



District of Columbia
Office of the State Superintendent of Education

DISCIPLINE

2022-23 School Year

March 2024

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Executive Summary

The Office of the State Superintendent of Education’s (OSSE) mission is to set high standards, build educator and system capacity to meet those standards, expand educational opportunities for all learners with a focus on those underserved and hold everyone - including ourselves - accountable for results. This report reflects OSSE’s commitment to supporting equitable discipline policies and practices to create a positive and safe school environment that promotes learning and limits missed instructional days due to exclusionary discipline practices.

Through this report, OSSE provides the public with the available data on school discipline and fulfills local reporting requirements in the Pre-K Student Discipline Amendment Act of 2015 and the Student Fair Access to School Amendment Act of 2018 (“Fair Access Act”).

This report explores trends in disciplinary actions during the 2022–23 school year and how they compared to disciplinary actions in the 2021–22 school year, as well as disciplinary actions prior to the COVID-19 pandemic in the 2018–19 school year. Many of the trends from prior to the pandemic persist:

- Out-of-school suspensions remain the most commonly reported disciplinary action, though nearly as many restorative justice actions were reported in the 2022–23 school year.
- Students with disabilities, students who are overage in high school, Black or African American students, and male students continue to have disproportionate rates of disciplinary actions.
- Fighting and disruptive behavior remain the most common reasons for disciplinary action.

This report also explores trends between student groups and disciplined behaviors, including bullying, harassment, incidents of violence, possession or use of banned items (including drugs or alcohol), and locally defined incidents (including insubordination and attendance policy violations). Findings include:

- Students missed fewer days of learning per suspension than in prior years.
- Students with disabilities are suspended or expelled at more than twice the rate of their non-disabled peers for bullying and harassment.
- A greater proportion of students were involved in more than three disciplinary actions than in prior years.

This year, OSSE also examined discipline actions and the behaviors that led to actions at the intersection of race and gender identities. Students who are Black or African American have significantly higher disciplinary rates than students of other races and ethnicities, and students who are Black or African American and male have the highest rates of discipline of any identity. However, students who are Black or African American and female are disciplined with greater disproportionality compared to other females than males who are Black and African American compared to other males.

Other key findings include:

- The number of discipline actions reported in each category increased but rates of out-of-school suspension remain below pre-pandemic levels.
- LEAs are primarily providing education services for suspended students asynchronously.
- Restorative justice actions made up more than 40 percent of reported discipline actions.

Discipline Landscape

Restorative Justice in the District

A key initiative OSSE deploys to support local education agencies (LEAs) in their efforts to engage in inclusive, equitable, and effective discipline is RestorativeDC (RDC) led by SchoolTalk, a DC-based non-profit organization, which provides restorative justice training to District of Columbia Public Schools (DCPS) and DC public charter schools (PCS). Restorative justice is an approach to violations of community norms that focuses on repairing harms, including through reconciliation with aggrieved parties, rather than more punitive measures such as zero-tolerance policies.

During the 2022-23 school year, RDC provided technical assistance to 43 schools representing 17 LEAs: 13 schools that are receiving intensive Whole School technical assistance for organizational and schoolwide change, and 30 schools receiving Targeted Technical Assistance to integrate restorative practices into their schools.¹ This technical assistance provides intensive and collaborative planning, professional development, and coaching for school-wide restorative justice implementation or to address specific needs. Schools can take a restorative approach to discipline and implement a series of tiered practices to help avoid conflict in the first place and respond appropriately when harm does happen.

Table 1. Restorative DC - Whole School Technical Assistance Schools SY 2022–23

School	Sector	Ward
AppleTree Early Learning Public Charter Schools (network)	PCS	N/A
Alice Deal Middle School	DCPS	3
E.L. Haynes Elementary School	PCS	4
E.L. Haynes Middle School	PCS	1
E.L. Haynes High School	PCS	4
Excel Academy	DCPS	8
Hart MS	DCPS	8
Kingsman Academy PCS	PCS	6
Latin American Montessori Bilingual Public Charter School (LAMB)	PCS	4
Neval Thomas ES	DCPS	7
Sojourner Truth PCS	PCS	5
Thurgood Marshall Academy PCS	PCS	8
Wheatley ES	DCPS	5

During the 2021-22 school year, RDC began transitioning from predominantly virtual large group professional development (PD) to a more intensive and hands-on system of support and capacity building tailored to the needs of individual schools. As schools continued to recover and rebuild from the COVID-19 pandemic during the 2022-23 school year, RDC continued this individual on-site tailored support and coaching, while also

¹ This total includes 4 schools in DC that hired RDC to provide specific assistance on a fee-for-service basis.

continuing to offer reduced but regular virtual PD offerings. Over the course of the 2022-23 school year, RDC provided:

- **1,385** hours of support to Whole Schools
- **728** hours of support to targeted technical assistance (TTA) schools

The technical assistance provided to the Whole School and TTA schools was targeted to schools' specific needs for rebuilding school culture and practices coming out of the COVID-19 pandemic.

In addition to school-level technical assistance, RDC also provides individual capacity-building resources through professional development and coaching in proactive, preventative, and responsive restorative practices. Topics include de-escalation and redirection; multi-tiered systems of support (tier 1-3 practices)² that promote positive school climate, relationship building, mental health, and social-emotional learning; and conflict resolution for both staff and students. During the 2022-23 school year, RDC hosted an additional 192 hours of Districtwide professional development during summer pre-service and throughout the school year, Community of Practice sessions, open coaching sessions, and through a citywide, all-day Restorative Justice Summit for nearly 50 school staff in the District.

For more information on RDC's approach to supporting schools and providing professional development in the 2022-23 school year, see [Appendix A](#).

² A Multi-tiered System of Support (MTSS) is a three-tiered public health prevention framework that organizes interventions into three tiers based on intensity of need. The three tiers of support allow states, districts, and school to strategically align their support to match the needs of students using data and resources available (Freeman, Miller, & Newcomer, 2015).

Legislative Overview

OSSE reports student discipline data in accordance with local and federal laws, listed below. More information can be found in [Appendix B](#).

Local Legislation

- Student Fair Access to School Amendment Act of 2018 (“Fair Access Act”)
- Pre-K Student Discipline Amendment Act of 2015

Federal Legislation

- Gun-Free Schools Act (1994)
- Individuals with Disabilities Education Act Amendments of 1991 (IDEA), amended in 2010
- Elementary and Secondary Education Act of 1965 (ESEA), reauthorized as the Every Student Succeeds Act of 2015 (ESSA)

Discipline Data Collection

By Aug. 15 of each year, District of Columbia law requires each LEA to submit a student-level data file to OSSE on all disciplinary incidents, including but not limited to in-school suspensions, out-of-school suspensions, expulsions, and involuntary dismissals.³ In the 2022–23 school year – and for the first time – OSSE required LEAs to validate discipline data three times during the school year and added an option to provide data on the use of restorative justice.⁴ OSSE performs data validation checks after LEAs submit data in the Unified Data Error (UDE) report, in which each record is checked and verified for accuracy against other OSSE data collections, such as attendance – which is also validated three times each year. [Appendix D](#) explains these checks in more detail. OSSE also conducts quality control checks on the data to identify non-compliance or data inconsistencies and provide an opportunity for LEAs to address inconsistencies or instances of non-compliance.

OSSE produces and distributes the “Student Discipline Data Collection Guidance” and a collection template to provide LEAs with the information they need to submit complete and accurate data on all disciplinary incidents.⁵ OSSE released guidance and documentation for the 2022–23 school year and provided on-demand year-round technical assistance.

High school students also reported learning environment removals as part of the Youth Risk Behavior Survey, which is conducted every two years and the results of which are published separately.⁶

³ § 38–236.09(b).

⁴ See [SY 2022-23 LEA Discipline Data Collection Guidance](#) for more information on the changes made to how discipline data is collected.

⁵ [“Student Discipline Data Collection Guidance.”](#) Office of the State Superintendent of Education. [“2022-23 Discipline Template.”](#) Office of the State Superintendent of Education.

⁶ [2021 DC YRBS Report | osse](#)

Student Population

The student population for the 2022–23 school year discipline analysis includes all public school students in the District (pre-K 3 through adult programs), excluding students who attended schools run by the Department of Youth Rehabilitation Services (DYRS). LEAs verified enrollment, demographics, and discipline records for the student population analyzed in this report as part of the comprehensive data validation process and metric calculation confirmation for the statewide school accountability system.

Analysis Approach

This report mainly includes analysis at the disciplinary action level, with some analysis at the student and school levels. Analyses at the student level are unique for each student and disciplinary action type. For example, a student counts once in the total number of students who receive out-of-school suspensions, irrespective of how many of those actions occurred. Analyses at the disciplinary action level include the total number of disciplinary actions for all students (so a single student suspended two separate times would count twice in the total number of disciplinary actions), as well as analyses of the reasons for disciplinary action.

Findings: Descriptive Analyses of Discipline Data

The findings presented below are descriptive statistics using enrollment and discipline data to analyze trends by student group on key discipline indicators.

LEAs report each student who was involved in a discipline action, the behavior that led to the discipline action, and the discipline action(s) that resulted. Some discipline incidents involved multiple students or resulted in multiple discipline actions for the student(s) involved.

In the 2022–23 school year, LEAs reported:

- 21,465 unique discipline incidents
- 22,070 discipline actions
- 9,209 unique students who received at least one discipline action

Figure 1 shows the number of discipline actions reported in each category. The 2022–23 school year was the first year in which LEAs were able to submit “Restorative Justice” as a discipline action. This year, LEAs reported 8,910 restorative justice actions, just over 40 percent of all reported discipline actions (Figure 2).

Restorative justice actions focus on repairing harm to the school community and reintegrating students into the classroom after a disciplinary incident. They are similar to school-based interventions but differ in that school-based interventions provide targeted supports (such as behavioral therapy) that are more therapeutic in nature and are a response to behaviors that would typically result in an in-school suspension.

Figure 1. Number of discipline actions reported in SY 2022–23.

