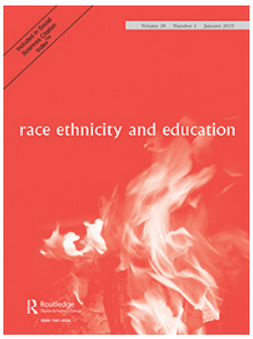

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Just go to the office! An intersectional exploration of the role of race and gender in discipline referral reasons

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ABSTRACT

Educators' differential selection of Black and Latine students for office discipline referrals is a significant driver of inequity in exclusionary outcomes. Using demographic data and discipline records for all students in one large urban school district, we use descriptive statistics and multilevel regression models to consider whether referral reasons are racialized and if these patterns intersect with gender. Our analyses indicate that educators are consistently more likely to refer Black students than White students to the office for several subjective reasons, including habitual disruption, that are purportedly race-neutral but privilege Whiteness. They are less likely to make referrals for Black students in the objective category of drug and alcohol use or possession. Latine students are more likely than White youth to be referred for habitual disruption and substance use or possession. We draw on Critical Race Theory to interpret these findings and their implications.

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Intersectionality; school discipline; office discipline referrals; racial bias

Racial inequity in school suspensions has long been present in the American educational system. Research consistently finds that Black youth are suspended at significantly higher rates than their White peers (Anyon et al. 2014, 2021). In some studies, Latine[1] youth are also disproportionately suspended when compared to White youth (Anyon et al. 2014, 2021; Mendez and Linda 2003). For instance, compared to White youth, Black and Latine high school students across the U.S. were two to five times more likely to be suspended (Wallace et al. 2008). Suspensions negatively influence the emotional well-being of children, decrease academic achievement and school withdrawal, and are positively related to entry into the juvenile justice system (Balfanz, Byrnes, and Hornig Fox 2015; Gregory, Skiba, and Noguera 2010). Thus, understanding factors contributing to racialized suspensions is warranted.

Theoretically and empirically, scholars have identified the process of teachers' differential selection of Black and Latine students for office discipline referrals (ODRs) as an important contributing factor to racialized suspensions (Gregory, Skiba, and Noguera 2010). Black youth receive office ODRs from teachers at significantly higher rates when compared to their White peers, and some work suggests the same pattern with Latine youth (Martinez, McMahon, and Treger 2016). Moreover, teachers' reasons for using

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referrals as a discipline strategy differ based on their racialized perceptions of students. Several studies have found that ODRs for Black youth have been related to subjective factors (e.g. disobedience, disrespect, defiance) which are prone to bias and the privileging of White norms (Leonardo 2007). However, less research has considered the referral reasons for Latine youth despite their disproportionate representation among suspended students. Additionally, most research examining racial disparities in discipline does not consider the ways gender might also influence students' racialized experiences, though this has increasingly been a focus of more recent work in this area (Annamma et al. 2019; Liu, Hayes, and Gershenson 2021). To close the gap in this research area, we use the data from one urban school district to explore whether racial differences exist in teachers' reasons for using ODRs with Black, White, and Latine students, and how these discipline experiences might also be shaped by student gender.

Theory and background

Our study draws on Critical Race Theory (CRT) as a guiding framework for our research questions, analysis, and interpretation. CRT suggests that a racial hierarchy exists within all social institutions that privileges Whiteness (Tate 1997; Gillborn 2005). From this perspective, Whiteness is a process in which White middle-class values, beliefs, and practices are normalized as natural, appropriate, and socially acceptable (Hytten and Warren 2003). The privileging of Whiteness is also maintained through a color evasiveness ideology that asserts ignoring race is beneficial for equality. This ideology is salient in macro practices and policies implemented in institutions, along with individuals' interactions with others in the micro and meso systems. Consequentially, behaviors, practices, and racial positions that differ from Whiteness are viewed as deficit, inappropriate, and/or criminalized (Valencia 2012; Levine-Rasky 2000). As such, discrimination towards racially minoritized populations is systemic and embedded in societal institutions.

More specifically, educational systems reflect CRT tenets by embodying racism through discipline (i.e. suspension) and academic (i.e. tracking) practices and policies that disproportionately and negatively impact Black and Latine youth at all grade levels. Schools also tend to have racial climates in which racially minoritized students are subjected to stereotypes, discrimination and social isolation from educators and peers (Gale et al. 2020; Hope, Skoog, and Jagers 2015; Rosenbloom and Way 2004). For example, the practice of academic tracking – the separation of students into classes based on ability – appears as fair by utilizing standard testing to justify academic placement. However, this practice ignores structural conditions that impede the academic performance and social-emotional development of racially minoritized youth as well as the ways teachers' subjective perceptions of students influence academic placement decisions (K. Legette 2020; Nicholson-Crotty et al. 2016; Tyson 2013).

Applying CRT to the quantitative literature on racial disparities in school discipline outcomes also requires attention to the context of systemic racism. Drawing on the principles of QuantCrit (Garcia, López, and Vélez 2018), we recognize the racial categories referred to in these studies are 'complex, historically situated and contested' and that disproportionality is likely evidence of racism, not an indication of Black or Latine students' deficits (Gillborn, Warmington, and Demack 2018; Castillo and Gillborn 2022).

