



U.S. COMMISSION ON THE SOCIAL STATUS OF BLACK MEN AND BOYS



2024 ANNUAL REPORT

Acknowledgements

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Research Areas

The issues confronting Black men and boys are wide-ranging, complex, and deeply rooted in American history. To cover these issues effectively and fulfill its statutory mission to “address the current conditions affecting Black men and boys and make recommendations to address these issues,”¹ CSSBMB’s activities are organized into five research areas: Education, Housing, Labor and Employment, Health, and Criminal Justice.

Education

Education is a crucial area of focus for CSSBMB because access to quality education is vital to achieving successful outcomes for Black men and boys. Unfair and disproportionately targeted disciplinary actions contribute to the STPP. Racial disparities in higher education, funding gaps for Historically Black Colleges and Universities (HBCUs), and lack of diversity among teachers are a few of the significant challenges affecting access to equitable, quality education for Black males. The CSSBMB acknowledges the complexities of this subject and is working alongside its partners to identify evidence-based solutions that promote educational equity.

¹ 42 U.S.C. § 1975 note (2020), Commission on the Social Status of Black Men and Boys.



Housing

The CSSBMB promotes equally accessible, safe, and affordable housing options that include home ownership. It also focuses on policies that address the disproportionate rates at which Black men and boys experience the condition of being unhoused. To address these issues, the CSSBMB studies racial discrimination in housing, including legal issues like unequal access to affordable housing, home loans, and the long-term impact of redlining. The CSSBMB also studies and identifies programs and projects that prevent homelessness and aid the unhoused and the intersectional contributing issues like employment patterns, health-related issues, and educational disparities that drive housing insecurity and inequality for Black men and boys.

Labor and Employment

A range of economic disparities continue to impact Black men's equal participation in the labor market and drive the racial wealth gap.² Employment disparities, inequitable wages, racial discrimination in hiring practices, and disproportionately high and ongoing unemployment rates are a few of the challenges still impacting the ability of Black men to succeed in the workforce. The CSSBMB identifies and promotes innovative solutions to address these inequities and expand access and opportunity for Black men and boys while promoting inclusive and innovative growth in the nation's economy.

Health

The CSSBMB is tasked with studying and identifying solutions to address disproportionately poor health outcomes experienced by Black men and boys. Across a wide spectrum of indicators, Black men and boys—as much or more than almost any other group in the United States—receive significantly less equitable healthcare and health-based resources. Importantly, the health sector cuts across many other core CSSBMB issue areas, from education, housing, criminal justice, and employment. Of particular interest on the topic of health over the coming years is the underexplored issue of mental illness as a rising health crisis for Black males.

Criminal Justice

The CSSBMB aims to make national and state policymakers and other community partners aware of socioeconomic disparities and the disproportionate number of Black men and boys adversely impacted by the criminal justice system. Racial inequality, barriers to formerly incarcerated Black men reentering society, loss of civil rights, and ineligibility for employment and housing are a few of the identified challenges facing Black men and boys and their families. The CSSBMB scans, evaluates, and promotes effective reforms to address these issues.

2 Mehrsa Baradaran, “Closing the Racial Wealth Gap,” NYU Law Review Online, <https://www.nyulawreview.org/online-features/closing-the-racial-wealth-gap/>.



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Message from the Chair, Representative Frederica S. Wilson

The Commission on the Social Status of Black Men and Boys (CSSBMB) is the second civil rights commission established in the United States, following the U.S. Commission on Civil Rights (USCCR), created by President Dwight D. Eisenhower in 1957. The USCCR was tasked with conducting public hearings, gathering data, and analyzing issues of discrimination and equal protection violations under the law based on race, color, religion, sex, age, disability, or national origin. It also examines discrimination and denials of equal protection in the administration of justice.

In 2006, 51 years after the landmark *Brown v. Board of Education* ruling, the tragic death of Martin Lee Anderson, a 14-year-old African American boy, at the hands of corrections officers in a Florida youth detention facility, prompted me, then serving as a Florida Senator, to introduce legislation creating the CSSBMB in Florida. This legislation was designed to address the unique challenges Black men and boys face in the state.

Six years later, while serving in the U.S. Congress, the tragic killing of Trayvon Martin—one of the participants in my 5,000 Role Models of Excellence Project and a constituent — emphasized the urgency of the moment. In response, I introduced a bill to establish the CSSBMB at the national level. Although the bill initially stalled, it gained momentum following the global outcry over George Floyd's murder by a Minneapolis police officer in 2020. In a moment reminiscent of the reaction to the *Brown v. Board of Education* decision, this outcry spurred support from then-House Speaker Nancy Pelosi and Senator Marco Rubio, culminating in the signing of the bill into law on August 14, 2020, by the President of the United States.

As a bipartisan federal agency, the CSSBMB's mission is to lead the national dialogue on the complex and multifaceted issues facing Black men and boys. Now in its fourth year, I have the privilege of serving as the Commission's chair and founder alongside distinguished legislators, government appointees, and leaders from the business and community sectors. I have remained committed to empowering Black men and boys throughout my tenure in Congress. Over several sessions of Congress, I have worked closely with Senator Marco Rubio (R-FL) to draft and advance legislation to establish this nonpartisan commission. Our partnership also extended to creating the nonpartisan Florida CSSBMB during our time as state legislators. I believe education is a transformative force, especially for Black men, so in 1993, I founded the 5,000 Role Models of Excellence Project to mentor Black boys. This initiative provides a continuum of services to young men in elementary, middle, and high school, including access to college scholarships.

This year's Annual Report will focus on the School-to-Prison Pipeline and its impact on the academic achievement of Black male students as part of the Commission's commitment to education. The report will shed light on the disparities in exclusionary school discipline practices that disproportionately push Black youth into the juvenile justice system and away from academic settings. The report will also explore how this "pipeline" is closely tied to negative life outcomes as these young men transition into adulthood. Lastly, it will offer a comprehensive analysis of how these disciplinary disparities reinforce systemic inequality and the resulting civil rights implications such practices have on the lives of Black boys. In developing effective policy recommendations, the Commission has extensively collaborated with educators, teachers' unions, think tanks, and subject matter experts. To that end, we thoroughly



researched, analyzed, and proposed actionable policy recommendations that address the inequities and disproportionality contributing to the exclusion of Black boys from educational opportunities. We aim to ensure that these young men remain in the classroom, where they can thrive and succeed, rather than being diverted into the justice system.

As a Commission, we are committed to addressing these pressing issues and fostering meaningful change. We believe that through informed policy and strategic collaboration, we can dismantle the barriers that hinder the success of Black boys in our education system. Our mission is clear: to create a future where every young man can reach his full potential, free from the systemic obstacles that have historically held them back. This Annual Report is a vital step in this journey, and we look forward to advancing these critical solutions.



Message from the Director, Mark Spencer, Esq.

America's legacy is deeply rooted in the illuminating power of education, despite the challenges many Americans have faced, and still face, in obtaining it.

...The Association of American Colleges and Universities (AAC&U) emphasizes the importance of liberal education in fostering democratic values and personal growth. According to AAC&U, liberal education aims to help individuals develop self-mastery, intellectual curiosity, and a love for learning while also promoting fairness, open-mindedness, and generosity.³

In this 2024 Annual Report, the Commission on the Social Status of Black Men and Boys (CSSBMB) has focused on interrupting the School-to-Prison Pipeline (STPP). Our research identifies disconcerting trends in the administration of school discipline, particularly for Black boys, that too often divert them from academic success and result in poorer life outcomes. Exclusionary school discipline practices, like suspensions and expulsions, serve as a catalyst for further negative outcomes, especially when they are used excessively or disproportionately for behaviors that could be more appropriately addressed through alternative and more constructive approaches. Rather than improving behavior, suspensions often contribute to a cycle of disengagement, academic failure, and juvenile justice system involvement.

Our observations also lead us to the troubling conclusion that these inequities disproportionately affecting Black boys are largely concentrated in the Southern states. This calls to mind an observation by the Hon. A. Leon Higginbotham, Jr., as he contextualized in his article "The Ten Precepts of American Slavery Jurisprudence."⁴ The seventh precept was the denial of education (for African Americans), exemplified, as he later commented, by the fact that "as late as 1931, Georgia and five other Southern states spent less than one-third for each black child than for each white child. At the time of the 1954 decision in *Brown v. Board of Education*, the South, as a whole, was spending, on average, 43% more a year for a white pupil than a black pupil Even today, in many ways, we are suffering from the consequences of the devastating inequalities that have been imposed by the education system, short-changing blacks, generation by generation in thousands of school districts."⁵

We believe that every child in America can learn and, by right, ought to be given the maximum resources to activate their intellectual and artistic abilities and creativity. This should be the goal of building informed and engaged citizens of a great nation.

Our report makes specific recommendations for policy improvements and initiatives that can impact public education at the state and local levels and are supported by the federal government's resources and authorities.

We challenge the nation to encourage Congress and state and local legislatures to pursue with vigorous intent comprehensive reforms that emphasize restorative justice practices, student support, and mental health interventions needed to disrupt this pipeline. Such initiatives are necessary to help every child, but specifically Black boys, achieve an education that aims to help them develop self-mastery, intellectual curiosity, and a love for learning—promoting fairness and equity.

Mark Spencer, Esq.

Executive Director, Commission on the Social Status of Black Men and Boys

3 Home Page of the American Association of Colleges and Universities <https://www.aacu.org/> (last accessed Sept. 17, 2024).

4 A. Leon Higginbotham, Jr., *Shades of Freedom: Racial Politics and Presumptions of the American Legal Process* (Oxford University Press, 1998), 195-196.

5 *Ibid*, 184-185.



CSSBMB Highlights

Chair Wilson's Caucus on CSSBMB

Under the leadership of Chair Wilson's caucus, a series of significant events and expert panels were held to advance the well-being and representation of Black men and boys. In February, the Chair recognized their contributions during a White House celebration, while Congress held a Special-Order Hour dedicated to amplifying their voices. In April, Chair Wilson addressed the critical issue of health disparities in the United States through [expert-led discussions](#). In May, a series of panels brought attention to [the urgent topics of mental health and suicide among Black men and boys](#). June featured key conversations on fatherhood, with Chair Wilson leading efforts to celebrate Black fathers across the nation. In July, a pivotal hearing at the National Action Network [delved further into mental health](#), while September's event emphasized prevention over detention, with a focus on policing in Black communities and the need for transformative justice.

2023–2024 Annual Report: Spotlights

The CSSBMB released a public-facing handout spotlighting the major findings from its 2023-2024 Annual Report, which can be found on CSSBMB's website.

2024 Education Roadmap

The CSSBMB worked with key stakeholders to develop the 2024 Education Roadmap, a collaborative research guide on critical educational issues and inequalities facing Black men and boys across the nation.

