Expulsion

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Expulsion is a disciplinary action reserved for the most serious code of conduct violations within schools. It is viewed as the harshest consequence educators can use as a part of school discipline. Expulsion has been used within private and public school education in the United States for a long time; however, over the last decade its use has become more common and controversial for a variety of reasons.

Tier 3 Intervention

Use With Caution!

What is Expulsion?

Expulsion is the long term removal of a student from school. When a student is expelled, he or she is typically denied access to any of the educational services provided by the school and is prevented from participating in school activities or even being on school grounds.

What Is The Length of An Expulsion?

Although expulsion is most often thought of as a permanent removal from school, there are several variations in length which depend on the type and severity of offense, as well as state and federal law. An expulsion typically lasts for the remainder of the current semester, the remainder of the current school year, a full calendar year, or permanently (Brown, 2007). The Gun Free Schools Act, a Federal law, requires a one calendar year expulsion for offences in which a student brings weapons or explosives to school. States may also require this type of expulsion for having other weapons or illicit drugs in school, and have been encouraged to have policies which also alert local law enforcement agencies when these types of offenses occur.

Aside from the requirements of the federal law, state laws typically establish a one or two semester length expulsion, with some states and school districts allowing permanent expulsion from school. This depends on state law and local custom.

Several states recently require educators and schools to provide limited educational services to students who have been expelled. These services are often intended to allow these students to make progress towards graduation in spite of their expulsion, in an attempt to compensate for the negative side effects of expulsion on students (Peterson, O'Connor & Strawhun, 2014). The few states that require these services vary in the services which local schools are expected to provide.

Distinguishing Expulsion From Out-of-School Suspension or In-School Suspension

While expulsion constitutes the removal of a student from school for an extended period of time, sometimes permanently, in-school and out-of-school suspensions are temporary removals of the student from their regular school environment for a predetermined length of time (Blomberg, 2004). Depending on the behavior in question, a suspension can range from one day to ten days or longer (Raffaele Mendez, Knoff, & Ferron, 2002). Much like expulsion, out-of-school suspension procedures remove the student from school, and bans participation in all school related activities.

Why Do Educators Use Expulsion?

Expulsion is a traditional school disciplinary consequence. It is used to enforce standards of behavior in order to inform students that certain actions will not be tolerated within schools (American Academy of Pediatrics Council on School Health, 2013). Consequently, expulsion is often viewed as a way to maintain a safe and productive learning environment for students and staff in schools through removing students who behave in violent or other seriously disruptive manners. However, research has consistently contradicted this belief and demonstrated that schools with high expulsion rates are, in fact, less safe for students and staff (Civil Rights Project, 2000). Expulsion simple transfers responsibility for the student to the parents, and as a result, ends the school's need to address that particular student's behavior for the duration of the expulsion.

How Often Is Expulsion Used?

Expulsion is used infrequently compared to other disciplinary measures, and appears to be used as a response to the most serious, disruptive, or criminal behavior of students in school (Heaviside, Roward, Williams, & Farris, 1998; Skiba et al., 2014). Skiba & Rausch (2006) estimate that expulsion occurs in as few as 1 in 1,000 incidents which have been referred to the office, compared to suspension which might be used in 1 in 3 office referrals. According to a Civil Rights Data Collection published by the U.S. Department of Education Office for Civil Rights (2014), approximately 130,000 students representing 0.265% of students enrolled were expelled in 2011-2012 school year.

What Are The Required Due Process Procedures For Expulsion?

Due to the importance of education in American society, case law has required that when a student is removed from school though suspension or expulsion, due process procedures are needed to ensure that such actions do not arbitrarily or inappropriately deny education. Often, students who are recommended for expulsion are suspended first, pending the expulsion procedures. For a suspension, the student must be notified of the charges which led to the suspension/expulsion, notified of the evidence related to the charge, and given a chance to explain or defend his or her behavior (Jacob, Decker, & Hartshorne, 2011). A building administrator may then make a decision about a suspension.

