

**Case Study:**  
**School Discipline Reform in New York City:**  
**How It Is Happening**  
**A Report from the School Discipline Reform**  
**Portfolio of The Atlantic Philanthropies**

September 2015

Accord, NY

Cincinnati, OH

Portland, OR

Sacramento, CA

16 Main Street  
Accord, NY 12404  
845-626-2126  
Fax 845-626-3206  
[philliberresearch.com](http://philliberresearch.com)

The logo for Philliber Research & Evaluation features the word "Philliber" in a large, bold, blue serif font. A red curved line arches over the letters "i", "l", "l", and "i". Below "Philliber" is the text "RESEARCH & EVALUATION" in a smaller, blue, all-caps sans-serif font.

**Philliber**  
RESEARCH & EVALUATION

# TABLE OF CONTENTS

<b>INTRODUCTION</b> .....	<b>1</b>
<b>THE HISTORY OF SCHOOL DISCIPLINE REFORM IN NEW YORK CITY</b> .....	<b>2</b>
<b>THE STRATEGIES</b> .....	<b>4</b>
<b>STRATEGY 1: Building Strength through Collaboration</b> .....	<b>4</b>
<b>STRATEGY 2: Creating Awareness about the Issue</b> .....	<b>6</b>
<b>STRATEGY 3: Providing Positive Alternatives</b> .....	<b>7</b>
<b>STRATEGY 4: Advocating for Change</b> .....	<b>9</b>
<b>STRATEGY 5: Resorting to Legal Action</b> .....	<b>9</b>
<b>STRATEGY 6: Connecting with National and Regional Partners</b> .....	<b>10</b>
<b>STRATEGY 7: Working for Political Change</b> .....	<b>11</b>
<b>HOW IT'S HAPPENING</b> .....	<b>12</b>

## INTRODUCTION

This is the story of how school discipline is being reformed in New York City, with the help of The Atlantic Philanthropies, and the strategies used to influence that change.

The Children's Defense Fund raised the issue of school discipline reform as early as 1974 with the publication of *Children Out of School in America* followed the next year by *School Suspensions: Are They Helping Children?* Those publications pointed out that among the school districts reporting to the Office of Civil Rights in 1973, over one million students were suspended at least once during the school year for a total of 4.2 percent of the students enrolled. The rate among African American children was twice as high as among children who were white.<sup>1</sup>

However, the Children's Defense Fund could not foresee the dramatic increase in school suspensions that would occur over the next thirty years. Among middle school students, the rate would almost double between 1973 and 2006, increasing to 6.9 percent of the students enrolled. The rate among white students increased 55% while the rate among African Americans increased 150 percent, leaving African Americans three times as likely to be suspended from school.<sup>2</sup>

Two major factors contributed to the rapid increase in school suspensions. The first was the growing belief among policymakers as well as the general public that the nation's youth were out of control especially with respect to drug abuse and violence. The adoption of zero tolerance policies was seen as the answer and established by Congress, state legislatures, and local school boards. Zero tolerance policies required that defined punishments be administered whenever infractions of rules occurred. Circumstances, explanations, and even common sense could not be taken into account. These policies enjoyed the support of the general public. The second was the criminalization of school discipline. The enforcement of school discipline was made the responsibility of police and courts instead of school officials. Minor offenses such as being late to class, talking back to teachers, disrespecting school officials by failing to address them as sir or ma'am, or shoving another student were often defined as criminal.<sup>3</sup>

Research demonstrated that suspensions and expulsions had negative academic and social consequences for students. For example, a study of school discipline in Texas found that students who were suspended or expelled, especially those who were punished multiple times, were more likely to be held back a grade, dropout of school, and become involved with the juvenile justice system.<sup>4</sup> Balfanz, et al. found that Florida students who were suspended even once in the ninth grade were less likely to graduate from high school or pursue post-secondary education and

---

<sup>1</sup> Children's Defense Fund. 1975. *School Suspensions: Are They Helping Children?* Cambridge: Children's Defense Fund.

<sup>2</sup> Losen, D. and Skiba, R. 2010. *Suspended Education: Urban Middle Schools in Crisis*. Montgomery: Southern Poverty Law Center.