With this framing in mind, research consistently demonstrates that Black youth receive ODRs from teachers at significantly higher rates than their White peers (Skiba et al. 2011; Welsh 2022; Anyon et al. 2014, 2016). Based on data from 440 elementary and middle schools, the odds of Black youth receiving a discipline referral were 2.19 times higher than their White peers in elementary school, and this increased to 3.70 in middle school (Skiba et al. 2011). Additionally, when accounting for student gender, socio-economic status, and special education status, Black students in one school district still had greater odds of receiving one or more ODRs compared to White youth (Anyon et al. 2014). Limited work with Latine students indicates that they are also disproportionately referred when compared to White youth, but have lower rates when compared to Black youth (Anyon et al. 2014; Wallace et al. 2008). For instance, using data from the Arizona school district, Black youth odds of receiving a discipline referral was over twice as high as Latine students and nearly three times more than White youth (Brown and Di Tillio 2013). When compared to White youth, Latine populations were 1.38 more likely to be referred (Brown and Di Tillio 2013). These studies indicate that Black youth receive ODRs at significantly higher rates than their Latine and White peers, and that Latine students receive ODRs at higher rates than White youth.

Both CRT and empirical research suggest that effectively addressing racial disparities at the macro-level, such as suspension rates, requires attention to ways racism is perpetuated at the micro-level, especially through teacher-student interactions. Examining the reasons for ODRs can reveal racial biases in teachers' differential selection of Black and Latine students for school punishment. Studies have consistently found that Black youth receive ODRs for teachers' perceptions of subjective behavior at significantly higher rates than their White peers (Bradshaw et al. 2010; Skiba et al. 2002). We conceptualize these referral reasons as reflective of school adults' perspectives and biases in their interactions with students, not 'true' assessments of Black and Latine students' behavior (Cruz and Firestone 2023). For instance, in a seminal study of 19 middle schools, Black youth were referred more often for disrespect, excessive noise, threat, and loitering (Skiba et al. 2002). In contrast, White youth were referred significantly more for smoking, leaving without permission, vandalism, and obscene language. Research conducted at the elementary school level has also found that Black students were significantly more likely to receive an ODR for misconduct when compared to White youth (Bradshaw et al. 2010). Racial differences in teachers' discipline practices for subjective factors suggest that they might criminalize Black youth behaviors and/or perceive their behaviors as deviating from Whiteness (Solorzano and Yosso 2001). This is one example of CRT's emphasis on how White norms, behaviors, and beliefs are privileged and leveraged to justify racial inequities (Gillborn 2005; Vaught and Castagno 2008).

A smaller body of research focused on Latine students suggests they are referred to the office less often than Black youth, but findings are more variable when compared to White youth. In one study, Latine students were less likely to receive ODRs than Black youth for disruptive and physically aggressive behavior (Martinez, McMahon, and Treger 2016). At the K-6 level, Latine students were underrepresented in ODRs for minor misbehaviors, disruption, noncompliance, and moderate infractions. However, at the 6–9 level, they were overrepresented in all categories (Martinez, McMahon, and Treger 2016). Further research on the reasons why educators refer Latine students to the office is

needed to understand their discipline outcomes, especially in comparison to White youth.

It is also important to consider ways gender might interact with racialization to shape teachers' use of ODRs. Intersectionality asserts that social identities are interdependent and individuals' experiences and outcomes are occurring simultaneously rather than independently (Crenshaw 1989; Cole 2009; Collins 2019). Examining the intersection of race and gender in teachers' use of ODRs might demonstrate ways racial bias is activated differently based on the privileging of White forms of femininity and masculinity. Normative constructions of femininity are based on perceptions of White women as fragile, docile, and vulnerable (Morris 2007). Female behaviors that differ from these are often criminalized and hypersexualized. Indeed, Black women and Latinas are often viewed as aggressive, loud, hypersexual and sexually promiscuous (Abrams 2002 Edward; Morris and Perry 2017). Masculinity is viewed as the dominant gender based on White men as strong, competent, providers, and protectors (N. Bryan 2018; Ferguson 2000). However, race might alter perceptions of masculinity making behaviors of Black and Latino men appear more volatile and dangerous (Anderson, 90; Connolly 98; Ferguson 2000). This aligns with stereotypes of Black and Latino men as criminals, dangerous, and lazy (Reny and Manzano 2016). Such research illustrates how Whiteness intersects with gender to reproduce racialized discipline gaps.

The stereotypes of Black and Latine males and females and notions of femininity and masculinity based on Whiteness might relate to teachers' ODRs. Limited work examines ways race and gender might interact in teachers' ODRs decisions with Black, Latine, and White students in the same study (Edward; Morris and Perry 2017). With middle and high school aged students, Morris and Perry (2017) explored race and gender differences in office referrals among the following four types of offenses, from least to most severe: Class I (disruptive behavior, excessive tardiness, and other minor violations), Class II (truancy, cheating, or disobedience), Class III (theft, fighting, harassment, property damage, inappropriate sexual behavior), and Class IV (drugs or alcohol, weapon, or major law violation). Compared to White youth, Black youth were significantly more likely to receive an ODR for minor and moderate Class I, Class II, and Class III violations compared to White students. In examining the intersection between gender and race, Black boys were about twice as likely as White boys to be referred for a rule violation and for minor Class I violation. Latino boys were significantly less likely to be disciplined than White boys for Class III violations. Black girls were three times more likely to receive an ODR for minor Class I and violations compared to White girls (Morris and Perry 2017).