CSSBMB Digital Launch

The CSSBMB developed and launched its website, <https://cssbmb.gov>. This revised digital presence provides CSSBMB with a compelling platform to promote its research and activities. In concert with the website, CSSBMB also debuted a new logo and brand color scheme.

Education: Researching Problems, Advocating Solutions

Throughout 2024-2025, CSSBMB will be releasing the results of its research on the disparities that Black male students face in their educational journeys due to exclusionary discipline in schools. A snapshot of the research completed thus far is included in this report.

EmpowerED Initiative

Beginning in late 2024, CSSBMB will launch its EmpowerED Initiative, which brings CSSBMB together with HBCUs across the country to hold events that explore the importance of Black male teachers, ways to bring more Black males into the teaching profession, benefits to students of color and schools, and the challenges that remain.



Executive Summary

Annual Statutory Report

Established by bipartisan federal legislation in 2020, CSSBMB is an independent, bipartisan, federal commission tasked with carrying out a vital national mission: to “address the current conditions affecting Black men and boys and make recommendations to address these issues.”⁶ With 19 commissioners and led by its founding Chair, Congresswoman Frederica S. Wilson (FL), CSSBMB is charged with presenting an Annual Report to the President and Congress detailing its efforts to fulfill this mission. The CSSBMB hereby submits this 2024 Annual Report, which will also be made available to the public on its website, www.cssbmb.gov.

The information in this report comes from two primary avenues. Each year, CSSBMB holds quarterly meetings open to the public to discuss and learn about ongoing issues affecting Black men and boys in the United States. It also organizes stakeholder meetings, expert interviews, events, listening sessions, and public briefings to investigate and gather information on the social, political, economic, and cultural conditions affecting Black men and boys and the disparities they face across a range of issues areas. Second, CSSBMB’s research staff conducts independent research and analysis on these issues.

Report at a Glance

This report begins with an overview of CSSBMB’s research focus for 2024: undoing the STPP. Chapter 1 explains the STPP—a national trend in which students are increasingly pushed out of schools and into the criminal justice system. It then explains that CSSBMB has focused its research efforts to date on school suspensions. Suspensions are a key indicator to understand how unequally applied school discipline can disproportionately and negatively impact Black male students. Finally, it discusses specific policy recommendations that can undo the STPP and make education more equal and effective for all students, then previews future research from CSSBMB on these topics.

Chapter 2 provides a snapshot of the status of CSSBMB’s research on the STPP. The focus is on suspensions, one of the most frequently used forms of school discipline that disproportionately and negatively affect Black male students. Suspension is a form of exclusionary discipline: school disciplinary practices that unfairly target and impact certain groups more than others. The CSSBMB’s research breaks down the impact of suspensions in terms of race and gender, highlighting the uniquely harsh effect of school discipline on Black male students and the ways that they are driven out of school and into the criminal justice system.

Here, CSSBMB’s original data analysis provides a compelling picture of the racial disparities in exclusionary disciplines and their geographic makeup. The data analysis enables the executive branch and congressional lawmakers and policymakers, as well as the public, to identify that Black male students are facing significant disparities in school discipline, which adversely affects their lives. It also provides a map of the states and localities where these disparities are the greatest so lawmakers and policymakers can focus their efforts on achieving the best results.

6 42 U.S.C. § 1975 note (2020), Commission on the Social Status of Black Men and Boys.



Building on this analysis, Chapter 3 outlines an important selection of policy recommendations from CSSBMB aimed at combating and undoing the destructive influence of the STPP on not only Black males but all students. Chapter 4 highlights CSSBMB's overall research accomplishments for the year, providing concrete details about its research projects and activities. Chapter 5 overviews CSSBMB's wide-ranging efforts at civic engagement, public education, and interagency collaboration. It also lists major CSSBMB activities, meetings, and events for fiscal year (FY) 2024.

Key Takeaways

- **Disproportionate Impact:** While the STPP is harmful to all students, the most severe consequences impact Black male students:
 - » For pre-kindergarten (pre-K), Black students account for 30.3 percent of all suspensions during the school year—almost double their representation in the preschool student body.
 - » For pre-K, Black boys made up 9 percent of the total enrollment, but 23.1 percent of preschool-aged children faced one or more out-of-school suspensions.
 - » Black kindergarten through 12th grade (K–12) youth are nearly 1.5 times more likely to have a single out-of-school suspension compared to their White peers.⁷
 - » For K–12, Black male students received nearly 15 percent of the nation's total suspensions—2 times their representation in the K–12 student body.
- **Lifelong Consequences:** Getting caught up in the STPP leads to additional negative outcomes for Black male students throughout their lives. This includes a higher likelihood of dropping out of school, failing behind one or more grades, or frequent and long-term justice system contact.
- **Geography Matters:** Some U.S. states use exclusionary discipline far more than others—and disproportionately discipline Black male students far more than their peers. The CSSBMB research shows that states in the South and Southeast have the most work to do when it comes to reforming their disciplinary policies and undoing the STPP.
- **It's Not Behavior, It's (Over) Criminalization:** The CSSBMB's analysis suggests that student offenses leading to discipline are significantly down from 2011 to 2020 across all racial, ethnic, and gender categories. Despite this drop, Black male students are still disciplined more than their peers. This indicates that Black male students likely experience an overcriminalization of their behavior, resulting in disparate disciplinary outcomes.
- **Good Policy Can Make a Big Difference:** The CSSBMB has identified many policy recommendations to undo the STPP and its negative consequences for Black male students. These include limiting law enforcement in schools, drafting and implementing a memorandum of understanding (MOU) for states and school districts, developing a graduated sanctions grid to aid in fairer and transparent metrics for school discipline, and enhancing in-school suspension programs so that they offer additional academic, social, and behavioral support for students.

7 This rate reflects an assessment of post-COVID school attendance numbers, which are significantly below their pre-COVID levels. See White House Council of Economic Advisers, "Chronic Absenteeism and Disrupted Learning Require an All-Hands-on-Deck Approach," Sept. 13, 2023, <https://www.whitehouse.gov/cea/written-materials/2023/09/13/chronic-absenteeism-and-disrupted-learning-require-an-all-hands-on-deck-approach/>. Thus, the actual rate may be reasonably considered to likely be higher than 1.47, were pre-COVID levels of attendance in effect.



CHAPTER I

Research Overview



What is the School-to-Prison Pipeline?

The STPP is a term used to describe the national trend of students being pushed out of public schools and into the criminal justice system due to educational practices and policies.⁸ This often occurs because of exclusionary and discriminatory discipline practices—those that disproportionately target some groups for discipline over others. Another factor is that student behavior is increasingly criminalized rather than handled by other means within schools. Overall, students of color are most affected by these practices. And as CSSBMB research shows, Black male students face the highest levels of discrimination in discipline.

Research Focus: The School-to-Prison Pipeline and Suspensions

To understand what causes the STPP and who it impacts the most, CSSBMB studies data and information about discipline in public schools across the nation. The Department of Education's Office of Civil Rights Division collects raw data on school discipline.⁹ This data covers all disciplinary actions recorded by all public schools across the United States. The CSSBMB analyzes this data using its own methodology and supplements it with additional research, historical overview, analysis of relevant legislation and civil rights cases, and engagement with academic scholarship.¹⁰

The CSSBMB's research to date has zeroed in on the impact of suspensions on Black male students from pre-K through high school. A focus on suspensions is important because they are the most frequently used disciplinary method statistically linked to future justice system involvement. As highlighted in this report, suspensions disproportionately affect Black youth. As discussed in detail below, suspensions can lead to students dropping out of school or falling behind academically. They are a critical factor in understanding the STPP and addressing its discriminatory impact.

Counteracting the School-to-Prison Pipeline: Recommendations

The CSSBMB's research on the STPP aims to highlight its negative impact on the American educational system, particularly on Black male students. To counteract this negative impact, CSSBMB provides policy recommendations for lawmakers and school officials to implement at the national, state, and local levels. These recommendations are informed by CSSBMB's research, data analysis, public briefings, and expert interviews. A full list of recommendations can be found in Chapter 3.

8 American Civil Liberties Union, "School-to-Prison Pipeline" <https://www.aclu.org/issues/juvenile-justice/juvenile-justice-school-prison-pipeline> (last accessed Sept. 17, 2024).

9 U.S. Department of Education, Office for Civil Rights, *Civil Rights Data Collection Publications*, <https://civilrightsdata.ed.gov/publications>.

10 See the Appendix for further information on CSSBMB's research methodology.

Future Research

In 2025, CSSBMB will complete a comprehensive briefing report on the STPP. This report will provide an overview of the causes of the STPP, who it impacts, and what kinds of policies can undo it. The CSSBMB will hold public briefings to gather information and advice from national experts and the public on this topic. Material from these briefings will inform and be included in the report, in addition to original data analysis and research from CSSBMB.

Updates on public briefings, progress on the STPP briefing report, and spotlights of ongoing research can be found at:

- <https://cssbmb.gov/>
- https://x.com/CSSBMB_

The CSSBMB will also initiate additional briefings reports beginning in 2025. Current areas of interest include:

- Mental Health and Suicide
- Gun Violence
- Housing Insecurity as Healthcare Insecurity
- Promoting Teacher Diversity and Increased Pay



CHAPTER II

Research Snapshot



The CSSBMB is tasked with conducting a yearly “systematic study of the conditions affecting Black men and boys.”¹¹ In 2024, CSSBMB began a multiyear comprehensive study of the causes and conditions of the STPP. This chapter provides a snapshot of CSSBMB’s research on this issue. Specifically, it highlights CSSBMB’s research and data analysis on the disproportionate use of suspensions in public schools.

The CSSBMB’s research shows that Black students, and specifically Black male students, are suspended at significantly higher rates than their White peers. Suspensions are associated with lower levels of achievement, a higher risk of school dropouts, and greater overall involvement with the criminal justice system—yet have little to no academic benefit. The CSSBMB’s study finds that Black male students are being unequally disciplined in schools and face significant negative consequences as a result.

The School-to-Prison Pipeline and Exclusionary Discipline

Exclusionary discipline practices in schools have been identified as one of the most frequent and significant contributors to the STPP.¹² Exclusionary discipline refers to school-based administrative policies and practices that remove students from the regular educational environment as a form of punishment. This can include in-school suspensions and out-of-school suspensions, expulsions, and other nontraditional sanctions.

While seemingly commonplace, the disproportionate application of these methods negatively affects marginalized groups, including students of color, students with disabilities, and low-income students, resulting in specific groups of students being *unfairly* disciplined at rates disproportionate to their enrollment and disparate compared to their peers. This means that some students, particularly Black male students, do not commit more infractions yet are targeted for punishment more frequently than their peers, even when engaging in identical behavior. The CSSBMB focuses its research on how Black male students face unequal disciplinary treatment.

