

ENSURING EQUITY IN EDUCATION: END EXCLUSIONARY DISCIPLINE TO PROTECT ALL STUDENTS ACCESS TO LEARNING

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“Build a more racially equitable education system where the humanity of every student is uplifted and celebrated”. — Minnesota Equity in Education Partnership

Issue Statement

A student's race, disability status and previous history of discipline are leading factors associated with being subjected to exclusionary discipline. This contributes to a negative cycle of discipline for our Black, Indigenous, and other students of color (BIPOC) and students with disabilities. This cycle prevents BIPOC and students with disabilities from learning, growing, and reaching their full potential. Minnesota must disrupt this negative disciplinary cycle by ending subjective disciplinary practices and investing in practices that promote an equity and a healthy school environment for all students.

The Need for Reform

The [U.S. Department of Education](#) cites that the exclusionary discipline practice of out-of-school suspensions are contributing to over 3 million missed days from school, with a large portion of these missed days being experienced by BIPOC students and students with disabilities.

The [Minnesota Department of Human Rights](#) (MDHR) found during the 2015-16 school year:

- Indigenous students were 10 times more likely to be suspended or expelled than white students.
- Black students were 8 times more likely to be suspended or expelled than white students.
- Students with disabilities were 2 times more likely to be suspended or expelled than students without disabilities.

The MDHR [Suspensions and Expulsions Report](#) focused on objective versus subjective reasoning to understand discipline disparities. Subjective reasons, such as “verbal abuse” and “disruptive behavior”, lack the clarity of an objective reason, such as bringing a weapon to school. This lack of clarity leaves much room for interpretation, introducing bias to the discipline process. The alarming disparities in subjective discipline shown in Figure A and B tells us that subjective reasons for discipline is a real problem in Minnesota for BIPOC and students with disabilities.

Discipline for Subjective Student Behavior by Racial Group

From 2018-2019, **Black, Indigenous, and other students of color** made up a little less than half of the student body, yet they made up almost 80% of discipline issued by school staff for subjective student behavior.⁴

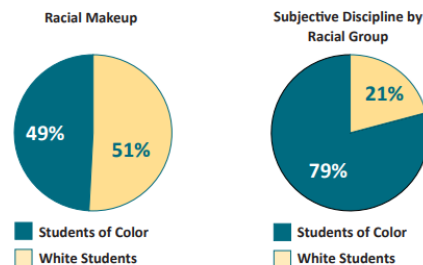


Figure A

Discipline for Subjective Student Behavior by Disability Status

From 2018-2019, **students with disabilities** made up 14% of the student body, yet they experienced almost 60% of all discipline issued by school staff for subjective student behavior.⁵

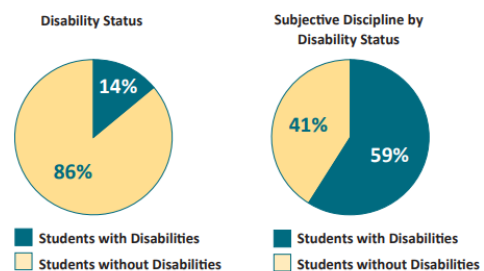


Figure B

EXCLUSIONARY DISCIPLINE PRACTICES HAVE LONG-LASTING NEGATIVE EFFECTS.

The [Learning Policy Institute](#) reported that when compared to similar students not removed from the classroom, suspended students are more likely to suffer academically, repeat a grade, drop out of school, and be involved in the criminal justice system,

Current Policy Approaches and Efforts

To understand current dismissal and school disciplinary practices in Minnesota refer to [The Pupil Fair Dismissal Act](#) and the [Compilation of School Discipline Laws and Regulations](#).

Both the [Solutions not Suspensions Coalition](#) and the Minnesota Department of Human Rights have been leading the way for reform of school disciplinary practice in Minnesota.

- Findings of widespread violation of Minnesota's [Human Rights Act](#) led to [MDHR](#) working with 41 school districts and charter schools over a 3-year period to reduce discipline disparities for BIPOC and disabled students. Strategies included implicit bias training, cultural competence, oversight, community engagement, relationship building, positive school wide interventions, trauma informed practices, policy changes and social emotional learning trainings.
- In response to MDHR findings, [The Minnesota Department of Education](#) (MDE) distributed \$7.79 million in funding grants to train staff and implement anti-bias education, trauma informed learning and evidence-based non-exclusionary discipline practices. MDE also developed implementation guidance tools for practices including [restorative practice](#), [social emotional learning](#) and [school climate](#). These tools provide school districts with additional information, support, and resources to help them implement non-exclusionary practices into the school environment.
- In 2020, Minnesota took the first step to eliminate exclusionary practices through the enacting [Full and Equitable Participation in Preschool and Prekindergarten](#).

Policy Position Statement

Minnesota has taken action to face the problem of exclusionary practices that are harming students of color and students with disabilities in our schools. Minnesota's students deserve opportunities to thrive in a positive and affirming school climate where all students can learn and grow equally. For these reasons, we recommend the following:

- Enact legislation to eliminate non-exclusionary practices for K-3 students ([HF 58/SF 69](#)) in line with the Full and Equitable Participation in Preschool and Prekindergarten Act. Enact legislation that ends the practice of withholding recess as a form of discipline ([HF 271/SF 183](#)).
- Expand the implementation of strategies that promote a healthy and equitable school environment, such as implicit bias training, trauma informed practices, culturally-affirming practices, community engagement, social emotional learning, and culturally competent classroom management strategies (CRCM).
- Increase funding for administrator, teacher, and para-professional professional development to ensure they have the foundation to implement non-exclusionary practices in an informed and equitable manner.
- Increase oversight and ensure transparency of disciplinary practices in Pre-K to 12 schools through enhanced data collection, analysis of data, and dissemination. Ensure particular attention to subjective reasons for discipline.

