

Testimony of the Children's Defense Fund-New York For the Deconstructing the Prison Pipeline Task Force A Holistic Approach to Deconstructing the Prison Pipeline May 10, 2019

Delivered by Charlotte Pope, Education Justice Policy Manager

Sheriff Toulon, Jr., Assembly Member Jean-Pierre, and members of the Deconstructing the Prison Pipeline Task Force, thank you for the invitation to participate in this hearing. My name is Charlotte Pope, I am the Education Justice Policy Manager at the Children's Defense Fund New York, or CDF-NY.

I am here today to discuss the educational policies and practices that push students out of school before graduation, and subsequently fuel what is being discussed here as the prison pipeline. All of my testimony and recommendations are intended to improve the educational opportunities and outcomes of young people, with an emphasis on those most targeted by punitive discipline and police interventions in schools.

According to the latest Civil Rights Data Collection (CRDC) report, across school districts in Suffolk County, there were over 7,000 out-of-school suspensions during the 2015-2016 school year and the county had an average out-of-school suspension rate of 3.0 suspensions for every 100 students enrolled. There were 22 school districts operating above that average, with the highest rate being 14.7 suspensions for every 100 students (See Appendix A). Research and data on school pushout and the discipline gap find that when suspended, students are at a significantly higher risk of falling behind academically, leaving school before graduation, and being pushing into the justice system. Alarmingly, there were 318 expulsions across Suffolk's school districts, with one district expelling nearly 3 of every 100 students enrolled (Appendix B).

CDF-NY acknowledges that schools alone cannot solve problems that have taken root in many other systems, and so we are encouraged by the multi-system approach to prevention and establishing remedies that the Task Force is pursuing. Though a growing body of research traces opportunity gaps and the school-to-prison pipeline to early childhood conditions, our testimony today will address policies and practices that largely impact the lives of students targeted for or experiencing school pushout.

Finally, although the implementation of many alternatives to punitive discipline do not require new spending, some of our recommendations do depend on either new investments or the reallocation of existing resources. We recognize that our ideas can be applied differently depending on the characteristics and needs of districts that appear very different and fragmented from each other. Each school and community has its own distinct characteristics and culture, as well as needs and resources. Our goal is to encourage this Task Force to prioritize strategies that move schools closer toward adopting restorative approaches that will improve academic performance while also reducing the reliance on suspension, expulsion, and justice system responses to student behaviors.

Overview of Recommendations

The school-to-prison pipeline takes many forms, such as underinvestment in schools and support services, bias and discrimination, jurisdictions directing public spending toward surveillance and security in schools to solve social and economic problems, and punitive zero-tolerance practices, such as the reliance on suspension and school-based arrests to avoid meeting students' needs. Efforts led by students and families working with school districts across the country show that schools can maintain safety, boost participation, attendance, and academic engagement, and improve graduation rates while reducing suspensions and school-based arrests.

To transform schools and communities, school climate improvement efforts should be wide-ranging and creative, and our testimony today lifts up the following recommendations:

- (1) Ensure meaningful collaboration and partnerships;
- (2) Develop dignity-based school discipline policies;
- (3) Clarify and limit the role of police in schools;
- (4) Promote data collection and public transparency; and
- (5) Grow and sustain positive approaches.

These recommendations aim to frame schools as community resources, consider the scope of what may lead families to feel unwelcome in schools, support a culture of care and restorative practices, and move districts toward addressing underlying issues of student behavior without focusing on punishment-driven means of accountability.

Overview of the Research

It is now well established that schools' use of suspensions is related to students leaving school before graduation.² In 2011, the Council of State Governments Justice Center commissioned a groundbreaking study called, Breaking Schools' Rules: A Statewide Study on How School Discipline Relates to Students' Success and Juvenile Justice Involvement.³ The study tracked every middle school student in the state of Texas for a period of six years and found that the majority of the middle school students had been suspended or expelled some time between seventh and twelfth grade. The data showed tremendous racial disparities in the use of discipline that remained significant even after controlling for over 80 variables, including poverty. When a student was suspended or expelled, their likelihood of being involved in the justice system the subsequent year increased significantly.

Recently, researchers published the startling figure that across all grades (K-12) in New York State, students lost 686,686 days of regular classroom instruction time in the 2015-2016 school year.⁴ Further, Black students with disabilities in New York State lost 66.5 days of school per 100 students enrolled, 33.3 days more than white students with disabilities – a clear example of the reality of the discipline gap.⁵

In Suffolk County, Black students in particular are overrepresented in the percentage of students receiving one or more out-of-school suspension:

Demographic Category	Students Receiving One or More Out-of- School Suspension	Student Enrollment Across All Districts
American Indian or Alaska Native Students	0.6%	0.3%
Asian Students	2.1%	4.1%
Hawaiian or Pacific Islander Students	0.1%	0.1%
Hispanic Students	30.1%	27.2%
Black Students	20.5%	8.3%
White Students	41.8%	58.1%
Limited English Proficient Students	9.0%	8.1%

