

## COLLECTING AND REPORTING SCHOOL DISCIPLINE DATA

While individual students, parents, teachers, administrators, public officials and community members have their perceptions of school disciplinary incidents and consequences, data can allow all interested parties a broader picture of schools and districts beyond the saliency of anecdote and individual experience. This brief describes the value of different types of school discipline data, how data should be incorporated into school and district decision-making and what data are currently collected and reported in compliance with federal law. Discipline reform requires understanding how systems are working and changing those systems to achieve better outcomes for children. Collecting, analyzing and responding to data is central to doing the right thing for children.

### Everyone Has an Interest in School Discipline Data

**Teachers, school staff and administrators** need to know the circumstances and patterns of disciplinary incidents in their schools, including how incidents are being addressed, in order to prevent student misbehavior and better respond to it, promote positive school climates and ensure adults are treating students fairly. Systematic collection of data allows adults to see patterns that may not be obviously understood through anecdote and individual experience.

**Students, parents, and community members** need to know how discipline is being handled in the school building to ensure that disciplinary incidents are addressed and that all students are being treated fairly. Without data, it is difficult to know if individual experiences are exceptions or part of a pattern.

**Public officials, including state and federal departments of education,** need to know if anti-discrimination laws are being followed and if there are disturbing patterns on a larger basis. When data is collected across all schools and all districts, researchers and others can highlight best practices and areas in need of attention.

### Effective Data Systems Can Show Patterns

In order to identify bright spots and challenges, allocate resources effectively and ensure success for all students, educators need to be able to make data-driven decisions. **Data do not necessarily prove that students are being discriminated against, but without data it is difficult to know if all students are being treated fairly.** Best practices may be employed without school or district specific data, but without data it will be difficult to know what is working and what needs to be adjusted.

In the **San Francisco Unified School District**, data were at the core of the district's efforts to reduce suspension. They were able to see:

- Which schools, classrooms and teachers were suspending students the most
- What interventions specific students received
- How restorative practices have been used to help students

Schools and districts should have discipline data systems that are clear and organized with uniform standards for the content of files and training for staff on entry, maintenance and retrieval of the data. Sufficient categories should be included to allow disaggregation by student and teacher characteristics at the classroom and building level. Data should also be collected and reported in such a way that incidents and dispositions can be connected and monitored together.

In addition to indicating excessive office referrals school-wide, data that take into account student and teacher characteristics can show patterns of concerning adult behaviors. For example, if a school or district observes that Black students are disproportionately referred for subjective behavior categories (e.g. “disrespect” or “defiance”) relative to White students, the school or district would know to examine the root cause of the difference and whether referring teachers would benefit from cultural responsiveness or other trainings to address the disparities, or if school-wide climate interventions are needed. Data on student groups could also indicate whether particular adults are in need of additional training. For example, data may show that 75 percent of office referrals in the 8th grade are made by the history teacher or that Latino students are disproportionately referred for misbehavior by the 10th grade teachers.

In the **Racine Unified School District**, the central office shared school-level suspension data with building principals. This new transparency contributed to a 20% reduction in suspensions from one year to the next.

### Educators Using Data to Drive Decision Making

Data have long been used to inform supports needed for individual students. **Functional behavioral assessments**, for example, are critical tools used by teams designing Individualized Education Plans (IEPs) for students with disabilities who have demonstrated a need for behavioral support. Instead of relying on general descriptions of problematic student behaviors, the assessment analyzes a child’s response to a variety of environments and stimuli to identify those scenarios which prompt positive and negative behavior in students. This analysis of *why* a student behaves the way he or she does informs decisions about needed supports to maximize positive behavior and minimize negative behavior.

School-Wide Positive Behavior Interventions and Supports (PBIS) is a framework for using data and evidence-based practices to create systems and routines that maximize positive student behavior and minimize negative student behavior. For example, a **School-Wide Information System** (SWIS) that collects detailed information about office referrals may reveal that there is a significant increase in referrals directly after lunch, indicating a need to improve the way students leave the cafeteria and return to class.

## Questions Data Systems Should Allow Educators to Answer

- Are incidents disproportionately occurring at certain times or in certain locations?
- Are some students disproportionately disciplined?
- Are some students disproportionately represented in certain types of referrals?
- Are some students disciplined more harshly than other students for the same infractions?
- Are some staff disproportionately referring all or groups of students for discipline?
- Are some schools disproportionately disciplining all students or groups of students?
- Are interventions having an effect on the frequency of disciplinary referrals for all students? For groups of students?

