



The Center for Civil Rights Remedies

at The Civil Rights Project | *Proyecto Derechos Civiles*

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UCLA Report: Unmasking School Discipline Disparities in California

What the 2019-2020 Data Can Tell Us about Problems and Progress

Stalled Pre-pandemic Progress Easily Escapes Attention

Los Angeles—Limited data collection and analysis during the 2019-2020 pandemic-shortened school year masked the fact that many school districts in California were on course for substantially higher rates of school suspension and larger racial disparities among those suspended, had in-person education continued for the full year, according to a [new study](#) released today by the Center for Civil Rights Remedies at the UCLA Civil Rights Project/Proyecto Derechos Civiles.

“When schools closed during the pandemic, many school districts in California were already struggling to make progress toward reforming discipline practices and reducing out-of-school suspensions,” said Dan Losen, Director of the Center for Civil Rights Remedies and lead author of the report. “Too little attention has been paid to the discipline data, even as districts, that had already meted out more suspensions by March of 2020 than they had for the entire prior year, flew under the radar!”

“Equally important, because the data from 2019-2020 are from a year when in-school education only lasted 70% of the school year, many may have arrived at the false conclusion that substantial progress toward reducing school suspensions was being made.”

The study, [Unmasking School Discipline Disparities in California: What the 2019-2020 Data Can Tell Us about Problems and Progress](#), tells a different story, one of stagnating progress toward reducing suspensions pre-pandemic statewide, and worsening school climate for many students of color across California, once the suspension rates are adjusted to reflect the closure of schools. The findings suggest that for many districts the unadjusted data, and suspension of the state's dashboard coding system, served to mask higher rates of suspension and larger racial disparities. It also points out that several districts made misleading claims in their Local

Control Accountability Plan, stating they had met their suspension reduction goals that inappropriately relied upon 2019-2020 data from the shortened in-person year.

The study uses the available data to examine suspension rates and trends on a statewide and individual school district basis, by projecting what the full year suspension rates would likely have been had schools remained open and continued to mete out punishment at the same rate. The report shows that across the state of California, for example, low-income students with disabilities, especially Black and Native American, were on track to have higher suspension rates in 2019-2020 than in the prior school year, although the raw data without adjustments suggested that the suspension rates had declined. The same was true for Foster youth who were Pacific Islander.

At the district level, the report notes that districts with high rates, and that meted out more suspensions by March of 2020 than they had for the entire prior school year, were not coded red in the states monitoring system, while many others that had not yet exceeded the prior year's rate were on track for sizeable increases.

In addition, the report raises concerns about inaccuracies and under-reporting on the use of police to address school discipline and reveals evidence of inappropriate district expenditures. Funds earmarked for improving the academic outcomes of high needs students were spent instead on additional police and security. Unfortunately, the County Offices of Education, who are responsible for all LCAP oversight (including school climate) as well as running many alternative schools, are among the highest-suspending educational agencies in California.

In addition, this report also discusses preliminary findings regarding all student stops on school campuses by police that are collected pursuant to the Racial and Identity Profiling Act (RIPA). This initial review documents a great deal of racial disproportionality. The share of Black students stopped by police far exceeds their share of the enrolled students, which is more disproportionate when police initiate the stops compared to when the stops result from calls for service from the schools. Further, rarely do police fill out the code of conduct information specifying the misconduct at issue which could range from disruption to assault, often reporting nothing beyond the phrase "reasonable suspicion."

Furthermore, the review of data also suggests a serious problem with under-identification by police of students with disabilities who they stop at school for misconduct. A comparison with data collected by the U.S. Department of Education suggests that the police either don't realize when they are stopping a student with disabilities, or officers are regularly failing to collect and/or report the information on disability status. This reporting issue is problematic. When schools report referrals to law enforcement, the data show that they refer students with disabilities to law enforcement at 2-3 times the rate of non-disabled students. Yet the RIPA data suggests that students with disabilities are 5 times less likely than their non-disabled peers to be stopped, including when the police are responding to a call from the school. Altogether, the available RIPA data raise serious questions of whether large numbers of police who stop

students while in school are complying with the Act's comprehensive reporting requirements for student stops.

"When police fail to comply with the reporting law, it not only masks over the degree to which students are profiled by race and disability status, it further breaks down trust and robs educators, policymakers and the community of the critical information they need to evaluate the impact of police presence on the student body," Losen said.

Although [the study](#) highlights the need for increased investments to help improve school climate and reduce rates of disciplinary exclusion, the analysis also suggests that districts on track for significant reductions might not receive the attention they deserve.

"Ultimately, we need the data to tell us what is working, not just to unmask serious problems," Losen added. "I hope this report encourages the state and districts to invest more in reforming school discipline practices, in ways that support teachers and expand the most effective alternatives. Given widespread inaccuracies in the policing data, the data we have now should be carefully analyzed, so that the areas of greatest need are not being over-looked, hampering efforts to expend resources where they are needed most."

The report includes recommendations for improving the accountability for school climate, including more comprehensive discipline data reporting and ending non-compliance with required reporting on school policing in California's school district report cards.

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A spreadsheet detailing discipline trends for every school district in California is available upon request and will be [posted for downloading](#) on the release date.

For further questions about [the report content](#) please contact Daniel J. Losen 781-861-1222, 617-285-4745 or losendan@gmail.com.

About the Civil Rights Project and Center for Civil Rights Remedies at UCLA

Founded 26 years ago at Harvard, The Civil Rights Project/*Proyecto Derechos Civiles* (CRP) is co-directed by Professors [Gary Orfield](#) and [Patricia Gándara](#) and based at UCLA since 2007. Its mission is to create a new generation of research in social science and law on the critical issues of civil rights and equal opportunity. It monitors the success of American schools in equalizing opportunity for racial and ethnic groups in the U.S. and is an authoritative source of segregation statistics. CRP has commissioned more than [400 studies](#), published more than [20 books](#) and issued numerous reports from authors at universities and research centers across the country. The U.S. Supreme Court, in its [2003 Grutter v. Bollinger](#) decision upholding affirmative action and in Justice Breyer's dissent (joined by three other Justices) to its 2007 [Parents Involved](#) decision, cited the Civil Rights Project's research. CRP's **Center for Civil Rights Remedies** conducted this new research, one of many highlighting discipline disparities in California, and has also issued groundbreaking reports on school discipline nationally, including *Disabling Inequity* (2021), which underscores the urgent need to improve the quantity and quality of support and services for students with disabilities.

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