Importantly, the size of the discipline gap varies greatly from one district to the next, illustrating the significance of the local context as differences in policies and practices at the school and district level both play a role. Breaking Schools' Rules found that factors schools controlled had the greatest influence on the likelihood that a student would be suspended. As one example, the length of the school suspensions is often set according to the district's code of conduct. In one Suffolk county district, engaging in "disruptive behavior" would fall under a "short-term suspension" of less than five days, while neighboring districts⁷ have assigned the consequence as a "long-term suspension" of an undisclosed period of more than five days. In many districts, school administrators have the autonomy to respond to student behavior according to their own approach to discipline. As a research-based example, one survey of principals from every school in the state of Indiana found that the principal's attitude on discipline was not only the most powerful predictor of whether suspension rates were high or low, it was also the strongest predictor of whether racial disparities were large or small.⁸

Such a dynamic also means school leaders have the power to influence and mitigate the effects of the school-to-prison pipeline by questioning the efficacy of exclusionary policies as well as focusing on prevention and intervention to meet the academic and behavioral needs of students. Research on reducing school exclusion points to school leaders' ability to reduce exclusion by collaborating with teachers and other school community members to develop a school-wide behavior support system, ensure teachers have the necessary material resources to support students most targeted for exclusion, and support teachers' enactment of engaging curricula.

Another concern are policies that call for the excessive use of suspension for sweeping categories of behaviors, referred to as "broken windows," "no excuses," and "zero tolerance." Zero tolerance policies have been shown to negatively impact a disproportionate number of students of color, denying students access to needed services while failing to change unwelcome behavior. ¹⁰ One analysis of the expansion of a zero tolerance policy in a diverse urban school district found that such policies had an especially harsh impact on Black students, exacerbating already severe disparities in school discipline. ¹¹ In one Suffolk County school district with the second highest rate of out-of-school suspensions, the discipline code outlined an extensive list of categories eligible for out-of-school suspensions: wearing hats indoors; tardiness; profane and vulgar language; littering; and not presenting a student ID. 12 This was startling in contrast to other districts with both codes of conduct that incorporated mentions of restorative practices

and reported suspension rates below the county average. Further, this particular "no excuses" discipline code was in operation in a district where 98% of students enrolled were identified as Black or Latinx. Ending zero tolerance, in favor of proactive and compassionate approaches to discipline policy is an important part of solving the "discipline gap" across this county.

This kind of punitive approach persists despite several rigorous studies suggesting that fewer suspensions would predict higher academic achievement. One such study found that school suspensions account for approximately one-fifth of Black-white racial differences in school performance, while other analyses have revealed a significant inverse relationship between suspensions and achievement, along with a significant positive relationship between suspensions and dropout. In 2013, the Los Angeles Unified School District (LAUSD) adopted a plan to eliminate the use of suspension as a response to disruption or defiance, with the goal of improving academic achievement in tandem with reducing the number of suspensions and address racial disparities. Researchers have found that the number of suspensions overall and for disruption/defiance declined four years in a row; during the first two years, the only years for which API scores were available, the scores showed a rise in achievement. Further, researchers found that by eliminating suspensions for disruption or defiance, LAUSD has avoided the loss of thousands of days of instruction and more than ten thousand hours of instruction time, and the district has experienced what could be the largest increase in graduation rates in its history since the policy to eliminate suspensions for disruption and defiance began four years ago.

Districts should not think of implementing changes in discipline policy or practice as being isolated or distinct from their academic mission. ¹⁷ Approaches to working with students that routinely removes them from school can undermine feelings of fairness, attachment to school, and the other elements of a school climate that make it possible for students to meaningfully participate and learn. A growing body of research also seeks to emphasize the economic impact of suspensions and expulsions, including the fiscal impact of young people leaving school altogether before graduation. The disparate impact from these unsound educational policies and practices should compel the adoption of alternatives across this county.

Recommendations

When schools provide conditions for learning that are supportive and welcoming, where students feel valued and able to meet high expectations, students are more likely to achieve their academic goals. In all of our recommendations, school leaders, educators, students, and their families, and others engaged with schools and districts should share a common understanding of what a "positive school climate" really means and how to measure progress in achieving the conditions necessary for learning.

(1) Ensure Meaningful Collaboration and Partnerships

District and schools can promote a more effective response by building processes for collaboration with students, caregivers, families, and people connected to the school system, and engaging with such partners to improve the conditions that push young people out of school. Districts should be expected to:

- Include community members in policymaking teams;
- Hold public hearings during deliberations about changes in policy:
- Regularly engage students, families, educators, and other participants in the school district in discussions about how practices can be improved;

- Clarify positive behavioral expectations for students and adults, and ensure that disciplinary policies address community concerns;
- Improve communication of rules for exclusion to both students and families, including due process protections for youth to challenge their exclusion and to promote fairness; and
- Create accessible spaces for input from community members who are directly impacted by punitive policies.

