

Understanding Discipline Disparities, Identifying Root Causes & Taking Action

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Chris Reykdal, State Superintendent

At least annually, each school district and public charter school must review data on corrective and disciplinary actions taken against students within each school disaggregated by sex, race, limited-English proficiency (i.e., English language learners), and disability, including students protected under Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act. This review must include, but is not limited to, short-term suspensions, long-term suspensions, expulsions, and emergency expulsions.

In reviewing this data, each school district or public charter school must determine whether it has disciplined or applied corrective action to a substantially disproportionate number of students within any of the categories identified in this section. If a school district or public charter school finds that it has disciplined or applied corrective action to a substantially disproportionate number of students who are members of one of the categories identified in this section, the school district or charter school must take prompt action to ensure that the disproportion is not the result of discrimination.

WAC 392-190-048



Root Cause Analysis for Discipline Disparities

1. What is Happening?

4. Is the Plan Working?

2. Where, Why?

3. What to Do?



1. What is happening?

Discipline Rates

Disaggregated Discipline Rates

Risk Ratio/Relative Rates

Identify Disparities:

Over 1.25?



1. What is happening?

- Calculate discipline rates:
 - District and building levels
 - Compare buildings to district average
 - Compare district to state averages



- Disaggregate discipline rates by student group at district and building levels based on (for example):
 - Race/Ethnicity
 - ELL status
 - Disability status (504 and Special Education eligibility)
 - Poverty (Free and Reduced Lunch status)



What are the Disaggregated Discipline Rates?



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• In your district?

• In your school?



Risk Ratios: Relative Rate

- A **Risk Ratio** compares the likelihood of a risk or adverse outcome occurring to members of one group, compared to the members of another group.
- In terms of race/ethnicity, discipline rates for students of color are often compared to rates for white students.
- Risk ratios can also *compare the rate for one group to the rate for all others*, such as comparing discipline rates for students with disabilities to students without disabilities.



Considering Disparity Using Relative Rates

- A Relative Rate of 1.0 indicates no disparity (the numerator and denominator are equal)
- A RR<1.0 means a group is underrepresented or disparately low
- A RR>1.0 means a group is overrepresented or disparately high



How High is Too High?



- When comparing groups, rates will rarely be equal
- Comparing rates over a longer period of time (2+ years) will help determine whether disparities are more systemic
- Use the *Rule of Fifths*: Rates indicating low or no disparity fall within **0.8 1.25**

Using Discipline Data within SWPBIS to Identify and Address Disproportionality: A Guide for School Teams (2014)



Relative Rates in Washington K-12 Schools, 2017-18

Student Race/Ethnicity	Students Excluded	Exclusion Rate	Relative Rate
American Indian/Native Alaskan	1,287	8.2%	2.34
Asian	988	1.1%	0.31
Black/African American	4,293	8.5%	2.43
Hispanic/Latino of any race(s)	12,647	4.8%	1.37
Native Hawaiian/Other Pacific Islander	743	5.7%	1.63
Two or More Races	4,542	5.0%	1.43
White (reference group)	21,516	3.5%	1.0



Meaning of Relative Rate (Risk Ratio)

The relative rate can be understood or expressed in multiple ways. A relative rate for African-American students of 2.43, for example, means any of the following:

- ➤ Black students were excluded at 2.43 times the rate of White students.
- The discipline rate for Black students was 243% of the White student rate.



