

SYSTEMIC  
GAPS IN  
EDUCATION  
PROJECT

**Report #2 : Suspensions, and Equitable  
Access to a Positive Disciplinary Climate**

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# Contents

- 2** Introduction
- 3** The Chiefs of Ontario Reports on Systemic Gaps in Educational Outcomes and Opportunities
- 5** Suspensions in Elementary Schools
- 7** Suspensions in Secondary School
- 8** Consequences of Suspension: Ongoing Colonialism and Discrimination and the School to Prison Pipeline
- 10** Suspensions Associated With Poor Academic Outcomes
- 11** Responding to Challenging Behaviour at School: Evidence on Alternatives
- 13** Recommendations

# Introduction

Data obtained from the Government of Ontario through a data-sharing agreement between the Chiefs of Ontario and the Ministry of Education reveals enormous disparities in rates of suspension for First Nations students, relative to Ontario averages, at both the elementary and secondary level across the province.

In particular, as shown below, First Nations students in elementary school are 4.9 times more likely to be suspended than the Ontario average, and First Nations students in secondary school are 2.2 times more likely to be suspended. While suspensions went down during COVID-19, the disproportionality was not reduced.

This report from the Chiefs of Ontario's Systemic Gaps in Education Project Team provides an overview of the data on suspension rates in Ontario provincially funded schools. It further provides a brief overview of the larger body of research on disproportionality in school discipline, and highlights the

availability of research on effective approaches to school discipline and school safety. Recommendations call for a more urgent response and joint planning, and suggest that effectively addressing these disparities will require additional resources, effectively targeted to support First Nations students.

# The Chiefs of Ontario Reports on Systemic Gaps in Educational Outcomes and Opportunities

This is the second report in a series of reports on systemic gaps in education, designed to monitor progress in educational outcomes and opportunities for First Nations students.

The Truth and Reconciliation Commission put forward a vision – and Call to Action – that First Nations and all levels of government would work together, with sufficient funding, to “close educational gaps within a generation” (Call to Action #10). To support that work, the Commission called for annual reports to be prepared and published to compare educational attainment of Aboriginal Peoples in Canada compared with non-Aboriginal peoples (Call to Action #9). This data was meant to inform a strategy, jointly developed by government and Aboriginal groups, to eliminate gaps in outcomes (Call to

Action #7) and gaps in funding (Call to Action #8) (Truth and Reconciliation Commission of Canada, 2015).

The Chiefs of Ontario is a coordinating body for the 133 First Nations in Ontario and supports First Nations in Ontario in negotiations with both federal and provincial governments on education. The Chiefs have mandated the Ontario Technical Table on the Interim Funding Approach (OTTIFA) ensure that the funding agreements accurately reflect the specific needs of First Nations students, schools and communities. OTTIFA, in turn, established a Systemic Gaps Task Team, which commissioned a research project, and designated a Steering Committee to oversee the research.

The Systemic Gaps in Education Project Team has adapted an evidence-based framework developed by a multi-disciplinary Commission on *Monitoring*

*Educational Equity* under the direction of the U.S. National Academies of Sciences (for a fuller discussion, see Systemic Gaps in Education Project Report #1). The framework provides a set of indicators of educational equity, highlighting disparities in both outcomes and opportunities or resources spanning the K–12 education system. The indicators are selected based on important, comparable, and widely-collected data that can be tracked over time. *Monitoring Educational Equity* points to the ways in which carefully-chosen indicators of educational inequity “highlight disparities, provide a way to explore potential causes, and point towards possible improvements” (National Academies of Science Engineering and Medicine, 2019, p. 1).

The *Monitoring Educational Equity* framework identifies access to

supportive school and classroom environments as central to a meaningful framework of educational opportunity (see Appendix 1). **The key indicator of equitable access to a positive disciplinary climate is whether there are disparities in suspensions and expulsions.**

Data in this report comes from a data-sharing agreement between the Chiefs of Ontario and the Ministry of Education. The majority of First Nations students within Ontario live outside of First Nations communities and attend provincially funded schools. Students may voluntarily self-identify as First Nations (or Métis or Inuit) for purposes of research, planning and accountability.

