

## Disparities in School Discipline Practices for Students with Emotional and Learning Disabilities and Autism

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### Abstract

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Numerous researchers have explored discipline practices in schools in the United States and have found racial disparities as well as the disproportionate use of exclusionary practices for students with disabilities. However, less attention has been paid to students with a subgroup of disabilities, including emotional disturbances, learning disabilities, and autism. We compared rates of suspension, expulsion, referral to law enforcement, and drop out among students with and without those particular disabilities within the Chicago Public Schools system to see if there were disparities. We hypothesized that students with these specified disabilities would experience higher rates of exclusionary discipline practices. We conducted a series of chi-square analyses using system-wide data and determined that students with these disabilities were suspended, expelled, referred to law enforcement, and dropped out at higher rates than those without disabilities. The magnitude of these disparities varied as a function of the specific disciplinary practice and the disability type. We provide suggestions for future research in addition to alternatives to exclusionary discipline.

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**Keywords:** School discipline, disabilities, suspension rates, expulsion rates

### 1. Introduction

#### 1.1. Scope of Problem

In the last 20 to 30 years, there has been a greater focus on children's acting out behaviors within the school context. Specifically in the 1980s, increasingly punitive policies began to be enforced in both public education and the criminal justice system (Mauer & King, 2007).

This increase in discipline in schools reflected policymakers' agendas to get tough on crime (Mauer & King, 2007). In an attempt to make schools safer, school personnel began implementing zero-tolerance policies: "highly structured disciplinary polic[ies] that permit little flexibility in outcome by imposing severe sanctions (often long-term or expulsion) for even minor violations of a school rule" (Gregory & Cornell, 2009, p. 107). The increase in the prevalence of zero-tolerance policies has led to an increase in school exclusion, or the removal of students from the classroom (Achilles, McLaughlin, & Croninger, 2007). Zero-tolerance policies are intended to protect students and staff at schools from perceived harm. In some school districts across the country, however, suspensions, expulsions, and police involvement are being used not only for violent and drug-related school offenses, but also for minor school disruptions such as swearing or smoking cigarettes (Skiba, 2000).

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Because school personnel decide on the use of exclusionary disciplinary practices, individual administrators have control over who attends the school day and who does not. Some administrators have even admitted to using exclusionary practices to remove troublesome students from the educational system (Bowditch, 1993; Fine, 1986). Through suspensions, expulsions, and arrests, students can be pushed out of school and potentially into the juvenile and criminal justice systems.

This “push-out problem” has become more apparent given the increase in the prevalence of suspensions and expulsions. According to the U.S. Department of Education, in 2006-2007 almost 250,000 more students were suspended than during the preceding four years. During that same four-year period, the Department of Education found that the number of students expelled increased by 15% (U.S. Department of Education, Office of Civil Rights, n.d.).

Currently, some researchers question whether exclusionary practices and push-out policies are effective in achieving the intended purpose of improving student behavior and contributing to school safety. Existing findings suggest there is a lack of evidence supporting the effectiveness of school exclusion for its intended purpose (Skiba, 2000). Suspensions and expulsions have not reduced school disruptions and violence. In fact, up to 40% of school suspensions are given to repeat offenders (Skiba, 2002), and repeat offenders account for 42% of students suspended (Costenbader & Markson, 2004). This indicates that suspensions are not teaching the students the lessons that the school personnel hoped they would. School exclusion affects social, emotional, and mental health (Stanley, Canham, & Cureton, 2006) as well as grades.

## 1.2. Populations at Risk for School Exclusion

These recent increases in exclusions are particularly problematic for certain populations of students. Students from African American and Latino families are more likely to receive out-of-school suspension or expulsion than their White peers for the same or similar behavior (Skiba et al., 2011). Other studies suggest that African American students have a higher likelihood of exclusion than any other ethnic category (Achilles, McLaughlin, & Croninger, 2007; Costenbader & Markson, 1994; Lewin, 2012; McFadden, Marsh, Price, & Hwang, 1992; Robbins, 2005; Townsend, 2000).

Minority students are not the only at-risk group for disproportionate suspensions and expulsions. Students with disabilities are also at risk for higher rates of exclusionary practices than their peers without disabilities. In examining data from 1998-1999 to 2001-2002, researchers found an increasing trend to suspend students in special education (Zhang, Katsiyannis, & Herbst, 2004). Irrespective of gender, students with disabilities are suspended more frequently than students without a disability (Fasko, Grubb, & Osborne, 1997). Additionally, looking across a number of studies, about 20% of students suspended have disabilities, but those with disabilities comprise only about 11% of the population (Leone, Mayer, Malmgren, & Meisel, 2000).

It is possible that there may be a difference in risk for school exclusion when comparing different disability classes. Students with emotional disturbances seem to be the most at risk group for suspension among students with disabilities. For example, the authors of one national study found a higher likelihood of exclusionary discipline among students with emotional disturbance or an Attention-Deficit/Hyperactivity Disorder diagnosis when compared with students with a specific learning disability (Achilles, McLaughlin, & Croninger, 2007). Researchers examining disciplinary exclusion data from the U.S. Department of Education found that a higher percentage of students with emotional disturbance were disciplined compared to students with all other disabilities under Individuals with Disabilities Education Act (IDEA). The second highest percentage of students disciplined was those with learning disabilities (Zhang, Katsiyannis, & Herbst, 2004).

