# Underserved and Excluded: The Role of Exclusionary Discipline in Hindering Academic and Life Outcomes, School Climate, and Racial Equity

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## Overview

Exclusionary discipline has been a mainstay of the American educational system serving as the de facto disciplinary standard in the wake of corporal punishment's waning acceptability due in large part to 1977s *Ingraham v. Wright* ruling. In the period that followed many states' outlawing of corporal punishment, exclusionary practices filled the disciplinary vacuum left behind in many school systems. The distinction between corporal and exclusionary disciplinary practices has been so firmly asserted across temporal and legal boundaries that, for many, they are assumed to be completely divorced from each other in the canon of scholarly discipline. The corporal element of discipline in schools is often considered a historical relic, extant only in the most traditionalist of schools. By contrast, exclusionary discipline, particularly in our contemporary era, may be assumed to be the logical successor to the more antiquated practice of corporal punishment. Between the period of 1974 to 2010, the number of students subjected to exclusionary practices in American schools doubled from 3.7% to 6.6% of students (Skiba et al.). Not only has the magnitude of students affected by exclusionary discipline increased, but it tends to be the case that disciplinary action such as out-of-school suspension is taken in response to a wide variety of low-level to moderate infractions. This results in students being removed from the classroom for behaviors such as disobedience, not reporting to detention, and the ever nebulous "disrespect" and "insubordination" (Skiba et al.).

Noting this, it is critical that we question the efficacy of a disciplinary norm that relies heavily on ostracization of students and reduction of crucial classroom instruction time. Alternative solutions such as positive behavioral interventions and systems (PBIS) seek to satisfy the disciplinary needs of students while also being conscientious and responsive to the

socioemotional needs of students in their journey to self-management. Restorative justice and practices offer reconciliation and conflict management, while multi-tier support systems (MTSS) work to foster a more comprehensive network of stakeholders that might support students' learning regardless of their disciplinary status. Response-to-intervention (RTI) attempts to minimize future disciplinary encounters for students through regular check-ins/intervention intervals.

## Disproportionality in Exclusionary Discipline

The liberal use of exclusionary discipline against students speaks to the heightened level of disciplinary discretion allotted to both individual authority figures in schools, as well as to school districts in formulating their own disciplinary practices, policies, and reporting systems. Said disciplinary discretion, absent enforceable and standardized measures to ensure equity and fairness, has the potential to contribute to the issue of disciplinary disproportionality (Anderson et al. 14). Disproportionality in the context of exclusionary discipline refers to the unequal usage of suspension, expulsion, and general removal from the learning environment as a tool against students of a particular group. Academic literature and studies on exclusionary discipline within schools and school systems have previously established the existence of disciplinary disproportionality and its various pathologies based on racial, socioeconomic, and neurotypicality biases. For instance, students from marginalized communities and ethnicities, especially Black students, experience a notably higher rate of exclusion than their white counterparts. A nationwide study of disciplinary disproportionality by Losen et al. using the Civil Rights Data Collection (CRDC) found that, from the 1970s to the early 2000s the gap in suspension rates between Black, Latino, and white students widened from a 3% gap between Black students versus their Latino and white counterparts in 1972 to a rate of 16% for Black students versus 7% and 5% percent for Latino and white students respectively in 2011-2012 (Losen et al., 5). This represents a suspension rate over twice as high as that of Latino students and over three times that of white students within the given period. Mendez and Knoff's study of a west Florida school district saw similar findings, wherein Black boys were twice as likely to receive a suspension than their white counterparts, and Black girls were three times more likely to receive one (Mendez and Knoff, 2003, 43). Critically, they also noted that the types of infractions leading to suspensions were most commonly "disobedience/insubordination" and

"disruption," together forming one-third of all infractions. Similarly, a study conducted within Maryland school districts between 2009 and 2012 found that amongst all 24 school districts, Black students were suspended at a rate that was over twice as high as white students (Porowski 2014, i).

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### Disproportionality in Exclusionary Discipline: "*Causal Factors of Disciplinary Disproportionality"

Given the wealth of information related to the existence of disproportionality within American school systems, there is a relative lack of research relating to the causal factors underpinning disciplinary disproportionality, especially as it pertains to racial gaps. The commonly accepted and literature-supported statistics on racial disproportionality show that Black and Indigenous students experience higher rates of exclusion followed by white students. Crucially, the literature surrounding Latino students is much less developed, especially considering the many racial categories under which ethnically Latino students can identify. There is a burgeoning literature, however, which focuses on establishing causal mechanisms behind racial disproportionality. An analysis of individual disciplinary infraction data from public schools across Arkansas over a seven-year period to identify disproportionalities among POC, low income, special education, and ELL students. This analysis further sought to identify disproportionalities within schools and across school districts in the state. The results of the study found that Black students across the state of Arkansas (i.e., across school districts) were 2.4 times more likely to receive an infraction relative to their white counterparts. Of note, however, is the finding that the effects of racial disproportionality seemed to diminish when disciplinary infractions were analyzed on an intraschool basis (Anderson et al., 27). Within individual schools, it was found that Black students were only 1.04 times as likely as their white peers to receive exclusionary infractions, but that there were instead extant gaps based on students' low-income/FRL-eligible and special education status (Anderson et al., 21). As such, the findings showed that driving factors behind racial disproportionality exist across schools rather than within them, implying that Black

students' heightened incidence of exclusionary discipline may be a factor of the characteristics of the individual schools that they attend.

The study further identifies certain characteristics correlated with harsher disciplinary action. Findings concluded that poverty level (e.g., higher FRL-status) within school was actually correlated with less harsh punishment, but that schools serving higher numbers of Gifted and Talented and Limited English Proficient students doled out harsher punishments (Anderson et al., 24). Notably, it was invariably the case that, when controlling for types of disciplinary infractions that Black students from higher income, non-white majority schools are more likely to experience longer periods of exclusionary discipline (on average 0.5 days longer) than the term imposed on white counterparts. This number jumps to 0.6 days longer for non-white schools of lower income (25). Overall, Black students across the state were more than twice as likely to be infracted, as well. As a result, we might characterize the drivers of racial disproportionality as being broader than intraschool biases or practices. This is corroborated by the relatively equitable distribution of disciplinary actions *within* schools. Instead, the issue of racial disproportionality extends across districts and manifests through the typology and characteristics of schools that Black and brown students often attend. The result is disciplinary inequity that may not be entirely apparent when analyzed on a school-by-school basis, but becomes abundantly apparent when observed on a district, state, or nationwide scale.

