



# Grappling With Discipline in Autonomous Schools: New Approaches From D.C. and New Orleans

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# ABOUT THIS REPORT

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## Introduction

Public charter schools are rooted in the premise that teachers and principals should be empowered to decide how best to serve students. Therefore, the premise holds, educators should have wide latitude to develop a school's culture, educational programs, and policies as long as students are engaged and learning.

As charter schools proliferate, community leaders rightly feel these schools must assume equal responsibility for serving all students, even the most challenged and challenging. This has led to intense public scrutiny of the way charter schools embrace their responsibility and, recently, of the rates at which they suspend and expel students.<sup>1</sup>

A review of the strongest studies shows that, on average, no significant difference exists in discipline rates between the district and charter sectors nationwide.<sup>2</sup> Other more detailed analyses, however, reveal that the averages mask significant variation in the use of suspension and expulsion within both sectors.<sup>3</sup> Some district and charter schools suspend and expel students at very high rates, while many district and charter schools do so at very low rates. Still, a growing number of education and community leaders agree that suspension and expulsion rates are too high, too often, in all public schools.<sup>4</sup> Elevating concerns with the charter school sector specifically are some high-profile “no excuses” schools that suspend students (sometimes repeatedly) to establish school norms that these charter school leaders see as necessary for learning.

The call for a policy reaction to suspension and expulsion is clear, but is there a systemic way to make these practices less prevalent in both sectors? And when suspensions or expulsions are deemed necessary, is there a systematic way to ensure they are more appropriately and fairly applied while still respecting schools' autonomy to serve students in a way that is faithful to their school model and culture?

Washington, D.C., and New Orleans, Louisiana are two cities trying to do just that. Both cities have sought greater attention to and scrutiny of the discipline problem in collaboration with charter, district, and community leaders. While each city approaches the problem very differently, both have included all public schools, charter and otherwise, in their endeavors.

In Washington, the DC Public Charter School Board (DC PCSB), the city's sole charter school authorizer, was interested in reducing charter schools' out-of-school suspensions and expulsions. In partnership with DC Public Schools (DCPS), the Mayor's Office, and the Office of the State Superintendent, DC PCSB leverages public scrutiny by issuing “School Equity Reports” that document school-level data on suspension, expulsion, student exit, and midyear enrollment. The data have prompted formal discussions with schools and important conversations about changes to school and authorizer policy. D.C. is seeing declines in suspension and expulsion rates in both charter and district schools.

1. Recent examples of media attention on charter school discipline include articles in the *Boston Globe*, the *Washington Post*, and the *Philadelphia Public School Notebook*.

2. Patrick Denice, Betheny Gross, and M. Karega Rausch, *Understanding Student Discipline Practices in Charter Schools: A Research Agenda* (Seattle, WA: Center on Reinventing Public Education, 2015).

3. Daniel J. Losen et al., *Charter Schools, Civil Rights and School Discipline: A Comprehensive Review* (Los Angeles, CA: Center for Civil Rights Remedies, Civil Rights Project, University of California, 2016).

4. Russell J. Skiba and M. Karega Rausch, “Zero Tolerance, Suspension, and Expulsion: Questions of Equity and Effectiveness,” in *Handbook of Classroom Management: Research, Practice, and Contemporary Issues*, ed. Carolyn M. Evertson and Carol S. Weinstein (Mahwah, NJ: Lawrence Erlbaum Associates, Publishers, 2006), 1063-1089.

In New Orleans, the state-run Recovery School District has established a central process to review and approve proposed expulsions for all of the city’s public schools using common, agreed-upon standards for expellable offenses. The centralized hearing process has, by all accounts, brought a much more consistent and fair approach to expulsions. Previously, every school defined its own criteria and process for expulsion and expelled students were left to find a new school, without any state or local agency knowledge or involvement. Since the program was put in place, overall expulsion rates appear to have declined and New Orleans now has a reliable count of how many students are being expelled. More importantly, expelled students are closely tracked and supported to ensure that they continue to receive appropriate educational services.

**Washington, D.C., and New Orleans Discipline Reforms**

	<b>Washington, D.C.</b>	<b>New Orleans</b>
School governance	D.C.’s public schools are about evenly split between independently run charter schools sponsored by the DC Public Charter School Board and schools run directly by DC Public Schools.	Approximately 95% of all New Orleans public schools are operated as independently run charter schools sponsored by the state or by the Orleans Parish School Board (OPSB). The rest are directly run by OPSB.
Reform type	“School Equity Reports” daylight discipline rates for all schools.	Centralized process for all expulsion decisions.
How reform works	Centrally compiled report on each school shows suspension, expulsion, and mobility rates and is available to parents and community.	Charter schools request hearing (run by the state Recovery School District) when considering expulsion. Hearing officer approves or denies request.
Reform goals	<ul style="list-style-type: none"> <li>• Transparency in discipline data.</li> <li>• Ensure that parents choosing schools are informed of school-level discipline rates.</li> <li>• Identify schools with highest rates and bring them in front of committee to discuss possible school-level policy changes.</li> </ul>	<ul style="list-style-type: none"> <li>• Track expelled students and prevent loss of learning time.</li> <li>• Close gaps between schools.</li> <li>• Ensure reasons for expulsion are consistent throughout all public schools.</li> </ul>
Results to date	<p>Charter schools with highest rates are made aware of their status, meet with committee, face potential non-renewal of charter.</p> <p>Suspension and expulsion rates across all DC public schools are down. Charter schools saw deeper declines in expulsion than did their comparable DCPS counterparts. Our analysis cannot confirm, however, that these trends are a direct result of Equity Reports publication.</p>	<p>Reliable expulsion data are now used in all public schools, students are now placed in appropriate educational setting post-expulsion.</p> <p>Expulsion rates appear to have declined in the years following the reforms. Suspension rates were not addressed by the reforms and existing data are not sufficiently reliable to allow us to assess trends.</p>

Leaders in D.C. and New Orleans acknowledge that these policies are just a starting point. In D.C., the annual school-level reports warn schools when their discipline rates are unusually high, but otherwise aren't detailed enough to inform changes in school practice. Since the centralized approach to discipline practices in New Orleans only deals with expulsion, school-level use of suspension remains unchecked. Both cities continue to expand and supplement their efforts to ensure that their public schools are serving all students. Some see these initiatives as just one piece of what must eventually include school and charter board capacity-building and fundamental changes around how schools monitor and mete out discipline.

Though still early in implementation, the cross-sector systemic efforts profiled here suggest that city leaders can help reduce perceived or real inequities and unfair use of suspension and expulsion in charter schools without dampening the possibilities for innovation. And though many schools still need greater support around discipline decisions, our findings suggest that efforts in both cities have paid off in tangible ways for students and families. We hope the charter sector can lead the way in creating successful discipline solutions that can be shared across schools and sectors, to the benefit of all students.

# Data Transparency for School Discipline: A Case Study of Washington, D.C., School Equity Reports

- Betheny Gross and Sivan Tuchman

Washington, D.C.'s public charter schools, now enrolling 43 percent of the city's public school students, are no longer seen as a fringe enterprise.<sup>5</sup> As a result, the schools face increasing public scrutiny over the extent to which they serve the city's most at-risk students. Concern about discipline policy and practice has swelled in the past decade, and the perception in the city that some charter schools use suspension and expulsion to push out challenging students has placed these schools at the center of this issue.

To inform the discipline debate with quality data and incentivize schools to examine their practices, the D.C. Public Charter School Board (DC PCSB), in collaboration with the D.C. Public Schools (DCPS) and the Office of the State Superintendent of Education (OSSE), in 2012 launched the Equity Reports initiative. School Equity Reports detail both student entry and exit and the use of suspension and expulsion for all the city's public schools.

## DISCIPLINE AND DATA BEFORE THE SCHOOL EQUITY REPORTS

Prior to 2012, the DC PCSB produced annual school performance reports. But these reports did not include information on discipline rates or student mobility. In the absence of systematic public data on suspension, expulsion, and student exit from charter or DCPS schools, critics relied on anecdotes to charge that charter schools might be pushing out the toughest students.<sup>6</sup>

To some degree, 2011–2012 data from the Office for Civil Rights (OCR) reinforced these criticisms. Schools' self-reported OCR surveys showed that D.C. charter schools suspended 14 percent of students on average, while district-run schools suspended 9 percent on average.<sup>7</sup> In addition, some individual charter schools expelled students at exceptionally high rates, despite serving very similar populations to other city charter and district schools. For example, in the 2011–2012 school year, the DC PCSB reported that charter schools citywide expelled 227 students, with an expulsion rate of 0.7 percent. By contrast, two charter schools in the city expelled a full 5 percent of their students, which together accounted for almost a third of all charter expulsions that year.<sup>8</sup>

These data, though telling, were also met with skepticism. According to our interviews with city leaders, schools across the city defined suspensions differently, casting doubt that self-reported suspension data could be fairly compared across schools. For example, some schools reported days in which students were sent home for part of the day as a suspension, while other schools reported only those instances in which a student missed an entire day.