Students with disabilities are a population worth examining because they are already at high risk. Students with disabilities have lower graduation rates than their nondisabled peers. Such students are also at risk for dropping out of school (or being pushed out) (Osher, Morrison, & Bailey, 2003).

Up to 73% of those with emotional and behavior disorders who drop out of school are arrested within 3-5 years of leaving high school, while 35% of youth with emotional and behavior disorders who graduate are arrested in that same time frame (U.S. Department of Education, 1994).

### 1.3. Present Study

The Individuals with Disabilities Education Act (IDEA) (2004) in the United States lists 14 different disability categories for children between the ages of 3 and 21 years, which define the criteria necessary for eligibility for services in the schools. The categories are: autism, deaf-blindness, deafness, developmental delay, emotional disturbance, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, specific learning disability, speech or language impairment, traumatic brain injury, and visual impairment (including blindness). The present study only included children who are in the categories of specific learning disability, emotional disturbance, and autism. The aforementioned disabilities can significantly affect behaviors in school, but are not obvious when you look at a child, like a physical disability. This may make children with these disabilities more likely to be pushed-out of schools by unknowing personnel.

Specifically, we assessed the extent to which students with the specified disabilities of emotional disturbances, autism, or specific learning disabilities (collectively and where possible as separate categories) are suspended, expelled, are referred to law enforcement, or drop out relative to students without disabilities. To answer these questions, we used system-wide data from the Chicago Public Schools (CPS) system, which is the third largest in the United States. The research questions using this very large and fully representative sample included: Are students with disabilities (1) suspended (both in- and out-of-school), (2) expelled, (3) referred to law enforcement, and (4) dropping out at significantly different rates compared with students without disabilities? When possible, we also evaluated the rates of these school disciplinary practices with each specified disability to determine if there were differences across disability types.

## 2. Method

### 2.1. Data Sources and Participants

The study used four different datasets gathered from different organizations (which we termed Datasets A through D for greater clarity). Dataset A was from CPS's Office of Performance and included de-identified information about individual students referred for expulsion. Datasets B and C were from the U.S. Department of Education's Office of Civil Rights via their online Civil Rights Data Collection (CRDC) website (<http://ocrdata.ed.gov/flex/Reports.aspx?type=district>). Dataset B contained discipline data including suspensions, expulsions, and referrals to law enforcement and Dataset C included enrollment data. Dataset D was from the CPS Department of Law and contained district-wide counts of students with disabilities by grade.

There are approximately 674 schools in the CPS system. We excluded charter schools and alternative schools when possible, leaving the sample to be comprised of traditional CPS high schools. The datasets where the exclusion of charter and alternative schools was not possible were Datasets B and C. We were unable to screen for missing data in Datasets B, C, and D due to its comprisal of group level data. We screened for data entry errors in Dataset A and removed any individuals where there was likely a gross error (e.g., an 11th grader who is age 12), which resulted in deleting less than 2% of the dataset.

### 2.2. Measures

#### 2.2.1. Demographic Information

These items included the students' race (i.e., Native American, Asian, Black, Hispanic, or White), gender (i.e., male or female), grade (9-12 at the time of data collection), and where possible, disability type.

Some datasets also included additional information about students who are considered Limited English Proficient (LEP).

In terms of system-wide demographics, there were 410,680 students enrolled in CPS at all levels in 2009-2010, according to Dataset C. A total of 115,770 students were enrolled in grades 9-12, according to Dataset D. Fifty and one half percent of the population was male and 49.5% was female. Race of the students was as follows: 0.2% American Indian or Alaskan Native, 3.6% Asian or Pacific Islander, 45.0% African American, 41.9% Hispanic, and 9.3% Caucasian (Dataset C).

### 2.2.2. Suspensions and Expulsions

School exclusion items included in- and out-of-school suspensions and expulsions. In-school suspensions require attendance at school but away from peers while completing assigned tasks. Out-of-school suspensions require removal from the school from 1 to 10 days. Expulsions require removal from the school for 11 or more days and can last as long as two years.

### 2.2.3. Referrals to law Enforcement

According to the Chicago Board of Education's Student Code of Conduct (2011), there are certain inappropriate behaviors that must be reported to the Chicago Police Department. These behaviors include: vandalism or criminal damage to property resulting in damages exceeding \$500; knowingly or intentionally using the CPS Network or Information Technology Devices to spread viruses to the CPS Network; aggravated assault; burglary; gang activity or overt displays of gang affiliation; use or possession of illegal drugs, narcotics, controlled substances, "look-alikes" of such substances, or contraband, or use of any other substance for the purpose of intoxication in school or at a school related function or before school or before a school related function; and all illegal acts of misconduct.

### 2.2.4. Dropout

CPS tracks dropout using a five-year cohort dropout rate. Specifically, CPS calculates the percent of students who entered CPS as 9th graders who drop out within five years after their freshman year. Students are considered to have dropped out if: they are over 17 years old and notified the school of their intention to dropout, they have stopped showing up for school, they have not arrived at the school they are enrolled in, have been "lost" from the system and cannot be located, or have left CPS as an unverified transfer student (Research Evaluation and Accountability, 2008).

### 2.2.5. Additional Measures

We also included information regarding the specific behaviors that most commonly result in expulsions, as CPS tracks the behaviors for which a student has been expelled. We also examined the lengths of expulsions for students with and without disabilities to see if the length of the exclusion differed as a function of disability.