When a recommendation for expulsion occurs, case law and typical school policy requires more stringent due process procedures. These include adequate formal notice to the parents, and the option to the parent of holding a formal disciplinary hearing. If such a hearing is requested by the parent, both sides can be represented by attorneys, present evidence, and call witnesses. Typically, the hearing officer makes a recommendation to the school district administration, and then a district administrator or school board would make the final decision about an expulsion. These due process procedures have grown out of a belief that education is an important benefit both for the student and the community, and protections are needed to prevent school authorities from making arbitrary decisions.

Students With Disabilities and Expulsion

Federal law prevents students with disabilities from being expelled from school when it would prevent student's Individual Educational Program (IEP) from being delivered (Individuals with Disabilities Education Act, 2004; Mandlawitz, 2007; Yell, 2012). As a result, expulsion in the usual sense does not apply to students with disabilities, and federal law requires that they continue to receive the services identified in their IEP. If a student with a disability violates a major school rule that would warrant a long-term suspension or expulsion, a functional behavioral assessment with individual behavior intervention plan must be created, and a manifestation meeting must be held in order to determine if his or her actions were a result of the disability; if so, educators must take appropriate action to assess the student's current placement and make adjustments to remediate the problem (American Academy of Pediatrics Council on School Health, 2013). While these procedures are found in the statutory language of the Individuals with Disabilities Education Act of 2004, case law extends these same requirement to student identified as having a disability under Section 504 of the Rehabilitation Act. However, if the behavior is not a manifestation of the disability, students who have a section

504 disability may be expelled and not receive school services (Kids Legal, 2013).

Controversy Around Exclusionary Discipline

The use of expulsion and out of school suspension, in particular, are controversial. They are often discussed together as "exclusionary" discipline practices because they "exclude" the student from the academic environment and limit access to education (Losen, 2015). These exclusionary practices have also come under fire due to their lack of remediation for the cause of the misbehavior. Instead, relying on the hope that removing the student from school will be punitive to the extent that it will lead to changes in student behavior, which we know is not the case for most students, as evidence by high rates of reoffending. Arguably, in-school suspension might also be included in this umbrella term since students are excluded from normal school participation. Often it is not considered exclusionary since many in-school suspension situations involve continued access to education, and can include receiving instruction and working on asssignments in a different classroom than the student's typical classroom.

What Do We Know About Expulsion?

A search of "expulsion" and "schools" using Academic Search Premiere, PsycINFO, and EBSCOhost produced 2,074 results (e.g., journals, books, magazines, dissertations, news, reviews). The search included sources with a publication range from 1922 to 2015. Literature including
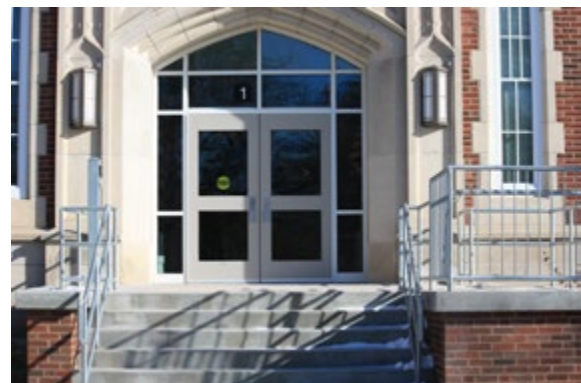
these terms is extensive, especially when compared to other discipline topics (e.g., detention, lowering grades, grade retention). However in scanning the literature it was found that suspension and expulsion research is difficult to disaggregate as they are typically discussed together as exclusionary discipline consequences. While expulsion is mentioned very frequently, it is rarely addressed as a topic in its own right. This wealth of research and commentary on exclusionary discipline strategies has revealed discussion of procedures and legal requirements, inappropriate applications, unforeseen outcomes for schools, unfair use with certain populations, and corelations with various detrimental outcomes for students (Losen, 2015). We found no empirical studies of the effectiveness of expulsion in changing behavior. There is also a lack of evidence supporting the belief that expulsion improves school climate and safety. (Skiba et al., 2006).