<sup>3</sup> Fabelo, T., Thompson, M., Platkin, M., Carmichael, D., Marchbanks, M., and Booth, E. 2011. *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*. New York: Council of State Governments Justice Center.

<sup>4</sup> Ibid

achieved less post-secondary education.<sup>5</sup>

Efforts to reform school discipline struggled for thirty years. In 2001 the Advancement Project began organizing local community-based group to advocate for reform. The Dignity in Schools Campaign was organized in 2006 by local grassroots and advocacy groups to share information and build a common framework to reform school discipline. The Open Society Foundations funded school discipline reform efforts in Maryland and a study of the magnitude and impact of school discipline in Texas.

In 2010 The Atlantic Philanthropies stepped into the fray creating the School Discipline Reform Initiative. The Atlantic Philanthropies have always been dedicated to creating opportunities and lasting changes for people who are unfairly disadvantaged or vulnerable to life's circumstances. School discipline had become ineffective, unjust, and unequally applied to people of color and vulnerable populations. Atlantic undertook the Initiative to accomplish two objectives:

- To reduce the use of suspensions, expulsions, and arrests as methods of school discipline; and
- To eliminate disparities in these school discipline practices as they relate to race, ethnicity, gender, and people with special needs.

To accomplish these objectives, The Atlantic Philanthropies adopted a set of strategies which they then used in targeted cities to bring about school discipline reform. Those strategies included:

- Building strength through collaboration;
- Creating awareness about the issue;
- Providing positive alternatives;
- Advocating for change;
- Resorting to legal action;
- Working for political change; and
- Connecting with national and regional partners.

## THE HISTORY OF SCHOOL DISCIPLINE REFORM IN NEW YORK CITY

New York City's revised *Discipline Code and Bill of Student Rights and Responsibilities, K-12* went into effect in April, 2015.<sup>6</sup> The proposed revisions:

---

<sup>5</sup> Balfanz, R., Byrnes, V., and Fox, J. 2015. "Sent Home and Put Off Track: The Antecedents, Disproportionalities, and Consequences of Being Suspended in the 9<sup>th</sup> Grade," Pp 17 – 30 in *Closing the School Discipline Gap: Equitable Remedies for Excessive Exclusion*. New York: Teachers College Press.

<sup>6</sup> New York City Department of Education. 2015. *Citywide Behavioral Expectations to Support Student Learning: Student Intervention and Discipline Code and Bill of Student Rights and Responsibilities, K-12*. New York City: NYC Department of Education, Office of Instructional Publications.

- require that students who receive a principal’s suspension receive alternative instruction within the school building;
- require principals to obtain Department of Education (DOE) approval for suspensions involving insubordination or defying authority;
- require principals to obtain DOE approval for suspensions of any student in grades K-3;
- eliminate superintendents’ suspensions for minor physical infractions such as shoving or pushing;
- remove the ban prohibiting the possession of cell phones by students; and
- require NYPD to report any incident in which a student is handcuffed.

In addition, the revised code places an emphasis on collaborative problem solving and restorative practices.

The New York City Department of Education also announced that it will spend almost five million dollars to improve school discipline practices:

- \$1.2 million will be dedicated for restorative justice programs in 100 schools;
- \$2.3 million will be spent for supports for court-involved students; and
- \$1.45 million will go toward reducing 911 referrals for disruptive students by properly training staff.<sup>7</sup>

In part these programs build on existing pilot programs or mandated reforms not initiated by New York City’s Department of Education.

At the same time, Chancellor Carmen Farina announced the convening of the Leadership Team on School Climate and Discipline by Mayor Bill de Blasio to coordinate and evaluate the effectiveness of these reforms and make recommendations for improvement. This team was composed of principals, parents, students and union representatives as well as representatives from the DOE, the NYPD, the Mayor’s Office of Criminal Justice, the City Council, and community groups.<sup>8</sup> Their ten recommendations were announced in July, 2015, in *Safety with Dignity*.<sup>9</sup>

These reforms are designed to reverse a long-standing pattern of increasing suspensions and expulsions in New York City Public Schools, especially among African American males and students with disabilities. They did not come without effort.