The School-to-Prison Pipeline and Suspensions

Suspensions are one of the most common and impactful types of exclusionary discipline. Over the past 20 years, research has shown that a student’s likelihood of coming into contact with the juvenile justice system increases when suspended or expelled from school.¹³ A recent study finds that “experiencing a suspension during grades 7–12 was significantly associated with greater odds of incarceration in young adulthood.”¹⁴ Suspended students have greater odds of experiencing incarceration than those who were never suspended.¹⁵ When considering youth who are already incarcerated in juvenile facilities, research shows that upward of 80 percent of youth in the juvenile justice system have been suspended from school and over half expelled.¹⁶

Overall, exclusionary discipline practices like suspensions are one of the key drivers of future juvenile

11 42 U.S.C. § 1975 note (2020), Commission on the Social Status of Black Men and Boys.

12 P.J. Hirschfield, “Schools and Crime,” *Annual Review of Criminology*, vol. 1 (2018): 149–69, <https://doi.org/10.1146/annurev-criminol-032317-092358>.

13 P. Hemez, J.J. Brent, and T.J. Mowen, “Exploring the School-to-Prison Pipeline: How School Suspensions Influence Incarceration During Young Adulthood,” *Youth Violence and Juvenile Justice*, vol. 18, no. 3 (2020): 235–255, <https://doi.org/10.1177/1541204019880945>.

14 *Ibid.*

15 *Ibid.*

16 M.P. Krezmien, C.A. Mulcahy, and P.E. Leone. “Detained and Committed Youth: Examining Differences in Achievement, Mental Health Needs, and Special Education Status,” *Education and Treatment of Children*, vol. 31, no. 4 (2008): 445–64, <http://www.jstor.org/stable/42899991>.



justice system contact for youth. It is vital to determine which groups of students face disproportionately high levels of discipline so that policy recommendations can be made to combat such trends.

Suspensions and Race

While exclusionary discipline is detrimental to all school-aged youth, its effects are worse when considering Black youth. An extensive body of research shows the disproportionate use of exclusionary policies and practices. The overrepresentation of Black students in discipline has been well documented as findings show that Black youth are much more likely to experience a suspension than their White or Hispanic peers.¹⁷ They are also overrepresented in exclusionary discipline in proportion to their representative size in the U.S. population¹⁸ and are more likely to be disciplined for minor offenses.¹⁹ Additionally, punishments for Black students are more severe than for White students.²⁰

Data from the Department of Education's 2013–2014 Civil Rights Data Collection show racial disparities in suspensions among K–12 students; updated data from 2017–18 and 2020 indicate a continuation of this trend, as does CSSBMB's 2024 data analysis (discussed below).²¹ For example, Black K–12 students were 3.8 times as likely to receive one or more out-of-school suspensions as White students.²² Critics have argued that there are higher rates of misbehavior among Black students; however, even when controlling for student misbehavior, Black students are still more likely to be disciplined for the same behavior as White students.²³

Moreover, White students are more often disciplined for offenses that are more easily documented objectively, such as smoking, vandalism, and obscene language use. By contrast, Black students are more frequently disciplined for offenses involving significantly higher levels of subjective judgment, like disrespect, excessive noise-making, and loitering.²⁴ Black students are also far more likely to receive out-of-school suspensions for their first offense compared to White students.²⁵ Additionally, research has demonstrated the presence of implicit bias among educators and other disciplinary authorities in school

- 17 R. M. L. Mendez and H.M. Knoff, "Who Gets Suspended from School and Why: A Demographic Analysis of Schools and Disciplinary Infractions in a Large School District," *Education and Treatment of Children*, vol. 26, no. 1 (2003): 30–51, <http://www.jstor.org/stable/42900535>.
- 18 The Civil Rights Project, "Opportunities Suspended: The Devastating Consequences of Zero Tolerance and School Discipline Policies," (2000), www.law.harvard.edu/civilrights.
- 19 R.J. Skiba, R.S. Michael, A.C. Nardo, and R.L. Peterson, "The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment," *The Urban Review*, vol. 34, no. 4 (2022): 317–42, <https://doi.org/10.1023/A:1021320817372>.
- 20 D. Fowler, R. Lightsey, J. Monger, E. Terrazaz, and L. White, *Texas' School-to-Prison Pipeline: Dropout to Incarceration, the Impact of School Discipline and Zero Tolerance* (Texas Appleseed, 2007).
- 21 U.S. Department of Education, Office for Civil Rights, *2013-2014 Civil Rights Data Collection: A First Look*, 2017, <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>; U.S. Department of Education, Office for Civil Rights, *2017-2018 Civil Rights Data Collection: Suspensions and Expulsions in Public Schools*, 2022, https://civilrightsdata.ed.gov/assets/downloads/Suspensions_and_Expulsion_Part2.pdf; U.S. Department of Education, *2020-2021 Civil Rights Data Collection: A First Look*, 2023, <https://www2.ed.gov/about/offices/list/ocr/docs/crdc-educational-opportunities-report.pdf>.
- 22 U.S. Department of Education, Office for Civil Rights, *2013-2014 Civil Rights Data Collection: A First Look*, 2017, <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>.
- 23 Daniel J. Losen, *Discipline Policies, Successful Schools, and Racial Justice* (2011), 6–7, https://civilrightsproject.ucla.edu/research/K-12-education/school-discipline/discipline-policies-successful-schools-and-racial-justice/NEPC-SchoolDiscipline-Losen-1-PB_FINAL.pdf.
- 24 *Ibid*, 7–8.
- 25 *Ibid*, 7–8.



and its role in contributing to higher levels of racial disparities in school discipline, including suspensions.²⁶ Conversely, schools with higher levels of diversity among teachers, including higher levels of Black teachers, have been shown to have less bias toward students of color.²⁷

Suspensions and Gender

The negative impact of the STPP can also be seen across gender lines. Data from the Department of Education's 2017–18 Civil Rights Data Collection found that of those who experienced an in-school suspension, 69.5 percent were boys compared to 30.5 percent of girls; of those who experienced out-of-school suspensions, the disparity went up to 70.5 percent of boys compared to 29.5 percent of girls.²⁸ Similarly, of those expelled nationwide, 72.7 percent were boys compared to 27.3 percent of girls.²⁹ These disparities in discipline occur against the backdrop of a broader trend in which boys are faring worse in school, with lower grades and test scores than girls.³⁰ Boys are also less likely than girls to graduate from high school and enroll in college.³¹

These problems are compounded when the focus turns to Black boys. Indeed, an intersectional lens³²—which controls for the gender *and* race of students—indicates that one of the most profound effects of disparities in school discipline occurs in the case of Black male students. While, overall, boys of nearly all races are disproportionately disciplined, Black boys are suspended and expelled at proportions that are four times their enrollment. This stands in contrast to White students, for example, who are suspended and expelled at proportions nearly equal to or just above their enrollment.³³ Overall, according to the Department of Education's 2021–22 Civil Rights Data Collection, Black boys were disciplined at higher

- 26 Shoshana N. Jarvis and Jason A. Okonofau, "School Deferred: When Bias Affects School Leaders," *Social Psychological and Personality Science*, vol. 11, no. 4 (2019), <https://journals.sagepub.com/doi/10.1177/1948550619875150>.
- 27 Mark J. Chin, David M. Quinn and Virginia S. Lovison, "Bias in the Air: A Nationwide Exploration of Teachers' Implicit Racial Attitudes, Aggregate Bias, and Student Outcomes," *Educational Researcher* vol. 49, no. 8 (2020), <https://journals.sagepub.com/doi/10.3102/0013189X20937240>.
- 28 U.S Department of Education, Office for Civil Rights, *2017-2018 Civil Rights Data Collection: Suspensions and Expulsions in Public Schools*, 2022, https://civilrightsdata.ed.gov/assets/downloads/Suspensions_and_Expulsion_Part2.pdf.
- 29 *Ibid*.
- 30 D. Voyer and S.D. Voyer, "Gender Differences in Scholastic Achievement: A Meta-Analysis," *Psychological Bulletin* vol. 140, no. 4 (2014), <https://psycnet.apa.org/doiLanding?doi=10.1037percent2Fa0036620>; Richard V. Reeves, Eliana Buckner, and Ember Smith, "The Unreported Gender Gap in High School Graduation Rates," *The Brookings Institution* (Jan. 12, 2021), <https://www.brookings.edu/articles/the-unreported-gender-gap-in-high-school-graduation-rates/>.
- 31 Zara Abrams, "Boys Are Facing Key Challenges in School. Inside the Effort to Support Their Success," *Monitor on Psychology*, vol. 54, no. 3 (2023), <https://www.apa.org/monitor/2023/04/boys-school-challenges-recommendations>.
- 32 The term "intersectionality" was made prominent in the social and human sciences by civil rights attorney and scholar Kimberlé Williams Crenshaw in 1989, who used it to describe how, in certain cases, different forms of discrimination can overlap and thereby compound inequities. For example, looking at disparities in school discipline according to gender reveals a disproportionate number of boys facing punishment; intersecting that with race reveals that Black boys in particular face additional disparities. See Kimberlé Williams, "Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics," *U. Chi. Legal F.* 139 149 (1989), <http://philpapers.org/archive/CREDTI.pdf>.
- 33 U.S Department of Education, Office for Civil Rights, *2017-2018 Civil Rights Data Collection: Suspensions and Expulsions in Public Schools*, 2022, https://civilrightsdata.ed.gov/assets/downloads/Suspensions_and_Expulsion_Part2.pdf.



rates than boys of other races. They represented 8 percent of total K–12 student enrollment but 15 percent of students who received one or more in-school suspensions, 18 percent of those who received one or more out-of-school suspensions, and 18 percent of those who were expelled.³⁴

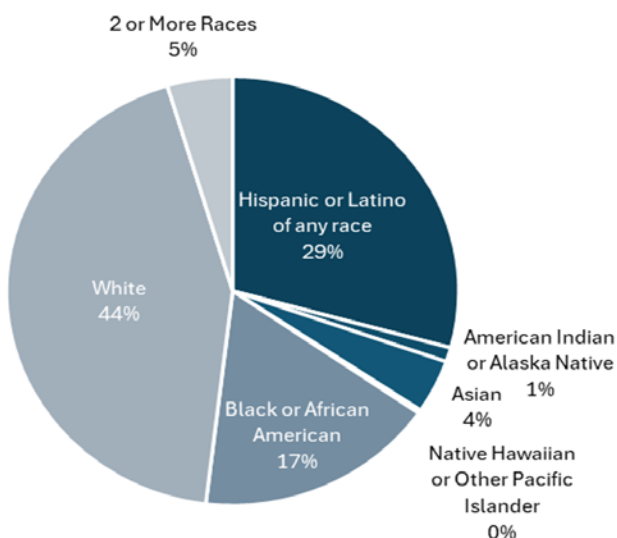
Data Analysis

The CSSBMB's data analysis of suspensions reveals continuing and clear disparities in how Black male students are disciplined compared to all other students. This analysis was completed using raw data from the Department of Education's Office for Civil Rights Division. For more information on CSSBMB's research methodology, see the Appendix. This section's methodology, findings, conclusions, and recommendations are solely the product of the CSSBMB and no other public or private agency.

