

SUSPENSIONS AND EXPULSIONS IN WAKE COUNTY PUBLIC SCHOOLS (2009-10)

Issue Brief

March 2011

Introduction

The school-to-prison pipeline is a system of laws, policies, and practices that pushes students out of schools and into the juvenile and criminal justice systems. Unmet educational needs (including special education needs), high-stakes testing, over-policing, school-based arrests and court referrals, and a lack of high-quality interventions and alternatives all contribute to students ending up in the pipeline. The excessive use of suspension and expulsion also forces students--and most often the students who most need the structure, guidance, socialization, services, and education provided by schools--to endure the devastating consequences of school exclusion, which include:

- Accelerating the course of possible delinquency by leaving youth with little parental supervision and more opportunities to socialize with deviant peers;
- Increasing the likelihood of dangerous conduct, such as engaging in physical fights, possessing weapons, and using alcohol, tobacco, and drugs;
- Generating feelings of alienation and failure that lead to unemployment, gangs, and crime;
- Leading to isolation, suicidal ideation, and substance abuse;
- Intensifying conflicts with adults;
- Creating a self-fulfilling belief that a student is incapable of abiding by schools' social and behavioral codes;
- Decreasing motivation to learn;
- Worsening academic performance (including failing grades and retention); and
- Increasing the likelihood of dropping out and not graduating.

The school-to-prison pipeline in North Carolina has been a significant problem for years. In a recent study, North Carolina's suspension rate was the third highest in the nation. On March 3, 2011, the North Carolina Department of Public Instruction released its *Annual Study of Suspension and Expulsion for 2009-10*. The study confirmed that the state's push out crisis continued last school year, during which there were:

- 277,206 short-term suspensions (suspensions lasting between one and 10 school days) given to 144,356 different students, with an average duration of three days per short-term suspension;
- 3,368 long-term suspensions (suspensions lasting between 11 school days and the rest of the school year) given to 3,270 different students, with an average of 63 days per long-term

Major Findings

- Suspensions declined; however, they remain high.
- Five students were suspended for 365 days.
- 10 students were permanently expelled.
- Male students, Black students, and students with disabilities were suspended at hugely disproportionate rates.
- WCPSS ranked 2nd and 70th in NC in terms of the number and rate of short-term suspension, respectively.
- WCPSS ranked 1st and 5th in NC in terms of the number and rate of long-term suspension, respectively.
- Suspension numbers and rates varied greatly across schools.
- Out-of-school suspension was used for minor violations.

Data Sources

- NC Department of Public Instruction (DPI): Annual Studies of Suspension and Expulsion
- Wake County Public School System (WCPSS): Demographics
- Public records requests to DPI and WCPSS

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- suspension; and
- 88 expulsions (permanent removal from the school system).

The Wake County Public School System (WCPSS) has played a major role in creating and maintaining North Carolina's school-to-prison pipeline. Over a five-year period (2004-05 to 2008-09), WCPSS had 106,333 short-term suspension (an average of 21,267 per year) and 5,187 long-term suspensions (an average of 1,037 per year). Moreover, over a four-year period (2005-06 to 2008-09), on average, Black students made up 26.5% of all students in WCPSS, yet received 63.7% of short-term suspensions, 69.2% of long-term suspensions, and 96.9% of expulsions. When such shocking statistics are combined with the district's high number of school-based court referrals and lack of alternative learning programs, our most vulnerable children find themselves abandoned to the streets, the juvenile and criminal justice systems, and a bleak future. WCPSS' student push out problems have drawn anger from parents and advocates, negative attention from the media, and a Title VI investigation from the United States Department of Education, Office for Civil Rights.

This issue brief provides: 1) an analysis of suspensions and expulsions in WCPSS during the 2009-10 school year; and 2) recommendations that WCPSS should adopt to dramatically reduce suspensions, expulsions, and racial disparities, and to create a fairer, safer, more cost-effective system. Ultimately, the purpose of this issue brief is to bring increased attention from students, parents, educators, policymakers, advocates, and other community members to WCPSS' school discipline crisis. Together we can keep students in the classroom and ensure that schools remain orderly and among the safest places for children.