5. Data from the D.C. Public Charter School Board, "Historical Enrollment—Public Schools, 1967–2015 Public School Enrollment in the District."

6. Donna St. George, "In Washington Area, African American Students Suspended and Expelled Two to Five Times as Often as Whites," *Washington Post*, December 28, 2011; Emma Brown, "Some Charter Schools Suspend, Expel Students at High Rates," *Washington Post*, September 21, 2012.

7. From the *Office for Civil Rights Data Collection*, 2011–2012 data. The reported suspension rate includes reports of one or more out-of-school suspensions and excludes students without reported disabilities. Importantly, the sector averages do not account for differences in the populations served in the schools.

8. D.C. Public Charter School Board, *School Year 2011–12 Suspension and Expulsion Rates by Public Charter School, 2012* (Washington, DC: D.C. Public Charter School Board, 2012).



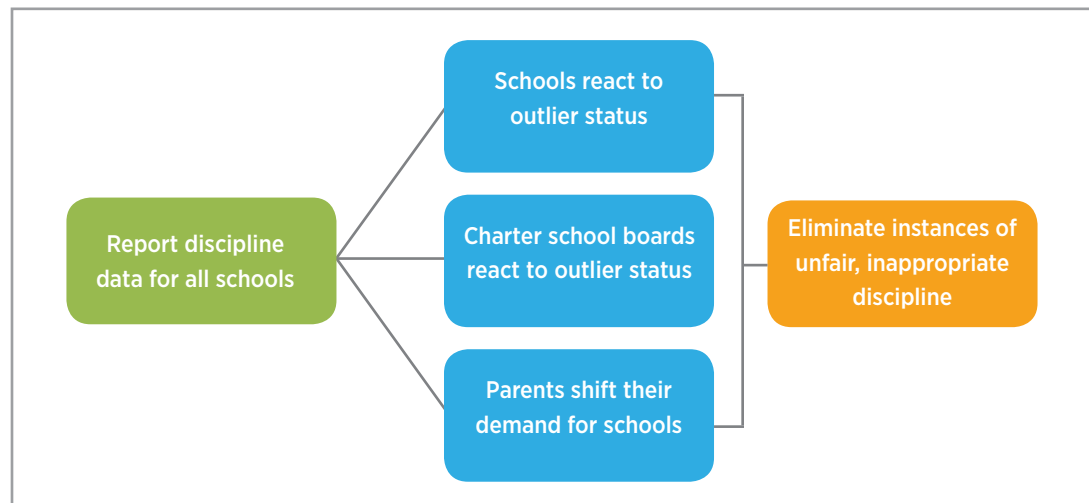
To fill that vacuum and identify and address schools with exceptionally high suspension or expulsion rates, the DC PCSB approached DCPS to create the city's first comprehensive reports of discipline and student mobility in all public schools. This effort was modeled after a Louisiana Recovery School District report on its schools.<sup>9</sup>

## CROSS-SECTOR COLLABORATION BOOSTS TRANSPARENCY, COMPELS CHANGE

DC PCSB leaders believed data transparency could compel schools to reconsider excessive use of suspension and expulsion.<sup>10</sup> City leaders expected that reliable data comparing schools would encourage schools to examine and, where necessary, change their own discipline policies. City leaders also wanted to give parents the chance to consider schools' discipline rates when making school choices, expecting that parents would steer clear of schools with high discipline rates (see Figure 1). As one DC PCSB leader commented:

*We hoped that the reports would drive parents' demand. We assumed that parents [would say], "I'm not willing to send my child to a school where 60 percent of students are being suspended because there is a high chance that my child will be suspended."*

Figure 1. Pathway From D.C. School Equity Reports to Fairer Discipline Policy

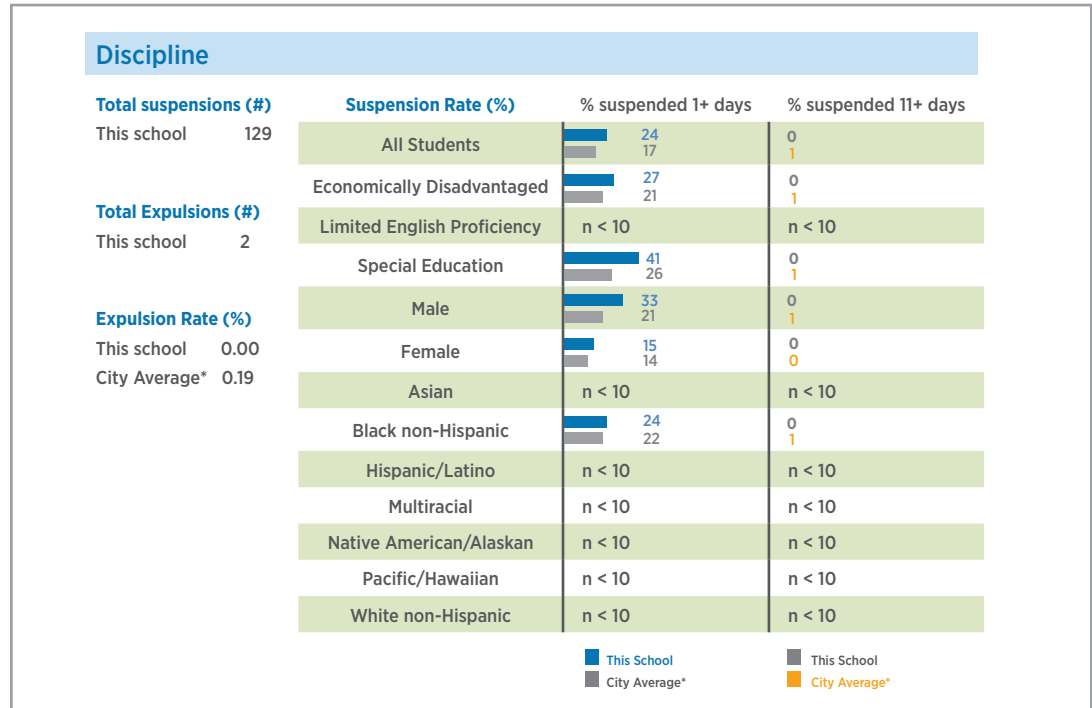


The School Equity Reports include data on each school's suspension and expulsion rates (see Figure 2) as well as a month-by-month accounting of students' exit and entry into the school. To ensure the reports had consistent, quality data, DCPS and DC PCSB leaders agreed on common definitions of suspension and expulsion, as well as on reporting metrics and methods. To win support from schools, leaders agreed to avoid direct comparisons among schools or between the charter and district sector. Instead, the reports give citywide averages to which each individual school's data are compared (though school-to-school comparisons could certainly be made via independent analysis).

9. The Louisiana Recovery School District produced this report for only one year. However, some of the data from these reports, including suspension and expulsion rates, are now presented in the parent guide that is produced to assist families in making school choices.

10. Although the DC PCSB focused on improving school-level policy in individual outlier schools, the DC PCSB expected to see the number of incidents decline across the sector.

Figure 2. Excerpt From a D.C. School Equity Report



Note: School Equity Reports for all DC PCSB charter schools are available from the [D.C. Public Charter School Board website](#) and from the [LearnDC website](#), which also offers additional information about D.C. schools.

DCPS and DC PCSB data teams, with the support of OSSE and an external consultant, worked for nearly a year to organize and analyze school-reported data; the consultant helped produce common metrics and data visualizations in the reports, which are now published online and available in hard copy from the DC PCSB, DCPS, and OSSE.

The DC PCSB uses the reports to start talks with charter schools that are suspending students at high rates, first by sending a school’s board a letter detailing DC PCSB’s concerns. The DC PCSB leaders then meet in person with the school’s board and leadership—meetings referred to as “board-to-board” meetings—to discuss possible school-level policy changes.

## Learning About the D.C. School Equity Reports

Our report is based on interviews and quantitative analyses conducted after D.C.'s second annual School Equity Reports were released in fall 2014. In late 2015, the third annual School Equity Reports were released.<sup>11</sup>

To understand the city's school discipline issues, the development of the reports, and their potential outcomes, we conducted phone interviews and analyzed data collected for the first two years of the School Equity Reports. In summer and fall of 2015 we interviewed 11 stakeholders, including leaders at the D.C. Public Charter School Board, D.C. charter school leaders, leaders of charter management organizations operating in D.C., leaders in the Office of the State Superintendent of Education, and leaders in education-affiliated community organizations.

We analyzed school-level data from 2012–2013 and 2013–2014 on suspension, expulsion, and student mobility to understand short-term changes in those areas, controlled for student demographics, special education, and English Language Learner status, as well as for geographic location of the school.

