



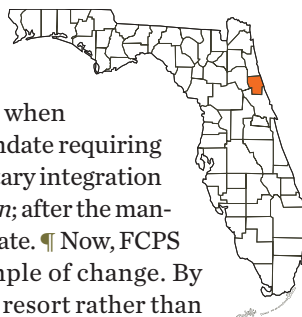
# flagler county

## A Case for Suspension Abolition

BY JOANNA WILLIAMS ILLUSTRATION BY BRIAN STAUFFER

### Meet Flagler County Public Schools

In 1970, a district in northeast Florida, Flagler County Public Schools (FCPS), made national news when the U.S. Department of Justice released a federal mandate requiring full integration. FCPS had previously relied on voluntary integration to meet the requirement of *Brown v. Board of Education*; after the mandate, it was one of the last districts in Florida to integrate. ¶ Now, FCPS is in the news again—this time, as a positive example of change. By committing to a plan that views suspension as a last resort rather than a go-to measure, Flagler County has emerged as a pioneer in school discipline reform. Beginning in August 2016, FCPS students will not be suspended for more than three days at a time without the approval of the district discipline and behavior coordinator, reducing the maximum number of days a student can be removed from school by 70 percent. If proper alternatives are established after that, the district will consider doing away with out-of-school suspensions altogether, a model advocates refer to as *suspension abolition*.



### A Bumpy Road

Like FCPS's pathway to integration, the road that led the district to the cutting edge of discipline reform was bumpy. The district was, at one point, one of Florida's worst districts for disproportionately disciplining African-American students. According to attorneys for the

Southern Poverty Law Center (SPLC, which is Teaching Tolerance's parent organization), African-American students accounted for only 16 percent of the student population during the 2010-11 school year—but received 31 percent of all out-of-school suspensions and 70 percent of expulsions.

Timothy King, Flagler County's discipline and behavior coordinator, says that FCPS staff followed a system that had been in place too long and that suspension was the only tool they had been given to handle discipline issues. From their view, the only way to maintain order was to punish quickly and severely—a perspective not uniquely held by FCPS.

“If you look at the history of schools and discipline, it was really set in gear to what was best for the adults,” King says. “That was the way that the adults on a campus kept order. Just years, and years, that philosophy continued to be handed down: ‘We’ll be very heavy-handed because that’s how we establish order on our campuses.’ It’s never been about what’s best for kids.”

That system resulted in an environment in which students were punished harshly *and* unequally. In 2012, the SPLC examined all 67 of Florida's school districts and found that FCPS

had among the highest degrees of racial disparity in its suspension data. In the 2011-12 school year, 32 percent of African-American students were suspended multiple times. The disproportionate punishment led the SPLC to file a federal civil rights complaint in 2012 that asserted, “[FCPS] has engaged in an ongoing and systematic pattern of violating Class Complainants’ rights and subjecting them to discrimination in violation of Title VI.”

That is exactly what happened to “K.K.,” a 14-year-old African-American student who attended an FCPS school and became a client in the SPLC case. During the 2011-12 school year, K.K. was referred to the office and “written up” 19 times, suspended from school for 15 days and spent three days in in-school suspension. He also was suspended from riding the bus three times and received five after-school detentions, one Saturday school detention, two in-school detentions, a civil citation and—at one point—zeros on all his classwork at the discretion of the school administration.

K.K. was just one of the thousands of African-American students on whose behalf the SPLC filed the complaint. In June 2015, after years of community and legal advocacy work, the Flagler County School Board unanimously approved a settlement with the SPLC to address the racial disparities and eventually to move toward discontinuing the use of out-of-school suspensions altogether.

### What Is Suspension Abolition?

The term suspension abolition is new, but the principles behind it are not. Similar to the movement to end mass incarceration by ending mandatory minimum sentencing and minimizing the use of incarceration as punishment overall, suspension abolition is predicated on the belief that hyper-punitive acts—like removing students from school for minor offenses—deprives citizens of their fundamental right to be educated.

“Suspension abolition is really a shift in the way we view education. We view [education] as a civil right that children should never be deprived of,” says SPLC Staff Attorney Amir Whitaker. “The word suspension should never be associated with education. There should never be a time where a child thinks it’s appropriate to not learn and grow.”

A growing number of educators, advocates, state leaders and education experts are calling for a reduction in the use of suspensions. Some organizations have called for moratoriums.

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The evidence supports the outcry. The American Psychological Association, the Academy of American Pediatrics, the Centers for Disease Control and Prevention and the American Association of School Administrators have all provided evidence that out-of-school suspensions contribute to the opportunity gap. In 2014, the federal government even acknowledged the relationship between exclusionary discipline practices and “an array of serious

educational, economic and social problems, including school avoidance and diminished educational engagement; decreased academic achievement; increased behavior problems; increased likelihood of dropping out; substance abuse; and involvement with juvenile justice systems.”

Dr. Angela Mann, an assistant professor of psychology at the University of North Florida and a nationally certified school psychologist, says that suspension ultimately proves counterproductive and confusing to students.