The issue of disproportionality can therefore be easily characterized as a highly institutional/systemic issue within the American education system, and further serves to exacerbate pre-existing inequities plaguing marginalized groups.

## Exclusionary Discipline and the School-to-Prison Pipeline (STPP)

The exclusion of Black, POC, and neurodivergent students from the learning environment not only contributes to negative outcomes related to achievement and development, but serves as the theoretical catalyst of future, long-term interactions with punitive disciplinary and legal practices. The conceptual "school-to-prison pipeline" (STPP) is a discursive mainstay in education and criminal justice policy. The STPP, in the context of exclusionary discipline, has seen literature discussing it as anything from a conceptual construct to a tangible causative chain

linking exclusion with future law enforcement contact. Works by authors such as Russell Skiba et al. seek to identify the direct connection of exclusionary discipline and the STPP by asking a few key questions related to exclusionary discipline practices in American schools. Specifically, the paper proposes inquiries about:

A. The increasingly ubiquitous and systematic nature of exclusionary discipline

B. Disproportionality of exclusionary discipline

C. The extent of empirically demonstrated links between exclusion and future negative life outcomes

D. The strength of exclusionary discipline literature such that intentionality/directionality towards the STPP can be claimed (Skiba et al. 2014, 548).

In satisfying these inquiries, a more holistic understanding of the factors that influence students' future proximity to law enforcement, particularly for marginalized groups.

As has been previously established through literature, exclusionary discipline has become increasingly prevalent in American school systems. We might refer to the research performed by Daniel Losen et al.who found that the rate of excluded students doubled from 3.7% to 6.6% between the 1970s and 2010s (Losen 2012). Additionally, despite marginal progress in the area of exclusionary disproportionality between white and Black students, it was found that the narrowing in the disciplinary was driven not by a sizeable reduction in suspension rates for disproportionately targeted Black students, but rather by a steady increase in suspension rates for white students (Losen 2015, Noltemeyer and Mcloughlin 2010). Noltemeyer and Mcloughlin's analysis of longitudinal trends in ethnic disproportionality corroborates the works of academics such as Skiba. Both groups identify the subjective nature of suspension-worthy infractions, such as disruptive behavior or insubordination, as the source of both disproportional Black discipline rates and overall increasing rates of discipline for all student demographics. Noltemeyer and Mcloughlin also found that, longitudinally, ethnicity accounted for over 25% of variability in exclusionary discipline rates, but that this effect was more pronounced in the case of suspensions relative to expulsions. The proposed differentiating factor was, again, the subjectivity of offenses that might trigger suspensions as opposed to expulsion-worthy offenses, which often constitute more discrete violations of established school policy (Noltemeyer and Mcloughlin 2010).

Literature such as that by Skiba, Noltemeyer, and Mcloughlin contextualizes the increasing rates of suspension as a driving force behind both ethnic disciplinary disproportionality and the overall increasing prevalence of exclusionary discipline rates in school, corroborating the existence of the initial stages of the STPP with quantifiable evidence.

The link between exclusionary discipline and the proposed STPP may be further explored through the thorough establishment of disproportionality within disciplinary practices in schools. This disciplinary inequity has been explored and corroborated numerous times within the literature of exclusionary discipline and has been covered within the "Disproportionality in Exclusionary Discipline" and "Causal Factors of Disciplinary Disproportionality" sections of this paper. However, given the fact that both the disciplinary and carceral sides of the STPP disproportionately affect Black individuals and the neurodivergent, reiteration of disciplinary disproportionality is crucial. Skiba's assertion that disproportionality runs rampant within disciplinary regimes is substantiated by countless authors; we may recall Losen et al.'s multiple works detailing the widening racial disciplinary gap over the decades, the statewide survey of Arkansas schools and districts by Anderson et al., and Porowski's study of racial disproportionality in Maryland schools. However, within this discussion of the explicitly racialized aspects of exclusionary discipline, there is a need for coverage of the role of perceived neurotypicality and special needs status in exclusionary discipline.

In the same manner that Black and brown students are overrepresented and targeted by exclusionary discipline measures, there exists a similar overrepresentation on the part of students that are given "special needs" or disability status (Skiba et al 2014, 6). Moreover, analysis of the literature reveals that the concurrent disproportionalities in exclusionary discipline for both Black students and special needs students are not distinct from each other; rather, there is an intimate connection between racialization/racial biases and the designation of students as special needs, both of which affect students' overrepresentation in exclusionary discipline practices. Skiba et al. explore the relationship between race and the special needs status in a 2008 report on the disproportional representation of marginalized and minority students in special education. Skiba finds that within the category of "mental retardation" as a disability, Black students represent 33% of students receiving this status despite being only 17% of the school-age population and are 2.24 times more likely to receive this status than white students (Skiba et al, 2008, 267). Further, Black and Indigenous students are overrepresented in the "soft" or more

subjective disability categories of "mental retardation (MR)," "emotional disturbance (ED)," and, "learning disability (LD)" as opposed to the non-subjective or "hard" categories of hearing, visual, or orthopedic impairment (269). This overrepresentation in subjective disability categories mirrors Black and brown overrepresentation in subjective disciplinary infractions like "disruptive behavior" and "insubordination." This also aligns with Mendez and Knoff's 2003 analysis of exclusionary discipline in Florida schools, which pinpoints the disproportionately harsh punishment of Black and brown students due to racial biases and perceptions of students' behavior. Consequently, there seems to be a parallel in the disciplinary practices and special education systems that result in disproportionate negative outcomes for POC students and Black students in particular. Skiba posits that the cause of special education and disciplinary disproportionality are multiply determined being the result of a compounding effects of Eurocentric cultural standards in education, lackluster cultural competency on the part of educators, as well as a lack of available resources incentivizing the referral of low-performing, often minority, students to special needs environments (Skiba 2008, 278).

