The Right to Remain a Student Study Methodology

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Overview

This section outlines the methodology behind the report's findings. It begins by describing how school districts were selected for inclusion in the study. Next it shows how these districts compare to the State of California in terms of both demographic characteristics and specific outcomes relating to student discipline and interactions with the police. Finally, it describes the coding process that generated the report's findings.

Selecting School Districts to Study

There are over one thousand public school districts in California serving over 6.2 million students. To describe the policies governing student interactions with the police, a sample of districts was selected with two goals in mind: First, the report aimed to describe the policies experienced by the plurality of students in California. Second, it was designed to offer an overview of the overall policy landscape in California.

To accomplish these goals, the study's districts were selected in two stages. First, a census of the top-50 districts by enrollment was selected from a list of 1,038 school districts maintained by Ed-Data.org—a website run by the California Department of Education in partnership with other organizations to make information about California's schools available to the public.[1] Over 40 percent of students in California were enrolled in one of the selected districts.

Second, to provide a general overview of the State, an additional 75 districts were selected using stratified random-sampling that provided an oversample of 15 of the 58 County Offices of Education in the state. County Offices of Education were over-sampled to ensure a reasonable number were included in the study because existing data on student-police interactions suggest policies may be particularly lacking in these districts.[2] The sampling frame contained six districts that were also among the fifty largest by enrollment. Results in the report are weighted to reflect each district's probability of inclusion in the study.[3]

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[1] Available online at http://www.ed-data.org/Comparisons?compType=districts.

[2] Three of the five districts with the highest rates of student arrests and six of the 10 districts with the highest rates of student referrals to the police were County Offices of Education.

[3] Specifically, County Offices of Education in the stratified sample represent about 3.87 of the County Offices of Education in the state (1/(15/58)), while the remaining districts have a weight of 16.33 (1/(60/980)). In the statewide estimates, the top 50 districts by enrollment receive a weight of 1. The weights for the County Offices of Education remain the same, and the

Obtaining District Information

For each district in the study, researchers attempted to obtain policies and memoranda regarding police presence in schools and student-police interactions. If these policies were not publicly available on the district's website, the districts were contacted directly and asked to provide copies of policies via email. Three districts, one in the top 50 by enrollment (Placentia-Yorba Linda) and two from the random sample (Foresthill Union Elementary and Pond Union Elementary) replied to inquiries, but were unable to supply policies and were excluded from the analysis. Six additional districts refused to supply policies: one in the top 50 by enrollment (Kern High), and six from the stratified sample (Allensworth Elementary, Grenada Elementary, Nevada County Office of Education, Orick Elementary, Pacheco Union Elementary, and Willow Creek Elementary). Overall, the study examines policies in 109 unique districts: 48 of the largest districts by enrollment, five of which were also included in the stratified sample that contained an additional 61 schools. The full list of districts selected for the study is provided at the end of this section.

How the Districts in the Study Compare to the State of California

The tables below provide descriptive statistics for the 66 districts coded in the stratified sample (Table 1); the statewide estimates combine the stratified sample with the largest districts by enrollment (Table 2) and the state of California (Table 3). The demographic characteristics come from Ed-Data.org.[4] The data on school arrests, police referrals, use of physical restraints (physical and mechanical), and out of school suspensions and expulsions are a part of the 2013-14 Civil Rights Data Collection ("CRDC") for the 2013-14 school year provided by the U.S. Department of Education's Office for Civil Rights.[5]

The characteristics of both the stratified sample and the weighted statewide estimates compare favorably to the population. With the exception of the percent of districts classified as Metropolitan, none of the stratified sample's characteristics is statistically significant from the state (p>0.05). The weighted statewide estimates are similarly representative, although the

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remaining districts (excluding the 6 in the top 50 by enrollment) receive a weight of 17.22 (1/(54/930)).

[4] Ethnic diversity measures how much variety, or diversity, a school or district has among the eight ethnic/racial categories of students reported to the California Department of Education. Numbers close to 100 indicate a fairly even distribution, while numbers closer to 0 mean that students are predominantly from a single ethnic/racial group. Percent of metropolitan represent districts located in counties classified as metropolitan by the U.S. Department of Agriculture's 2013 Rural-Urban Continuum Codes available online at: http://www.ers.usda.gov/data-products/rural-urban-continuum-codes.aspx.