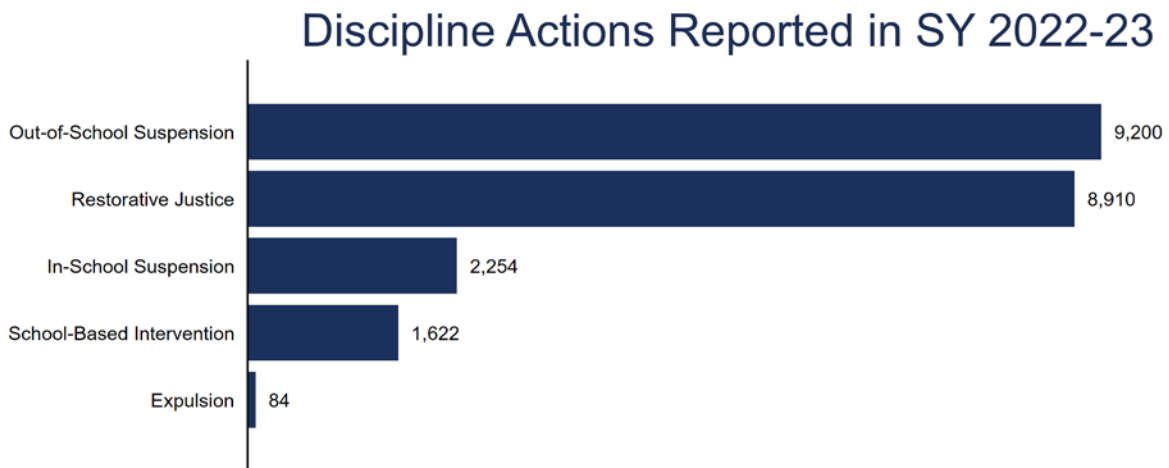
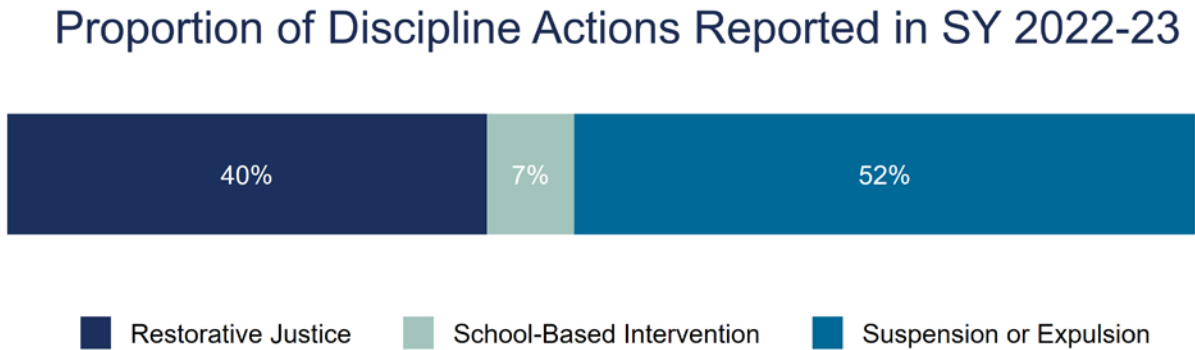


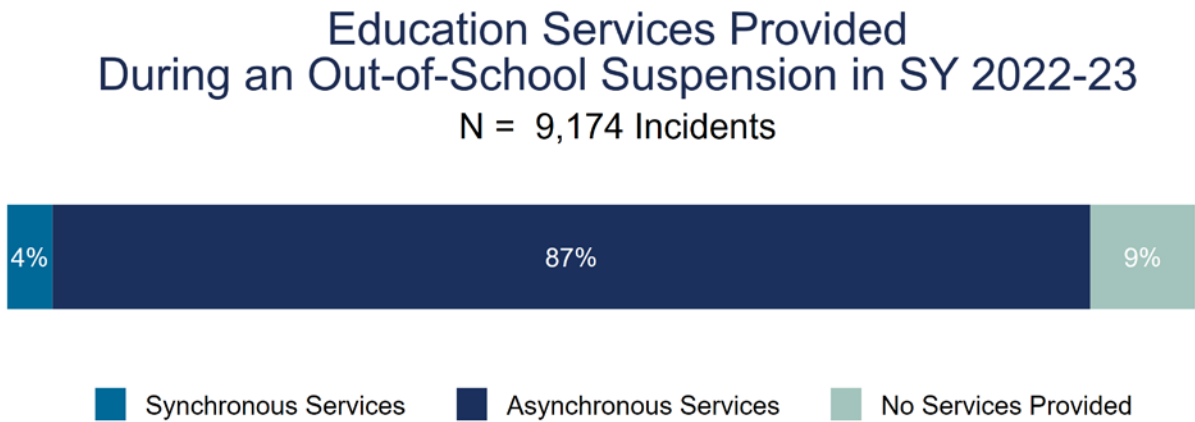
Figure 2. Restorative justice actions as a proportion of all reported discipline actions in SY 2022–23.



OSSE also collected information on how LEAs provided educational services to students who were removed from the learning environment due to a disciplinary incident, shown in Figure 3. The Fair Access Act requires that LEAs continue the student’s studies during the suspension and that the student receives all appropriate assignments for the duration of the suspension. Additionally, IDEA requires that LEAs provide educational services to students with a disability after they have been removed from the educational setting for more than 10 days in the same school year (either consecutively or in total over multiple incidents due to a pattern of behavior).

LEAs provided educational services for 91 percent of out-of-school suspensions. Most of those services (87 percent) were provided asynchronously.

Figure 3. Type of education services provided for students during an out-of-school suspension in SY 2022-23.



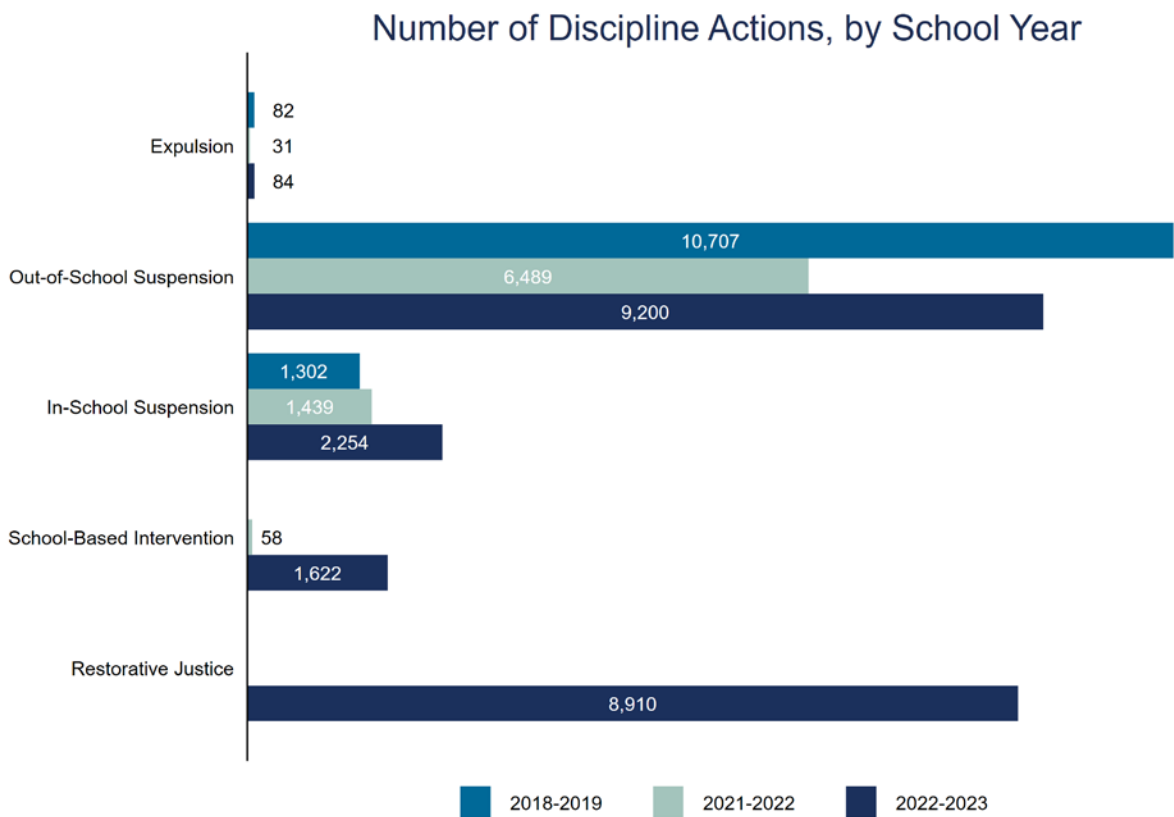
*Involuntary dismissals (removals for <0.5 day) are excluded from this analysis.

Trends in Disciplinary Actions

In the 2022–23 school year, LEAs reported 21,465 unique discipline incidents, including 8,910 restorative justice actions, which were collected for the first time in the 2022-23 school year. Excluding restorative justice actions, LEAs reported 4,597 more discipline incidents than in the 2021–22 school year when 7,958 unique incidents were reported. Restorative justice actions are excluded from the below year over year comparisons.

The number of discipline actions reported in the 2022–23 school year rose in all categories when compared to those reported in 2021–22 (Figure 4), but the out-of-school suspension rate continues to remain below pre-pandemic levels (Figure 5). Additionally, Figure 6 shows the proportion of students receiving an out-of-school suspension continues to decline, while the proportion of students participating in school-based interventions as the result of a disciplinary incident has risen by nearly 12 percentage points.

Figure 3. Number of discipline actions reported in SY 2022–23 compared to previous years.



*2022-23 was the first year Restorative Justice Actions were reported.

Figure 4. Trends in exclusionary discipline rates, as a percent of all enrolled students.

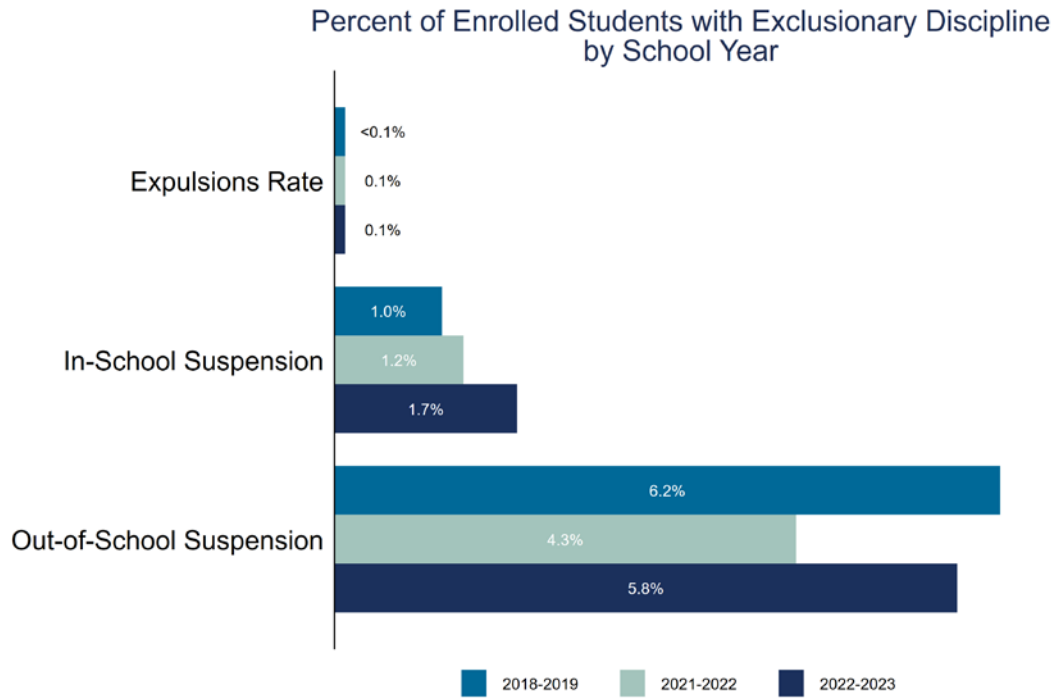
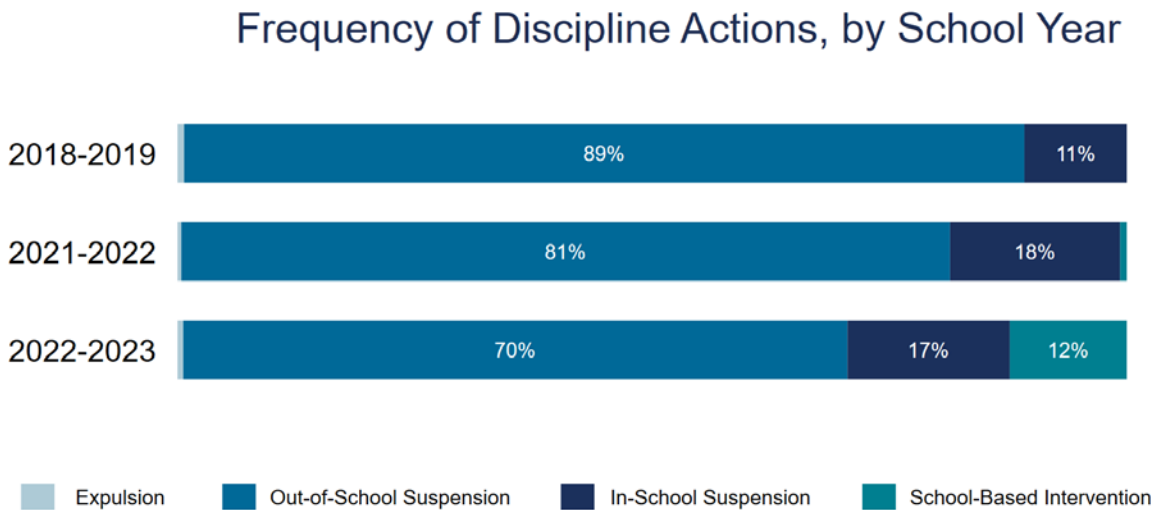
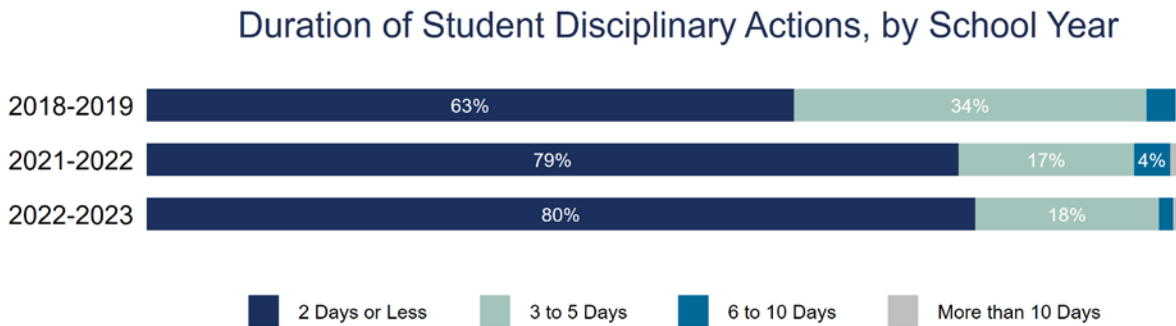