2014-15

4.6%

4.4%

3.4%

1.1%

2015-16

4.5%

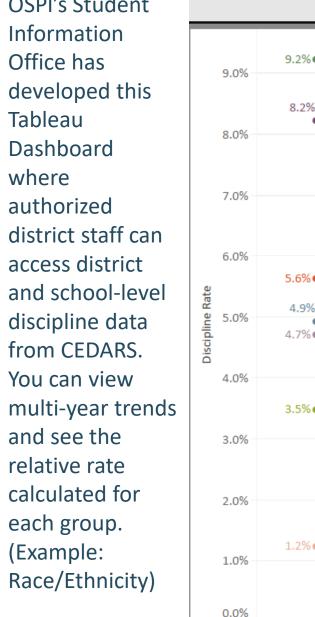
3.2%

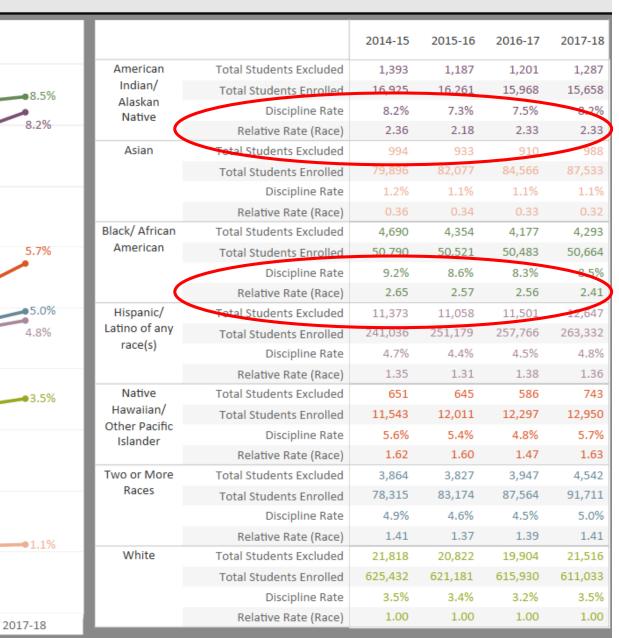
1.1%

2016-17

White

Two or More Races

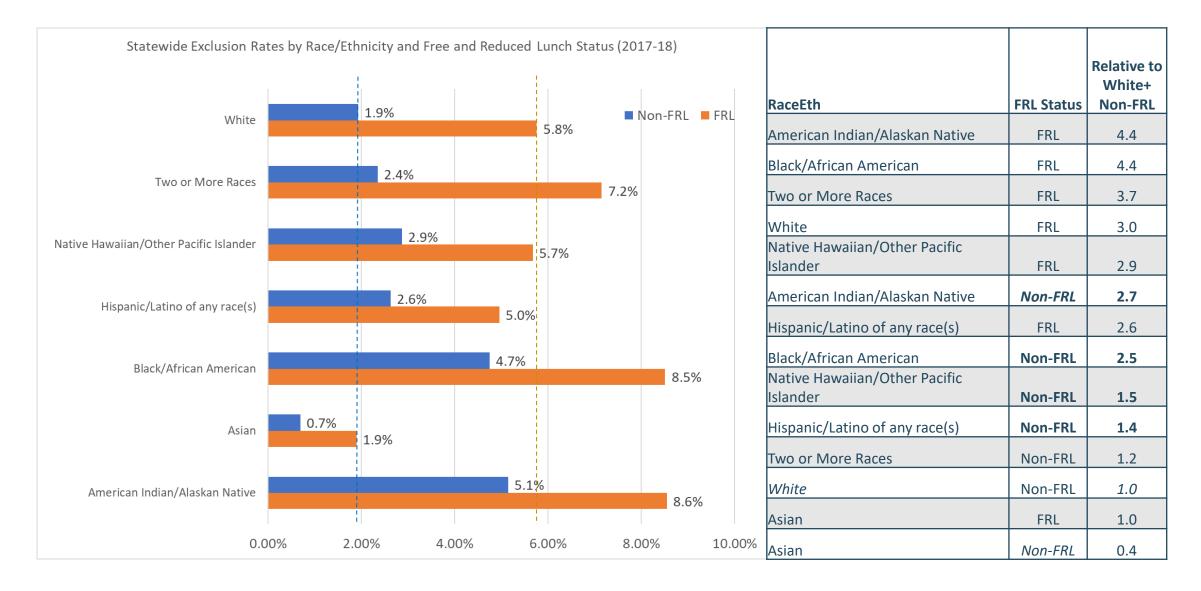




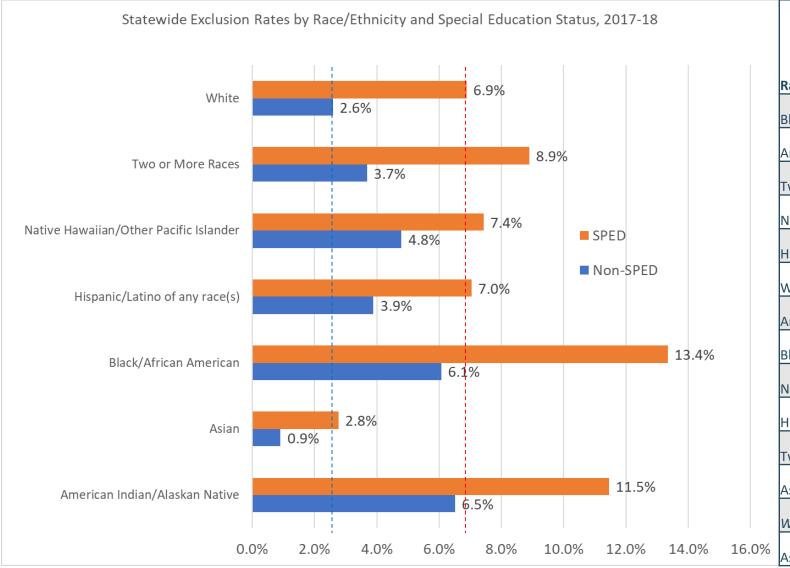
Example:
Students with and without Disabilities, four year trends and relative rates



Racial Disparities Persist When Controlling for Income



Racial Disparities Persist when Controlling for Disability



		Relative to
RaceEth	SPED Status	White/Non- Sped
Black/African American	SPED	5.16
American Indian/Alaskan Native	SPED	4.43
Two or More Races	SPED	3.44
Native Hawaiian/Other Pacific Islander	SPED	2.87
Hispanic/Latino of any race(s)	SPED	2.72
White	SPED	2.66
American Indian/Alaskan Native	Non-SPED	2.52
Black/African American	Non-SPED	2.35
Native Hawaiian/Other Pacific Islander	Non-SPED	1.85
Hispanic/Latino of any race(s)	Non-SPED	1.50
Two or More Races	Non-SPED	1.42
Asian	SPED	1.07
White	Non-SPED	1.00
Asian	Non-SPED	0.35