The dualized overrepresentation of Black and brown students in both the special needs and disciplinary practices form a feedback loop that targets marginalized youth and places them at continually higher risk for negative academic outcomes and future incarceration. Within 3 to 5 years of dropping out 73% of students assigned ED status are arrested by law enforcement (Annamma et al., 60). Taking into consideration the racial biases at play in designating students with special needs status, particularly subjective statuses like MR or ED, a pattern is revealed whereby Black students are disproportionately filtered through special needs infrastructure, which in turn results in heightened dropout rates and a disproportionately high level of future law enforcement contact and incarceration (60).

Just as disproportionality within special needs contributes to the realization of the STPP, schools' and school systems' institutional bureaucracy and disciplinary practices exacerbate the issue by legitimizing avenues of racial and cultural discrimination. Annamma et al. performed a qualitative analysis of disciplinary statutes within the state of Colorado and came to similar conclusions regarding the racial biases inherent to subjective disciplinary infractions as discussed by Skiba as well as Mendez and Knoff. There is an additional dimension of inequity within Colorado's suspension statutes, as Colorado mandates an alternative to suspension contingent upon a parent, custodian, or legal guardian attending class with the infracted student.

Annamma et al. identify that inequity in families' or communities' capital, in this case free time to attend a child's school, likely contributes to inequity by allotting suspension alternatives primarily to high capital families and communities (Annamma et al. 66). Delving deeper, however, the authors identify troubling, direct parallels between the disciplinary statutes and criminal code. Within Colorado, under the Habitual Offender Statute, individuals can be designated a "habitual offender" after three convictions of select felonies which results in stiffer penalties (§18-1.3-801 as cited in Annamma et al.). Similarly, Colorado disciplinary statutes offer a congruous "habitual disruptive student status," which may be achieved by a student being suspended three times during the school year for causing "material and substantial disruption…" Following a student's acquisition of this status "expulsion shall be mandatory" ((§22-33-106(1)(c) as cited in Annamma et al.). Through the subjective imposition of both special needs statuses, alongside suspensions and the associated "habitual disruptive student" status, we identify to systemic and fully legitimized avenues by which students, especially ones of color, are removed excluded from the learning environment. These excluded students are then primed through these avenues for future incarceration, law enforcement contact, and penalization under parallelized criminal statutes.

Due to the evident continuity in the pathways from exclusionary discipline to future law enforcement contact, it is feasible to assert that an element of directionality or intentionality drives the STPP. We have already discussed the relevance of disproportionality in the subjective infraction and special needs designation of students. These infractions and status designations, in turn, contribute to heightened rates of expulsion and dropout rates for the targeted students. The effect of students experiencing expulsion and special needs designation is an increased likelihood of law enforcement contact and eventual incarceration.

**School-Police Partnerships as STPP Primers**

A crucial unifying factor for discussion in the STPP is the contribution of school-police partnerships in facilitating an exclusionary and carceral school environment. School-police partnerships serve to normalize law enforcement contact with students, and further, disincentivize the usage of alternative solutions to students' perceived misbehavior or disruption within the school environment. Akin to the rise of exclusionary discipline over the years, the presence of school resource officers (SROs) in schools, as reported by students, has risen from

54% to 74% between 1999 and 2015 (Musu-Gillete 11). SROs also tend to be concentrated within high-poverty urban areas and schools (Monahan and Torres as cited in Muniz). While the overconcentration of SROs in urban and low-income schools, mainly populated by Black and POC students already perpetuates systemic overpolicing within the wider community, SROs suffer from a startling lack of standardized conduct and best practices. While SROs are career law enforcement professionals and as such have received training from their local police or sheriff's departments, only 12 states require that SROs undergo "student-specific training" before working in school settings (Keierleber 2015). The lack of SRO standard practice is only worsened by an accompanying lack of guidance offered by many schools in delineating SROs' roles in student discipline. Only 56% of US principals reported having specific policy in place regarding SROs' role in school discipline. Even in settings where SROs' roles are clarified and underpinned by policy, SROs are not obligated to uphold school policy unless said policy is law (Musu-Gillete). SROs, as a result, vary widely in their efficacy, treatment of student discipline, and enforcement roles on a school-to-school basis.

This is demonstrably the case in a study conducted by Kupchik and Bracy that sought to typify policing across various student bodies and regions which surveyed four schools across a southwestern and mid-Atlantic state that employed SROs. Within each state, one school served primarily low-income POC students, while the other served primarily middle-class white students. Over the six months of surveying, the authors found that the varying responsibilities and degrees of involvement between SROs meant that there was no "typical" SRO role to speak of (Kupchik and Bracy 24).  This is to say, SROs had varied and non-standard approaches to engaging with students and completing their expected tasks. Some SROs were more prone to silent observation while others facilitated face-to-face interactions. The same varied mindset applied to SRO "mentorship," as certain individuals would attempt to intervene with students, while others opted not to citing a lack of qualification to mentor students (24-25). Aside from SROs' non-standard responsibilities and practices within schools, the authors also noted that the presence of SROs tended to escalate minor disciplinary issues and disincentivized "softer" methods of discipline (e.g. referrals or parent conferences). Further, the benefits of employing SROs were perceived almost exclusively by school administration who cite SROs as advising in security and legal decisions while offering legitimacy to school safety initiatives, whereas

students often had reservations regarding SROs as being negative mentorship or disciplinary figures, even though some did express a feeling of security in school due to SRO presence (27, 30). Kathleen Nolan, too, characterizes the SROs and police in schools as being conducive not to a positive school climate, but instead a "culture of control," (Nolan 2011, 4) and cited school surveillance and security measures like metal detectors and cameras as contributing to a climate that is carceral or penal.

Noting these studies and observations, it is logically the case that SROs and in-school policing contribute to the STPP. By allowing SROs to exert full legal authority in schools with few enforceable checks, officers have a tendency to exacerbate issues of exclusionary discipline and racial disproportionality in the schools that they are employed. By normalizing escalation of minor behavioral or disciplinary issues while offering limited, if any, positive mentorship, a carceral culture is generated in schools. This carceral culture features the same issues of discretionary exclusion, but with the added detriment of inserting law enforcement entities into direct contact with students placing their developing social and behavioral skills at odds with common police practices which criminalize minor infractions. This issue of a carceral school environment resulting from school policing contributes to the normalization of law enforcement contact, especially within the low-income POC schools in which SROs tend to be concentrated, thus constituting a key juncture within the STPP.