Figure 5. Trends in disciplinary actions.



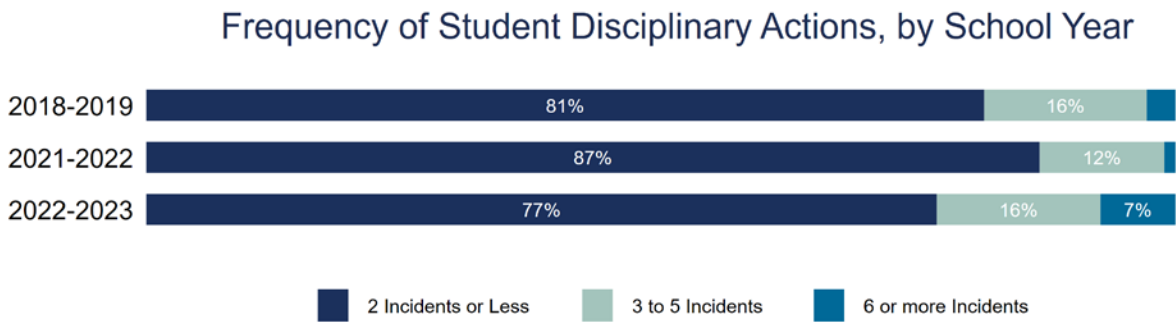
In the 2022–23 school year, students missed fewer days of learning per incident due to discipline compared to prior years (Figure 7).⁷ In the 2021–22 school year, 4 percent of students receiving disciplinary action were removed from learning for six to 10 days, which dropped to 1.4 percent of students in the 2022-23 school year. The proportion of students being excluded from learning for 10 days or more also decreased slightly. The proportion of students excluded from learning for two days or fewer continues to increase.

Figure 6. Trends in length of disciplinary actions (by incident).



The overall trend in the frequency of disciplinary actions has remained similar over time (Figure 8). However, in the 2022–23 school year, a greater proportion of students were involved in more than three disciplinary actions than in prior years.

Figure 7. Trends in frequency of disciplinary actions (by student).



*SY 2022-23 was the first year Restorative Justice Actions were reported, so these actions are excluded from the comparison.

Disproportionality in Disciplinary Actions

Many student groups in the District are subject to discipline at disproportionate rates. Students who are Black or African American and male are disciplined at higher rates than their peers. Students who are Black or African American and female are disciplined at higher rates than their peers. Students who are Black or

⁷ To make a comparison between school years, proportions are used to report the percentage of students out of the total number of students disciplined for these indicators. This allowed years to be comparable, whereas only analyzing counts would not allow for direct comparison. Duration of disciplinary action was calculated by counting the number of days from the start and end date of the disciplinary action, excluding weekends and non-school days.

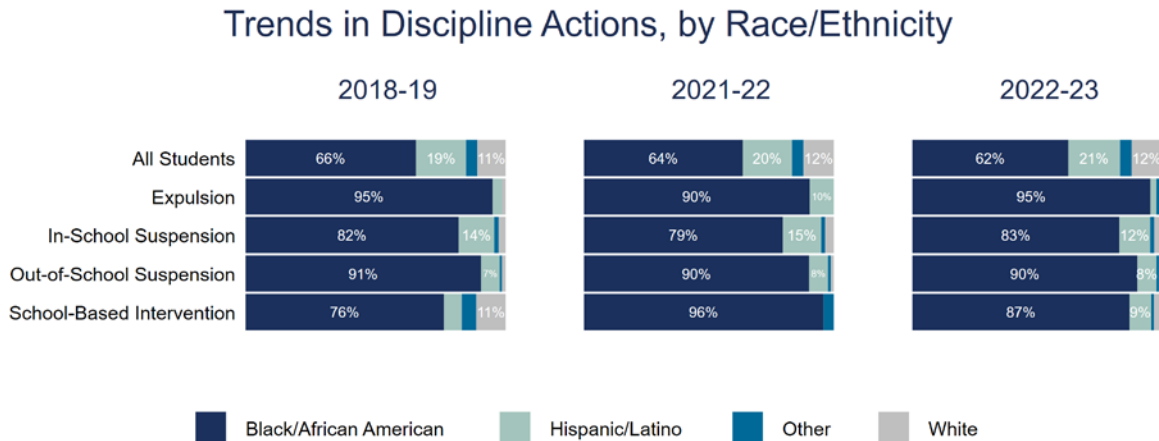
African American and female are disciplined slightly more compared to other females than Black or African American males compared to other males. Students with disabilities and students experiencing economic disadvantage are also disciplined at higher rates than their peers. For the 2022-23 school year, English learners and students involved with the Children and Family Services Agency (CFSA or “foster care”) had lower rates of discipline than their peers. Since the 2022–23 school year was the first year that information on restorative justice actions was collected, these actions are not included in the disproportionality trend analyses.

Disciplinary Actions, by Race and Gender

The US Department of Education defines seven categories of race and ethnicity: American Indian or Alaskan Native, Asian, Black or African American, Hispanic or Latino of any race, Native Hawaiian or other Pacific Islander, White, and two or more races. Racial and ethnic groups are combined where the sample size is small enough to be suppressed according to OSSE’s data privacy standards.

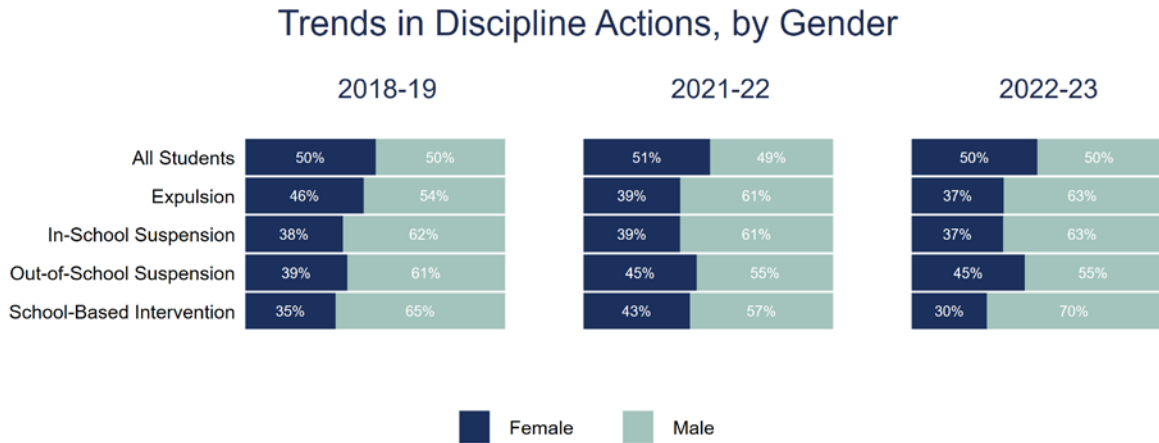
The disproportionality in discipline actions continues to persist, with Black or African American students making up 95 percent of the students who were expelled and 90 percent of the students who received an out-of-school suspension. Similarly, Black or African American students made up 89 percent of students who received a restorative justice action (not shown below) and 87 percent of students who received a school-based intervention in the 2022–23 school year.

Figure 8. Trends in discipline actions by student race/ethnicity.



The gender breakdown of students in the District has remained steady over time, with nearly 50 percent of students in each category. Non-binary students are not included in this analysis due to the small size of this student population. As in previous years, male students had a larger portion of all discipline actions, however, in the past two school years the proportion of female students receiving an out-of-school suspension has increased.

Figure 9. Trends in discipline actions for students by gender.



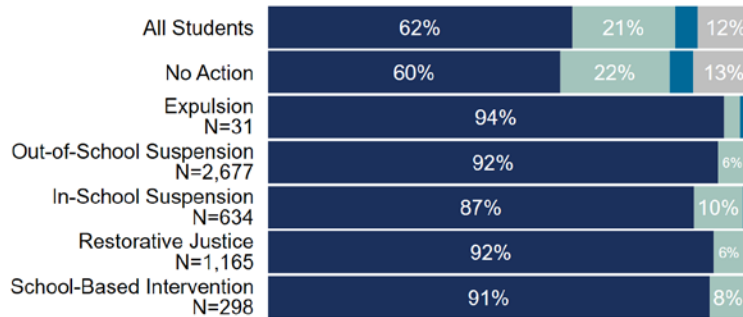
Historically, Black or African American students and male students have received a disproportionate number of suspensions and expulsions, and students who are both Black or African American and male have higher rates of discipline than other intersections of student identity.

In the 2022–23 school year, females who are Black or African American faced greater disproportionality compared to other females than males who are Black or African American compared to other males for all discipline actions except expulsion.

