for truancy.

Even more disheartening, students with more than one of these characteristics are subject to exponential

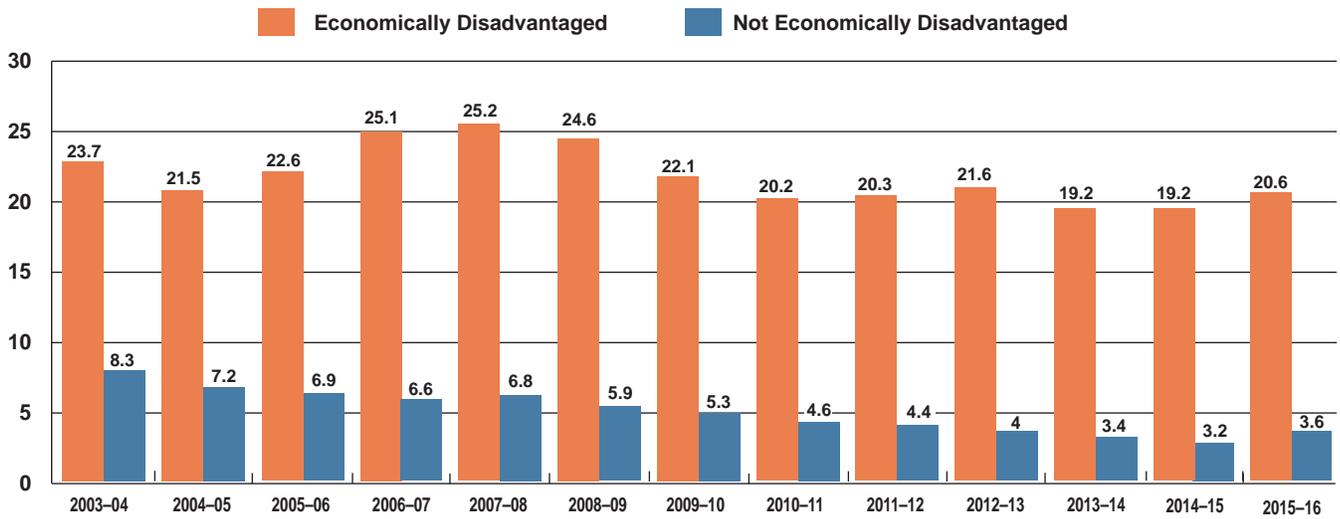
Table 3
OHIO'S URBAN PUBLIC SCHOOL DISTRICTS
OUT-OF-SCHOOL SUSPENSIONS PER 100 STUDENTS
STUDENTS WITH DISABILITIES

	Cognitive Disabilities	Other Health Impaired – Minor	Specific Learning Disabilities	Emotional Disturbance (SBH)	No Disability
Out of School Suspension Rate per 100 Students	53.2	77.5	51.8	143.7*	10.1
Disparity Between Rates of Disabled and Non-Disabled	1.7	2.4	1.6	4.5	
	Factor by which a student with selected type of disability is more likely to be suspended than one with no disability.				

Source: Ohio Department of Education, Report Card Data (iLRC) (2015–16).

*Students in some disability categories are being suspended multiple times in a given year for the same behavior, resulting in rates higher than 100, even as the denominator remains the same.

Figure 2
ALL OHIO PUBLIC SCHOOL DISTRICTS
OUT-OF-SCHOOL SUSPENSIONS PER 100 STUDENTS
ECONOMIC STATUS



Source: Ohio Department of Education, Report Card Data (iLRC) (2002–16).

discipline disparities. For example, a Black student with a specific learning disability is 3.8 times more likely to receive an out-of-school suspension than a similarly situated White student. Worse, if the same Black student is also economically disadvantaged, he or she is 8.5 times more likely to be suspended than a financially stable White student with a specific learning disability.

In Ohio’s eight urban school districts, the type of disability determines a student’s likelihood of suspension. For example, students with an emotional disturbance (one of several federal disability categories) are 4.5 times more likely to be suspended than those without a disability, up from a factor of 3.6 in the 2010–11 school year.

Harm to Low-Income Students

Low-income students were 5.7 times more likely to be suspended than those in financially stable homes. This disparity has almost doubled from 2.9 in the 2003–04 school year. Low-income students make up about half of the student population, yet received 85.2 percent of all suspensions, including 77.3 percent of the total truancy suspensions.

Once again, disparities are compounded when students share multiple characteristics. For example, a low-income Black student is 16 times more likely to be suspended than a financially stable White student.

These statewide disparities are reflected in many of Ohio’s urban school districts. For example, in Cincinnati Public Schools, low-income students are 22 times more likely to be suspended.

Harm to Young Students

Disparities in discipline for Ohio’s youngest students are even more egregious. Nationally, Black children represent 18 percent of preschool students, yet make up 48 percent of preschool-aged children who receive more than one out of school suspension.⁷

Conversely, White children make up 43 percent of preschool students, yet only 26 percent of the preschool students receiving more than one out of school suspension.