Analysis

General

During the 2009-10 school year, WCPSS had:

- 19,392 short-term suspensions (STS)
- 13.9 short-term suspensions per 100 students
- 837 long-term suspensions¹ (LTS)
- 0.6 long-term suspensions per 100 students
- Five 365-day suspensions (suspensions lasting one calendar year)
- 10 expulsions

Additionally, 10,660 students received at least one suspension or expulsion

Changes Over Time

Over the last three school years (2007-08 to 2009-10):

- The number of short-term suspensions declined by 9.1%;
- The rate of short-term suspension declined by 17.8%;
- The number of long-term suspensions declined by 24.1%; and
- The rate of long-term suspension declined by 25%.

¹ All of the long-term suspensions in WCPSS last school year lasted for the entire rest of the school year. WCPSS did not change its definition of long-term suspension until the current school year. See page 9 for additional details.

Suspensions and Expulsions in Wake County Public Schools (2009-10)

Year	# of STS	Rate of STS (per 100 students)	# of LTS	Rate of LTS (per 100 students)
2001-02	16,304	16.1	533	0.5
2002-03	17,437	16.7	607	0.6
2003-04	20,471	18.8	758	0.7
2004-05	21,280	18.7	1,003	0.9
2005-06	20,274	16.8	1,011	0.8
2006-07	21,421	16.7	1,055	0.8
2007-08	22,707	16.9	1,103	0.8
2008-09	20,651	15.0	1,015	0.7
2009-10	19,392	13.9	837	0.6

Disparities

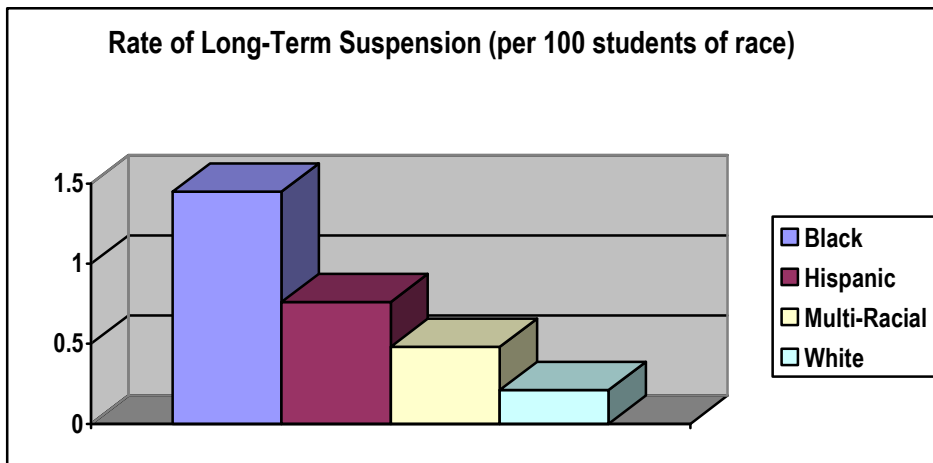
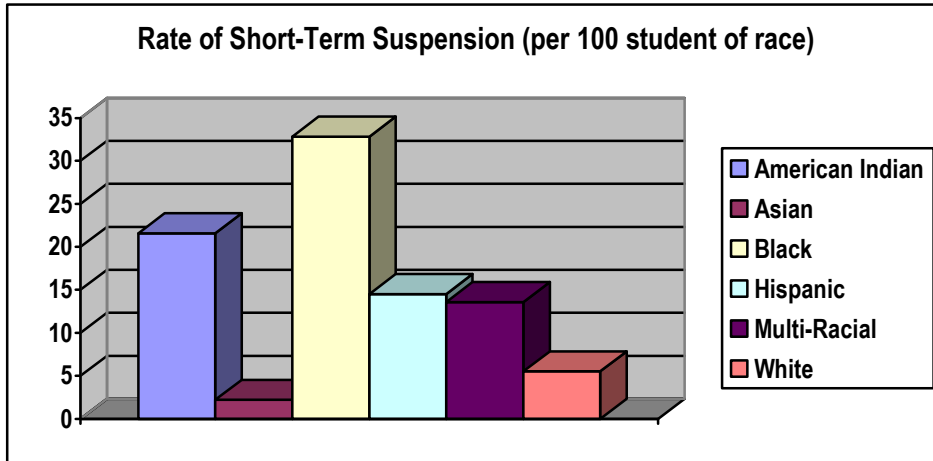
- Students receiving special education services were extremely over-represented among suspended students. They were 12.7% of all students, yet 29.9% of students who received at least one suspension.
- Male students were extremely over-represented among suspended students. They were 50.9% of all students, yet 69.6% of students who received at least one suspension.
- Black students were extremely over-represented among suspended students. They were 25.9% of all students, yet 57.6% of students who received at least one suspension. They were 6.0 times more likely than White students to receive a short-term suspension and 6.9 times more likely than White students to receive a long-term suspension. They also were given 80.0% of 365-day suspensions and 80.0% of expulsions. Finally, 17.0% of all Black students received at least one suspension of expulsion, compared to 3.4% of White students.
- Latino students were slightly over-represented among suspended students.
- Female students, White students, and Asian students were extremely under-represented among suspended students.

