

January 18, 2013

John Dipaulo
Deputy Assistant Secretary for Policy
Office of Civil Rights
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Subject: Limitations of school discipline data collected by Civil Rights Data Collection 2009-2010

Dear Mr. Dipaulo,

We would like to add our voices to other civil rights groups who have called on the Department to improve the next Civil Rights Data Collection – particularly in regard to school discipline data.

In our recent efforts to conduct comparative research on *severity* of school discipline across districts, we were frustrated by a widespread lack of data. Our review of the Civil Rights Data Collection 2009 (CRDC 2009-2010) dataset indicates that the schools that are included in CRDC dataset may not be consistently reporting incidents of student disciplinary actions. While it is important that the CRDC is collecting school discipline data disaggregated by race/ethnicity and gender, the disparity in reporting among schools may render the dataset difficult to use for policy-relevant civil rights analysis. The shortcomings of the data (highlighted also in Table 1, below) include:

- High percentages of data are missing across all school discipline categories.
- Data for severe school disciplinary actions such as corporal punishment, zero tolerance expulsion, expulsion with or without education services, and school related arrests are missing or zero for more than 90% of the 71,715 schools reporting. Additionally, data for referral to law enforcement is missing or reported as zero for 87.76% of the schools reporting.
- In terms of less severe school disciplinary actions such as multiple out of school suspension, in school suspension, and single out of school suspension, more than 40% of the total data is missing or reported as zero.
- The large percentage of missing data in severe disciplinary action categories may be attributed to absence of harsher punishments in schools. However, it is more likely that these numbers across all disciplinary categories are underreported or unreported.

Table 1: Percentage of missing variables by severity of punishment for total number of students without disabilities as reported by schools (2009-2010)*

Variable	Number Missing	Number Reporting	% Missing
Corporal punishment	68,102	3,613	94.96
Zero tolerance expulsion	69,951	1,764	97.54
Expulsion with education services	67,948	3,767	94.75
Expulsion without education services	69,753	1,962	97.26
Multiple out of school suspension	41,395	30,320	57.72
In school suspension	38,370	33,345	53.50
Single out of school suspension	30,532	41,183	42.57
Referral to law enforcement	62,935	8,780	87.76
School related arrests	68,005	3,710	94.83
Total number of schools	71,715		

Source: Civil Rights Data Collection 2009

*Does not include juvenile justice facility schools, includes K-12 schools

More complete reporting of data on severity of school discipline can potentially lead to identification of important policy issues and problems, such as those we were trying to research. Improving the data collection on severity of school discipline will not necessarily require additional staff time at the Department of Education, because the immediate problem, at least in this area, is not quality of reporting, but non-reporting. Raising awareness about the importance of reporting the disciplinary data to CRDC, and a system to automatically prompt schools and districts to fill in the required categories, will encourage schools to improve their reporting and tabulating processes. A more complete CRDC dataset on school discipline – including the categories set out above – will give us new and deeper insights into the nature of disparities in school discipline.

We would appreciate your response to this letter, and please let us know if we can be of any assistance.

Sincerely,



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