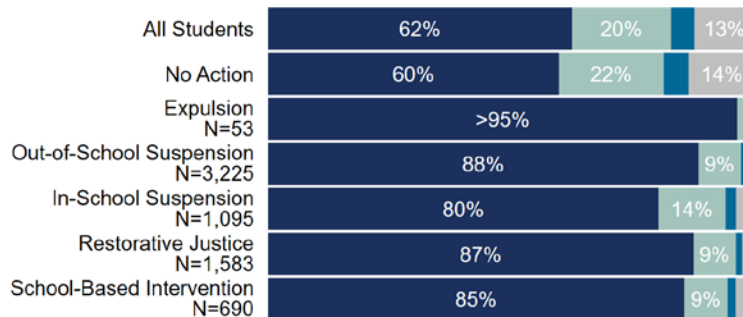
Figure 10. Discipline disproportionality in SY 2022–23 for students by race/ethnicity and gender.

Discipline Actions in SY 2022-23 by Race/Ethnicity and Gender

Female



Male

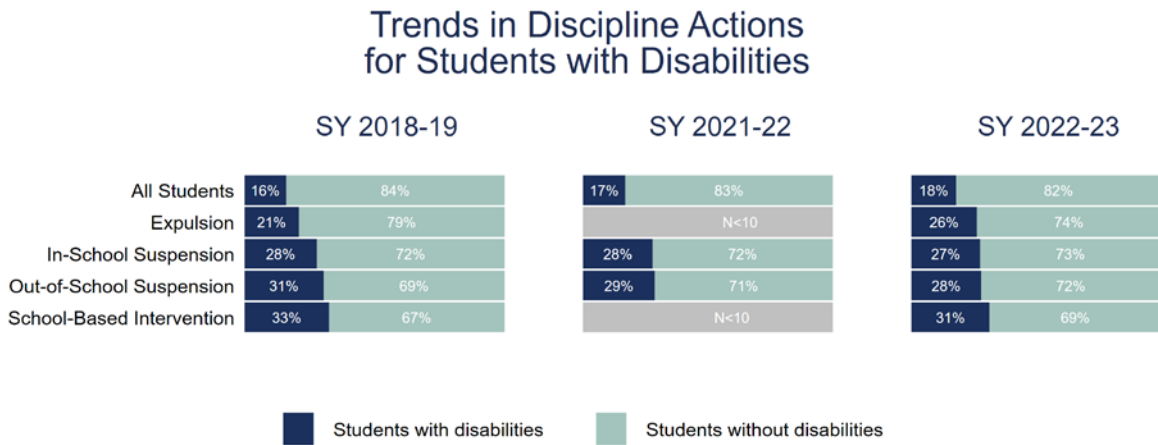


Black/African American
 Hispanic/Latino
 Other
 White

Students with Disabilities

Students with disabilities are 18 percent of all District students yet make up nearly 30 percent of students who are suspended or expelled.

Figure 11. Trends in discipline actions for students with disabilities.

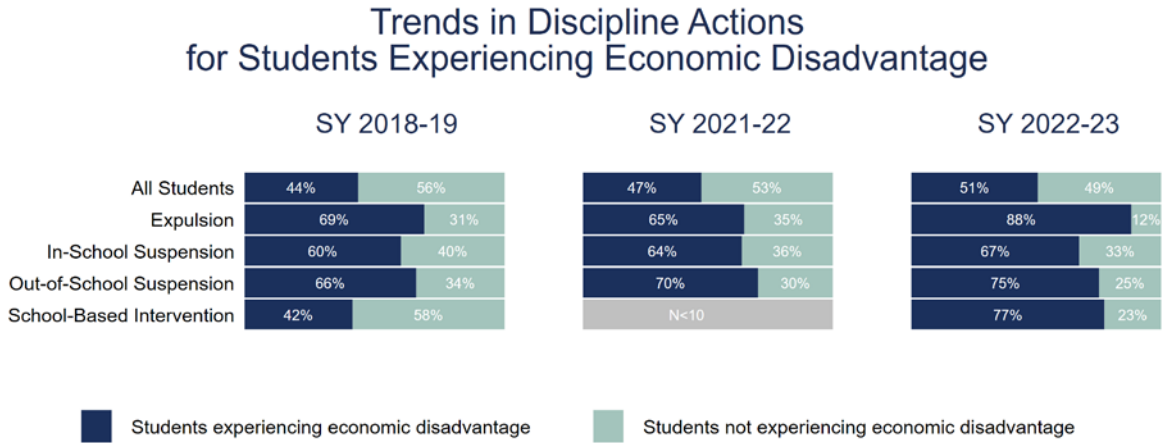


Students Experiencing Economic Disadvantage

In the 2022–23 school year, OSSE shifted most reporting on students experiencing economic disadvantage from “at risk” to “economic disadvantage,” which is defined as students who receive Temporary Assistance for Needy Families (TANF) or Supplemental Nutrition Assistance Program (SNAP) benefits, are experiencing homelessness, or who are under the care of CFSA. Students who are overage in high school are no longer in this reporting group and are analyzed separately below.

Students experiencing economic disadvantage received a larger proportion of all types of discipline than their peers. While students experiencing economic disadvantage made up 51 percent of the student population, 88 percent of students who were expelled and 75 percent of students who received out-of-school suspensions were from this group.

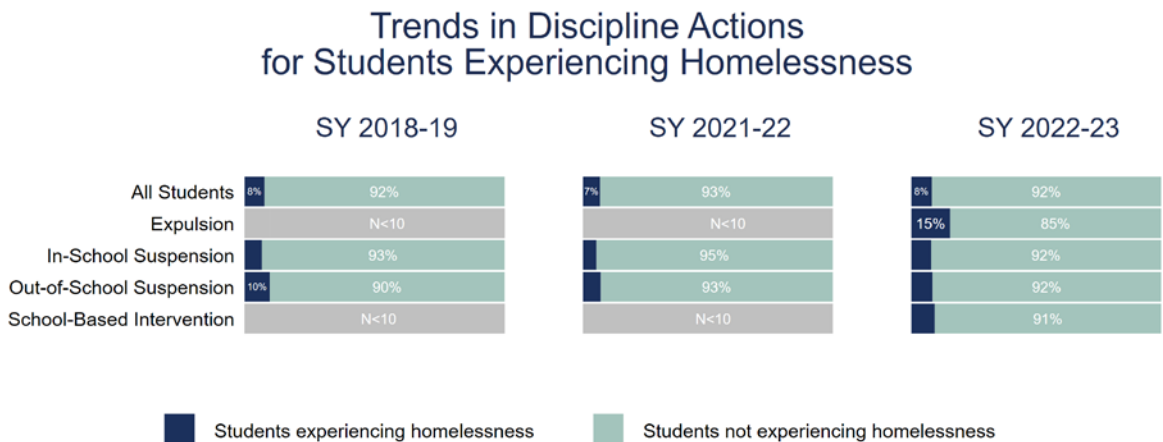
Figure 12. Trends in discipline actions for students experiencing economic disadvantage.



Students Experiencing Homelessness

Students experiencing homelessness may face a different set of challenges than other students experiencing economic disadvantage. Most forms of discipline are not disproportionate for students experiencing homelessness, though these students were disproportionately expelled in the 2022-23 school year (15 percent compared to a population rate of 8 percent).

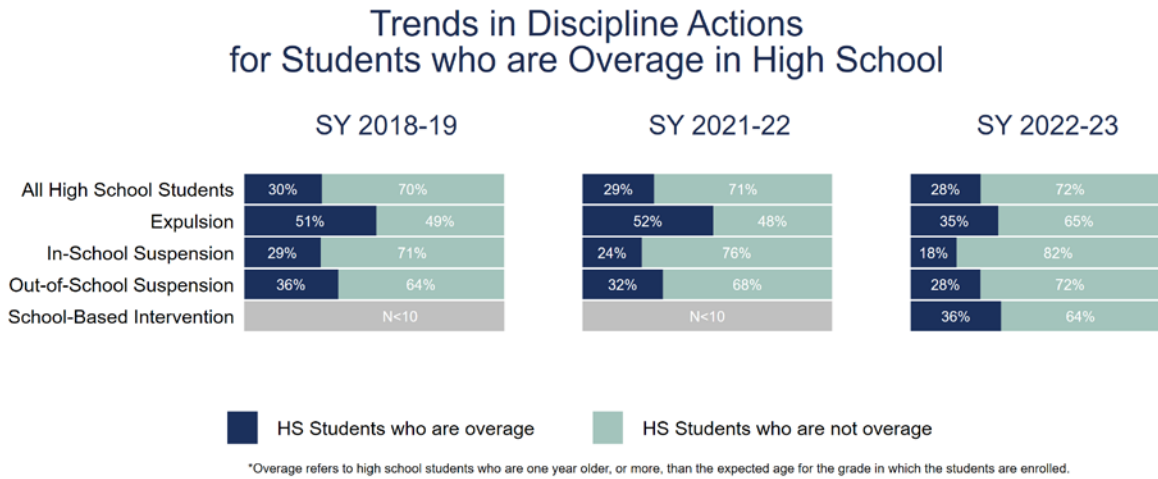
Figure 13. Trends in discipline actions for students experiencing homelessness.



Students Who Are Overage in High School

Students who are overage are one year or more older than expected for their grade in high school. Among high school students, students who are overage make up 35 percent of students who are expelled though they make up only 28 percent of the population.

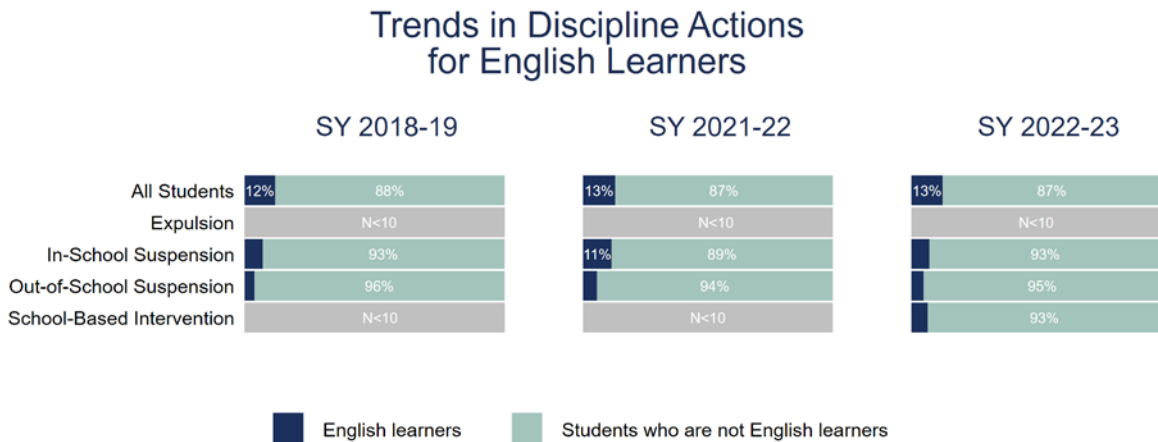
Figure 14. Trends in discipline actions for students who are overage in high school.



Students Who Are English Learners

Students who are English learners make up 13 percent of the student population in the District and less than ten percent of students who were suspended in the 2022–23 school year. This is consistent with prior school years.

Figure 15. Trends in discipline actions for students who are English learners.

