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Project Summary:

Background

Harsh school discipline practices are emerging as a state and national issue. Louisiana schools suspend more than 62,000 students a year for offenses ranging from tardiness to uniform violations. (See Appendices A to E.) Out-of-school suspensions are associated with serious negative consequences for students including:

- Negatively impacting students’ connectedness to their school. Students who experience out of school suspension often express that they do not want to return to their school and feel like failures and outcasts.
- Students who are suspended even once are associated with at 32% risk of dropping out of school altogether.
- Students who are suspended are more likely to enter the juvenile and adult criminal justice systems than students who are allowed to stay in school, thus out-of-school suspensions is a major contributor to the school-to-prison pipeline.
- According to the Justice Policy Institute, in Louisiana it costs $127.84 per day and $46,663 per year to confine a youth (Calculating the Full Price Tag for Youth Incarceration, Justice Policy Institute, Dec. 2014). This is not the most expensive confinement.
• School suspensions disproportionately impact African (AA) students, particularly AA males; AA females; and students with disabilities. AA students in Louisiana public schools are suspended and expelled at disproportionately high rates, as reported by the U.S. Education Department. In 2013-2014 school year, black children made up 44% of the public student body but received 64% of in school suspensions, 67% of out-of-school suspensions and 68% of expulsions.

Why did our Education Policy Fellowship Program (EPFP) Project Team select this policy issue?

1. We are teachers, school health leaders and educators. Although harsh school disciplinary policies affects us in different ways, each member of the EPFP Project Team is passionate about this issue.
2. There is already momentum around this issue. Through the efforts of a New Orleans Coalition called Equity in All Places, a consortium was formed to work on school disciplinary reform in January 2016. Members of the Equity group included the Southern Poverty Law Center, Families and Friends of Incarcerated Youth, Break Out, the Center for Restorative Approaches, the Louisiana Public Health Institute, Vayla and others.
3. Through joining forces with an existing Coalition, we felt that our project would be more impactful because we would be contributing to something that had a greater chance of actually making a difference. We also felt that we could learn a great deal about the challenges associated with getting policies adopted.

Strategy
To develop a strategy to reduce harsh school disciplinary practices and excess suspensions, the Equity team conducted multiple meetings in January and March of 2016. Various agencies took responsibility for different components of the strategy:

1. Equity in All Places was responsible for convening the agencies regularly to work through the legislation
2. The Southern Poverty Law Center (SPLC) took the lead in developing a School Disciplinary Reform Bill with other Coalition members giving feedbacks on drafts. (See Appendix E for a copy of the final legislation, H.B. 833.)
3. The EPFP Team developed a policy brief. (See Page 4).
4. The Louisiana Public Institute (LPHI), under the guidance of the EPFP team, developed a social media campaign to highlight community education around the school discipline issue. (A copy of The Reality of Suspension campaign brochure and landing page are included in Appendix F. These material include a link to the video.)

The primary goals of the legislation, which became H.B. 833 (Rep. Walt Leger), were to:

1. Achieve transparency among schools regarding reporting suspensions and expulsions.
2. Highlight schools that suspend African American and students with disabilities at higher than state average rates.
3. Require that schools with suspension rates above a certain level provide a plan for reducing suspensions. Offer these schools options emphasizing adopting restorative approaches such as Positive Behavioral Intervention and Support (PBIS) programs. PBIS is an evidenced-based practice that is associated with a reduction in suspension rates up to 50%.

Members of the EPFP Project Team followed the legislative process throughout the session and witnessed the process of bill making. With constant support of SPLC, Rep. Leger expertly maneuvered the bill through various oppositional groups making amendments to accommodate the Teacher's Association
and the Superintendents Association and the Department of Education. Each amendment was offered to members of the Coalition for feedback.

**Outcomes:**

HB 833 was finally amended to create a Commission to monitor suspensions and address strategies for reduction. Many felt that the compromises went too far, and was not aggressive enough with schools to get any action or compliance. Even with the compromises, the bill failed to get sufficient votes for passage.