Studies focused on disciplined girls further demonstrates ways femininity might shape Black girls and Latina experiences with ODRs. Research from one school district found that even after accounting for student background characteristics like grade level and socio-economic status Black girls were significantly more likely to receive ODRs for disobedience or defiance, when compared to White girls (Annamma et al. 2019). Findings from a different study indicated that Black girls were more likely to receive ODRs for defiance, improper dress, and fighting when compared to White girls. Comparisons between Latinas and Black girls demonstrate that Latinas were more likely to be referred for truancy, tardiness, and fighting, whereas Black girls were referred more often for using profanity towards students (Blake et al. 2011). Qualitative research suggests that the pattern of Black girls and Latinas being overrepresented among ODRs

for fighting, aggression, and/or using profanity may actually indicate their responses to being sexually harassed at school (Morris 2007). The hyper sexualization of Black women and Latinas may lead teachers to shame and blame these students for being harassed while ignoring those who were committing the harassment (Rahimi & Liston, 2009). As a way to protect themselves, Black girls and Latinas might retaliate towards their peers, but are then penalized for their behaviors (Evans-Winters, 2017). As such, the discipline process is color-evasive and de-contextualized from the experiences of racially minoritized students in schools.

Current study

Our study investigates whether racial differences exist in educators' use of ODRs among Black, Latine, and White students. Additionally, we explore if gender influences the magnitude of the relationship between race and ODR referral reasons. The findings from this study will contribute to current knowledge on racial disparities in two important ways. First, our sample includes Black, White, and Latine students, whereas most research in this area has compared just two of these groups to each other. Including both Black and Latine students can reveal ways Whiteness is maintained and perpetuated through teachers and administrators' racialized ODRs practices (Blaisdell and Taylor Bullock 2022; Gillborn 2005). Second, examining the interaction between race and gender will provide further insight into ways masculinity and femininity based on White middle-class behaviors may shape educators' discipline decisions (Picower 2009; Gillborn 2005). This information can inform interventions that will be effective in reducing disparities in punitive and exclusionary discipline outcomes.

Methods

Our methods draw on the principles QuantCrit (Garcia, López, and Vélez 2018) and the practical suggestions for researchers Proposed by Castillo and Gillborn (2022) that build on these tenets. Specifically, we include positionality statements, are intentional about the denominators and model specifications in our analyses, disaggregate our data into separate racial categories, are candid about our study limitations, aim to communicate our findings in a way that is accessible to a wider disciplinary audience, and guide our interpretation of study findings using CRT in order to foreground racism as the driver of racial disparities (Castillo and Gillborn 2022).

Statements of positionality

Kamilah B. Legette

I identify as a Black, cisgender Female who was raised in a small racially segregated town in the South. My experiences in the school system as a student, pre-K educator, and school counseling intern at a Title One school have shaped my awareness of racism and systemic oppression. As a student, I experienced racial discrimination from peers and educators which shaped my interactions and perceptions of the schooling environment. As an educator and school counseling intern I observed racially discriminatory treatment from teachers towards students, especially with discipline, that impact students' academic

trajectories, interactions with schooling agents, and future discipline experiences. These experiences combined shaped my awareness of the ways that racism shapes one at the individual level but also at the macro level to perpetuate racial inequities and shape children's development.

Yoli Anyon

I identify as a White, cisgender Female with invisible disabilities who grew up with socioeconomic privilege. I began to understand the concepts of race and racism as a child, living and going to school in a predominantly Mexican-American neighborhood where my parents were community organizers. My parents, who are both White, named me Yolanda after a Chicana activist they worked with on local campaigns. They did not consider the implications of giving me a name that is often associated with racially minoritized women. In elementary school, teachers initially disregarded my raised hand during roll call based on their expectations that someone with my name must be Brown or Black. This pattern continued throughout my life across many settings, exposing the power of racial stereotypes and biases. I also gained insights about racism when the youth group my parents advised held events, spoke at city hall, or visited public officials and shared their experiences with oppression, from tracking and school discipline to racial profiling and police brutality. My own educational opportunities and interactions with law enforcement revealed dynamics of power and privilege, shaping my understanding of systemic inequities. I recognize that these lived experiences influence my research interests and analytical lens; in this study I assumed that the root cause of disparities in office discipline referrals was discrimination, not differential behavior.

Study context

Data for this study comes from the 2018–2019 school year in a large urban school district in the Western United States that predominantly serves racially minoritized students (75%) and low-income youth (65%). Students in elementary schools comprise the largest share of the population (41%), followed by high school (26%), middle school (17%) and schools with other configurations e.g. K-12 or K8 (16%). Discipline policy in this district aims to limit the use of exclusionary and punitive practices and encourages educators to use restorative and therapeutic approaches to resolving rule-breaking behavior.