It may be argued that the practice of school-police partnerships serves as the nexus point through which the STPP and its relevant contributory practices are unified. Having already discussed the issue of exclusionary discipline and disproportionality, subjectivity issues in disciplinary infractions, racial disproportionality in special needs referrals, and the overconcentration of SROs in low-income POC schools, it is important to clarify the overarching connections to the STPP and future carceral exclusion for students.

The ultimate negative outcome of exclusionary discipline (future LEO contact, incarceration) is therefore made salient for the student with the introduction of law enforcement personnel into their school environment. Without uniform measures to ensure equity in discipline and constructive alternatives to exclusionary practices, disproportionality within exclusionary discipline structures is allowed to foment. In turn, disproportionality, and subsequently the practices that entrench it within school systems, are legitimized and normalized through bureaucratic frameworks such as disciplinary infractions and special needs designations

or referrals. Considering the institutional legitimacy underpinning exclusionary and disproportional disciplinary practices, the inclusion of law enforcement within schools has a two-fold effect. The first is that, through their constant presence within the school, law enforcement contribute to the normalization of punitive and penal-style systems and discipline within schools (i.e., the previously mentioned carceral climate in schools). The second effect is that, through serving as intermediary entities between academia and the legal realm, police presence serves to further legitimize hegemonic school policy from a legal perspective. This functions not only to further entrench disparate and inequitable school policy more deeply, but tacitly integrates said policy and its target populations (i.e., marginalized students) into the legal framework.

The crux of the school-to-prison pipeline and the long-term detriment of exclusionary discipline is this integration of the student body into a penal environment, and with law enforcement officers serving as the intermediary force between carceral school environments and future incarceration of marginalized student populations, it is evident that this a key causal effect of negative student outcomes. The insertion of marginalized populations into this continuum of exclusion, the process by which disparate disciplinary policy becomes intertwined with inequitable legal encounters and outcome, not only primes them for incarceration and second-class citizenship in civil society but normalizes this process from its onset in primary education and onwards.

## Immediate Negative Outcomes of Exclusion

In our prior discussion of exclusionary discipline and its drawbacks within schooling, we discussed its long-term contribution towards a societal landscape of disproportional punishment and incarceration, particularly amongst marginalized communities. In focusing on longitudinal effects of exclusionary practices, however, it may become easy to lose sight of the immediate effects on the individual student, the student body, and the school climate.

Outside of the negative life outcomes that result from the normalization and continuity of exclusionary discipline throughout a student's academic career, exclusion results in negative short-term outcomes that affect students' academic achievement, social aptitude, and cohesion, as well as perception of self and school environment.

*Immediate Negative Outcomes of Exclusion: "Short-term Academic Drawbacks"*

Given that exclusionary discipline, by its most basic definition, is predicated on the removal of students from the learning environment, it makes sense intuitively that engaging in such discipline would lead to negative outcomes in academic achievement relative to students that do not experience this exclusion. In fact, there are numerous studies related to the development of academic achievement gaps within the literature of exclusionary discipline. In 2004, Christle et al. identified negative correlation between suspension rates and academic achievement in Kentucky schools by comparing schools with the top 20 and bottom 20 suspension rates within the state (Christle et al. 2004). LiCalsi et al. found analogous gaps between excluded and non-excluded student populations, though on an individual rather than an aggregative basis using NYC Department of Education data. Through a 4-year retrospective study of middle and high school students experiencing exclusionary discipline of varying severity, namely OSS of lengths between 6-20 days and 21+ days, gaps were revealed that were contingent heavily on the severity of exclusion. Middle school students receiving OSS of 21+, for instance, saw consistent lapses in ELA and math credit accumulation between 2.5 and 5.5 percentages lower than their peers experiencing 6-to-20-day suspensions (LiCalsi 38). This gap later expanded to between 4.5 and 7 percentage points for high school students, with even less severe punishments such as ISS negatively affecting credit accumulation to a lesser but significant degree (39). In unifying the long-term and short-term detriments, we may also turn to Brownstein, who analyzed the relationship between suspension and dropout rates for students. In her findings, Brownstein concluded that a student is more likely to drop out after having been retained for a grade, which is a common consequence of multiple suspensions (Brownstein 2010). A notable critique of Brownstein's findings is put forth by Ryan and Goodram, who acknowledge that while Brownstein does analyze the relationship between suspensions and dropout rates, no substantial correlative evidence on the relationship between suspension and grade retention is provided (Ryan and Goodram 2013).

We might supplement Brownstein's research and satisfy the critique of Ryan and Goodram by referring to the work of Swanson et al. who examined the impacts of middle school disciplinary policies on ninth-grade retention. Swanson et al.'s study used seven years of data from Arkansas public schools to identify whether the use of exclusionary discipline would result

in increased retention rates for ninth-grade students. Crucially, the study included only students that would switch schools between eighth and ninth grade to remove confounding variables such as intraschool bias or "problem student" reputations that might influence the decision to hold back a given student. The results revealed that students who experienced exclusionary discipline of any kind in eighth grade were 6.5 percentage points more likely to be retained than their non-excluded peer groups (Swanson et al 1024). This percentage also tended to rise between 1.5 and 3.1 points for each subsequent infraction related to misconduct, insubordination, or truancy. Even when controlling for factors such as prior academic achievement, declared to be the strongest predictor of retention, and infraction types (i.e., comparing students infracted the same amount but not receiving exclusionary discipline), students experiencing at least one day of exclusion were 5.4 and 2.5 points more likely to be retained, respectively. Additionally, Swanson et al. found there to be heightened negative effects in conjunction with longer periods of exclusion, echoing the work done by LiCalsi. When dividing retention rates for excluded students into categories of 1-5, 6-10, 11-15, and 16+ days of exclusion, findings indicated that lengthened exclusion raised retention rates by 1.7, 4.1, and 6.3 points respectively, with the notable caveat that 16+ day suspensions appeared not to affect retention to a significant degree (1028). The posited mechanism through which exclusion increases retention rates is by fostering a disciplinary norm that not only removes students from the classroom but does not adequately reintegrate and reengage students within the learning environment following their return from exclusion (1032). Notably, the authors refrain from making a causal claim due to the possibility of time-varying school factors that exist outside the scope of their study.