In 1998, under Mayor Giuliani, the New York City Board of Education transferred responsibility for school security to the New York City Police Department. Between 1998 and 2002 the number of police in schools increased 27 percent under the Giuliani administration. The trend continued during the Bloomberg administration, increasing another 52 percent between 2002 and 2009. By

<sup>7</sup> <http://schools.nyc.gov/Offices/mediarelations/NewsandSpeeches/2014-2015>. February 13, 2015. *City Announces School Climate Reforms*

<sup>8</sup> Ibid

<sup>9</sup> City of New York. 2015. *Safety with Dignity: Policy Recommendations from the Mayor’s Leadership Team on School Climate and Discipline*. New York: City of New York

2010, NYPD's School Safety Division numbered over 5,000 and was the fifth largest police force in the nation.<sup>10</sup>

As the number of police in schools increased, so did the number of suspensions and expulsions. Between 1999 and 2009 the number of suspensions doubled and long term suspensions increased 150 percent. In the 2009 school year there were almost 74,000 suspensions, often for infractions such as talking back to teachers or using profane language.<sup>11</sup>

Suspensions have been disproportionately borne by African Americans and students with disabilities. In 2009, African Americans received over half of all suspensions and 58 percent of the long term suspensions while making up less than a third of the student body. One in six students is diagnosed with special needs, but they received almost one in three suspensions.<sup>12</sup>

## THE STRATEGIES

The Atlantic Philanthropies used a set of coordinated strategies to influence school discipline reform in New York City. The same basic strategies are being used in other targeted cities as well, so New York City is but one example of the work that is being done.

### *STRATEGY 1: Building Strength through Collaboration*

The building of coalitions brings together organizations that share a common goal. Some of these organizations may have a long history of activities in the targeted area, while others are new. Some are too small to make much of an impact alone. Some are grantees of The Atlantic Philanthropies, but others are not. However, together their actions are coordinated. They share knowledge and ideas, provide support to one another, and have a much larger voice.

In New York City, four major local coalitions have been involved in school discipline reform.

- **A+ NYC** was a nonpartisan education advocacy group of 47 organizing, policy and educational services organizations with the goal of making education a principle issue in the 2013 mayoral election<sup>13</sup>
- **Dignity in Schools Campaign – New York** is a citywide coalition of students, parents, advocates, educators and lawyers. Its members include 21 organizations calling for positive, school-wide approaches to discipline.<sup>14</sup>

---

<sup>10</sup> Ofer, U. 2012. "Criminalizing the Classroom: The Rise of Aggressive Policing and Zero Tolerance Discipline in New York City Public Schools." *New York Law School Review*. 56. 1373 – 1411.

<sup>11</sup> Ibid

<sup>12</sup> Ibid

<sup>13</sup> <http://www.nycommunitytrust.org/DonorsEducationCollaborative>.

<sup>14</sup> <http://dignityinschools.org>.

- The **Student Safety Coalition** works to end the New York City school-to-prison pipeline and its disproportionate impact on youth of color and youth with special needs. Made up of 16 New York City advocacy, academic and community-based organizations, the coalition led the fight for passage of the Student Safety Act.<sup>15</sup>
- The **New York City School-Justice Partnership Task Force** was convened in June 2011 by Judge Judith Kaye, former Chief Judge of the State of New York and Chair of the New York State Permanent Judicial Commission on Justice for Children, along with Advocates for Children of New York with funding from Atlantic Philanthropies. The Task Force consisted of 43 government officials, experts and key stakeholders, including representatives from 13 community organizations.<sup>16</sup>

Atlantic, itself, is part of the **Donors Education Collaborative**, a joint effort of 13 funders to support constituency building and advocacy for education reforms in NYC public schools. Among its grantees, DEC funded **A+ NYC** to develop and advocate for an education policy platform during the 2013 mayoral election and the **Dignity in Schools Campaign - New York** to advocate for reforms to the New York City School Discipline Code.<sup>17</sup>

Some collaboratives are broadly based, drawing members from different cities, although the members work for school discipline in the cities where they are located. Four of those collaboratives have been involved in the New York City school reform effort.