Sample

Table 1 outlines the racial and gender composition of all students in the district (N = 105,471) and those with one or more ODRs (n = 7,410). Our first statistical models used a sample that included all students in the district, which was 53% Latine, 25% White, 13% Black, 4% Multiracial, 3% Asian, and less than 1% Pacific Islander or Native American (see Table 1). Unfortunately, this district does not collect more detailed information about students' race or ethnicity. Students were classified as either male (51%) or female (49%) and the district did not offer a non-binary option. English language learners represented 35% of the population. Students with active individualized education plans that made them eligible for special education services made up 12% of all students. Sixty five percent of the student population qualified for free and reduced-price meals.

Table 1. Student demographics.

			Office Discipline Referral Reasons									
	District	Any Referral	Recurring low-level	Other minor	Severe defiance	Bullying	Recurring minor	Other major	Fighting	Other serious	Drug or alcohol	Habitually disruptive
							%					
Race												
Native Amer	0.7	0.8	0.6	0.6	0.2	0.5	0.7	1.3	0.8	0.8	1.4	1.3
Asian	3.2	1.2	0.8	1.3	1.7	2.1	0.7	1.3	0.7	1	1.4	0
Black	13.4	24.1	21.1	24.2	31.1	25.3	26.3	27.1	31.5	29.1	14.7	38.4
Latine	53.3	55.5	55.3	51.7	49.8	54.8	58.9	53.6	52.2	52.2	65.4	50.2
White	24.9	14.1	16.7	17.1	12.8	13	10.5	11.4	10.6	12.8	13	5.2
Pac Islander	0.4	0.4	0.8	0.3	0.1	0	0	0.7	0.2	0.1	0.4	0
Multiracial	4.1	4	4.8	4.9	4.3	4.3	3	4.7	4	4	3.9	4.8
Gender												
Girls	48.7	35.3	25.5	31.3	30.8	40.4	26.6	33.8	36.6	30.9	40.7	44.1
Boys	51.3	64.7	74.6	68.7	69.2	59.6	73.4	66.3	63.4	69.1	59.3	55.9
Total	105,471	7,410	664[a]	2,056	889	376	304	554	2,305	1,466	1,103	229

[a]Students could receive referrals of multiple types over the course of the school year, so the numbers in each category add up to more than the total number of students with any type of referral.

Our second set of models focused only on students who were in the discipline system and had one or more ODRs, representing 7% of the overall student population. These students were 55% Latine, 14% White, 24% Black, 4% Multiracial, 1% Asian and less than 1% American Indian or Pacific Islander. Male students made up 65% of disciplined students, 32% were English language learners, 21% were eligible for special education services and 72% qualified for free and reduced-price meals.

Measures

Referral reasons

School administrators choose from an extensive list of 36 ODR reasons when entering incidents into the district's electronic student information system. The reasons are categorized by severity, from minor to major forms of rule-breaking behavior. For example, there are two levels of destruction of school property, based on the monetary value of the property. For this study, we selected the most common office referral reasons for our analysis (see Table 1). These were recurring low-level behaviors ($n = 664$), 'other' minor reasons ($n = 2{,}056$), severe defiance ($n = 889$), bullying ($n = 376$), recurring minor reasons ($n = 304$), 'other' major reasons ($n = 554$), fighting ($n = 2{,}305$), 'other' serious reasons ($n = 1{,}466$), drug or alcohol possession or sale ($n = 1{,}103$), and being habitually disruptive ($n = 229$). Because students could receive referrals in more than one category over the course of a year, the total number of referrals by type is greater than the number of students with any type of referral. The number of referrals students received was highly skewed, so we recoded the continuous variable into binary indicators of whether or not a student received one or more of these types of referrals. In other words, a zero indicated a student did not receive any ODRs in that category and a one meant a student received one or more types of those ODRs.

Most types of referrals were not defined beyond their name. However, recurring low-level behaviors was defined as repeated disruptions, minor forms of disobedience or defiance, use of profanity, physical aggression like pushing or shoving, tobacco use, dress code violations, tardiness, verbal insults, use of cell phones and other electronic devices, minor damage to school property, and/or gambling. The category of 'other' included any type of rule-breaking not otherwise specified that disrupts the school environment. Major violations were defined as more 'substantial' than minor misconduct. Serious rule-breaking behavior was defined as 'more serious' than major referrals and also included behaviors that endanger the welfare or safety of others. Habitual disruption was defined by state law as persistent rule-breaking of any kind that may justify expulsion.

Student demographics

The district classified students by race as either White, Black, Asian, Native American, Latine, Pacific Islander or Multiracial. We recoded this categorical variable into dichotomous indicators of whether or not a student belonged to each racial group (eg. 0= not Black, 1=Black). Additional student characteristics included binary variables for gender, eligibility for special education, and classification as an English language learner. We included a continuous variable for students' grade-level, from Kindergarten to 12th grade.

School composition

At the school level, we included variables that captured school racial segregation and poverty concentration (percent Black and percent qualified for free and reduced-price meals), along with grade configuration (high, middle, elementary, other).