Race	% of All Students	% of Students Who Received at Least One Suspension
American Indian	0.3	0.3
Asian	6.1	1.2
Black	25.9	57.6
Hispanic	11.8	13.2
Multi-Racial	4.8	4.5
White	51.1	23.1

Race	# of STS	% of STS	Rate of STS (per 100 students of race)
American Indian	82	0.4	21.58
Asian	188	1.0	2.21
Black	11,884	61.3	32.85
Hispanic	2,395	12.4	14.50
Multi-Racial	901	4.6	13.57
White	3,942	20.3	5.52

Race	# of LTS	% of LTS	Rate of LTS (per 100 students of race)
American Indian	< 5	n/a	n/a
Asian	< 5	n/a	n/a
Black	523	62.5	1.45
Hispanic	125	14.9	0.76
Multi-Racial	32	3.8	0.48
White	152	18.2	0.21

Suspensions and Expulsions in Wake County Public Schools (2009-10)



Race	# of 365-Day Suspensions	% of 365-Day Suspensions
American Indian	0	0.0
Asian	0	0.0
Black	4	80.0
Hispanic	0	0.0
Multi-Racial	0	0.0
White	1	20.0

Race	# of Expulsions	% of Expulsions
American Indian	0	0.0
Asian	0	0.0
Black	8	80.0
Hispanic	0	0.0
Multi-Racial	0	0.0
White	2	20.0

Suspensions and Expulsions in Wake County Public Schools (2009-10)

School Comparisons

- Suspension numbers and rates varied greatly across school levels (i.e., elementary, middle, high, and alternative) and across schools within levels.
- In elementary schools, the number of short-term suspensions ranged from 0 to 88. There were no reported long-term suspensions in elementary schools.
- In middle schools, the number of short-term suspensions ranged from 46 to 485 and the number of long-term suspensions ranged from 0 to 24.
- In high schools, the number of short-term suspensions ranged from 118 to 1,142 and the number of long-term suspensions ranged from 6 to 79.
- The four alternative schools had an average rate of short-term suspension that was 5.5 times higher than the average short-term suspension rate for high schools and an average rate of long-term suspension that was 4.2 times higher than the average long-term suspension rate for high schools, despite the fact that two of the alternative schools only served middle school students.
- The five 365-day suspensions occurred in one middle school and three high schools.
- All 10 expulsions occurred in high schools and eight of them occurred at one school.