**Next Steps:**
The Equity in All Places Coalition has reassembled to discuss how to increase momentum and effectiveness for the next legislative session. The EPFP Project Team has decided to continue to work with the Coalition to find effective strategies to address harsh school suspension policies. Some of the key ideas are:

- During the interim between sessions, the Equity Coalition will outreach to leadership and staff of the Department of Education and the Louisiana Board of Elementary and Secondary Education (BESE Board) directly. The goal will be to find internal solutions that can achieve the changes we seek.
- The Equity Coalition will examine opportunities associated with the implementation of the federal Every Student Succeeds Act (ESSA). ESSA is the reauthorization of No Child Left Behind and a portion of ESSA requires states to incorporate non-academic factors into their accountability systems. Schools can include a measure of student engagement and school suspensions could be one of those accountability factors.
- The Coalition will launch a statewide public education campaign highlighting the school suspension crisis. As mentioned, The Reality of Suspension campaign that has been spearheaded by one of the Equity Coalition members who is based at LPHI. The purpose of the campaign will be to draw attention to the consequences of out-of-school suspensions and offer the public action steps they can take to be a part of the solution. Targeted constituency groups include parents, members of education organizations and the business community. The campaign tools for organizations to use when discussing suspension issues are
  - A short video
  - The video directs you to a web site or landing page with resources and information
  - Action recommendations for groups to follow up with their local school boards, BESE Board members and legislators.
  - A campaign guide

The goals of the social media campaign are to:

- Promote the conversation about the effects of suspension on the children, parents, and communities
- Provide options for parents, schools, legislators to address excessive suspensions
- *(See Appendix F for details on the social media campaign.)*

The Equity Coalition will take stock of where we are as we approach the next legislative session. If progress has not been made through pursuing cooperation within the Department of Education, the next step will be to develop new legislation.

**Lessons Learned:**
Implementing policy change is difficult work, and involvement of multiple stakeholders is required to create reform. If the problem is one that affects vulnerable groups, in this case youth, it takes extra effort to develop political will to create change.

The EPFP Project Team is convinced that this multi-pronged approach will produce results over the next year and that this collective work will ultimately be effective at interrupting the school-to-prison pipeline.
Policy Brief:
TO: 2016 Louisiana Legislators
FROM: Orleans Parish Education Network Education Policy Fellowship Program
DATE: June 24, 2016
RE: POLICY BRIEF: School Discipline Reform: Interrupting the School to Prison Pipeline

Statement of Issue:
In the past decade, school suspensions and school arrests have been on the rise across the nation. In Louisiana, more than 10% of all public school students received in-school suspensions in 2014, with African American students receiving 63% of those suspensions. In 2014-2015, Louisiana students missed 62,580 days of school due to suspensions. This is a loss of 354 instructional years, or 22.5 million instructional minutes. In terms of taxpayer dollars, that's $3.72 million spent on students who are not present in the class to receive the instruction for which the funds are intended. This represents a sunk cost of tax-payer money allocated to Louisiana public schools, thus are funds that cannot be recovered. Louisiana school children are suspended at rates 130% higher than the national average: elementary children in particular experience suspension at 200% higher rates.

- **Access to a quality uninterrupted public education is a civil rights obligation for all students.** Suspenions contribute to lower academic achievement because suspended students miss class and fall further behind – creating greater frustration and fueling more disruptive behavior.
- **Alternative forms of discipline are more effective in changing behavior and maintaining academic achievement.** Evidence-based alternatives to suspension, such as Positive Behavioral and Intervention and Supports (PBIS) redirect student behavior and contribute to improved academic outcomes.
- **Out-of-school suspensions are a major contributor to the school-to-prison pipeline.** Students who are suspended are more likely to enter the juvenile and adult criminal justice systems than students who are allowed to stay in school.

With increasing rates of suspensions, quick reform is required to ensure students remain on track academically and to reinforce expectations for behavior. All students should have access to continuous and uninterrupted academic studies. Although there is evidence that discipline reform has worked in some Louisiana Local Education Agency (LEAs), it is critical that reform is pursued from a statewide effort.

We propose legislation that seeks to: a) create a Commission on Safe Supportive Discipline with the responsibility to study and implement best practices for addressing student discipline issues to maximize academic outcomes, b) ensure there is public transparency of reporting school-level discipline data and trends, and c) embolden LEAs to utilize school-level discipline data and trends for the development of plans to lower suspension rates.

We believe that schools that foster positive school climates can help engage all students in learning by preventing disruptive behaviors and providing effective supports to struggling and at-risk students. A Statewide reform effort will improve school culture, academic outcomes, and Louisiana’s economy. Albeit, there might be new costs associated with implementing alternative measures to address discipline, we believe the financial impact on Louisiana’s ability to prepare a skilled workforce through uninterrupted K-12 education will far outweigh any associated implementation cost of discipline reform.