Analysis

We first generated descriptive data comparing all students in the district to those with one or more ODR of any category and then separately by the most common referral reasons. We then conducted a multilevel logistic regressions to predict whether or not students were referred for any reason and then for each type. Our independent variables were student racial classification with a focus on those who were identified as Latine and Black. Dependent variables were the most common categories of ODRs. Covariates included student demographic characteristics and school composition. We constructed two models, one that included all students in the district and another with a constrained sample of those with discipline incidents, to investigate whether the higher likelihood of Black and Latine students being referred from the general population was the primary driver of racial disparities.

In Model 1, we compared students with one or more referrals to all students in the district who did not have a referral in that category. In Model 2, we constrained our sample to students with any type of ODR and conducted the same analysis. In this model, students with referrals in each category were compared to disciplined students who had no referrals for that reason. Finally, we added interaction terms to Model 1 to consider whether gender moderated the effect of race. All models used the same student- and school-level covariates outlined in the measures section, with White students serving as the reference group for student race, and elementary schools being the reference group for grade configuration.

Analytic rationale

Descriptive data alone can offer strong evidence of differential selection of Black and Latine students, girls and boys, for exclusionary punishment and the type of referrals that are driving racial and gender disproportionalities. However, this data is too often disputed by educators, scholars, and policy makers who claim these discipline gaps are actually attributable to other factors, such as school racial composition or students' qualification for special education (e.g. Yang et al.2019). These arguments ignore how structural and systemic racism contribute to, for example, school segregation and biased perceptions of ability (Castillo and Gillborn 2022; Cruz and Firestone 2023). They do not recognize how these patterns are interconnected with school discipline rather than distinct. Yet the persistence of these ideas warrants multiple theoretical and methodological approaches to revealing their fallacies (Garcia, López, and Vélez 2018). Towards this end, we conducted logistic regression models that accounted for these types of variables with the aim of generating evidence that might challenge color-evasive and gender-neutral explanations of disparities in ODRs. Moreover, we included students from all racial groups in our analytic sample and disaggregated these categories in our statistical models because there are important sub-group differences in teachers' perceptions of

student behavior and discipline referral reasons (e.g. Anyon et al. 2014). This allowed us to draw on the variability of the full dataset and generate more accurate model estimates.

Results

Descriptive evidence of racial disproportionalities in ODRs

Comparing all students in the district to those with ODRs, boys and Black students were overrepresented, whereas White, Asian and Pacific Islander students were underrepresented among students referred for perceived misconduct (Table 1). Among the students with ODRs, Black students were most overrepresented in subjective categories involving severe defiance, fighting and being habitually disruptive. In contrast, they were underrepresented in referrals for recurring low-level incidents, suggesting that their low-level behaviors are interpreted more severely. Black students were also less likely to be referred for the more objective reason of possessing or being under the influence of drugs or alcohol. This is consistent with the extant literature and CRT's focus on how bias is normalized and justified based on Whiteness (Blaisdell and Taylor Bullock 2022; Picower 2009). Latine students were underrepresented in ODRs for severe defiance, overrepresented in referrals for illegal substances, and proportionally represented in all other categories. White students were overrepresented in the most minor categories and underrepresented in referrals for more serious concerns.

With respect to gender, girls of all racial backgrounds were overrepresented in referrals for bullying, possessing or being under the influence of drugs or alcohol, and being habitually disruptive. These patterns suggest that educators may be more reluctant to refer girls to the office unless their behavior is perceived to be serious or harmful to peers. In contrast, boys were overrepresented in the lowest categories and underrepresented in bullying and possession or and being under the influence, suggesting adults may move more quickly to refer boys to the office than girls.

When considering the intersection of race and gender, disaggregated referral patterns among boys from each racial group were similar to overall trends for all boys. However, among female students, Black girls were dramatically overrepresented in bullying, fighting, and being habitually disruptive, suggesting that school staff may perceive Black girls' behaviors as more threatening and dangerous than their peers. White girls were most likely to be referred for possessing or being under the influence of drugs or alcohol. Other scholars have noted that White students are more likely to be referred for objective reasons and Black students for issues that are more subjective (Skiba et al. 2011, 2002; Morris and Perry 2017) This pattern was clearest among girls in this district.

Evidence from statistical models of racial disparities in ODRs

Table 2 presents detailed results of our statistical models that predicted whether Black and Latine students had greater odds than White students of receiving referrals in each category. The findings illustrate the relationship between being a Black or Latine student and having one or more ODRs, after accounting for a range of student and school characteristics. These included students' gender, classification as an English language learner, eligibility for special education, grade-level, grade-level, school composition (%

Table 2. Multilevel logistic regression predicting office discipline referrals (ODRs) by reason.

		Office Discipline Referral Reasons									
	Any Referral	Recurring low-level	Other minor	Severe defiance	Bullying	Recurring minor	Other major	Fighting	Other serious	Drug or alcohol	Habitually disruptive
Adjusted Odds Ratios											
Model 1. All Students (n = 105,471). All Black and Latine students in the district compared to White students.											
Black	2.7***	2.9***	2.2***	2.8***	2.9***	3.6***	3.1***	3.9***	2.7***	1.7***	7.6***
Latine	1.5***	1.6***	1.3**	1.4**	1.6*	1.7*	1.5***	1.7***	1.4*	1.7***	2.8**
Model 2. Only Disciplined Students (n = 7,410). Black and Latine students with ODRs compared to White students with ODRs.											
Black	-	1.2	.96	1.2	1.2	1.5	1.4**	2.0***	1.2	.64**	3.1***
Latine	-	1.1	.89	.97	1.1	1.1	.99	1.2	.89	1.3*	2.0*
Model 3. All Students with Interaction Terms (n = 105,471). The odds ratios for race in Model 1 compared by gender.											
Black Boys	.59***	.82	.60**	.92	.30**	1.0	.57**	.44***	.45*	1.0	.24*
Latine Boys	.60***	.99	.61***	1.15	.42*	.94	.69	.43***	.55	.99	.61

*p < .05; **p < .01; ***p < .001.