In this way, there will be shared accountability for change, and people will be collectively responsible for ending the school-to-prison pipeline.

Example: The New York City Mayor's Leadership Team on School Climate and Discipline

In 2015, the Mayor of New York City launched a Leadership Team with the mission of developing recommendations to reduce the frequency and duration of suspensions, minimize arrests and referrals to the justice system for school-based disciplinary offenses, and reduce disparities by race, gender, disability and Lesbian, Gay, Bisexual, Transgender (LGBT) status. The Leadership Team developed five working groups including representatives from city agencies, community organizations, unions, researchers, practitioners, educators, students and parents. Collectively, the Leadership Team developed two roadmaps for reform and influenced baselined investments in new city-funded school climate initiatives. ¹⁸ This Leadership Team was the result of the influence of a School-Justice Partnership, convened by Judge Judith S. Kaye, indicating that reform was, from the start, intended to keep students out of the court system. 19

(2) Develop Dignity-Based School Discipline Policies

School district codes of conduct should promote positive discipline and include a graduated system of responses to student behaviors that promote accountability but also makes clear that removal from school is generally counter-productive and should be a last resort. Key guidelines for exclusion:

- Promote positive behaviors, including a graduated system of responses that holds people responsible for their actions but makes clear that removal from school is a last resort;
- Eliminate zero-tolerance policies and consider the circumstances surrounding student behaviors as well as other factors of students' lived experiences:
- Limit the number and length of out-of-school suspensions;
- Regularly engage students, families, educators, and other community members in the school district in discussions about how the code can be improved to clarify positive behavioral expectations for students and adults, and to ensure that disciplinary policies address their diverse concerns.

The Dignity in Schools Campaign, of which CDF-NY is a member, established a model code of conduct to resist the criminalization of young people in school, and outlines comprehensive recommendations and is an invaluable tool.²⁰ School districts should adopt discipline policies aimed at understanding normal, developmentally-appropriate behaviors and addressing the causes of disruptive or dangerous behavior, resolving conflicts and repairing the harm done, and providing guidance interventions and nonexclusionary responses prior to any exclusion decision.

Example: The Safe & Supportive Schools Bill

CDF-NY is an organizational member of the New York State Safe and Supportive Schools Coalition, a group advocating for the passage of A0181/S767, the Judge Judith S. Kaye Safe and Supportive Schools Bill – and we are deeply appreciative of Assembly Member Jean-Pierre's co-sponsorship of this very important legislation. This bill would shift New York State further away from the era of zero tolerance and prioritize restorative practices and reducing the disparate impact of exclusionary discipline, particularly by:

- Limiting the use of suspensions for students in kindergarten through third grade to only the most serious behavior:
- Limiting the length of long-term suspensions to twenty school days;
- Requiring codes of conduct to include restorative approaches to discipline and graduated and proportionate discipline; and
- Prioritizing alternatives to exclusionary discipline for behaviors like willful disobedience, tardiness or dress code violations.

Inspiring practices for improving school climate and discipline continue to accumulate across the country, and a growing and diverse array of community, civil rights, policy, and educator organizations are working toward their implementation.

(3) Clarify and Limit the Role of Police in Schools

According to the CRDC data, there were 193 referrals to law enforcement and school-related arrests across Suffolk County during the 2015-2016 school year (See Appendix C). Most school-police relationships are formalized through a memorandum of understanding (MOU) that sets clear guidelines and expectations to help keep the school community safe and protect the dignity and rights of all students. With community input, school systems and law enforcement agencies should create and review detailed, written memorandums of understanding (MOUs) for clarifying school relationships with law enforcement. MOUs should seek to:

- Clearly delineate between the roles of school officials and police;
- Prohibit police engagement in routine classroom management;
- Include specific language that promotes utilizing the school discipline process first and pursuing a policing response, such as arrest, as a last resort;
- Restrict law enforcement intervention to behaviors that pose a significant threat to safety or imminent danger;
- Create graduated response protocols and diversion options for youthful behaviors like disorderly conduct, possession of marijuana, fighting, and trespassing; and
- Clarify that for behavior that permits law enforcement intervention, police are not required to arrest or make court referrals, but are encouraged to defer to positive, community engagement focused responses.

Ultimately, MOUs should seek to ensure that the role of the police is limited and well-defined and that, whenever possible, alternatives to arrest are provided for student behaviors that can be addressed through the school

Example: Revising the MOU in New York City

The relationship between the New York City Department of Education and the New York Police Department in New York City public schools is governed by a Memorandum of Understanding that was developed in 1998. With the Mayor's Leadership Team, we have pushed for the following changes:

- Clarify roles of school administration and staff, school safety staff and precinct officers in responding to both minor student misconduct and serious criminal and emergency incidents that occur in school, and clarify roles for contacting parents after an incident that involves restraints, summonses and/or arrests.
- Codify a ladder of referral within school administration to govern the initial response to minor student misconduct.
- Codify mandatory training for school safety staff and precinct officers who are assigned to schools. Training should include best practices for policing in schools as well as a multitude of safety techniques including conflict and crisis de-escalation and conflict resolution.
- Create a system-wide summons and arrest diversion program developed by City Hall, city agencies and community providers to reduce the number of students who are subject to criminal justice responses in schools and to ensure that students are not subject to unnecessary arrests, in most cases, for certain low level offenses.
- Convene School Safety Community Partnership Meetings on a quarterly basis with members from the Leadership Team to review data and implementation of recommendations, training and other issues as they arise.