**The Intersection of Exclusion, Academic Achievement, and Socioemotional Actualization**

There is still merit to the idea that a lack of student engagement is a relevant factor in the development of short-term academic gaps resulting from exclusionary discipline. A 20-question survey developed by Flanagain in 2007 aided in assessing excluded students' perceptions of exclusionary discipline within their school. Flanagain surveyed a contingent of ten fifth grade students who had experienced exclusionary discipline four or more times. After interviewing the students, answers to the questions would be tabulated and quantified. Amongst the results, Flanagain found that about 40% of students felt that instructors treated them differently after exclusion, 30% were not allowed to make-up lessons missed during exclusion, 70% were not

offered any form of emotional or anger management counseling upon return, and half were held back a grade (Flanagain 44-45). Despite the limited sample size of Flanagain's survey, a pattern is visible whereby students repeatedly experiencing exclusion are not only removed from the classroom, but not allotted adequate socioemotional resources to reengage properly with their cohort or their material following their return. This is demonstrative of the fact that normative disciplinary practices within schools, especially exclusion, lack a standardized or prioritized method for reintroducing students, thus resulting in a negative feedback loop with compounding effects. Exclusionary discipline results in academic and socioemotional developmental delays, which in turn increases the likelihood of future infractions by actively disengaging and ostracizing the student from the learning environment into which they should be integrated.

Qualitative data, too, supports the assertion that exclusionary discipline disengages students from critical academic and social-emotional development while also, by the very nature of the punishment, hindering student reintegration and reengagement. The Center for Promise sought to contextualize exclusionary discipline practices within the state of Minnesota by conducting a series of 60 to 90 minute group interviews with 38 students aged 11 to 19. Many students mentioned the interruption in learning that occurs as a result of exclusionary discipline. One student, required to attend court due to missing school, received truancies for the days she missed while attending court (CFP 10). Another high school student experientially corroborated some of Flanagain's findings about not being allowed to make-up missed work while suspended. She mentioned that, while suspended, "They didn't give me any of my work… I got suspended on finals. I didn't get to take them, so… I didn't get all my finals turned in, and they didn't give me any coursework." (as quoted in CFP 11). Other issues brought up by students included a perceived lack of self-value that was often spurred by differential treatment, reputation, and negative labels from administration and instructors resulting from receiving exclusionary infractions. One student mentioned preferential treatment from deans as a key factor in exclusionary discipline, saying "The deans would care about your safety only if they had a favorite student, but they wouldn't care about all people's safety, just one in particular" (CFP 12). Another student's anecdote highlights the biases leveraged against English learning students in the disciplinary process. After being in a physical altercation with bullies, the student said that administration "didn't say nothing to me because, you know, I don't speak English… They sent me home… I didn't know I was in trouble or anything" (11).

Still others brought up the harmful effects of negative reputations and labels from staff which often contributes to experiences of victimization and unfair blame for students labelled "bad" (12). One student stated, "Yeah. It's not hard to get labelled. You can get suspended… and they're like 'Oh yeah, we got to watch you'" (12). Another student remarked that "All you got to do is to get suspended one time and you're labeled. I see it, like they follow the same kids around, like everybody knows, 'Hey, those are the bad kids…'" (12). A third student noted that similar frustrations arise from reputations of being violent or aggressive, noting that even after his incident, he is labelled an aggressor and a fighter. He further noted that his anger stems from being inadequately addressed by staff, citing that they "don't send one dean to me," but instead send a team of people due to his reputation (12).

The qualitative results such as those from the CFP's interview sessions, as well as surveys from authors such as Flanagain shed new light on the possible mechanisms behind academic gaps in excluded students. Given the interview and questionnaire responses from students, it appears likely that the lack of socioemotional resources, and more troublingly, socioemotional ostracization peers and negative reputations from administration work to impede reengagement with learning and make students more prone to future targeted exclusion. These negative socioemotional factors are bolstered by a distinct lack of measures designed to supplement academic learning during and after exclusion, thus contributing to widening academic gaps between the excluded and non-excluded. Further, the confluence of socioemotional harm and inadequate academic measures for excluded students means that schools, generally, are actively disincentivizing student wellbeing, academic success, and social cohesion for those students who are in the direst need.

It is clearer to see, therefore, how the quantitative research of Licalsi et al., Swanson et al., who identified linkages between exclusionary practices, lackluster academic achievement, and grade retention, may be contextualized, if not fully explicated, by qualitative researchers such as Flanagain and the CFP, who work to dissect excluded students' socioemotional wellness and self-perception throughout the disciplinary process.

**Collateral Effects of the Exclusionary Discipline Regime on School Climate**

In our discussions of exclusionary discipline, we have confronted its various pitfalls and detriments from a multifaceted perspective. We have confronted the perennial issue of disciplinary disproportionality, and the ways in which cultural, racial, and special needs biases tie into the subjective nature of exclusionary discipline infractions. Further, we have confronted the long-term effects of exclusionary discipline on targeted students as they manifest in the school-to-prison pipeline's theoretical framework. Short-term drawbacks have also been discussed, particularly as they relate to immediate negative effects of exclusion on students' academic achievement, social emotional self-perception, and the plausible interplay between the two factors. However, it is important to discuss in-depth the ways in which exclusionary discipline practices affect students not only on the individual level, but also on the wider level of group dynamics and school climate.

