

RESEARCH ARTICLE

A descriptive analysis of disciplinary consequence assignments to Grades 3 through 8 students in special education: A Texas statewide, multiyear investigation

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Abstract: In this investigation, the numbers and percentages of students who were enrolled in special education and who received a discipline consequence (*i.e.*, in-school suspension, out-of-school suspension, expulsion, Disciplinary Alternative Education Program placement, and Juvenile Justice Education Program placement) during the 2012-2013 through 2015-2016 school years were determined. In each of these four school years, the number of students in special education who were assigned an exclusionary discipline assignment steadily decreased. The percentages of the total exclusionary assignments given to students in special education, however, did not decrease but rather remained stable across the four school years. Recommendations for research and implications are discussed along with suggestions for policy and practice.

Keywords: special education, discipline assignments, elementary and middle school grade levels

1 Introduction

The issue of student discipline is well documented both on the state and national level. Not only do students in the regular classroom setting receive discipline consequences, students who have disabilities and who are enrolled in special education settings also are assigned discipline consequences. Of importance is that students who are enrolled in special education are more likely to be assigned exclusionary discipline consequences than are their typically developing peers^[1]. In a more recent study^[2], during the 2011-2012 school year, 4.89% of elementary students with disabilities were suspended from school. In comparison, elementary students without disabilities were suspended at a rate of 1.90%. Elementary students who were enrolled in special education were assigned suspensions more than twice as much as their peers without disabilities. These percentages are even higher at the secondary school level. The Center for Civil Rights Remedies (2015) documented that 15.86% of students

who were enrolled in special education were suspended from school, a statistic that is substantially higher than the 7.86% of students who were not enrolled in special education and who were suspended from school.

In a recent article on students in Texas, Benson and Slate (2017)^[3] analyzed the relationship of exclusionary discipline consequences with student gender and ethnicity/race. In particular, they examined the degree to which inequities were present in the assignment of exclusionary discipline consequences to Grade 9 students who had a Learning Disability. In their investigation, Benson and Slate (2017)^[3] documented that almost 46% of their Grade 9 boys with a Learning Disability and approximately 36% of their Grade 9 girls with a Learning Disability were assigned to an in-school suspension. In regard to out-of-school suspension, almost 29% of Grade 9 boys and 16% of Grade 9 girls with a Learning Disability were assigned to an out-of-school suspension. With respect to ethnicity/race, Benson and Slate (2017)^[3] established that almost half, 49%, of Black students with a Learning Disability were assigned to an in-school suspension assignment and 44% of Hispanic students with a Learning Disability were assigned to this consequence. A much lower percentage, 33%, of White students with a Learning Disability were assigned to an in-school suspension.

Concerning out-of-school suspension, the statistics were similar in nature. More than a third, 34%, of Black

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students with a Learning Disability were assigned to an out-of-school suspension and approximately 24% of Hispanic students with a Learning Disability were assigned to an out-of-school suspension. Again, a much lower percentage, 13.5%, of White students were assigned to this consequence. As such, Benson and Slate (2017)^[3] documented the presence of clear inequities in the assignment of exclusionary discipline consequences to students with a Learning Disability.

Having a diagnosed disability and even the specific type of disability has been established to be related to being suspended from school^[4]. In their investigation, Sullivan *et al.* (2014)^[4] analyzed suspension data on students with disabilities in 39 mid-western school districts. Similar to the Center for Civil Rights Remedies report, 19% of the students enrolled in special education were assigned suspensions. Also addressed by Sullivan *et al.* (2014)^[4] were the suspensions assigned to each special education disability category. Students who were emotionally disturbed were suspended at a rate of 47%. As such, students who were emotionally disturbed were nine times more likely to be suspended than either students with a speech and language impairment or students with a learning disability. Of note in their investigation was that one-third of these students with a disability were suspended multiple times.

As support for the Sullivan *et al.* (2014) study^[4], Leone *et al.* (2000)^[1] in an analysis of data on 465 students in Eastern Kentucky, documented that students who were enrolled in special education were more likely to be assigned exclusionary discipline or suspensions than their peers who were not enrolled in special education. Almost 11% of the students in their study were students with disabilities. Of all of the students who were suspended, 20% of those students were students with disabilities. They attributed these inequities in discipline consequence assignment to deficits in social skills and the low functional ability of the students who were enrolled in special education.