Our work was influenced in part by that of Judge Steven Teske, who in 2004 convened a collaboration of cross-system stakeholders to reduce school arrests and to frame the problem in Clayton County. The group aimed to identify solutions and resources, and is informally known as the "Teske Model" or the "Clayton County Model". That model included a graduated response system, which points to alternatives in lieu of arrest to hold the student accountable. The partnership established a list of "Focus Acts" which are activities that are focused on alternative responses to arrest. The group also created a "Graduated Response Matrix," which is a tiered response system using resources available in the community. Replacing policies relying on arrests with positive responses in the form of restorative justice programs reduced school-based referrals and arrests by 91%. ²¹

(4) Promote Data Collection and Public Transparency

The absence of data collection efforts prevents community members and partners from having a full understanding of the extent of suspensions, as well as police and court involvement in school. Jurisdictions should seek to improve transparency and accountability through regular public reporting in a way that is meaningful, flexible, and accessible to the public:

- Disaggregate comprehensive school discipline data and identify any missing information needed to effectively understand the context;
- Disaggregate arrest, ticketing, and referral to law enforcement information; and
- Track school-based cases that led to student interaction with the court system and examine how cases are handled.

Data reporting must also include district- and school-level accountability and an opportunity for public comment. Transparency is intended to promote guidelines or policies to minimize referrals and motivate

communities to take proactive steps to reduce their reliance on exclusionary discipline and develop plans of action. Policymakers should know how many students are suspended and expelled annually, including the top reasons students face discipline and the demographic characteristics of those targeted.

Example: The Student Safety Act

In 2011, as part of the Student Safety Coalition, we successfully pushed for the passage of the Student Safety Act by the New York City Council. The Act requires quarterly reporting by the New York City Department of Education and the NYPD on school safety issues, including police interventions and suspensions and removals of students. For the first time, raw data was provided to the public to study and better understand the impact of disciplinary and school policing practices. Amended in 2015, the suspension data is disaggregated by multiple categories – race, gender, grade level, age, students with an individualized education plan, English Language Learners, students in temporary housing, discipline code infraction, and length in days – and the policing data is also sorted in detail – school site, precinct, gender, age, race, intervention type, incident location, enforcement entity, use of restraints, use of force, top charge, and classification. We use this data in our advocacy to diagnose existing needs, inform policy strategy, guide city decision-making and resource allocation, track progress, and measure the effectiveness of policies and practices.

(5) Grow and Sustain Positive Approaches

Students, families, school administrators, and teachers need positive tools capable of addressing both immediate concerns and transforming broader systemic issues. Communities need support, training, and meaningful alternatives to end the reliance on exclusionary responses to student behavior and can look to preexisting models around:

- Restorative justice, transformative justice, and community accountability;
- Mediation and conflict resolution programming;
- Developing shared, consensus-driven behavioral expectations;
- Promoting a participatory and democratic school community;
- Positive Behavior Interventions and Supports (PBIS);
- Creating a positive physical environment;
- Integrating social emotional learning and culturally responsive pedagogies into classroom practices;
- Building partnerships for early intervention services;
- Sustaining relationships with family and community members with connections to the school through regular and meaningful opportunities to participate in school-based activities and decision making; and
- Mapping neighborhood assets and resources to understand community resources available to supplement school services.

Districts and schools should shift resources away from practices that criminalize students, and invest in ensuring student engagement in school, building the community's skills around de-escalating conflicts, implementing constructive interventions, and creating supportive conditions for learning.

Example: Restorative Practices in New York City Schools

In 2014, CDF-NY worked to create a City Council-funded restorative justice initiative for New York City schools to apply to receive a full-time, school-based restorative justice coordinator. To be considered, principals had to demonstrate existing school buy-in, readiness, and commitment to the philosophical principles of restorative practices. The pilot program had three levels of participation; the majority of the investment went to Level 1 schools, consisting of 15 beginner schools that were paired with a Community Based Organization. Those 15 "beginner" schools work collaboratively in a network of 25 schools, ten of which are considered "intermediate" or "mentor" schools that offer site visits, provide guidance, and share best practices. Data made public by the City Council shows that there has been a significant decline in suspensions at the 25 schools participating in the restorative justice pilot program:

- Analysis from July 1, 2015 to March 2, 2016, and July 1, 2016 to February 28, 2017, shows overall, the 25 schools experienced a 25.5% reduction in total suspensions.
- There was a 41.9% reduction in short-term suspensions and an 8.5% reduction in long-term suspensions.

