



NEPC DISCIPLINE RESOURCE SHEET

State Legislative Recommendations to Promote Fair and Effective School Discipline

This is a summary of the report Discipline Policies, Successful Schools, and Racial Justice, written by Daniel J. Losen, published by the National Education Policy Center and funded by the Ford Foundation and the Great Lakes Center for Education Research and Practice.

The complete report, along with suggested statutory changes to implement the report's recommendations, will be available as of October 5, 2011, at: <http://nepc.colorado.edu/publication/discipline-policies>.

State legislation is an important lever for improving the equity of student discipline policies. However, states vary tremendously, and only some provide accurate public reports on school discipline, support effective programs like Positive Behavioral Interventions and Supports (PBIS), or ensure teachers are well trained in classroom and behavior management. Following are three recommendations for improving state legislation.

RECOMMENDATION 1

Strengthen Support and Training for Teachers to Improve Classroom and Behavior Management

Teaching staff in all schools and districts, especially those with high exclusion rates, should receive technical assistance on classroom and behavioral management and positive behavior supports. Training in classroom and behavior management can be added to state teacher certification requirements.

EXAMPLE

Connecticut law requires teachers to complete training in child and adolescent development and evidence-based classroom and behavior management to receive professional certification.

RECOMMENDATION 2

Improve Annual Collection and Reporting of Discipline Data

Annual reporting should include all types of disciplinary actions taken and their frequency and duration. Annual reporting should also include disciplinary actions taken by type of offense (weapons and violence, but all minor violations as well), disciplinary actions taken for first-time offenses, and the number of students suspended more than once per school year.

All of the above should be reported at the school, district, and state level and be disaggregated by race, gender, disability status, ELL status, and socio-economic status.

EXAMPLE

- Massachusetts has introduced legislation that would require annual public reporting of disciplinary exclusions by race, gender, special education status, socioeconomic status, English language proficiency, reason and length of exclusion, total days of school missed, and alternative education services provided.
- Colorado, Florida, Kentucky, Maryland, Minnesota, North Carolina, Texas, Wisconsin, and New York City all require public reporting of disaggregated discipline data.



RECOMMENDATION 3

Align Discipline Policy with Academic Achievement Goals by Helping Schools Reduce High Suspension Rates

Legislation should trigger particular supports when suspension rates at a school or district – for all students or for subgroups – exceed a certain threshold. All low-performing schools and districts whose suspension rates exceed the state average should be required to adopt research-based behavioral supports.

EXAMPLE

Maryland law requires that elementary schools suspending 10 percent or more of enrolled students must engage in a Positive Behavior Intervention and Support (PBIS) model.