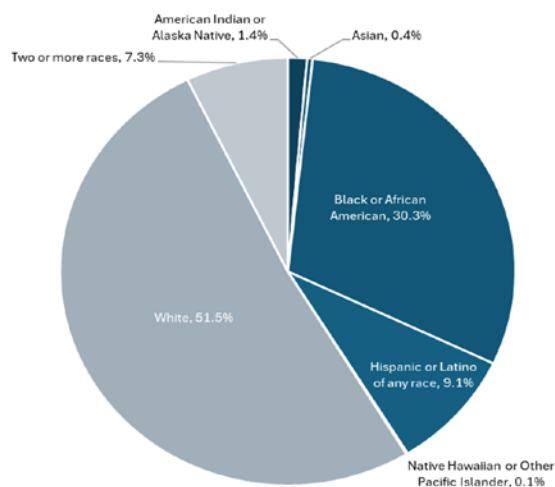
Pre-K Suspensions

In the school year 2020–21, schools reported a total of 1.2 million students enrolled in public pre-K education programs (Figure 1). Black youth represent 17 percent of those enrolled. Chart 2 details the racial composition of suspended students. Schools suspended 1,032 youths during the school year. As shown, Black youth account for 30.3 percent of all suspensions during the school year, almost double their representation in the preschool student body. White youth were also overrepresented in suspension. White preschool children made up 44 percent of preschool enrollment yet accounted for 51 percent of children who received one or more out-of-school suspensions (Figure 2).

**Figure 1: School Year 2020-21:
Total Pre-K Enrollment, Race/Ethnicity (N=1,216,906)**



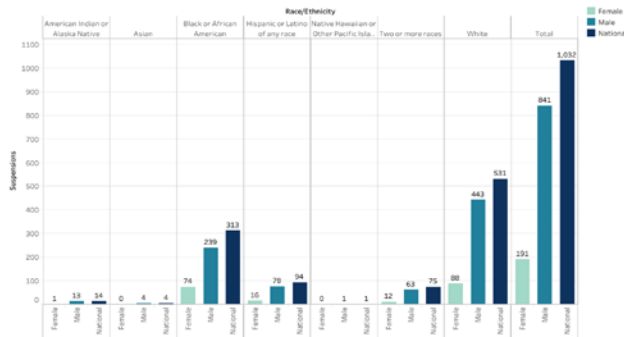
**Figure 2: School Year 2020-21:
1 or More Pre-K Suspensions, Race (N=1032)**



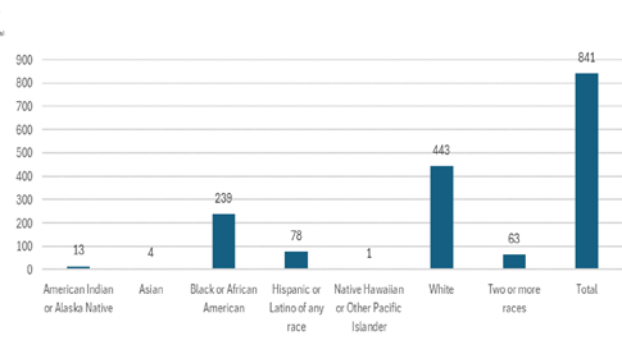
Among the 1.2 million students enrolled in public preschool, boys made up 54 percent. Overall, boys in pre-K experienced higher and more disproportionate disciplinary rates compared to girls. While boys comprised 54 percent of pre-K children, they accounted for 81.5 percent (841/1032) of preschoolers who received one or more out-of-school suspensions (Chart 3). By contrast, disciplinary rates for girls were lower than their enrollment rates (Chart 3).

34 U.S. Department of Education, *2020-2021 Civil Rights Data Collection: A First Look*, 2023, <https://www2.ed.gov/about/offices/list/ocr/docs/crdc-educational-opportunities-report.pdf>.

**Figure 3: School Year 2020-21:
1 or More Pre-K Suspensions (N=1032)**



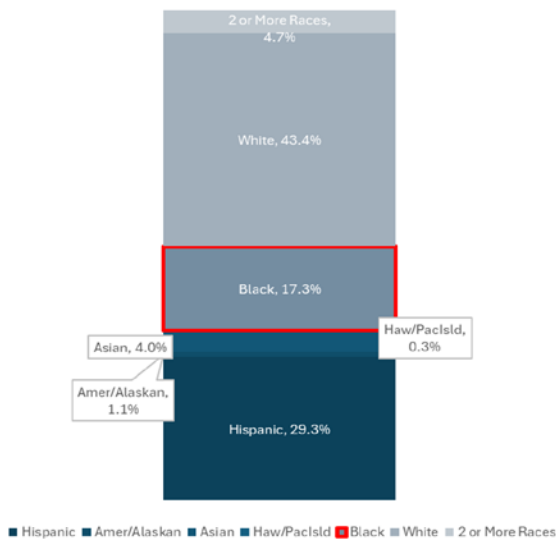
**Figure 4: School Year 2020-21:
1 or More Pre-K Suspensions, Male N=841**



Black boys made up 9 percent of the total preschool enrollment but 23.1 percent (239/1032) of preschool-aged children who faced one or more out-of-school suspensions (Figure 3). This disparity highlights significant differences in disciplinary outcomes based on race and gender among preschoolers.

Figure 4 details the number of male suspensions. Although White male students received more suspensions, the largest proportion of suspensions, given population size, fell on Black male students. Figure 5 and 6 compare enrollment and suspension percentages by racial category. When only considering male suspensions, Black boys increase to 28.4 percent of all school suspensions (Figure 6).

**Figure 5: School Year 2020-21:
Total Pre-K Enrollment, Race/Ethnicity (N=1,216,906)**



**Figure 6: School Year 2020-21:
Race as % of Total Male Pre-K Suspensions (N=841)**

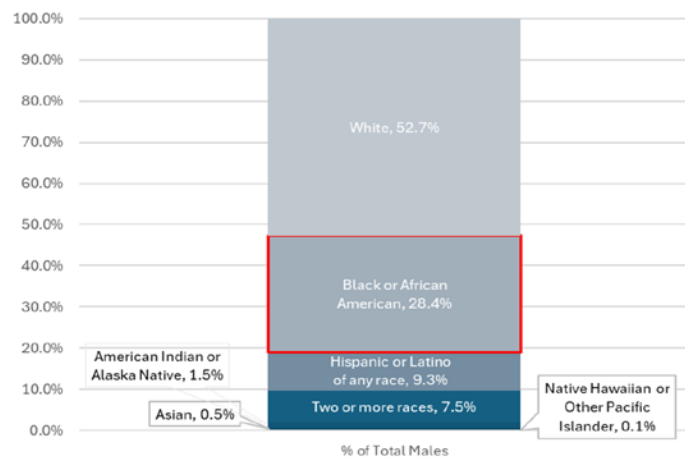
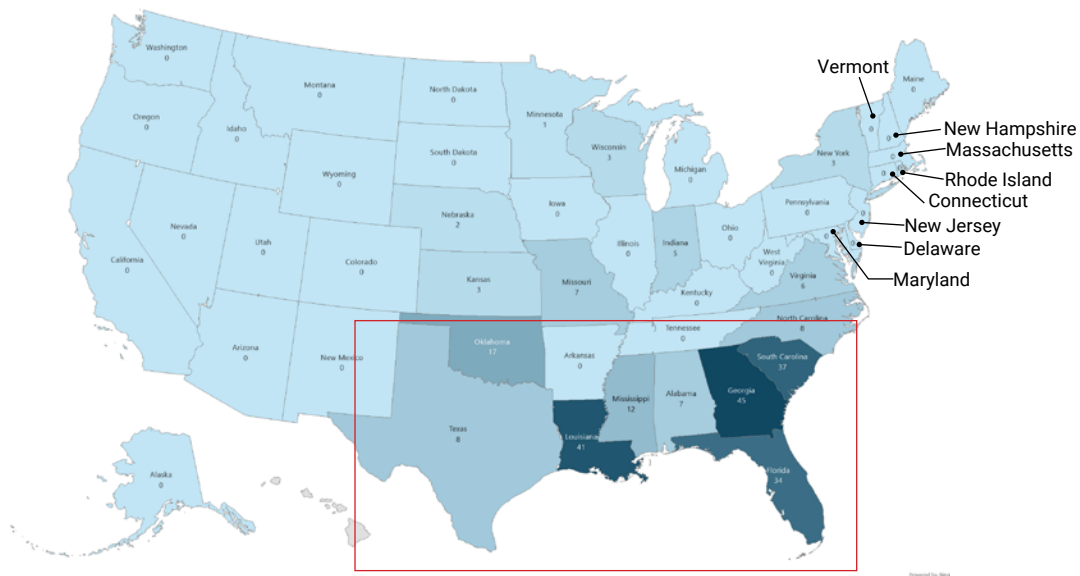


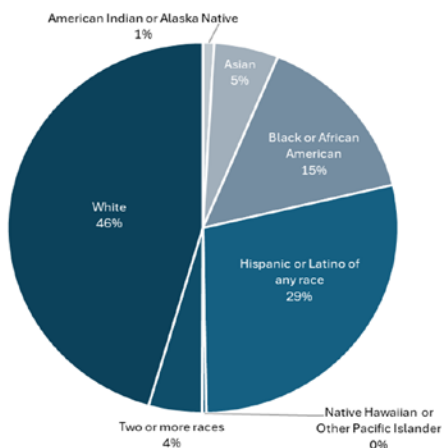
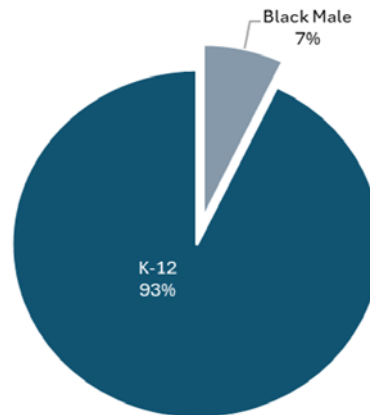
Figure 7: School Year 2020-21: 1 or More Pre-K Suspensions, Black Males by State (N=239)



Most suspensions remained concentrated in the southern region of the United States. Possible factors contributing to this geographic concentration include: (i) the greater proportion of Black youth who reside in the South; (ii) stricter zero-tolerance policies, (iii) long-standing regional values about race and race relations; and (iv) a history of punitive measures across different sectors of society and various cultural factors.³⁵

K-12 Suspensions

In the school year 2020–21, 49 million school youth enrolled in K–12 public schools (Figure 8). Black youth represented 15 percent of enrolled students, and Black boys represented roughly 7 percent (Figure 9).