A Note About Measuring Progress

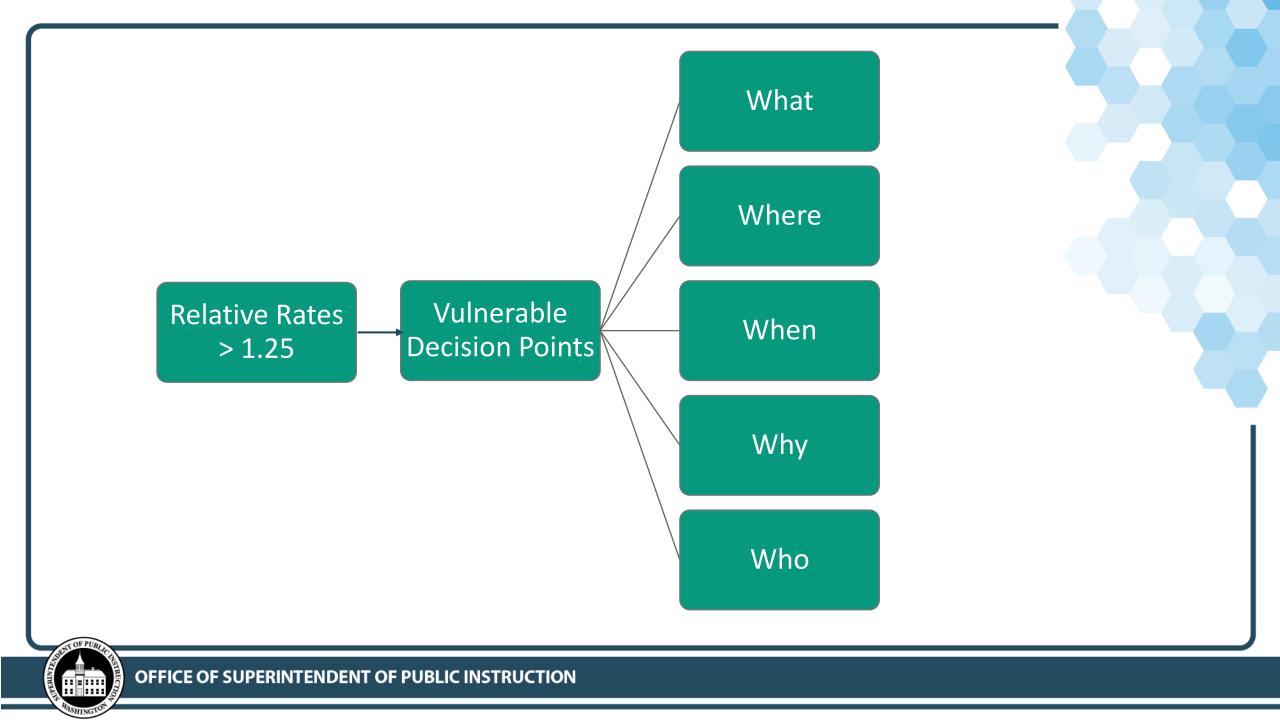
While the Relative Rate is important to identify when disparities exist, tracking progress over time necessarily requires looking at multiple disaggregated data points, including trends and changes in:

- Office discipline referrals
- Suspension/expulsion rates
- Duration and cumulative exclusion days
- Relative rates
- Changes year-to-year in the above



2. Problem Analysis

- After identifying disproportionately high rates of discipline for one or more student groups, the next step is to look for potential causes and develop hypotheses on the potential cause(s) of the disparity. There are likely to be multiple contributing factors.
- Note: While discipline is often framed as a problem of student behavior, the variables affecting suspension and expulsion rates are largely under the control of adults (teachers, other staff & administrators), as referral and exclusion are **adult decisions**.



Vulnerable Decision Points (VDPs)

- What problem behaviors are associated with disproportionate discipline?
- Where is there disproportionate discipline occurring?
- When is there disproportionate discipline?
 - Times of day, days of the week, months of the year
- What motivations are associated with disproportionate discipline?
 - Perceived function of problem behavior
- Who is issuing disproportionate discipline?
 - Disparities do not indicate racism, but rather contexts where additional supports are necessary.

<u>Using Discipline Data within SWPBIS to Identify and Address Disproportionality: A Guide for School Teams</u> (2014)



What behaviors are associated with disproportionate discipline?

- Do most of the behaviors relate to violence or other safety concerns?
- What percentage of the exclusions are for vague or subjective behaviors?
 - Disobedience
 - Disruption
 - Disrespect
- What percentage are for minor (non-violent) behaviors?
 - Dress code
 - Language
 - Contraband (e.g., cell phone)
 - Multiple minors



	Total Incident Count	Incident Count by Group	Percent of exclusion Behavior Proportion Rate	ons by behavior	
Academic Dishonesty/Plagiarism	79,017	42	0.1%		
Alcohol	79,017	1,826	2.3%		
Bullying	79,017	2,125	2.7%	These are behavio	ors
Destruction of Property/Vandalism	79,017	709	0.9%	resulting in suspe	
Discriminatory Harassment	79,017	735	0.9%	expulsion statewi	
Disruptive Conduct	79,017	12,304	15.6%	Your district may	
Failure to Cooperate	79,017	7,065	8.9%	dashboards set up	
Fighting Without Major Injury	79,017	12,252	15.5%	similar data at the	
Illicit Drug (Other than marijuana)	79,017	1,457	1.8%	school, and classr	oom levels.
Marijuana	79,017	5,192	6.6%	OSPI will provide	access to
Multiple Minor Accumulated Incidents	79,017	844	1.1%	this dashboard to	authorized
Other behavior resulting in Intervention	79,017	19,780	25.0% Other	district personnel	, which
Possession of a Weapon	79,017	2,019	2.6%	allows you to viev	v district
Serious Bodily Injury	79,017	41	0.1%	and school-level of	data.
Sexual Harassment	79,017	880	1.1%		
Sexually Inappropriate Conduct	79,017	765	1.0%		
Theft or Possession of Stolen Property	79,017	1,062	1.3%		
Tobacco	79,017	2,472	3.1%		
Violence With Major Injury	79,017	777	1.0%		
Violence Without Major Injury	79,017	6,670	8.4%		

The OSPI discipline dashboard allows your district to view disparities based upon student, group, and behavior type.