- The **Alliance for Educational Justice** unites grassroots groups to change federal education policy. Its members in New York include Make the Road New York, Desis Rising Up & Moving and Sistas & Brothas United. Since 2010, The Atlantic Philanthropies have supported the Alliance's Youth Justice Corps capacity building activities to expand youth participation in education policy reform, including funds for youth to attend USDOE's National Youth Summit in DC.<sup>18</sup>
- The **NAACP Legal Strategies Collaborative** was created by The Atlantic Philanthropies to support data analyses, litigation, policy advocacy, direct representation, technical assistance, coordination and donor engagement to promote local, state and national school discipline policy reform. It has provided a platform for organizations to share ideas and learn from one another.<sup>19</sup>
- The **National Economic and Social Rights Initiative** supports student and teacher advocacy for changes that will eliminate harsh disciplinary policies and implement positive approaches to discipline throughout the school system. In partnership with communities, NESRI works to build a broad movement for economic and social rights. The Dignity in Schools Campaign is a NESRI initiative.<sup>20</sup>

<sup>15</sup> <http://nyclu.org/schooltoprison/ssa>. *The Student Safety Act*.

<sup>16</sup> <http://nycourts.gov/ip/justiceforchildren>

<sup>17</sup> <http://www.nycommunitytrust.org/DonorsEducationCollaborative>.

<sup>18</sup> <http://otlcampaign.org/content/spotlight-alliance-educational-justice>.

<sup>19</sup> <http://atlanticphilanthropies.org/school-discipline-reform>. *Building a Movement to Keep Kits in School*

<sup>20</sup> <http://nesri.org>.

- The **Opportunity to Learn (OTL) Campaign** unites a growing coalition of advocates and organizers from across the country, including New York City. OTL advocates for a supports-based reform agenda that includes effective school discipline.<sup>21</sup>

### **STRATEGY 2: Creating Awareness about the Issue**

The demand for change begins with awareness that a problem exists. In New York City a number of monographs were produced documenting the magnitude of the problem and making recommendations for change. There is a certain uniformity across these monographs:

- suspensions, expulsions, and arrests are too frequent;
- suspensions, expulsions, and arrests target black males and students with disabilities;
- suspensions, expulsions, and arrests have negative consequences for students; and
- there are more effective alternatives to student discipline.

The monographs are made more effective because of this uniformity – the same message from different sources is repeated over and over again.

Among those monographs:

- **The New York Civil Liberties Union** released *Criminalizing the Classroom: The Over-Policing of New York City Schools* in March, 2007.<sup>22</sup>
- **The National Economic and Social Rights Initiative** and **Teachers Unite** collaborated in 2008 to produce *Teachers Talk: School Culture, Safety and Human Rights*.<sup>23</sup>
- Udi Ofer, Advocacy Director for the **New York Civil Liberties Union**, published “Criminalizing the Classroom: The Rise of Aggressive Policing & Zero Tolerance Discipline in New York City Public Schools” in *New York Law School Review* in 2012.<sup>24</sup>
- **The School-Justice Partnership Task Force**, created by Advocates for Children of New York and the NYC Permanent Judicial Commission on Justice for Children produced *Keeping Kids in School and Out of Court: Report and Recommendations* in May, 2013.<sup>25</sup>
- An alliance of **Dignity in Schools Campaign – New York, Make the Road New York, National Economic & Social Rights Initiative, Sistas & Brothas United, & Teachers Unite** released *Building Safe, Supportive & Restorative School Communities in NYC* during Summer, 2013.<sup>26</sup>

<sup>21</sup> <http://otlcampaign.org>.

<sup>22</sup> New York Civil Liberties Union. 2007. *Criminalizing the Classroom: The Over-Policing of New York City Schools*. New York: New York Civil Liberties Union

<sup>23</sup> Sullivan, E. and Keeney, E. 2008. *Teachers Talk: School Culture, Safety and Human Rights*. New York: National Economic and Social Rights Initiative and Teachers Unite

<sup>24</sup> Ofer, U. 2012. op. cit.

<sup>25</sup> New York City School-Justice Partnership Task Force. 2013. *Keeping Kids in School and Out of Court: Report and Recommendations*. Albany: New York State Permanent Judicial Commission on Justice for Children.