Exclusionary discipline has become an issue due to the negative outcomes of students who are expelled from school, and the increased use of exclusionary discipline as a result of zero tolerance policies. There is also a significant over representation of minority students among those expelled, and a much increased likelihood that these students may engage the criminal justice system. As a result the process of exclusionary disciplne has been characterized as "the school to prison pipeline" (Kim, Losen, & Hewitt, 2010).

Zero tolerance. Zero tolerance policies, which assign harsh consequences for a wide array of behaviors regardless of the individual

circumstances, have been linked to increased rates of suspension and expulsion (American Academy of Pediatrics Council on School Health, 2013). Furthermore, evidence of negative student outcomes and concerns that these discipline strategies are used disproportionally for certain populations (e.g., African-American students and students with disabilities) have increased attention and scrutiny to the use of both suspension and expulsion. While zero tolerance policies have resulted in increased use of expulsion over the past 15 years, its use may be stabilized or and could even decline as these policies are increasingly rescinded by schools, and the awareness increases on the negative outcomes associated with expulsion.

Effects of expulsion. As mentioned earlier, there is virtually no data which indicates that expulsion of student results in a change in the student's behavior. Although it is possible that this action may affect some students positively, anecdotal evidence suggests that such instances are rare. To the extent that expulsion is intended to change behavior, it appears to usually fail to achieve this outcome.

The use of expulsion does not teach students why their behavior was inappropriate, provide any remedial strategies to address learning and behavioral needs, or teach an appropriate replacement behavior. Thus, students who are expelled and later return to school are likely to reoffend, leading to higher rates of suspensions and expulsions in the future (American Academy of Pediatrics Council on School Health, 2013).

Negative reinforcement effect. One reason why exclusionary discipline strategies are so widely used may be the reinforcing effect that they can have on both the student and staff (e.g., teacher and administrators). For the student, time spent in school might be difficult, stressful and even punishing, either due to the highly structured environment or academic difficulties with the material, making time away from school (i.e., suspension and expulsion) a more favorable option (Brown, 2007). Therefore, these students might act out in an attempt

to receive a suspension or expulsion in order to escape the aversive situation.

On the other hand, for teachers and administrators who are consistently dealing with particular students' misbehaviors, removing the student from the school serves to relieve the frustration of dealing with the student's behaviors. This might encourage schools to continue to use expulsion as a disciplinary consequence rather than developing appropriate programs to meet the student's needs.

Disaffection and disconnection. Students who are removed from school for an extended period of time often feel disconnected from school (Wraight, 2010). School staff sometimes can feel a lack of responsibility for a student when he or she is expelled, and may not be willing to provide educational and counseling services during the time of the expulsion (Wraight, 2010). Consequently, when students return to school they are often behind, academically, socially, behaviorally, and are given little, if any, support to re-enter (Brown, 2007). Due to both this lack of involvement and overwhelming workload upon return, students begin to disengage from school. Not surprisingly, students who have been suspended or expelled are ten times more likely to drop out than students who have not (American Academy of Pediatrics Council on School Health, 2013).

Outside of school, students who have been expelled are subject to various unfavorable life outcomes such as criminal involvement or other activities which engage them in the juvenile justice system (Skiba et al., 2006)—even for youth with no prior history of disciplinary problems (Monahan, VanDerhei, Bechtold, & Cauffman, 2014). Additionally these students are more likely to engage in other risky behaviors (e.g., drug use, sexual activity, etc.; Brown, 2007). Because expulsion and dropout tend to co-occur, students who are expelled also can expect to earn much less throughout their lifetimes and have fewer career opportunities than peers who graduate high school (American Academy of Pediatrics Council on School Health, 2013). Both school staff and the communities which support

schools expect actions within schools to address the behavior of students who choose to violate school codes of conduct, particularly if the pose a threat to students and staff. Current research literature does not support expulsion as a useful intervention to increase safety for the school or positive outcomes the student.