Exclusion Incidents for Disruptive Behavior (State)		School Year			
		2014-15	2015-16	2016-17	2017-18
American Indian/	Incident Count w/Behavior	349	239	217	272
Alaskan Native	Total Incidents of Behavior	2,423	2,129	2,173	2,376
Alaskali Native	Behavior Proportion Rate	14.4%	11.2%	10.0%	11.4%
	Risk Index	2.1%	1.5%	1.4%	1.7%
	Risk Ratio Behavior (White)	2.43	1.67	1.62	1.76
	Total Enrollment	16,925	16,261	15,968	15,658
Asian	Incident Count w/Behavior	169	159	162	155
	Total Incidents of Behavior	1,336	1,304	1,296	1,389
	Behavior Proportion Rate	12.6%	12.2%	12.5%	11.2%
	Risk Index	0.2%	0.2%	0.2%	0.2%
	Risk Ratio Behavior (White)	0.25	0.22	0.23	0.18
	Total Enrollment	79,896	82,077	84,566	87,533
Black/ African	Incident Count w/Benavior	1,924	1,541	1,459	1,413
American	Total Incidents of Behavior	8,764	8,241	7,952	8,134
	Behavior Proportion Rate	22.0%	18.7%	18.3%	17.4%
(Risk Index	3.8%	3.1%	2.9%	2.8%
	Risk Ratio Behavior (White)	4.47	3.46	3.44	2.83
	Total Enrollment	50,790	50,521	50,483	50,664
Hispanic/ Latino of	Incident Count w/Behavior	2,163	2,513	2,848	2,490
any race(s)	Total Incidents of Behavior	18,447	18,130	19,371	20,780
	Behavior Proportion Rate	11.7%	13.9%	14.7%	12.0%
	Risk Index	0.9%	1.0%	1.1%	0.9%
	Risk Ratio Behavior (White)	1.06	1.14	1.32	0.96
	Total Enrollment	241,036	251,179	257,766	263,332
Native Hawaiian/	Incident Count w/Behavior	200	188	168	188
Other Pacific	Total Incidents of Behavior	1,082	1,049	905	1,256
Islander	Behavior Proportion Rate	18.5%	17.9%	18.6%	15.0%
	Risk Index	1.7%	1.6%	1.4%	1.5%
	Risk Ratio Behavior (White)	2.04	1.78	1.63	1.47
	Total Enrollment	11,543	12,011	12,297	12,950
Two or More Races	Incident Count w/Behavior	1,411	1,341	1,418	1,766
	Total Incidents of Behavior	7,260	7,067	7,198	8,497
	Behavior Proportion Rate	19.4%	19.0%	19.7%	20.8%
	Risk Index Risk Ratio Behavior (White)	1.8%	1.6%	1.6%	1.9%
		2.13 78,315	1.83	1.93	1.95
White	Total Enrollment	5,300	83,174 5,475	87,564 5,175	91,711
White	Incident Count w/Behavior Total Incidents of Behavior	36,300	35,236	33,343	6,019 36,556
	Behavior Proportion Rate	14.6%			16.5%
		0.8%	15.5% 0.9%	15.5% 0.8%	1.0%
	Risk Index Risk Ratio Behavior (White)				
	. ,	1.00 625,432	1.00	1.00	1.00
	Total Enrollment	025,452	621,181	615,930	611,033









Students of color are more often disciplined for minor, vague and subjective behaviors.

Exclusions for minor behaviors tend to drive high rates of exclusion.

Most exclusions are *not* for violence, drugs or other serious infractions.

Where is there Disproportionate Discipline?

• District: Which buildings have the highest and most disproportionate rates? Which have the lowest?

- Building: Which locations account for the most referrals?
 - Hallways, lunchrooms, outside, in class? (Consider the rate of referrals compared to the amount of time students spend in these settings.)

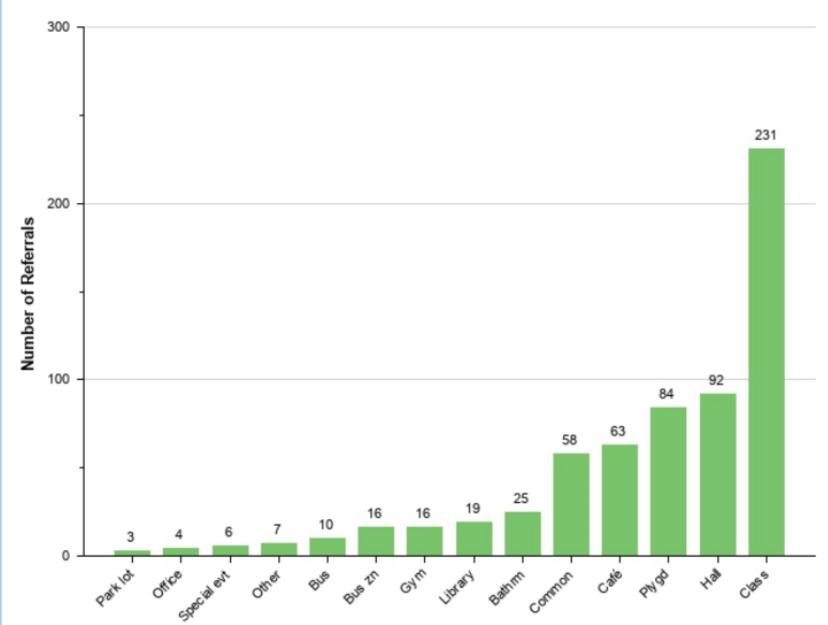
Data systems such as SWIS allow districts and buildings to analyze the location and frequency of behavior referrals.