In 2021, 34,583 students in Ontario’s provincially-funded schools self-identified as First Nations, relative to an estimated First Nations student population of 41,926 in Ontario public schools.<sup>1</sup>

In this report, these students are referred to as “First Nations students.” It should, however, be noted that these students do *not* include those who attend First-Nations-run schools. On the other hand, the First Nations students referred to in this report *include* a small number of students who live in First Nation communities while attending Ontario’s provincially-funded schools. These students’ education is paid for out of education funding of First Nations, which have tuition fee arrangements with local school boards. In this study, we call this sub-group of First Nations students “tuition-paying students”; where numbers allow, findings on these students are reported separately.

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1 This estimation was based on Statistics Canada’s 2021 Census figure of 61,230 First Nations children and youth (between 4 and 18 years), minus 19,304 students attending First Nations schools. The latter figure was extracted from 2021 Nominal Roll data aggregated by Indigenous Services Canada and shared with the Chiefs of Ontario.

# Suspensions in Elementary Schools

As depicted in Figure 1, the rate of suspension for First Nations students is several times greater than the Ontario average.

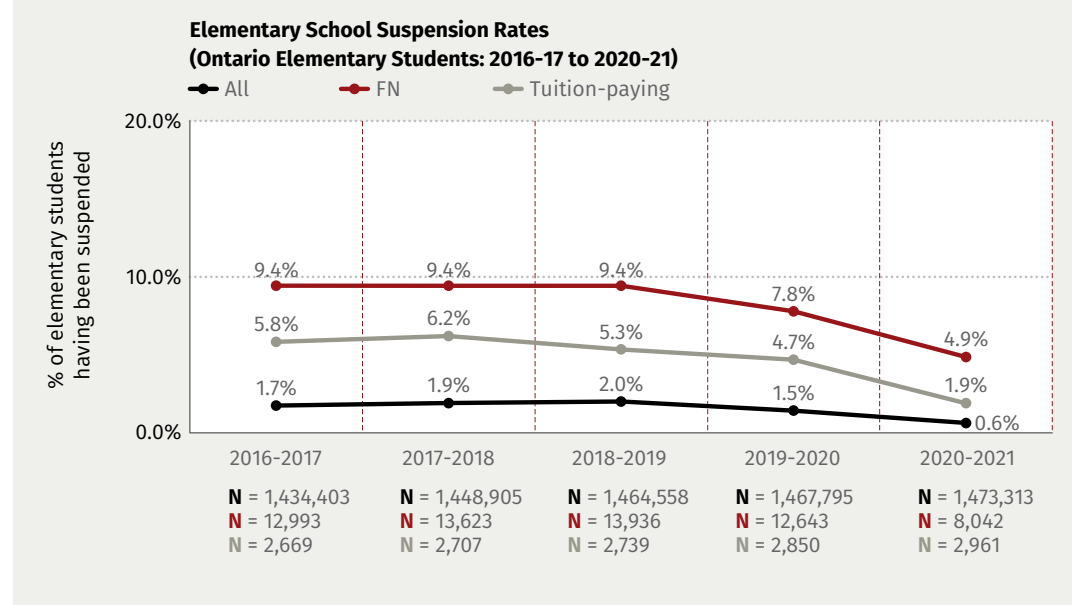
In 2018-19, for example – the last year for which we have data that was unaffected by school disruptions associated with COVID-19 – 9.4% of First Nations students in elementary school faced suspension, compared to 2% of Ontario students. In other words, these young First Nations children were almost five times more likely to be suspended than Ontario averages. This is strikingly disproportionate, almost double the levels of disproportionality facing Black youth in Toronto or Peel school boards, which are the two school boards which have produced disaggregated data on school discipline (Chadha et al., 2020; Zheng, 2020). In the case of the Peel District School Board, this degree of disproportionality for Black youth was identified as a basis for Ministry intervention. The rates of suspension

for First Nations children living in First Nation communities were lower than that for the First Nations population generally (5.3%), yet still more than double the Ontario average.

## COVID Impacts – Declining suspensions, continuing disproportionality

During the two years (2019-20 and 2020-21) where there were extensive school closures associated

**FIGURE 1: Elementary School Suspension Rates, 2016-17 to 2020-21, Ontario Averages, Self-Identified First Nations Students and Students Supported by Tuition-fee Arrangements**



with COVID-19, suspensions fell dramatically, albeit at different rates, for both First Nations elementary students and Ontario elementary students generally: by 37% and 60% respectively. It is not clear whether this drop in suspensions represents changes to discipline policy and practice in Ontario schools, or simply fewer days in school and more tightly regimented student movement when present. Yet, the degree of disproportionality in elementary suspensions among First Nations students relative to Ontario averages *worsened* during the COVID period, from about 5:1 in previous years, to 8:1.