Over-representation. In addition to the widespread, and sometimes inappropriate, use of expulsion, research has demonstrated an over-representation (also known as disproportionality) of minority students and students with disabilities receiving exclusionary discipline consequences (American Psychological Association Zero Tolerance Policy Task Force, 2008; Cornell, 2006; Lamarche, 2011; Skiba & Peterson, 1999). This means that more students of a given demographic are expelled than would be expected given the percentage of youth who fit that demographic within a school. For example, if a school is 35% African-American, one would expect that 35% of the total expelled students are African-American; however if the proportion of African-American students expelled is more than 35%, then an over-representation is occurring.

Minorities. African-American students are over-represented in a range of behavioral referrals, including the most severe punishments that lead to expulsion (Civil Rights Data Collection, 2013; Skiba et al., 2014). Hispanic students are also over-represented (Skiba et al., 2011). In contrast, American Indian and Native Alaskan students may receive expulsions at a lower rate than would be expected relative to the percentage of students in schools (Civil Rights Data Collection, 2013).

Disabilities. Students with disabilities are also over-represented in exclusionary discipline compared to their peers (Civil Rights Data Collection, 2013).

Gender. Although school enrollment is nearly equally represented in terms of gender, boys make up 75% of school expulsions (U.S. Department of Education, Office for Civil Rights, 2014).

School to prison pipeline. The phrase "School to Prison Pipeline" has been used extensively to describe the heightened likelihood that students who are suspended long term or expelled will end up in the criminal justice system, particularly since they are often unsupervised during their expulsion. Kim, Losen, and Hewitt (2010) in their book *The School-to-Prison Pipeline*, describe the failure of public institutions, national and local, to meet the educational and social needs of students, especially those that frequent the educational disciplinary system and the juvenile justice system. Kim and colleagues explain that the pipeline begins with deficiencies and inadequate educational services that "lock students into second-rate educational environments" (Kim et al., 2013). These deficiencies reduce the likelihood of students staying in school and graduating; rather, students are more likely to be involved in the justice system, detained, and ultimately, incarcerated (Kim et al., 2013). School deficiencies and inadequacies lead to increased student disengagement and dropouts, which later increases the likelihood of involvement with the court system. In fact, some schools might be compelled to encourage the dropout of low-performing students to increase overall testing scores (Kim et al., 2013).

Other problems with expulsion. Schools with higher rates of expulsion tend to have lower rates of achievement, lower ratings of school climate, and lower ratings on school governance measures (Skiba et al., 2006), which can lead to decreases in funding. In addition, schools with high rates of suspension and expulsion are likely to spend significantly more time in meetings and preparing for disciplinary hearings (American Academy of Pediatrics Council on School Health, 2013).

Strategies to Reduce Expulsion

Disciplining students who violate the school codes of conduct through removing them from school via expulsion can be detrimental to schools and have negative effects on students' personal and academic longitudinal trajectories. Schools and researchers have worked to develop alternative strategies and programs to overcome this problem (American Academy of Pediatrics Committee on School Health, 2013; Peterson, 2005; Stetson & Collins, 2010). Although the details about alternative strategies are not always simple to implement, educators are becoming aware of the need to reform school discipline policies to diminish or eliminate the need for expulsion (Skiba, Mediratta, & Rausch, 2016), and to keep students out of the Juvenile Justice System (Morgan, Salomon, Plotkin, & Cohen, 2014). The US Department of Education and its Office of Civil Rights have also acknowledged these problems and have issued a series of "Letters to Colleagues" and resource materials focused on these problems with exclusionary discipline. They suggest changes in school discipline procedures and consequences

(U.S. Department of Education, 2015; 2014 a; 2014b, Lhamon & Samuels, 2014). A similar letter and policy statement has also addressed concern about suspension and expulsion at the early childhood level (Burwell & Duncan, 2014; U.S. Department of HHS & Education, n.d.).

Early intervention and collaboration. Children's neurocognitive development is particularly important in the first year of life (National Scientific Council on the Developing Child, 2007). Thus, children who are raised in high-stress environments that do not provide adequate care and nurturing are at an increased risk of poor social and academic development (American Academy of Pediatrics Council on School Health, 2013). One way to circumvent this issue is for communities to provide at-risk families and expecting mothers with nurse visits, parenting programs, and child-care consultation (Begle & Dumas, 2011). Furthermore, upon entry into the schools, children who are identified as at-risk should receive collaborative supports from school personnel, mental health specialists, and/or pediatricians to provide appropriate supports to students in need (American Academy of Pediatrics Council on School Health, p 2, 2013). These basic preventative activities may reduce the likelihood of expulsions or other exclusionary discipline, particularly for young children.