This type of dashboard can help a building team identify "hot spots" for referrals and make plans to address them.

Referrals by Location

All, Sep 3, 2018 - Jun 14, 2019



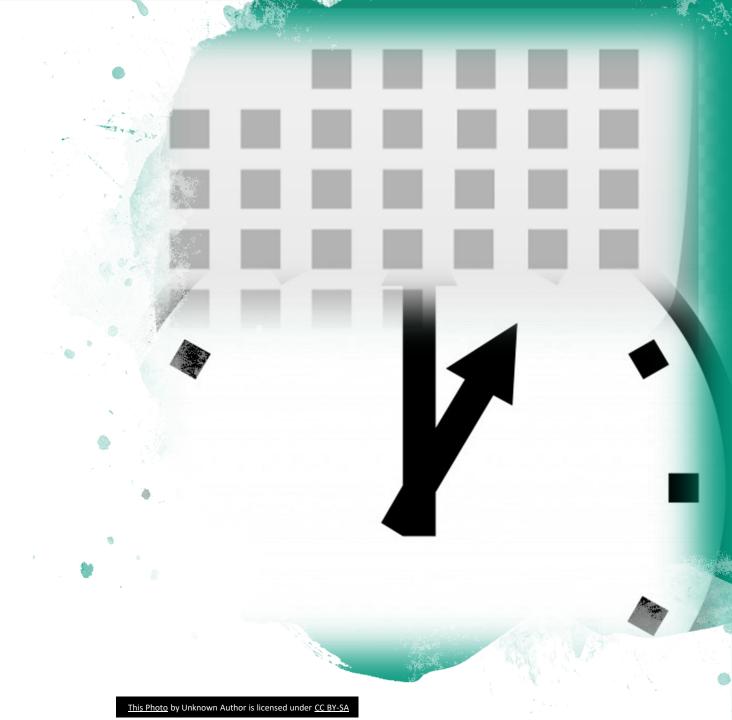


When are the Referrals Resulting in Exclusionary Discipline Occurring?

 Times of day (beginning, middle, end)

 Days of the week (beginning, middle, end)

 Months of the year (before/after breaks)



What Motivations are Associated with Disproportionate Discipline?

- Perceived functions of student problem behavior
 - Academic difficulties
 - Avoidance
 - Attention
 - Peer conflicts
 - Trauma reaction



What Motivations are Associated with Disproportionate Discipline?

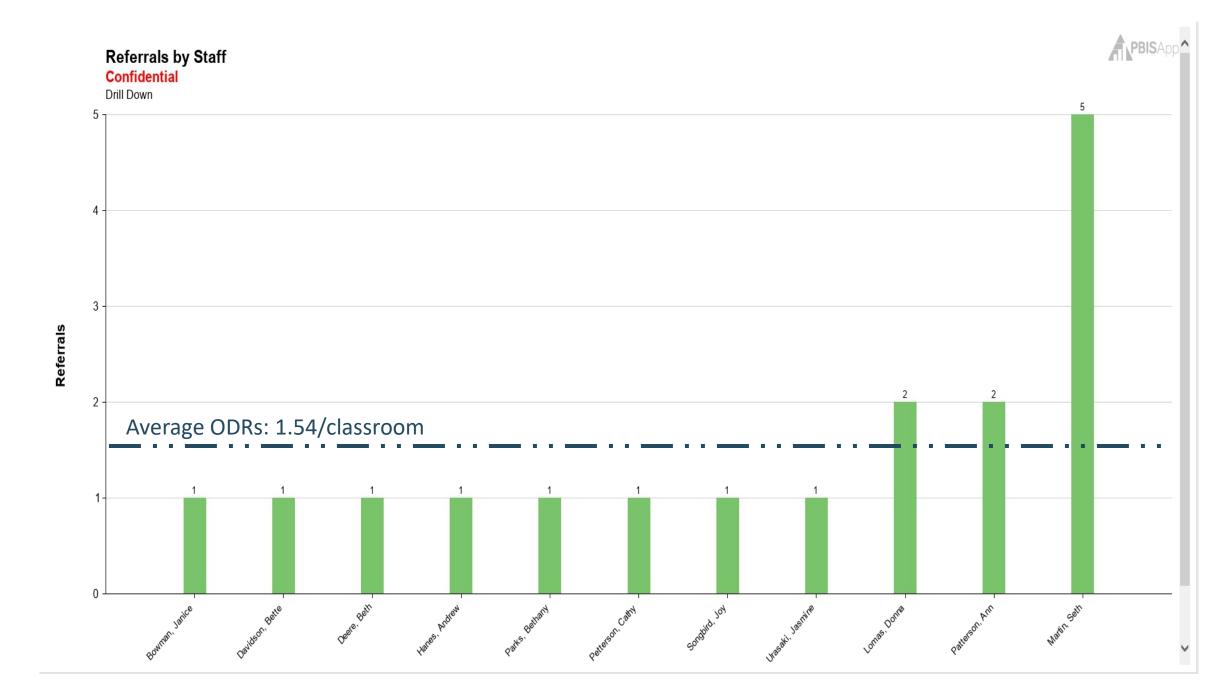
- Possible functions or triggers of adult behavior (referrals):
 - Avoidance
 - Frustration
 - Trauma reaction
 - Bias