### **Between-board differences**

Because of relatively small numbers, for many boards, the percentage of First Nations students who were suspended was subject to data suppression rules. Where data pertains to fewer than ten individual students, it is suppressed by the province before being shared with the Chiefs of Ontario. Thus, we are unable to present a regional analysis. However, a scan of the board-wide statistics, where available,

demonstrated very significant between-board differences. For instance, in 2018-19, two large southern Ontario Boards had elementary suspension rates of over 25% for their First Nations students; in both boards, the *average* suspension rate was under 3%. Several boards, all in northern Ontario, had suspension rates for First Nations students that were under 5%.



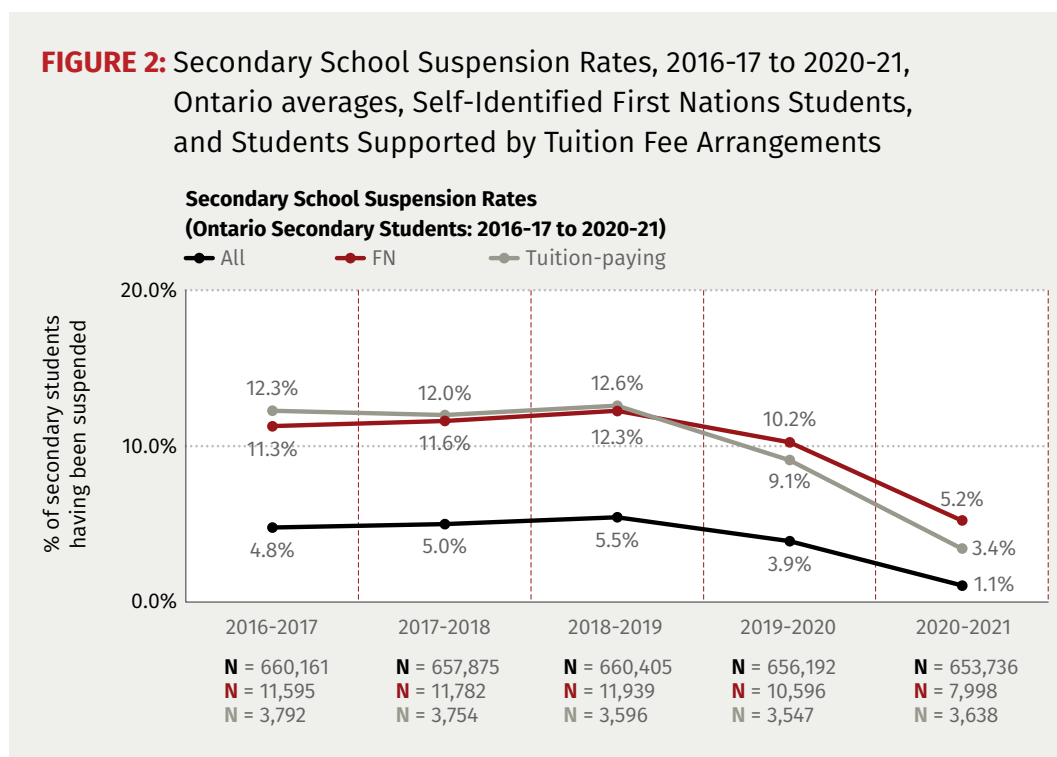
# Suspensions in Secondary School

Significant patterns of disproportionality are also occurring at the secondary school level. The five-year trend in suspensions is set out below in Figure 2.

Once again, 2018-19 is the last year in our data that is not affected by COVID-19-related closures. At that point, the rate of suspension for First Nations students in Ontario was 12.3%, compared to a provincial average of 5.5%. The rate of suspension for students living in First Nation communities was slightly higher, 12.6%. This means that First Nations students attending provincially-funded high school are 2.2 times more likely to be suspended (2.3 times more likely for students living in First Nation communities) than the Ontario average.

Once again, the years affected by COVID-19 saw a dramatic drop in the rates of suspension for all groups: in fact, for First Nations students the rate fell by 7.1 percentage points to 5.2% in 2020-21. However, the

degree of overrepresentation got substantially higher during this period, as suspensions in the overall population fell to 1.1%. In these highly disrupted years with extensive school closures, First Nations students were 4.7 times more likely than the general population to be suspended.