School-wide behavior screening. One way to identify students who might be at-risk for developing behavior issues and ultimately receiving exclusionary discipline is to conduct behavioral screening periodically throughout the year.

In recent years, inexpensive and yet reliable behavior screening has been demonstrated in school settings (Hoff, Peterson, Strawhun & Fluke, 2015; Lane, Menzies, Oakes & Kalberg 2012). Pediatricians and/or other healthcare providers are also encouraged to also conduct screenings prior to the child entering school to identify these behavioral problems early (American Academy of Pediatrics Council on School Health, 2013). The procedures to implement this type of screening have become well researched, are relatively easy to implement, and are being implemented in many schools (Hoff, Peterson, Strawhen, & Fluke, 2015). Because of the positive correlation between behavioral problems and exclusionary discipline (i.e., students with more behavioral concerns are more likely to be suspended or expelled), it is important that students who are at-risk for higher rates of problem behavior are identified early on in their educational careers. By identifying these students, schools can more closely monitor their behaviors and implement programs that might be useful for the individual student's needs (e.g., anger management, behavior monitoring, and bully prevention and interventions).

Alternative Frameworks

The use of expulsion appears to be the result of a traditional concept of discipline based on a retributive model. Expulsion is a punishment intended to be consequence for serious misbehavior and was intended to result in a change of the behavior, or at least a removal from the educational environment. However as has been discussed, it has proven to not necessarily result in changed, behavior, but has multiple negative side effects. As a result, two other alternative ways of thinking about discipline have emerged.

Positive behavior interventions and supports. In addition to student-level supports, educators can implement universal supports for all students to increase the morale of the school, improve school climate and decrease office referrals and misbehavior. School-wide Positive Behavior Intervention and Supports (PBIS)

is a framework for providing students with clear expectations for behavior in regards to what will and will not be tolerated and that emphasizes "catching students being good" rather than disciplining students for misbehavior (Skiba & Sprague, 2008). Appropriate behavior is taught to students and acknowledged frequently, while inappropriate behavior is retaught and corrected. This framework operates on a multi-tiered system of support in which students in violation of the codes of conduct and school behavior expectations are involved in a specific intervention that fits the needs of the student (American Academy of Pediatrics Council on School Health, 2013). When implemented with fidelity, PBIS is an evidence based and cost effective strategy for schools and has been shown to diminish inappropriate behavior and office referrals (Fluke & Peterson, 2013).

Restorative practices. Another framework for school discipline and conflict resolution has emerged from the justice system and is identified as "restorative practices". These practices primarily focus on reintegrating students back into the school community while protecting the victim's right to a safe and secure learning environment while repairing the social environment (Varnham, 2005). This method has many benefits to the target student. Benefits include improved social skills, conflict management, responsibility, empathy, accountability, and self-discipline (Shaw, 2007; Von der Embse, Von der Embse, Von der Embse, & Levin, 2009). As with PBIS, a variety of specific practices might be included within the restorative practices framework, including mediation, restitution, circle meetings in the classroom, family group counseling, and youth courts.

The Minneapolis Public School District examined the effectiveness of "family group conferencing" with 83 students that were recommended for expulsion due to serious behavioral issues in school (e.g., bringing weapons to school, drug use, threat, intimidation, vandalism, harassment). This group was heavily over represented with African American, multiracial, and American Indian students. The students

were diverted to "family group conferencing" as an alternative to expulsion (McMorris, Beckman, Shea, Baumgartner, & Eggert, 2013). McMorris and colleagues found that family group conferencing was beneficial and during the following year resulted in decreased office referrals, improved academic progress, improved attendance, and other positive outcomes for a significant number of those students. Most importantly, this alternative discipline method "appears to interrupt the dis-engagement and drop-out trajectories that may result from punitive and exclusionary disciplinary approaches" resulting in many of these student completing their high school diploma (McMorris, 2013, p.40).