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i Louisiana Public Health Institute. 2016. The Reality of Suspension. Louisiana
ii Out-of-school suspension data provided by Louisiana Department of Education pursuant to public records requests
iii BESE Reports in Response to SCR134 of the 2014 Regular Session and SR130 of the 2015 Regular Session
### Preliminary 2014-2015 Discipline Data

<table>
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<tr>
<th></th>
<th>In School Suspensions</th>
<th>Out of School Suspensions</th>
<th>In School Expulsions</th>
<th>Out of School Expulsions</th>
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<td>Thru 5(^{th}) Grade</td>
<td>14,469</td>
<td>16,630</td>
<td>500</td>
<td>38</td>
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<td>Thru 12(^{th}) Grade</td>
<td>72,972</td>
<td>61,846</td>
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<td>Black</td>
<td>46,268 (13.9%)</td>
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<td>White</td>
<td>22,242 (6.4%)</td>
<td>17,224 (5.0%)</td>
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<td>145 (0.0%)</td>
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<td>587 (0.6%)</td>
<td>23 (0.0%)</td>
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<td>No IEP</td>
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<td>51,514 (7.8%)</td>
<td>4,069 (0.6%)</td>
<td>418 (0.1%)</td>
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<tr>
<td>504</td>
<td>7,688 (16.9%)</td>
<td>7,077 (15.5%)</td>
<td>571 (1.3%)</td>
<td>42 (0.1%)</td>
</tr>
<tr>
<td>No 504</td>
<td>65,318 (9.2%)</td>
<td>54,822 (7.8%)</td>
<td>4,085 (0.6%)</td>
<td>399 (0.1%)</td>
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Appendix B:
Number of Disproportionately Suspending Schools by Louisiana Parish

Number of schools in each parish suspending 1.5x above the state average:

- 0 schools
- 1-5 schools
- 6-10 schools
- 11-15 schools
- 16+ schools

Numbers reflect suspension data for the 2014-15 school year, received from the Louisiana Department of Education. Calculations to determine schools suspending at 1.5x higher than the state average were made relative to the state average suspension rate separately determined for elementary (K-5), middle (6-8), and high (9-12) schools. Schools serving combination grades were flagged if they met the highest corresponding rate; flagged independent charter schools were counted in the parish they are geographically located.
Appendix C:
Percentage of Disproportionately Suspending Schools by Louisiana Parish

Numbers reflect suspension data for the 2014-15 school year, received from the Louisiana Department of Education. Calculations to determine schools suspending at 1.5x higher than the state average were made relative to the state average suspension rate separately determined for elementary (K-5), middle (6-8), and high (9-12) schools. Schools serving combination grades were flagged if they met the highest corresponding rate. In each parish, the total number of flagged schools was counted, including any triggered independent charter school geographically located in that parish, then divided by the total number of public K-12 schools operating in the parish (including independent charter schools), to determine what percentage of each parish was disproportionately high suspending schools.
Appendix D:
“Safe Supportive Discipline Act of 2016”

During the 2014 and 2015 legislative sessions, the Senate passed resolutions requesting that the State Board of Elementary and Secondary Education (BESE) study the practice and utility of out-of-school suspensions, and the effectiveness of alternatives to suspensions, such as Positive Behavioral Interventions and Supports (PBIS).

BESE’s findings are illuminating:¹
1. Out-of-school suspensions, in short, are ineffective and inefficient at addressing student misconduct.

2. Suspensions contribute to lower academic achievement because suspended students miss class and fall further behind – only sparking greater frustration and fueling more disruptive behavior.

3. We know what works: evidence-based alternatives to suspensions like PBIS redirect student behavior & contribute to improved academic outcomes.

Louisiana’s suspension data tells a story of inefficiency: Based on last school year’s suspension data alone:²

Students missed 62,580 days of school due to suspensions – that’s a loss of 354 instructional years, or 22.5 million instructional minutes.

In terms of taxpayer dollars, that’s $3.72 million spent on students who are not present in class to receive the instruction for which the funds are intended.

Louisiana school children are suspended at rates 130% higher than the national average; elementary children in particular experience suspension at 200% higher rates.