The issue of exclusionary discipline practices is quite relevant for students who are enrolled in special education. Allman and Slate (2012)^[5] provided extensive evidence that students with disabilities who are removed from the classroom due to discipline assignments have lower academic performance than their peers with disabilities who were not excluded from the classroom. In an analysis of data from Texas, the state of interest for this article, Allman and Slate (2012)^[5] analyzed statewide data on more than 30,000 Grade 9 students who were enrolled in special education. They specifically examined the reading and mathematics achievement of these students as a function of their assignment or non-assignment to an

exclusionary discipline consequence. Allman and Slate (2012)^[5] established that almost half of their sample of Grade 9 students who were enrolled in special education received an exclusionary discipline assignment. Students who were enrolled in special education who were assigned in-school suspension, out-of-school suspension, or placed in a Disciplinary Alternative Educational Program placement demonstrated statistically significantly lower score reading and mathematics test scores than their peers who were enrolled in special education and who did not receive in-school suspension, out-of-school suspension, or Disciplinary Alternative Education Program placement. Allman and Slate (2012)^[5] determined that the mathematics performance of these students was more adversely influenced by the discipline assignment than was their reading performance.

In a follow-up study, Allman and Slate (2013)^[6] examined the influence of exclusionary discipline assignments on the reading and mathematics performance for students in three disability categories: (a) Emotional Disturbance, (b) Learning Disability, and (c) Other Health Impairment. Students in all three disability categories who had been assigned exclusionary discipline assignments had statistically significantly lower reading and mathematics test scores than their peers in the same disability category who had not been assigned exclusionary discipline assignments. Exclusionary discipline assignments clearly influence student achievement in an adverse manner.

In another study, Blair and Scott (2002)^[7] provided evidence of the association between low socioeconomic status and identification of learning disabilities. They analyzed Florida birth and public school records for low socioeconomic indicators including low parent education, late care, unmarried mother at birth, and low birth weight. The data provided by birth records were compared to public school records of eligibility for learning disability. Blair and Scott (2002)^[7] determined 30% of boys who had low socioeconomic indicators at birth later qualified for special education services, and 39% of girls with low socioeconomic indicators at birth later qualified for special education services. Students who are learning disabled comprise the highest percentage of students when compared to other special education eligibility categories. Evidence was provided by Blair and Scott (2002)^[7] and by Tiger and Slate (2017)^[8] that students with low economic status are more likely to be identified as learning disabled and more likely to be excluded from the classroom due to a disciplinary assignment. Therefore, student demographics are contributing to the classroom exclusion and identification of students with disabilities.

Statement of the problem

Students who are enrolled in special education are less likely to acquire academic and functional skills at the same rate as their peers who are not disabled. Researchers^[4,6] have established that students who were enrolled in special education are more likely to receive exclusionary discipline assignments than their peers without. Students who are enrolled in special education typically struggle both academically and functionally. Exclusion from the classroom will only decrease their exposure to typically developing peers and make academic tasks even more difficult. Allman and Slate (2012)^[5] documented that exclusionary discipline assignments influence the academic achievement of students enrolled in special education in the 2008-2009 school year. Updated and extended research is needed to investigate the effect of exclusionary discipline assignments on the academic achievement of students enrolled in special education. Updated information is needed to determine the degree to which progress has been made in using alternatives to exclusionary discipline and decreasing exclusionary discipline consequences assigned to students enrolled in special education.

Purpose of the study

The purpose of this study was to determine the numbers of students who were enrolled in special education and who received a discipline consequence during the 2012-2013 through 2015-2016 school years. A second purpose was to ascertain, out of the total number of disciplinary placements, the percentages that were assigned to students who were enrolled in special education during the 2012-2013 through 2015-2016 school years. The specific discipline consequences on which data were had and analyzed were: (a) in-school suspension, (b) out-of-school suspension, (c) expulsion, (d) Disciplinary Alternative Education Program placement, and (e) Juvenile Justice Education Program placement.

Significance of the study

Research regarding the assignment of exclusion-

ary discipline consequences to students with disabilities is sparse. Very few empirical research investigations are in the extant literature regarding the number and percentage of students with disabilities assigned to alternative placements and suspensions. Current evidence on the exclusionary discipline assignments of students enrolled in special education was needed, particularly for the State of Texas to determine if a trend exists over time.