## 2.3. Procedure

School officials at CPS collect data from each school each year and provide the district with relevant information. Some of the information is gathered from questionnaires while other information is reported to the CPS central office. Not only does CPS collect the pertinent data, but they are required to report a significant amount of this information to the Illinois State Board of Education (ISBE), and the U.S. Department of Education's Office of Civil Rights (OCR) each year. We gained access to these data by Freedom of Information Act (FOIA) requests to CPS, ISBE, and OCR. Some CPS public websites contained additional relevant data.

### 3. Results

#### 3.1. Hypothesis 1: Analyses of Suspension Rates

Testing Hypothesis 1 involved calculating numerous chi-square statistics using data from Datasets B and C to assess whether students with disabilities were suspended at disproportionate rates compared to students without the specified disabilities. To assist with interpreting the significance of our chi-square statistics, we also present an effect size indicator due to our very large sample size. Cramer's  $V$  is a statistic used to describe the effect size of a chi-square test. There is a small effect size when  $V$  is .10, a medium effect when  $V$  is .30, and a large effect when  $V$  is .50. Because CPS collected data about each type of suspension (i.e., one or more in-school suspensions [ISS], only one out-of-school suspension [OSS], and more than one OSS) separately, we display results separately for each. Overall, the rate that students with disabilities received one or more than one ISS was twice as large as for students without disabilities (see Table 1). There was a small effect size for the significant difference between students with and without disabilities in terms of how often they received one or more than one ISS.

**Table 1: All Students with and without Disabilities Receiving One or More in-School Suspensions**

1+ ISS	All CPS Students		$\chi^2$	$V$
	With Disabilities	Without Disabilities		
Yes	13,650 (27.5%)	48,620 (13.7%)	6,386.91**	.13
No	36,045	307,100		

\* $p < .05$ . \*\* $p < .01$ .

After examining the difference in ISS between all students with and without disabilities, we explored possible differences by sex, race, and Limited English Proficiency (LEP) status. Using a chi-square test to examine interactions between disability and sex, boys with disabilities had almost twice the rate of ISS (30.2%) when compared to boys without disabilities (15.6%). Although the rate of ISS for girls was lower than it was for boys, girls with disabilities also had almost twice the rate of ISS (22.0%) compared to girls without disabilities (11.8%). The effect sizes for both analyses were small,  $V = .14$  and  $.08$ , respectively.

Using chi-square analyses to examine the interactions between disability and race, we found that there was not a significant difference between rates of ISS for American Indian students,  $\chi^2(1, N = 655) = 1.54, p = .21$ , but there was a significant difference for each of the other racial categories. Thus, there was a higher rate of ISS for Asian (5.6% vs. 2.1%), Black (42.5% vs. 20.7%), Hispanic (16.2% vs. 9.2%), and White (7.3% vs. 4.3%) students with disabilities when compared to students without disabilities from those same racial groups. The effect sizes for the analyses were all small; except for the one involving Black students, which had a small to medium effect,  $V = .17$ .

The final chi-square test examining rates of ISS compared students with and without disabilities who have LEP status. There was a significant difference between those LEP students with and without disabilities,  $\chi^2(1, N = 65,395) = 876.17, p < .01$ . Nearly 10% of LEP students with disabilities received ISS compared to 3.1% of LEP students without disabilities.

The second type of suspension analysis, using Datasets B and C, included individuals who received one OSS. Table 2 displays the results for the overall comparison between students with and without disabilities.

We found a significant difference between the two groups, where students without disabilities were more likely to receive one OSS than students with disabilities. This outcome was in the opposite direction than our hypothesis.

**Table 2: All Students with and without Disabilities Receiving One Out-of-School Suspension**

1 OSS	All CPS Students		$\chi^2$	V
	With Disabilities	Without Disabilities		
Yes	5,040 (10.2%)	50,290 (14.2%)		
No	44,650	305,430	587.68**	.04

\* $p < .05$ . \*\* $p < .01$ .

When exploring the interactions between disability and sex, the chi-square tests also indicated that students without disabilities had a higher rate of one OSS when compared to students with disabilities for both boys (11.2% vs. 19.0%) and girls (8.1% vs. 9.6%). The effect sizes were small,  $V = .08$  and  $.01$ , respectively.

Results of interactions between disability, race, and LEP status in terms of OSS were mixed. There was no significant difference between the rates of one OSS for American Indian students with (20.0%) and without disabilities (23.4%), or for Hispanics with (6.9%) and without disabilities (6.7%). The results of the chi-square test for Black students indicated that 14.3% of Black students with disabilities received one OSS compared to 24.3% of Black students without disabilities, which was a significant disparity,  $\chi^2(1, N = 182,980) = 1,192.44, p < .01$ . Similarly, 4.1% of White students with disabilities received one OSS compared to 4.7% of White students without disabilities,  $V = .01$ . The opposite was true for Asian and LEP students. The rates of receiving one OSS were higher for students with disabilities for Asian (1.9%) and LEP (4.4%) students when compared to students without disabilities who are Asian (1.0%) and LEP (2.0%). The effect sizes were all small for those significant findings,  $V = .03$  and  $.05$ , respectively.

The third category of suspension that we examined used Datasets B and C to focus on students who received more than one OSS. The results of the chi-square test comparing the rates of students with disabilities and without disabilities who received more than one OSS were significant,  $\chi^2(1, N = 405,415) = 98,030.24, p < .01$  (see Table 3).