Tremendous need and demand exists for initiatives like this—while 115 schools were invited to apply in December 2015, only 15 of the over 50 schools that submitted applications expressing interest could be selected for participation. In our conversations with those participating in this initiative, we have learned that many of the schools are dramatically reducing their reliance on punishment. Today, principals, deans, counselors, and educators are being trained in restorative practices and how to perform community circles, including family case conferencing, discipline conferencing, and some advanced training in remedying conflict. Schools are pursuing different projects according to need, and some have created peer mediation programs, advisory courses, parent groups, or are carrying out weekly circles. Some schools hold their department meetings in circles; other schools have faculty meetings in circles. National research tells us that these types of circles lead to a sense of teacher ownership over the discipline process, and encourage improved relationships, meaningful dialogue, the prevention of conflict, and academic and social achievement 22

By developing more balanced responses to student behavior, such as restorative justice, schools can promote stronger academic environments, which in turn improve school safety.²³ School-based restorative justice is a whole-school approach focused on relationships, reconciliation, and student inclusion in the school community as a means of addressing the significant negative impact of exclusionary discipline.²⁴ The theory behind restorative practices is to empower people to resolve conflict or address harm together, ²⁵ and prevent unwelcome behavior and subsequent police intervention by facilitating relationship-building, setting clear behavioral expectations, and maintaining a positive school climate.²⁶ By prioritizing initiatives that build school capacity, districts have a remarkable opportunity to sincerely and strategically transform schools from an inequitable, punitive model to an alternative, preventative and restorative model that improves school climate and safety.

Conclusion

Thank you for this opportunity to testify and share our policy advocacy work to end school pushout in New York's schools. I welcome questions and any asks to provide additional information.

Appendix A:

SCHOOL DISTRICT	TOTAL OUT- OF-SCHOOL SUSPENSIONS*	DISTRICT ENROLLMENT	SUSPENSIONS PER 100 STUDENTS
AMAGANSETT UNION FREE SCHOOL DISTRICT	2	97	2.1
AMITYVILLE UNION FREE SCHOOL DISTRICT	154	3,292	4.7
BABYLON UNION FREE SCHOOL DISTRICT	18	1,566	1.1
BAY SHORE UNION FREE SCHOOL DISTRICT	360	5,888	6.1
BAYPORT-BLUE POINT UNION FREE SCHOOL DISTRICT	36	2,294	1.6
BRENTWOOD UNION FREE SCHOOL DISTRICT	952	18,661	5.1
BRIDGEHAMPTON UNION FREE SCHOOL DISTRICT	0	187	0.0
BROOKHAVEN-COMSEWOGUE UNION FREE SCHOOL DISTRICT	67	3,824	1.8
CENTER MORICHES UNION FREE SCHOOL DISTRICT	56	1,648	3.4
CENTRAL ISLIP UNION FREE SCHOOL DISTRICT	167	7,214	2.3
COLD SPRING HARBOR CENTRAL SCHOOL DISTRICT	12	1,801	0.7
COMMACK UNION FREE SCHOOL DISTRICT	115	6,535	1.8
CONNETQUOT CENTRAL SCHOOL DISTRICT	130	6,044	2.2
COPIAGUE UNION FREE SCHOOL DISTRICT	249	5,207	4.8
DEER PARK UNION FREE SCHOOL DISTRICT	121	4,126	2.9
EAST HAMPTON UNION FREE SCHOOL DISTRICT	62	1,959	3.2
EAST ISLIP UNION FREE SCHOOL DISTRICT	90	3,841	2.3
EAST MORICHES UNION FREE SCHOOL DISTRICT	14	760	1.8
EAST QUOGUE UNION FREE SCHOOL DISTRICT	0	435	0.0
EASTPORT-SOUTH MANOR CSD	61	3,533	1.7
ELWOOD UNION FREE SCHOOL DISTRICT	63	2,285	2.8
FIRE ISLAND UNION FREE SCHOOL DISTRICT	2	37	5.4
FISHERS ISLAND UNION FREE SCHOOL DISTRICT	2	72	2.8
GREENPORT UNION FREE SCHOOL DISTRICT	30	696	4.3