In a literature review of the disciplinary practices commonly used in American schools, Allman and Slate (2011)^[9] discussed that in-school suspension and out-of-school suspension were the most commonly assigned disciplinary assignments. Students who frequently receive these assignments are likely to struggle academically because these students are excluded from classroom instruction. If a student is identified as having a disability under the Individuals with Disabilities Education Act (2004), that student had an academic or functional need for specialized instruction and services. Therefore, students with a disability do not perform as well as their non-disabled peers in the classroom before being excluded due to behavioral consequences. Missing instruction and exposure to their peers will only result in an increase in the academic challenges students with disabilities already face^[10].

Research questions

The following research questions were addressed in this study: (a) What are the numbers of students in special education who were assigned to an in-school suspension?; (b) What percentage of the total number of in-school suspensions were assigned to students in special education?; (c) What are the numbers of students in special education who were assigned to an out-of-school suspension?; (d) What percentage of the total number of out-of-school suspensions were assigned to students in special education?; (e) What are the numbers of students in special education who were expelled from school?; (f) What percentage

of the total number of expulsions were assigned to students in special education?; (g) What are the numbers of students in special education who were assigned to a Disciplinary Alternative Education Program placement?; (h) What percentage of the total number of Disciplinary Alternative Education Program placements were assigned students in special education?; (i) What are the numbers of students in special education who were assigned to a Juvenile Justice Alternative Education Program placement?; and (j) What percentage of the total number Juvenile Justice Alternative Education Program placements were assigned to students in special education? Each of these research questions was addressed for the 2012-2013 through the 2015-2016 school years. Following these analyses, the degree to which trends might be present in the numbers and percentages of students in special education who received these discipline consequences over time were determined.

2 Method

2.1 Research design

In this investigation, a descriptive approach^[11] was used to answer the previously discussed research questions. In that approach, the number and percentage of students who were enrolled in special education and who were assigned an in-school suspension, out-of-school suspension, Disciplinary Alternative Education Program placement, or a Juvenile Justice Alternative Education Program placement during the 2012-2013 through 2015-2016 school years were calculated. These school years were used because they were the most recent years of data available at the Texas Education Agency website. While more recent data would have been preferred, they were simply not available for analysis.

Limitations are clearly present in a descriptive research design^[11]. The data that were analyzed can only be described and cannot be used to establish any relationships or any cause-and-effect

relationships^[11]. Although the information provided in a descriptive research design can be easily interpreted, generalizations are limited. Readers should note that a descriptive research design was used, solely because of the nature of the data that were available. The Texas Education Agency had on their website the data that were analyzed herein. While more detailed and more individualized data would have been preferred, it simply was not available for analysis. The hope of the authors in generating the results of this investigation is to encourage both more research and more individualized data being made available for researchers.

2.2 Participants

Participants in this study were Texas students in Grades 3 through Grade 8 who were enrolled in special education and who were assigned a discipline consequence in the 2012-2013, 2013-2014, 2014-2015, and 2015-2016 school years. The Parent's Guide to the Admission, Review, and Dismissal Process provided by Texas Education Agency (2016) defines special education in Texas to be a student between the ages of 3 and 21 who has met the criteria established for one or more of the 13 eligibility categories defined by the state of Texas. The student must have a disability and as a result of that disability, the student must demonstrate a need for specialized services and supports in order to benefit from education^[12].

2.3 Instrumentation and procedures

The discipline consequence assignments of in-school suspension, out-of-school suspension, expulsion, Disciplinary Alternative Education Program Placement, and Juvenile Justice Alternative Program Placement were analyzed separately for students in Grades 3 through 8. In-school suspension is the first method of disciplinary action where students are removed from the regular classroom and placed in a separate classroom (Texas Education Agency, 2010). Out-of-school suspension is the second method of disciplinary action where

students are removed from the regular classroom and not provided with any educational setting for no more than 3 days^[13].

Disciplinary Alternative Education Program Placement is the third method of disciplinary action. Students are removed from the regular classroom and placed in an alternative classroom setting for an extended period of time, not to exceed 45 school days. Disciplinary Alternative Education Program placement may be located on or off campus, but students are educated away from the regular classroom^[13]. Expulsion is a disciplinary consequence for serious offenses. Expulsion is a permanent removal from the traditional classroom setting. An alternative educational setting is provided for students who have been expelled^[13]. Juvenile Justice Alternative Education is an alternate educational setting for students who have been expelled for serious infractions that would be considered criminal if the students were adults^[13].