Ohio students from preschool through third grade (PreK-3) comprised 32.1 percent of student enrollment in the 2015–16 school year. Of 209 expulsions of PreK-3 students, 81 percent were for disobedient or disruptive behavior, and 19 percent were for fighting.

Black students made up 17.7 percent of Ohio’s PreK-3 population, yet received 65.2 percent of the total suspensions given to PreK-3 students in the 2015–16 school year, and, where race information was available, all of the expulsions given to this age group. This means that a Black preschool-aged child is 6 times more likely to be suspended than



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a White preschool-aged child. Once reaching 1st grade, this Black child is 10.9 times more likely to be suspended.

Similarly, low-income students comprise 55 percent of the PreK-3 population, yet received 90.5 percent of the total out-of-school suspensions given to their age group, and, where income information was available, *all* of the expulsions given to this age group.

For example, a disadvantaged 2nd grade student is 8.2 times more likely to be suspended than a financially stable student in the same grade.

While students with disabilities represent 13.9 percent of PreK-3 students, they received 22.9 percent of the total suspensions given to this age group in the 2014-15 school year.

The disparity in suspensions given to students with disabilities in this age group is reflected across different types of disabilities.

For example, a preschool student with an emotional disturbance (one of several federal disability categories) is 20.5 times more likely to be suspended than a student without a disability in the same grade, and a 1st grade student with a cognitive disability is 2.8 times more likely to be suspended than a 1st grade student without a disability.

Conclusion

This addendum shows the challenges that Ohio continues to face in ensuring fair disciplinary treatment of their students in the context of a zero tolerance mandate. Although zero tolerance policies aim to keep students safe from drugs and weapons, only about 6 percent of out-of-school suspensions in the 2015–16 school year were for this behavior. On the contrary, 61 percent were for nonviolent behavior.

In some instances disparities have worsened for Ohio's children, as schools continue to embrace a disciplinary culture that exacerbates student trauma, disabilities, hunger, race, and poverty. Out-of-school suspensions disproportionately affect vulnerable students: students with an emotional disturbance are 9 times more likely to be suspended; economically disadvantaged students are 6 times more likely to be suspended, and Black students are 6.4 times more likely to be suspended.

The Ohio legislature has begun to take notice that current school discipline policies cause more problems than they solve, and that finding viable solutions is important to Ohio's future. Ohio lawmakers must act to reverse the state's emphasis on harsh exclusionary discipline and unacceptable disparities in discipline rates for students of color, low-income students, and students with disabilities.

Endnotes

1. Jacob Kang et al., A Generation Later: What We've Learned about Zero Tolerance in Schools, The Vera Institute of Justice (Dec. 2013); Test, Punish, and Push Out: How "Zero Tolerance" and High-Stakes Testing Funnel Youth Into the School-to-Prison Pipeline, Advancement Project (March 2010) http://b.3cdn.net/advancement/d05cb2181a4545db07_r2im6caqe.pdf.

2. Ibid.

3. All data from Ohio Department of Education, Report Card Data (iLRC) (2010–15), available at <http://ilrc.ode.state.oh.us/>. The data available on the Ohio Department of Education website is self-reported by school districts. Many parent and student advocates feel that this data underreports the number of suspensions and school discipline incidents in schools.

4. Daniel J. Losen, Discipline Policies, Successful Schools, and Racial Justice, National Education Policy Center 9–11 (Oct. 2011) <http://nepc.colorado.edu/files/NEPCSchoolDiscipline.pdf>; see also Lincoln High School in Walla Walla, WA Tries New Approach to School Discipline—Suspensions Drop 85%, ACES Too High News (April 23, 2012) <http://acesstoohigh.com/2012/04/23/>

lincoln-high-school-in-wallawalla-wa-tries-new-approach-to-school-discipline-expulsions-drop-85/; Russell J. Skiba, Reaching a Critical Juncture for Our Kids: The Need to Reassess School-Justice Practices, in Keeping Kids In School and Out of Courts: A Collection of Reports to Inform the National Leadership Summit on School-Justice Partnerships (March 2012).

5. ODE EMIS Manual, Section 2.5: Student Attributes—Effective Date (FD) Record, Ohio Department of Education (Oct. 15 2015) http://education.ohio.gov/getattachment/Topics/Data/EMIS/EMIS-Documentation/Current-EMIS-Manual/2-5-Student-Attributes_Effective-Date-FD-Record-v4-0.pdf.aspx.

6. Kelly Capatosto, Ohio Discipline Data: An Analysis of Ability and Race, The Kirwan Institute (July 2015).

7. *Civil Rights Data Collection Data Snapshot: School Discipline*, U.S. Department of Education Office for Civil Rights (March 2014) <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>.

Children's Defense Fund—Ohio

A strong, effective, independent voice for *all* children

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MISSION STATEMENT

The Children's Defense Fund Leave No Child Behind® mission is to ensure every child a *Healthy Start*, a *Head Start*, a *Fair Start*, a *Safe Start* and a *Moral Start* in life and successful passage to adulthood with the help of caring families and communities.

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