<sup>26</sup> Dignity in Schools Campaign – New York, Make the Road New York, National Economic and Social Rights Initiative, Sistas and Brothas United, Teachers Unite. 2013. *Building Safe, Supportive and Restorative School*

- In October, 2013, the **New York Civil Liberties Union** published *A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline*.<sup>27</sup>
- In February, 2015, **Advocates for Children New York** published *Civil Rights Suspended: An Analysis of New York City Charter School Discipline Policies* reviewing discipline policies of 164 New York City charter schools and demonstrating that many charter schools have discipline policies that fail to meet legal requirements and violate students' and parents' civil rights.<sup>28</sup>

Advocates for school discipline reform also made use of news articles to get out the message. These articles often begin with a vignette about a student receiving a harsh penalty for a dubious infraction. Examples include:

- A ninth grade honors student was suspended 30 days for having cough syrup;<sup>29</sup>
- A five-year-old special needs student was tied to a chair and denied access to his mother;<sup>30</sup>
- A thirteen-year-old was suspended 30 days for bringing bed bug repellent to school after the school announced an infestation;<sup>31</sup>
- A middle school student informed a school safety officer that someone had written graffiti in the boys' restroom. He was promptly handcuffed, arrested, and suspended from school for writing the graffiti although there was no evidence he had done so;<sup>32</sup> and
- A senior was suspended for 30 days for searching Craig's list for job openings in the school library.<sup>33</sup>

Atlantic funded the Hatcher Group to coach organizations in how to obtain and use media exposure.

### **STRATEGY 3: Providing Positive Alternatives**

Atlantic Philanthropies and organizations working for school discipline reform recognized that simply stopping suspensions and expulsions wasn't sufficient. Teachers and administrators needed alternatives to maintain levels of discipline in their schools that would provide a supportive learning environment. Some organizations worked to develop and implement such alternatives.

---

*Communities in New York City.* New York City: Dignity in Schools Campaign – New York, Make the Road New York, National Economic and Social Rights Initiative, Sistas and Brothas United, Teachers Unite.

<sup>27</sup> New York Civil Liberties Union. 2013. *A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline.* New York City: New York Civil Liberties Union.

<sup>28</sup> Advocates for Children New York. 2015. *Civil Rights Suspended: An Analysis of New York City Charter School Discipline Policies.* New York: Advocates for Children New York.

<sup>29</sup> McFarland, A. 2014. *Student Suspended for Bringing Cough Syrup to School.* New York City: WABC-TV Eyewitness News.

<sup>30</sup> Hoffer, J. 2014. *Policy Changes Coming After Special-Needs Student Restrained in Bronx School.* New York City: WABC-TV Eyewitness News.

<sup>31</sup> [http://advocatesforchildren.org/who\\_we\\_are\\_afc/success\\_stories/steven](http://advocatesforchildren.org/who_we_are_afc/success_stories/steven).

<sup>32</sup> [http://advocatesforchildren.org/who\\_we\\_are\\_afc/success\\_stories/george](http://advocatesforchildren.org/who_we_are_afc/success_stories/george).

<sup>33</sup> <http://wnyc.org/story>. *Focus on Discipline: How One NYC Student Was Suspended for 30 Days.*

- **Teachers Unite, Make the Road New York, Dignity in Schools, and NYU School of Law** worked to build Restorative School Communities at the Bushwick School for Social Justice, Lyons Community School, and Green School.<sup>34</sup>
- **Teachers Unite** created the *Growing Fairness Project* to build restorative justice programs in schools. The project provides a film, toolkit with lesson plans, and workshops to help educators develop programs.<sup>35</sup>
- **United Federation of Teachers** collaborated with the NYC-DOE and the Cornell University Residential Child Care Project to create the *Institute for Understanding Behavior*. This institute:
  - Trains all school staff using Cornell University’s Therapeutic Crisis Intervention curriculum.
  - Places a Behavior Specialist in each school to provide on-site school support by:
    - Guiding school leadership teams;
    - Developing partnerships with CBOs;
    - Holding monthly practicum workshops; and
    - Training school staff to provide behavioral management strategies workshops for parents.<sup>36</sup>
- **Annenberg Institute for School Reform, Brown University** created PASSAGE (Positive and Safe Schools Advancing Greater Equity) to support district leadership and community partners to implement program and policy interventions. Their community partners in New York City, – the Urban Youth Collaborative and the Dignity in Schools New York Coalition – worked with NYC DOE to define a comprehensive overhaul to the school system’s approach to discipline in order to end disparities in suspensions. They are:
  - Designing and launching a system-wide communication strategy about alternatives to suspensions and positive approaches to discipline; and
  - Building the system infrastructure to provide schools the supports they need to implement those interventions.<sup>37</sup>
- **The Center for New York City Affairs at the New School** is developing and testing alternative metrics for assessing school performance, including attention to disciplinary policies and school climate.<sup>38</sup>

