

DATA: SUSPENSIONS A PROBLEM IN CITY

District urged to rethink minor offenses

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Students in the Rochester School District are being suspended at a staggering rate for relatively minor offenses, with minorities and the disabled faring the worst, according to new data released by the district.

The statistics, compiled for the 2012-13 year at the request of Metro Justice and provided last week to the *Democrat and Chronicle*, mirror large urban districts across the country in what all stakeholders agree is an over-reliance on in-school and out-of-school suspensions.

Metro Justice's education committee will hold a news conference Tuesday to release a report on the topic and call for more restorative justice practices in the district. Among the findings in the data:

Of the 6,373 total suspensions in 2012-13, at least 88 percent were for nonviolent offenses. By far the largest infraction given for the suspensions was "other disruptive incidents," which accounted for about 49 percent of the total. Another 31 percent of suspensions were for "minor altercations," which, by definition, do not result in injury. About 9 percent were for nonphysical intimidation or bullying.

By comparison, more serious offenses were much more uncommon. There were 148 suspensions related to weapons, 129 instances of drug or alcohol possession and just 12 instances of assaults resulting in a serious injury.

"When you think about city school discipline, you think about a kid bringing a gun to school," said Eamonn Scanlon, Metro Justice education committee cochair. "That's actually a very little part of the problem."

Twenty percent of students ages 12-17 were suspended at least once. There is

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From left, Adair Liles, a junior at Rochester Early College International High School, Akil Williams, a junior at Charlotte

High and Kaylynn Brown, a former Northwest College Prep student, currently at MCC, talk about their experiences of being suspended.

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an abrupt jump in the rate from eighth grade (12 percent) to ninth grade (30 percent), reflecting a difficult transition to high school for many students.

» Across all grade levels, 12.8 percent of black students and 8.9 percent of Latinos were suspended at least once, compared to 6.5 percent of white students and 2.1 percent of Asians. Students with disabilities were suspended more often (13.5 percent) than those without disabilities (10.3 percent).

» As a result of the suspensions, students missed a total of 54,619 days in class, with each suspension lasting 17 days on mean (the number is skewed upward by a smaller percentage of very long suspensions). That missed learning time — about 300 school years, the Metro Justice report noted, though out-of-school academic placements are included in it — flies in the face of Superintendent Bolgen Vargas' refrain about the importance of increasing the amount of time students spend in class.

» Nearly three-quarters of all suspensions were served by less than 5 percent of the district student body — 1,382 students who were suspended, on average, 3.4 times each. Kaylynn Brown was almost certainly among them. Now a freshman at Monroe Community College, she was at Northwest College Prep High School last year. She and other teen ambassadors at the Center for Teen Empowerment estimated they each lost several months of class time to suspensions over the years, starting around second grade.

They believe the way adults treat them — not listening to their side of the story, always expecting them to do something wrong, punishing them for the slightest infraction, they say — is a major cause of bad behavior. "I don't come to school to fight and curse at teachers; I come to school to learn," Brown said. "But if you put me in a situation where I'm treated like a bad kid, I'm going to act like a bad kid." The students described a system that treats them as suspects and pushes them toward failure. They said they were held out of school for days at a time awaiting a hearing on a suspension; suspended for weeks for being near a fight, or even mentioned in the context of one; receiving a paltry packet of classwork several days into their suspensions, with no help doing it.

"They can give you the work, but you haven't learned it; it's hard," said Akil Williams, an 11thgrader at Charlotte. "Your mom's at work, no one's home, the work's hard and they gave it to you late — it's like, 'Forget this, I'm going outside with my friends who already dropped out.'" Then: "You come back to school and they act like nothing happened," Brown said. "That's when you *need* mediation. You don't even care if I'm still angry? ... If you send me away for five days because I'm a bad kid, I'm still going to be that bad kid when I return. So what'd you do?"

Disparities

The topic of student discipline, particularly as it relates to minorities, has become a nexus of interest nationally and locally in the last few years as studies have shown disparities in suspension rates.

A U.S. Department of Education study of 72,000 schools in the 2009-10 school year showed black students were 3.5 times more likely to be suspended than whites. And a separate study of Texas schools knocked down the argument that minority students are suspended more often because they misbehave more often: Black students in Texas were 31 percent more likely to be suspended than white students for comparable misdeeds, it showed.