The work of Perry and Morgan underscores the quantifiable effects that exclusionary practices have not only on targeted students, but also on the rest of the student body, by examining the relationship between amount of exclusionary discipline in schools and math/ELA achievement. Specifically, the authors analyzed data collected through the Kentucky School Discipline Study and consists of students in grade 6 through 10 over the course of a three-year period. The data on math and ELA achievement data used MAP testing, a form of standardized testing for students. In their study, it was found that increasing levels of school-level suspension resulted in slight growth in ELA and math achievement up to the mean level of exclusionary discipline (Perry and Morgan 1076). Past the mean point of suspensions, academic achievement in both subjects declined rapidly, and was consistently the case even when controlling for schools' FRL status, special needs status, and raw number of disciplinary infractions (1076). Additionally, it was found that levels of school organization and violence influenced the negative relationship between school suspension rates and academic achievement. Specifically, schools with low levels of disorganization and violence saw a larger reduction in academic achievement as suspension rates increased, with math and ELA achievement dipping from 54th percentile at mean suspension levels to 28th percentile at peak levels. Conversely, in high violence environments, academic achievement dipped to only the 39th percentile at peak suspension levels (1079). The results elucidate the fact that a particularly strong exclusionary discipline regime within a given school consistently has negative outcomes on academic achievement for non-excluded students. Further, the effects of increasing rates of exclusion

compound more strongly for students in an otherwise safe and organized environment, while the effect is less prominent, though still significant, for students in disorganized and violent environments (1081).

These results also reveal a deeper truth about the merits of exclusionary discipline practices; not only do they consistently harm the often-marginalized students they target, but also invariably harm non-excluded students exposed to the toxic climatic aftereffects of exclusion norms in school. To that point, Perry and Morgan attribute the negative collateral effects to a combination of psychological burden associated with the culture of control facilitated by high-suspension environments (1083).

This conclusion relates closely to our discussion of punitive and carceral environmental cultivation, specifically as it pertains to policing in schools and the school-to-prison pipeline for excluded students. Perry and Morgan's study contributes to the logic of exclusion facilitating negative school climates, yet expands the logic to include not only the students who are directly subject to exclusionary practices and infrastructure, but also the non-excluded student demographics who still move within school spaces and social groups while constantly under threat of exclusion and hyper-surveillance. This lends further credence to the idea that exclusionary discipline not only results in a negative school environment specifically by targeting a certain sector of the student body, but also functions by straining crucial interpersonal relationships and group dynamics by fostering an aura of stress and mistrust.

This interpersonal stress and mistrust may exist on multiple levels. It may manifest between students, as exclusionary discipline practices often lack the socioemotional infrastructure and resources to alleviate student-student conflict, instead exacerbating the issue by further hindering the development of interpersonal skills by excluding students from their cohort. It may also manifest between students and administration. We might think back to the interviews provided by Minnesota school students, who stated that suspensions and exclusion often result in negative reputations and labels for excluded students. This serves to foment resentment and distrust between students and authority figures in school by facilitating favoritism, differential treatment, and inequitable targeting of already marginalized students. So too can this distrust manifest between students and institutions such as the school itself, and in more dire situations, the legal system. We need only refer to the heightened levels of student disengagement following exclusion to show that such practices foster disillusionment with the soundness, efficacy, and

equity of academic institutions. This sentiment can be corroborated by the quantifiable disproportionality that exists within exclusionary structures within schools, as well as within legal and carceral practices within the United States, both of which inequitably target POC, special needs or neurodivergent individuals, and the economically disadvantaged.

This amalgamation of negative factors related to exclusionary discipline, from subjectivity biases in infractions, disproportionality, the STPP, academic and socioemotional hindrance, and collateral effects on school, all speak to the inefficacy and toxicity of the practice. Exclusion invariably results in negative outcomes for students, the school, and by extension, society in which the students take part. To that end, a paradigm shift away from this continuum of social and academic violence is crucial to student learning and social-emotional health. To avoid the aforementioned drawbacks of exclusionary discipline, alternative solutions must be equitably practiced and enforced, culturally conscious and responsive, conducive to students' continuity in learning, as well as favorable to a constructive and trustworthy school climate.

## Alternatives Recommendations to Exclusionary Discipline

In identifying more positive and less punitive alternatives to exclusionary practices within schools, it is critical that the options not only fulfill the requisite requirements of being equitable, culturally aware, and conducive to learning continuity in a constructive environment, they should also demonstrate the potential to affect tangible change. There is already a demonstrable need for equitable alternatives with positive outcomes in American schools, with legislation such as the Every Student Succeeds Act (ESSA) placing renewed emphasis on elevating student achievement metrics while supporting the development of marginalized student demographics. To that end, certain alternative practices such as restorative justice and practices, positive behavior interventions and systems (PBIS), and multi-tiered systems and supports (MTSS) alongside response to intervention (RTI) all present the possibility of mitigating negative student outcomes, especially for the most vulnerable demographics.

### *Alternative Recommendations to Exclusionary Discipline: "Restorative Justice or Practices"*

Restorative justice, or restorative practices, have grown in popularity as a set of practices meant to replace the harmful "zero-tolerance" policy paradigm and reduce the need for punitive and exclusionary practices in the face of conflict. Restorative practices seek to accomplish this by

integrating non-punitive and relationship-centered values (Zakszeski and Rutherford 372) into a school's disciplinary framework. Evans and Lester identify a few key principles meant to guide the implementation of restorative practices. These include meeting students' personal and environmental needs, providing accountability and support, rectifying conflicts, viewing conflict as a learning opportunity, building healthy learning communities, restoring relationships, and addressing power imbalances (Evans and Lester 2013, 58-60). By using principles such as these as a framework, restorative justice seeks to comprehensively restructure school cultures of discipline and normalize reconciliatory processes of conflict resolution rather than punitive ones. However, even as the principles of RJ hold potential to drastically shift school disciplinary practices for the better, there exist notable gaps in topical research and practical implementation of restorative standards and practices.

One roadblock to the incorporation of restorative practices in schools is an extant lack of clarity on the discrete practices that constitute "restorative justice." Zakszeski and Rutherford, through a systematic literature review, identified that the literature surrounding restorative justice often suffers from a lack of clearly delineated practices or methods. Procedures and methods were often described as "restorative interventions" without describing specific practices. Other articles described the instruction of school staff in restorative justice philosophies, again, without clarifying specific expectations of staff behavior or implementation following the introduction of new philosophies and values (Zakzseski and Rutherford 375). The authors also identify other confounding variables within the literature of restorative justice, such as the evaluation of other approaches and interventions alongside restorative practices in many articles.