[5] Available online at: http://www2.ed.gov/about/offices/list/ocr/docs/crdc-2013-14.html. The CRDC provides data at the school level separately for students with and without disabilities, which were then aggregated and divided by district enrollment to provide district-level estimates of the rates per 100 students that these events occurred.

average rates of referrals and suspensions are conservative when compared to the State as a whole ($p < 0.05$). Overall, both the stratified sample and the weighted statewide estimates provide a representative picture of the State of California.

District Characteristics for the Stratified Sample

	Min.	1st	Median	Mean	3rd	Max.	NA's
Enrollment	11.0	575.00000	2946.000000	7253.3818295	5437.0000000	56820.000	11
Ethnic Diversity	6.0	27.00000	36.000000	35.1493951	44.0000000	60.000	6
Free Lunch (%)	2.7	39.60000	58.200000	55.6958735	75.4000000	97.300	1
English Learners (%)	0.5	8.40000	16.686667	19.3291362	26.1000000	54.500	3
Metropolitan (%)	NA	NA	NA	90.8920117	NA	NA	NA
Police Referral Rate (Per 100 Students)	0.0	0.00000	0.000000	0.2749287	0.2098636	6.228	2
Arrest Rate (Per 100 Students)	0.0	0.00000	0.000000	0.0612117	0.0000000	1.418	2
Restraint Rate (Per 100 Students)	0.0	0.00000	0.000000	0.0328233	0.0000000	1.174	2
Expulsion Rate (Per 100 Students)	0.0	0.00000	0.000000	0.2017982	0.2795899	1.274	2
Suspension Rate (Per 100 Students)	0.0	2.11904	4.542814	5.3701749	7.7428422	56.410	2

District Characteristics Combining the Stratified Samples with the Largest Districts by Enrollment

	Min.	1st Qu.	Median	Mean	3rd Qu.	Max.	NA's
Enrollment	11.0	562.00000	2453.000000	6708.9493374	5306.0000000	6.467e+05	11
Ethnic Diversity	5.0	28.00000	36.000000	35.6040462	44.0000000	7.200e+01	1
Free Lunch (%)	2.7	39.10000	56.900000	54.2785697	74.5800000	9.730e+01	2
English Learners (%)	0.5	7.80000	17.713333	18.7809646	25.9000000	5.450e+01	4
Metropolitan (%)	NA	NA	NA	90.7105082	NA	NA	NA
Police Referral Rate (Per 100 Stud)	0.0	0.00000	0.000000	0.2224868	0.1708366	6.228e+00	2
Arrest Rate (Per 100 Students)	0.0	0.00000	0.000000	0.0544084	0.0000000	1.003e+01	2
Restraint Rate (Per 100 Students)	0.0	0.00000	0.000000	0.0332018	0.0000000	1.174e+00	2
Expulsion Rate (Per 100 Students)	0.0	0.00000	0.000000	0.2031518	0.3099174	2.216e+00	2
Suspension Rate (Per 100 Students)	0.0	2.11904	4.482912	5.2926650	7.4722006	5.641e+01	2

District Characteristics for the State of California

	Min.	1st Qu.	Median	Mean	3rd Qu.	Max.	NA's
Enrollment	5.000	373.000	1844.000	6.130e+03	5917.0000	6.467e+05	21
Ethnic Diversity	0.000	24.000	35.000	3.363e+01	44.0000	7.200e+01	21
Free Lunch (%)	0.008	0.388	0.582	5.634e-01	0.7710	1.000e+00	57
English Learners (%)	0.200	7.000	16.000	2.063e+01	29.7500	8.600e+01	95
Metropolitan (%)	NA	NA	NA	8.206e+01	NA	NA	NA
Police Referral Rate (Per 100 Stud)	0.000	0.000	0.000	4.894e-01	0.2323	4.617e+01	36
Arrest Rate (Per 100 Students)	0.000	0.000	0.000	1.028e-01	0.0000	1.778e+01	36
Restraint Rate (Per 100 Students)	0.000	0.000	0.000	6.845e-02	0.0000	6.030e+00	36
Expulsion Rate (Per 100 Students)	0.000	0.000	0.000	2.061e-01	0.1818	7.797e+00	36
Suspension Rate (Per 100 Students)	0.000	1.538	3.695	5.146e+00	6.8170	8.254e+01	36