Level	# of STS	Avg. Rate of STS (per 100 students)	% of All STS
Elementary Schools	2,499	4.0	12.9
Middle Schools	5,996	20.4	30.9
High Schools	10,377	30.7	52.5
Alternative Schools	520	162.6	2.7

Level	# of LTS	Avg. Rate of LTS (per 100 students)	% of All LTS
Elementary Schools	0	0.0	0.0
Middle Schools	207	0.7	24.7
High Schools	609	1.6	72.8
Alternative Schools	21	6.7	2.5

Elementary Schools

Schools with Most STS	# of STS	Schools with Highest Rate of STS	Rate of STS (per 100 students)
Fox Road	88	Joyner	14.4
Joyner	85	Brentwood	11.9
Barwell Road	84	Lockhart	11.4
Lockhart	84	Creech Road	10.9
North Forest Pines Drive	80	Ballentine	10.7
Ballentine	73	Barwell Road	10.7
Forestville Road	65	Fox Road	10.4
Aversboro	58	Carver	10.4
Creech Road	57	Wendell	10.3
River Bend	53	Aversboro	10.2

Middle Schools

Schools with Most STS	# of STS	Schools with Highest Rate of STS	Rate of STS (per 100 students)
Dillard Drive	485	Dillard Drive	41.4
Daniels	458	Moore Square	40.6
East Millbrook	422	Fuquay-Varina	39.9
North Garner	401	Daniels	37.5

Suspensions and Expulsions in Wake County Public Schools (2009-10)

Fuquay-Varina	390	East Millbrook	34.8
Ligon	329	North Garner	32.4
Martin	299	Ligon	30.9
East Garner	272	Martin	28.3
Wakefield	269	Reedy Creek	25.9
West Lake	211	Wendell	24.4

Schools with Most LTS	# of LTS	Schools with Highest Rate of LTS	Rate of LTS (per 100 students)
North Garner	24	Fuquay-Varina	2.1
Fuquay-Varina	21	North Garner	1.9
East Garner	20	East Garner	1.8
Ligon	14	Centennial Campus	1.6
East Wake	14	East Wake	1.4
Durant Road	12	Ligon	1.3
Centennial Campus	11	Moore Square	1.3
Martin	10	Carroll	1.1
East Millbrook	9	Martin	0.9
		Durant	0.9
Dillard Drive	8		
Carroll	8		

High Schools

Schools with Most STS	# of STS	Schools with Highest Rate of STS	Rate of STS (per 100 students)
Knightdale	1142	E. Wake Sch. of Int. Tech.	84.2
Enloe	937	E. Wake Sch. of Eng.	79.3
Sanderson	714	E. Wake Sch. of Arts & Ed.	68.4
Wakefield	705	Knightdale	60.9
Athens Drive	679	Athens Drive	38.4
Broughton	566	E. Wake Sch. of Health Sci.	37.7
Garner	557	Sanderson	37.1
Millbrook	556	Enloe	36.0
Middle Creek	526	Middle Creek	30.8
Fuquay-Varina	438	Southeast Raleigh	26.8

Schools with Most LTS	# of LTS	Schools with Highest Rate of LTS	Rate of LTS (per 100 students)
Garner	79	E. Wake Sch. of Int. Tech.	4.8
Enloe	52	E. Wake Sch. of Eng.	3.7
Millbrook	45	Garner	3.6
Sanderson	41	Middle Creek	2.4
Middle Creek	41	Sanderson	2.1
Wakefield	38	E. Wake Sch. of Arts & Ed.	2.1
Knightdale	37	Southeast Raleigh	2.1
Fuquay-Varina	33	Enloe	2.0
Southeast Raleigh	32	Knightdale	2.0
Broughton	29	Millbrook	1.9

Suspensions and Expulsions in Wake County Public Schools (2009-10)