**Schools and districts should publicly report disaggregated discipline data in an easily understandable and accessible manner.**

## Engaging Communities

In the interest of transparency and public accountability, some school districts already make discipline data available on their websites. For example:

- **Buffalo Public Schools** includes a link to data on the length of suspension and incident reason by school and student characteristics (race/ethnicity, disability status, sex) on their homepage. This allows teachers, parents, students and community members to compare schools and groups of students to ensure fairness and identify areas of concern.
- **Racine Unified School District** provides a link to the state Department of Public Instruction website district reports, which also includes some discipline data.
- **Oakland Unified School District** provides “data snapshots” under the state’s Local Control and Accountability Plan (LCAP) for different groups of students which include suspension data.

Schools should regularly solicit student and family input regarding the school’s disciplinary practices and data outcomes. Schools should consider establishing a “School Discipline Team” that includes diverse members of the school community. This team could help to monitor discipline data, recommend interventions and ensure accountability.

## Discipline Recordkeeping Systems Should Include

- Demographic information for all students involved (race, sex, disability, age and English learner status)
- Description of the misconduct
- Grade level of each student referred for discipline
- Attempts to address the behavior prior to the referral for discipline
- Witnesses to the incident
- Prior disciplinary history of the student
- Referring staff member
- Discipline imposed
- Any law enforcement involvement (including school based arrest, citations, searches and referrals)
- Systems may also include additional student information including whether students are homeless or in foster care

### **Protecting Student Privacy**

Care can and must be taken to protect student privacy consistent with the Family Educational Rights and Privacy Act (FERPA) and other privacy laws. It is possible to collect, analyze and report valuable school discipline data without personally identifiable information.

## What types of data are required by the U.S. Department of Education?

Since 1964, the federal government has required the reporting of different types of school discipline data in order to ensure that schools and districts were complying with civil rights laws that protect students from discrimination on the basis of race, ethnicity, disability, language status and sex. In the interest of school safety, requirements have also been added to track specific types of incidents.

Some of these data are explicitly required by law and others are required by the Department of Education in order to fulfill its oversight responsibilities. These requirements may change over time through regulatory updates or legislative reauthorizations.

Although these data are required by federal law, schools and districts are allowed to collect and publicly report additional data, as long as student privacy is protected.

The U.S. Department of Education collects data on discipline incidents and disciplinary removals under the following laws:

Governing Statute	Location of Data	Information Collected
<i>Gun-Free Schools Act (GFSA)</i>	EDFacts	Incidents involving firearms only
<i>Safe and Drug-Free Schools and Communities Act (SDFSCA)</i>	Consolidated State Performance Report	Students receiving out-of-school suspensions or expulsions as a result of certain types of incidents: violent incidents without physical injury, violent incidents with physical injury, weapons possession, alcohol-related incidents, and illicit drug-related incidents.
<i>Individuals with Disabilities Education Act (IDEA)</i>	Report of Children with Disabilities Subject to Disciplinary Removal (will be collected through EDFacts)	Unilateral removals to an interim alternative setting by school personnel; removals to an interim alternative education setting based on a hearing officer determination regarding likely injury; out-of-school suspension or expulsion; in-school suspensions; total disciplinary removals; and cumulative duration of the disciplinary removals.
Title VI of the <i>Civil Rights Act of 1964</i>	EDFacts	Includes data for the Civil Rights Data Collection (CRDC) under the following categories: corporal punishment; in-school suspension; out-of-school suspension (once); out-of-school suspension (more than once); expulsion with educational services; expulsion without educational services; expulsion under zero-tolerance policies; referral to law enforcement; and school-related arrests.
Title IX of the <i>Education Amendments of 1972</i>	Included with CRDC	Includes CRDC data disaggregated by student sex.
Section 504 of the <i>Rehabilitation Act of 1973</i>	Included with CRDC	Includes CRDC data disaggregated by student 504 status.

## Resources

- National Forum on Education Statistics. (2011). *Forum Guide to Crime, Violence, and Discipline Incident Data* (NFES 2011-806). Washington, DC: U.S. Department of Education, National Center for Education Statistics.
- U.S. Department of Education, *Guiding Principles: A Resource Guide for Improving School Climate and Discipline*, Washington, D.C., 2014.
- Dignity in Schools Campaign. (2013). *A Model Code on Education and Dignity: Presenting a Human Rights Framework for Schools*.