Conclusion

Expulsion is a disciplinary consequence that has been around for many years and serves the purpose of removing students who violate the school codes of conduct or pose an immediate threat to the school. While this strategy was created with school safety in mind, it has been found to lead to serious detrimental outcomes for students and has apparently been over used due to zero tolerance policies. Not only do schools use this strategy for behaviors for which it was not intended, it is also applied disproportionally to students based on ethnicity, gender, and disability status. To address these concerns, researchers and educators have developed several alternative preventive strategies and programs to maintain school safety while also teaching students appropriate behavior. These include efforts to implement approaches which prevent behavior problems, and which identify and intervene with problem behavior before problems escalate. These new frameworks for addressing problem behavior are providing promising alternatives to expulsion.

**Use with Caution!
Negative outcomes
for student likely!**

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Resources on Expulsion

See discussion of the following related topics in the following *Strategy Briefs***:**

- *Discipline Recovery.* http://k12engagement.unl.edu/discipline-recovery.
- *Dropout Recovery.* http://k12engagement.unl.edu/dropout-recovery.
- *Individual Behavior Plans and Functional Assessment.* http://k12engagement.unl.edu/individual-behavior-plans-and-fba
- *In-School Suspension.* http://k12engagement.unl.edu/school-suspension.
- *Positive Behavior Interventions and Suports (PBIS)*. http://k12engagement.unl.edu/positive-behavioral-interventions-and-supports.
- *Punishment*. http://k12engagement.unl.edu/punishment.
- *Suspension*. http://k12engagement.unl.edu/suspension
- *Zero Tolerance*. http://k12engagement.unl.edu/zero-tolerance.

Additional Resource Documents:

The Council of State Governments Justice Center (2014) - The School Discipline Consensus Report:
     This report highlights the path to student engagement in order to eliminate student misbehavior and keep students out of the juvenile justice system. It begins with information on school climate then progresses to behavioral interventions and recommendations for students with behavioral issues. It concludes with information regarding the policies surrounding disciplinary action in the schools and the function of juvenile justice systems in students' educational trajectories.
http://csgjusticecenter.org/youth/school-discipline-consensus-report/

U.S. Department of Education (May 2014):
     This report from the U.S. Department of Education reports the findings from six school districts in Oregon regarding suspension and expulsion for the 2011/2012 school year. The report includes the percentages of students suspended and expelled, the reasons for suspension/expulsion, the number of times suspended/expelled, and the number of days suspended/expelled.
http://ies.ed.gov/ncee/edlabs/regions/northwest/pdf/rel_2014028.pdf

U.S. Department of Education (May 2014):
     This report from the U.S. Department of Education discusses the negative effects of suspension and expulsion in early childhood education programs.
https://www2.ed.gov/policy/gen/guid/school-discipline/policy-statement-ece-expulsions-suspensions.pdf

U.S. Department of Justice (January, 2014):
     The focus of this report is to call attention to the disparity among students commonly receiving exclusionary discipline. This report pointed out differences in race, color, national origin, gender, and special education status. This article explains the legal framework, departmental considerations in examining discriminatory discipline, the importance of record keeping, and ways schools that have data showoing discriminatory discipline can remiadate this problem.
http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html

References on Expulsion

American Academy of Pediatrics Council on School Health. (2013). Out-of-school suspension and expulsion. P*ediatrics*, e1000-1007. doi:10.1542/peds.2012-3932

American Psychological Association Zero Tolerance Policy Task Force. (2008). Are zero tolerance policies effective in schools? An evidentiary review and recommendations. *American Psychologist, 63*, 852-862.

Begle, A. M., & Dumas, J. E. (2011). Child and parental outcomes following involvement in a preventive intervention: Efficacy of the PACE program. *Journal of Primary Prevention, 32,* 67-81.

Blomberg, N. (2004). Effective discipline for misbehavior in school vs. out of school discipline. *Concept, 27*, 1-11.

