

Congress of the United States
House of Representatives
Washington, DC 20515

August 26, 2016

The Honorable Gene L. Dodaro
Comptroller General of the United States
Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Dodaro:

Research shows a dramatic increase in the use of disciplinary actions and chronic absenteeism in public elementary and secondary schools. For example, according to one study, nearly 60 percent of students in one state were suspended or expelled at least once between 7th and 12th grade. Moreover, data from the U.S. Department of Education (Education) show that children as young as 3, 4 and 5 years old are being suspended from pre-school. Further, disproportionate numbers of arrests and referrals to law enforcement as well as disproportionate use of restraint and seclusion also exist among certain student groups, according to Education. For example, Black students with disabilities were disproportionately restrained at school through the use of a mechanical device or equipment designed to restrict their freedom of movement.

According to research, repeated and excessive suspensions have a debilitating effect on students. Specifically, the lack of school success and school disengagement is highly correlated with involvement in the juvenile justice system, a situation often referred to as the “school to prison pipeline.” Research also shows that excessive discipline disrupts students’ academic progress and significantly increases dropout rates. An equally troubling issue is chronic absenteeism among students in our nation’s public K-12 schools. According to recent data from Education, over 6 million students missed 15 or more days of school in 2013-14. As with discipline, minority students experience chronic absenteeism at disproportionately high rates, so much so that Education characterized the disparities as “striking.”

Education is responsible for ensuring equal access to education and, in conjunction with the U.S. Department of Justice (Justice), for enforcing federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance. Education and Justice have recognized the seriousness of disparate discipline by schools and in recent years have adjusted their monitoring and enforcement efforts to focus on this issue. Further, in January of 2014 they jointly issued guidance to assist schools in meeting their obligations under federal


law to administer student discipline in a non-discriminatory manner. With respect to chronic absenteeism, Education, jointly with the White House and other federal agencies, announced in October 2015 an effort to eliminate chronic student absenteeism in K-12 schools – an area in which Education’s data point to disparities for key student groups. Further, a recent GAO report suggested that disparities also exist among different types of schools with respect to discipline.

To better understand disparities in discipline and absenteeism among different groupings of schools and types of schools, I would like GAO to address the following questions:


1. What are the characteristics of schools with relatively high rates of disciplinary actions and chronic absenteeism by level of school poverty and racial and ethnic minority status?
2. In selected schools and school districts what factors help explain disproportionate rates of disciplinary actions and chronic absenteeism?
3. What is known about school districts' and other stakeholders' efforts to reduce disparate discipline and in-school arrests of students?
4. To what extent have the Departments of Education and Justice taken actions to identify and address disproportionate disciplinary actions and chronic absenteeism?

Thank you for your attention to this matter. If you have any questions about this request, please contact Jacque Chevalier at jacque.chevalier@mail.house.gov.

Sincerely,



ROBERT C. "BOBBY" SCOTT
Ranking Member
Committee on Education and the Workforce



JOHN CONYERS, JR.
Ranking Member
Committee on the Judiciary