Figure 8: School Year 2020-21:
Total School Enrollment N=49,362,498Figure 9: School Year 2020-21:
Black Males (N=3,773,540) as of % of
Total K-12 Enrollment (49,362,498)

35 See Timothy C. Hayes and Matthew R. Lee, "The Southern Culture of Honor and Violent Attitudes," *Sociological Spectrum* vol. 24, no. 5 (2005): 593-617, <https://doi.org/10.1080/02732170500174877>; R. E. Nisbett, "Violence and U.S. Regional Culture," *American Psychologist* vol. 48, no. 4 (1993): 441–49, <https://doi.org/10.1037/0003-066X.48.4.441>; for historical perspective, see Carole Emberton, *Beyond Redemption: Race, Violence, and the American South after the Civil War*, (University of Chicago Press, 2015).

The U.S. Department of Education categorizes K–12 suspensions as in school and out of school, with and without education services for youth and with and without disabilities. Suspensions are also grouped by single, multiple, and total counts. For the purpose of this report, CSSBMB focuses on youth without disabilities and with and without education services; all analyses refer to this population. In the school year 2021, there were 345,879 instances of single out-of-school suspensions. Black male students received 54,564 suspensions, roughly 15 percent of the national total. This is twice their representation in the K–12 student body.

Figure 10: School Year 2020-21: Single Out of School Suspensions, Race/Ethnicity (N=345, 879)

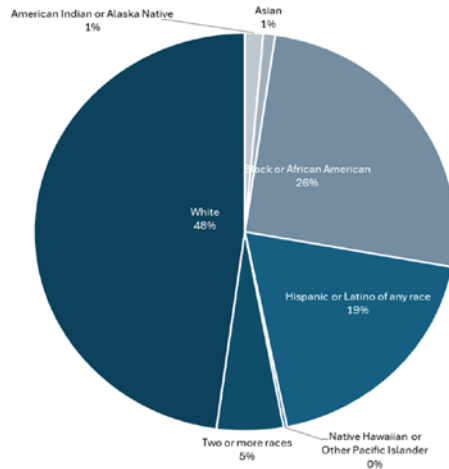


Figure 11: School Year 2020-21: Single Out of School Suspensions, Race/Ethnicity

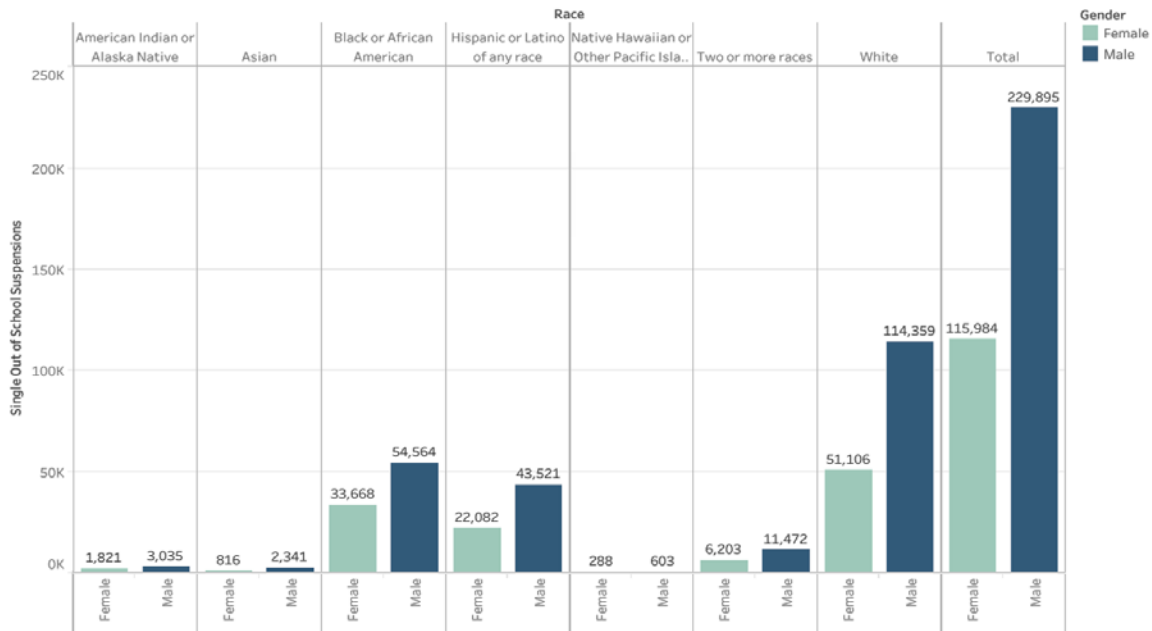


Figure 12: School Year 2020-21: Percentage of Enrollment and Single Out-of-School Suspensions, by Demographic (Male), Without Disability, With and Without Education Services

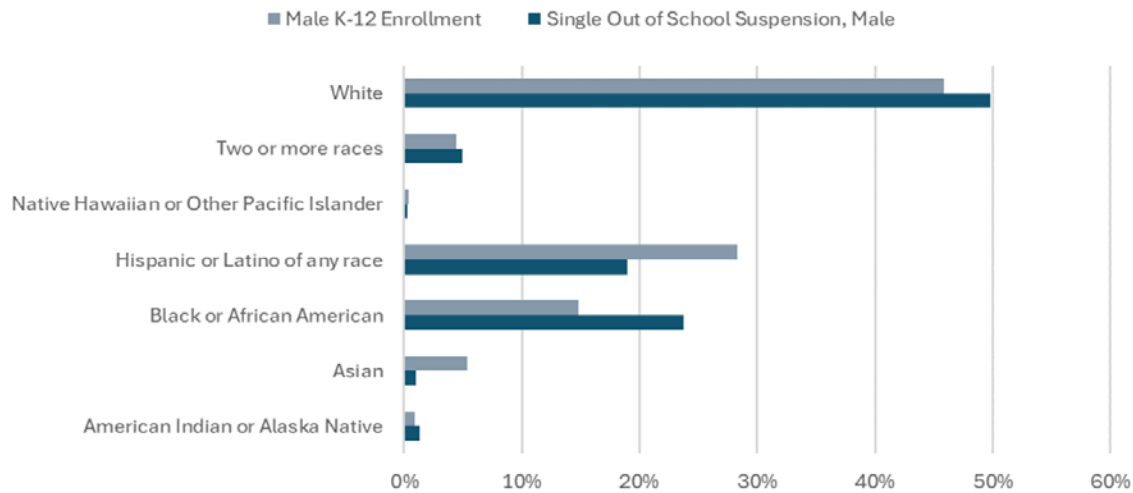


Figure 13: School Year 2020-21: Male Suspension Relative Rate Index, Race/Ethnicity

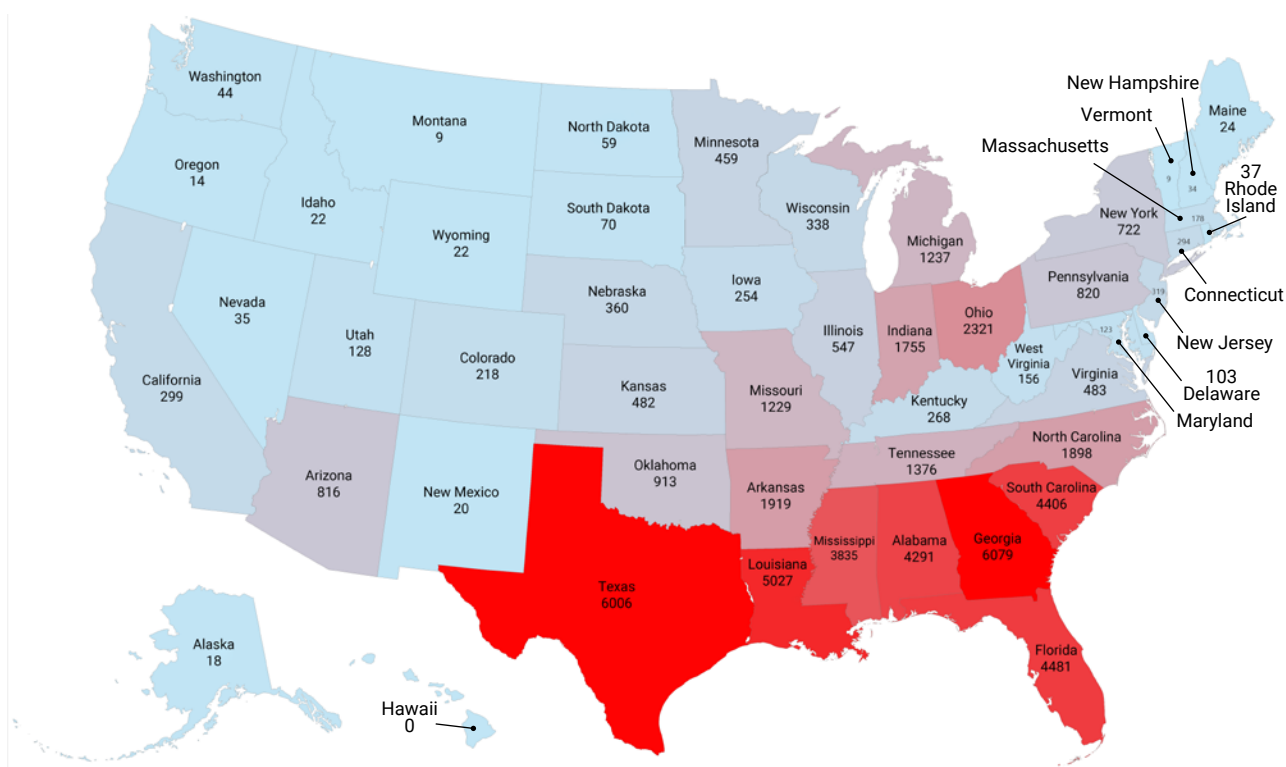
Race/Ethnicity	Single OSS Suspension	White Rate	RRI
American Indian or Alaska Native	0.013	0.01	1.31
Asian	0.002	0.01	0.17
Black or African American	0.015	0.01	1.47
Hispanic or Latino of any race	0.006	0.01	0.62
Native Hawaiian or Other Pacific Islander	0.007	0.01	0.74
Two or more races	0.011	0.01	1.05
White	0.010	0.01	1.00
Total	0.009	0.01	0.92

Black male youth without disabilities are 1.47 times more likely to have a single out-of-school suspension compared to their White peers. This statistic highlights the systemic disparities that exist within the education system, where Black students face higher rates of exclusionary disciplinary measures, which can contribute to a cycle of academic challenges and increased interactions with the juvenile justice system. Addressing these inequities requires a concerted effort to implement fair and inclusive policies that ensure all students have equal opportunities for success.