Brown, T. (2007). Lost and turned out: Academic, social, and emotional experiences of students excluded from school. *Urban Education, 42*, 432-455.

Burwell, S. & Duncan, A. (2014, December 10). *HHS and DOE dear colleague letter on preventing and severely limiting expulsions and suspensions in early learning settings.* https://www.acf.hhs.gov/sites/default/files/ecd/hhs_and_ed_joint_letter.pdf

Civil Rights Project, Harvard University. (2000). *Opportunities suspended: The devastating consequences of zero tolerance and school discipline policies.* Retrieved from www.eric.ed.gov/ERICWebPortal/contentdelivery/servlet/ERICServlet?accno= ED454314

Cornell, D. (2006). *School violence: Fears versus facts.* Mahwah, NJ: Lawrence Erlbaum.

Fluke, S. M., & Peterson, R. L. (2013, October). *Positive behavior interventions & supports. Strategy Brief.* Lincoln, NE: Student Engagement Project, University of Nebraska-Lincoln and the Nebraska Department of Education. http://k12engagement.unl.edu/positive-behavioral-interventions-and-supports.

Heaviside, S., Rowand, C., Williams, C., & Farris, E. (1998). *Violence and discipline problems in U.S. public schools: 1996–1997*. Rockville, MD: National Center for Education Statistics.

Hoff, N., Peterson, R. L., Strawhun, J., & Fluke, S. M. (2016). *School-wide Behavior Screening, Topic Brief.* Student Engagement Project, University of Nebraska-Lincoln and the Nebraska Department of Education. http://k12engagement.unl.edu/strategy-briefs/School-wide%20Behavior%20Screening%201-10-16.pdf.

Individuals with Disabilities Education Act, 20 U.S.C. § 1400 (2004)

Jacob, S., Decker, D. & Hartshorne, T.S. (2011). *Ethics and Law for School Psychologists.* Hoboken, NJ: John Wiley & Sons, Inc.

Kids Legal. (2013). *Section 504: What does it mean.* Downloaded from http://www.kidslegal.org/section-504-what-does-it-mean

Kim, C., Losen, D., & Hewitt, D. (2013). *The school-to-prison pipeline: Structuring legal reform.* New York, NY: NYU Press.

Lamarche, G. (2011, April 11). *The time is right to end "zero tolerance" in schools*. Retrieved from http://www.huffingtonpost.com/gara-lamarche/the-time-is-right-to-end_b_847622.html

Lhamon, C.E. & Samuels, J. (2014, January 8). O*ffice of Civil Rights US Department of Education & Civil Rights Division & US Department of Justice Guidance Package on administering student discipline without discriminating.* http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201401-title-vi.html

Losen, D.J. (Ed.). (2015). Closing the school discipline gap. New York: Teachers College Press.

Mandlawitz, M. (2007). *What every teacher should know about IDEA 2004 laws and regulations.* Boston, MA: Pearson.

McMorris, B. J., Beckman, K., Shea, G., Baumgartner, J. & Eggert, R. C. (2013, December). *Applying restorative practices to Minneapolis public schools students recommended for possible expulsion: A pilot program evaluation of the family youth restorative conference program. Final Report.* Minneapolis, MN: School of Nursing and the Healthy Youth Development Prevention Research Center, Department of Pediatrics, University of Minnesota.

Monahan, K. C., VanDerhei, S., Bechtold, J., & Cauffman, E. (2014). From the school yard to the squad car: School discipline, truancy, and arrest. *Journal of Youth and Adolescence, 43*, 1110-1122. doi:10.1007/s10964-014-0103-1

Morgan, E., Salomon, N., Plotkin, M., and Cohen, R. (2014). *The School Discipline Consensus Report: Strategies from the Field to Keep Students Engaged in School and Out of the Juvenile Justice System.* New York: The Council of State Governments Justice Center.

National Scientific Council on the Developing Child. (2007). *The science of early childhood development: Closing the gap between what we know and what we do.* Cambridge, MA: Harvard University, National Scientific Council on the Developing Child

Peterson, R. L. (2005). Ten alternatives to suspension. *Impact, 18*(2), 10-11.