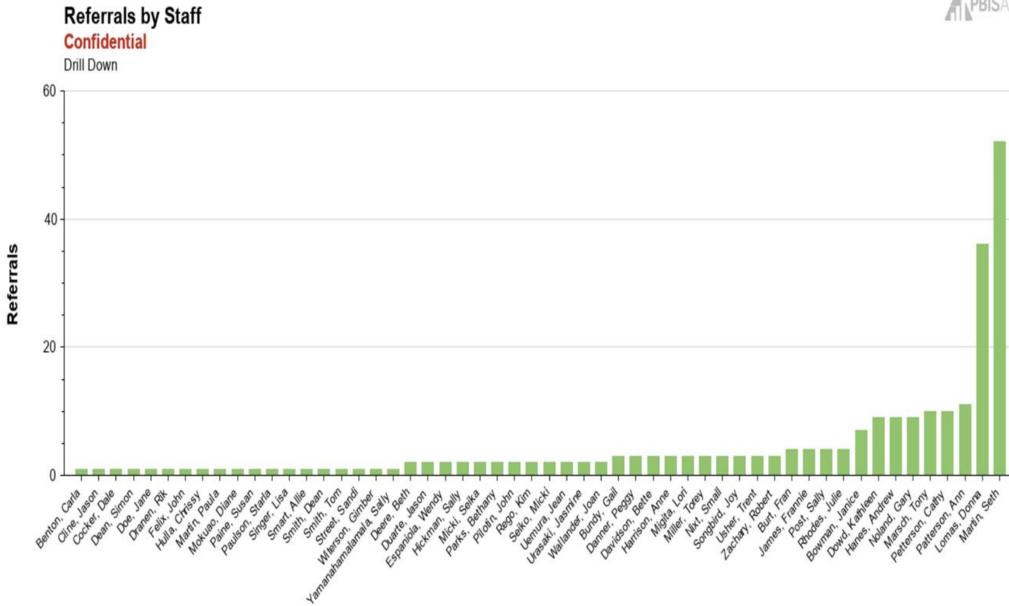
Who is Issuing Disproportionate Discipline?

- Who is making the greatest number of office referrals?
- Notes:
 - While examining data on individual staff can feel uncomfortable, the intent is not to embarrass, shame or punish.
 - Disparately high referrals do not in and of themselves indicate racism or discrimination. More information is needed.
 - Identifying staff involved in unusually high number of referrals helps administrators know where additional support may be needed (e.g., coaching, professional development, etc.) based upon the size and composition of the class(es).









3. What to do?

Research-based Responses to Disparities in Discipline



Researchbased and High-Leverage Strategies:



Relationships: Students and Families



Modeling, Teaching and Re-Teaching Behavior Using Evidence-Based Approaches



High Expectations for All



Engaging and Culturally-Responsive Teaching



Addressing Explicit and Implicit Biases



Implementing these strategies in a Multi-Tiered System of Supports (MTSS)

Relationships: Students and Families

- Who are your students?
- Who are their families?
- What are their cultural backgrounds?
- Students' Strengths
- Students' Needs
- Students' Struggles (academic, social/emotional, trauma, situation)
- Does every student have a caring adult to go to?

Relationships: Students and Families

- Positive student-teacher relationships are an evidencebased practice for supporting the development of the whole child.
- Relationships impact both academic progress and social-emotional development.
- The effect size of the positive teacher-student relationship is .72 (moderate to large)*, according to John Hattie's synthesis of over 800 meta-analysis relating to achievement.

^{*72%} of a standard deviation above the mean for a control group

Modeling, Teaching and Re-Teaching Behavior Using Evidence-Based Approaches (Tier 1)

Source: Wisconsin RtI Center (CFDA #84.027) with the support of the Wisconsin Department of Public Instruction

Structure environment to maximize learning

Teach classroom expectations to fluency

Consistently prompt/pre-correct for behavior

Provide high rates of specific, positive feedback (5:1)

Remind, reteach and redirect

Modeling, Teaching and Re-Teaching Behavior Using Evidence-Based Approaches (Tier 1)

Source: Wisconsin RtI Center (CFDA #84.027) with the support of the Wisconsin Department of Public Instruction

Provide Corrective Feedback as Necessary (consistent, brief and respectful – similar to correction in math or reading)

Reteach, practice with the student, then have the student practice

Use higher rates of prompting until skills can be demonstrated

Provide higher rates of positive feedback until the skill can be demonstrated

Document and consider Tier 2 approaches if needed

MINDSET



GROWTH

Children are likely to meet the expectations we set for them:
High or Low

avoid

FIXED

give up on

víew as fruitless

ignore

be threatened by

challenges

obstacles

effort

criticism

success of others

embrace

persist across

view as path to mastery

learn from

get inspired from

Culturally Responsive Teaching

"The process of using familiar cultural information and processes to scaffold learning.