## TRANSPARENCY, SUPPORT, AND ENGAGEMENT TO CHANGE POLICY AND PRACTICE

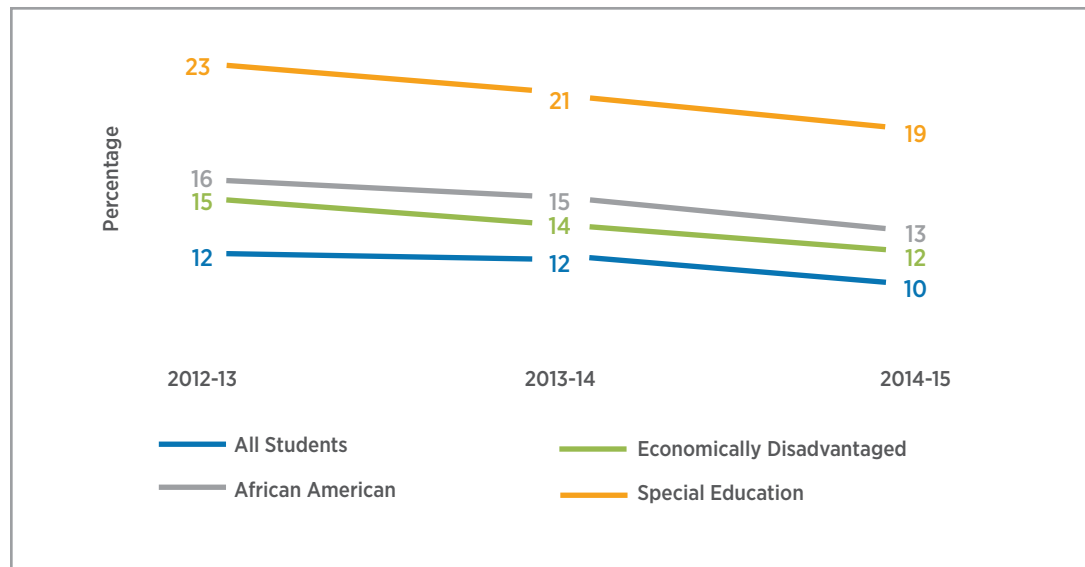
By the time we spoke with D.C. educational leaders in 2015, some clear wins were evident from the first two years of publicizing discipline data. The citywide suspension and expulsion rate had declined since 2012 (and the third report in 2015 indicates continued declines). Our more detailed data analysis from the first two years the reports were produced shows these declines were especially strong in the city's charter schools. Our interviews suggest that the DCPS and DC PCSB partnership has bolstered trust and built a platform for future collaboration. And school leaders in both district and charter schools can clearly see how their use of suspension and expulsion and their student exit rates compare to peer schools around the city.

Still, these reports could have greater impact. DC PCSB meetings with charter school boards focus attention on discipline, but school leaders report struggling to address the DC PCSB's concerns. External organizations that might be well-positioned to help schools and their boards revise school-level discipline policy and practices are focused instead on systemwide and regulatory remedies to the overuse of suspension and expulsion, as well as on suspicious student attrition rates.

### Analyzing citywide declines in suspension and expulsion

Since D.C. officials published the first School Equity Reports for the 2012–2013 school year, schools have shown some encouraging trends. Between the 2012–2013 and 2014–2015 school years, the average overall suspension rate across all city schools dropped from 12 percent to 10 percent, as shown in Figure 3. The suspension rate for students with special needs, the group of students most frequently suspended from the city's schools, fell from 23 percent to 19 percent. The suspension rate for black students, the racial group most frequently suspended, fell from 16 percent to 13 percent. Strictly by the numbers, the city's schools are suspending and expelling fewer students: the citywide expulsion rate fell from 0.22 percent (22 per 1,000 students) to 0.13 percent (13 per 1,000 students).

11. School Equity Reports for all DC PCSB charter schools are available from the [D.C. Public Charter School Board website](#).

**Figure 3. Decline in Overall Rates of Suspension in D.C., 2012–2015**

**Source for 2012–2013:** D.C. Public Schools, D.C. Public Charter School Board, Office of the State Superintendent of Education, and Office of the Deputy Mayor for Education, “[District of Columbia School Equity Reports 2013.](#)”

**Source for 2013–2014:** D.C. Public Charter School Board, “[2014 Equity Reports: Charter Sector Compared to the D.C. Average.](#)” January 27, 2015.

**Source for 2014–2015:** D.C. Public Schools, D.C. Public Charter School Board, Office of the State Superintendent of Education, and Office of the Deputy Mayor for Education, “[2014–2015 Equity Reports.](#)”

Using school-level data from the first two years of the School Equity Reports (2012–2013 and 2013–2014), we analyzed these trends while controlling for student composition, academic performance, and the political ward of schools.<sup>12</sup> Our models provided a better sense of how student discipline rates fare in comparable school contexts over time. These analyses show that the citywide declines in average short-term (less than 10 days) suspension rates were driven in large part by charter schools. In charter schools, short-term suspension rates declined by almost 3 percentage points relative to comparable schools. This is notable because charter schools started with higher average suspension rates than DCPS schools. Charter schools also showed statistically significant declines in the suspension rate of black students, but not in the suspension rate of special education students.

Our analysis of the 2012–2013 and 2013–2014 data also shows a statistically significant decline in expulsions citywide. As with suspensions, charter schools expelled students at a higher average rate than did DCPS schools in 2012–2013, but also saw deeper declines in expulsion than their comparable DCPS counterparts did.

Student mobility and midyear enrollment numbers, admittedly not a focus of the DC PCSB’s initial push surrounding the School Equity Reports, have remained unmoved. Our analyses show that charter schools continue to exit students at approximately the same rate as DCPS schools, but receive students midyear at far lower rates than DCPS schools.

12. D.C. is divided into eight wards, which serve as the jurisdiction for elected officials. Like many cities, D.C. has a high percentage of students receiving free or reduced-price lunch and this measure masks large variation in circumstances among families with children receiving free or reduced-price lunches. To the extent that different economic conditions concentrate in neighborhoods, we can proxy some of this variation by including the political ward of the school. The models are also weighted by school enrollment.

As there is no baseline data to compare discipline rates before and after the School Equity Reports began, it is impossible to know whether these downward trends in suspension and expulsion can be attributed to the reports themselves.<sup>13</sup> Nonetheless, the trends appear promising for those hoping to see suspensions and expulsions decline in the city.

### Promoting board and school training to boost school-level change

Annual reporting on discipline and mobility rates may capture public attention, but focused support and engagement is needed for these reports to prompt school-level change in teacher-student interactions and schoolwide policies. We interviewed school leaders from three of the city's charter networks; in each case the leaders knew about the reports, had seen their school's results, and generally indicated that the data could be valuable for the community. But these leaders also said the reports were neither timely enough nor detailed enough to impact their day-to-day work. Instead, leaders said that discipline in their school continued to be driven first and foremost by their school's cultural model and their school's regular internal data collection and analysis. As one school leader said:

*It should not be the [D.C. Public] Charter School Board's role to provide this data to schools or districts, but schools should be looking at this data on their own on a regular basis.*

These leaders indicated that they used the School Equity Reports to look at their school's data relative to other schools serving similar students, but none reported changing their cultural model or discipline policies in response. The only school leader who described a dramatic shift in his school's discipline policy reported that it stemmed not from the reports, but from an internal realization that the school's policy was so rigid that it yielded more classroom and school disruption, not less.

That said, the DC PCSB leverages the charter renewal process and the report data to engage individual charter school boards and school leaders in focused conversations on discipline policies. In interviews, DC PCSB leaders said they are committed to overseeing their authorized schools while also protecting these schools' autonomy to pursue the educational model they feel best serves their students. By design, once a charter has been awarded, the DC PCSB has few mechanisms to directly intervene in a school's policy. The renewal process, however, is one of these mechanisms: the board can and does review a host of school outcomes, including school suspension and expulsion rates, to determine whether a school should retain its charter.

After issuing the first School Equity Reports, the DC PCSB began incorporating discipline report data in its oversight activities. One DC PCSB leader explained that every month her organization contacts the schools that data show are the biggest discipline outliers. These conversations start with, "Hey, did you know . . . ?" Then they discuss the school's data compared to that of other charter schools. When an outlier school's discipline rate is egregious and/or does not change after a certain period of time, DC PCSB officials convene a board-to-board meeting. Board-to-board meetings include select DC PCSB members and the school's board chair, members, and school principal. In the meeting, the DC PCSB leaders say, "Your rates are alarming. You're an outlier. What are your plans to change that?"

To date, the DC PCSB has not made charter renewal contingent on such changes; no school has failed to be renewed due to discipline rates alone. In our interviews, the DC PCSB reported that a high discipline rate is one of many factors considered in renewal. The DC PCSB uses formal reviews as opportunities to ask schools to revisit their discipline policies and to consider alternative approaches if they have higher than average suspension and expulsion incidents.

