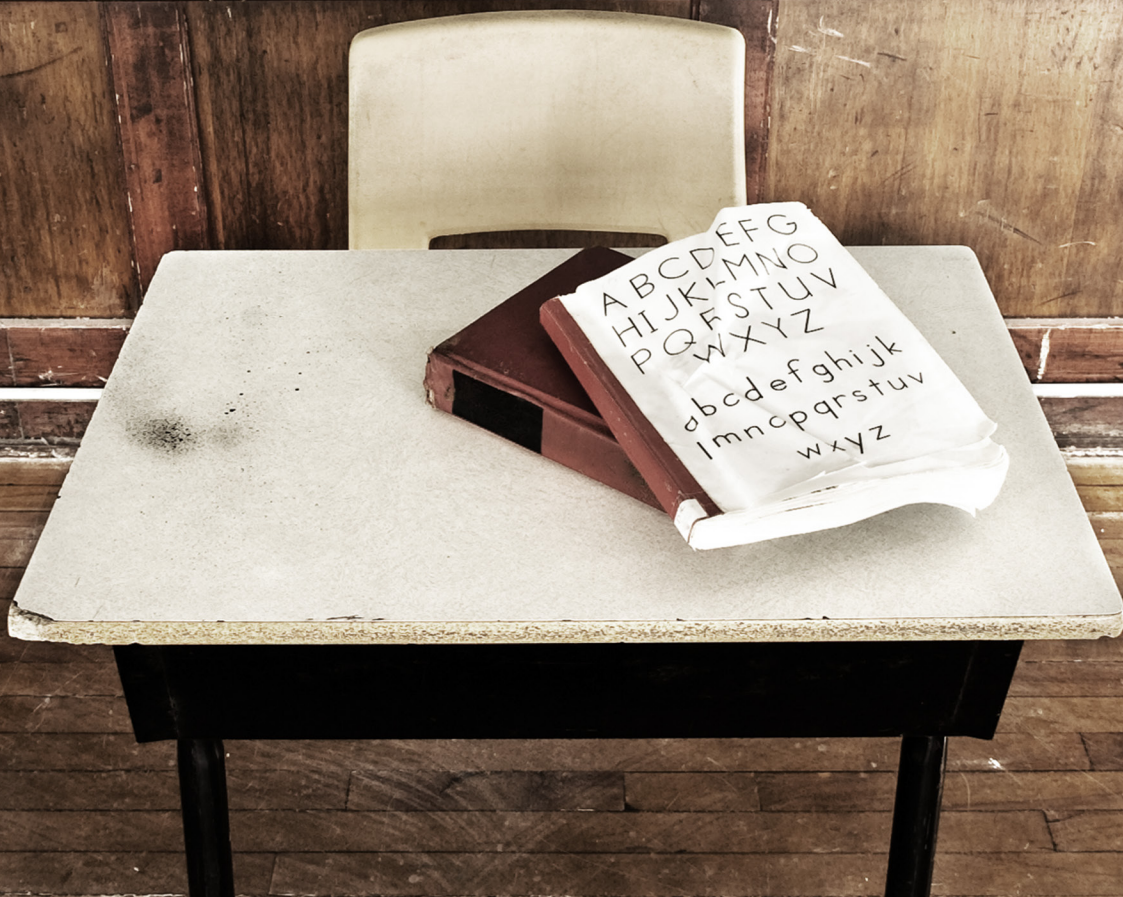


New for 2018

The Unequal Impact of Suspension on the Opportunity to Learn in California:

What the 2016-17 Rates Tell Us About Progress

By Daniel J. Losen and Kacy Martin



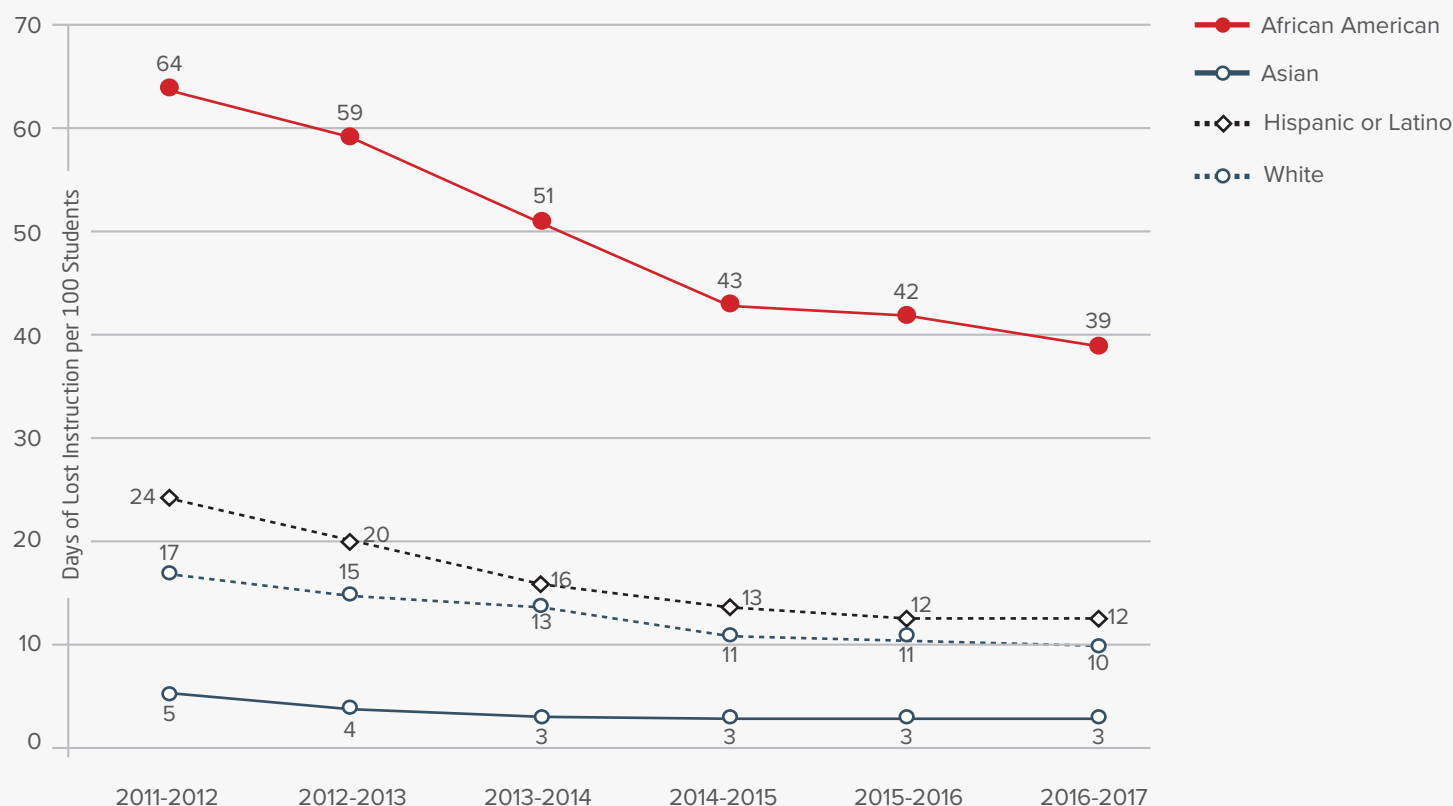
The Center for Civil Rights Remedies

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Executive Summary

In 2016-17, schoolchildren in California lost an estimated 763,690 days of instruction time, a figure based on the combined total of 381,845 in-school suspensions (ISS) and out-of-school suspensions (OSS). By translating the underlying suspension rates into conservative estimates of the resulting lost instruction, this report intentionally highlights the unequal educational impact of suspensions. Using the same formula developed in our prior reports (we assign two days for each suspension), we estimate the number of days of instruction lost due to suspension by simply doubling the reported rates of suspension per 100 enrolled students.