The rate of receiving more than one OSS for students with disabilities was 31.6%, compared to only 0.7% of students without disabilities, which is a large effect. We also conducted chi-square tests to see if the trend held both for boys and girls. The results from the chi-square test examining boys and girls separately were also significant. The rate of more than one OSS for boys with disabilities (37.6%) was almost 42 times the rate of suspension for boys without disabilities (0.9%). This was a large effect ( $V = .53$ ). The results were significant for girls as well,  $\chi^2(1, N = 201,155) = 28,251.09, p < .01$ . Girls with disabilities had a rate of more than one OSS (19.5%) that was 45 times greater than the rate for girls without disabilities (0.4%). The effect for girls was medium sized ( $V = .37$ ).

**Table 3: All Students with and without Disabilities Receiving More Than One Out-of-School Suspension**

1+ OSS	All CPS Students		$\chi^2$	V
	With Disabilities	Without Disabilities		
Yes	15,690 (31.6%)	2,345 (0.7%)		
No	34,005	353,375	98,030.24**	.49

\* $p < .05$ . \*\* $p < .01$ .

The results from the chi-square test involving Black, Hispanic, White, and LEP students with and without disabilities receiving more than one OSS were also significant. The rate at which Black students with disabilities received more than one OSS was 48.4% compared to the rate of 1.2% for Black students without disabilities. The effect size was large ( $V = .61$ ). Hispanic students with disabilities had a rate of more than one OSS (16.8%) that was 56 times greater than the suspension rate for Hispanic students without disabilities (0.3%).

In contrast, White students with disabilities had a rate of more than one OSS (12.0%) that was 200 times greater than the rate of more than one OSS suspension for White students without disabilities (0.1%). The effect sizes for Hispanic and White students were medium ( $V = .36$  and  $.32$ , respectively). Finally, LEP students with disabilities had a rate of more than one OSS of 9.1% compared to students without a disability and LEP status whose rate is  $< 0.1\%$ . This effect was just shy of being a medium effect ( $V = .28$ ). We could not compute valid chi-square statistics for American Indian and Asian students due to the low numbers of students in those racial groups who received more than one OSS.

We also found statistically significant disparities in the rates of suspensions when analyzing the data on a grade-by-grade basis, consistent with Hypothesis 1. Just fewer than 23% of 9<sup>th</sup> grade students with the specified disabilities were given ISS compared to 14.5% of 9<sup>th</sup> grade students without disabilities,  $V = .08$ . In each grade in high school, students with the specified disabilities had a significantly higher rate of ISS in our chi-square analyses when compared to students without disabilities, as seen for 10<sup>th</sup> grade (21.9% vs. 15%,  $V = .06$ ); 11<sup>th</sup> grade (16.5% vs. 12.0%,  $V = .04$ ); and 12<sup>th</sup> grade (12.6% vs. 10.7%,  $V = .02$ ).

Additionally, the rate of OSS for 9<sup>th</sup> graders with the specified disabilities was 37.6% compared to 21.6% for students without disabilities,  $V = .12$ . The results of the chi-square tests were also significant for students in 10<sup>th</sup> (33.7% vs. 22.4%,  $V = .09$ ); 11<sup>th</sup> (26.5% vs. 16%,  $V = .09$ ); and 12<sup>th</sup> grade (21.2% vs. 13.7%,  $V = .07$ ).

Moreover, we conducted chi-square tests to see if there was a difference in the rate of ISS and OSS depending on the specific disability category. For ISS, the chi-square test was significant,  $\chi^2(2, N = 13,673) = 244.07, p < .01$ . Those with autism had the lowest rate of ISS, followed by those with a learning disability, and then those with emotional disturbance (See Table 4). For OSS, the chi-square test was also significant,  $\chi^2(2, N = 13,673) = 660.80, p < .01$ . Table 5 contains the specific results, demonstrating the same trend for OSS as for ISS.

**Table 4: High School Students with the Specified Disabilities Receiving In-School Suspension**

ISS	High School CPS Students			$\chi^2$	$V$
	Emotional Disturbance	Learning Disability	Autism		
Yes	411 (31.7%)	2,219 (18.7%)	6 (1.1%)	244.07**	.13
No	884	9,627	526		

\* $p < .05$ . \*\* $p < .01$ .

**Table 5: High School Students with the Specified Disabilities Receiving Out-of-School Suspension**

OSS	High School CPS Students			$\chi^2$	$V$
	Emotional Disturbance	Learning Disability	Autism		
Yes	762 (58.8%)	3,441 (29.0%)	26 (4.9%)	660.80**	.22
No	533	8,405	506		

\* $p < .05$ . \*\* $p < .01$ .

### 3.2. Hypothesis 2: Analyses of Expulsion Rates

We used Datasets B and C to explore Hypothesis 2 regarding disparities in expulsions. We conducted chi-square tests to assess whether students with disabilities were expelled at a significantly higher rate than students without disabilities. This initial set of analyses included CPS students at all grade levels rather than just high school, and divided the children with the specified disabilities into two groups: those receiving educational services and those disabled children who did not receive such services.

We first examined the differences between the rates at which all CPS students with disabilities with educational services were expelled compared to those without disabilities. The results of the test were significant,  $\chi^2(1, N = 405,415) = 8.63, p < .01$ . Students with disabilities receiving educational services had twice the rate of expulsion compared to those without disabilities; however, the rates for both groups were low (0.2% and 0.1%, respectively). We also compared the rates of expulsions for disabled students without educational services and their nondisabled peers, and there was no significant difference,  $\chi^2(1, N = 405,415) = 0.47, p = .49$ .

