

# An Obama Decree Continues to Make Public Schools Lawless

To improve education, allow teachers to administer discipline regardless of race.

By Jason L. Riley • March 21, 2017 7:26 p.m. ET

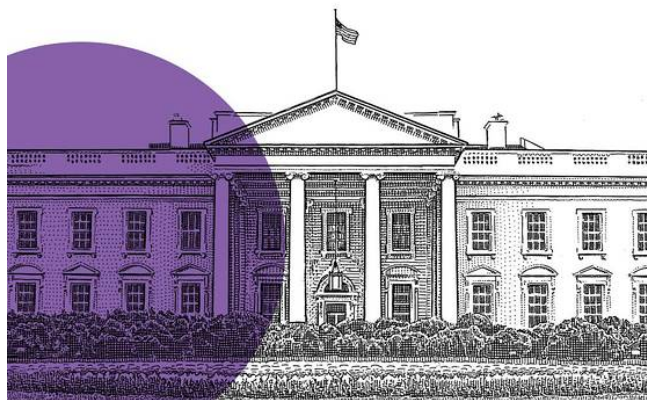


*Photo: Getty Images*

In 2012 the Education Department released a national [study](#) showing that black students are suspended from school at a higher rate than whites, and the findings fueled a predictable debate over whether school discipline policies are racist. Two years later, the department sent a [letter](#) to school districts warning them to do something about the disparity—in effect, to stop suspending so many disruptive black students or risk becoming the subject of

a federal civil-rights investigation—and the results have been just as predictable.

The title alone of a new [report](#) on the fallout, “School Discipline Reform and Disorder,” might tell you all you need to know. The author, Max Eden of the Manhattan Institute, notes that 27 states and more than 50 of the country’s largest school districts have moved to reduce suspensions in recent years, often to the dismay of those on the front lines. A Chicago teacher said her school became “lawless” after the new discipline policy was implemented. A teacher in Oklahoma City said “we were told that referrals would not require suspension unless there was blood.” A Buffalo teacher who was kicked in the head by a student said his charges are well aware of the new policy. “The kids walk around and say ‘We can’t get suspended—we don’t care what you say.’”



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has made it much more difficult to suspend even those students who’ve committed repeated infractions.

Following the implementation of these reforms, school suspensions in New York fell by nearly 50%, but survey data of students, teachers and parents

Mr. Eden’s report isn’t just a collection of anecdotes. It also includes plenty of empirical data that point to a change for the worse in school order. In New York City, home to the nation’s largest school system, suspensions rose steadily between 2002 and 2011 under former mayor Michael Bloomberg, whose policies targeted disruptive students in the most violent schools. But Mr. Bloomberg softened his position somewhat in 2012 for first-time offenders, and his successor, Bill de Blasio, who assumed office in 2014,

show that the learning climate in many schools has suffered. Moreover, the effects of the new policies haven't been evenly distributed, especially under the current mayor, writes Mr. Eden. "Under de Blasio's discipline reform, of schools that serve 90+% minority students, nearly 60% saw a deterioration in mutual student respect, about 50% saw a deterioration in student-reported physical fighting, more than 40% saw a deterioration in teacher-reported order and discipline, and nearly 40% saw an increase in student-reported drug and alcohol use and gang activity." Overall, fighting, gang activity and drug use worsened at three times as many schools as saw an improvement.

None of this is likely to sway liberals who believe that racism explains all racial disparities, but Mr. Eden has performed a public service. The left's decision to place the welfare of the bullies and thugs above the welfare of kids who are in school to learn is counterproductive. Thanks to liberal opposition to school choice—Mr. de Blasio is opposed to opening more charter schools in a city where more than 40,000 students are on charter waiting lists—a disproportionate number of black kids wallow in dropout factories with the least experienced teachers. How does making these schools more violent and disordered help matters?

Given that we see significant racial differences in behavior outside school, it's not very surprising that we would see it inside schools, too, unless you believe that all antisocial behavior begins after graduation. And before we conclude that racist policies or teachers or administrators are to blame for these outcomes, we need to explain why white students are suspended at higher rates than their Asians counterparts. Is the system antiwhite as well, or do rates of discipline reflect different behavior among different groups?

Before playing the race card, it also helps to factor in the racial makeup of the people running public schools. Over the past three decades, the number of minority teachers has more than doubled and their growth has far outpaced that of white teachers. A 2016 federal study noted that "high-poverty elementary and secondary schools employed a greater percentage of black

and Hispanic teachers and a smaller percentage of white teachers than did low-poverty schools.”

[In Boston](#), 45% of public school students are black, along with 21% of teachers and 38% of principals. [In Washington](#), close to half of all teachers are black, as are two-thirds of the students. [In Chicago](#), blacks comprise 37% of students, 43% of principals and 22% of teachers. The racial makeup of the adults who staff large urban school districts ought to further undermine the racism charge.

The Obama administration “guidance” on school discipline is still in effect, but the Trump administration can withdraw it at any time. What’s taking so long?

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