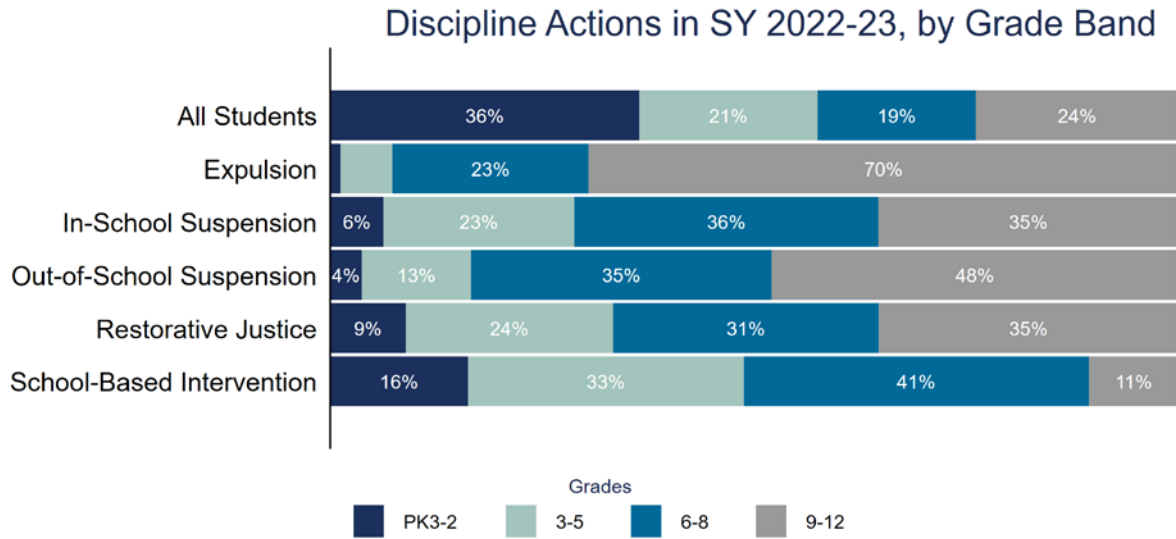


Disciplinary Actions, by Grade Band

The Fair Access Act limits the way LEAs can use exclusionary discipline practices, particularly for students in kindergarten through eighth grade. The graph below shows that high school students accounted for 70 percent of all expulsions and nearly half of out-of-school suspensions in the 2022–23 school year. The youngest learners in the District, students in kindergarten through second grade, account for 23 percent of the student population but are disciplined at significantly lower rates. In compliance with the Pre-K Student

Discipline Amendment Act of 2015, no pre-K students were suspended or expelled in the 2022–23 school year.

Figure 16. Disciplinary actions in SY 2022–23, by grade band.

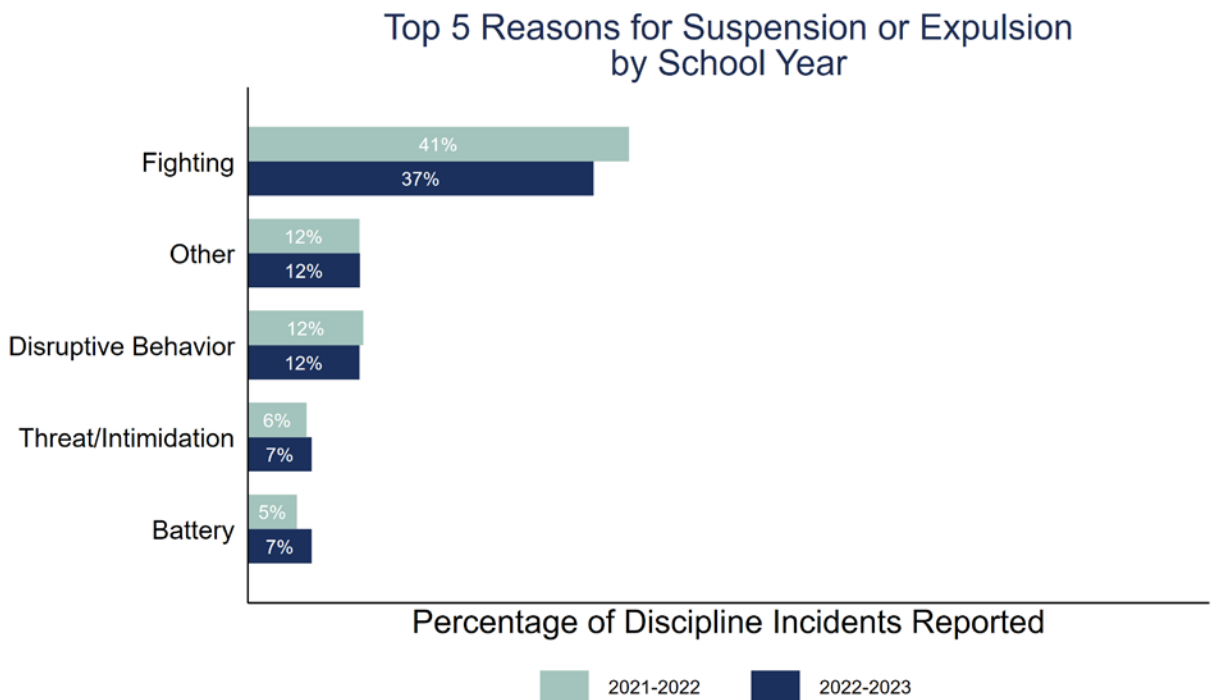


Trends in Reasons for Disciplinary Action

LEAs are required to indicate a primary behavior that led to the disciplinary action each student received. They have the option to indicate a secondary behavior as well. Because only primary reasons are required, that is what OSSE analyzes in the figures and tables below. Definitions for each of the reasons can be found in the [2022–23 Discipline Data Collection Guidance](#).

The top five reasons reported for disciplinary action in the 2022–23 school year were fighting, other offences, disruptive behavior, threat/intimidation, and battery. Fighting and disruptive behavior were the most reported reasons for disciplinary action in both the 2021–22 and 2022–23 school years. The inclusion of restorative justice actions in the discipline collection has allowed LEAs to report more actions and show how they are reducing the use of exclusionary discipline for all but the most serious offenses. Figure 17 and Figure 18 show that the reasons for discipline vary when restorative practices are separated from suspensions and expulsions.

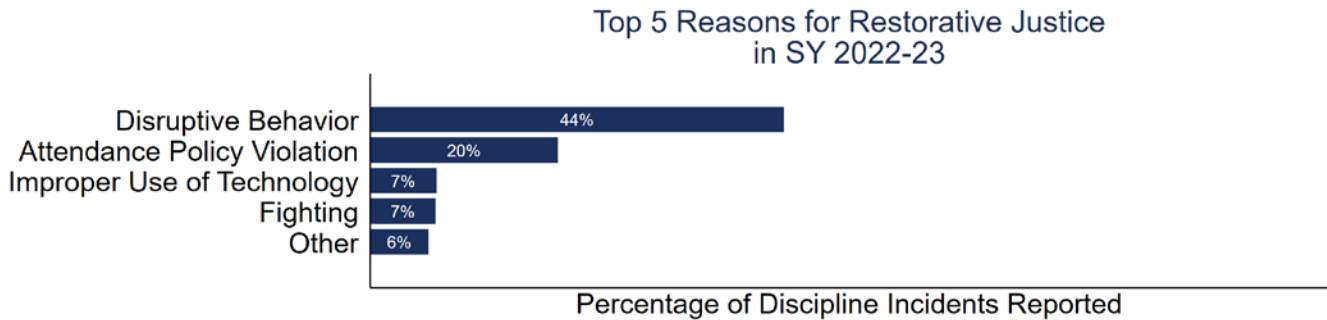
Figure 17. Top five reasons for disciplinary actions in SY 2022-23 compared to SY 2021–22.



*Top 5 reasons submitted in SY 2022-23, compared to their frequency in SY 2021-22

Figure 17 shows that the percentage of suspensions or expulsions reported for fighting has decreased over the past year. However, the percentage of suspensions and expulsions that result from threat/intimidation and battery have increased. Figure 18 shows that restorative actions are used most frequently when students exhibit disruptive behavior or attendance policy violations.

Figure 18. Top five reasons for restorative justice actions in SY 2022–23.



As the District works to reduce the need for exclusionary discipline, OSSE looked for trends in the reasons that students were suspended or expelled during the past two school years. As shown in other parts of this report, the number of disciplinary actions increased in the 2022–23 school year, so it is not surprising to see that there were increases in the number of incidents that led to suspension or expulsion, as well. Table 2 shows the changes in the number of incidents resulting in suspension or expulsion by category. Notably, the number of suspensions and expulsions due to academic dishonesty and insubordination have more than tripled since last year, though they remain a small percentage of overall reported incidents. Other changes include:

- Fighting remains, by far, the most common reason for exclusionary discipline and increased by 40 percent in the 2022-23 school year.
- Twenty-six out of thirty reasons for exclusionary discipline increased in frequency.
- The number of incidents that led to exclusionary discipline due to alcohol possession or use, engaging in sexual acts, sexual assault, and trespassing decreased significantly.
- The number of incidents involving gang related behavior and marijuana possession or use continue to increase.
- Exclusionary discipline for attendance policy violations increased 274 percent.

Table 2. Change in number of incidents reported from SY 2021–22 to SY 2022–23.

Reason for Suspension or Expulsion	Number of Incidents (SY 2021-2022)	Number of Incidents (SY 2022-2023)	Percent Change
Academic Dishonesty	12	53	342%
Alcohol (possession, use, sale)	18	14	-22%
Attendance Policy Violation	78	292	274%
Battery	393	791	101%
Bullying	62	72	16%
Disruptive Behavior	924	1383	50%
Drugs Excluding Alcohol, Marijuana, and Tobacco (possession, use, sale)	21	39	86%
Engaging in Sexual Acts	55	29	-47%
Fighting	3055	4288	40%
Flammables (possession, use)	28	37	32%
Gambling	16	32	100%
Gang Related Behavior	29	49	69%
Harassment, Nonsexual	83	134	61%
Harassment, Sexual	52	69	33%
Improper Use of Technology	22	53	141%
Insubordination	56	302	439%
Lewd or indecent public behavior	56	66	18%
Marijuana (possession, use, sale)	328	501	53%
Other Offenses	893	1390	56%
Physical Altercation, Minor	309	525	70%
Retaliation for reporting harassment or sexual harassment	1	2	100%
Robbery/Theft	44	117	166%
School Threat	26	30	15%
Sexual Assault	7	4	-43%
Sexual Offenses, Other	13	22	69%
Threat/Intimidation	444	761	71%
Tobacco (possession, use, sale)	56	58	4%
Trespassing	30	9	-70%
Vandalism	89	93	4%
Weapons Possession or Use (firearms and other weapons)	244	304	25%

Disproportionality in Reasons for Disciplinary Action in SY 2022–23

This year, OSSE also looked at reasons for which specific student groups received a suspension or expulsion to see if some groups face disproportionality in exclusionary discipline for specific types of behaviors. This analysis includes bullying, harassment, incidents of violence, possession or use of banned substances (alcohol, tobacco, marijuana, other drugs, or obscene materials), and locally defined incidents (academic dishonesty, attendance policy violations, disruptive behavior, improper use of technology, and insubordination). OSSE does not have additional information about the severity of incidents or how many students may have exhibited these behaviors but did not receive disciplinary actions.