We examined the comparative rates of expulsions between students with disabilities (combining those who did and did not receive services because of sample size considerations) and those without across gender and race. There were no significant differences between rates of expulsions for boys with (0.4%) and without disabilities (0.3%); or for girls with (0.1%) and without disabilities (0.1%). There were no American Indian or Asian students who received any expulsions in 2009-2010. The majority of the expulsions were given to Black students, but according to the chi-square test, there was not a significant difference between expulsions of Black students with disabilities (0.4%) and Black students without disabilities (0.4%),  $\chi^2(1, N = 182,980) = 0.23, p = .63$ .

According to the chi-square test, there was, however, a significant difference between Hispanic students with and without disabilities who were expelled. Hispanic students with disabilities (0.2%) were expelled at twice the rate of Hispanic students without disabilities (0.1%),  $\chi^2(1, N = 170,135) = 13.71, p < .01$ .

We also examined Dataset A regarding expulsions of CPS high school students. Of the 211 individuals with a disability who were subject to a review for potential expulsion, 51 (24.2%) of those students were ultimately expelled, 28 (13.3%) were ultimately not expelled, and 132 (62.6%) were referred to the SMART program (an alternative consequence to expulsion that entails family and community service involvement). A chi-square test assessing whether there was a difference between the proportion of students with and without disabilities recommended to the SMART diversion program did not indicate a significant result. Additionally, there was no significant difference between the number of students with and without disabilities in terms of the length of the expulsion. The mean length of an expulsion for students with the specified disabilities and those without was exactly the same: 1.65 semesters in duration.

We also examined the individual violations that lead to expulsion for students with and without disabilities. For students with a disability, 47.1% of the expulsions resulted from a student engaging in multiple violations. For students without a disability, 35.8% of the expulsions were a result of multiple violations. Looking at the individual violations, we determined the top five violations resulting in an expulsion for students with a disability and students without a disability. In order from most to least frequent, the top five violations for students with a disability were: (1) sale, distribution, or intent to sell or distribute alcohol, drugs, "look-alikes" of such substances, or repeated violation of use or possession of illegal drugs; (2) aggravated battery or aiding and abetting in the commission of an aggravated battery; (3) use of intimidation, credible threats of violence, coercion, or persistent severe bullying; (4) use, possession, or concealment of a firearm, destructive device or other weapon or "look-alikes" of weapons, or use or intent to use any other object to inflict bodily harm; and (5) gang activity or overt displays of gang affiliation.

Four of the top five violations for students with disabilities were the same as for students without disabilities, but they occurred in a different order. The top five violations resulting in expulsion of students without a disability from most to least frequent were: (1) aggravated battery; (2) sale, distribution, or intent to sell alcohol or drugs; (3) use of intimidation, threats of violence or persistent severe bullying; (4) battery, or aiding or abetting in the commission of a battery, which results in a physical injury; and (5) use, possession, or concealment of a firearm or weapon.



In sum, students with disabilities and students without disabilities were expelled at significantly different rates, but the effect size was small. The only significant subgroup difference occurred among Hispanic students, such that Hispanic students with disabilities were more likely to be expelled than Hispanic students without disabilities. Students with and without disabilities tended to be expelled for the same offenses and had similar length expulsion terms.

### 3.3. Hypothesis 3: Analyses of Rates of Referral to Law Enforcement

We explored Hypothesis 3 using Datasets B and C. These chi-square tests examined differences in the rates of referral to law enforcement for those with and without disabilities. Overall, there was a significantly higher rate of referral to law enforcement for individuals with disabilities (0.1%) when compared to individuals without disabilities (0.0%) in all of CPS (i.e., not just high school),  $\chi^2(1, N = 405,415) = 3.88, p < .05$ . The effect size was very small.

Given that the total number of students referred to law enforcement across CPS was very low ( $n = 175$ ), the rest of the results related to this hypothesis need to be interpreted with caution. There were no significant differences in rates of referrals to law enforcement comparing boys with and without disabilities, nor were there differences across girls with and without disabilities. We found that no American Indian, Asian, or White students (with or without disabilities) were referred to law enforcement. The number of Hispanic students referred to law enforcement was too small to analyze using a chi-square test. There was a significant difference for Black students. Black students with disabilities were almost twice as likely to be referred to law enforcement as Black students without disabilities,  $\chi^2(1, N = 182,980) = 4.89, p < .05$ , though the effect was very small. Finally, no students with Limited English Proficiency were referred to law enforcement either, so no comparisons for this group could be made.

### 3.4. Hypothesis 4: Analyses of Drop out Rates

To examine Hypothesis 4, we used Dataset D to conduct chi-square tests to find significant differences between students with and without the specified disabilities in terms of their dropout rates. Students with the specified disabilities dropped out at a higher rate (12.2%) than did students without disabilities (9.1%),  $\chi^2(1, N = 110,883) = 126.04, p < .01; V = .03$ .

There also were significant differences in the rates of dropout across the three specified disabilities, according to a chi-square test. The highest rate of dropout was among those with Emotional Disturbance (21.7%), followed by Learning Disability (11.5%), and then Autism (2.8%),  $\chi^2(2, N = 13,673) = 158.2, p < .01; V = .11$ .