Coding District Policies

Once policies were obtained from districts, researchers coded the documents along the following twelve policy dimensions:

1. **Do police have the right to interview students?**
   - Permitted and school staff shall not hinder/delay police interview.
   - Permitted only if student is unavailable outside of school hours.
   - Not permitted without prior consultation/approval by principal.
   - Not permitted without search warrant.
   - Not permitted without parental consent.
2. **Must parents be notified of a police interview with student?**
   - Parents must be notified when police requests interview.
   - Parents must be notified after police interviews.
   - Parents must be notified or provide consent before allowing interview.
   - Parents must be notified "if appropriate."
   - Not required that parents be notified.
3. **Can police remove students from campus?**
   - Police may not remove student except with a court order/warrant or "where there is reason to believe the student has violated the law."
   - Police may remove a student, but must consult with principal before removal.
   - Police may remove a student, but must consult with principal before removal and principal should ascertain reason for release.

- Police may remove a student without any significant barrier to doing so (Absolute right / staff should make no effort to hinder release / remove where appropriate).

4. **Must parent be notified before student is apprehended (when a student is removed from campus)?**
   - School staff immediately notify parents when student is apprehended by police.
   - School staff immediately notify parents when student is apprehended by police and take multiple steps to contact parents (i.e., call parent, then home visit, then letter).
   - School staff must notify parents unless instructed by officers not to notify.
   - Peace officer must notify parents and has sole responsibility for notification.
   - No notification required.

5. **Must school staff ask police for identification when police come on campus?**
   - School staff must ask for police officer's identity, official capacity, and legal authority under which he acts.
   - If refuses to give certification of legal authority, document the refusal and consult with legal counsel before allowing officer to proceed.
   - School staff must exercise reasonable care to ascertain the identity and official capacity.

6. **What are the procedures police must follow related to questioning students?**
   - Adult present at student's request, at police discretion: at police discretion and the student's request, school staff may be present during the interview.
   - Adult present at student's request, at student's discretion: The student shall be given the option of being interviewed in private or selecting any adult school staff member, including any certificated or classified employee or volunteer aide, to be present at the interview.
   - Parent present at student's or parent's request, at student or parent discretion, except where parent is subject of investigation of child abuse.
   - Mandatory adult presence: Police may question students only in the presence of school staff.
   - School staff present at school staff's discretion.
   - Adult present at staff request, at police discretion.
   - No adult presence required.

- **Additional procedures (separate from adult presence, not mutually exclusive):**
   - *Miranda* warning: The law officer or school staff should advise the student that s/he has the right to remain silent, but that s/he is encouraged to cooperate with law enforcement agencies. If the student refuses to talk with the investigator, no law permits his/her arrest or detention on that ground.
   - Student privacy: The principal shall accommodate the interview in a way that causes the least possible disruption for the student and school and provides the student appropriate privacy.

7. **Must police officers take student's privacy into consideration when making an arrest?**
   - Language to the effect of that when arresting a student, police must do so in a way that causes the least possible disruption for the student and school and provides the student appropriate privacy.