For this investigation, the data that were analyzed were accessed from the Texas Education Agency discipline reports, Annual State Summary, which can be located on the Texas Education Agency website. The data provided through the URL, are readily available to the public. The Annual State Summary provided disciplinary data for the 2012-2013 through 2015-2016 school years. These school years were used because they were the most recent years of data available at the Texas Education Agency website. While more recent data would have been preferred, they were simply not available for analysis.

3 Results

To address the research question regarding Grade 3 through 8 students enrolled in special education who were assigned to an in-school suspension during the 2012-2013 through the 2015-2016 school years, descriptive statistics were calculated from the Excel files that were downloaded from the Texas Education Agency website. As revealed in [Table 1](#), the highest number of students

enrolled in special education who were assigned to an in-school suspension occurred in the 2012-2013 school year. In comparison to the 2013-2014 school year, the number of students enrolled in special education who were assigned to an in-school suspension decreased by 4,080 students. Regarding the 2014-2015 school year, the number of students enrolled in special education who received an in-school suspension decreased by 3,288 students in comparison to the 2013-2014 school year. In the 2015-2016 school year, another decrease occurred, this time 1,526 fewer students enrolled in special education were assigned to an in-school suspension in comparison to the 2014-2015 school year.

Table 1. Number of students in special education who were assigned to an In-School suspension in the 2012-2013 through the 2015-2016 school years

School Year	Assigned to an In-School Suspension	Difference from Previous School Year
2012-2013	76,884	
2013-2014	72,804	-4,080
2014-2015	69,516	-3,288
2015-2016	67,990	-1,526

A trend was clearly established with respect to the number of students enrolled in special education who were assigned to an in-school suspension from the 2012-2013 school year through the 2015-2016 school year. A steady and consistent decrease was observed in the number of students enrolled in special education who were assigned to an in-school suspension. Across the four school years, the total number of students in special education who were assigned to an in-school suspension decreased from 213,468 students to 178,416 students.

To address the second research question on the percentage of the total in-school suspensions that were assigned to students in special education in the 2012-2013 through the 2015-2016 school years, descriptive statistics were again calculated from the Excel files that were downloaded from the Texas Education Agency website. As delineated in [Table 2](#), the highest percent of in-school suspensions assigned to students who were enrolled in special education occurred in the 2015-2016

school year. Although the number of total in-school suspensions assigned to students in special education from the 2012-2013 school year through the 2015-2016 school year consistently decreased, the percent of in-school suspensions assigned to students enrolled in special education remained stable across the four school years investigated. The percentages across the four school years only varied about one tenth of a percent.

Table 2. Percentage of total In-School suspensions assigned to students in special education in the 2012-2013 school year through the 2015-2016 school year

School Year	Total Number of In-School Suspensions	In-School Suspensions of Students in Special Education <i>n</i> and % age of Total
2012-2013	1,391,273	(<i>n</i> = 213,468) 15.34%
2013-2014	1,311,901	(<i>n</i> = 199,865) 15.23%
2014-2015	1,221,538	(<i>n</i> = 187,615) 15.35 %
2015-2016	1,157,635	(<i>n</i> = 178,416) 15.41%

In regard to the third research question regarding Grade 3 through 8 students enrolled in special education who were assigned to an out-of-school suspension during the 2012-2013 school year through the 2015-2016 school year, descriptive statistics were calculated from the Excel files that were downloaded from the Texas Education Agency website. As revealed in [Table 3](#), the highest number of students enrolled in special education who were assigned to an out-of-school suspension occurred in the 2012-2013 school year. In comparison to the 2013-2014 school year, the number of students enrolled in special education who were assigned to an out-of-school suspension decreased by 1,931 students. Regarding the 2014-2015 school year, the number of students enrolled in special education who received an out-of-school suspension decreased by 1,473 students in comparison to the previous school year. In the 2015-2016 school year, another decrease occurred, this time 120 fewer students enrolled in special education were assigned to an out-of-school suspension in comparison to the 2014-2015 school year.

With respect to the assignment of out-of-school suspension, a trend was clearly established with respect to the number of students enrolled in special

Table 3. Number of students in special education who were assigned to an out-of-school suspension in the 2012-2013 school year through the 2015-2016 school year

School Year	Assigned to an Out-of-School Suspension	Difference from Previous School Year
2012-2013	44,186	
2013-2014	42,255	-1,931
2014-2015	40,782	-1,473
2015-2016	40,662	-120

education who received this disciplinary consequence from the 2012-2013 school year through the 2015-2016 school year. A steady decrease was observed in the number of students enrolled in special education who were assigned to an out-of-school suspension. Across the four school years, the total number of students in special education who were assigned to an out-of-school suspension decreased from 99,836 students to 90,921 students.