<sup>34</sup> NYU School of Law Advanced Mediation Center, National Economic and Social Rights Initiative, Make the Road New York, Teachers Unite, and Dignity in Schools Campaign – New York. 2011. *Building Safe, Supportive, and Restorative School Communities*. New York: <sup>34</sup> NYU School of Law Advanced Mediation Center, National Economic and Social Rights Initiative, Make the Road New York, Teachers Unite, and Dignity in Schools Campaign – New York

<sup>35</sup> <http://www.teachersunite.net/growingfairness>

<sup>36</sup> <http://www.uft.org/vperspective>. *A New Model for Confronting Challenging Student Behavior*

<sup>37</sup> Annenberg Institute for School Reform. 2013. *Support for Designing and Implementing a Discipline Disparities Learning Network: Project Summary*. Providence: Annenberg Institute for School Reform, Brown University.

<sup>38</sup> Nauer, K., Mader, N., Robinson, G., and Jacobs, T. 2014. *A Better Picture of Poverty: What Chronic Absenteeism and Risk Load Reveal About NYC’s Lowest-Income Elementary Schools*. New York City: Center for New York City Affairs.

#### **STRATEGY 4: Advocating for Change**

Many organizations advocated for change in school discipline policies and practices. They held rallies, organized conferences, testified at hearings, produced news releases, all in an attempt to persuade policy makers. In New York City, examples of Atlantic-funded organizations' advocacy efforts include:

- **Make the Road New York** supported advocacy for school discipline reform by organizing, policy innovation and transformative education among Latino and working class communities.<sup>39</sup>
- **Sistas & Brothas United** conducted training for students on the School to Prison Pipeline and hosted STPP awareness day.<sup>40</sup>
- **Desis Rising Up & Moving (DRUM)**, part of the South Asian Organizing Center, worked to develop leadership and power of low-income youth to win education reform.<sup>41</sup>
- **Dignity in Schools Campaign - New York** advocated for reforms to the New York City School Discipline Code. They made specific recommendations they wanted to implement.<sup>42</sup>
- **New York Civil Liberties Union** worked to change school safety and disciplinary practices. They also made specific recommendations.<sup>43</sup>

#### **STRATEGY 5: Resorting to Legal Action**

When education and advocacy were not enough to bring about school discipline reform, advocates for reform have turned to the courts and oversight agencies for relief. In New York City:

- **New York Civil Liberties Union** and the **American Civil Liberties Union** brought a class action lawsuit in federal court in January, 2010, against NYPD School Safety Division alleging NYPD arrests students for minor violations of school rules that are not criminal; handcuffs students and locks them in seclusion rooms without parent or teacher consent or probable cause of criminal activity; and removes misbehaving school children without parent or teacher consent, and transports them to hospitals for emergency psychiatric evaluations.<sup>44</sup>
- **Advocates for Children New York** filed a complaint with NYS Education Department in April, 2013, against NYC-DOE for failure to provide behavioral supports for students with disabilities.<sup>45</sup>
- **Legal Services of NYC** brought action in U. S. District Court against NYC-DOE for repeatedly removing disruptive special needs children by calling 911 to have them removed by EMS.<sup>46</sup>

---

<sup>39</sup> <http://www.maketheroadny.org>.

<sup>40</sup> <http://northwestbronx.org/what-we-do/sistas-brothas-united>

<sup>41</sup> <http://www.drumnyc.org>.

<sup>42</sup> <http://dignityinschools.org>.

<sup>43</sup> <http://nyclu.org>.

<sup>44</sup> Ofer, U. 2012. op. cit.

<sup>45</sup> Advocates for Children of New York. 2013. *Advocates for Children Of New York Files Complaint Against the NYC Department of Education for Not Providing Mandated Behavior Supports That Could Decrease Suspensions*. Advocates for Children of New York, Media Release.

