



April 27, 2015

Representative Margaret Doherty, Chair
Members of the House Education Committee
900 Court St. NE
Salem, Oregon 97301

Chair Doherty and Representatives,

Children First wants Oregon to be the best place to be a kid. We strive to make change by advocating for policies and programs that keep children healthy and safe while providing opportunities to allow their families to be secure.

Beginning in the 1990s, “zero tolerance” school discipline, which applies suspension and expulsion to even non-violent, disruptive offenses (like insubordination), had been heralded as critical to creating safe, stable learning environments for students. However, research has increasingly come to the conclusion that such policies often cause more harm than good — even for the students such policies are meant to help. Students who are punished with suspension or expulsion are more likely to be held back in school, drop out altogether, or become involved with the juvenile justice system.¹ A recent study has also shown that schools with higher rates of suspension and expulsion have lower rates of reading and math proficiency among non-punished students due to negative effects on the learning environment.² Rather than creating stable learning environments, zero tolerance policies seem to create *instability*.

First, the largest effect of limits on suspensions and expulsions of young students would be in punishments for “disruptive behavior,” which encompass offenses such as attendance policy violations, disorderly conduct, and insubordination. In fact, data provided by Youth, Rights & Justice from the Oregon Department of Education show that more than 70% of all suspensions and expulsions applied in Kindergarten through fifth grade in Oregon are for disruptive behavior — exactly the type of zero tolerance discipline that has been found to cause more harm than good.

¹ http://csgjusticecenter.org/wp-content/uploads/2012/08/Breaking_Schools_Rules_Report_Final.pdf

² <http://media.kentucky.com/smedia/2015/01/20/16/31/omsoQ.So.79.pdf>

Second, limits on discipline in the early grades would have a disproportionately positive effect for children of color by keeping them in the classroom and ultimately improving learning outcomes. The reason for this is simple — children of color, especially African American and Native American students, are much more likely than their white peers to be suspended or expelled for more subjective violations such as “disruptive behavior” according to the Oregon Department of Education. White students, on the other hand, are more likely to be punished for objective, narrow offense categories such as smoking and vandalism.³ In other words, higher rates of discipline for students of color are most likely caused by implicit bias in how misbehavior is perceived, rather than actual higher rates of misbehavior.⁴

The evidence is clear that zero tolerance policies that exclude students from school for non-violent offenses have caused more harm than good, especially in early grades. The fact that such punishments have been applied at higher rates to students of color further widens achievement gaps and makes it more difficult for these students to succeed. By limiting the application of suspensions and expulsions, SB 553-A and SB 556 follow the emerging consensus that narrower applications of zero tolerance policies in school discipline creates better outcomes for all students and a more stable learning environment.

Children First for Oregon

³ <http://www.indiana.edu/~equity/docs/ColorofDiscipline2002.pdf>

⁴ <http://kirwaninstitute.osu.edu/wp-content/uploads/2014/05/ki-ib-argument-piece03.pdf>