# Consequences of Suspension: Ongoing Colonialism and Discrimination and the School to Prison Pipeline

In a recent background “explainer” about the dramatic over-representation of Indigenous people caught up in the criminal justice system, Justice Canada acknowledged that colonial values, policies and practices were the greatest contributor to this acute social problem, both directly and through contributions to intergenerational trauma, socio-economic marginalization, territorial dispossession, and other key determinants of health (Justice Canada, 2023). In addition, they highlighted the role of systemic discrimination, which has been well-documented in a series of justice system reports and inquiries (e.g., Aboriginal Justice Inquiry, 1991; Clark, 2019; National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019; Royal Commission on Aboriginal Peoples, 1996; Rudin, 2007; Truth and Reconciliation Commission of Canada, 2015).

There have not yet been similar inquiries into disproportionality into school discipline, but the results indicated in this report suggest that the problem is equally serious and in urgent need of being addressed.

Researchers and advocates focused on anti-Black racism have highlighted the “school to prison pipeline.” The phenomenon has attracted significant scholarly and public attention in Canada (DeLaire, 2021; Government of Canada, 2022; James & Turner, 2017; Maynard, 2017; Salole & Abdulle, 2015; Solomon & Palmer, 2004).

There are important differences between the history and current context facing Black students in Canada and the United States, and First Nations students in Canada. Nevertheless, there are important findings in the American research over the past two and half decades,

highlighting connections between school discipline practices, depressed learning outcomes, and eventual criminalization. Whether or not the findings can be directly transferred, they provide useful starting points for inquiry and reflection. American research demonstrates that racial disproportionality in school discipline exists, even where students are “matched” by socioeconomic status; further, rates of suspension are higher for Black students than white in studies which control for the nature of reasons for students being referred to the office, and/or students’ self-described behaviour (see e.g., Gregory et al., 2010; Huang, 2020; Skiba et al., 2002; Wehlage & Rutter, 1985).

Pedro Noguera has been a leading academic and activist voice in challenging racial disproportionality in school discipline in the United States.

In an early article, he attempted to reason through the undeniable pattern shown by large scale data: that students with the greatest academic needs are those most likely to experience punishment in school:

Often, it is the needs of students and the inability of schools to meet those needs that causes them to be disciplined. Children who are behind academically and who are unable to perform at a level commensurate with grade-level expectations, often engage in disruptive behavior, either out of frustration or embarrassment. Likewise, children who suffer from abuse or neglect, and children who are harassed by their peers because they are different, are sometimes more likely to act out and get into trouble. Too often, schools react to the behavior of such children, while failing to respond to their unmet needs or the factors responsible for their problematic behavior. In so doing, they contribute to the marginalization of such students, often pushing them

out of school altogether, while ignoring issues that actually cause the problematic behavior. Schools also punish the neediest children because in many schools there is a fixation with behavior management and social control that outweighs and overrides all other priorities and goals. (Noguera, 2003, p. 342)

Research evidence points to a range of interacting school and classroom-level explanations for racially disproportionate suspensions, including cultural mismatch between students and teachers (e.g., Shirrell et al., 2021), implicit bias (e.g., Chin et al., 2020), and low or negative expectations of some racialized students on the part of teachers (e.g., Weinstein, 2004). Teacher unions point to a lack of special education and mental health resources in schools, challenges associated with large and complex classes, needs for additional professional learning, and inadequate and unavailable community and health care supports (e.g., S. Brown, 2018; Elementary Teachers' Federation of Ontario, 2017).

When we see a rate of suspensions in elementary school – among children younger than 12 years of age – that is as disproportionate as the rates of incarceration of Indigenous adults in Canada, it appears that the education system may be contributing to a fundamental issue in the justice system, and missing an important opportunity for intervention and prevention.

# Suspensions Associated With Poor Academic Outcomes

Apart from long-term risks associated with criminalization and marginalization associated with a negative disciplinary climate, there is evidence of a vicious cycle between suspensions and academic underachievement. On the one hand, low academic achievement is associated with more disruptive behaviour in class (e.g., Choi, 2007; Miles & Stipek, 2006), perhaps reflecting frustration or disengagement. On the other hand, disciplinary responses that exclude and punish students have been shown to actually worsen behaviour and increase the risk of students leaving school, even compared to students with similar performance and grades (see e.g., Gregory et al., 2010). Some have pointed out the irony of removing students who are struggling from the opportunity for instruction as punishment. Recent Toronto research highlighted the extent to which even *one* suspension during elementary

school was a key predictor that students would not go on to post-secondary – a factor that a regression analysis found to be more important than grades, race, or family education (R. S. Brown et al., 2020).

