

Prioritizing Policies that Improve School Climate

Overview

The attacks on civil rights protections for students, immigrant children and families, and LGBTQI+ youth, along with the persistence of inadequate education resources and attacks on efforts to promote diversity, inclusion, and equity have contributed to the degradation of school climate. In light of these attacks, the National Center for Youth Law and the endorsing members of the [Education Civil Rights Alliance](#) share these urgent recommendations that state leaders should adopt to improve school climate

Research shows that supportive [relationships are foundational](#) to a positive school climate. Particularly in the K-12 environment, children need access to caring adults who are culturally competent and can understand their experiences and needs. These caring adults can provide children with a buffer against the negative effects of adversity, promote positive behaviors and confidence in learning, and offset stereotypes and discrimination in the classroom. To effectively do this, educators and school administrators need to be aware of barriers to building stable, supportive relationships with students and should be provided support in overcoming these barriers.

The executive orders the Trump administration has so far released on education will undoubtedly raise these barriers in the classroom. They will force educators to [misgender students](#) and not acknowledge their identities. They will require educators to [deny students the truth](#) about their nation's history, including the uncomfortable yet undeniable truth about slavery, appropriation, and the systemic racism stemming from them that still impacts families today. Rather than building supportive relationships, educators will have to consistently alienate certain groups of students and invalidate their lived experiences.

If implemented, the executive orders will undo years of work educators have put in to create positive, inclusive school climates throughout the country. This deterioration will likely open more avenues for bullying and harassment, particularly of LGBTQI+ students, students of color, students with disabilities, and students living at the intersections of these identities. Yet, research confirms that students who perceive a better school climate are [less likely to report being bullied](#). In fact, students attending schools with a

positive school climate are more likely to experience greater levels of school connectedness, peer attachment, and social skills—factors that ultimately predict less bullying in the school.

In addition, the administration's ideologies have hindered efforts to curb discriminatory school discipline and policing—of which students of color and students with disabilities bear the brunt—even though countless studies have shown that high and disparate rates of exclusionary discipline have great negative effects on school climate. The first Trump administration rescinded the joint U.S. Departments of Education and Justice guidance on school discipline, which detailed how schools should identify, avoid, and remedy discriminatory discipline that qualified as a violation under Title VI of the Civil Rights Act of 1964. The administration justified this action with unfounded theories that school violence, such as school shootings, was caused by the joint guidance. To the contrary, it is well established in the research that lower rates of exclusionary discipline lead to more productive climates for learning that produce higher graduation rates, reduced juvenile court involvement, and healthier life outcomes for students.

Several states and districts have followed suit with the administration and have pursued proposals to re-implement harsh

zero-tolerance policies that are counterproductive to achieving positive school climate. When students experience harsh, disparate, and often discriminatory discipline, they are more likely to experience a negative school climate, feeling less safe and welcome as well as less engaged academically.

Moreover, in this harrowing era of mass school shootings, the national conversation has centered around militarizing schools with efforts such as hiring more school resource officers (SROs) and even arming teachers. Yet, to date, there is no evidence that police officers in school enhance school safety or improve school climate. Research has confirmed that school-based policing does not prevent gun-related incidents in school. Rather, the presence of an armed law enforcement officer has been found to be the number one factor associated with increased casualties after an attacker's use of assault rifles in schools. Additionally, research over the last decade has consistently demonstrated how school police and other mechanisms of criminalization "create a fearful environment"—especially for Black children—and lead to several devastating collateral consequences for developing children and teens. Indeed, 2020-2021 Civil Rights Data Collection data revealed that "[B]lack students represented 15% of total K-12 student enrollment, but 18% of

students who were referred to law enforcement, and 22% of students subjected to school-related arrests,” despite the fact that Black students do not generally have higher rates of misbehavior than other students.

Studies show that evidence-based programs such as those that implement restorative practices are more likely to reduce rates of exclusionary discipline and positively impact perceptions of school climate. Rather than investing more deeply into school policing and overly securitizing school properties, states should invest in evidence-based programs meant to support students and boost school climate. States can look to federal guidance from previous administrations to ensure they are protecting students against bullying and harassment, particularly most likely to experience targeting, such as LGBTQI+ students and students of color. States can also refer to federal guidance on avoiding the discriminatory use of school discipline, such as with students of color and students with disabilities.

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Recommendations: Executive

State governors, chief state school officers, and state boards of education should:

- Instruct the state department of education to provide ongoing webinars and trainings for districts and school officials on facilitating an inclusive district.
- Support training for educators on strategies to eliminate or mitigate the effects of explicit and implicit bias on teaching and the administration of school discipline.
- Issue guidance on how schools can prevent and mitigate bullying and harassment.
- Increase school district capacity to train educators in classroom management techniques and culturally competent discipline to support them in the reduction of incidents of misconduct while improving achievement and graduation rates. This could include funding and other incentives to increase the training capacity.
- Instruct school administrators to reform school or district codes of conduct, prioritizing changes such as: eliminating zero-tolerance policies; ensuring equitable dress codes; acknowledging intersectional discrimination; ensuring school police will not engage in the administration of school discipline; and minimizing subjectivity in infractions that might allow for bias in administration.
- Provide ongoing training and support for educators and administrators as they implement new evidence-based programs and practices to avoid exclusionary discipline and support school climate, such as restorative programs.

Recommendations: Legislative

State legislators should:

- Pass legislation divesting from school criminalization, including school-based ticketing, eliminating or minimizing punitive practices like seclusion and restraint, and investing in evidence-based practices for promoting healthy school climates.
- Allocate funding for research on effective programs that result in greater equity in the opportunity to learn and better academic outcomes for all students, but especially programs that show that students from groups that are low-performing and have been historically discriminated against are benefitting.
- Review the state code of conduct and eliminate the use of suspension and expulsion, unless all other less exclusionary means of correction have been attempted and for young students.
 - The following laws were passed by state legislatures in the last 10 years:
 - Cal. Educ. Code §§ 48900(k)(1) & 48901.1(a) (prohibiting the use of suspension or expulsion for disruption or willful defiance).
 - Conn. Gen. Stat. § 10-233 (prohibiting expulsion for students younger than third grade).
 - D.C. Code § 38-236.04 (prohibiting out-of-school suspension and disciplinary unenrollment for K-8 students eight except in limited serious circumstances; prohibiting suspension or disciplinary unenrollment for students in grades 9-12 for dress code violations and willful defiance); § 38-273.03 (prohibiting out-of-school suspension and disciplinary unenrollment for pre-K students, except in limited serious circumstances).
 - Me. Stat. tit. 20-A, §1001(9) (prohibiting expulsion for students in grade 5 or below).
 - Ohio Rev. Code § 3313.668(B)(1) (prohibiting suspensions, expulsions, and removals for students in pre-K through grade 3).
 - Tex. Educ. Code § 37.005 (prohibiting out-of-school suspension for students below grade 3 except in limited serious circumstances).
- Pass legislation limiting the length of any expulsion and requiring the provision of adequate alternative education during any expulsion.



EDUCATION CIVIL RIGHTS ALLIANCE

This resource was created by the National Center for Youth Law and the endorsing members of the Education Civil Rights Alliance. To learn more about what your state can do to strengthen civil rights protections for all students, check out this [resource page](#) for additional recommendations and to read the letter we sent to state leaders.