13. We suggest caution in attributing these trends to the School Equity Reports because, for example, it is plausible that the downward trends existed prior to publication of the reports. It is also possible that these trends result, in part, from other coincident conditions, such as the larger national and regional focus on suspension and expulsion and the growing understanding and use of alternative discipline strategies.

The DC PCSB leaders report having held about 15 board-to-board meetings each year since the first School Equity Reports were issued in 2013. But some schools struggle with how to make concrete changes in policy and practice in light of the city charter board's concerns. Two things contribute to this struggle: (1) the absence of discipline as an explicitly tracked indicator in D.C.'s charter school performance structure, and (2) gaps in board member training around discipline policy.

The current DC PCSB accountability system, built around the Performance Management Framework (PMF), annually reports on several indicators of school conditions and outcomes. Performance-minded boards tend to focus on the measures tracked by the PMF. Our interviews with people inside and outside schools noted that the School Equity Report measures do not overlap with the PMF measures and therefore fail to garner the same attention from schools.

One principal argued that the myriad accountability expectations meant that some, including those around discipline, could fall by the wayside:

*D.C. exists in a world, where when you're in the charter environment, you're accountable to a lot of people. Whether it's the D.C. [Public] Charter School Board, the Office of [the] State Superintendent of Education, [or] City Council. So initially [the School Equity Report] was [just] another slice of someone wanting to look at something for some other agenda.*

These comments suggest that discipline concerns still compete with school performance concerns for schools' attention.

In addition, school-level boards typically lack the background or knowledge needed to make informed discipline policy decisions. As one respondent explained:

*Boards want to do the right thing but don't have the tools to do the best they can. Boards can't properly hold the school leaders accountable without proper understanding and information, and instead they have to just trust the principal, which may or may not be the best idea.*

The omission of discipline data in the PMF, in tandem with school-level board members' lack of understanding of discipline issues and how to address them, can translate into seemingly incomplete or incoherent responses from some schools. A DC PCSB member acknowledged this concern, noting that when challenged in board-to-board meetings, the school-level board members often lack a detailed strategy for making changes on their campus:

*I'm starting to realize that [getting school-level change from the board-to-board meeting] is not that easy. A school will just say to us that they are doing PBIS [Positive Behavioral Intervention and Support], "We're going to do this," or "We're going to do that," but I know that they don't actually know how to start. When I ask something like, "Who is training your staff?" there are no answers for that.*

In an effort to provide schools with information and training on discipline, the DC PCSB has over the last two years provided a mix of citywide and charter-only trainings to advance school leaders' and educators' understanding of effective school discipline policy and practice. A local foundation and the DC PCSB co-sponsored two conferences in 2015–2016 (open to all city educators) on alternative approaches to suspension and expulsion, focusing on ways to improve classroom management and motivate hard-to-reach students. Charter leaders have also undergone hands-on training in understanding and using school discipline data. Our findings suggest that sustained training by the DC PCSB or other local organizations is likely necessary to build boards' capacity to effectively address discipline in their schools. It will be important to check back with school and city board leaders on the effectiveness of such training and its impact on schools' policy and practice.

## Improving access to reports to increase parent use of information

At the time of our interviews, after two years of School Equity Reports being issued, members of the DC PCSB, schools, and community organizations all agreed that parents had yet to broadly use the reports to choose schools.

Today, the School Equity Reports are presented alongside school academic performance data on multiple public websites, including [LearnDC](#) (a website housing information for all city public schools) and the [My School DC](#) portal (which parents use to apply to charter schools or out-of-boundary schools). But this kind of access was not always the case. Respondents noted that the School Equity Reports were not rolled out with the same fanfare as the annual performance reports. The first two annual issues of School Equity Reports existed online as bulky, difficult-to-download PDF files. As one education leader said, “You have to be a pretty sophisticated parent to find them.”

An important issue beyond ease of access to the reports is parents’ interpretation of the suspension and expulsion data they contain. A high number of suspensions may signal to parents that the school strictly enforces a disruption-free learning environment, which they could see as positive. But it may also signal that the school is highly disruptive or that students are treated harshly, which they could see as negative. It is not clear how parents will use these data, especially when other information sources like peer networks and school visits could provide them with more nuanced information. In time we will learn whether the improvements in public access result in more ready use of the data by parents, as well as how they use it.

## Engaging community partners to deepen the impact of the reports

Washington, D.C., benefits from a community of parent advocates who keep a watchful eye on school conditions. Our conversations with school leaders, DC PCSB leaders, and representatives from two organizations that address legal concerns for city families and students tell us that despite much overlapping concern, little coordination exists in the work and agenda of these external organizations and the DC PCSB or its schools.

For the most part, the charter school leaders we spoke with indicated that they work independently or with the guidance of their charter network leadership to address individual student discipline issues or to examine and revise (when needed) their discipline policies. None of the principals we spoke with worked with external organizations in the city to change school discipline policy or practice.

Despite this, a representative of a local child advocacy organization acknowledged that reforming discipline in schools probably should be a shared, citywide objective:

*Understanding the trauma that so many of our students face in the communities before they come to school is one of the really big steps we need to take as a city. So many of our students are coming to school already having a hard time focusing and with behavior issues because of community violence and the distress of being homeless or having food insecurity. Getting [educators] the tools to really understand and address that is really important.*

For now, there seems to be no coherent and systematic effort to support schools in their discipline efforts. A State Board of Education leader who works with schools on discipline policy explained that she works with specific charter boards to clarify vague points in their policies. But she does not generally work with charter boards on a more comprehensive review of their school’s discipline policy. She suggested that individual charter boards have resisted more comprehensive engagement and that the DC PCSB has been reluctant to drive a coordinated effort out of deference to school autonomy. Similarly, we spoke with a child advocacy organization whose mission is to address specific child welfare cases, not necessarily to work on systematic efforts to reach schools before discipline problems surface.

## DATA AND POLICY CONVERSATIONS GO BEYOND SCHOOL DISCIPLINE

The School Equity Reports as implemented in their first few years were a starting point for focusing city attention on student discipline. Their full impact may come through the conversations that are launched on issues from how the DC PCSB uses discipline data to inform school approval or renewal decisions, to how data are shared citywide, to whether or how to create better financial incentives for schools to fill empty seats midyear.

DC PCSB leaders are weighing whether and how school discipline policy should factor into charter approval or renewal while maintaining the board's commitment to protecting school autonomy. As one board leader said:

*We [at the DC PCSB] are asking ourselves now if we should be authorizing schools that are likely to have high suspension rates. Is it OK for a school to only be good for 70 percent of the students who may initially enroll in the school?*

These complex issues may take a while to evolve. But the School Equity Reports are clearly shining a light on discipline issues and compelling the DC PCSB to take a more systemic perspective on its role in shaping schools' discipline policy.

The effort to present consistent and comparable data for the city's charter and district schools has also launched citywide conversations about data governance. Who should be responsible for collecting, storing, and reporting student and school data in a multisector public school system?

The jointly produced School Equity Reports have created a valuable working relationship between DCPS and the DC PCSB, along with OSSE and, eventually, the deputy mayor of education. This initiative relied heavily on the voluntary efforts of the four agencies.<sup>14</sup> Each agency committed considerable human resources, with philanthropic dollars supplementing the effort. Several city leaders noted that involving middle managers (versus leaders) in DCPS and the DC PCSB has led to cross-sector data collaborations beyond discipline. As one observer noted:

*This effort created an opportunity for [mid-level managers in DCPS and DC PCSB] to work together, and at one point they met weekly and started to talk about other data. There is now a working relationship across the agencies.*

At the one-year mark of School Equity Report production, leaders we spoke with wondered about the long-term viability of the voluntary cross-agency effort. At the same time, OSSE, which was involved in the Equity Report initiative from the beginning, expressed interest in becoming the central data manager for all the city's public schools. The School Equity Reports provide Washington, D.C., with a test case for the district, charter board, and others to define terms for sharing and releasing their data. Now that OSSE has assumed a leadership role in analyzing and issuing the School Equity Reports, the reports are providing OSSE a proving ground to show its capacity for citywide data reporting.

Though the discipline data often garners more attention, schools' month-by-month enrollment is also tracked in the School Equity Reports. The reports show that some schools are more willing than others to replace students who exit midyear. This has prompted educational leaders to challenge the policy that funds schools based on a student count at a single point in time. Funding schools based on multiple enrollment counts throughout the year would better incentivize schools to replace students who exit midyear. Schools that choose not to replace students midyear would see a share of their resources shift to the schools that do.

14. New Schools Venture Fund provided financial support for the initiative.



## WHERE DOES WASHINGTON, D.C., GO FROM HERE?

Since we collected data for this report, OSSE released the third annual School Equity Reports (2014–2015). The rates of suspension and expulsion citywide have declined for three years straight, with the charter sector showing the steepest declines. For now, the reports seem valuable enough to be sustained. Although school leaders do not see the reports guiding school-level change, and parents have only recently been given ready access to them, these reports carry power in the information, precision, and nuance they provide to citywide conversations about suspension and expulsion in district and charter schools.