The of discretion and clarity within the evaluation of restorative justice certainly casts a level of skepticism regarding its effective implementation, though there are still positive accounts and studies related to its potential to reduce school suspension rates. Within Denver schools, for example, pre-post restorative justice evaluations identified an 11% to 6% drop in suspensions between 2006 and 2013, though there still exists some ambiguity whether individual school policy or broader district policy drove this decline which clouds the impact of restorative initiatives specifically (Gregory and Evans 2020, 10). A two-year randomized controlled trial in Pittsburg between schools implementing restorative practices (44% to 69% of staff affirmed the use of practices such as restorative circles and impromptu conferences) and control schools

found that restorative schools saw half as many days lost to suspensions than control schools, a 36% decline in days lost as opposed to 18% (10).

Even still, just as restorative justice has the *potential* to reduce racial disparities through its associated practices, actual increases in equity prove to be non-uniform throughout all restorative initiatives. Hilary Lustick's year-long ethnography of three New York City public schools employing restorative initiatives found that even as suspension rates were kept low, the same forces of traditional biases and inequities were extant, with restorative practices being used as a tool to enforce student order and obedience more efficiently rather than truly abiding the principles of restorative justice (1269). Lustick identified that in the two main cases Plainview and Riveredge, the principals served as "traditional intellectuals" that served as foils for the deans to whom restorative responsibilities were relegated. The result was the employment of deans that were mainly of color, akin to the student population, and meant to foster close relationships and reconcile conflict with said students, but only insofar as to influence compliance with traditional disciplinary practices as employed by principals or instructors (1281). Within the Plainview case, the principal utilized deans as intermediaries with students. Deans are meant to both foster close relationships and trust with students, while also delivering traditional disciplinary decisions, which are employed at the principal's discretion. In this way, the restorative potential of Plainview deans is mitigated by the operational objectives of the principal (1283). This reinforces traditional school hegemonies of exclusion and disproportionality by disguising said hegemonies as restoration; in reality "restoration" serves only to ease students' acceptance and compliance with traditional discipline by obscuring the principal's disciplinary decisions behind the amicable visage of the dean.

In the Riveredge case, the principal employs deans that not only have the socioemotional and cultural competency to interact with students as restorative and mentorship figures, but also by assessing their ability to work alongside instructors who subscribe to traditional disciplinary practices and may lack cultural competency (1287). The principle rationalized this through the assertion that antibias and cultural responsiveness training is often a dead-end with staff, many of whom engage only limitedly or presume to already possess such competencies (1290). As such, the Riveredge principal, in lieu of employing restorative practices to wholly shift school practices and disciplinary philosophy, uses deans as a restorative

barrier meant to soften the blow of traditional discipline as leveraged by staff, thus failing to fully realize the potential of restorative interventions.

Both cases embody some of the key roadblocks to true restorative justice implementation, many of which are pinpointed by Gregory and Evans. Issues of mismanagement in top-down restorative interventions have the potential to vastly reduce their effectiveness. Careless top-down implementation has the potential to inadequately assess the readiness and openness of key stakeholders (i.e staff and administration) to abide by alternative, restorative practices (12). In such as case, the implementation of restorative practices can stoke resistance from said stakeholders, throwing a wrench into the crucial collaborative and discursive aspects that underpin restorative justice (13), thus hindering its efficacy.

Other potential obstacles as presented by Gregory and Evans include overly narrow implementation that does not adequately include students or stakeholders (13) which limits the potential of comprehensive adoption of restorative values. Under-resourced implementation too can result in negligible change in disciplinary or conflict outcomes while wasting resources, while short-term implementation can result in regression to pre-initiative baselines over time (13).

Bearing this in mind, the values and programs that constitute "restorative justice" have potential to reduce exclusion and disproportionality while fostering an ever-improving learning environment. However, it is evident that gaps in adequate literature coverage must be addressed alongside the pitfalls of mis-implementation and unclear metrics and parameters in restorative initiatives; only then will restorative justice realize its full potential. Until then, the non-standard implementation of the nebulously defined "restorative practices" lack the ability to comprehensively mitigate inequity, disproportionality, and exclusion depending upon school context.

### *Alternative Recommendations to Exclusionary Discipline: "Positive Behavioral Interventions and Systems (PBIS)"*

PBIS represents an evolution in disciplinary practicum that eschews exclusion and removal in exchange for a tiered system of behavioral supports that encompasses all students within a given school.

PBIS is predicated on the usage of five standard elements, these being: equity, foundational systems, data and monitoring, practices, and outcomes. These elements are intended to interact in such a way that they facilitate equitable disciplinary practices in schools by employing data-driven interventions and support systems for all students regardless of disciplinary status. The standard PBIS model operates on a three-tiered system meant to aid in positive outcomes for students. Tier-1 is meant to be universal in that it is meant to monitor and prevent disciplinary issues for the entire student body using support systems meant to foster positive social and behavioral outcomes. This tier is estimated to be sufficient for roughly 80% of students. Tier-2 is for students who might require an additional layer of data, monitoring, and access to further emotional or behavioral support; this tier encompasses 10-15% of students. Tier-3 applies to students requiring intensive interventions for behavioral support, such individualized supports and involvement of multiple stakeholder groups (i.e. parents, students, and educators) (Center on PBIS).

Ideally, PBIS should be implemented in such a way that it reduces the need for punitive and exclusionary measures, given that it is a preventative system first and foremost. A study by Scherer and Ingle of 24 "high-suspension" schools within a southeastern US urban school district sought to identify if there were statistically significant trends between PBIS Tier-1 implementation and student suspensions and outcomes. The study was performed over three years and utilized PBIS Benchmark of Quality and Tiered Fidelity Inventory metrics, standardized metrics meant to quantify a school's adherence to quality implementation of PBIS (Scherer and Ingle 101). Using these metrics, it was found that over the three years, schools reporting adequate program fidelity (70%) increased from 5 to 19 (105). Within the same period, relative to the baseline period, year 0, during which PBIS implementation had not occurred, the surveyed schools reported a statistically significant drop in office disciplinary referrals (ODR) in the first year of PBIS, but that this improvement diminished in the following years (106). Further, the study concluded that, in measuring math and English achievement metrics, there was no significant improvement across the schools that accompanied the implementation of PBIS. The authors further emphasized that, while there were modest improvements that lacked staying power, that schools employing PBIS should treat them as tools to "enhance all behavioral efforts within a school," and not treat it as a singular initiative. Scherer and Ingle

offer this as a method to ensure that schools do not abandon effective behavioral strategies and practices over time (113).