Peterson, R. L., O'Connor, A., & Strawhun, J. (2014, January). *Discipline recovery. Strategy brief.* Lincoln, NE: Student Engagement Project, University of Nebraska-Lincoln and the Nebraska Department of Education. http://k112engagement.unl.edu/discipline-recovery.

Raffaele Mendez, L. M., Knoff, H. M., & Ferron, J. M. (2002). School demographic variables and out-of-school suspension rate: A quantitative and qualitative analysis of a large, ethnically diverse school district. *Psychology in the Schools, 39*, 259-277. doi:10.1002/pits.10020

Shaw, G. (2007). Restorative practices in Australian schools: Changing relationships, changing culture. *Conflict Resolution Quarterly, 25(*1), 127-135.

Skiba, R. J., Chung, S. C-G., Trachok, M., Baker, T. L., Sheya, A., Hughes, R. L. (2014). Parsing disciplinary disproportionality: Contributions of infraction, student, and school characteristics on out-of-school suspension and expulsion. *American Education Research Journal, 51*, 640-670. doi:10.3102/0002831214541670

Skiba, R. J., Horner, R. H., Chung, C-G., Rausch, M. K., 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.

Skiba, R. J., Mediratta, K.., & Rausch, M. K. (2016). *Inequality in school discipline.* New York, NY: Palgrave McMillan.

Skiba, R. J., & Peterson, R. L. (1999). The dark side of zero tolerance. *Phi Delta Kappan, 80*, 372-382.

Skiba, R. J., & Rausch, M. K. (2006). Zero tolerance, suspension, and expulsion: Questions of equity and effectiveness. In C. M. Evertson & C. S. Weinstein (Eds.), *Handbook of classroom management: Research, practice, and contemporary issues* (pp. 1063–1089). Mahwah, NJ: Lawrence Erlbaum Associates

Skiba, R. J., Reynolds, C. R., Graham, S., Shera, P., Conoley, J. C., & Garcia-Vasquez, E. (2006). *Are zero-tolerance policies effective in schools?* Washington DC: American Psychological Association.

Skiba, R. J., & Sprague J. (2008). Safety without suspensions. *Educational Leadership, 66*, 38-43.

Swenson, S., & Ryder, R. E. (2016, August 1). *OSEP dear colleague letter on ensuring equity and providing behavioral supports to students with disabilities*. Retrieved from http://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/index.html

Stetson, F., & Collins, B. (2010). Rethinking suspension. *Principal Leadership, 11*, 40-44.

U.S. Department of Education. (2014, January). *Guiding Principles: A Resource Guide for Improving School Climate and Discipline*. Washington, D.C., http://www2.ed.gov/policy/gen/guid/school-discipline/guiding-principles.pdf.

U.S. Department of Education. (2015, July). *Rethink School Discipline: School District Leader Summit on Improving School Climate and Discipline, Resource Guide for Superintendent Action,* Washington, D.C. https://www2.ed.gov/policy/gen/guid/school-discipline/rethink-discipline-resource-guide-supt-action.pdf.

U.S. Department of Education, Office for Civil Rights. (2014, March). Civil rights data collection. *Data snapshot: School discipline (Issue Brief No. 1)*. Retrieved from http://ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf

U.S. Department of HHS and Education. (n.d.). *Policy statement on expulsion and suspension policies in early childhood settings.* http://www2.ed.gov/policy/gen/guid/school-discipline/policy-statement-ece-expulsions-suspensions.pdf.

Varnham, S. (2005). Seeing things differently: Restorative justice and school discipline. E*ducation and the Law, 17,* 87-104.

Von der Embse, N., Von der Embse, D., Von der Embse, M., & Levine, I. (2009). Applying social justice principles through school-based restorative justice. *Communique, 38*(3), 18-19.

Wraight, S. (2010). *Services for expelled students: Overview of research and policy.* Naperville, IL: Regional Educational Laboratory Mid- west at Learning Point Associates. Available at http://dpi.wi.gov/sspw/doc/ services4expelled.doc

Yell, M. (2012). *The law and special education (3rd ed.).* Boston, MA: Pearson.