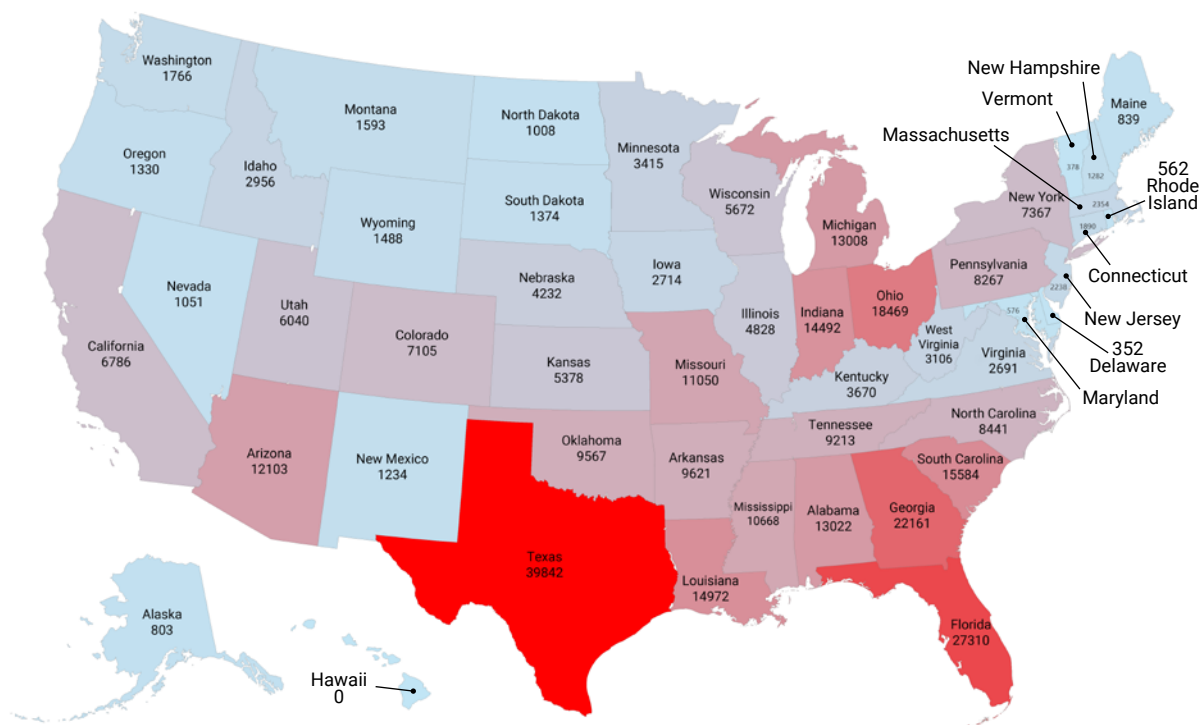
Finally, and as seen on the two maps below, the southern region suspends more Black students and more overall students regardless of racial background than any other region of the United States. Florida, Georgia, Louisiana, and Texas

remain the highest suspension and expelling states across all education levels and all races. This suggests that in addition to a racial component, there is also unequal geographic concentration in the administration of school discipline.

**Figure 14: School Year 2020-21:
Single Out of School Suspensions, Black Male Students (N=54, 564)**



**Figure 15: School Year 2020-21:
Single Out of School Suspensions (N=345, 879)**



Overall, the data analyzed by CSSBMB shows clear disparities in how Black males are disciplined in schools. Across all grades, they are disproportionately more likely to face punishment than their peers despite no differences in behavior. The Department of Education's Office for Civil Rights has consistently provided data showing that such disparities in discipline exist. The CSSBMB's analysis indicates that this negative and biased trend continues. As a result, there is an urgent need for lawmakers, policymakers, and school officials at the federal, state, and local levels to propose and adopt new policies to address inequalities damaging life outcomes for so many of our nation's youth. In the following section, CSSBMB highlights the civil rights implications of these inequalities and puts forward recommendations to address them and dismantle the effects of the STPP.

CHAPTER III

Policy Recommendations



School Discipline and Civil Rights Law

Discriminatory practices in student discipline limit students' opportunities, removing them from the classroom and diverting them from a trajectory of academic success and future achievements towards justice system contact. Significant racial disparities in school discipline, evident as early as preschool, continue to persist. While racial disparities in student discipline "alone do not constitute a legal violation, ensuring compliance with federal nondiscrimination laws often involves investigating the root causes of these disparities."³⁶ In certain cases, federal agencies and U.S. courts have determined that these disparities are rooted in violations of federal laws enforced by the U.S. Departments of Education and Justice.³⁷ These Departments enforce Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, Title IX of the Education Amendments Act of 1972, and Title IV and VI of the Civil Rights Act of 1964, which prohibits discriminatory discipline based on race, disability, and sex.

Student discipline must adhere to all civil rights laws, which often intersect to provide comprehensive student protections. As a result, multiple agencies are required to investigate allegations and enforce federal legislation. Recent investigations by both the Department of Justice and the Department of Education found significant disparities in school discipline related to expulsion, suspension, referrals, and arrests that violate students' civil rights to education, due process, and the prohibition on racial discrimination. The departments found that exclusionary discipline disproportionately affected Black, Hispanic/Latino, and Native American youth. Summarily, over the last seven years, they found:

- Consistent patterns of harsher and more frequent disciplinary actions across types of discipline, schools, and grade levels for Black students than their White peers, resulting in significantly greater lost learning time for Black students.³⁸
- Harsher treatment for Black students by school police officers, including law enforcement citations issued disproportionately to Black students, frequently in connection with minor and subjective behavioral infractions.³⁹
- Districts imposed harsher disciplinary penalties on Black students compared to their White peers for similar offenses, even when the students were of similar ages, had comparable records of prior misconduct, and the narrative descriptions indicated that the conduct was of comparable severity. Specifically, Black students were more frequently subjected to exclusionary discipline, such as in-school or out-of-school suspensions, whereas White students were more likely to receive nonexclusionary consequences.⁴⁰

36 U.S. Department of Education, Office for Civil Rights and the U.S. Department of Justice, Civil Rights Division, *Resource on Confronting Racial Discrimination in Student Discipline*, May 2023, <https://www2.ed.gov/about/offices/list/ocr/docs/tvi-student-discipline-resource-202305.pdf>.

37 *Ibid.*

38 *Ibid.*

39 *Ibid.*

40 U.S. Department of Justice, Civil Rights Division, Education Opportunities Section, "Notice of Findings of Race and Discrimination in the Davis School District," Sept. 15, 2021, <https://www.justice.gov/crt/case-document/file/1443736/download>; see also U.S. Department of Justice, "Justice Department Reaches Settlement to Remedy Severe Racial Harassment of Black and Asian-American Students in Utah School District," October 21, 2021, <https://www.justice.gov/opa/pr/justice-department-reaches-settlement-remedy-severe-racial-harassment-black-and-asian>.

- Inconsistencies in practices related to recordkeeping, due process for disciplined students, disciplinary methods within schools and across the district, the communication of disciplinary information to parents and students, and the ambiguous nature of some disciplinary sanctions, such as “defiance of authority.”⁴¹
- Black students faced disproportionately higher rates of discipline compared to their White peers. This included in-school and out-of-school suspensions, administrative transfers, referrals to law enforcement, and other disciplinary actions such as detentions, Saturday school, and community service or restitution. In Minneapolis, despite representing about 40 percent of the district’s enrollment in the 2010–11 and 2011–12 school years, Black students were involved in nearly 75 percent of disciplinary incidents. Specifically, they accounted for 79 percent of out-of-school suspensions and over 70 percent of law enforcement referrals.⁴²

Given this information, CSSBMB has identified multiple ways in which suspensions, as a type of exclusionary discipline, may result in potential civil rights violations. These include:

- **Disproportionate Impact:** Certain groups, such as students of color and those with disabilities, are disproportionately affected by suspensions. When disciplinary actions like suspensions are applied more frequently to certain demographics, it raises concerns about discrimination and unequal treatment in violation of the principle of equal protection under the law.⁴³
- **Due Process:** Suspending a student from school without proper investigation or without providing them with a fair chance to defend themselves can violate their right to due process.⁴⁴ Due process ensures that individuals are treated fairly by the legal system and are afforded certain rights, such as the right to a hearing and the right to present evidence in their defense.
- **Access to Education:** Suspending students from school deprives them of their education rights. While there may be legitimate reasons for temporary removal from the classroom for safety or disciplinary reasons, excessive or unjustified suspensions can hinder a student’s ability to access educational opportunities, which is a fundamental civil right.⁴⁵ According to the American Civil Liberties Union, 1 out of every 3 Black boys born in 2022 can expect to go to prison in his lifetime, as can 1 of every 6 Latino boys—compared with 1 of every 17 White boys.⁴⁶ Black youth are seven times more likely to get arrested than their White peers.⁴⁷ Black youth are also more than four

41 See U.S. Department of Education, Office for Civil Rights, “Letter to Robert Neu, Superintendent, Oklahoma City Public Schools,” Apr. 19, 2016, <https://ocrcas.ed.gov/sites/default/files/ocr-letters-and-agreements/07141149-a.pdf>.

42 See U.S. Department of Education, Office for Civil Rights, “Letter to Bernadeia H. Johnson, Superintendent, Minneapolis Public Schools,” Nov. 20, 2014, <https://www2.ed.gov/documents/press-releases/minneapolis-letter.pdf>.

43 R. J. Skiba, R.H. Horner, C.G. Chung, M.K. Rausch, S.L. May and T. Tobin, “Race Is Not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline,” *School Psychology Review*, vol. 40, no. 1 (2011): 85-107, <https://doi.org/10.1080/02796015.2011.12087730>.

44 *Goss v. Lopez*, 419 U.S. 565 (1975).

45 American Civil Liberties Union, “Why Access to Education is Key to Systemic Equality,” <https://www.aclu.org/news/racial-justice/why-access-to-education-is-key-to-systemic-equality> (last accessed Sept. 17, 2024).

46 American Civil Liberties Union, “Mass Incarceration,” <https://www.aclu.org/issues/smart-justice/mass-incarceration/mass-incarceration-animated-series> (last accessed Sept. 17, 2024).

47 The Sentencing Project, “Black Disparities in Youth Incarceration,” <https://www.sentencingproject.org/fact-sheet/Black-disparities-in-youth-incarceration> (last accessed Sept. 17, 2024).



times as likely to be detained or committed to juvenile facilities as their White peers.⁴⁸ By age 23, 49 percent of Black men have been arrested,⁴⁹ and black men are six times more likely to be incarcerated than White men.⁵⁰ Taken together, the disproportionate contact between Black men and the justice system adversely impacts Black men. It significantly impacts their ability to attend school, graduate with a degree, secure stable employment, and participate fully in their communities.⁵¹

FY 2024 Policy Recommendations

Congress has tasked CSSBMB to make policy recommendations to various governmental stakeholders to address the conditions of Black men and boys.⁵²

Suspensions and expulsions are the most common forms of discipline used to address student misbehavior; however, as CSSBMB's analysis shows, despite widespread use, they are ineffective at both addressing and reducing student misconduct.⁵³ These exclusionary policies often increase justice system involvement and negative academic outcomes. Disproportionately, these negative outcomes impact Black male students.

To address these issues, CSSBMB staff recommend the following local and national policy and practice alternatives to exclusionary discipline.