In the fourth research question, the percentages of the total out-of-school suspensions that were assigned to students in special education in the 2012-2013 through the 2015-2016 school years were again calculated from the Excel files that were downloaded from the Texas Education Agency website. As delineated in [Table 4](#), the highest percentage of out-of-school suspensions assigned to students who were enrolled in special education occurred in the 2015-2016 school year. Although the number of total of out-of-school suspensions assigned to students in special education from the 2012-2013 school year through the 2015-2016 school year consistently decreased, the percentage of out-of-school suspensions assigned to students enrolled in special education remained stable across the four school years investigated. The percentages across the four school years varied less than 1%.

For the fifth research question, the numbers of Grade 3 through 8 students enrolled in special education who were assigned an expulsion during the 2012-2013 school year through the 2015-2016 school year were calculated from the Excel files that were downloaded from the Texas Education Agency website. As revealed in [Table 5](#), the high-

Table 4. Percentage of total out-of-school suspensions assigned to students in special education in the 2012-2013 school year through the 2015-2016 school year

School Year	Total Number of Out-of-School Suspensions	Out-of-School Suspensions of Students in Special Education <i>n</i> and %age of Total
2012-2013	503,151	(<i>n</i> = 99,836) 19.84%
2013-2014	500,840	(<i>n</i> = 97,590) 19.49%
2014-2015	475,529	(<i>n</i> = 91,954) 19.34%
2015-2016	443,288	(<i>n</i> = 90,921) 20.51%

est number of students enrolled in special education who were assigned an expulsion occurred in the 2012-2013 school year. In comparison to the 2013-2014 school year, the number of students enrolled in special education who were assigned an expulsion decreased by 72 students. Regarding the 2014-2015 school year, the number of students enrolled in special education who were assigned an expulsion decreased by 16 students in comparison to the 2013-2014 school year. In the 2015-2016 school year, another decrease occurred, this time 78 fewer students who were enrolled in special education were assigned an expulsion in comparison to the 2014-2015 school year.

Table 5. Number of students in special education who were assigned an expulsion in the 2012-2013 school year through the 2015-2016 school year

School Year	Assigned an Expulsion	Difference from Previous School Year
2012-2013	791	
2013-2014	719	-72
2014-2015	703	-16
2015-2016	625	-78

A trend was clearly established with respect to the number of students enrolled in special education who were expelled from school in the 2012-2013 school year through the 2015-2016 school year. A steady and consistent decrease was observed in the number of students enrolled in special education who were expelled from school. Across the four school years, the total number of students in special education who were assigned an expulsion decreased from 842 students to 654 students.

Regarding the sixth research question on the percentages of the total expulsions that were assigned to students in special education in the 2012-2013

through the 2015-2016 school years, descriptive statistics were again calculated from the Excel files that were downloaded from the Texas Education Agency website. As delineated in Table 6, the highest percentage of expulsions assigned to students who were enrolled in special education occurred in the 2014-2015 school year. Although the number of total expulsions assigned to students in special education from the 2012-2013 school year through the 2015-2016 school year consistently decreased, the percentage of expulsions assigned to students enrolled in special education remained stable across the four school years investigated. The percentages across the four school years varied about 1.6%.

Table 6. Percentage of total expulsions assigned to students in special education in the 2012-2013 school year through the 2015-2016 school year

School Year	Total Number of Expulsions	Expulsions Assigned to Students in Special Education <i>n</i> and %age of Total
2012-2013	4,805	(<i>n</i> = 842) 17.52%
2013-2014	4,190	(<i>n</i> = 742) 17.71%
2014-2015	4,098	(<i>n</i> = 732) 17.86%
2015-2016	4,029	(<i>n</i> = 654) 16.23%

To address the seventh research question regarding Grade 3 through 8 students enrolled in special education who were assigned a Disciplinary Alternative Education Program placement during the 2012-2013 through the 2015-2016 school years, descriptive statistics were calculated from the Excel files that were downloaded from the Texas Education Agency website. As revealed in Table 7, the highest number of students enrolled in special education who were assigned to a Disciplinary Alternative Education Program placement occurred in the 2012-2013 school year. In comparison to the 2013-2014 school year, the number of students enrolled in special education who were assigned to a Disciplinary Alternative Education Program placement decreased by 1,136 students. Regarding the 2014-2015 school year, the number of students enrolled in special education who received a Disciplinary Alternative Education Program placement decreased by 494 students in comparison

to the 2013-2014 school year. In the 2015-2016 school year, another decrease occurred, this time 461 fewer students who were enrolled in special education were assigned to a Disciplinary Alternative Education Program placement in comparison to the 2014-2015 school year.