STATEWIDE TRENDS IN DAYS OF LOST INSTRUCTION SHOW RACIAL GAP WIDE DESPITE IMPORTANT NARROWING (2011-12 to 2016-17)

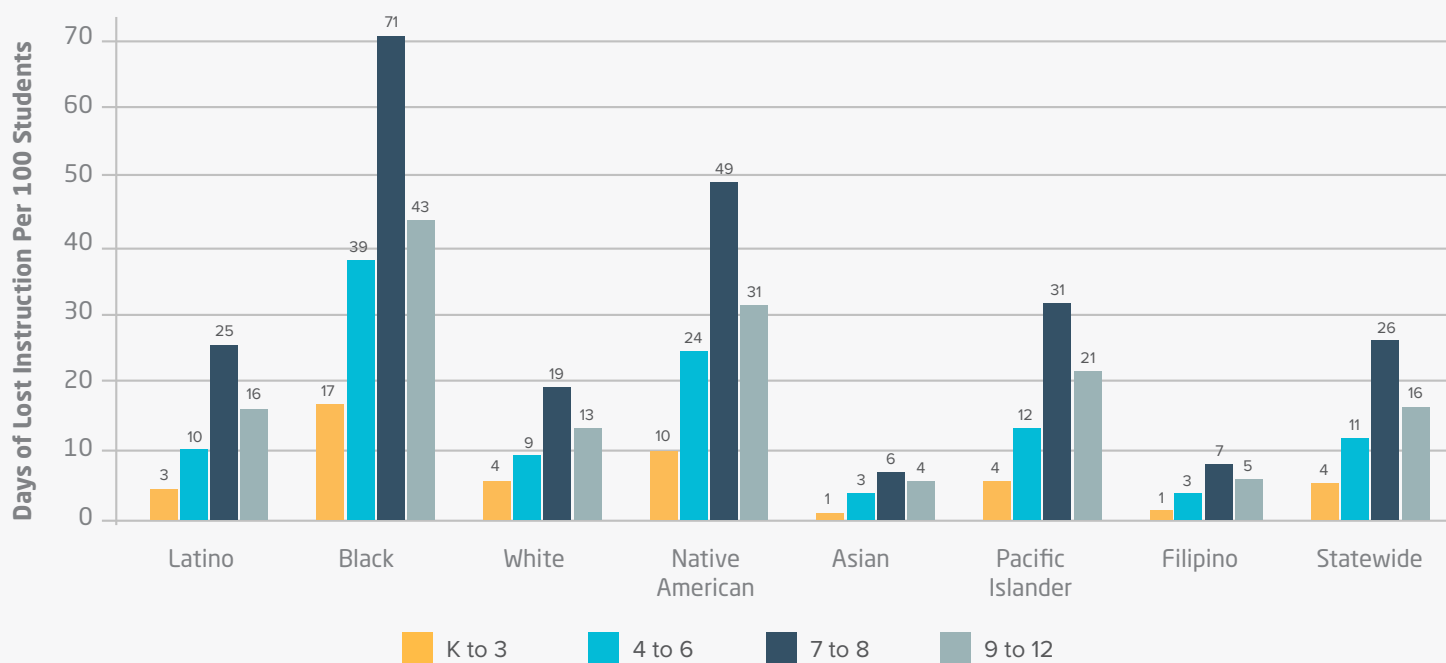


- The trend lines make it clear to the naked eye that the racial gap has indeed narrowed. Yet it remains large for Black students.
- The six-year trend lines show that Blacks had the highest rate of lost instruction per 100 in 2011-12, and that they have experienced the steepest decline in rates of lost instruction of all racial groups.

GRADES 7-8 SHOW GREATEST LOSS OF INSTRUCTION AND LARGEST DISPARITIES

- The highest amount of lost instruction for every group occurs in grades 7-8.
- The most disproportionate impact on instruction is also evident at the middle school level.