U.S. Secretary of Education Arne Duncan and Attorney General Eric Holder urged educators in January to rethink their discipline practices, with an eye toward restorative justice and away from punitive practices. In Syracuse, state Attorney General Eric Schneiderman required wide-ranging changes and independent oversight of discipline this summer after data showed nearly a third of all students were suspended in a given year. A similar oversight mechanism was put in place in Minneapolis last week for similar reasons, this time by the federal government.

Part of the reason the Rochester School District hasn't been able to address suspensions is that it's doing a poor job keeping track

of the problem. It was unable to respond fully to a *Democrat and Chronicle* request for data on individual suspensions broken down by school and other indicators; the data provided to Metro Justice and the newspaper was gathered painstakingly over several months and is still far from comprehensive.

According to the district's report card on the state Education Department website, there were only 740 suspensions in 2011-12, a 2 percent suspension rate. But the data provided to Metro Justice counts 3,438 suspensions that year.

When examined in greater detail, the data provided to the state seems absurd. For instance, East and Charlotte high schools have very similar student demographics and problems, but the state report cards for 2011-12 show just five suspensions at the former compared to 165 at the latter. "To talk about this issue in an in-depth way, we need a detailed picture of what's going on," Scanlon said.

Deputy Superintendent Adele Bovard acknowledged data collection has been a weakness. She said the district is about a month away from a computer system overhaul that should improve things.

Alternatives

When asked how to better solve behavior problems with students, Williams sketched out an idea: a classroom for students who would otherwise be suspended, with a teacher to assist with their work and someone else to help them sort through the problems that caused them to misbehave in the first place.

In fact, such a program does exist, run in partnership with the Center For Youth. It's called Alternatives to Suspension (ATS), and it's in place in 12 elementary schools across the district. It used to be more widespread, but recent district budgets have cut its funding. Vicki Gouveia was principal at School 45 when ATS was instituted about 10 years ago. The first year, suspensions went from around 300 to about 10, she said. "You have a certified teacher doing the daily instruction the kids are missing in the classroom, and you have someone dealing with social-emotional needs," she said. "And when they re-entered a classroom, they did it successfully because they learned strategies about how to avoid it happening again." Gouveia was part of a community committee on discipline convened earlier this year. It recommended ATS for widespread use, but instead funding was only restored for a few schools. "When we know something works but we don't do it, for whatever reason — I have no use for that nonsense," she said. "It doesn't have to be this way. But until the board wants to really invest in ATS, this is going to continue to be a problem."

Bovard and fellow Deputy Superintendent Christiana Otuwa — both new to the district this year — are working on "clarifying" existing discipline policies. One of the biggest problems, they said, is uneven application of the rules and an underutilization of available resources. For instance, top district attorney Ed Lopez-Soto wrote a memo to administrators in December 2012 warning them to stop suspending students for violations of uniform requirements; to do so, he told them, is a violation of state law. He asked school chiefs to document any such practices. None did formally, but not for a lack of opportunity. Lopez-Soto sent an exact copy of the letter to administrators again in August 2014, an acknowledgment the illegal suspensions are still a problem. Chandra Cunningham, a kindergarten teacher at School 39, said the absence of ATS has been sorely felt there as well. She said most teachers have steps they take before referring a student for suspension, but stressed the importance of keeping order in the classroom so other students can learn. "There's got to be a way as a district to help parents get the support they need," she said. "It's very challenging, but you have to keep the classroom as a learning environment."

The Metro Justice report calls for an emphasis on restorative justice practices. That echoes a priority the school board recently expressed in its negotiation for a new contract with the Rochester Police Department, and the district leaders said they support that as well.

The district also is partnering with the Rochester Area Community Foundation on a complete rewrite of its code of conduct. The students from the Center for Teen Empowerment are on that large panel, which also will likely recommend a more conciliatory approach to discipline.

Brown, Williams and other students had many stories of unwarranted disciplinary actions taken against them that hindered their education and made them more likely to misbehave again. But they also remembered instances where teachers and administrators heard them out and treated them with respect — even if it was in the context of doling out punishment.

Now that she's at MCC, Williams said, fighting and misbehaving doesn't enter her mind, partly because it's not expected of her. "I felt like it was put inside my mind that I was a criminal," she said. "Yeah, I'm liable to get physical or curse someone out, but there's more to me than that. Didn't you see me in class getting my work done? ... I'm the future of this whole world — why don't you feel the need to get connected to me?"

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