Emphasizes communal orientation.

Focused on relationships, cognitive scaffolding, and critical social awareness."



-Zaretta Hammond, <u>Culturally Responsive Teaching & the Brain</u> (2015)

What is Implicit Bias?

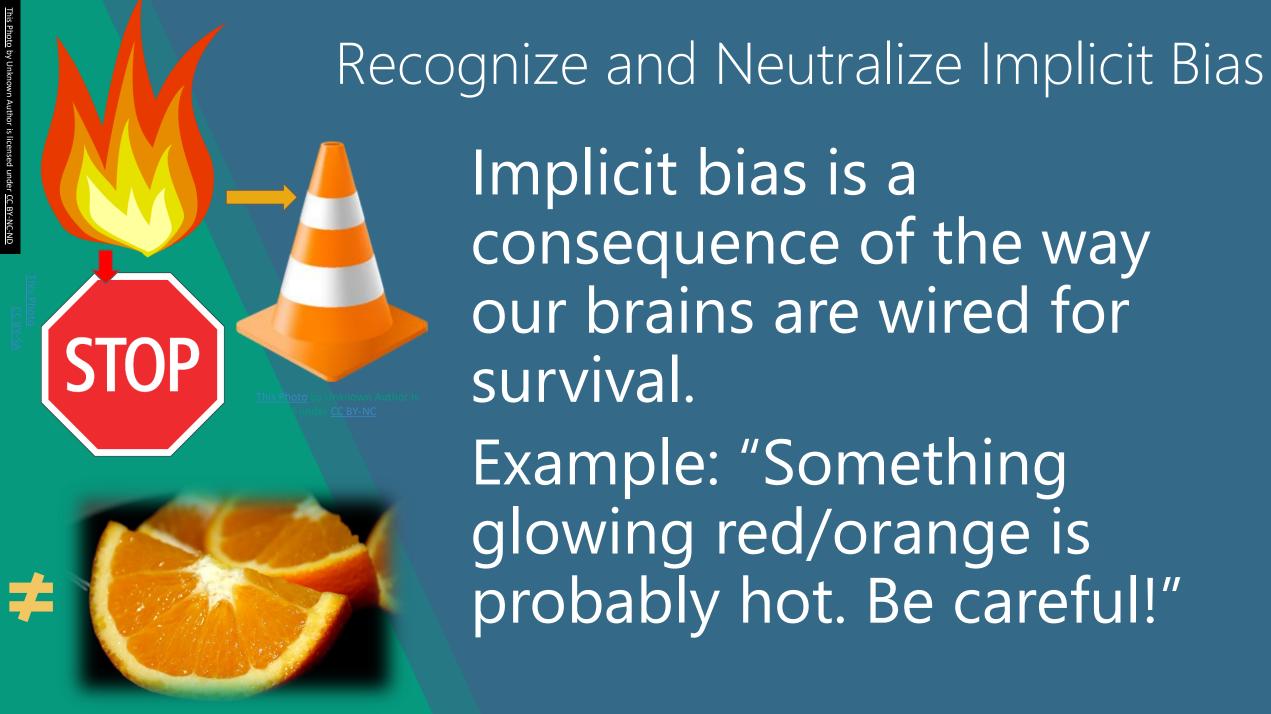
- Attitudes or stereotypes that affect understanding, actions, and decisions in an unconscious manner
- Unconscious associations that include both favorable and unfavorable assessments
- Activated *involuntarily* and without awareness or intentional control ("fast thinking")



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What is Implicit Bias?

- Cause us to have feelings and attitudes about other people based on characteristics such as race, ethnicity, age, and appearance.
- Associations develop over the course of a lifetime through *exposure to direct and indirect messages*, from our families and other environmental influences, & through cultural messages via media.



Implicit bias is a consequence of the way our brains are wired for survival.

Example: "Something glowing red/orange is probably hot. Be careful!"

Recognize and Neutralize Implicit Bias



Implicit bias operates at a subconscious level & faster than rational thought.

This Photo

Recognize and Neutralize Implicit Bias (IB)



IB is most likely to influence snap decisions... or ambiguous or chaotic situations... or people when they are tired, hungry, or stressed....

Recognize and Neutralize Implicit Bias



Implicit bias can easily mislead us in social situations that are more complex and nuanced particularly in crosscultural interactions.

Recognize and Neutralize Implicit Bias

 Much of communication is nonverbal

 Communication styles reflect cultural and family norms, personality and other factors

• It's important to understand cultural differences in communication related to:

- Eye Contact
- Taking Turns
- Talking over
- Calling out/Call and response
- Code switching....