8. **Police should make best efforts not to issue subpoenas at school**
9. **Should school staff call police to deal with the following student behavior?**
    – General violation of school rules.
    – Bullying.
    – Campus disturbance by student (e.g., "disrupting school").
    – Vandalism or graffiti.
    – Drug & alcohol use.
    – Drug & alcohol distribution.
    – Possession of weapons.
    – Extra-curricular activities.
10. **Is there a policy that requires collecting data regarding student interactions with police?**
    – District required to collect data.
    – Police required to collect data.
    – Reports of data will be publicly released (e.g., at yearly Board meetings, or online).
11. **Is there a complaint procedure for students, parents, or community members to complain about police conduct in schools?**
12. **Is there a policy on training police officers to comply with procedures in the MOU?**

    The categories relating to policy dimensions 1-6 are mutually exclusive and exhaustive. Districts either had one of the listed policies or no policies at all. Policies regarding if and when school staff call police to deal with various student behavior were coded according to the following categories:

*   0 = no policy
*   1 = yes, police should be requested
*   2 = police should be requested at discretion of school staff
*   3 = police should not be requested by school staff
*   4 = no mention of police

The remaining categories could either be coded as yes or no.

To ensure inter-coder reliability a subset of 20 districts were coded independently by two coders. Any disagreement was resolved and used to develop a set of coding rules. Coders also noted instances of conflict between board policies and administrative regulations.

Study School Districts
School Districts in the Study

Los Angeles Unified (Los Angeles)   Unified School District   646683

San Diego Unified (San Diego)	Unified School District	129779
Long Beach Unified (Los Angeles)	Unified School District	79709
Fresno Unified (Fresno)	Unified School District	73543
Elk Grove Unified (Sacramento)	Unified School District	62888
San Francisco Unified (San Francisco)	Unified School District	58414
Santa Ana Unified (Orange)	Unified School District	56815
Capistrano Unified (Orange)	Unified School District	54036
Corona-Norco Unified (Riverside)	Unified School District	53739
San Bernardino City Unified (San Bernardino)	Unified School District	53365
San Juan Unified (Sacramento)	Unified School District	49114
Oakland Unified (Alameda)	Unified School District	48077
Sacramento City Unified (Sacramento)	Unified School District	46868
Garden Grove Unified (Orange)	Unified School District	46177
Riverside Unified (Riverside)	Unified School District	42339
Clovis Unified (Fresno)	Unified School District	41169
Sweetwater Union High (San Diego)	High School District	41018
Stockton Unified (San Joaquin)	Unified School District	40057
Fontana Unified (San Bernardino)	Unified School District	39470
Poway Unified (San Diego)	Unified School District	35629
Fremont Unified (Alameda)	Unified School District	34208
Moreno Valley Unified (Riverside)	Unified School District	34170
San Jose Unified (Santa Clara)	Unified School District	32938
San Ramon Valley Unified (Contra Costa)	Unified School District	31954
Mt. Diablo Unified (Contra Costa)	Unified School District	31923
Anaheim Union High (Orange)	High School District	31659
Irvine Unified (Orange)	Unified School District	31392
Twin Rivers Unified (Sacramento)	Unified School District	31035
West Contra Costa Unified (Contra Costa)	Unified School District	30596
Lodi Unified (San Joaquin)	Unified School District	30349
Bakersfield City (Kern)	Elementary School District	30076
Temecula Valley Unified (Riverside)	Unified School District	30016
Chino Valley Unified (San Bernardino)	Unified School District	29937
Chula Vista Elementary (San Diego)	Elementary School District	29806
Orange Unified (Orange)	Unified School District	29473
Montebello Unified (Los Angeles)	Unified School District	29062
Saddleback Valley Unified (Orange)	Unified School District	29028
Desert Sands Unified (Riverside)	Unified School District	28999