Table 7. Number of students in special education who were assigned to a disciplinary alternative education program placement in the 2012-2013 school year through the 2015-2016 school year

School Year	Assigned to a DAEP Placement	Difference from Previous School Year
2012-2013	14,182	
2013-2014	13,046	-1,136
2014-2015	12,552	-494
2015-2016	12,091	-461

A trend was clearly established with respect to the number of students enrolled in special education who were assigned to a Disciplinary Alternative Education Program placement from the 2012-2013 school year through the 2015-2016 school year. A steady and consistent decrease was observed in the number of students enrolled in special education who were assigned to a Disciplinary Alternative Education Program placement. Across the four school years, the total number of students in special education who were assigned to a Disciplinary Alternative Education Program placement decreased from 18,538 students to 15,289 students.

To address the eighth research question on the percentages of the total Disciplinary Alternative Education Program placements that were assigned to students in special education in the 2012-2013 through the 2015-2016 school years, descriptive statistics were again calculated from the Excel files that were downloaded from the Texas Education Agency website. As delineated in Table 8, the highest percentage of Disciplinary Alternative Education Program placements assigned to students who were enrolled in special education occurred in the 2012-2013 school year. Although the number of total Disciplinary Alternative Education Program placements assigned to students in special education from the 2012-2013 school year through the 2015-2016 school year consistently decreased, the

percentage of Disciplinary Alternative Education Program placements assigned to students enrolled in special education remained stable across the four school years investigated. The percentages across the four school years varied by about 1.1%.

Table 8. Percentage of total disciplinary alternative education program placements assigned to students in special education in the 2012-2013 school year through the 2015-2016 school year

School Year	Total Number of DAEP Placements	DAEP to Students in Special Education <i>n</i> and %age of Total
2012-2013	102,640	(<i>n</i> = 18,538) 18.06%
2013-2014	97,732	(<i>n</i> = 17,089) 17.49%
2014-2015	93,798	(<i>n</i> = 16,041) 17.10%
2015-2016	90,181	(<i>n</i> = 15,289) 16.95%

To address the ninth research question regarding Grade 3 through 8 students enrolled in special education who were assigned to a Juvenile Justice Alternative Education Program placement during the 2012-2013 through the 2015-2016 school years, descriptive statistics were calculated from the Excel files that were downloaded from the Texas Education Agency website. As revealed in Table 9, the highest number of students enrolled in special education who were assigned to a Juvenile Justice Alternative Education Program placement occurred in the 2012-2013 school year. In comparison to the 2013-2014 school year, the number of students enrolled in special education who were assigned to a Juvenile Justice Alternative Education Program placement decreased by 16 students. Regarding the 2014-2015 school year, the number of students enrolled in special education who received a Juvenile Justice Alternative Education Program placement decreased by 28 students in comparison to the 2013-2014 school year. In the 2015-2016 school year, another decrease occurred, this time 40 fewer students enrolled in special education were assigned to a Juvenile Justice Alternative Education Program placement in comparison to the 2014-2015 school year.

A trend was clearly established with respect to the number of students enrolled in special education who were assigned to a Juvenile Justice Alternative Education Program placement from

Table 9. Number of students in special education who were assigned to a juvenile justice alternative education program placement in the 2012-2013 school year through the 2015-2016 school year

School Year	Assigned to a JJAEP Placement	Difference from Previous School Year
2012-2013	509	
2013-2014	493	-16
2014-2015	465	-28
2015-2016	425	-40

the 2012-2013 school year through the 2015-2016 school year. A steady and consistent decrease was observed in the number of students enrolled in special education who were assigned to a Juvenile Justice Alternative Education Program placement. Across the four school years, the total number of students in special education who were assigned to a Juvenile Justice Alternative Education Program placement decreased from 531 students to 441 students.