The settlement reached in December, 2014, requires NYC-DOE to provide training in Therapeutic Crisis Intervention to 500 employees from the worst offending schools; and form a crisis intervention team to create a plan to avoid calling 911.

### **STRATEGY 6: Connecting with National and Regional Partners**

While local organizations were working to bring about school discipline reform in New York City and other cities, other groups were working on the national and regional stage. The U.S. Departments of Education and Justice created the **Supportive School Discipline Initiative** in the Summer of 2011 after the Council of State Governments' release of *Breaking Schools' Rules*<sup>47</sup>, which documented the high frequency of suspensions in Texas as well as the disproportionate burden faced by African American students and those with disabilities.

Under the Supportive School Discipline Initiative, the Departments of Education and Justice, along with foundations that included The Atlantic Philanthropies, funded the **School Discipline Consensus Project** managed by the Council of State Governments. The purpose of the School Discipline Consensus Project was to bring together practitioners from the fields of education, juvenile justice, behavioral health, and law enforcement, as well as state and local policymakers, researchers, advocates, students, and parents to collaboratively develop a comprehensive set of recommendations for change. Those recommendations were published in June, 2014, as the *School Discipline Consensus Report: Strategies from the Field to Keep Students Engaged in School and Out of the Juvenile Justice System*.<sup>48</sup>

In January 2014, the Departments of Education and Justice released joint legal guidance to assist public schools and districts in administering student discipline to meet their legal obligations under Title IV and Title VI of the Civil Rights Act of 1964 which prohibit discrimination on the grounds of race, color, or national origin. At the same time, the Department of Education released a resource guide outlining "principles" for improving school climate and discipline practice. The resource guide includes: an organized set of guiding principles and related action steps to help schools improve school climate, improve discipline policy and practice, and reduce disproportionality; a directory of federal resources to assist with the implementation of the principles; and a compendium of state-level laws and regulations relevant to school discipline policy and practice.

As part of the Supportive School Discipline Initiative, the Department of Education's Civil Rights database tracks the total number of students receiving in-school and out-of-school suspensions and expulsions, the number of students referred to law enforcement, the number of students with school-related arrests, and the total number of students expelled under zero-tolerance policies. The data are collected every two years and since 2012 data have been collected from all school districts

---

<sup>46</sup> Brody, L. 2014. "Students' Suit Settled in New York City. *Wall Street Journal*. December 15.

<sup>47</sup> Fabelo, T., Thompson, M., Platkin, M., Carmichael, D., Marchbanks, M., and Booth, E. 2011. *Breaking Schools' Rules: A Statewide Study of How School Discipline Relates to Students' Success and Juvenile Justice Involvement*. New York: Council of State Governments Justice Center.

<sup>48</sup> Morgan, E., Salomon, N., Plotkin, M., Cohen, R. 2014. *School Discipline Consensus Report: Strategies from the Field to Keep Students Engaged in School and Out of the Juvenile Justice System*. New York: Council of State Governments Justice Center.

in the country (approximately 17,000 districts). The Center for Civil Rights Remedies at UCLA's Civil Rights Project used the database to publish *Out of School & Off Track: The Overuse of Suspensions in American Middle and High Schools*<sup>49</sup> in 2013 documenting the widespread use of suspensions for minor infractions and the disparities for African American males and students with disabilities.

The Initiative provided assistance to the New York State Permanent Judicial Commission on Justice for Children to host the March 2012 National Leadership Summit on School-Justice Partnerships which convened teams of state education and judicial officials to improve policy and practice related to school discipline. *Keeping Kids in School and Out of Court: A Collection of Reports to Inform the National Leadership Summit on School Justice Partnerships*<sup>50</sup> was released at that Summit.

The involvement of the Departments of Education and Justice increased the momentum for school discipline reform. While school systems may be reluctant to be out-front in innovating change, they don't want to be behind either – they especially don't want to be out of compliance with guidelines or regulations from either the US Department of Education or the US Department of Justice. These efforts from government agencies and national organizations made the point that school discipline was a national problem and that they intended to bring about reforms.

### **STRATEGY 7: Working for Political Change**

In New York City changes in school discipline policies were contingent on other changes taking place first.

