

Suspension & Expulsion Disparities in Minnesota

MN Department of Human Rights

The Minnesota Department of Human Rights (MDHR) enforces the Minnesota Human Rights Act which prohibits discrimination and retaliation in public services, public accommodation, employment, housing, contracting, credit, and education.

National Report: Racial/Special Education Disparities

In March 2018, the United States Government Accountability Office issued a report finding that school suspension discipline disparities existed for black students and students with disabilities and that the “disparities were widespread and persisted regardless of the type of disciplinary action, level of school poverty, or type of public school attended.”

Impact of Disparate Suspensions

Academic research indicates that: (1) suspensions account for 20% of the difference in academic achievement between African-American and white students; (2) students who are suspended are more likely to drop-out of school and fall into the juvenile justice system; and (3) students at schools with high rates of suspension have lower academic achievement even if they were never suspended.

Suspension Disparities in MN

The Minnesota Department of Education (MDE) requires schools to annually report the number, severity and reason that they suspend or expel general education students for one day or more and special education students for a half day or more. Schools are also required to submit aggregate data to MDE concerning the race and ethnicity of students who were suspended. In reviewing data for **all schools in Minnesota** over a five year period, Human Rights found significant and consistent

suspension disparities. As an example, during the 2015-2016 school year:

- Native American students ten times more likely to be suspended or expelled.
- African-American students eight times more likely to be suspended or expelled.
- Students of color two times more likely to be suspended or expelled.
- Students with disabilities two times more likely to be suspended or expelled.

The most common reason schools reported for suspending students was for behavior that was seen as disorderly or disruptive – 37% of all suspensions.

MDHR Meetings with Schools

Human Rights identified 43 districts and charter schools to meet with at the end of 2017 to discuss school protocol and practices that are used in student discipline. The identified schools issued 62% of all suspensions and enrolled 68% of African-American students, 55% of Native American students and 40% of all students in the state.

Since the meetings, Human Rights has been formalizing agreements in which the schools agreed to: (1) faithfully implement and measure the effectiveness of strategies such as restorative justice, positive behavior intervention strategies and Innocent Classroom; (2) collaborate with other schools to develop best practices on reducing suspension and implementing cultural competency and corrective action strategies; (3) develop meaningful ways for students, parents, teachers, and the broader community to engage and give input; (4) develop a process to collect and analyze data from student discipline referrals to understand the challenges students face, the needs of teachers, and where implicit bias exists; (5) limit police liaisons in

“It is an unfair discriminatory practice to discriminate in any manner in the full utilization of or benefit from any educational institution...” MHRA, 363A.13, Subd. 1.

the building to legal and safety matters instead of student misbehavior; (6) analyze current policies and practices on student discipline and (7) report progress to MDHR twice each year for three years.

Agreements do not involve decisions made by school officials when illegal drugs, weapons or fighting were involved nor do they call for a moratorium on suspensions. Additionally, schools retain local control and have discretion to determine the best plan for their communities to address disparities.

School Agreements with MDHR

All agreements that schools have signed with Human Rights may be found on MDHR’s website at <https://mn.gov/mdhr/news-community/reports/data.jsp>. The agreements act as framework for students, parents, school staff, district leadership and the broader community to work together to develop and implement more robust strategies to address suspension disparities in their communities.

Data Submitted by MN Schools

The information identified in the chart below contains the suspension and expulsion data reported to MDE by all Minnesota schools for the six (6) school years between 2011-12 and 2016-2017.

Severity	Reason for S & E	School Year					
		2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
1	Homicide	0%	0%	0%	0%	0%	0%
2	Weapons	2%	3%	3%	3%	3%	3%
3	Bomb	0%	0%	0%	0%	0%	0%
4	Arson	0%	0%	0%	0%	0%	0%
5	Assault	6%	7%	8%	8%	8%	8%
6	Hazing	0%	0%	0%	0%	0%	0%
7	Robbery	0%	0%	0%	0%	0%	0%
8	Illegal Drugs	4%	4%	4%	4%	4%	4%
9	Controlled Substance	1%	1%	1%	1%	1%	0%
10	Bomb Threat	0%	0%	0%	0%	0%	0%
11	Terroristic Threats	1%	1%	1%	1%	1%	1%
12	Fighting	14%	15%	15%	15%	18%	18%
13	Bullying	2%	2%	1%	2%	1%	1%
14	Cyber Bullying	0%	0%	0%	0%	0%	0%
15	Harassment	3%	3%	3%	3%	3%	3%
16	Verbal Assault	5%	4%	4%	4%	4%	4%
17	Extortion	0%	0%	0%	0%	0%	0%
18	Threat/intimidation	5%	5%	5%	6%	6%	6%
19	Disorderly/Disruptive	39%	38%	38%	36%	37%	36%
20	Alcohol	1%	1%	1%	1%	1%	1%
21	Tobacco	3%	2%	3%	3%	3%	3%
22	Over the Counter Meds	0%	0%	0%	0%	0%	0%
23	Theft	3%	3%	3%	3%	2%	2%
24	Vandalism	1%	2%	1%	2%	1%	2%
25	Gang Activity	0%	0%	0%	0%	0%	0%
26	Pyrotechnics	0%	0%	0%	0%	0%	0%
27	Computer	0%	0%	0%	0%	0%	0%
28	Attendance	4%	4%	4%	4%	3%	3%
29	Other	4%	4%	4%	4%	4%	5%