HALF HOLLOW HILLS CENTRAL SCHOOL DISTRICT	135	8,626	1.6
HAMPTON BAYS UNION FREE SCHOOL DISTRICT	35	2,140	1.6
HARBORFIELDS CENTRAL SCHOOL DISTRICT	42	3,235	1.3
HAUPPAUGE UNION FREE SCHOOL DISTRICT	90	3,638	2.5
HUNTINGTON UNION FREE SCHOOL DISTRICT	198	4,508	4.4
ISLIP UNION FREE SCHOOL DISTRICT	97	2,849	3.4
KINGS PARK CENTRAL SCHOOL DISTRICT	56	3,473	1.6
LINDENHURST UNION FREE SCHOOL DISTRICT	111	6,047	1.8
LITTLE FLOWER UNION FREE SCHOOL DISTRICT	16	109	14.7
LONGWOOD CENTRAL SCHOOL DISTRICT	142	9,018	1.6
MATTITUCK-CUTCHOGUE UNION FREE SCHOOL DISTRICT	38	1,222	3.1
MIDDLE COUNTRY CENTRAL SCHOOL DISTRICT	251	9,219	2.7
MILLER PLACE UNION FREE SCHOOL DISTRICT	49	2,716	1.8
MONTAUK UNION FREE SCHOOL DISTRICT	0	330	0.0
MOUNT SINAI UNION FREE SCHOOL DISTRICT	32	2,355	1.4
NEW SUFFOLK COMMON SCHOOL DISTRICT	0	12	0.0
NORTH BABYLON UNION FREE SCHOOL DISTRICT	0	4,653	0.0
NORTHPORT-EAST NORTHPORT UNION FREE SCHOOL DISTRICT	104	5,588	1.9
OYSTERPONDS UNION FREE SCHOOL DISTRICT	0	79	0.0
PATCHOGUE-MEDFORD UNION FREE SCHOOL DISTRICT	258	7,808	3.3
PORT JEFFERSON UNION FREE SCHOOL DISTRICT	6	1,098	0.5
QUOGUE UNION FREE SCHOOL DISTRICT	0	106	0.0
REMSENBURG-SPEONK UNION FREE SCHOOL DISTRICT	0	165	0.0
RIVERHEAD CENTRAL SCHOOL DISTRICT	204	5,296	3.9
ROCKY POINT UNION FREE SCHOOL DISTRICT	113	3,207	3.5
SACHEM CENTRAL SCHOOL DISTRICT	377	13,595	2.8
SAG HARBOR UNION FREE SCHOOL DISTRICT	36	998	3.6
SAGAPONACK COMMON SCHOOL DISTRICT	0	13	0.0
	, and the second	1	1

SHELTER ISLAND UNION FREE SCHOOL DISTRICT	6	219	2.7
SHOREHAM-WADING RIVER CENTRAL SCHOOL DISTRICT	54	2,310	2.3
SMITHTOWN CENTRAL SCHOOL DISTRICT	109	9,501	1.1
SOUTH COUNTRY CENTRAL SCHOOL DISTRICT	206	4,455	4.6
SOUTH HUNTINGTON UNION FREE SCHOOL DISTRICT	116	6,035	1.9
SOUTHAMPTON UNION FREE SCHOOL DISTRICT	28	1,650	1.7
SPRINGS UNION FREE SCHOOL DISTRICT	22	743	3.0
THREE VILLAGE CENTRAL SCHOOL DISTRICT	87	6,476	1.3
TUCKAHOE COMMON SCHOOL DISTRICT	33	248	13.3
WAINSCOTT COMMON SCHOOL DISTRICT	0	22	0.0
WEST BABYLON UNION FREE SCHOOL DISTRICT	152	3,920	3.9
WEST ISLIP UNION FREE SCHOOL DISTRICT	70	4,487	1.6
WESTHAMPTON BEACH UNION FREE SCHOOL DISTRICT	62	1,787	3.5
WILLIAM FLOYD UNION FREE SCHOOL DISTRICT	661	8,598	7.7
WYANDANCH UNION FREE SCHOOL DISTRICT	276	2,493	11.1

^{*}Reflects the 2015-2016 school year.

Appendix B:

SCHOOL DISTRICT	EXPULSIONS	ENROLLMENT	EXPULSIONS PER 100 STUDENTS
WILLIAM FLOYD UNION FREE SCHOOL DISTRICT	78	8,598	0.91
BAY SHORE UNION FREE SCHOOL DISTRICT	61	5,888	1.04
MIDDLE COUNTRY CENTRAL SCHOOL DISTRICT	38	9,219	0.41
SPRINGS UNION FREE SCHOOL DISTRICT	20	743	2.69
HUNTINGTON UNION FREE SCHOOL DISTRICT	19	4,508	0.42
CONNETQUOT CENTRAL SCHOOL DISTRICT	17	6,044	0.28
CENTRAL ISLIP UNION FREE SCHOOL DISTRICT	14	7,214	0.19
ELWOOD UNION FREE SCHOOL DISTRICT	12	2,285	0.53
WYANDANCH UNION FREE SCHOOL DISTRICT	11	2,493	0.44
WEST BABYLON UNION FREE SCHOOL DISTRICT	8	3,920	0.20
HAUPPAUGE UNION FREE SCHOOL DISTRICT	6	3,638	0.16
ISLIP UNION FREE SCHOOL DISTRICT	6	2,849	0.21
MILLER PLACE UNION FREE SCHOOL DISTRICT	6	2,716	0.22
SACHEM CENTRAL SCHOOL DISTRICT	6	13,595	0.04
SMITHTOWN CENTRAL SCHOOL DISTRICT	6	9,501	0.06
BRENTWOOD UNION FREE SCHOOL DISTRICT	2	18,661	0.01
COPIAGUE UNION FREE SCHOOL DISTRICT	2	5,207	0.04
EAST HAMPTON UNION FREE SCHOOL DISTRICT	2	1,959	0.10
MATTITUCK-CUTCHOGUE UNION FREE SCHOOL DISTRICT	2	1,222	0.16
TUCKAHOE COMMON SCHOOL DISTRICT	2	248	0.81