Another qualitative study by Catherine Robert employed interviews with administration of Middleston ISD, a Texas school district making a shift from zero-tolerance to PBIS standards over four years from 2013 to 2017. The aim of this survey is to identify administrative perceptions of the shift towards PBIS, and further, identify challenges to disciplinary reform. Interviews revealed that the shift from zero-tolerance to PBIS resulted in a cultural shift for schools within the district, but one whose challenges could be mitigated by adequate dedication of time and resources to schools in order to bolster their burgeoning support systems (Robert 2017). Administrators identified key drivers behind the success of PBIS as being staff and administrator buy-in to the practices. By providing evidentially backed rationales for disciplinary reforms, districts were able to justify the shift to schools and staff, resulting in constructive discourse between stakeholders in implementing Tier-1 and Tier-2 support systems (23). Further, the use of targeted professional development was cited as aiding in the districts efforts to shift disciplinary philosophy. The district also practices consistent evaluation of PBIS metrics in anticipation of the inevitable evolution of the practices over time (24), allowing for both evidence-based supports while also facilitating the incorporation of PBIS data and practices into other aspects of the school. School level administrators also appreciated the increased flexibility allotted to both teachers and schools in altering and extending programs to meet the needs of their individualized school climates (16). The school also identified associated positive outcomes for students through their PBIS implementation. Office referrals dipped over a 10-year measurement period, a trend which continued onwards throughout the implementation of PBIS in 2013 (17). A corollary effect of fewer office referrals was a reduction in ISS and OSS incidences (19). Of note is that alternative school placements fluctuated sporadically, over the 10-year period, though Robert attributes this disconnect from office referral statistics as being due to shifting state and federal mandates relating to alternative school placement (20).

Despite the relative success in Middleston ISD's implementation of PBIS, the interviewed administrators identified many challenges faced during the implementation period, as well as other extant issues that remain unsolved by Middleston's PBIS. According to interviewees, some key challenges faced during implementation were management of teacher frustrations with the disciplinary reform. This was primarily a function of instructors who were accustomed to prior

zero-tolerance standards and took issue with the intermediary steps and interventions required before a disciplinary infraction could be written, as well as those who viewed suspensions as a "break" from disruptions (15). Another stumbling block towards implementation was the complexity associated with program fidelity and rigor. School PBIS teams had to complete task lists and report to the district every six weeks, as well as conduct walkthroughs of peer PBIS schools. Meanwhile the district was required to conduct fidelity checks, internal and external walkthroughs, as well as interviews with students and staff (16). One interviewed administrator referred to it as a "logistical nightmare," though cited it as important to compare implementation across the school district (16).

Most notably, while PBIS did result in reductions in referrals and suspensions, it did not adequately address equity concerns. Black and special education students experienced a decline in referral and suspension rates in line with those of Hispanic and white students, but still consistently experience infractions at rates roughly 5% higher than those of their white and Hispanic counterparts (17). This was a particularly relevant issue for Middleston ISD which, prior to PBIS implementation, experienced a DOE OCR investigation relating to the disparity in college and career preparation opportunities between Black, Hispanic, and special education students and their white counterparts (10).

As such, Robert's interview series presents a number of important revelations for realistic expectations of effective PBIS programs. Primarily, that effective implementation is reliant upon extensive prior planning to engage with stakeholders and formulate a plan of action, and that in enacting said plan, vast time and resources are imperative to the success of PBIS programs across multiple schools with varying climates and contexts (26). Additionally, it is important to note that, while effective PBIS implementation can result in disciplinary reductions, it is not a panacea for issues of disproportionality or inequity within school districts. As such, school districts suffering from similar issues might supplement PBIS with other forms of staff training such as anti-bias and cultural competency training in efforts to increase disciplinary equity in conjunction with overall disciplinary reduction. Robert also contextualizes the issue of racial inequality in PBIS outcomes by mentioning that implementing higher fidelity systems is consistently easier in wealthier school contexts wherein support systems are already stronger (27).

PBIS displays some notable advantages over other alternative disciplinary practices such as restorative justice. Namely, its standardized tier system in conjunction with its quantifiable metrics of program fidelity make it far easier to assess effective implementation across schools. Its focus on preventative supports also make it a prime candidate for increasing students' socioemotional and behavioral wellness, as it codifies both the incorporation of systematized behavioral practices within school while also utilizing stakeholders to ensure continual improvement and relevant intervention for the most at-need students. Additionally, its effects on reductions in disciplinary referrals tend to extend to other disciplinary measures, such as suspensions, making it a key tool in fighting exclusionary hegemony in schools. Other studies, such as that by Freeman et al., posit that, alongside reductions in ODRs, effective PBIS implementation may result in modes increases in academic achievement metrics such as test scores and engagement, though this is dependent upon school climate and context (Freeman et al., 7).

PBIS primary limitation is its inability to directly target the issues of disciplinary disproportionality that remain relevant in school contexts nationwide. However, given that one of the primary variables affecting effective PBIS implementation is the amount of time and resources dedicated to making the shift, it is expected that urban and minority schools, many of which lack resources compared to rural and white schools, will experience exacerbated challenges in shifting towards high fidelity PBIS programs. This issue may further be compounded by a lack of willingness and engagement from key stakeholders (e.g. instructors and administrators) in attempting to shift away from zero-tolerance and exclusionary practices. As we have already discussed the issue of policing, hyper-surveillance, and disproportionality as fostering a carceral environment plagued by distrust and anxiety, it is likely that such a school climate will treat socioemotional and behavioral issues in a reactionary manner, thus not being conducive towards the minimal discipline and preventative nature of PBIS.

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