D.C. charter leaders use these reports to frame conversations with individual schools about the school's approach to student discipline. The DC PCSB has been hosting workshops to build local school boards' and leaders' capacity to critically analyze and change their school discipline policies. That said, our interviews suggest that schools would benefit from even more support and engagement, from DC PCSB or other agencies. The reports have also prompted internal conversations within the DC PCSB about authorizers' role in shaping discipline policy across the charter sector. Finally, charter leaders have used the School Equity Reports to propel talk of improving the charter finance system.

These reports hold potential for further impact. But realizing that potential for both charter and district schools may require more support from partners such as the city's many child advocacy and school support agencies. The handful of agencies we interviewed expressed concern over schools' discipline use, not just around the number of occurrences, but around how students are disciplined. But each agency had their own approach and sphere of influence in addressing the issue. Their efforts, while individually providing value to students and schools, did not seem well coordinated. Nor did these agencies routinely consult or refer to the School Equity Reports in their work. By creating uniform definitions and measures across the city, the reports grant unprecedented opportunity for a coordinated effort among charter and district schools, the many oversight agencies, and the city's advocacy and support agencies.

The School Equity Reports have provided Washington, D.C., with a good starting point. While DC PCSB leaders hoped data transparency would compel fairer discipline use in schools, no one expected these reports to solve all schools' discipline issues. Local leaders realize that improvements can be made to the reports, such as improving parent access, quantifying the number of learning days lost due to suspension, and crafting more nuanced indicators of the most at-risk or vulnerable students. The DC PCSB is also considering using report data to examine the relationship between suspension, expulsion, and student outcomes, in order to better pinpoint when and under what circumstances such discipline is most harmful to students.

But the most significant next steps will be in the continued pressure to get schools to meaningfully address the issues these reports highlight. That will involve coordinated efforts to educate individual school boards about discipline issues, close work with schools to reshape their schoolwide discipline policies, and effective professional development to improve educators' skills and confidence to carry out more constructive and less punitive discipline strategies while still maintaining orderly learning environments.

# Citywide Standards for Student Expulsion and Reenrollment: A Case Study of New Orleans' Centralized Expulsion Program

- Sarah Yatsko

In the decade since Hurricane Katrina, public education in New Orleans has been dramatically transformed. When the storm hit in 2005, the state-run Recovery School District (RSD) was just two years and a handful of schools into its work to assume control of chronically failing schools in Louisiana. After the storm, the state legislature further cleared the path for school takeover. By 2006, the RSD had taken control of 115 of the 128 Orleans Parish School Board (OPSB) schools. Roughly one-third of these schools were immediately closed, and the RSD ran the others directly.

In the years since, the RSD has steadily chartered the schools under its control; by 2014 all RSD schools (as well as 18 of the 24 remaining OPSB schools) were charters. Today, in New Orleans fewer than 10 percent of children in public schools attend traditional district schools—a far lower percentage than in any other city in the country.<sup>15</sup> New Orleans education leaders face challenges unique to this setting and admit openly to learning as they go. The process is undeniably messy. But the RSD's goal remains: To serve as a central authority that can help fill policy, administrative, or service gaps between schools without re-creating the traditional school district bureaucracy and constraints that state leaders believed were partly to blame for the city's rampant school failures.

Given the chaos of the post-Katrina reality and an increasingly decentralized school system, the most troubled students have been falling through the cracks. The new, complex system of autonomous schools initially failed to ensure that student expulsions were fair and consistent across the city—and that students reliably received educational services after expulsion. Most charter schools determined on their own why and when a child would be expelled. No central data system allowed the state or city leaders to know whether expelled students subsequently reenrolled in a school or simply dropped out. Individual schools had no way to know if a new student had been previously expelled.

While most New Orleans schools' suspension and expulsion rates hovered around the state average, child advocates, parents, and educational leaders (including then-RSD Superintendent Paul Vallas) voiced concern around a subset of schools that were suspending and expelling students at very high rates. These concerns surfaced against a backdrop of growing national attention on suspension and expulsion and the "school-to-prison pipeline." In addition, a [federal civil rights lawsuit](#) from the Southern Poverty Law Center (SPLC) in 2010 alleged harsh discipline of special education students in the city's charter and traditional public schools. (A [2015 settlement](#) included review and monitoring of schools' discipline policies.)

Under mounting legal and political pressure, the RSD fully centralized public school expulsions over the course of a few years. The RSD had a preexisting data system and expulsion hearing system that initially covered just the relatively small number of schools the RSD ran directly; in 2012–2013, the number of schools participating increased sharply. Over the following three years, all the city's public schools, either voluntarily or via some coercion, joined the RSD-run centralized expulsion hearing program. This program, run by the RSD's [Student Hearing Office](#) (SHO), requires the following process:

15. Lynn Schnaiberg and Robin Lake, *Special Education in New Orleans: Juggling Flexibility, Reinvention, and Accountability in the Nation's Most Decentralized School System* (Seattle, WA: Center on Reinventing Public Education, 2015).

- All schools use common criteria for expelling a student, and the hearing process aims to enforce consistent and fair application of those criteria.
- Expelled students receive instruction during the time they are out of school and receive help reenrolling in a school that is equipped to work with the challenges they present.
- A formal intervention and prevention process seeks to reduce unnecessary student expulsions.

Since the centralized expulsion program's expansion in 2012–2013, overall expulsion rates across the city have dropped dramatically. Given the inconsistent reporting of expulsions leading up to the citywide adoption, it is difficult to say what impact the policy itself had on expulsion rates. But since 2012–2013, the trend is clearly downward. More importantly, perhaps, there are signs that the new policies and scrutiny have led to other improvements, including the elimination of long delays in decision making around whether to expel a student and the development of student-centered alternatives to expulsion that prevent and/or address further extreme behaviors. At the very least, New Orleans students who are expelled face a much more consistent and thorough process for reenrolling and have more opportunities to get back on track.

The system is not perfect. Schools felt they had to maintain control over suspension, so the citywide policy does not include suspensions, which are far more common than expulsions. But so far, the challenges of managing a centralized expulsion program in a highly decentralized system have been minimal. Schools, for the most part, do not believe the system infringes on their ability to maintain safety and order. In all, the SHO offers a promising model to other cities, including those, like New Orleans, with many schools of choice overseen by more than one government agency as well as cities with highly traditional school districts interested in making expulsion decisions more consistent across schools. New Orleans demonstrates how small compromises on school autonomy can produce large benefits for students and schools systemwide.

### Learning About New Orleans' Centralized Expulsion Program

To understand how the New Orleans Recovery School District (RSD) developed and implemented a system to determine whether a child should be expelled from a city school, we reviewed RSD-provided documentation and interviewed nine stakeholders. Interviewees included past and present administrators of the RSD and the Orleans Parish School Board, leaders of long-established charter schools, leaders of charter schools charged with accepting expelled students, and community leaders involved in shaping the centralized expulsion program.

We also reviewed publicly available quantitative RSD data, including the total number of expulsion hearings as well as the number of times these hearings resulted in expulsion (or not). These data span three years, from the first year of citywide hearings in school year 2012–2013 through school year 2014–2015. In compliance with the federal Office for Civil Rights (OCR) requirements, the state of Louisiana has reported public data on suspension and expulsion by school dating to at least 2007. But according to RSD administrators and charter school leaders, OCR data and current RSD data are likely not directly comparable. Many reasons exist for the lack of comparability, not least of which is that schools self-report data to the OCR and there are widespread inconsistencies from school to school in the reliability of the data submitted. In contrast, all expulsion data after 2012 is collected and maintained by the SHO, not by individual schools. We note these differences below when discussing the dramatic declines in expulsion rates prior to and following the 2012–2013 school year.

## MOVING FROM A “WILD WEST” DISCIPLINE LANDSCAPE TO CENTRALIZED SAFEGUARDS

In 2010, five years after Hurricane Katrina, rising test scores in the city in which nearly all schools are charter schools were getting national attention. But equity questions persisted. Before the storm, only 11 percent of the New Orleans students receiving special education services were proficient on state tests.<sup>16</sup> Charter schools were accused of rigging lotteries to limit special education enrollment and pushing out students who were not performing academically. A 2010 class action suit filed by the SPLC on behalf of students with disabilities alleged that students were being physically and emotionally abused at some schools, being barred from admission at some schools, and being kicked out of other schools. Without a central office, the plaintiffs argued, New Orleans lacked the safeguards to ensure that students with disabilities were appropriately served. The lawsuit was settled in 2015 with the state agreeing to better address systemwide discipline procedures.