Appendix C:

SCHOOL DISTRICT	STUDENT REFERRALS TO POLICE & SCHOOL- BASED ARRESTS	ENROLLMENT	IMPACT PER 100 STUDENTS
NORTHPORT-EAST NORTHPORT UNION FREE SCHOOL DISTRICT	26	5,588	0.47
WEST BABYLON UNION FREE SCHOOL DISTRICT	25	3,920	0.64
SOUTH COUNTRY CENTRAL SCHOOL DISTRICT	21	4,455	0.47
COMMACK UNION FREE SCHOOL DISTRICT	20	6,535	0.31
CENTRAL ISLIP UNION FREE SCHOOL DISTRICT	18	7,214	0.25
MIDDLE COUNTRY CENTRAL SCHOOL DISTRICT	12	9,219	0.13
BRENTWOOD UNION FREE SCHOOL DISTRICT	8	18,661	0.04
COPIAGUE UNION FREE SCHOOL DISTRICT	8	5,207	0.15
SACHEM CENTRAL SCHOOL DISTRICT	7	13,595	0.05
CONNETQUOT CENTRAL SCHOOL DISTRICT	6	6,044	0.10
SPRINGS UNION FREE SCHOOL DISTRICT	6	743	0.81
WESTHAMPTON BEACH UNION FREE SCHOOL DISTRICT	6	1,787	0.34
HAUPPAUGE UNION FREE SCHOOL DISTRICT	4	3,638	0.11
MATTITUCK-CUTCHOGUE UNION FREE SCHOOL DISTRICT	4	1,222	0.33
SMITHTOWN CENTRAL SCHOOL DISTRICT	4	9,501	0.04
AMITYVILLE UNION FREE SCHOOL DISTRICT	2	3,292	0.06
BAYPORT-BLUE POINT UNION FREE SCHOOL DISTRICT	2	2,294	0.09
EAST ISLIP UNION FREE SCHOOL DISTRICT	2	3,841	0.05
EASTPORT-SOUTH MANOR CSD	2	3,533	0.06
HAMPTON BAYS UNION FREE SCHOOL DISTRICT	2	2,140	0.09
LINDENHURST UNION FREE SCHOOL DISTRICT	2	6,047	0.03
LONGWOOD CENTRAL SCHOOL DISTRICT	2	9,018	0.02
SOUTHAMPTON UNION FREE SCHOOL DISTRICT	2	1,650	0.12
WEST ISLIP UNION FREE SCHOOL DISTRICT	2	4,487	0.04

References:

- ¹ Losen, D., Hodson, C., Keith II, M.A., Morrison, K., and Belway, S. (2015). *Are We Closing the School Discipline Gap?* The Center for Civil Rights Remedies. Retrieved from https://www.civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/are-we-closing-the-school-discipline-gap/AreWeClosingTheSchoolDisciplineGap_FINAL221.pdf.
- ³ Fabelo, T., Thompson, M.D. Plotkin, M., Carmichael, D., Marchbanks, M.P., & Booth, E.A. (2011). Breaking schools' rules: A statewide study of how school discipline relates to students' success and juvenile justice involvement. New York: Council of State Governments Justice Center.
- ⁴ The Center for Civil Rights Remedies of UCLA's Civil Rights Project and the American Civil Liberties Union of Southern California. (2017). *11 Million Days Lost: Race, Discipline, and Safety at U.S. Public Schools.* Retrieved from https://www.aclu.org/sites/default/files/field document/final 11-million-days ucla aclu.pdf.
- ⁵ Losen, D. (2018). Disabling Punishment: The Need for Remedies to the Disparate Loss of Instruction Experienced by Black Students with Disabilities. The Center for Civil Rights Remedies at the UCLA Civil Rights Project and the Charles Hamilton Houston Institute for Race & Justice. Retrieved from https://today.law.harvard.edu/wp-content/uploads/2018/04/disabling-punishment-report-.pdf.
- ⁶ See Fire island Union Free School District,

http://www.fi.k12.ny.us/Assets/District Documents/1213 FIUFSD CodeofConduct.pdf.

⁷ See Brentwood Union Free School District

https://www.bufsd.org/UserFiles/Servers/Server_1176713/File/District/Code%20of%20Conduct/5300.pdf; see also, Amityville Union Free School District,

http://www.amityvilleufsd.org/Assets/District_Documents/081618_Code_of_Conduct_2018-2019_Complete_English.pdf.