Visalia Unified (Tulare)	Unified School District	28267
William S. Hart Union High (Los Angeles)	High School District	26983
East Side Union High (Santa Clara)	High School District	26760
Rialto Unified (San Bernardino)	Unified School District	26225
Glendale Unified (Los Angeles)	Unified School District	26168
Vista Unified (San Diego)	Unified School District	25377
Pomona Unified (Los Angeles)	Unified School District	25311
Antelope Valley Union High (Los Angeles)	High School District	24619
Chaffey Joint Union High (San Bernardino)	High School District	24598
Tustin Unified (Orange)	Unified School District	24059
Grossmont Union High (San Diego)	High School District	22220
Antioch Unified (Contra Costa)	Unified School District	18924
Vallejo City Unified (Solano)	Unified School District	14996
Porterville Unified (Tulare)	Unified School District	14119
Victor Elementary (San Bernardino)	Elementary School District	12181
Palos Verdes Peninsula Unified (Los Angeles)	Unified School District	11632
Menifee Union Elementary (Riverside)	Elementary School District	11011
Azusa Unified (Los Angeles)	Unified School District	9277
Los Angeles County Office of Education (Los Angeles)	County Office of Education (COE)	8235
Sulphur Springs Union (Los Angeles)	Elementary School District	5437
Windsor Unified (Sonoma)	Unified School District	5415
Orange County Department of Education (Orange)	County Office of Education (COE)	5306
Oakdale Joint Unified (Stanislaus)	Unified School District	5292
Orcutt Union Elementary (Santa Barbara)	Elementary School District	5269
Santa Cruz City High (Santa Cruz)	Common Administration District	4731
Del Mar Union Elementary (San Diego)	Elementary School District	4399
Cutler-Orosi Joint Unified (Tulare)	Unified School District	4083
Contra Costa County Office of Education (Contra Costa)	County Office of Education (COE)	3812
Romoland Elementary (Riverside)	Elementary School District	3505
El Segundo Unified (Los Angeles)	Unified School District	3477
Burlingame Elementary (San Mateo)	Elementary School District	3304
Lowell Joint (Los Angeles)	Elementary School District	3209
South Whittier Elementary (Los Angeles)	Elementary School District	3153
Standard Elementary (Kern)	Elementary School District	3121

Ventura County Office of Education (Ventura)	County Office of Education (COE)	3031
San Bernardino County Office of Education (San Bernardino)	County Office of Education (COE)	3029
Newman-Crows Landing Unified (Stanislaus)	Unified School District	2946
Bear Valley Unified (San Bernardino)	Unified School District	2453
Hilmar Unified (Merced)	Unified School District	2253
Carpinteria Unified (Santa Barbara)	Unified School District	2239
Hughson Unified (Stanislaus)	Unified School District	2146
West Sonoma County Union High (Sonoma)	High School District	2069
Muroc Joint Unified (Kern)	Unified School District	1936
Live Oak Unified (Sutter)	Unified School District	1757
Sacramento County Office of Education (Sacramento)	County Office of Education (COE)	1704
Willows Unified (Glenn)	Unified School District	1443
Mark West Union Elementary (Sonoma)	Elementary School District	1433
Cloverdale Unified (Sonoma)	Unified School District	1394
Calipatria Unified (Imperial)	Unified School District	1196
Washington Union Elementary (Monterey)	Elementary School District	933
Bass Lake Joint Union Elementary (Madera)	Elementary School District	858
Del Norte County Office of Education (Del Norte)	County Office of Education (COE)	619
Yuba County Office of Education (Yuba)	County Office of Education (COE)	575
Calaveras County Office of Education (Calaveras)	County Office of Education (COE)	562
Happy Valley Union Elementary (Shasta)	Elementary School District	537
Mono County Office of Education (Mono)	County Office of Education (COE)	519
Loma Prieta Joint Union Elementary (Santa Clara)	Elementary School District	496
San Mateo County Office of Education (San Mateo)	County Office of Education (COE)	403
San Francisco County Office of Education (San Francisco)	County Office of Education (COE)	398
Forestville Union Elementary (Sonoma)	Elementary School District	354
Ballico-Cressey Elementary (Merced)	Elementary School District	344
Marin County Office of Education (Marin)	County Office of Education (COE)	282
Junction Elementary (Shasta)	Elementary School District	246

Johnstonville Elementary (Lassen)	Elementary School District	227
West Side Union Elementary (Sonoma)	Elementary School District	166
Shasta Union Elementary (Shasta)	Elementary School District	165
Southern Trinity Joint Unified (Trinity)	Unified School District	101
Dunsmuir Elementary (Siskiyou)	Elementary School District	79
Pioneer Union Elementary (Butte)	Elementary School District	74
Modoc County Office of Education (Modoc)	County Office of Education (COE)	39
Jefferson Elementary (San Benito)	Elementary School District	11