Days of Lost Instruction for Students by Race and Grade Level, 2016-17



- Black students in grades 7 and 8 lost 71 days of instruction per 100 enrolled.
- Blacks lost 52 more days per 100 than the 19 per 100 lost by White students.
- Native American students lost 30 more days per 100 than White students.
- The Black-White gap in the lower grades is also considerable (13 additional lost days per 100 students for Black K-3 students and 30 more lost days in grades 4-6).
- It is also worth noting that in 2016-17 there were an estimated 156,484 days of lost instruction for disruption/defiance in all. Of that number, 49,386 were due to suspensions for disruption/defiance in grades 7-8, alone. In other words, this span of just two grades in middle school accounted for a disproportionate 32% of all the days of instruction lost under the catchall “disruption or defiance” category.

It is well established that suspensions predict higher risks for dropping out and juvenile justice involvement. A recent report we co-authored with Dr. Russell Rumberger, tracked every 10th grader in California for 3 years and found that suspensions in high school predict a much higher probability of dropping out, after controlling for other reasons students fail to graduate. That study, *The Hidden Costs of California's Harsh School Discipline: And the Localized Economic Benefits From Suspending Fewer High School Students*, estimated that suspensions alone contributed to a 6.5-point lower graduation rate for one student cohort with tremendous negative economic implications for the state. Lower rates of lost instruction in grades 9-12 do not reflect the lost instruction from the impact of suspension on dropping out.

STUDENTS OF COLOR WITH DISABILITIES LOSE FAR MORE INSTRUCTION THAN PEERS

- Data show that students with disabilities lose 22 more days of instruction per 100 enrolled than those without disabilities.
- Black students with disabilities lost 49 and Native Americans 20 more days per 100 enrolled than the 30 days per 100 lost by White students with disabilities.

SUSPENSIONS FOR DISRUPTION OR DEFIANCE CONTRIBUTE MORE TO LOST INSTRUCTION IN DISTRICTS WITH THE HIGHEST RATES AND LARGEST GAPS

An excerpt from our report's table shows the 5 districts with the largest Black-White gaps, and how much of that gap is attributable to days lost for Disruption or Defiance suspensions.

The Five Districts with the Largest Black-White Gap in Days of Lost Instruction

District	Black Days of Lost Instruction per 100	White Days of Lost Instruction per 100	Black-White Gap in Days of Lost Instruction per 100	Black Disruption Days of Lost Instruction per 100	White Disruption Days of Lost Instruction per 100	Black-White Gap in Disruption/Defiance Days of Lost Instruction	Percentage of Lost Instructional Days due to Defiance Only
Oroville Union High	251	85	166	184	49	135	81%
South San Francisco Unified	117	24	93	53	13	40	43%
Oroville City Elementary	136	49	87	52	8	44	51%
Barstow Unified	114	29	85	28	4	24	28%
Bonita Unified	89	14	74	34	5	29	39%

- Across the 50 districts with the largest Black/White differences in lost instruction from suspension show, on average, they lost 80 days of instruction per 100 enrolled, compared to 25 days for White students.
- This results in a gap between the two groups of 55 days of missed instruction.
- A persistent source of this difference is suspension for disruption, which made up 30% of the Black-White racial gap in these 50 districts.

The Five Districts with the Largest Latino-White Gap in Days of Lost Instruction

District	Latino Days of Lost Instruction per 100	White Days of Lost Instruction per 100	Latino-White Gap in Days of Lost Instruction per 100	Latino Disruption Days of Lost Instruction per 100	White Disruption Days of Lost Instruction per 100	Latino-White Gap in Disruption/Defiance Days of Lost Instruction	Percentage of Lost Instructional Days due to Defiance Only
Petaluma Joint Union High	54	26	28	33	13	20	72%
Lemoore Union High	54	28	26	32	11	20	80%
Sequoia Union High	30	6	24	8	1	8	31%
Placer Union High	26	11	15	5	1	4	27%
Santa Rosa High	35	20	15	9	4	5	34%

Our companion spreadsheet shows lost instruction by race and disability status for every district, overall, and for “disruption or defiance” for the 2016-17 school year.