Implicit Bias Example



- Black boys as young as 10 may be perceived as being less innocent, and therefore more culpable, when compared to white children
- Black boys (age 10+) may be misperceived as up to 4.5 years older relative to peers of other races
- Misperceptions of Black children are associated with dehumanization of Black people in Western cultures
- Protect or punish? Dehumanization is related to decreased perception of innocence and, consequently, a loss of protection

See Goff, Jackson, et. al. (2014). The essence of innocence: Consequences of dehumanizing black children. Journal of Personality and Social Psychology 106, 4, 526-545. American Psychological Association



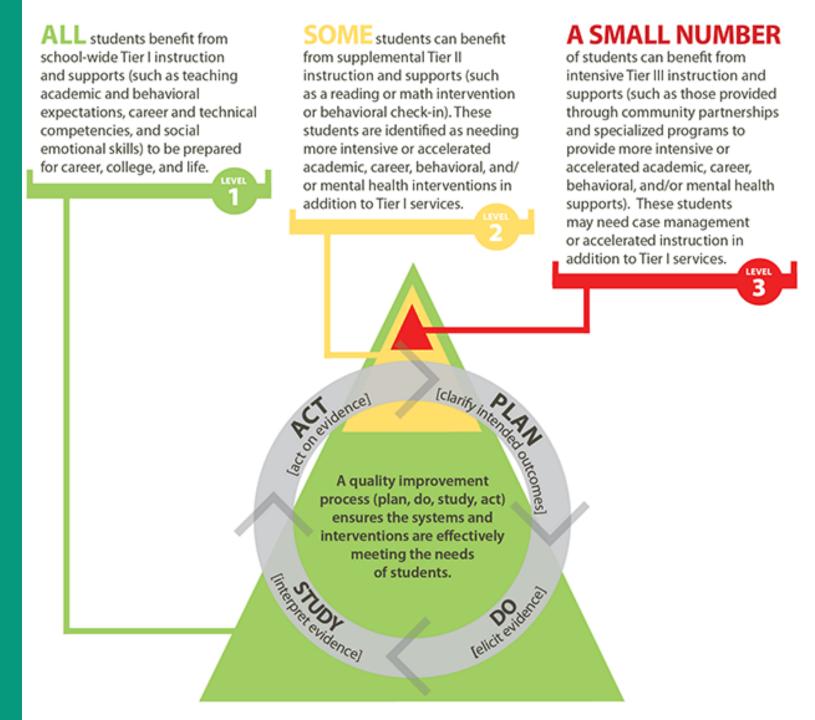
Recognize and Neutralize Implicit Bias

Once we recognize implicit biases, <u>we</u> can choose to act or not act on our instincts:

- 1. Ask questions
- 2. Obtain more information
- Take time
- 4. Formulate reasoned responses

Multi-Tiered System of Supports

Includes strategies listed above, organized in a tiered framework to enhance the implementation and adoption of a continuum of evidence-based instruction and supports to achieve important outcomes for students



For Detail on These and Other Strategies

- OSPI Practice Brief (2019): <u>Reducing and Eliminating Disparities in School Discipline</u>. The practice brief is a convenient and accessible summary of the research discussed in:
 Gregory, Skiba & Mediratta (2017). <u>Eliminating Disparities in School Discipline</u>: A Framework for Intervention
- 2. McIntosh, Girvan, Horner, Smolkowski & Sugai (2018). <u>A 5-Point Intervention Approach for Enhancing Equity in School Discipline</u>
- 3. Green, Nese, McIntosh, Nishioka, Eliason & Canizal Delabra (2015) Key Elements of Policies to Address Discipline Disproportionality: A Guide for District and School Teams



4. Is Our Plan Working?

Regular Review of Data to Assess Progress and Course Correct



Goal Setting



Compare discipline rates to the district and state averages. Which ones are highest?



Which groups have relative rates over 1.25?



How much do you think your team can close the gap in 1-3 years?



Example: Close half of the gap each year

Y1: Reduce the relative rate from 2.25 to 1.75

Y2: Reduce the relative rate to 1.5

Y3: Reduce the relative rate to 1.375

Review Your Data Regularly



Monitor Office Discipline Referrals (ODRs) frequently (weekly-monthly)



Review *disaggregated* rates of exclusion regularly (monthly or more)



Review measures of disparity, such as the Relative Rate (Risk Ratio) multiple times per year, e.g., quarterly



What to look for:



Changes in overall discipline rates



Changes in disaggregated discipline rates



Comparison to the previous 2-3 school years to identify movement, direction and trends



Looking at changes in students excluded, number of exclusions by group, and average and total exclusion days by group



Changes in the relative rates and the causes of the changes based upon the data above

Repeat the Cycle As Needed

1. What is Happening?

4. Is the Plan Working?

2. Where, Why?

3. What to Do?



Contact OSPI. I'm happy to help!

- Accessing and understanding your school/district data
- Conducting a Root Cause Analysis
- Planning and coaching
- Identifying and implementing research-based practices
- Setting goals and evaluating progress

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Thomas J. Mowen, John J. Brent & John H. Boman IV (2019) <u>The Effect of School Discipline on Offending across Time</u>, Justice Quarterly, DOI.

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Comprehensive Education Data and Research System Data Manual:

https://www.k12.wa.us/sites/default/files/public/cedars/pubdocs/20 19-20CEDARSDataManual.pdf And Appendices: https://www.k12.wa.us/sites/default/files/public/cedars/pubdocs/20 19-20%20CEDARS%20Appendices.pdf

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Resources

OSPI Resources on Discipline and Behavior

Report Card (school and district data)

Multi-Tiered System of Supports (MTSS)

WA Integrated Student Supports
Protocol (WISSP) Student Discipline

Equity in Student Discipline

Behavior Menu

National Resources

Positive Behavioral Interventions and Supports (PBIS) National Technical Assistance Center

Reducing the Effects of Implicit Bias in School Discipline (PowerPoint)

Institute of Education Sciences (IES)
National Center for Education Research
(NCER)

National Center on Intensive Intervention (NCII)

National Center on Safe Supportive Learning Environments (NCSSLE)