We propose common-sense legislation that asks the highest-suspending schools to develop plans, designed by them, to address their suspension practices and adopt evidence-based alternatives, such as PBIS.

House Bill 1159 amends La. R.S. §§ 17:251, 17:252(E) and 17:3996 to:
1. Create a Statewide Commission on Safe Supportive Discipline composed of school leaders and community representatives to continue studying the issue of how to best reduce disciplinary removals from school; maximize student access to instructional time; and develop guidelines for evidence-based alternatives that high-suspending schools should begin implementing.

2. Require schools suspending a disproportionate number of students over the state average to develop plans to lower those rates.

3. Requires the Louisiana Department of Education to annually publish discipline data to foster greater public transparency and shared knowledge.

Because lawmakers, taxpayers, educators, and parents alike should all care about reducing the inefficiency of our extraordinary suspension rates.

For more information contact
Jennifer Coco
1055 St. Charles Avenue, Suite 505
New Orleans, LA 70130
504-486-8982

1  BESE Reports in Response to SCR 134 of the 2014 Regular Session and SR 130 of the 2015 Regular Session.
2  Out-of-school suspension data provided by Louisiana Department of Education pursuant to public records requests.

Appendix E:
Please visit opennola.org/HB833 to download the full text of HOUSE BILL NO. 1159 (Substitute for House Bill No. 833 by Representative Leger)
Appendix F (i):
The Reality of Suspension Social Media Campaign Brochure

SCHOOL SUSPENSIONS ON THE RISE
In the past decade, school suspensions and school arrests have been on the rise across the nation. In Louisiana, more than 10% of all public school students received in-school suspensions in 2014, with African American students receiving 63% of these suspensions.

SUSPENSION BY THE NUMBERS
- It costs $46,662 to incarcerate a young person in Louisiana — much more than it does to educate them and to help scaffold them up to responsibility early in life.
- The secondary suspension rate is 14% in Louisiana — 5% higher than the US average.
- The term “willful disobedience” was used to justify 13,600+ suspensions in Louisiana in the 2015-2016 school year.
- Schools with higher rates of suspension and expulsion tend to have lower test scores and a less satisfactory school climate.
- The likelihood of suspended students to drop out and one day face incarceration is so strong that many refer to the transition as “the school to prison pipeline.”

SHARING WHAT WE’VE LEARNED
Equity in All Places and the Louisiana Public Health Institute, along with other community organizations, are launching a statewide campaign to create awareness of the harmful effects of misinformed school disciplinary policies and motivate policymakers, school administrators, parents, teachers, and community leaders to support new policies. Join us in changing the reality of suspension by:
- Visiting and sharing www.realityofsuspension.org
- Posting on social media using #RealityOfSuspension
- Contacting one of our partners to get involved

The Advocacy Center
Ashoka Award
BreakOUT!
Center for Restorative Approaches
Equity in All Places
EPUC
FINAP
LSUHSC Human Development Center
The Micah Project
Karan Harper Royal Education Advocacy
Southern Poverty Law Center
VAYLA

#REALITYOFSUSPENSION
Here are some sample posts you can use to promote and share this important message.

Facebook:
A single suspension doubles a student’s risk for dropping out of high school. Learn more: realityofsuspension.org #RealityOfSuspension

Twitter:
1 school suspension = 2x more likely to drop out. Learn more realityofsuspension.org #RealityOfSuspension

Appendix F (ii):
The Reality of Suspension Social Media Campaign Links for Landing Page and Videos

Landing Page
http://therealityofsuspension.stage.zehndev.com/
Username: proof
Password: w8swesTA

Full length video
https://vimeo.com/163474033
password: lphi1

Video cut down versions
https://vimeo.com/168998549
password: lphi1

THE SCHOOL TO PRISON PIPELINE

The reality of suspension is that it is harmful to a student and often unnecessary. Louisiana schools suspend more than 6,000 students a year for offenses ranging from tardiness to uniform violations, not only are these excessive school suspensions being our state’s financial resource, but they’re also creating a long-term problem for our youth. Students who are suspended even once are associated with a 32% rate of dropping out of school altogether.

Furthermore, students who are suspended are more likely to enter the juvenile and adult criminal justice systems than students who are not allowed to stay in school. This trend phenomenon is so prevalent that it is commonly referred to as the “school-to-prison pipeline.”

Louisiana schools suspend 6,000+ students each year.