Alternative Schools

School	# of STS	Rate of STS (per 100 students)	# of LTS	Rate of LTS (per 100 students)
Longview	264	269.4	3	3.1
Mount Vernon	30	26.8	1	0.9
Phillips	83	56.5	9	6.1
River Oaks	143	297.9	8	16.7

365-Day Suspensions

School	# of 365-Day Suspensions
Fuquay-Varina Middle	2
Garner High	1
Millbrook High	1
Wakefield High	1

Expulsions

School	# of Expulsions
Sanderson High	8
Southeast Raleigh High	1
Athens Drive High	1

District Comparisons

Among the 115 school districts in North Carolina, WCPSS had the:

- 2nd highest number of short-term suspensions;
- 70th highest rate of short-term suspension;
- 1st highest number of long-term suspensions; and
- 5th highest rate of long-term suspension.

Short-Term Suspensions

10 Largest Districts in NC	# of STS	Rate of STS (per 100 students)	Rate of STS Ranking Among 10 Largest Districts	Rate of STS Ranking Among All 115 Districts
Wake	19,392	13.94	9	70
Mecklenburg	33,589	25.43	1	29
Guilford	10,881	15.39	7	62
Cumberland	10,935	21.24	4	43
Forsyth	12,135	23.64	2	34
Union	5,745	15.01	9	65
Johnston	5,891	18.74	6	52
Durham	6,492	20.52	5	47
Gaston	6,684	21.56	3	75
Cabarrus	3,479	12.57	10	40

Long-Term Suspensions

10 Largest Districts in NC	# of LTS	Rate of LTS (per 100 students)	Rate of LTS Ranking Among 10 Largest Districts	Rate of LTS Ranking Among All 115 Districts
Wake	837	0.60	2	5
Mecklenburg	96	0.07	10	70

Suspensions and Expulsions in Wake County Public Schools (2009-10)

Guilford	93	0.13	8	50
Cumberland	106	0.21	6	38
Forsyth	43	0.08	9	65
Union	88	0.23	5	31
Johnston	78	0.25	4	28
Durham	142	0.44	3	16
Gaston	51	0.16	7	44
Cabarrus	218	0.79	1	3

Offenses

Short-Term Suspensions

15 Most Common Primary Policy Violation	# of STS
Non-Compliance	4,598
Fighting/Physical Aggression	4,363
Class/Activity Disturbance	2,326
Intimidation/Disrespect	1,165
Instigation of Fight/Physical Aggression	1,128
Inappropriate Language	1,070
Electronic Devices	764
Theft	625
Threat/False Threat	442
Possession/Use Drugs/Alcohol or Paraphernalia	395
Weapons/Dangerous Instruments-First Violation	307
Gang and Gang Related Activity	291
Tobacco	277
Sexual Harassment	230
Harassment	207

Long-Term Suspensions

15 Most Common Primary Policy Violation	# of LTS
Possession/Distribute/Use of Alcohol/Drug/Paraphernalia	186
Possession/Use Drugs/Alcohol or Paraphernalia	116
Fighting/Assault Multiple on One	73
Fighting/Physical Aggression	63
Assault on Student-First Violation	57
Assault on Employee/Adult	53
Gang and Gang Related Activity	46
Weapons/Dangerous Instruments-First Violation	37
Theft	27
Intimidation/Disrespect	24
Instigation of Fight/Physical Aggression	23
Class/Activity Disturbance	21
Threat/False Threat	21
Weapon Used in Dangerous Manner	19
Non-Compliance	19

Recommendations

WCPSS should be commended for reducing its numbers and rates of suspensions and for having taken a number of positive steps over the last year, including:

- Changing the definition of long-term suspension from “removal from the school system for the remainder of the school year” to “in excess of 10 school days but not exceeding the time remaining in the school year”;
- Giving the superintendent the authority to reduce the length of mandatory (“zero tolerance”) long-term suspensions for individual students when mitigating factors exist; and
- Establishing an Economically Disadvantaged Student Performance Task Force and a professional learning team (PLT) that are analyzing data, policies, and practices related to school discipline and exploring potential reforms.