Thus, addressing the negative disciplinary climate faced by First Nations students is centrally important to the goal of closing academic achievement gaps.

# Responding to Challenging Behaviour at School: Evidence on Alternatives

Continuing work on decolonizing schools is clearly an essential aspect of addressing the disproportion in suspensions reported here. This work includes ensuring that all teachers and school leaders have a better understanding of broader social contexts, and stronger relationships with families who have well-earned distrust of schools and educators. A lack of culturally responsive resources and methodologies may contribute to a lack of engagement and sense of belonging (see e.g., Institute for Education Sciences, 2020; Ladson-Billings, 1995). Effective training to address challenges around bias and negative expectations for First Nations students is clearly still required, and improved representation of First Nations in the school system (in human resources, curriculum and the broader school environment) is a long-standing need. Support for improved academic success, improved attendance, and effective special

education supports may help break some of the cycles contributing to problematic outcomes. Underlying socio-economic marginalization, unequal access to health and community supports are also key challenges that will need to be addressed to profoundly shift the terrain for student success.

Beyond these broader, systemic factors, there are strong examples of highly effective programs to address disproportionality in school discipline; but implementation and spread are missing, as is a sense of urgency. As Flessa noted in his literature review for the Elementary Teachers' Federation of Ontario, approaches to addressing violence and challenging behaviour at school "take several paths," which he characterizes as follows:

There is a *safe schools* path that emphasizes discipline and management; there is a *socioemotional learning* path

that emphasizes wellbeing and self-regulation; and there is a *restorative justice and peacemaking* path that emphasizes reconciliation, community building, and reparation of harm. (Flessa & Flak, 2019, p. 15)

It is beyond the scope of this report to review and analyze appropriate solutions. Starting points include major reviews of the field, including pragmatic ones such as Tom Bennett's *Creating a Culture: A Review of Behaviour Management in Schools*, a synthesis report for the Government of the UK (Bennett, 2017). More scholarly reviews are also an important point of reference by authorities such as Lindsey O'Brennan and Michael Furlong (O'Brennan & Furlong, 2016) or Stephen Leff's work reviewing programs to address aggression (Leff et al., 2010). There are school districts in the United States that

have documented highly effective, system-wide programs to reduce suspensions (see e.g., Gray et al., 2017; Johnston et al., 2020), and there are successful, small-scale programs already at work in Ontario, such as Peacebuilders in Toronto (Social Program Evaluation Group & Students' Commission of Canada, 2017) or more comprehensive initiatives such as the Mino-Bimadizawin Program at the Wiikwemkoong Board of Education which have resulted in, among other benefits in the school community, extra supports while students are on suspension.

The current high rate of suspensions affecting First Nations students is unacceptable, and the levels of disproportionality are strong prima facie evidence of systemic discrimination.

The current approach to addressing this acute problem lacks urgency. Accepting that most educators view suspension as a fairly extreme response, it is a massive system failure if excluding a child – particularly a young one – is easier than finding resources and support to address the

problem. Solutions exist – political will, to date, appears to be in short supply. And accountability to First Nations communities and families for this unacceptable outcome is missing.

# Recommendations

The evidence provided in this report confirms the need to add the development of supports for improving suspension rates of First Nation learners to the activities of the First Nations Lifelong Learning Table (FNLLT). The FNLLT is a bilateral process established between First Nations in Ontario and the Ministry of Education to increase the success and well-being for First Nation learners in both the provincially and federally funded education systems through a balanced, respectful, and collaborative relationship whereby collaborative work is planned, designed, implemented and regularly evaluated.

The current priority areas of the FNLLT include: Relationships; Community and Student Well-being; Languages and Culture; Curriculum; Information, Access and Accountability; and Policy Development. It is recommended that the FNLLT work with First Nations to develop supports for improving attendance, credit accumulation and

graduation rates as focused areas of activity under the Community and V.5.

It is also recommended that the evidence provided in these reports be widely used by First Nations, provincial school board entities, the Ministry of Education and the general public to inform agreements and policy and program development to address the reported inequities for First Nation learners.

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