Concerning the percentages of the total Juvenile Justice Alternative Education Program placements that were assigned to students in special education in the 2012-2013 through the 2015-2016 school years, descriptive statistics were again calculated from the Excel files that were downloaded from the Texas Education Agency website. As delineated in Table 10, the highest percentage of Juvenile Justice Alternative Education Program placements assigned to students who were enrolled in special education occurred in the 2015-2016 school year. Although the number of total number of Juvenile Justice Alternative Education Program placements assigned to students in special education from the 2012-2013 school year through the 2015-2016 school year consistently decreased, the percent of Juvenile Justice Alternative Education Program placements assigned to students enrolled in special education remained stable across the four school years investigated. The percentages across the four school years varied by about 1%.

4 Discussion

In this investigation, the numbers and percentages of students who were enrolled in special edu-

Table 10. Percentage of total juvenile justice alternative education program placements assigned to students in special education in the 2012-2013 school year through the 2015-2016 school year

School Year	Total Number of JJAEP Placements	JJAEP Placements of Students in Special Education <i>n</i> and %age of Total
2012-2013	2,916	(<i>n</i> = 531) 18.21%
2013-2014	2,779	(<i>n</i> = 502) 18.06%
2014-2015	2,640	(<i>n</i> = 483) 18.30%
2015-2016	2,571	(<i>n</i> = 441) 17.15%

cation and who were assigned an in-school suspension, out-of-school suspension, expulsion, Disciplinary Alternative Education Program placement, or a Juvenile Justice Alternative Education Program placement were determined for the 2012-2013 school year through the 2015-2016 school year. The importance of the results delineated in this multiyear Texas statewide investigation is that no published empirical studies are available in which researchers, educational leaders, and policymakers have access to these data. Though raw numbers are available at the Texas Education Agency website, they simply are not analyzed or addressed by researchers.

Four school years of statewide archival data were analyzed from the Texas Education Agency so that a description could be provided of the number and percentage of students who were enrolled in special education and who were assigned exclusionary discipline consequences. Following the analysis of all four school years of data, trends were identified in the assignment of exclusionary discipline consequences for students who were enrolled in special education.

4.1 Connections to existing literature

In this 4-year statewide investigation, findings were congruent with the results established by previous researchers^[2-4,9,10] regarding the high percentages of exclusionary discipline assignments given to students in special education when compared to the total student population. In this empirical statewide investigation, the numbers and percentages of exclusionary discipline assignments received by students in special education

over time were analyzed. Although previous researchers^[1,4,10] established exclusionary discipline assignments received by students in special education greatly exceeded those assignments received by students who were not in special education, the number of students who received an exclusionary discipline placement consistently decreased across the four school years investigated in this study. Of note herein was that the percentages of students in special education who were assigned exclusionary discipline placements were consistent across the years of school data analyzed.

4.2 Implications for policy and practice

Based upon the results of this multiyear, Texas statewide investigation, several implications for policy and for practice can be made. First, educational leaders and school administrators are encouraged to examine in depth the degree to which inequities may be present in the assignment of exclusionary discipline assignments received by students in special education on the basis of their specific disability. That is, are inequities present in the assignment of exclusionary discipline consequences by student disability category? Educational leaders and school administrators should also be mindful of the implications of exclusionary discipline assignments on student success. Are the students who are assigned these exclusionary discipline assignments repeating the non-preferred behavior, resulting in increased exclusion from the classroom? Based upon that information, educational leaders could improve discipline programs and investigate a behavioral curriculum which may allow more individualized behavioral intervention for students in special education.

A third implication is to examine school district Manifestation Determination Review procedures and decision making process. Federal legislation was implemented to ensure students in special education are not excessively excluded from the classroom due to behavior which are a manifestation of their disability. This decision is determined

by a committee of educators and the parents or adult student. School district leaders should examine the training, education, and experience of the members of this committee. School leaders should collect data on the number of meetings held and decisions handed down by the committee to be mindful of trends in offense, and length and frequency of disciplinary assignments received by students in special education. Documentation in Individualized Education Plans should be investigated to determine appropriate services and supports are provided.

School leaders should also consider examining the allocation of school staff. Staffing and budget constraints are difficulties that almost every, if not every, school district in Texas likely faces. More school staff should be allocated to assist students in special education within the general education setting. Although students in special education comprise a small percentage of the overall students, they tend to have the most substantial needs.