At the same time, the national debate around the high prevalence and deleterious impact of overly harsh school discipline was heating up. The term “school-to-prison pipeline” was coined and the [U.S. Departments of Education and Justice joined forces](#) to bring attention to the issue. The pressure was particularly strong in New Orleans, where reports sponsored by the National Association for the Advancement of Colored People, the SPLC, and community organizations cited markedly higher local rates of suspensions and expulsions as compared to both national and state averages. One charter leader we interviewed who was familiar with the SPLC lawsuit believed the violations cited were systemic in nature:

***It was because schools had autonomy to create their own discipline, suspension, and expulsion practices and no one was making sure these policies were legal.***

The new expulsion system’s goals were to patch service gaps and create transparency, due process, and consistency, according to Adam Hawf, the deputy superintendent who helped craft the policy. State data showed wide variation between schools in both suspension and expulsion rates.<sup>17</sup> Media reports alleged that “push-out” or off-the-books expulsions (i.e., when a school asks a student to leave without going through a formal expulsion process) were rampant in certain city schools. In these media reports, parents told stories of their children being sent home with no notice and nowhere to turn.<sup>18</sup>

When asked how expulsions were carried out across the city prior to the 2012–2013 school year, one charter leader said:

***It was the Wild West. Everyone was implementing their own rules and it was not fair to students and not fair to other schools.***

This was a common refrain. Because every school ran its own enrollment, it fell to the parent to find a midyear seat at a new school. One RSD official described what a parent would typically face to reenroll a child after an expulsion:

***You could drive around to all of the [RSD] schools and ask for a spot, or drive to the OPSB office or around to the schools they ran and ask them for a spot.***

16. Louisiana Department of Education, Louisiana Believes, “*Students with Disabilities.*”

17. Sarah Carr, “Students Expelled From RSD Charter Schools Disappear in State Records,” *The Times-Picayune*, February 9, 2009.

18. Danielle Dreilinger, “New Orleans Schools Expel More Students, But Are More Accountable,” *The Times-Picayune*, August 23, 2013.

A 2015 research study belatedly confirmed the community’s and the RSD’s concerns at that time; that some schools were restricting enrollment and encouraging certain students to transfer schools.<sup>19</sup>

In 2011, however, amid growing concern that the policy, administrative, and/or service gaps created by the decentralized system were particularly harmful to the city’s most vulnerable students, the RSD gathered stakeholders to discuss how best to address equity issues. To reduce unfair enrollment practices, increase transparency, and ease families’ burden in choosing a school, the RSD proposed and secured funding to develop and adopt a single citywide student enrollment system. Debuting in the 2012–2013 school year, OneApp made it possible for parents to easily apply to all the city’s participating public schools with a single application (versus having to fill out multiple applications at schools across the city).

It was no coincidence that the centralized expulsion program began the same year. Prior to the centralized system, a student who was expelled might have been able to enroll at an alternative program run by Crescent Leadership Academy, but the process was ad hoc: the burden was on the student and family to find out about the program and enroll. Interviewees reported that students could, and would, simply enroll in another school and not disclose the prior expulsion. Under OneApp, the RSD’s centralized system would process both fall enrollment and midyear transfers, provide needed services, and offer enough seats in specialized programs. As one RSD official put it, if the OneApp system could not ensure both fair enrollment *and* fair reenrollment, it would be a failure.

## USING CONVERSATIONS, COMPROMISE, AND COERCION TO GET TO CENTRALIZED EXPULSION

The story of how a city of autonomous and independent schools moved from the “Wild West” to a regulated student expulsion system is one of conversations, compromise, and a bit of coercion. When the idea of centralizing all expulsion decisions was introduced, charter leaders widely disagreed about whether this was something to fight or embrace. While the promise of consistency appealed to some, others made no secret of their reluctance to cede their authority over expulsions in their schools. Some school leaders argued that they had developed their schools’ discipline system to ensure a calm and orderly environment. They saw strict behavior rules as an essential precondition for students—most of whom had experienced trauma and were living in poverty—to be able to learn to high standards.

Despite this, many charter leaders (some early on, others later) championed the move to centralize expulsion decisions because they believed it served students’ best interests. As one charter leader put it:

*Sometimes charters need to give up autonomy to create equity. This is not OK with every charter [school], but they are wrong. This is the right thing to do. There are certain things a district [RSD] should be doing and this is one of them.*

But given the complicated nature of public school governance in New Orleans, the move to full participation by all public schools in the city took several years to complete. Table 1 illustrates the year-by-year adoption of the centralized program.

19. Huriya Jabbar, *How Do School Leaders Respond to Competition?* (New Orleans, LA: Education Research Alliance for New Orleans, 2015), 3.

**Table 1. Expansion of Participation in New Orleans' Centralized Expulsion Program From 2011 to 2016**

School year	Schools required to use centralized expulsion
2011–2012 and prior	<ul style="list-style-type: none"> <li>• RSD direct-run schools</li> </ul>
2012–2013	<ul style="list-style-type: none"> <li>• RSD direct-run schools</li> <li>• RSD chartered schools</li> </ul>
2013–2014	<ul style="list-style-type: none"> <li>• RSD direct-run schools</li> <li>• RSD chartered schools</li> </ul>
2014–2015	<ul style="list-style-type: none"> <li>• RSD chartered schools<sup>a</sup></li> <li>• BESE chartered schools</li> <li>• OPSB direct-run schools</li> <li>• OPSB chartered schools</li> </ul>
2015–2016	<ul style="list-style-type: none"> <li>• RSD chartered schools</li> <li>• BESE chartered schools</li> <li>• OPSB direct-run schools</li> <li>• OPSB chartered schools<sup>b</sup></li> </ul>

Notes: BESE = Louisiana Board of Elementary and Secondary Education; OPSB = Orleans Parish School Board; RSD = Recovery School District.

a. As of school year 2014–2015, the RSD had chartered all schools under its control and no longer directly ran any schools.

b. Unlike BESE schools, which were required by state policy to participate in the centralized expulsion program, OPSB entered a voluntary agreement with the RSD to have both its chartered and direct-run schools participate.

### Building strategic consensus for centralization

To address the diverse views on the centralized expulsion program, the RSD solicited input and participation from groups with diverse interests and opinions, including the school leaders who were on board with a centralized approach from the start, school leaders concerned about infringement on school autonomy, and the highly vocal civil rights community. An initial committee in 2011 advised on centralized program expansion, acceptable expulsion criteria, and some procedures that the RSD's new SHO would follow.

The RSD has continued to convene a working group since 2011, with new members cycling through each year. This working group suggests and vets changes to the centralized policies and practices, which are seen as imperfect; all agree the program needs continued honing. Most recently, the working group decided to drastically reduce the list of expellable offenses, a change not all school leaders were happy about. One school principal we interviewed said problematic behaviors that should qualify a student for expulsion now do not; this principal believes the list of offenses may need to expand again.

Although members of the local child advocacy community were asked to join the initial 2011 working group, invitees in later years were limited to charter school leaders, who were asked to address more detailed logistical aspects of the program. But both the RSD and an interviewee from a civil rights organization reported that the district and the advocacy community have continued to engage with one another to address discipline issues as they arise. One child advocate told us about going to the RSD recently to threaten a lawsuit:

*After gathering testimony and before declaring war, I went to RSD and said the [school discipline] situation was unacceptable and we needed to work together or understand we would be an adversary.*

Ultimately, the advocate opted not to file a lawsuit because he felt satisfied the RSD took his complaint seriously and would work to address the issues.

While the RSD made clear to charter schools that the state-run district had the power to strong-arm them into participating in the centralized expulsion program, the RSD conceded that schools would retain full autonomy on suspension decisions. This angered some parents and civil rights groups, who saw harsh and frequent suspensions as far more troubling than the comparatively small numbers of expulsions, but autonomy over suspensions was a nonnegotiable for many charter school leaders. Having leaders of charter schools authorized by the RSD, the OPSB, and the Louisiana Board of Elementary and Secondary Education (BESE) work together to craft the list of expellable offenses helped create a sense of ownership and mutual responsibility among schools. One charter school leader described how being in a room of peers ensured that all were “good actors.” Because no one wanted to be seen as advocating for an unreasonable position, leaders at the table were able to arrive at a limited list of expellable offenses and go on record as agreeing to abide by it.

### Managing school placement for previously expelled students

Prior to the 2012–2013 school year, expelled students were left to their own devices to find a new school. Many enrolled at a new school without informing that school that they had just been expelled, possibly for dangerous or disruptive behaviors. Because many schools simply would not accept students who had been expelled, students had to lie in order to get an education. This caused problems for educators, who were unable to put safeguards in place to help protect teachers and other students or to devise targeted behavior and/or academic plans to help the previously expelled students. It also caused problems for the expelled students, who did not get the help they needed.