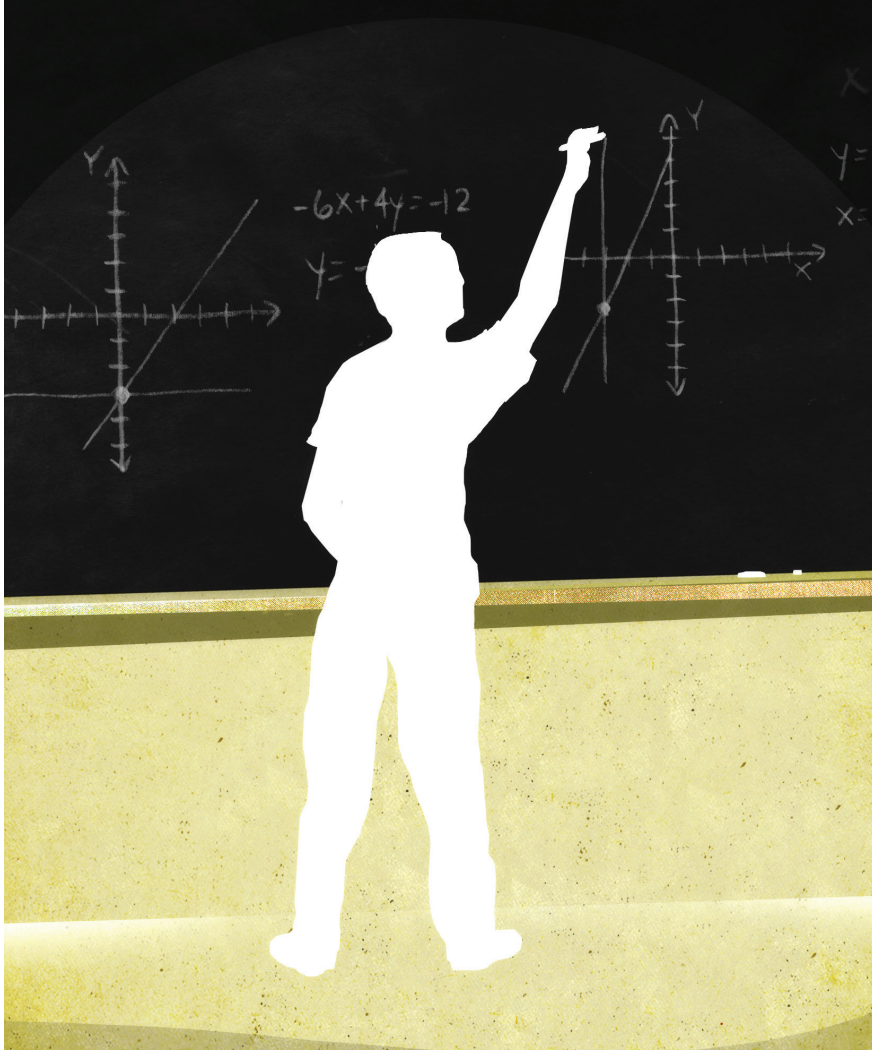
“Suspension and expulsion and school-based arrests are very counter to my own orientation towards discipline in that, first, they’re not effective,” she says. “They’re not effective at reducing the problem behavior, but also, they’re not teaching the child what expectations they should be meeting.”

Even putting aside the academic, social and emotional costs to students, suspension places alarming financial burdens on communities. A 2013 report sponsored by UCLA’s Civil Rights Project found that exclusionary discipline policies cost millions in tax dollars each year based on the correlation with increased school dropout rates, grade repetition, loss of instructional time and delay of student entry into the workforce.

### Flagler County Now

As part of its agreement with the SPLC, FCPS now relies on a coalition of key stakeholders to advise its disciplinary policies. The coalition includes representatives from the Florida Department of Juvenile Justice, the Florida Department of Children and Families, the NAACP, the sheriff’s office, school-based mental health professionals, SPLC staff, school district staff and families.

The coalition also represents FCPS’s commitment to accountability. The district has become more transparent and issues monthly reports on the number



of suspensions by race, by infraction and by school. As a result, students, parents and the community are aware of how the district is handling discipline.

“At our last meeting, we looked and saw 80 percent of the suspensions are coming from a single middle school,” Whitaker says. “We’re part of that conversation with helping them move forward. . . . [T]he district is now looking at ways to fix that [number] and we’re having conversations with the principal. There is more accountability for removing an excessive number of students from school.”

King says that he has had complete buy-in from staff, and they are moving in the right direction. Part of his success, he says, was assuring staff that the need for change wasn’t about “personal attacks,” but rather the opportunity to grow and become better.

“It does change the way that we view things and do things because we have had to very publicly say, ‘Our old practices aren’t necessarily our best practices,’” he reflects. “We’ve shifted into a mode of ‘How can I keep a kid in his seat so that he can get everything that that teacher’s trying to give him?’ and balancing that with ‘Is this student being in his seat going to disrupt other students from learning?’ Again, if it’s student-centered and you’re doing what’s best for the kids, I think you come out with pretty good results.”

The results have contributed to a complete change in culture. King says that teachers are now willing to have conversations around discipline. Students have experienced more than 3,000 instructional hours this year that would have been lost to suspensions.

The district has put in place alternative discipline measures centered around growth. They include family and student seminars, community service and substance-abuse programs (if the student was found under the influence on campus); restorative justice will be implemented in the fall of 2016. Suspension is the last resort.

“If [a suspension] has to go over what’s our allotted amount of five days, then I will go to the discipline team to see if we can have an emergency meeting to get together and talk about resources and support for the kid,” King says. “That’s kind of what it is. If you need to remove a kid for more than a week, then you really need to have some people that can say, ‘Let’s talk about why that needed to happen.’”

After the victory in Flagler, the SPLC took the movement to Pinellas County, Florida, where African-American students lost a combined 45,942 days of school over the past five years. Now the maximum number of days the district’s 100,000 students can be suspended is five (reduced from 10). New York City Schools has also reduced its maximum to five days. Whitaker hopes these precedents will encourage other school districts to follow suit and shift their thinking about the purpose of school discipline.

“Our abolitionist movement balances the needs of districts and teachers,” Whitaker says. “We understand students can be disruptive and that there are times where a student should be removed from the classroom. We’re looking at different ways to respond because, with suspensions, we only have one destructive tool. And when you only have a hammer, everything looks like a nail.” ♦

*Williams is the new media associate for Teaching Tolerance.*



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