4.3 Recommendations for further research

In this study, the number of students in special education who received exclusionary discipline assignments steadily decreased whereas the percentages of the total exclusionary assignments received by students in special education remained stable across the four school years investigated. A recommendation for future research is for researchers to investigate the numbers of exclusionary assignments that were assigned repeatedly to the same students. The number of students in special education who received an exclusionary discipline assignment decreased, while the number of assignments received by special education students when compared to their non-disabled peers remained stable across four school years.

Based upon the results of this statewide, multiyear investigation, researchers are encouraged to examine the frequency of manifestation determination meetings held in Texas and analyze the outcomes of those meetings. Researchers are also

encouraged to analyze the educators who participate in these meetings and the training and education they have earned to make them an essential participant in determining if a student in special education should be excluded from the classroom.

In this study, data were only provided in regard to students in special education in Texas. Additional information could be gathered to include exclusionary discipline assignments received by students in special education in other states. This research could also be extended to include student gender, ethnicity/race, and economic status of Texas students in special education. Researchers are encouraged to investigate the reasons why out-of-school suspensions are assigned more frequently to students in special education than other exclusionary discipline consequences.

5 Conclusion

In this multiyear analysis, the numbers and percentages of students who were enrolled in special education and who received a discipline consequence during the 2012-2013 through 2015-2016 school years were addressed. In each of the school years, the number of students in special education who were assigned any exclusionary discipline assignment steadily decreased. When examining the percentages of the total exclusionary assignments received by students in special education in the 2012-2013 through 2015-2016 school years, however, the percentages of the total exclusionary assignments given to students in special education remained stable across the four school years. The percentages of the total exclusionary assignments received by students in special education across the four school years never varied more than 1.10%.

References

- [1] Leone PE, Mayer MJ and Malmgren K. School violence and disruption: rhetoric, reality, and reasonable balance.

- Focus on Exceptional Children, 2000, **33**(1): 1-20. <https://doi.org/10.17161/fec.v33i1.6777>
- [2] The University of California, Center for Civil Rights Remedies, 2017. Civil Rights data collection, CA, 2011-2012. <http://www.schooldisciplinedata.org/ccrr/resultsstate.php>
- [3] Benson JH and Slate JR. Discipline assignment inequities by the gender and ethnicity/race of Grade 9 students with a Learning Disability. *Global Journal of Human Social Science: G Linguistics & Education*, 2017, **17**(10): 1-7. https://globaljournals.org/GJHSS_Volume17/1-Discipline-Assignment-Inequities.pdf
- [4] Sullivan AL, Van Norman ER and Klingbeil DA. Exclusionary discipline of students with disabilities: Student and school characteristics predicting suspension. *Remedial and Special Education*, 2014, **35**(4): 199-210. <https://doi.org/10.1177/0741932513519825>
- [5] Allman KL and Slate JR. Disciplinary consequence effects on the achievement of students with disabilities: A statewide examination. *Journal of Education Research*, 2012, **6**(4): 369-384.
- [6] Allman KL and Slate JR. Disciplinary consequences assigned to students with Emotional Disorder, Learning Disability, or Other Health Impairment: Effects on their academic achievement. *Journal of Education Research*, 2013, **7**(1): 83-101.
- [7] Blair C and Scott KG. Proportion of LD placements associated with low socioeconomic status: Evidence for a gradient? *Journal of Special Education*, 2002, **36**(1): 14. <https://doi.org/10.1177/00224669020360010201>
- [8] Tiger KN and Slate JR. Differences in discipline consequences as a function of economic status by gender. *Journal of Ethical Educational Leadership*, 2017, **4**(3): 1-22.
- [9] Allman KL and Slate JR. School discipline in public education: A brief review of current practices. *International Journal of Educational Leadership Preparation*, 2011, **6**(2): 8.
- [10] Curtiss KN and Slate JR. Differences in disciplinary consequences and reasons for Texas elementary students by gender. *Journal of Education Research*, 2014, **8**(4): 203-210.
- [11] Creswell JW. *Research design: Qualitative, quantitative, and mixed methods approaches* (3rd ed.). Thousand Oaks, CA: Sage, 2009.
- [12] Texas Education Agency. Parent's Guide to the Admission, review, and Dismissal Process, 2016. https://framework.esc18.net/Documents/ARD_Guide_ENG.pdf
- [13] Texas Education Agency. Education Code 37. Alternative settings for behavior management, 2010. <http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.37.htm>