This is how an RSD administrator described what often happened when schools enrolled students prior to the new expulsion system:

*[The school would] find out after the fact that [the student] didn't just fall out of the sky, he just got kicked out of the school down the street, which you didn't know until you got his records two weeks after you've enrolled him.*

A major incentive for New Orleans schools to agree to a common expulsion policy was the new RSD policy to ensure subsequent placement of expelled students: The RSD was now responsible for finding an appropriate educational placement for a student following the hearing officer's decision. Depending on the severity of the expellable offense, and considering any victims, options now include a homeschool program, an alternative school, a return to the school from which the student was expelled under a “strict probation” condition (with terms decided on by the school, student, parent, and student hearing officer), or reassignment to a new school.<sup>20</sup>

20. Orleans Parish School Board, *Student, Family, Staff & Community Elementary and Secondary Handbook* (New Orleans, LA: Orleans Parish School Board, 2014-2015), 73.

With a new system to ensure appropriate placement of expelled students, demand increased for alternative school options. In the 2014–2015 school year, the RSD added two alternative schools to the single preexisting one.

### Creating strong incentives for school participation

The RSD also exercised some coercion to use the centralized expulsion program. All RSD schools (charter schools and direct district-run schools) were required to participate in the program as of the 2011–2012 school year. For OPSB schools, participation was billed as voluntary, but opting out carried serious costs. If they expelled a student, they would have no access to the RSD-run alternative schools and would have to find the student a placement on their own. An expelled student who did not successfully reenroll somewhere would be counted as a dropout for the expelling school on state accountability measures.

On top of this, the OPSB schools received an extra incentive to participate. Because the RSD ran and financed the alternative schools for expelled students, all non-RSD schools that sent students to these RSD schools were required to contribute financially. But OPSB administrators were concerned that cost would be too strong a disincentive for its schools to join the centralized expulsion program, so OPSB covered the costs centrally to allow its schools to participate without the cost burden.

## ENSURING TIMELY DECISIONS, LIMITED EXPELLABLE OFFENSES, AND CONTINUED STUDENT SERVICES

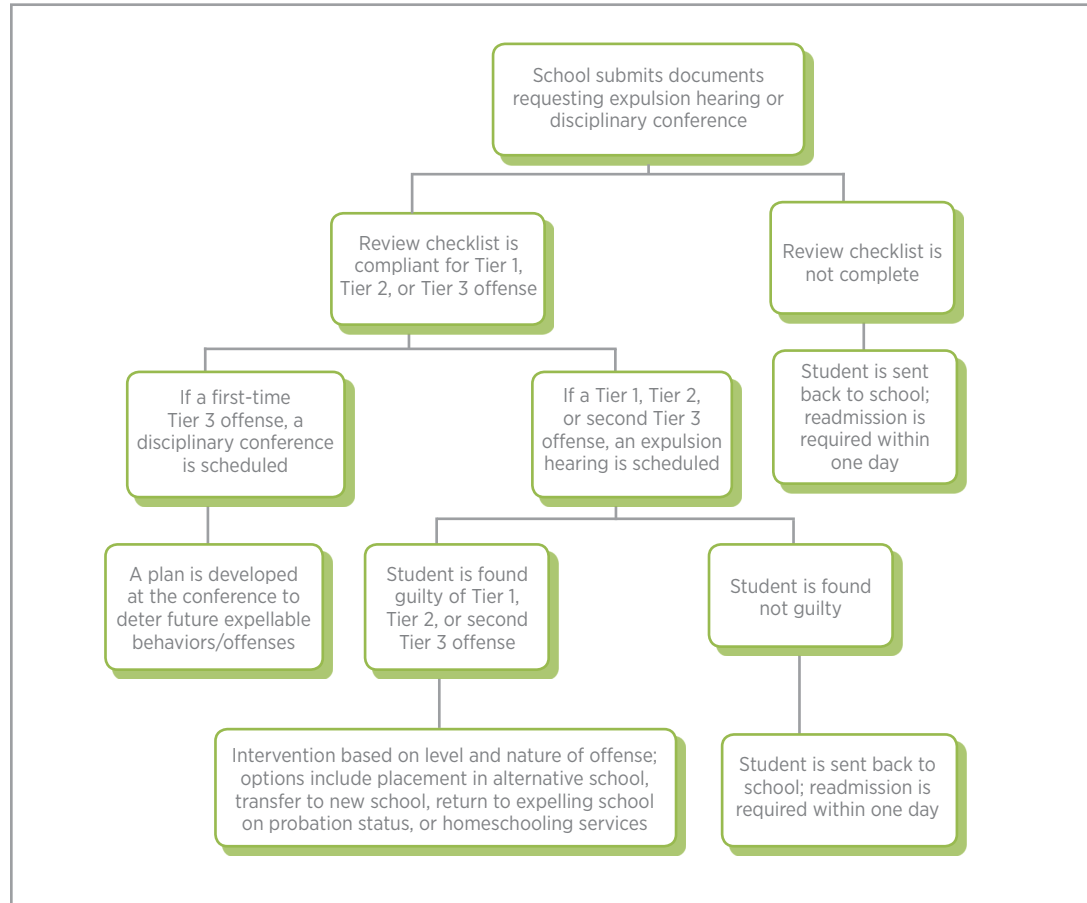
In New Orleans prior to 2012, school-level expulsion decisions could easily drag on for weeks or even months, according to child advocates we interviewed. The RSD's centralized expulsion program was built to ensure timely resolution of expulsion requests for both students and schools. Tight timelines are in place and are respected. A school has three days from the time of an incident (or in some cases three days from the time the school becomes aware of the incident) to complete an investigation, and one additional day to submit paperwork to the RSD requesting an expulsion hearing. The SHO then has just two days to review the expulsion request, determine whether or not to grant a hearing, and contact the family. If a hearing is scheduled, it must take place within five days of the RSD's receipt of the paperwork from the school. The clock also keeps ticking after the expulsion hearing to limit any interruption in educational services for the student. The family is given the chance to appeal the decision, but again must do so within a matter of days.

New Orleans' centralized expulsion program has undergone annual iterations in its three short years. Each year the RSD has convened a new working group to provide input and make any adjustments to the list of expellable offenses as well as to the services made available to expelled students. To guide decisions on whether or not to grant an expulsion hearing, the working group has helped develop a checklist of criteria that include safeguards for ensuring the request is timely, the documentation is complete, the school tried preventive interventions prior to the request if appropriate, and the offense cannot be directly attributable to a disability. The SHO must also ensure that the incident itself is on the most current list of expellable offenses. This list has seen a dramatic reduction over time, which many see as the reason that the number of expulsions has decreased.

During each expulsion hearing, the school representative, the family, and the hearing officer devise a plan to address issues underlying the student's behavior and to prevent a recurrence—regardless of whether or not the hearing results in an expulsion. Every child who is brought before a hearing officer and expelled is now tracked and placed in educational services (see Figure 1). Most often a child is placed into one of three schools designed to take expelled students; the hearing officer may also place the child in another school in the city or at home with homeschooling supports. All of this makes it much harder for a student to fall through cracks in the system.



Figure 1. Flowchart of Centralized School Expulsion in New Orleans



Source: Adapted from the New Orleans Recovery School District Student Hearing Office's *Manual for Disciplinary Procedures*, 2014–2015 School Year, page 9.

## CONFIRMING EARLY RESULTS AND CONTINUED EVOLUTION

The centralized expulsion program has already demonstrated its value for students and families. It offers a consistent citywide approach to expulsions, a systematic and consistent way to ensure that expelled students receive education services during their expulsion period, and a coordinated reenrollment process. Table 2 details how the broad participation in the centralized program that began in school year 2012–2013 has changed expulsion policies in New Orleans schools.

For students and families, the process is clearly more fair, transparent, and efficient. Schools no longer go without the relevant information when taking in expelled students; instead the central enrollment office, which handles fall and midyear student placement, provides all student records, including information on the expulsion.

