

The Every Student Succeeds Act Takes Aim at the School Discipline Gap

ESSA Gives Parents, Schools, & States Tools to End Discipline Disparities in Significant Improvement over both NCLB and the Waiver Regime

ESSA continues the use of data transparency as a means to highlight disparities in achievement and discipline for all students.

- Disaggregation of data by subgroup is maintained. ESSA, Section 1111(c)(2).
- States on the state report cards must include “measures of school quality, climate, and safety, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), incidences of violence, including bullying and harassment. ESSA, Section 1111(h)(1)(C)(viii)(I).

ESSA requires states and localities to focus on the overuse of exclusionary and dangerous discipline practices.

- State plans must describe how they will support LEAs to improve school conditions for student learning, including, “reducing...incidences of bullying and harassment; the overuse of discipline practices that remove students from the classroom; and the use of aversive behavioral interventions that compromise student health and safety” ESSA, Section 1111(g)(1)(C)(i-iii).
- Local plans must describe how they will “support efforts to reduce the overuse of discipline practices that remove students from the classroom, which may include identifying and supporting schools with high rates of discipline, disaggregated by each of the subgroups of students, as defined in section 1111(c)(2). ESSA, Section 1112(b)(11).

ESSA provides funding for states and localities to implement effective discipline practices, and engage parents and families in school success.

- Localities can use Title II funds to “develop programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, and English learners, which may include the use of multi-tier systems of support and positive behavioral intervention and supports”. ESSA, Section 2103(b)(3)(F).
- Under Section 4108, LEAs can use federal funding to develop many programs and activities aimed at reducing the school discipline gap, including:
 - Schoolwide positive behavioral interventions and supports
 - Trauma-informed and evidence-based school –based mental health services
 - Bullying and harassment prevention programs
 - School dropout and re-entry programs
 - Training for school personnel in trauma-informed practices in classroom management, school-based violence prevention strategies, and bullying and harassment prevention
 - Designing and implementing a locally-tailored evidence-based plans to reduce exclusionary discipline practices in elementary and secondary schools