Adjusted odds ratios controlling for students' gender, classification as an English language learner, eligibility for special education, grade-level, school composition (% Black and % eligible for free and reduced price meals), and school grade configuration (high, middle, elementary, other).

Black and % eligible for free and reduced price meals), and school grade configuration (high, middle, elementary, other). Our outcome was binary (0/1), in which a zero indicated no ODRs in a category and a number one signified at least one referral for that type of reason.

Binary outcomes require the use of logistic regression where results are presented as odds ratios. An odds ratio that is greater than one, such as 1.6, indicates increased odds or greater risk for an ODR, whereas an odds ratio of less than one, such as 0.7, signifies lower risk. Another way of conceptualizing this relationship is to use the relatively more common language used when reporting the findings of linear regressions. An odds ratio greater than one is similar to a positive correlation (e.g. 'more likely') and less than one is like a negative correlation (e.g. 'less likely'). In addition, like other statistical approaches, logistic regression models calculate the probability that results are due to chance, which is represented by a p-value. Smaller p-values indicate greater mathematical confidence in the findings, such that an odds ratio with a p-value of .001 suggests stronger evidence that the result is not random than a one with a p-value of .10. Below, we summarize the patterns reported as specific values in Table 2.

All students

Results from the first multilevel logistic regression model (Model 1, Table 2) using data from all students in the district (including those with and without ODRs) indicate statistically significant racial disparities in all referral reasons, though they varied in magnitude depending on the type of incident and students' race. Racial disparities were largest for subjective categories, such as recurring minor reasons, fighting, and being habitually disruptive. In general, effect sizes were also larger for Black students than Latine students across all referral categories. More specifically, when compared to White students, Black youth had greater odds of receiving any type of referral and referrals in each category. The referral reasons with odds ratios of the greatest magnitude were for being habitually disruptive, fighting, recurring minor concerns, and 'other' major misconduct. Black students had lower odds, though still statistically significant, of being referred for drug or alcohol possession or distribution and 'other' minor concerns. Latine students also had significantly higher odds than White youth of being referred to the office for all types of perceived misbehavior. The referral reasons with the largest odds ratios among Latine youth were for being habitually disruptive, fighting and drug or alcohol possession or distribution. Latine students had lower odds, still statistically significant, for 'other' minor concerns, severe defiance, and 'other' serious misconduct.

Only disciplined students

In our second statistical model (Model 2, Table 2), we used the same analytic approach and covariates as the first model, but limited the sample to only include students with one or more ODRs. In other words, we examined whether Black or Latine students in the discipline system had higher odds of being referred for a particular reason when compared to White students who had also been disciplined. Compared to Model 1, results presented for Model 2 indicated smaller odds ratios and fewer statistically significant disparities. Similar to Model 1, racial disparities were largest for subjective categories and the magnitude of effect sizes was larger for Black students than Latine youth, except in referrals for issues related to drug and alcohol.

Compared to Model 1, Latine and Black students' odds of referral for drug and alcohol was smaller, and in the case of Black students, the odds ratio actually flipped such that they had lower odds of referral for this reason than White students. The other categories in which Black youth in the discipline system experienced higher odds of referral than White students, and were statistically significant were for being habitually disruptive, fighting, and other major concerns. Compared to their White peers, Latine students in the discipline system also experienced higher odds of referral for being habitually disruptive.

Summary. The results from Models 1 and 2 parallel the descriptive findings, indicating that after accounting for all covariates, school staff tend to make referrals for Black and Latine students using more serious categories than their White peers. Moreover, the largest racial disparities were among referrals for being habitually disruptive, a highly subjective category. Black students also had the lowest odds of referral for alcohol or drug possession, which is the most objective referral reason in our analyses. Thus, findings provide further evidence that the descriptive patterns seen in district schools cannot be 'explained away' by pointing to other contributing factors. Instead, CRT draws our attention to structural and systemic issues, such as the ways racial stereotypes and privilege influence bias in teachers' perceptions of student behavior, as potential explanations for these results.

Interaction terms

In Model 3, we drew on the power of the dataset that included all students in the district to investigate interactions between race and gender on students' odds of receiving each type of ODR. Results indicated that racial disparities in referrals for Black and Latine students, compared to their White peers, tended to be less severe among boys than girls. This pattern was true for both groups, but statistically significant in three more referral categories among Black students than Latine youth. Specifically, interaction terms revealed that the effect of race was significantly smaller among Black boys than Black girls in seven of the eleven referral reasons we considered and were of the largest magnitude in the categories of habitual disruption, bullying and fighting. A similar pattern was evident for Latine students, but interaction terms were statistically significant in four of the eleven categories and largest for bullying and fighting. In other words, the effect of being Black or Latine on these types of referrals was stronger for girls than boys.

