

Discipline Outcomes for Oregon Students Differ for Like Offenses

Recent research has explored both the disproportionate number of students of color disciplined in schools and the disproportionate severity of discipline for like events. National research has found that not only are African American students disciplined more than their white peers, but they face more severe penalties for like offenses. Research done by the Kirwan Institute, the National Education Policy Center, and the Regional Education Laboratory-Northwest (REL) echo similar findings which indicate students of color are disciplined more severely and more frequently. The studies by REL Northwest and the National Education Policy Center looked at the disproportionate discipline of Special Education students and English Language Learners (ELL) as well and found similar trends. Specifically, Special Education students and ELL students receive more severe discipline outcomes than other students for like incidents.

Summary of Findings

Oregon has found that African American and Multi-Racial students were more likely to receive a more severe punishment for like offenses than their white peers. We also found that while the bulk of discipline incidents occur between 6th and 9th grade, students in 1st-5th grade were more likely to experience a more severe discipline outcome than those students in later grades, particularly among African American Special Education students.

Background

Oregon collects data on discipline incidents, and the students involved in those incidents, via an annual data collection to comply with requirements from the U.S. Department of Education. Data is collected for both students and incidents. A student may have multiple incidents within a school year while a single incident may involve multiple students. As a result, the count of discipline incidents often differs from the count of students disciplined.

There has been a great deal of recent interest in student discipline data both nationally and here in Oregon. For example, Senate Bill 553 which was passed in 2015, limits out of school suspensions and expulsions for students in 5th grade or younger. This research brief goes beyond the standard compliance reporting previously released by the Department to further analyze Oregon's discipline data. To that end, the department developed two research questions. The first asked if students of color are receiving different discipline outcomes for like offenses? The second question asked if students of color are more severely disciplined for certain offenses/types of offenses than their peers?

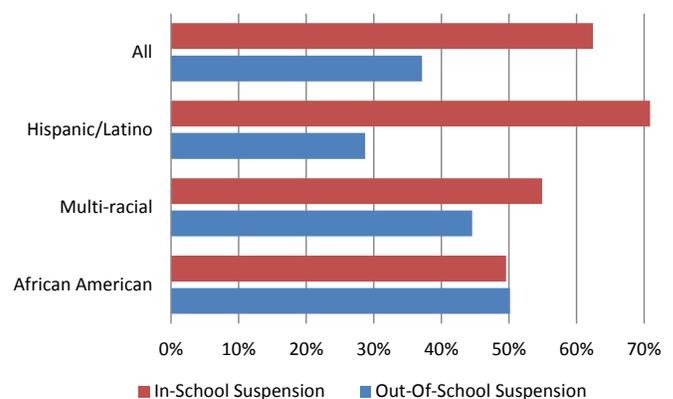
This project used two classifications of offenses to look at discipline outcomes: subjective and objective. Subjective offenses consist of Violation of School

Rules, Insubordination, Attendance Policy Violation, and Disorderly Conduct. These offense types are generally viewed to be open to interpretation of what conduct constitutes a violation. Objective offenses consist of all other offenses, that are determined to have a very clear definition such as: weapons possession or possession of drugs and/or alcohol. There appears little room for interpretation as to whether or not a violation occurred. Additionally, if a student had multiple incidents during a school year and was identified as being a Special Education student at any point during the year, then all of that student's incidents were counted as Special Education incidents for the year. Finally, all findings are based on the 2013-2014 school year Discipline Incidents Data Collection.

African American and Multi-Racial students likely received more severe punishment for like offenses

For students disciplined for a "subjective" offense, 63% received an In-School Suspension, while 37% received an Out-Of-School Suspension. Less than 1% received an

Figure 1: In-School vs. Out-Of-School Suspensions



Expulsion. These school wide results are shown in Figure 1. This compares to 62% of objective offenses resulting in Out-Of-School Suspensions and 3.5% in Expulsions. As expected, given the more severe nature of the objective offenses, we see higher rates of exclusionary discipline, Out-Of-School Suspension and Expulsions, within those offenses.