**Table 2. Changes in New Orleans Schools' Expulsion Policies Before and After 2012–2013**

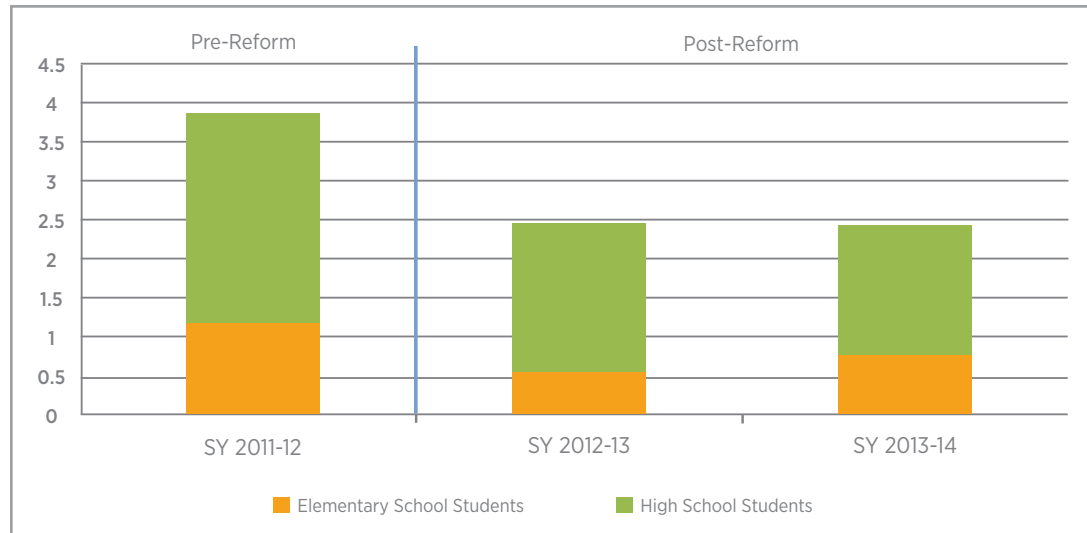
	<b>Before 2012–2013</b>	<b>After 2012–2013</b>
Which schools are participating in the RSD-run centralized expulsion hearings?	RSD direct-run schools <sup>a</sup> and a handful of other schools on a voluntary basis.	All public schools in New Orleans including all RSD, OPSB, and BESE schools.
How are determinations made to expel a student?	The district or charter school's board was solely responsible for deciding if a student should be expelled.	A hearing officer reviews the school's documentation and case and determines if the student will be expelled.
How long does it take to decide whether or not to expel a student?	Anywhere from days to months. Completely up to the individual school to determine.	Schools must complete paperwork and submit it to the hearing officer within three days of the incident. Hearing takes place within five days of receipt; a decision is reached at the hearing.
Can a student present an argument against an expulsion?	Completely up to the individual school to determine.	The student can bring to the hearing a parent and one other advocate to help present an argument against expulsion.
What offenses would subject a student to expulsion?	In 2007, the RSD developed an expulsion policy for its direct-run schools and asked all schools to abide by it, but schools continued to determine on their own what were expellable offenses.	There is a finite, three-tiered list of offenses for which a student is eligible for expulsion. Roughly, a student found guilty of a Tier 1 offense is automatically expelled; a student found guilty of a Tier 2 offense or multiple Tier 3 offenses may be expelled, subject to the hearing officer's determination.
What happens to a student after expulsion?	Completely dependent on the student; schools had no way to ensure students received educational services. Students were not tracked. Students could try to reenroll in another school or not.	Educational services are ensured; students are tracked. SHO decision options include sending the student back to the school with strict probation (terms decided by school, student, parent, and SHO) or reassigning the student to a new school, which could be a school for expelled students. A student may be eligible to return to the expelling school at the start of the following school year if the expulsion term is completed and the SHO determines it is appropriate based on incident severity and consideration for any victims.
How many students are expelled in New Orleans?	Not well tracked. Schools reported numbers of expelled students to the state, but the reported data are inconsistent.	Very well tracked. RSD keeps a record for every student who goes through an expulsion hearing, including the hearing outcome.
Can a school threaten an expulsion as a way to push out a student?	Yes.	Much less likely. Expulsion decisions are the purview of hearing officers only.

Notes: BESE = Louisiana Board of Elementary and Secondary Education; OPSB = Orleans Parish School Board; RSD = Recovery School District; SHO = Student Hearing Office (at the RSD).

a. Although there are no longer schools that fall into this category, prior to the 2012–2013 school year, there were a small number of schools that were directly run by the RSD after the state takeover and before a charter provider was determined.

While reducing the number of expulsions was not a stated goal of the new system, the number of reported student expulsions in New Orleans has dropped dramatically over the past five years, with the trend accelerating after the 2011–2012 school year when the SHO began making all expulsion decisions (see Figure 2). But there is an important caveat here: data from before the 2011–2012 school year were self-reported by schools to the federal OCR. Nearly everyone we spoke with in New Orleans believes those data did not reflect accurate expulsion numbers and that expulsions were likely either under- or over-reported. The lack of accurate baseline data makes it challenging to gauge trends over time.

**Figure 2. Number of Students per 1,000 Expelled in New Orleans Schools From 2011 to 2014**



Source for 2011–2014: New Orleans Recovery School District (RSD).

Data limitations aside, the school, board, and community leaders we interviewed said the new centralized policy on the whole has had positive impacts. They reported being encouraged by initial data showing a reduction in expulsions and said they now trusted the data in a way they did not before. They believed that the centralized program had provided the following benefits:

- More consistency and clarity in discipline decisions:  
*People now know kids are not being kicked out on a whim.*  
—Charter principal
- More preventive efforts that help trigger fewer expulsion actions:  
*Fewer kids have been recommended for expulsion. The change in the regulatory structure drove change in school culture.*  
—RSD official
- More support for students and schools:  
*Before this policy, schools would take a month to make decisions. Now you have three days to get paperwork in, the hearing office contacts the parent, and [students] are no longer in limbo sitting at home for weeks or longer.*  
—OPSB official

## MAKING AN EFFECTIVE INFORMAL PRACTICE FORMAL

One example of a preventive effort is the “disciplinary conference,” an SHO practice that started in an ad hoc and informal manner but subsequently became formally codified.

Initially, school principals from time to time would ask their hearing officer to talk with a student thought to be at risk of committing an expellable offense and try to find ways to get the student back on track. These informal conversations, sort of like mock expulsion hearings, turned out to be remarkably successful: Only about 3 percent of students the hearing officer talked with returned for an expulsion hearing within a year. As a result, the disciplinary conference process and intervention plan has been formalized for roughly a dozen offenses that were previously cause for expulsion. Despite the fact that more schools and students are going through disciplinary conferences, it continues to hold true that only a very small percentage of students wind up returning for an expulsion hearing.

In an RSD press release, KIPP Renaissance High School credits the disciplinary conference with contributing to its 80 percent decrease in expulsions in 2014–2015. Principal Joey LaRoche said:

*KIPP Renaissance has reduced expulsions by providing more in-school support to students and by using the [disciplinary conference] process at the SHO. Students are staying with us and they are staying on track for college.*

## WHERE DOES NEW ORLEANS GO FROM HERE?

New Orleans education leaders describe the citywide centralized expulsion program as a work in progress. In each of the three years the program has been in existence, changes have been made. Most of those we interviewed believe those changes have made the system better over time.

Although early impressions of the hearing process and the policies are encouraging, the potential for unintended consequences remains. Amid the optimism, our interviews revealed a broad belief that there are still unresolved issues, such as how the system works for students with disabilities. Although protections are in place for students identified as needing special education services, some interviewees believed that the SHO still saw cases where the presenting offense may stem from disability, which should make the student ineligible for an expulsion hearing. Other interviewees said the centralized expulsion program was too protective of some students with disabilities, for whom expulsion would be appropriate. One interviewee explained:

*This is tough because people are not aligned about the right outcomes. The outcome becomes for the school, “How do I not get sued?” and for the student, “How do I get away with as much as I can?” We have to find a balance.*

Some interviewees also reported anecdotal evidence of an increase in “back door” or “push-out” expulsions—as well as an increase in suspensions—in the wake of the centralized program. That said, the RSD Office of Student Enrollment tracks all transfers between schools and did not report any spike following implementation of the centralized expulsion program. The RSD also noted that transfers between schools can happen when all parties agree, but these movements are also tracked and must take place during the first six weeks of the school year. After October, all school transfer requests must come from parents and must be for reasons such as transportation or other family hardship, not just that a student does not like his or her school. Furthermore, parents, not schools, must initiate a request for a transfer between schools; the RSD reviews requests and denies most. All of this makes it nearly impossible for a school to unilaterally push a student out of one school and into another.

Given the concerns about school autonomy, those we spoke to thought it unlikely that charter schools would agree to centralized suspensions in addition to centralized expulsions, even though suspensions are far more common than expulsions and are vulnerable to the same kinds of overuse or misuse. One interviewee suggested closer auditing of schools' suspension rates as a way to both protect students and preserve school autonomy. A child advocate who had provided legal support to students in expulsion hearings by parent request called for improvements to the hearing process itself. She argued that many youth appeared before the SHO with only a parent but no other advocate. In those cases, the student and parent were often unable to persuasively argue that the student had not committed the offense or to assess what the best sanction should be if the student had done so.

While the falling number of expulsions and other positive outcomes are highly encouraging, many education and civic leaders in New Orleans and beyond would like to see schools eliminate all unfair or overly harsh discipline policies and practices. The immediate goals of the centralized expulsion program in New Orleans were to establish consistency in expulsion criteria and application and to create safety nets for students to ensure their continued education. Early indications suggest the city has made strides toward both goals. But it will take continued dialogue and commitment among policymakers to move toward the much more elusive goal of ensuring that all New Orleans public schools use fair and effective discipline for all students.