



Why Team Obama's new education guidelines may hurt, not help, black students

By [Andrew J. Coulson](#)

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Attorney General Eric Holder and Education Secretary Arne Duncan recently [announced](#) new discipline guidelines for the nation's schools.

The recommendations aim to end racial disparities in suspensions and expulsions that the administration attributes to discrimination.

Though well-intentioned, the new guidelines misdiagnose the problem, ignore pivotal research, and will likely hurt academic achievement among African-American students.

For decades, public schools have suspended and expelled black students at substantially higher rates than whites. And studies show that this pattern cannot be entirely explained by racial differences in the rate of misbehavior. On average, for a given infraction, black students receive more severe punishment than whites.

This has led several researchers, many commentators, and now the [Obama administration](#), to conclude that "racial discrimination in school discipline is a real problem."

It is certainly possible to find cases in which racism is to blame, but do those cases really explain the broader pattern? According to the most sophisticated research in the field, the answer is no.

Over the past several years, University of Rochester professor Joshua Kinsler has explored this question using uniquely rich datasets. What he finds is that the variation in punishment between the races is largely explained by [variation in discipline policies at the school level](#): black students are more likely to attend very strict schools.

Within any given school, Kinsler reports, black and white students are generally treated similarly. White students attending majority-black schools with strict policies are punished just as harshly as their African American peers. And black students in more lenient majority-white schools are punished equally leniently, on average.

Kinsler also finds that the race of teachers and administrators does not explain racial gaps in referrals to the principal's office or the punishments meted out—further diminishing the likelihood that discrimination is a leading cause of the disparities.

So in order to achieve the administration's goal of eliminating the racial discipline gap, schools that currently have many disruptive students and strict discipline policies will have to relax those policies.

Which brings us to Kinsler's most important discovery: [easing discipline policies in such schools causes overall student achievement to fall](#).

The Obama administration is correct that suspensions and expulsions are associated with worse educational outcomes for the disruptive student. But the opposite is true with respect to their classmates, the majority of whom are not disruptive and simply want the chance to learn in peace.

When suspensions and expulsions are curtailed at schools with a lot of student misbehavior, it hurts the education of the non-disruptive majority.

And there's the rub. African-American children are disproportionately likely to be assigned to such schools, and so they are disproportionately likely to suffer academically if districts bow to pressure from the DOJ.

None of this can come as a surprise to the Obama administration.

Kinsler's research would be found in any Google search of the subject, and it has been published in some of the most prestigious economics and education journals in the world. And yet, in all the research materials disseminated last week by the administration, Kinsler's work goes unmentioned and unheeded.

Fortunately, there are policies that *can* reduce reliance on out-of-school suspensions and expulsions without leading to pandemonium in the classroom.

Schools that consistently and scrupulously enforce a code of respectful behavior among students, punishing even slight infractions with *in-school* detentions and suspensions, maintain a studious atmosphere in even the most troubled neighborhoods.

To achieve that result, every member of the staff has to be fully engaged with the school's policies, so that students know the same rules apply in every classroom, hallway, playground, and field. Challenging as that goal may be, researchers have found one category of schools that is better able to achieve the necessary consistency: private schools.

Scholars from [Harvard](#) and the [University of Michigan](#) discovered decades ago that the independence of private schools and their ability to hire like-minded teachers permit a greater level of commitment to shared goals, such as consistent discipline, than is typical in public schools.

Not surprisingly, private school outcomes—[from test scores, to graduation rates](#), to [crime reduction](#)—are superior as well.

Pennsylvania, Florida, and nine other states are already making private schooling more affordable to low-income families through K-12 scholarship tax credit programs.

If we really want to help children, both those prone to misbehavior, as well as their less-troubled classmates, the example of those states shows the way.