As with disciplinary actions, students who are English learners are underrepresented in exclusionary discipline actions for any of the reasons examined.

Reasons for Disciplinary Actions, by Race and Gender

Students who are Black or African American or male are subject to exclusionary disciplinary actions more frequently for the behaviors examined below. Among students disciplined for an incident of violence, 95 percent of female students and 89 percent of male students were Black or African American.

Figure 19. Reasons for suspension or expulsion in SY 2022–23, by race/ethnicity and gender.

Reasons for Suspension or Expulsion by Race/Ethnicity and Gender

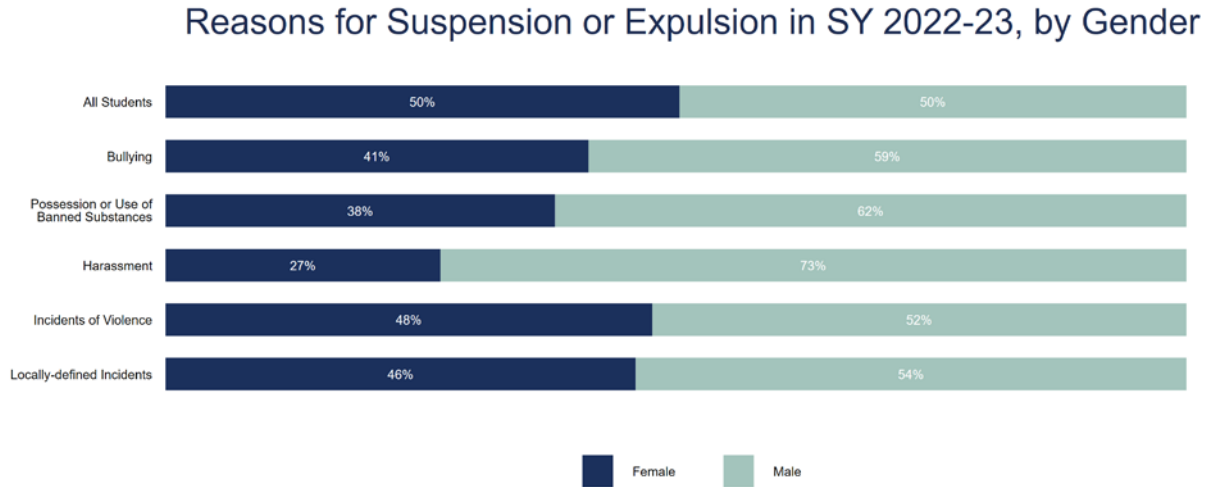


**Banned Substances include alcohol, tobacco, marijuana, other drugs, and obscene materials.

*Locally-defined Incidents include Academic Dishonesty, Attendance Policy Violations, Disruptive or Reckless Behavior, Improper Use of Technology, and Insubordination.

Students who identify as male are suspended or expelled at a higher rate than students who identify as female for all reasons considered in the OSSE analysis. It is noteworthy that rates are approaching parity for incidents of violence and locally defined incidents.

Figure 20. Reasons for suspension or expulsion in SY 2022–23, by gender.

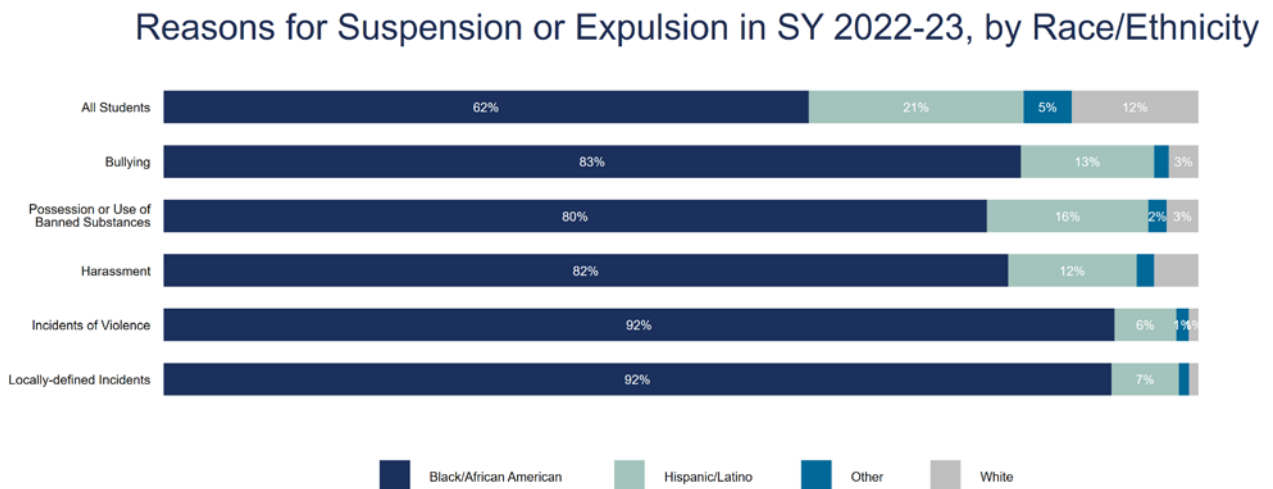


**Banned Substances include alcohol, tobacco, marijuana, other drugs, and obscene materials.

*Locally-defined Incidents include Academic Dishonesty, Attendance Policy Violations, Disruptive or Reckless Behavior, Improper Use of Technology, and Insubordination.

Although students who are Black or African American make up 62 percent of the student population, they make up 80 percent or more of students who were suspended or expelled for the reasons in the OSSE analysis.

Figure 21. Reasons for suspension or expulsion in SY 2022–23, by race/ethnicity.



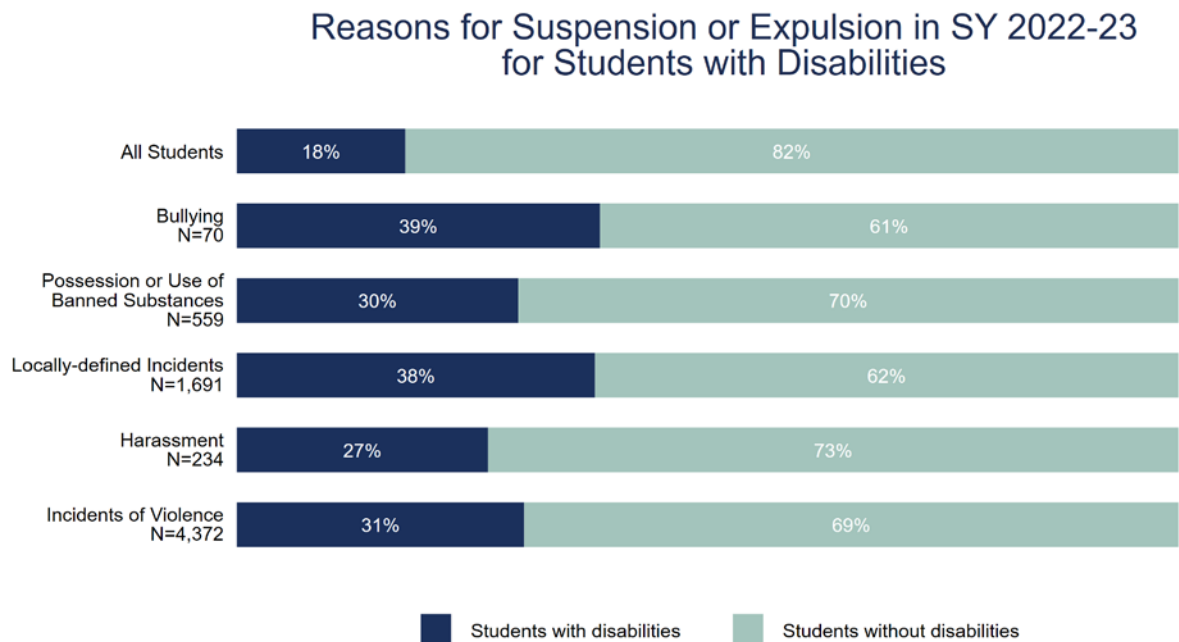
**Banned Substances include alcohol, tobacco, marijuana, other drugs, and obscene materials.

*Locally-defined Incidents include Academic Dishonesty, Attendance Policy Violations, Disruptive or Reckless Behavior, Improper Use of Technology, and Insubordination.

Students with Disabilities

Students with disabilities are suspended or expelled at more than twice the rate of their non-disabled peers for bullying and harassment. They are also disproportionately disciplined for the other reasons considered in this analysis.

Figure 22. Reasons for suspension or expulsion in SY 2022–23 for students with disabilities.



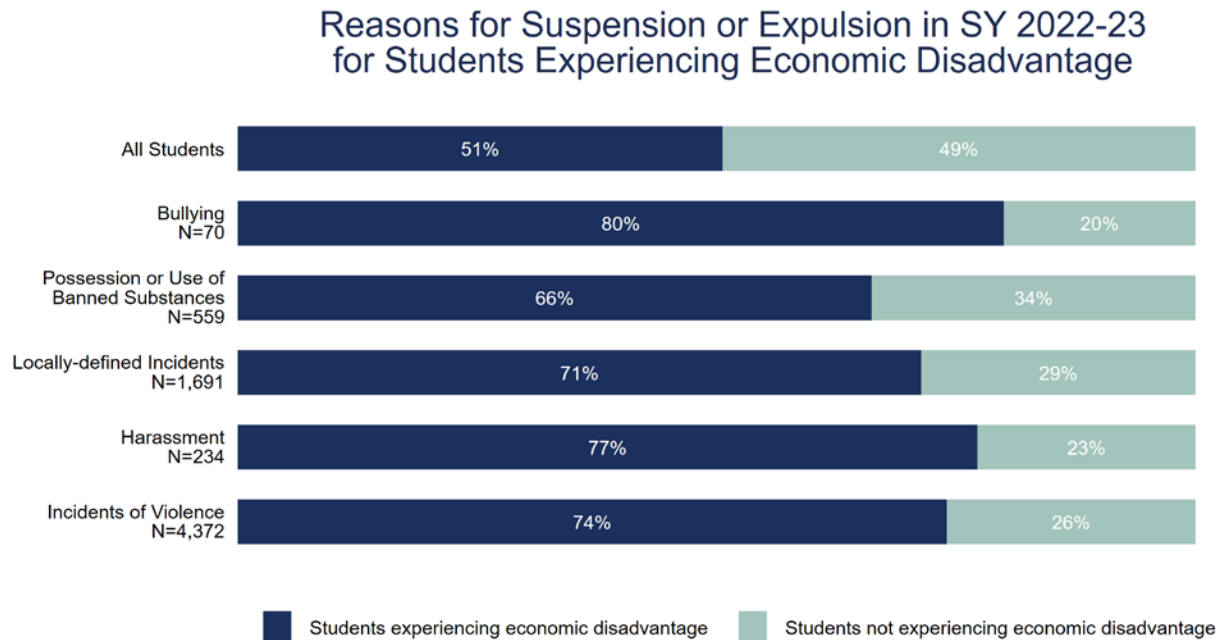
*Banned Substances include alcohol, tobacco, marijuana, other drugs, and obscene materials.

**Locally-defined Incidents include Academic Dishonesty, Attendance Policy Violations, Disruptive or Reckless Behavior, Improper Use of Technology, and Insubordination.