To illustrate the meaning of these interaction terms, we separated our dataset by gender and conducted the same regression we used in Model 1. For example, Black boys' odds of referral for 'other' minor issues, compared to White boys, was 2.78 ($p < .001$). In contrast, Black girls' odds of referral for minor reasons, compared to White girls, was 4.40 ($p < .001$). That means racial disparities in this category tended to be of larger magnitude among girls than boys, suggesting the significance of race in referrals was more pronounced for girls. We do not present the results of these separate models due to space constraints and because our intent was to aid the reader in interpreting the interaction terms.

Summary. We added interaction terms to Model 1 so we could examine the ways race and gender intersect to create distinct referral patterns. Like the descriptive data, our statistical models illustrate that the effect of race is stronger for girls than boys in

subjective referral categories involving adults' perceptions of aggressive or violent behavior which contrast White norms of femininity.

Discussion

Racialized suspensions have negative implications for Black and Latine students' achievement and school belonging and are positively related with entry into the juvenile justice system (Balfanz, Byrnes, and Hornig Fox 2015; Gregory, Skiba, and Noguera 2010). An intersectional and CRT framework suggest examining how racism is interrelated with gender in perpetuating racialized discipline is warranted to provide Black and Latine students with equitable schooling experiences and opportunities (Cruz and Firestone 2023). Investigating the reasons that cause teachers to remove students from the classroom via ODRs may indicate how Whiteness shapes teachers' decisions. Available scholarship has demonstrated that Black students receive ODRs at significantly higher rates than their White peers for subjective factors that do not name racial norms but are interpreted through a lens of Whiteness (Bradshaw et al. 2010; Julia et al. 2012; Martinez, McMahon, and Treger 2016). However, few studies have explored whether gender alters Black youth experiences with discipline. Additionally, fewer studies have examined Latine students' causes of ODRs. We extended work in racialized discipline by including Black, Latine, and White students to investigate if racial differences exist in the reasons educators give for making ODRs and how these discipline experiences might also be shaped by student gender.

Main effects of race/ethnicity

Compared to White youth, Black and Latine youth had higher odds of ODRs for several misbehaviors, mostly minor and subjective (e.g. defiance, disruptive). These findings are similar to past research that finds that Black youth receive ODRs for subjective factors (Bradshaw et al. 2010; Skiba et al. 2002), suggesting this is a systemic problem. Our findings provide additional evidence that Latine students might also be disproportionately disciplined when compared to White youth. This illustrates the idea from CRT that behaviors which deviate from White norms are criminalized using color-evasive or race-neutral policies, which also works to perpetuate White privilege (Ladson-Billings 1998; Cruz and Firestone 2023). Of all the offenses that were significant by race, the disparity for habitually disruptive, a high-level offense that is only superseded by weapons possession, is the most concerning. It appears educators use this category of ODRs with Black and Latine youth at higher rates than less severe categories, even if they capture similar behaviors. For habitually disruptive, the odds were close to 8 times higher for Black youth and almost 3 times higher for Latine youth. However, for minor offenses which include disruption and is a level 2 offense, Black youth odds of an ODR were 2.2 and Latine odds were 1.3, compared to White youth. The findings suggest teachers likely use excessive force/discipline (level 4) for both Black and Latine students, even if the behavior might fit a lower level offense. From a CRT perspective, teachers racialized punitive discipline practices are in part due to appraising Black and Latine youth behaviors, even if similar to their White peers, as criminal and/or needing change (Cruz and Firestone 2023; Ladson-Billings and Tate 1995).

Next, we examined if there was racial disproportionality in the types of ODRs among students who were disciplined. For both Black and Latine youth, once disciplined, they have significantly higher odds of an ODR for drug and alcohol related factors and habitually disruptive. This finding offers further support of the *differential selection*, which suggests that Black and Latine students' higher rates of ODRs might be due to bias in teachers' expectations of students' misbehaviors and teachers' harsher discipline with Black and Latine students (Ruck and Wortley 2002). If teachers are expecting Black and Latine students to misbehave and/or use drugs based on racial/ethnic stereotypes (Boysen 2012; Jussim, Eccles, and Madon 1996), it is likely that they observe their behaviors more often to 'catch' them, even when the behaviors are not present (Gilliam et al. 2016). Because teachers might expect these behaviors from Black and Latine youth, teachers might also perceive Black and Latine students' behaviors differently compared to their White peers. For instance, in studies that use scenarios depicting a student misbehaving while manipulating student race with stereotypical names (e.g. Shawn; Tom), teachers tend to report the behavior as more severe, troublesome, or threatening when the student is perceived as Black compared to White, for the same behavior (K.B. Legette, Halberstadt, and Majors 2021; Chang and Sue 2003). As such, teachers might use harsher discipline with Black as well as Latine students, even if they present similar behaviors as White students.