The possibility of school discipline reform was greatly limited as long as either Rudolph Giuliani (1994 – 2001) or Michael Bloomberg (2002 – 2013) was mayor. Both mayors were strong proponents of the zero tolerance policies which led to the placement of police in schools and large increases in the number of suspensions, arrests, and expulsions. The chancellors they appointed shared their views. However, Michael Bloomberg chose not to run for a fourth term in 2013, opening the door for a new mayor with a different perspective. Advocates for school discipline reform worked to educate, advocate, and elect a candidate who would support their agenda.

**Dignity in Schools Campaign – New York** developed the Platform for Positive School Discipline<sup>51</sup> which called on the new mayor to implement and fund positive school-wide discipline policies; reduce suspensions by 50% by September 2013, eliminate suspensions of more than 10 days, and reduce school-based arrests; and monitor the use of suspensions, removals, arrests and positive interventions. The *Talking Transition Project*<sup>52</sup>, funded by Atlantic supported advocacy for school discipline reform during the transition in the mayoral administrations. Bill de Blasio, who won the election, campaigned, among other things, for school discipline reform.

---

<sup>49</sup> Losen, D. and Martinez, T. 2013. *Out of School and Off Track: The Overuse of Suspensions in American Middle and High Schools*. Los Angeles: The Civil Rights Project.

<sup>50</sup> New York State Permanent Judicial Commission on Justice for Children. 2012. *Keeping Kids in School and Out of Court: A Collection of Reports to Inform the National Leadership Summit on School Justice Partnerships*. Albany: New York State Permanent Judicial Commission on Justice for Children.

<sup>51</sup> <http://www.nesri.org>. 2011. *Platform for Positive School Discipline in New York City Schools*.

<sup>52</sup> <http://www.talkingtransitions2013.com>.

During this same period in New York City, there was growing resentment against the New York Police Department's policy of stop-and-frisk in which pedestrians were stopped, questioned, and searched for weapons or other items of contraband. The majority of those stopped were young African American and Latino males. Advocates for school discipline reform worked to make the connection that what stop-and-frisk was in the streets, suspension was in the schools. For example, *New York Civil Liberties Union's A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline*<sup>53</sup> links school suspension to NYPD stop-and-frisk patterns. The increasing rejection of stop-and-frisk fueled the movement for school discipline reform.

## HOW IT'S HAPPENING

When The Atlantic Philanthropies began to address the issue of school discipline reform the movement had made little progress. Atlantic's approach has been to build the components that would transform the movement into an effective vehicle for change. Atlantic has worked at the local, regional, and national levels.

Strategic funding created and supported the necessary components for reform. Those components included:

- Building collaboration for joint action;
- Creating awareness about the issue through monographs and news coverage;
- Developing positive alternatives to suspensions and expulsions;
- Advocating for change; and
- Using legal action.

Additional resources were brought to strengthen each of these components. The Hatcher Group coached organizations in how to obtain and use media exposure. The Alliance for Educational Justice supported organizations to train youth to advocate for education reforms. The NAACP Legal Strategies Collaborative provided a platform for organizations to share ideas and learn from one another.

Regional and national organizations were funded to support local reform efforts. These included the Supportive School Discipline Initiative which supported both the School Discipline Consensus Project and the Civil Rights Data Collection database. The New York State Permanent Judicial Commission on Justice for Children was funded to support the National Leadership Summit on School-Justice Partnerships. Funds were provided to bring youth to Washington for the National Youth Summit.

The school discipline reform movement is rapidly gaining momentum. The efforts in a few cities and at the national level have drawn attention to the issue. Reforms in these cities will likely spread

---

<sup>53</sup> <sup>53</sup> New York Civil Liberties Union. 2013. *A, B, C, D, STPP: How School Discipline Feeds the School-to-Prison Pipeline*. New York City: New York Civil Liberties Union.

to other places. Zero-tolerance policies which promote suspensions are losing their popularity and the public is becoming impatient with the racial disparities of justice whether in or out of school.

This has been a case study of how school discipline reform occurred in New York City, but it could just as easily be written about other cities where Atlantic has worked for reform. There are broader implications as well. There is a lesson here for any movement seeking to change policies. The strategies that brought change in this arena are not unique to school discipline reform. They could be, and perhaps must be, applied in many situations.