Policy Recommendations: Alternatives to Out-Of-School Suspension and Expulsion

- *Enhanced In-School Suspension Programs*

In-school suspension programs offer additional academic, social, and behavioral support in lieu of out-of-school suspension. Students in these programs may attend after-school programs and receive support during recreational periods and nontraditional hours. The goal is to address misbehavior while keeping students fully engaged in their current academic coursework.

Supervision of in-school suspension programs can be provided by full-/part-time teachers, vetted teachers' aides, nonprofit staff, retired teachers, and community engagement employees.

- *Restitution (Nonfinancial)/Restorative Justice Programs*

Restorative justice aims to alleviate harm through acceptance, accountability, restoration, and reconciliation. Evidence-based research has shown that in applicable situations, restorative justice programs are more effective at reducing offending and increasing victim satisfaction than

48 *Ibid.*

49 College of Behavioral and Social Sciences, University of Maryland, "Study: Nearly Half of Black Males, 40 Percent of White Males Arrested by 23," <https://bsos.umd.edu/featured-content/study-nearly-half-Black-males> (last accessed Sept. 17, 2024).

50 Gary Painter, "How Even a Casual Brush with the Law Can Permanently Mar a Young Man's Life – Especially if He's Black," *The Conversation*, Sept. 28, 2020, <https://theconversation.com/how-even-a-casual-brush-with-the-law-can-permanently-mar-a-young-mans-life-especially-if-hesBlack-142886>.

51 College of Behavioral and Social Sciences, University of Maryland, "Study: Nearly Half of Black Males, 40 Percent of White Males Arrested by 23," <https://bsos.umd.edu/featured-content/study-nearly-half-Black-males> (last accessed Sept. 17, 2024).

52 42 U.S.C. § 1975 note (2020), Commission on the Social Status of Black Men and Boys.

53 M. Leung-Gagné, J. McCombs, C. Scott, and D.J. Losen, *Pushed Out: Trends and Disparities in Out-of-School Suspension*, (Learning Policy Institute, 2022), <https://doi.org/10.54300/235.277>.



traditional punitive approaches.⁵⁴ The use of restorative justice practices in school environments promotes “the construction of empathy as students can express their emotions, listen to and understand the emotions of others, reflect on their feelings, thoughts, and actions, both past and future, and develop such skills as reflective thinking and the ability to take responsibility for one’s own behavior.”⁵⁵ Schools and districts should partner with local restorative justice hubs to address prerequisite misbehavior.

- *Strategic Community Service Programs*

Community service programs allow students to proactively engage in positive activities while taking accountability for wrongdoing and misbehavior. Targeted programs that address attitudes, social skills, behavior modification, and responsibility seek to improve students’ behavior inside and outside school settings. Offered outside traditional school hours, community service programs “limit out-of-school time . . . and offer more meaningful consequences”⁵⁶ to misbehavior than exclusionary discipline. Examples include participation and assistance with local grassroots events, school fundraisers, civic activities, food banks, and clothing drives.

- *Prevention, Assessment, and Behavior Modification Approach/Programs*

These programs use a three-pronged approach to address school discipline: prevention (including conflict resolution), early identification of at-risk behavior among students, and structured responses to misbehavior.⁵⁷ These evidence-based practices aim to reduce school violence, improve qualitative measures of school satisfaction, and improve student behavior.

- *Progressive School Discipline Matrix/Chart Programs*

Utilizing a graduated sanctions matrix, specifically, “a chart [matrix] of consequences for specific categories of prohibited behaviors, specifying escalating consequences for more severe or repeated misbehavior” to provide clear outcomes for misconduct.⁵⁸ Equally important, the matrix limits bias in implementation and provides transparency in disciplinary decisions between schools, parents, and students. Teachers, administrators, school boards, unions, and parents should develop a collectively agreed-upon comprehensive matrix that addresses a variety of student behaviors, ranging from small acts of defiance (classroom disruption, nuisance behaviors) to more troublesome acts of delinquency.

54 Lawrence W. Sherman and Heather Strang, *Restorative Justice: The Evidence*, (The Smith Institute, 2007), https://www.iirp.edu/images/pdf/RJ_full_report.pdf.

55 E. Lodi, L. Perrella, G.L. Lepri, M.L. Scarpa and P. Patrizi, “Use of Restorative Justice and Restorative Practices at School: A Systematic Literature Review.” *International Journal of Environmental Research and Public Health*, vol. 19, no. 1 (2020): 96, <https://doi.org/10.3390/ijerph19010096>.

56 Jennie Owen, Jane Wettach, and Katie Claire Hoffman, *Instead of Suspension: Alternative Strategies for Effective School Discipline*, (Duke Center for Child and Family Policy and Duke Law School, 2015), 10.

57 R. Skiba, S. Ritter, A Simmons, R. Peterson and C. Miller, “The Safe and Responsive Schools Project: A School Reform Model for Implementing Best Practices in Violence Prevention.” In S. R. Jimerson and M. Furlong (Eds.), *Handbook of School Violence and School Safety: From Research to Practice*, (Lawrence Erlbaum Associates Publishers, 2006), 631–50.

58 The Principal Center, *Evidence-Driven Progressive Discipline*, <https://www.principalcenter.com/pd/> (last accessed Sept. 17, 2024)



Federal Agency Recommendations

- The Department of Education's Office of Elementary and Secondary Education should provide increased funding to schools and districts whose disciplinary policies result in suspensions/expulsions outside the agreed-upon threshold based on school size, location, and district. Funding should be targeted and allocated to schools and districts seeking to increase mentorship programs, develop an alternative discipline matrix, and those seeking educational instructors to supervise after-school activities instead of suspension.
- The U.S. Department of Education's Office of Special Programs should offer increased and additional need-based funding to pilot alternative programs in districts with the greatest need, as determined by poverty level and school lunch (Nation School Lunch Program) participation.
- The U.S. Department of Justice should require all law enforcement agencies to stipulate incidents resulting in a school-based arrest. Complaints should have a school incident indicator, a school district code, and an offense type and statute. School-based discipline data resulting in a formal complaint should be available for public research and analysis detached from the Department of Education's data files. All data should be disaggregated by race⁵⁹ and gender, district, school district code, school name, and state.
- The U.S. Office of the Attorney General should draft a recommended MOU for states and districts to utilize to assist in developing local MOUs.
- The U.S. Department of Education should strategically and regularly advertise grant and funding opportunities through targeted media, marketing, and outreach campaigns. The Department of Education should partner with external vendors to develop, advertise, promote, and disseminate request for proposals (RFPs) for funding opportunities geared toward programming that aims to reduce suspension and expulsions.
- The U.S. Department of Education, through funded partnerships with think tanks and philanthropic institutions, should provide technical assistance to help schools and districts respond to funding opportunities (e.g., grant writing, submission, and outcome reporting).
- The U.S. Department of Education's Office of Special Programs should offer preferential consideration (early review and acceptance) to universities and colleges, research institutions, nonprofits, and philanthropic organizations seeking federal funding to implement pilot suspension and expulsions programs in at-risk schools and districts as identified by the Department of Education.
 - » As an incentive, schools or districts and their associated research partners, who **federally report** implementation strategies, methodologies, findings, outcomes, and budget allocations, should receive a guaranteed continuation of funding for two additional years. The amount of funding may vary by a decrease of no more than 10 percent.

59 With respect to Hispanic/Latino reporting, it is suggested that aggregated racial and ethnic data should be reported using the following seven categories: (i) Hispanic/Latino of any race, and for individuals who are non-Hispanic/Latino only; (ii) American Indian or Alaska Native; (iii) Asian; (iv) Black or African American; (v) Native Hawaiian or Other Pacific Islander; (vi) White; and (vii) two or more races.



- Likewise, the U.S. Department of Justice should offer preferential consideration (early review and acceptance) to universities and colleges, research institutions, nonprofits, and philanthropic organizations seeking federal funding to implement pilot suspension and expulsion programs in at-risk schools and districts as identified by the Department of Education.
 - » As an incentive, schools and districts and their associated research partners, who **federally report** implementation strategies, methodologies, findings, outcomes, and budget allocations, should receive a guaranteed continuation of funding for two additional years. The amount of funding may vary by a decrease of no more than 10 percent.
- The Department of Labor, Department of Education, and the Department of Justice's Office of Juvenile Justice and Delinquency Prevention should offer combined, perpetually funded (albeit not granted) block grants to universities and colleges, research institutions, nonprofits, philanthropic organizations, schools, and districts seeking federal funding to implement pilot suspension and expulsions programs—in conjunction with science and math mentorship programs. Conjunctive submission of RFPs would be required.⁶⁰
- The Office of Management and Budget's Office of Discretionary Funding should reinvest and reestablish its commitment to making historic investments in high-poverty schools through Title I grants that address long-standing funding disparities between under-resourced school districts and their wealthier counterparts, providing critical new support to both students and teachers.⁶¹

60 U.S. Department of Labor, "Departments of Labor, Justice Award more than \$63 Million in Grants to Provide Workforce Training, Support for People Returning from Jail, Prison," Sept. 28, 2023, <https://www.dol.gov/newsroom/releases/eta/eta20230928-0#:~:text=WASHINGTON%20-%20The%20U.S.%20Department%20of%20Labor%2C%20in,partnering%20with%20workforce%20agencies%20in%2011%20additional%20states..>

61 U.S. Office of Management and Budget, "Office of Management and Budget Releases the President's Fiscal Year 2022 Discretionary Funding Request," Apr. 9, 2021, <https://www.whitehouse.gov/wp-content/uploads/2021/04/FY2022-Discretionary-Request-Press-Release.pdf>.



CHAPTER IV

Research Accomplishments



Research Products

The CSSBMB's FY 2024 research efforts produced three major deliverables that provide original analysis of and recommendations for mitigating one of the most important educational issues facing Black male students: the negative impact of the STPP. This section describes each deliverable and how it contributes to a better understanding of the educational conditions encountered by Black men and boys.

1. Briefing Report: “Disparities in Discipline: Examining the Impact of the School-to-Prison Pipeline on Black Male Students”

In FY 2024, CSSBMB initiated a major briefing report on the STPP. Summary snapshots of research, original data analysis, and policy recommendations from that forthcoming briefing report can be found in Chapters 1, 2, and 3 of this report. The full STPP briefing report is scheduled to be released in spring 2025.