We used the chi-square statistic to examine differences between the rates of dropout for CPS high school students with the specified disabilities compared with CPS high school students without disabilities, broken down by grade. Using a chi-square test, there were significant disparities between dropout rates for the two groups of students in 9<sup>th</sup> grade (7.1% vs. 5.2%, for disabled and nondisabled students, respectively),  $\chi^2(1, N = 31,527) = 25.21, p < .01$ ; 10<sup>th</sup> grade, (14.9% vs. 11.6%),  $\chi^2(1, N = 33,198) = 36.76, p < .01$ ; 11<sup>th</sup> grade, (11.9% vs. 8.8%),  $\chi^2(1, N = 24,459) = 30.50, p < .01$ ; and 12<sup>th</sup> grade, (15.8% vs. 11.5%),  $\chi^2(1, N = 21,699) = 38.45, p < .01$ .

We also used the chi-square test to find significant differences across the three specified disability categories for each grade in high school. In the 9<sup>th</sup> grade, there were no children with Autism who dropped out, 6.5% of students with Learning Disability dropped out, and 13.8% of students with Emotional Disturbance dropped out ( $V = .11$ ). There was also a significant difference between the dropout rates among those with the specified disabilities in 10<sup>th</sup> grade,  $\chi^2(2, N = 4,181) = 29.34, p < .01$ . Of those with Autism, 4.7% dropped out; 14.4% of those with Learning Disability dropped out; and 22.4% of those with Emotional Disturbance dropped out ( $V = .08$ ).

In 11th grade, the rate of dropout for those with Emotional Disturbance (30.2%) was almost three times greater than those with Learning Disability (10.7%), which was in turn almost three times greater than the rate for those with Autism (3.5%),  $\chi^2(2, N = 2,933) = 83.50, p < .01; V = .17$ . The same trend existed for students in 12th grade, where the lowest rate of dropout was among those with Autism (3.5%), followed by those with Learning Disability (15.4%), and then those with Emotional Disturbance (30.5%),  $\chi^2(2, N = 2,571) = 45.64, p < .01; V = .13$ .

## 4. Discussion

### 4.1. Review of Findings

Results supported the first hypothesis, which stated that students with disabilities would have a higher rate of suspension when compared to students without disabilities. More specifically, students with disabilities had a higher rate of one or more than one ISS than students without a disability. This difference was significant for both boys and girls separately. Additionally, the rate of one or more than one ISS was higher for students with disabilities who were Asian, Black, Hispanic, White, and those with LEP status when compared to students without disabilities in those same racial/ethnic and language skill categories.

The first hypothesis, however, was not supported by the results comparing students with and without disabilities who received only one OSS. Overall, the students without disabilities actually had higher rates of one OSS than students with disabilities.

When exploring the differences between rates of suspension for more than one OSS for students with and without disabilities, the results strongly supported the first hypothesis. The rate for students with disabilities who received more than one OSS was more than 45 times the rate for students without disabilities. The effect held strong when examining just boys, girls, and students with LEP status as well as for students who were Black, Hispanic, and White. Students with the specified disabilities in 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup> grades also had higher rates of ISS and OSS when compared to students in those same grades without disabilities.

The above findings about suspensions align with previous research indicating a significant difference for students with and without disabilities (Cooley, 1995; Fasko, Grub, & Osborne, 1997; Leone et al., 2000; Zhang, Katsiyannis, & Herbst, 2004). However, none of the aforementioned studies examined potential differences across the three categories of suspensions explored in this study. The type of suspension appeared to make a difference and the discrepancy was strongest between students with and without disabilities who received more than one out-of-school suspension in particular, which is the most severe type and is associated with missing the greatest amount of classroom instruction time.

Our results also demonstrated that there were differences in the rates of suspension across specific disability categories. The highest rates were for those with emotional disturbances, followed by those with learning disability, and then those with autism. This finding was in line with other studies that found that those with emotional disturbance had the highest rate of suspension compared to other disability categories (Krezmien, Leone, & Achilles, 2006). The present study took the research a step further, however, to see how the rate of suspension for those with autism compared to the others.

The current findings generally supported the second hypothesis, which stated that students with disabilities would have a higher rate of expulsion when compared to students without disabilities. After collapsing all types of expulsions together, there was a significantly higher rate for students with disabilities compared to students without disabilities. However, there were no significant differences when looking only at boys, girls, or Black students. Although previous research was very clear in suggesting that those with disabilities were suspended at significantly higher rates than those without disabilities, there was minimal to no research focusing specifically on expulsions.

Given that, according to the Chicago Public Schools Student Code of Conduct (2011), students with disabilities are not permitted to be expelled if the student's misbehavior was a manifestation of their disability, CPS may be purposefully minimizing expulsions of students with disabilities in many instances in accordance with policy. Additionally, there were no significant differences between the rates of referrals to SMART or the length of expulsions for students with and without disabilities. Finally, the top five violations for students with and without disabilities resulting in expulsion were very similar (i.e., four were the same for both groups).

Results supported the third hypothesis, but these results need to be interpreted with caution given the very small number of students overall who were referred to law enforcement. For instance, no American Indian, Asian, White or LEP student was referred to law enforcement. Overall, there was a higher rate of referral to law enforcement for students with disabilities compared to students without disabilities, but it was a very small effect. The only racial category with valid statistics confirmed that Black students with disabilities were referred to law enforcement at almost twice the rate of Black students without disabilities.