Students Experiencing Economic Disadvantage

Students experiencing economic disadvantage make up 71 percent of students suspended or expelled for locally defined incidents. Additionally, they make up 80 percent of students who were suspended or expelled for bullying despite making up just over 50 percent of the student population.

Figure 23. Reasons for suspension or expulsion in SY 2022–23 for students experiencing economic disadvantage.



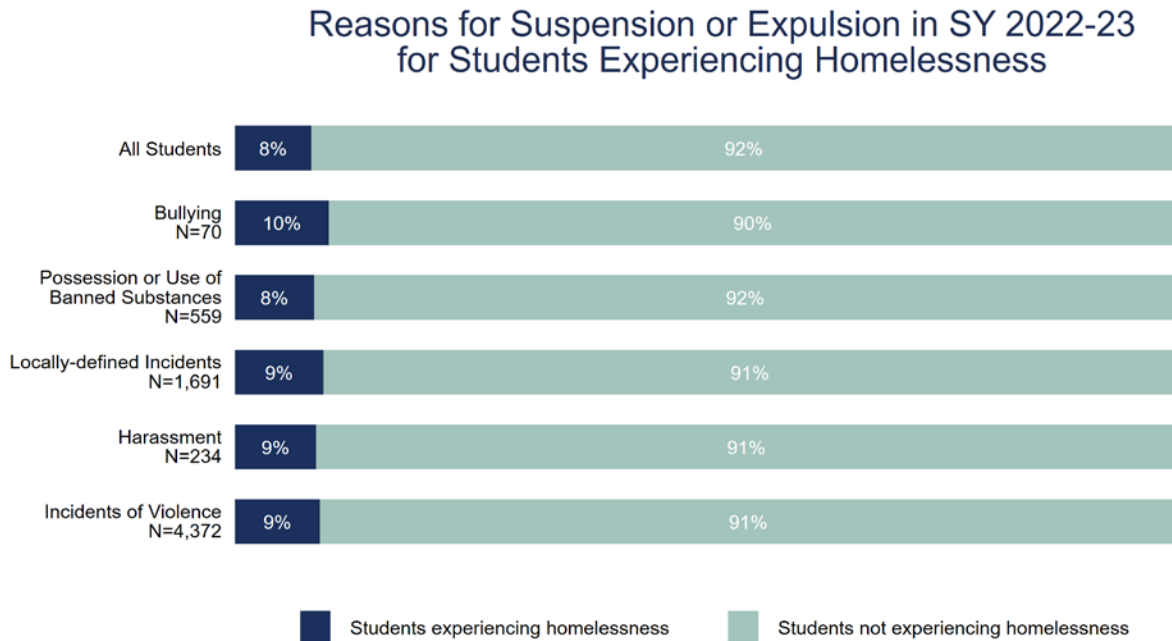
*Banned Substances include alcohol, tobacco, marijuana, other drugs, and obscene materials.

**Locally-defined Incidents include Academic Dishonesty, Attendance Policy Violations, Disruptive or Reckless Behavior, Improper Use of Technology, and Insubordination.

Students Experiencing Homelessness

Students experiencing homelessness are disciplined at only slightly higher rates than their peers for the reasons in this analysis.

Figure 24. Reasons for suspension or expulsion in SY 2022–23 for students experiencing homelessness.



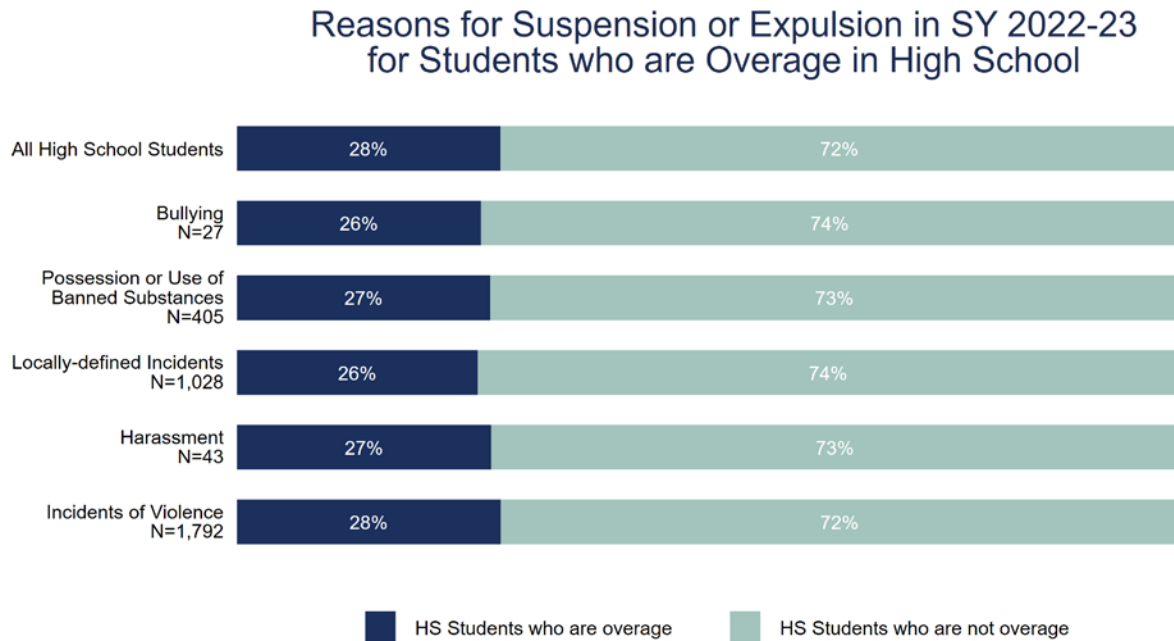
*Banned Substances include alcohol, tobacco, marijuana, other drugs, and obscene materials.

**Locally-defined Incidents include Academic Dishonesty, Attendance Policy Violations, Disruptive or Reckless Behavior, Improper Use of Technology, and Insubordination.

Students Who Are Overage in High School

Though students who are overage in high school are expelled at a higher rate than their expected-age peers, they do not show disproportionate rates of suspension or expulsion for the reasons considered below.

Figure 25. Reasons for suspension or expulsion in SY 2022–23 for students who were overage in high school.



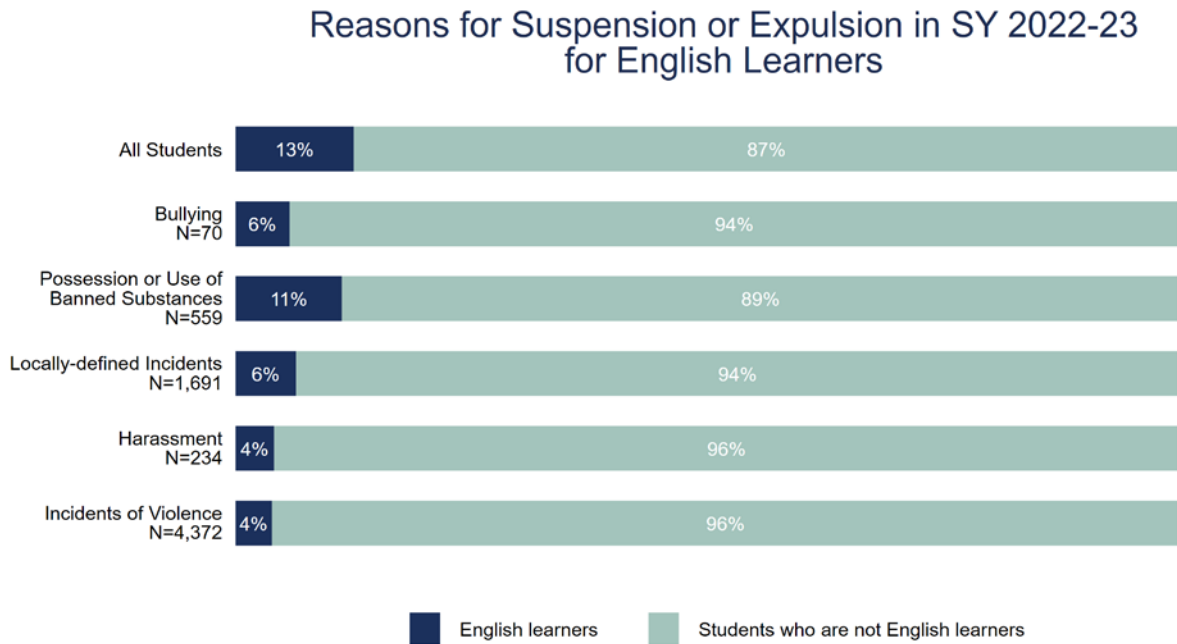
*Banned Substances include alcohol, tobacco, marijuana, other drugs, and obscene materials.

**Locally-defined Incidents include Academic Dishonesty, Attendance Policy Violations, Disruptive or Reckless Behavior, Improper Use of Technology, and Insubordination.

Students Who Are English Learners

Students who are English learners are disciplined for possession or use of banned substances at a rate similar to their peers but are disciplined less frequently for other reasons.

Figure 26. Reasons for suspension or expulsion in SY 2022–23, by English learner status.



*Banned Substances include alcohol, tobacco, marijuana, other drugs, and obscene materials.

**Locally-defined Incidents include Academic Dishonesty, Attendance Policy Violations, Disruptive or Reckless Behavior, Improper Use of Technology, and Insubordination.

Conclusion

Though reported disciplinary actions have increased across categories in the 2022-23 school year, discipline rates remain below what they were pre-pandemic. Many of the trends from prior to the pandemic persist:

- Out-of-school suspensions remain the most reported disciplinary action, though nearly as many restorative justice actions were reported in the 2022-23 school year.
- Students with disabilities, students who are overage in high school, Black or African American students, and male students continue to receive disciplinary actions at rates disproportionate to their populations.
- The primary reasons for suspension and expulsion have remained the same over time (fighting and disruptive behavior).

This year's report highlighted the collection of restorative justice practices as an option for discipline action:

- Student groups that are historically subject to disproportionate quantities of disciplinary actions also participate in restorative justice actions at higher rates than their peers.
- The reasons students receive suspensions or expulsions differ from the reasons they receive restorative justice actions.

The Fair Access Act requires that suspensions include a plan for continuity of education during a suspension so that students may access and complete academic work and communicate with school personnel about academic work during a suspension. Most LEAs are providing asynchronous education services to students who are serving an out-of-school suspension.

OSSE will continue to build on the research and findings from this report, made possible through robust data collection and its continuous improvement efforts, to ensure discipline data are accurate, informative, and useful for stakeholders seeking to be responsive to the needs of students in the District.

Appendix A: Restorative Justice Support for Schools in the District

During the 2020-21 school year, RDC provided a robust program of virtual professional development (PD) and support to meet the constraints of the COVID-19 pandemic school closures.

When schools prepared to return to in-person learning for the 2021-22 school year, RDC continued a scaled back virtual PD program, while shifting most technical assistance to more intensive in-person direct support of schools and staff as they rebuilt from the extended school closures. This included school-specific workshops, ongoing coaching and modelling of restorative practices, and hosting a monthly Restorative Justice Community of Practice for sharing promising practices and lessons learned across LEAs.