Toward the completion of this large-scale briefing report on the STPP, CSSBMB staff undertook and accomplished the following:

- *Concept Paper:* In March 2024, an 11-page concept paper was researched, written, and delivered by CSSBMB staff to the Office of the Staff Director of the U.S. Commission on Civil Rights (USCCR), USCCR Office of General Counsel, CSSBMB Chair Wilson and all CSSBMB Commissioners, and the CSSBMB Staff Director's Office, after which it was successfully approved. This concept paper provided background and exploratory research on the issue of the STPP and its negative impact on Black male students; a research outline for the forthcoming STPP briefing report; an overview of existing federal legislation on civil rights and racial disparities in education; a review of CSSBMB's statutory obligations and authority for the investigation of this topic; and a summary report on prospective policy recommendations to address the negative outcomes caused by the STPP.
- *Research Analysis and Theoretical Development:* CSSBMB staff have carried out extensive original analysis of existing research on the STPP, including studies from federal and state government agencies, nonprofit organizations, think tanks, and academia. Additionally, staff have designed theoretical frameworks for understanding the nature and impact of the STPP on American schools and situating its rise within the history of American education, federal and state legal developments, and racial inequality.
- *Original Data Analysis:* Staff of CSSBMB have carried out extensive original data analysis of existing nationwide data related to the STPP, including from federal and state government agencies and via data-sharing agreements with independent and nonprofit educational organizations. See Chapter 2 for details and the Appendix for information on CSSBMB's data methodology.
- *Expert Interviews:* Staff of CSSBMB have interviewed experts nationwide on education, racial inequalities in education, the STPP, and education and juvenile justice policy. These include experts from major academic institutions, state—and local-level teacher organizations, state-based juvenile justice organizations, law enforcement, and public-school teachers.
- *Policy Recommendations and Program Evaluation:* Staff of CSSBMB have developed a comprehensive list of policy recommendations to address the negative outcomes caused by the STPP, as well as recommendations aimed at prevention and reforming public educational institutions so that they better and more holistically support the equal success of Black males alongside all other students. See Chapter 3 for a summary snapshot of recommendations and program evaluations.



- *Pathways for Future Research:* The CSSBMB strives to produce research that opens pathways for additional studies, investigations, and reports. The CSSBMB recognizes that the important and complex topics it addresses in its research both a) lead to actionable recommendations that fix problems and b) promote fruitful avenues for additional study. The CSSBMB has begun a working list of “Future Pathways for Research” that it will release to the public in conjunction with the STPP briefing report so that nonprofit and academic institutions can undertake further study toward addressing the negative consequences of the STPP and inequalities in education more generally.
- *2024 Annual Report: Spotlights:* The American public is CSSBMB’s most important audience. For this reason, it is essential that its large-scale research projects can also be consumed in a more digestible form. To this end, CSSBMB will complete a one-page “Spotlights” that provides clear, accessible highlights of each chapter of its 2024 Annual Report and the forthcoming STPP briefing report.

2. EmpowerED Initiative: Promoting Teacher Diversity Across the Nation

FY 2024 marks the inaugural year of CSSBMB’s EmpowerED Initiative. This is a nationwide, multiyear initiative that brings CSSBMB together with nonprofit organizations like the Young Men’s Christian Association (YMCA) and My Brother’s Keeper Alliance, federal agencies including the Department of Health and Human Services’ Office of Public Affairs, and HBCUs across the country to explore the importance of Black male teachers, ways to bring more Black males into the teaching professions, benefits to students of color and schools, and the challenges that remain.

Teacher diversity is one of the most pressing issues in American education. This is clearer than ever in the case of Black male teachers, who make up only 2 percent of the nation’s K–12 teaching workforce.⁶² Indeed, Black teachers only total 7 percent of all teachers despite Black students making up nearly 13 percent of students nationally.⁶³ And, despite continued initiatives from lawmakers, policymakers, and educators to encourage more Black men to join the teaching profession, strong headwinds remain. For example, indicators suggest that since the COVID-19 pandemic, teachers of color are leaving the profession in disproportionately higher numbers.⁶⁴ This issue persists despite the importance of teacher diversity for student outcomes.⁶⁵ What factors explain the lack of Black male educators? How can more Black males be effectively incentivized to join the teaching profession? And how do Black male educators improve overall educational outcomes?

The EmpowerED Initiative will consist of events at HBCUs across America, where a panel of experts—educators, education policymakers and government officials, nonprofit practitioners, and CSSBMB staff—will converse, create, and make plans about how to increase the number

62 U.S. Department of Education and the White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity for Black Americans, “#BlackMenTeach,” <https://sites.ed.gov/whblackinitiative/blackmenteach/> (last accessed Sept. 17, 2024).

63 *Ibid.*

64 Madeline Will, “How COVID-19 Is Hurting Teacher Diversity,” *Education Week*, Sept. 14, 2020, <https://www.edweek.org/teaching-learning/how-covid-19-is-hurting-teacher-diversity/2020/09>; and Kayla Jimenez, “With COVID-19 Relief Gone, Teachers are Losing Their Jobs. It’s a Blow to Diversity,” *USA TODAY*, Sept. 3, 2024, <https://www.usatoday.com/story/news/education/2024/09/03/school-teachers-jobs-covid-relief/74502849007/>.

65 Seth Gershenson, Michael Hansen, and Constance A. Lindsay, *Teacher Diversity and Student Success: Why Racial Representation Matters in Classrooms*, (Harvard Education Press, 2021).



of Black male teachers in America and the wide-ranging benefits of such change for students and schools. These panels will occur in conjunction with listening sessions, where panelists and CSSBMB can hear from students at HBCUs about their own experiences as students and potential future educators—including the incentives that may draw them into the teaching profession.

The first EmpowerED Event is scheduled for October 2024 at Bowie State University. For up-to-date information on this event, follow CSSBMB on social media:

- https://x.com/CSSBMB_
- https://www.instagram.com/cssbmb_/

3. Education Roadmap: How CSSBMB-Led Information Sharing Can Illuminate Key Issue Areas Impacting Black Male Students Nationwide

The Education Roadmap developed by CSSBMB in early FY 2024 is a collaborative guide aimed at steering research efforts on issues related to Black male students. By soliciting research ideas from a broad spectrum of academic institutions, private educational organizations, and expert practitioners, CSSBMB fostered an inclusive information-sharing process. The resulting roadmap, produced in May 2024 by CSSBMB's partner organizations and reviewed by CSSBMB staff, reflects the collective efforts of multiple stakeholders. The final 25-page document outlines key areas for further study and highlights data regarding the educational challenges faced by Black men and boys. It also provides a structured framework for future research partnerships, serving as a valuable tool for publicizing important issues, motivating new research, and guiding future research agendas. The 2024 Education Roadmap can be found on CSSBMB's website at: <https://cssbmb.gov/issues/education/>.



CHAPTER V

Civic Engagement and Interagency Collaboration



Digital Outreach

1. 2024 Website Redesign—Launch

On May 1, 2024, CSSBMB launched its first official website, CSSBMB.gov (<https://cssbmb.gov/>). The launch of CSSBMB.gov and CSSBMB's 2023 annual report represents a milestone in the commission's development. Establishing a relevant web presence is significant in digitally advancing the commission's research and policy recommendations and connecting such information to the public. The website highlights the commission's research themes, known as the "Issues," published works, and news. The website also contains a contact page, providing the public access to learn more. The website is an evolving product of the commission and a tool for researchers, academics, and other champions of Black men and boys to help advance the social status of Black men and boys in the United States.

2. Social Media Content Redesign

Social media is a powerful tool. The CSSBMB has increased its social media presence by establishing its three social media accounts, @CSSBMB_, on Instagram, Facebook, and X, and redesigning its content for a more realistic and contemporary tone. Via @CSSBMB_, CSSBMB posts high-quality photographic images featuring diverse Black men and boys, their families, and communities to tell the stories of Black men and boys in the United States. The CSSBMB also highlights research and policy recommendations, connecting social audiences to CSSBMB, CSSBMB's annual report, and CSSBMB.gov.

The CSSBMB's goals are to establish a social media presence for brand awareness, highlight research and policy recommendations impacting Black men and boys in the United States, and grow as a tool for further research, advocacy, and media attention to improve the life outcomes of Black men and boys.

3. #ThankABlackFather Father's Day Campaign

For Father's Day 2024, CSSBMB launched its [#ThankABlackFather](#) Father's Day social media campaign to highlight Black fathers and the importance of Black fatherhood. #ThankABlackFather featured Commissioners Congresswoman Lucy McBath, Congressman Troy Carter, and Reverend Al Sharpton. The video received over 1.3K+ views via CSSBMB's Instagram profile, <https://www.instagram.com/cssbmb/>.

4. "Spotlights" and Policy Recommendation Social Media Posts

Centering accessibility and simplicity, CSSBMB designed "Spotlights"—on-the-go one-pagers highlighting CSSBMB research and policy recommendations for quick reference. Located on CSSBMB.gov, under *Publications*, *Spotlights* connects readers with education, health and housing, labor and employment, and civil rights and criminal justice insights.

The CSSBMB also utilizes social media to highlight policy recommendations. The CSSBMB has begun highlighting its policy recommendations via its social media channels, helping readers connect directly to our recommendations to learn more and share with their networks.



Creative Design and Marketing

The CSSBMB continues to develop its national brand as a part of its efforts to fulfill its statutory mission to conduct research and bring together stakeholders across the United States on issues affecting Black men and boys. In pursuit of this goal, CSSBMB completed two essential tasks in FY 2024: creating a portrait gallery at its Washington, DC, headquarters to honor its leadership and designing and launching a new logo to establish a cohesive and recognizable visual identity nationwide.

1. Commissioner Portrait Gallery

In May 2024, CSSBMB designed and created a portrait gallery in its Washington, DC, office headquarters. The gallery features photo portraits of the Chair, Secretary, and all the current Commissioners. Its purpose is to honor their leadership and contributions while enhancing the office environment with a dignified and commemorative display that reflects CSSBMB's history and values.

2. Logo Launch

In April 2024, CSSBMB completed the design and launched its new logo, a distinct and cohesive visual identity to enhance public recognition, reinforce trust in its mission, and foster a unified brand presence across all nationwide communications and outreach efforts.

Appendix

Research Methodology

For the data analysis in this report, CSSBMB used public access files provided by the Department of Education's Office of Civil Rights' Civil Rights Data Collection (CRDC).⁶⁶ These files serve as a nationwide repository for data collected by schools and districts completing the federally mandated CRDC School Form. Within the datasets, more than 100 variables are available describing demographics, attendance, course completion, special program enrollment (e.g., special education, bilingual education, career and technology, gifted and talented), standardized test performance, discipline contact, and numerous other characteristics. The data file analyzed by CSSBMB in this report only includes the required data elements for the 2020–21 CRDC. The CSSBMB research staff recoded the public access dataset to analyze the incidence of suspensions and expulsions leading to greater system contact among Black male students. For additional details and information about CSSBMB's methodology, visit <https://cssbmb.gov/published-works/>.⁶⁷

66 U.S. Department of Education, Office for Civil Rights, *2020-2021 Civil Rights Data Collection – School Form*, <https://www2.ed.gov/about/offices/list/ocr/docs/2020-21-crdc-school-form.pdf>.

67 The methodology employed in this report, as well as its findings, conclusions, and recommendations, are solely the product of CSSBMB staff and do not reflect the views of the U.S. Department of Education.