- Across the five districts with the largest racial differences in lost instruction between Latinos and Whites, suspensions for disruption or defiance constituted 49% of the difference on average.
- To put these district numbers in context, it is worth noting that suspensions for “disruption or defiance” comprised 49% of all suspensions in 2011-12, and just 20% in 2016-17.
- For both the Black/White and Latino/White gaps, the districts with the largest racial gaps in California in 2016-17 tended to have a higher share of suspensions for disruption or defiance than we find in the state averages.

NO SIGNS OF CHAOS FROM DECLINES IN USE OF SUSPENSIONS FOR DISRUPTION OR DEFIANCE

Much of the reduction in lost instruction can be attributed to a reduction in the use of suspensions to respond to minor behaviors in all grades. Equally important is that there is no evidence of a large offsetting statewide increase in serious, unlawful, or dangerous behavior among students.

Six-Year Trend in OSS per 100 Students for Serious Offenses and for Disruption/Defiance

	Overall Number of OSS for Serious Behaviors	Rate per 100 for Serious Behaviors	Overall Number of OSS for Disruption/Defiance	Disruption Rate per 100
2011-12	115,847	1.86	199,592	3.21
2016-17	92,859	1.49	47,749	0.77
Total Change	-22,993	- 0.37	-151,843	- 2.51

The lack of any large increase in dangerous behavior casts doubts on the validity of the assertion that frequent suspensions for minor behaviors are necessary to prevent school-based violence or essential to student safety. Of course, correlation is not causation and it would be inappropriate to assume the policy change to suspensions in this one area was the cause of increases in any other. The California trends run counter to dire predictions that reducing suspensions would bring chaos to California's schools.

RECOMMENDATIONS

The consistent decline in the days of lost instruction due to suspension is indicative of a strong commitment on the part of lawmakers, educators, and community members to keep California's students in school and seek alternative ways to address problem behaviors. The fact that the gaps have narrowed, yet remain large, demonstrates that change does not come rapidly at the state, district, or school level. There is more that that needs to be done if we are to continue to make progress for California's students. These efforts must focus not only on lowering the rate at which students are suspended but also on narrowing the racial gap to address the disproportionate amount of lost instruction time students of color experience compared to their White peers. Similar attention needs to be paid to the disparities among students with disabilities, by race, as well as compared with their non-disabled peers.

Moreover, we have always recommended that the state support district and school-level efforts to more effectively engage in discipline reforms. More progress is likely if policymakers at the state and district levels go beyond formal requirements and provide more resources for trainings, interventions, and research to improve our knowledge and implementation of less discriminatory discipline alternative. Effective reforms should always promote safety and improvements in the conditions of learning.

Toward these ends, we recommend the following actions **for state policymakers and administrators**:

- Require that, annually, schools and districts publicly report the actual number of days of missed instruction due to suspensions, disaggregated by race/ethnicity, gender, and disability, and further broken down by reasons for removal.

- Support efforts to change state and local codes of conduct to eliminate suspensions for minor behaviors, including, but not limited to, suspensions for disruption or willful defiance.
- Provide technical assistance to high-suspending districts for the implementation of restorative discipline policy and other non-punitive forms of intervention focused on prevention.
- Require that schools conduct student, parent, and staff climate surveys, and report the outcomes publicly, to ensure that interventions are supporting a safe and healthy environment.
- Set goals for accountability plans to reduce disciplinary exclusion's impact on instruction as part of state and local standards.
- Measure progress with methods that make it clear whether lost instruction due to discipline is increasing or decreasing, with special attention to whether the subgroups that have historically lost the most instruction time are benefitting from interventions.