Additionally, some individual school administrators have exercised excellent leadership by reviewing and revising internal discipline policies and practices and engaging in professional development aimed at reducing suspension rates.

However, it is critical that policymakers, school staff, and the public know why suspension rates are declining. There are too many open questions. Are suspensions down because students are being pushed into online programs and no longer counted as suspended? Have the number of policy violations declined? Are administrators simply using suspension less often for offenses that would have formerly resulted in suspensions? Without answers to such questions there is no way to know if the decline will continue, what best practices should be replicated, and where more attention is needed.

Additionally, the number of students who are suspended from Wake County public schools each year is still much too high. Therefore, it is imperative that WCPSS adopt more comprehensive changes in its discipline policies and practices. The following recommendations are research-based reforms that will dramatically reduce the number of suspensions in WCPSS.

Improve School Board Policy

- Eliminate zero tolerance policies not mandated by law
- Limit the use of suspension for off-campus misconduct, elementary school students, and minor offenses (such as class disturbance, non-compliance, disrespect, tardiness, and having an electronic device)
- Mandate that administrators use graduated interventions and consequences to handle misbehavior
- Mandate that administrators consider, before suspending a student, mitigating factors, such as: the student’s mental illness or disability; whether the student has been a victim of bullying or harassment; the student’s family situation (such as involvement in foster care, domestic violence, homelessness, poverty, recent death of a loved one, or immigration status); the student’s discipline history; and the student’s age and ability to understand consequences
- Provide students facing suspension or expulsion with greater due process protections

Improve Learning and School Climates

- Implement Positive Behavior Interventions and Supports (PBIS) with fidelity in all schools
- Ensure that all students at risk of academic failure have high-quality personal education plans (PEPs)
- Ensure that all students receiving special education services receive high-quality Individualized Education Programs (IEPs) and services, and when necessary, Functional Behavioral Assessments (FBAs) and Behavior Intervention Plans (BIPs)

- Implement mandatory, on-going, high-quality trainings for all teachers, principals, and administrators in dismantling oppression, cultural competency, the school-to-prison pipeline, and behavior management
- Improve parental outreach and engagement
- Reduce the emphasis on high-stakes testing, which makes teaching and the curriculum less engaging and incentivizes pushing out under-prepared students

Implement High-Quality Services and Programs that Keep Students in School

- Increase the number of highly-qualified school counselors, psychologists, and social workers
- Provide more alternatives to suspension, such as counseling, substance abuse treatment, mediation, community service, restitution, in-school suspension, and Saturday school
- Provide high-quality alternative schools for suspended students that comply with students' state constitutional right to a sound basic education and with state and federal special education laws
- Improve relationships and coordination with local service providers and community organizations

Increase Transparency, Sound Decision-Making, and Accountability

- Improve data collection and publication, and ensure that data is readily available in an easy-to-understand format
- Involve students, parents, and community members in developing student conduct policies and behavior standards
- Create school-based discipline oversight and advisory committees made up of students, parents, community members, and teachers

About Advocates for Children's Services

Advocates for Children's Services (ACS) is a statewide project of Legal Aid of North Carolina. Since its founding in 2001, ACS' mission has been to advocate for the idea that at-risk children are rights-bearing citizens who are entitled to safe, permanent homes and should receive the medical and educational services promised by law. Since 2008, ACS' primary objective has been to end the school-to-prison pipeline in North Carolina. Toward that end, ACS primarily engages in two types of activities:

- Providing high-quality, free legal advice and representation for children from low-income families who are being pushed out of school as a result of suspension, expulsion, academic failure, unmet special education needs, enrollment problems, or discrimination; and
- Engaging in community education in the form of presentations, trainings, media outreach, social media, and publications.

For more information about ACS, visit www.legalaidnc.org/acs.