During the summer of 2022, RDC hosted three week-long “Summer Intensives” for staff from technical assistance schools and two-day sessions on Restorative Approaches to Student Behavior. Throughout the summer and the 2022-23 school year, RDC hosted citywide professional development sessions (both in-person and virtual) featuring such topics as:

- Restorative Redirection and De-Escalation
- Restorative Justice Applications & Alignment with Multi-Tiered Systems of Support (MTSS)
- Restorative Justice and Special Education
- Restorative Justice, Social Emotional Learning, and Mental Health
- Strategies & Activities for Building Community

Additionally, RDC has launched and continues to support Our School Our Voice (OSOV), a program designed to provide students (grades 6-12) a safe, student-led space where they could seek community from their peers and elevate their voices around the issues most important to them. OSOV holds weekly restorative circles at schools to train students to design and lead their own circles. OSOV also brings together student circle keepers from participating schools for monthly circles to discuss broader community-level issues. Six schools participated in OSOV during the 2022-23 school year.

Appendix B: Legislation Relating to Student Discipline

Student Fair Access to School Amendment Act of 2018

The Student Fair Access to School Amendment Act of 2018 – the “Fair Access Act” establishes:

“ . . . parameters for local education agencies' policies on school climate and discipline, limiting the use of out-of-school suspensions, expulsions, and disciplinary unenrollments to certain categories of conduct and limiting the length of out-of-school suspensions, requiring special considerations around the discipline of students with disabilities, directing the Office of the State Superintendent of Education to support local education agencies and schools in reducing out-of-school suspensions, expulsions, and disciplinary unenrollments and fostering positive school climates, establishing a School Safety and Positive Climate Fund, and imposing new annual reporting requirements on the use of specific disciplinary practices across delineated demographics of students”⁸

This law defines common terms related to disciplinary actions,⁹ and it requires LEAs, in consultation with schools and communities, to develop, publish, and use school discipline policies that include certain required components.¹⁰ The law also limits out-of-school suspension for students in kindergarten through eighth grade except for serious safety incidents (starting in 2019-20), and it bans out-of-school suspensions in high school for minor offenses (starting in 2020-21). Further, the law states that a suspension does not limit a student’s right to continue to access and complete appropriate academic work during a suspension.¹¹ The law also requires OSSE to establish a School Safety and Positive Climate Fund that is used to provide support for positive school climate and trauma-informed educational settings to LEAs and schools.¹² Finally, the law requires schools and LEAs to submit specific data on school discipline annually and requires OSSE to report on this data in an annual Discipline Report.¹³

Pre-K Student Discipline Amendment Act of 2015

The Pre-K Student Discipline Amendment Act of 2015 prohibits the suspension or expulsion of a student of pre-kindergarten age from any publicly funded pre-kindergarten program.¹⁴

⁸ D.C. Law 22-157.

⁹ D.C. Code § 38-236.01.

¹⁰ D.C. Code § 38-236.03.

¹¹ D.C. Code § 38-236.04.

¹² D.C. Code § 38-236.06.

¹³ D.C. Code § 38-236.09.

¹⁴ D.C. Code § 38-273.03.

Gun-Free Schools Act

The federal Gun-Free Schools Act requires states receiving federal education funds to have a state law that requires LEAs to expel students for no less than one year for bringing a firearm to school.¹⁵ District of Columbia law requires such an expulsion and a referral to the criminal justice or juvenile delinquency system.¹⁶

Individuals with Disabilities Education Act

The Individuals with Disabilities Education Act (IDEA)¹⁷ provides several procedural safeguards that apply when a student with a disability (or a suspected disability) receives a suspension or expulsion that results in being removed from their current educational placement. A student with a disability who violates a code of student conduct may be removed from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten school days.¹⁸ If a student with a disability is removed from their current placement for more than ten school days (either consecutively or cumulatively), the LEA must conduct a meeting to determine if the behavior is a manifestation of the student's disability.¹⁹ However, schools are permitted to remove a student and place the student in an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability if a student:

- Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of OSSE or an LEA;
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function under the jurisdiction of OSSE or an LEA; or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of OSSE or an LEA.²⁰

Every Student Succeeds Act

The Every Student Succeeds Act (ESSA) requires state education agencies to develop report cards that aggregate information at the state and LEA level.²¹ ESSA requires states to publish data on school discipline, including rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, and incidences of violence, including bullying and harassment. The discipline data reported on the report card are also available by student groups. OSSE released the 2022-23 DC School Report Card on Nov. 30, 2023.

¹⁵ 20 U.S. Code § 7961.

¹⁶ D.C. Code § 38-231 and § 38-232.

¹⁷ 20 U.S.C. § 4200, et. seq.

¹⁸ 34 C.F.R. § 300.530(b).

¹⁹ 34 C.F.R. § 300.530(e).

²⁰ 34 C.F.R. § 300.530(d).

²¹ 20 U.S.C. § 6311(h).

Appendix C: Definitions and Data Methodology

Definitions of Disciplinary Action Types

Table 3. Definitions of disciplinary action types.

Term	Definition Type	Definition
<i>In-School Suspension</i>	Federal/Local	Temporarily removing a student from their regular class schedule for disciplinary reasons, during which time the student remains on school grounds under the supervision of school personnel who are physically in the same location as the student.
<i>Out-of-School Suspension</i>	Federal/Local	Temporarily removing a student from school attendance to another setting for disciplinary reasons, during which time the student is not under the supervision of the school’s personnel and is not allowed on school grounds. <ul style="list-style-type: none"> • The term “out-of-school suspension” includes an involuntary dismissal. • For students with disabilities, the term “out-of-school suspension” includes a removal in which no individualized family service plan (IFSP) or individualized education plan (IEP) services are provided because the removal is 10 days or fewer as well as removals in which the student continues to receive services according to the student’s IFSP or IEP.
<i>Expulsion</i>	Federal/Local	Removal of a student from the student’s school of enrollment for disciplinary reasons for the remainder of the school year or longer in accordance with LEA policy.
<i>Modified expulsions</i>	Federal	Removal of a student from the student’s school or enrollment resulting from violations of the Gun Free Schools Act that are modified to fewer than 365 days.
<i>Involuntary Dismissal</i>	Local	The removal of the student from school attendance for less than half a school day for disciplinary reasons, during which time the student is not under the supervision of school personnel and is not allowed on school grounds.
<i>Involuntary Transfer</i>	Local	The removal of a student from the student’s school of enrollment for disciplinary reasons for the remainder of the school year, or longer, and the student’s enrollment in another school within the same LEA, in accordance with LEA policy.
<i>School-Based Intervention</i>	Local	Temporarily removing a student from the student’s regular class schedule for the purpose of providing the student with school-based targeted supports, such as behavioral therapy, in response to student conduct that would otherwise warrant an in-school suspension.
<i>Change in Placement</i>	Federal	For purposes of removals of a child with a disability from the child’s current educational placement under 34 CFR §§ 300.530 - 300.535, a change of placement occurs if:

		<ul style="list-style-type: none"> (1) The removal is for more than 10 consecutive school days; or (2) The child has been subjected to a series of removals that constitute a pattern: <ul style="list-style-type: none"> i. Because the series of removals totals more than 10 school days in a school year; ii. Because the child’s behavior is substantially similar to the child’s behavior in previous incidents that resulted in the series of removals; and iii. Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another. (3) The public agency determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. (4) This determination is subject to review through due process and judicial proceedings.
Restorative Justice	Local	Temporarily removing a student from the student’s regular class schedule for the purpose of engaging the student in practices that focus on repairing harm and supporting the student’s reintegration into the classroom.

Data Sources

The student universe and subgroup identification are based on data certified during the data validation process at the end of the 2022–23 school year. Disciplinary action data are based on self-reported data provided and certified by LEA staff three times during the year.

Data Cleaning and Limitations

Students in DYRS programs were excluded from this analysis. If students had multiple disciplinary actions for the same incident, they were counted once for each action, but each incident was only counted once when determining reasons for disciplinary actions. If there were multiple submissions for the same student and incident date, the most severe reason for disciplinary action was kept.

Students who were reported to receive the discipline actions “Involuntary Transfer” or “Change in Placement” are excluded from this analysis by action due to small n-size. Students who were subject to an “Involuntary Dismissal” (being removed from the school setting for less than one-half day) are included in counts of out-of-school suspensions for all analyses other than the analysis of education services provided during an out-of-school suspension; there were 26 instances of involuntary dismissal in school year 2022-23.

This year OSSE continues to use direct year-over-year comparisons of discipline data from the 2022-23 and 2021–22 school years. Given the impacts of COVID-19 on LEAs’ ability to report and track discipline data during the 2019-20 and 2020-21 school years, comparisons cannot be made effectively over multiple years. However, this report compares data to the 2018-19 school year to show trends pre- and post-pandemic.

It should also be noted that OSSE’s discipline data quality has improved each year, meaning there may be small differences in how discipline data were tracked in 2022 compared to how it was tracked in 2018. For

example, OSSE now collects data via the Integrated Data Submission (IDS) Tool. This tool has many checks to ensure that data are not missing and are in the correct format, thus minimizing a degree of human error that may have impacted previous submissions.

Appendix D: Discipline Data Validation Errors and Resolution Path

Table 4. Discipline data validation errors and resolution path.

Error Name	Description	Resolution
Invalid Disciplinary Incident Date	The student has a disciplinary incident date or disciplinary action start/end date that occurred on a non-instructional school day.	The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect correct instructional days; or 2) update the disciplinary incident date or disciplinary action start/end date to fall on an instructional day.
Invalid Disciplinary Action Start Date		The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the disciplinary action start date to fall on an instructional day.
Invalid Disciplinary Action End Date		The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the disciplinary action end date to fall on an instructional day.
Invalid Alternative Education Setting Start Date	The student has an alternative education setting start or end date that occurred on a non-instructional day.	The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the alternative education start or end date to fall on an instructional day.
Invalid Alternative Education Setting End Date		The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the alternative education end date to fall on an instructional day.
Invalid Date Written Justification Provided	The date written justification provided occurred on a non-instructional day.	The LEA should either: 1) update the school calendar in eSchoolPLUS to reflect the correct instructional days; or 2) update the date written justification to fall on an instructional day.
Discipline Enrollment Conflict	The student has a disciplinary incident that occurred when the student was not enrolled at the school.	The LEA should either: 1) update the student's enrollment dates or 2) if the student was involuntarily withdrawn, then update the student's exit code to reflect.
Attendance Code Conflict: In-School Suspension	The student has a disciplinary incident with an attendance code other than Present- In School Suspension "PIS."	The LEA must update the attendance code for days where the student served an in-school suspension to "PIS."
Attendance Code Conflict: Out-of-School Suspension	The student has a disciplinary incident action type of Out-of-School Suspension, but the student has an	The LEA must update the attendance code for days where the student served an out-of-school suspension to "AOS."

	attendance code other than Out-of-School Suspension "AOS."	
Missing Required Manifestation Determination Review	A student with an IEP received an out-of-school suspension lasting 10 or more days and is missing a Manifestation Determination review.	The LEA must conduct a manifestation determination review when a student with an IEP has received an out-of-school suspension of 10 or more days. The LEA must also update the Manifestation Determination field to "YES."
Missing Required Field(s): Students with Disabilities	OSSE has found that the student had an IEP at the time of the incident, but the LEA did not complete the required data elements for Students with Disabilities outlined in the data collection template.	The LEA should complete the data elements required in the Discipline Data Collection for Students with Disabilities.