Results also supported Hypothesis 4; namely, that students with disabilities dropped out of high school at significantly higher rates than students without disabilities. Although this disparity does not indicate an exclusionary school discipline practice directly, it does communicate the risk that disabilities (especially emotional and behavior disorders) pose to ultimately completing high school. Just as there were significant differences between the rates of suspensions across the types of disabilities, there were also differences between the rates of dropout. The students with the highest dropout rate were those with emotional disturbance, followed by those with learning disability, and then those with autism.

#### 4.2. Limitations and Future Directions

One important limitation of the present study was that the majority of the datasets contained only group-level data. This did not allow for analyses of the trajectories for students or for correlates of disciplinary practices, but rather only comparison of overall rates. Moreover, this aggregated data did not allow for tracking individual students who were repeatedly suspended or expelled (akin to recidivism). This may mean that the rates represent incidents rather than individual students, thus overestimating the precise numbers of students who had been disciplined. This would be an area for future research: tracking "repeat offenders" as they are common (Costenbader & Markson, 2004; Skiba, 2002). Additionally, we were unable to always restrict our analysis the population of greatest interest: students with the specified disabilities in traditional CPS high schools. Finally, the year of data collection (2009-2010) was the most recent school year that had a sufficient amount of data to explore the research questions. More recent data do exist and can be evaluated in the future as trends may differ and policies change. Future research could also target developing and evaluating the effectiveness of exclusion prevention programs for students with disabilities.

#### 4.3. Alternatives to Exclusionary Discipline Practices

Given that research suggests that exclusionary disciplinary practices are not very effective, and those with disabilities are disproportionately excluded from schools, it is necessary to explore alternatives and prevention efforts.

One universal prevention effort is the School Wide Positive Behavioral Interventions and Supports (SWPBIS) program, whose goal is to reduce disruptive behavior problems by targeting staff behaviors that alter the school environment and promote positive behavior change among the students (Bradshaw, Mitchell, & Leaf, 2010). Another program aimed at teaching staff is Conscious Discipline, where teachers are taught not to view daily conflict as a disruption from learning, but instead to view it as an opportunity to teach social and emotional skills, which has shown to have a positive impact on children's hyperactivity, aggression, and conduct problems (Hoffman, Hutchinson, & Reiss, 2005).

At the recommendation of Simonsen et al. (2011), not only is the intervention implementation important, it needs to be regularly evaluated and adjusted to ensure its effectiveness on a continual basis.

Despite the prevention efforts, there still needs to be a negative consequence for significant disruptions or behaviors that impact safety. In Chin, Dowdy, Jimerson, and Rime's (2012) positive behavior intervention support (PBIS) program, school personnel evaluate the function of the student's offense (e.g., making bad choices, skill/ability deficit, or social/emotional need) to determine the most appropriate consequence rather than having the same consequence (e.g., suspensions) for everyone. The assessment was designed to avoid inadvertently rewarding the student's behavior with an inappropriate consequence. Another program for reducing suspensions is "Making the Smart Choice," a conflict resolution program consisting of teaching students and parents skills in conflict resolution, anger management, and effective communication (Breunlin, Cimmarusti, Hetherington, & Kinsman, 2006). Rather than giving students a suspension for their behavior, they should each be given a consequence that will not only help them learn from their mistakes, but also deter them from engaging in that behavior again.

One final philosophy to address misbehavior in schools as an alternative to the use of more traditional school exclusion is restorative justice. Rather than excluding students from school after a behavior infraction, restorative justice models create an arena where those affected by the misbehavior are involved in a peaceful resolution through the use of peer mediation, peer/accountability boards, or conferencing. Offenders are held accountable with the goal of preventing future similar actions (Pavelka, 2013). Those involved typically include the offender, the victim, and sometimes other relevant parties (e.g., parents, witnesses, administrators, law enforcement). Rather than being a set program with rules for how to proceed, restorative justice provides more of a theoretical framework allowing for an individualized approach to handling misbehavior.

## References

- Achilles, G. M., McLaughlin, M. J., & Croninger, R. G. (2007). Sociocultural correlates of disciplinary exclusion among students with emotional, behavioral, and learning disabilities in the SEELS national dataset. *Journal of Emotional and Behavioral Disorders, 15*, 33-45. doi:10.1177/10634266070150010401
- Bowditch, C. (1993). Getting rid of troublemakers: High school disciplinary procedures and the production of dropouts. *Social Problems, 40*, 493-509.
- Bradshaw, C. P., Mitchell, M. M., & Leaf, P. J. (2010). Examining the effects of schoolwide positive behavioral interventions and supports on student outcomes: Results from a randomized controlled effectiveness trial in elementary schools. *Journal of Positive Behavior Interventions, 12*, 133-148.
- Breunlin, D. C., Cimmarusti, R. A., Hetherington, J. S., & Kinsman, J. (2006). Making the smart choice: A systemic response to school-based violence. *Journal of Family Therapy, 28*, 246-266.
- Chicago Board of Education. (2011). 2011-2012 Chicago Public Schools student code of conduct. Retrieved from: <http://www.cps.edu/Documents/Resources/StudentCodeOfConduct/SCCEnglish.pdf>
- Chin, J. K., Dowdy, E., Jimerson, S. R., & Rime, W. J. (2012). Alternatives to suspensions: Rationale and recommendations. *Journal of School Violence, 11*, 156-173.
- Cooley, S. (1995). Suspension/expulsion of regular and special education students in Kansas: A report to the Kansas State Board of Education. Topeka, KS: Kansas State Board of Education.
- Costenbader, V. K., & Markson, S. (1994). School suspension: A survey of current policies and practices. *NASSP Bulletin, 78*, 103-107.
- Fasko, D. R., Grubb, D. J., & Osborne, J. S. (1997). Suspensions of students with and without disabilities: A comparative study. *Research in the Schools, 4*, 45-50.
- Fine, M. (1986). Why urban adolescents drop into and out of public high school. *Teachers College Record, 87*, 393-409.
- Gregory, A., & Cornell, D. (2009). "Tolerating" adolescent needs: Moving beyond zero tolerance policies in high school. *Theory Into Practice, 48*, 106-113. doi: 10.1080/00405840902776327