Moderation of race and gender

Using an intersectional approach details ways gender and race biases might interact in creating discipline disparities. For both Black girls and Latinas, they receive ODRs at higher rates than their peers for minor and subjective reasons. These minor and subjective reasons are usually based on teachers' perceptions of girls as disobedient, disruptive, and/or defiance. Given stereotypes of Black girls and Latinas as aggressive and loud, teachers might perceive or interpret Latinas and Black girls' behaviors in negative ways, even if these behaviors might not be present (Edward; Morris and Perry 2017; Wallace et al. 2008). It is also possible that subjective causes such as disruption/defiance categories are both racialized and gendered. If teachers' perceptions of femininity are based on Whiteness, Black girls and Latinas behaviors that might differ from those perceptions could be penalized (Cruz and Firestone 2023).

One important area to note is that Black girls and Latinas both received ODRs at significantly higher rates for fighting and bullying. While these behaviors are typically considered as objective, it is also possible that teachers might misperceive racially minoritized girls' interactions with peers as more serious compared to boys. Alternatively, these findings could be attributed to Black girls and Latinas protecting themselves from unwanted sexual harassment at schools (Morris 2007). Stereotypes of Black women and Latinas as promiscuous might shape the way teachers respond to reports and observations of unwanted advances from peers, and who is considered innocent, who are the victims and who are perpetrators (Morris 2007; Toliver 2018). When racially minoritized girls do not feel supported or protected, they might react towards their peers to protect themselves, but are then penalized by their teachers.

Limitations

The primary strengths of our study were a sample that included all students in one school district, not just those with recorded discipline incidents, and the range of ODR categories available in the dataset. However, several of the most common types of referrals were broad and not well defined, which made it difficult to draw conclusions about factors that may contribute to disparities in these categories, beyond their highly subjective nature. We also recognize that our statistical models included control variables that are indicators of systemic racism, such as concentrated poverty, which obscured how these factors also contribute to discipline disparities (Gillborn, Warmington, and Demack 2018; Castillo and Gillborn 2022). Additionally, the participating school district had unique characteristics that limit the generalizability of our findings to other settings. In particular, the student population was largely low-income students and racially minoritized youth compositional features that other research suggests are related to discipline practices and outcomes (Eitle and James Eitle 2004; Capers 2019; Freeman and Steidl 2016). Discipline policy in this district was also relatively progressive, encouraging educators to use alternatives to out-of-school suspension and limiting the use of expulsion. Therefore, results from our study may not be representative of patterns in districts that serve different student populations or have distinct policy contexts. Finally, our analysis was correlational and does not provide causal evidence of racial bias. As a result, we relied on theory and prior research to interpret the mechanisms driving the disparities we documented.

Implications

Intersectionality and CRT proclaim examining the intersection between student race and gender in teachers' discipline decisions is important to reduce racialized suspensions, but also students' own achievement related outcomes (Cobb-Clark et al. 2015 E.W. Morris and Perry 2016). Black students are often aware of the differential treatment in school discipline practices between Black and White students, shaping their social-emotional and behavioral outcomes (Howard 2008; Sheets 1996). For example, as gaps in school-level discipline increased, Black students' perceptions of school equity and school belonging decreased and their adjustment problems increased (Bottiani, Bradshaw, and Mendelson 2016). However, the racial gaps in discipline did not have a significant impact on White students. As such, the cycle of racialized discipline directly impacts suspensions but also indirectly by shaping students' social-emotional learning and development.

The findings from our study indicate that Black and Latine students receive significantly more ODRs than their White peers, mainly for subjective factors. Moreover, significant differences existed by gender, suggesting teachers' racial/ethnic bias might also be gendered. In efforts to reduce racialized suspensions, restorative justice practices and Multi-tiered System of Supports (MTSS) have been suggested as strategies to reduce racialized discipline. However, these practices are usually from a race-evasive approach that does not address racial bias in teachers' decision-making or the structural contexts that shape school conditions (McIntosh et al. 2014). From a CRT framework, the racial and gender bias existing in teachers' perceptions of students' behaviors must be acknowledged to reduce racialized disparities in discipline. One strategy to reduce racialized

discipline is to provide preservice and in-service teachers anti-racism training that focuses on raising their awareness of their own racial biases and how these biases are related to their discipline practices. Additionally, through anti-racism training, teachers can learn ways Whiteness has informed their ideas of femininity and masculinity, which can also, implicitly shape biased decisions towards racially minoritized students.

Conclusion

Results of this study offer additional evidence of racial and gender disparities in educators' discipline practices and indicate that these patterns likely originate in ODR decisions. Despite efforts to reduce inequities in exclusionary school discipline, in this district and others across the country, our research indicates that color-evasive and gender-neutral reforms offer insufficient solutions to such a deeply entrenched problem. Our data illustrates the need to explicitly address the ways that racism and sexism influence how teachers and administrators perceive and respond to challenging student behavior. Recent developments in critically conscious approaches to resolving conflicts in schools offer such possibilities and deserve serious consideration from scholars, practitioners, and policy makers alike (Villavicencio et al. 2022).

Note

1. We use the Spanish gender inclusive term Latine instead of Latinx (Zentella 2017). In our data, students ethno-cultural background is identified as Latino or they used their country of origin (i.e. Mexican). We use Latine to represent these backgrounds in our manuscript.

Disclosure statement

No potential conflict of interest was reported by the authors.

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