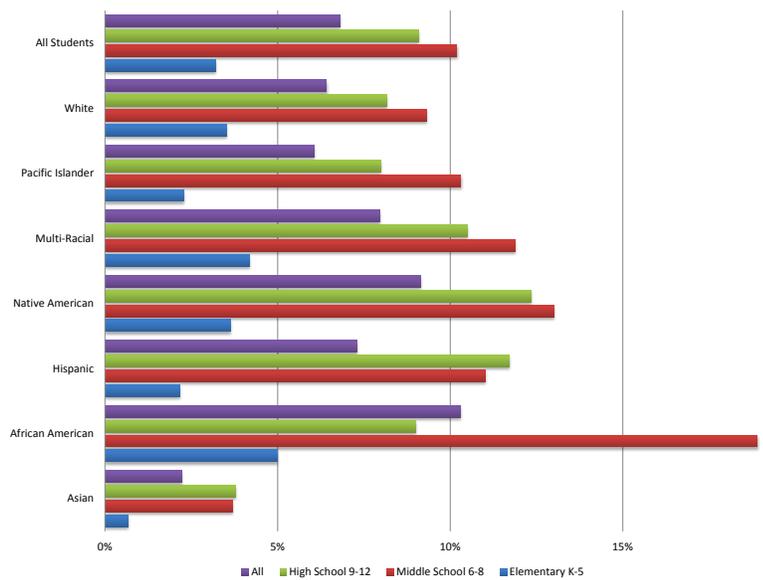
Looking at just African American students for the same subjective offenses, the data show that instead of a 63%/37% split in In-School vs. Out-Of-School Suspensions we see a 50%/50% split, as also illustrated in Figure 1. This means that half of all like incidents result in an Out-Of-School, or exclusionary, Suspension. When looking at other race/ethnicity subgroups, the data show that students reported as multi-racial experience similar outcomes to African American students.

Data for Hispanic/Latino students indicates that they receive exclusionary discipline outcomes at a lower rate than their peers (28.7% result in an exclusionary outcome). This trend continues with Special Education students. When looking at all Special Education students, 56% received an In-School Suspension while 44% resulted in an Out-Of-School Suspension—which is also above the 37% Out of School suspension for all students. When looking at African American Special Education Students, 48% receive an In-School Suspension while 52% receive an Out-Of-School Suspension.

Younger students are more likely to receive discipline for subjective offense types

When breaking the discipline data down by grade level, the data show that the majority of discipline incidents occur between the 6th and 9th grade, with incidents peaking in Grade 9. However, when it comes to exclusionary discipline, we see that students in 1st – 5th grade are more likely to experience an exclusionary discipline outcome despite having fewer overall incidents. As many as 80% of subjective incidents that occur in Kindergarten, and 60-70% in grades 1-3, result in an Out-Of-School Suspension. When compared to incidents that occur during high school (Grades 9-12) as few as 26-36% of incidents result in an Out-Of-School Suspension, well below the 37% for all students. This finding holds across students of all race/ethnicity groups and other populations disciplined by grade, we see that African American, Hispanic/Latino, and Native American students are disciplined at higher rates

Figure 2: Percent of Special Education Students Disciplined For a Subjective Offense Type by Race/Ethnicity and Grade



than their peers—with nearly 10% of all African American middle school students disciplined for a subjective offense. Looking further into the grade level breakdown shows that African American and Native American students are disciplined most in middle school.

For Special Education students, the grade level grouping shows significantly higher percentages of Special Education students being disciplined for subjective offenses than non-special education students. Nearly 10% of all Special Education students in middle school and high school were disciplined for a subjective offense type. For African American middle school students in Special Education, nearly 20%, or 1 in 5, were disciplined as illustrated in Figure 2 above. Hispanic/Latino, Native American, and Multi-Racial Special Education students were disciplined at similar levels, although still nearly double the rate of non-Special Education students.

Next steps

In the next phase of this project, the Department plans to expand its work in this area with deeper looks at discipline data. Subsequent projects may include information on the following topics:

- Deeper analysis on discipline data for subgroups like English Language, racial and ethnic groups, gender, disability and other student populations.
- Longitudinal studies using this dataset.
- County or district level analysis of discipline data.