- Hoffman, L. J., Hutchinson, C. J., & Reiss, E. (2005). Training teachers in classroom management: Evidence of positive effects on the behavior of difficult children. *The Journal of the Southeastern Regional Association of Teacher Educators*, 14, 36-43.
- Individuals with Disabilities Education Act of 2004, 34 CFR § 300.8. (2004). Retrieved from U.S. Department of Education IDEA 2004 website:  
<http://idea.ed.gov/explore/view/p/%2Croot%2Cregs%2C300%2CA%2C300%252E8%2C>
- Krezmien, M. P., Leone, P. E., & Achilles, G. M. (2006). Suspension, race, and disability: Analysis of statewide practices and reporting. *Journal of Emotional and Behavioral Disorders*, 14, 217-226.  
doi:10.1177/10634266060140040501
- Leone, P. E., Mayer, M. J., Malmgren, K., & Meisel, S. M. (2000). School violence and disruption: Rhetoric, reality, and reasonable balance. *Focus on Exceptional Children*, 33, 1-20.
- Lewin, T. (2012, March 6). Black students face more discipline, data suggests. *The New York Times*. Retrieved from [http://www.nytimes.com/2012/03/06/education/black-students-face-more-harsh-discipline-data-shows.html?\\_r=1](http://www.nytimes.com/2012/03/06/education/black-students-face-more-harsh-discipline-data-shows.html?_r=1)
- Mauer, M., & King, R. S. (2007). A 25-year quagmire: The war on drugs and its impact on American society. Retrieved from the Sentencing Project website:  
[http://www.sentencingproject.org/doc/publications/dp\\_25yearquagmire.pdf](http://www.sentencingproject.org/doc/publications/dp_25yearquagmire.pdf)
- McFadden, A. C., Marsh, G. E., Price, B. J., & Hwang, Y. (1992). A study of race and gender bias in the punishment of handicapped school children. *The Urban Review*, 24, 239-251.
- Osher, D., Morrison, G., & Bailey, W. (2003). Exploring the relationship between student mobility and dropout among students with emotional and behavioral disorders. *Journal of Negro Education*, 72, 79-96.
- Pavelka, S. (2013). Practices and policies for implementing restorative justice within schools. *The Prevention Researcher*, 20(1), 15-17.
- Research Evaluation and Accountability. (2008). REA fact sheet on the CPS five-year cohort dropout rate. Retrieved from  
<http://www.cps.edu/Performance/Documents/DataFiles/FiveYearDropoutFactSheet.pdf>
- Robbins, C. G. (2005). Zero tolerance and the politics of racial injustice. *The Journal of Negro Education*, 74, 2-17.
- Simonsen, B., Jeffrey-Pearsall, J., Sugai, G., & McCurdy, B. (2011). Alternative setting-wide positive behavior support. *Behavioral Disorders*, 36, 213-224.
- Skiba, R. J. (2002). Special education and school discipline: A precarious balance. *Behavioral Disorders*, 27, 81-97.
- Skiba, R. J. (2000). Zero tolerance, zero evidence: An analysis of school disciplinary practice. (Report No. SRS2). Bloomington, IN: Indiana Education Policy Center.
- Skiba, R. J., Horner, R. H., Choong-Geun, C., Rausch, M., May, S. L., & Tobin, T. (2011). Race is not neutral: A national investigation of African American and Latino disproportionality in school discipline. *School Psychology Review*, 40, 85-107.
- Stanley, M., Canham, D. L., & Cureton, V. (2006). Assessing prevalence of emotional and behavioral problems in suspended middle school students. *Journal of School Nursing*, 22, 40-47.
- Townsend, B. L. (2000). The disproportionate discipline of African American learners: Reducing school suspensions and expulsions. *Exceptional Children*, 66, 381-391.
- U.S. Department of Education. (1994). National agenda for achieving better results for children and youth with serious emotional disturbance. Washington, DC: Chesapeake Institute.
- U.S. Department of Education, Office for Civil Rights. (n.d.). School Characteristics and Climate, Table A-28-1. Number and percentage of students who were suspended and expelled from public elementary schools, by sex, race/ethnicity: 2002, 2004, and 2006. Retrieved from National Center for Education Statistics website:  
<http://nces.ed.gov/programs/coe/tables/table-sdi-1.asp>
- Zhang, D., Katsiyannis, A., & Herbst, M. (2004). Disciplinary exclusions in special education: A 4-year analysis. *Behavioral Disorders*, 29, 337-347.