- ⁸ Skiba, R.J., Chung, C.G., Trachok, M., Baker, T., Sheya, A., & Hughes, R. (2015). Where should we intervene? Contributions of behavior, student, and school characteristics to out-of-school suspension. In Losen, D.J. (Ed.) Closing the School Discipline Gap: Equitable Remedies for Excessive Exclusion. New York: Teachers College Press.
- ⁹ Wilson, M. G. (2013). Disrupting the Pipeline: The Role of School Leadership in Mitigating Exclusion and Criminalization of Students. Journal of Special Education Leadership, 26(2), 61–70.
- ¹⁰ Kang-Brown, J., Trone, J., Fratello, J., & Daftary-Kapur, T. (2013). *A generation later: What we've learned about zero-tolerance in schools*. Retrieved from: http://www.vera.org/sites/default/files/resources/downloads/zero-tolerance-in-schools-policy-brief.pdf; *See also*, Teske, S. C. (2011). A study of zero-tolerance policies in schools: A multi-integrated systems approach to improve outcomes for adolescents. *Journal of Child and Adolescent Psychiatric Nursing*, *24*, 88-97.
- Hoffman, S. (2014). Zero Benefit: Estimating the Effect of Zero Tolerance Discipline Polices on Racial Disparities in School Discipline. Educational Policy, 28(1), 69–95.
- ¹² See Wyandanch Memorial High School, Scholar's Handbook 2018-2019, https://www.wyandanch.k12.ny.us/cms/lib/NY02212272/Centricity/Domain/339/2018%202019%20Scholar%20Handbook%20Eng%2008%2002%202018.pdf
- Gregory, A., Skiba, R. J., & Mediratta, K. (2017). Eliminating Disparities in School Discipline: A Framework for Intervention. Review of Research in Education, 41(1), 253–278.
- ¹⁴ Morris, E.W., and Perry, B.L. (2016. The Punishment Gap: School Suspension and Racial Disparities in Achievement. *Social Problems*, 63(1): 68–86.
- ¹⁵ Noltemeyer, A.L., Ward, R.M., and McLoughlin, C. (2015). Relationship Between School Suspension and Student Outcomes: A Meta-Analysis. *School Psychology Review*, 44(2): 224-240.
- ¹⁶ Losen, D.J., and Whitaker, A. (2018). *Lost Instruction: The Disparate Impact of the School Disciplien Gap in California*. The Center for Civil Rights Remedies at the Civil Rights Project. Retrieved from <a href="https://www.civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-disparate Impact of the School Disciplien Gap in California. The Center for Civil Rights Project. Retrieved from https://www.civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-disparate Impact of the School Disciplien Gap in California.

folder/summary-reports/lost-instruction-the-disparate-impact-of-the-school-discipline-gap-incalifornia/UCLA Lost-Instruction R7-102317.pdf.

- Balfanz, R., Byrnes, V., and Fox, J.H. (2015). Sent home and put off track: The antecedents, disproportionalities, and consequences of being suspended in 9th grade. In D. Losen (Ed), Closing the School Discipline Gap: Equitable Remedies for Excessive Exclusion (pp.17-30). New York: Teachers College Press.
- ¹⁸ See https://www1.nyc.gov/site/sclt/recommendations/recommendations.page.
- 19 See https://www.nycourts.gov/ip/justiceforchildren/PDF/NYC-School-JusticeTaskForceReportAndRecommendations.pdf.
- ²⁰ See http://dignityinschools.org/wp-content/uploads/2017/10/Model Code 2013-1.pdf
- ²¹ Teske, S.C. (2016). The School-Justice Partnership Model: An Essential Element in the Algorithm of Recidivist Reducation. A Keynote Lecture, Center for Juvenile Justice Reform at Georgetown University. Retrieved from https://www.dcjs.virginia.gov/sites/dcjs.virginia.gov/files/publications/law-enforcement/teske-1.pdf.
- ²² Oretega, L. (2016). Outcomes of a restorative circles program in a high school setting. *Psychology of Violence*. 6(3):459-468.
- ²³ Stinchcomb, J.B., Bazemore, G., and Riestenberg, N. (2006). Beyond Zero Tolerance: Restoring Justice in Secondary Schools. Youth Violence & Juvenile Justice, 4:123-147.
- ²⁴ Haft, W. (2000). More Than Zero, The Cost of Zero Tolerance and the Case for Restorative Justice in Schools. Denver University Law Review, 77: 795.
- ²⁵ Karp, D., and Clear, T.R. (2000). Community Justice: A Conceptual Framework. In C.M. Friel (Ed.), *Boundaries* Changes in Criminal Justice Organizations, vol. 2. (pp. 323-368). Washington, DC: National Institute of Justice. ²⁶ Osher, D., Bear, G.G., Sprague, J.R., and Doyle, W. (2010). How Can We Improve School Discipline? Educational Researcher, 39(1): 48-58.