

Discipline disparities in Md. schools

James P. Scanlan

(Originally published in *The Daily Record*, June 21, 2018)

<https://thedailyrecord.com/2018/06/21/james-p-scanlan-discipline-disparities-in-md-schools/>

On Aug. 13, 2013, at a time when the Maryland Department of Education was considering relaxing discipline standards in order to reduce the several-fold racial differences in out-of-school suspensions commonly observed in the state's public schools, I published a commentary in the *Baltimore Sun* titled "The Paradox of Lowering Standards." The piece was similar to my Feb. 15, 2018, commentary here, "The misunderstood effects of the Baltimore police consent decree," which explained that generally reducing adverse criminal justice outcomes would tend to increase, not reduce, percentage racial differences in rates of experiencing the outcomes and the proportions African Americans make up of persons experiencing the outcomes.

In the *Sun* commentary, I explained that, contrary to the views being promoted by the U.S. Departments of Education and Justice, generally reducing adverse school discipline outcomes would tend to increase, not reduce, the seemingly large percentage racial differences in discipline rates MDE hoped to address. Thus, I suggested, those expecting to see reductions in percentage racial differences in discipline rates following relaxing discipline standards could be in for a surprise.

On Jan. 8, 2014, the Departments of Education and Justice chose Baltimore to announce new school discipline guidelines reflecting their mistaken view that relaxing standards and otherwise reducing adverse discipline outcomes would tend to reduce percentage racial differences in discipline rates. And in March 2014, MDE proceeded to adopt the relaxed discipline standards proposed the prior year.

I explained in *The Sun* commentary, as I did recently here in the piece on the Baltimore police consent decrease, generally reducing adverse outcomes will not always increase percentage differences in rates of experiencing the outcomes because other factors are at work. But usually it will, as has been demonstrated in numerous school districts across the country in recent years.

Federal report

Maryland had already been reducing discipline rates when MBE adopted the new policy. And the same month MBE adopted the policy, the U.S. Department of Education's Institute of Education Sciences issued a report ("Disproportionality in school discipline: An assessment of trends in Maryland, 2009-12") finding that general reductions in suspensions or expulsions in Maryland schools between the 2009-10 and 2011-12 school years were accompanied by an increase in the percentage racial differences in those outcomes. The report showed no understanding of the reasons to expect that to happen.

In July of 2014, *The Washington Post* reported that there had been substantial reductions in suspensions in Montgomery County, between 2013 and 2014, while noting that the racial difference in suspensions had also been reduced. In this case, however, the racial difference was being measured in terms of percentage-point differences between black and white rates. These

differences typically decline when there occur overall reductions in discipline rates. But the ratio of black rate to the white rate that is the usual method of measuring discipline disparities, and almost invariably the focus of calls for relaxing standards to reduce racial disparities, had increased from 5.0 to 5.8.

In November 2015, the Maryland Equity Project of the University of Maryland's College of Education issued a study titled "Out-of-School Suspensions in Maryland Public Schools." The study showed that during a period of substantial reductions in suspensions between the 2008-09 and 2013-14 school years, the ratio of the black suspension rate to the white suspension rates increased from 1.95 to 3.02.

But the study also presented data on percentage reductions in suspension rates for all students and the percentage reduction for black students in all Maryland school districts. In 21 of the 23 districts on which such data were available, the overall rate declined more than the black rate.^[1]

That means that the ratio of the black suspension rate to the suspension rate of all other students increased in each of those 21 districts. That ratio differs somewhat from the ratio of the black rate to white rate, at least in districts with some students who are neither black nor white. But the patterns of directions of changes in the two ratios are generally the same. Thus, the study's data on individual districts provides rather compelling evidence of what typically will occur when suspensions are generally reduced.

Nevertheless, as is common in such studies, the author suggested that policies that further reduce overall suspensions would have eventually have the effect of reducing the measures of racial disparity that the study have found almost always to be increasing.

What to expect

Each of the above-described patterns pre-dates MBE's 2014 modification of standards. I have not seen data on suspension rates for different groups of students since the new policy has been in effect. But there is little reason to believe that the data will show other than the pattern of usually increasing percentage differences in suspensions that observers should expect in the circumstances but that is the opposite of what observers in fact expect.

Whether the U.S. Department of Education comes to understand this in the course of ongoing efforts to rethink its prior school discipline guidance, it would be useful if the Maryland Department of Education did so. The same, of course, holds for the parties to the Baltimore police decree.

¹ This article is reproduced in the form in which it was published with the exception of this note to correct an author error. The percentage reduction in the overall suspension rate was greater than the percentage reduction in the black rate in 20, not 21, of the 23 districts for which data were available.