Understanding Discipline Disparities, Identifying Root Causes & Taking Action

Mark McKechnie, MSW (he/him)

Senior Consultant on Equity in Student Discipline

Center for the Improvement of Student Learning

Mark.McKechnie@k12.wa.us

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MTSS PLC presentation, 3/6/20

Vision

All students prepared for post-secondary pathways, careers, and civic engagement.

Mission

Transform K–12 education to a system that is centered on closing opportunity gaps and is characterized by high expectations for all students and educators. We achieve this by developing equity-based policies and supports that empower educators, families, and communities.

Values

- Ensuring Equity
- Collaboration and Service
- Achieving Excellence through Continuous Improvement
- Focus on the Whole Child

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Equity Statement

Each student, family, and community possesses strengths and cultural knowledge that benefits their peers, educators, and schools.

Ensuring educational equity:

- Goes beyond equality; it requires education leaders to examine the ways current policies and practices result in disparate outcomes for our students of color, students living in poverty, students receiving special education and English Learner services, students who identify as LGBTQ+, and highly mobile student populations.

- Requires education leaders to develop an understanding of historical contexts; engage students, families, and community representatives as partners in decision-making; and actively dismantle systemic barriers, replacing them with policies and practices that ensure all students have access to the instruction and support they need to succeed in our schools.

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The effects of School Exclusion

Low exclusion rates associated with:

- Higher student engagement & achievement
- Increased safety
- Improved school climate
- Lower stress and higher satisfaction for staff

Outcomes from exclusion:

- Future exclusions
- Missed academic content/instruction
- Disengagement & dropout
- Loss of services & supports
- Increased justice system involvement
- Decreased H.S. graduation and college attainment

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Suspensions have long term impact

Reductions in suspensions have more than just a short-term impact. They are also related to long-term effects on factors such as reduced dropouts, increased workforce productivity, and improved health. Ultimately there is long-term impact on students' quality of life and finances within systems.

(ROSENBAUM, 2018; RUMBERGER, 2016)

Twelve years after being suspended for the first time, youth were:

24% less likely to have earned a bachelor's degree than similar non-suspended youth

51% more likely to have been arrested two or more times than similar non-suspended youth
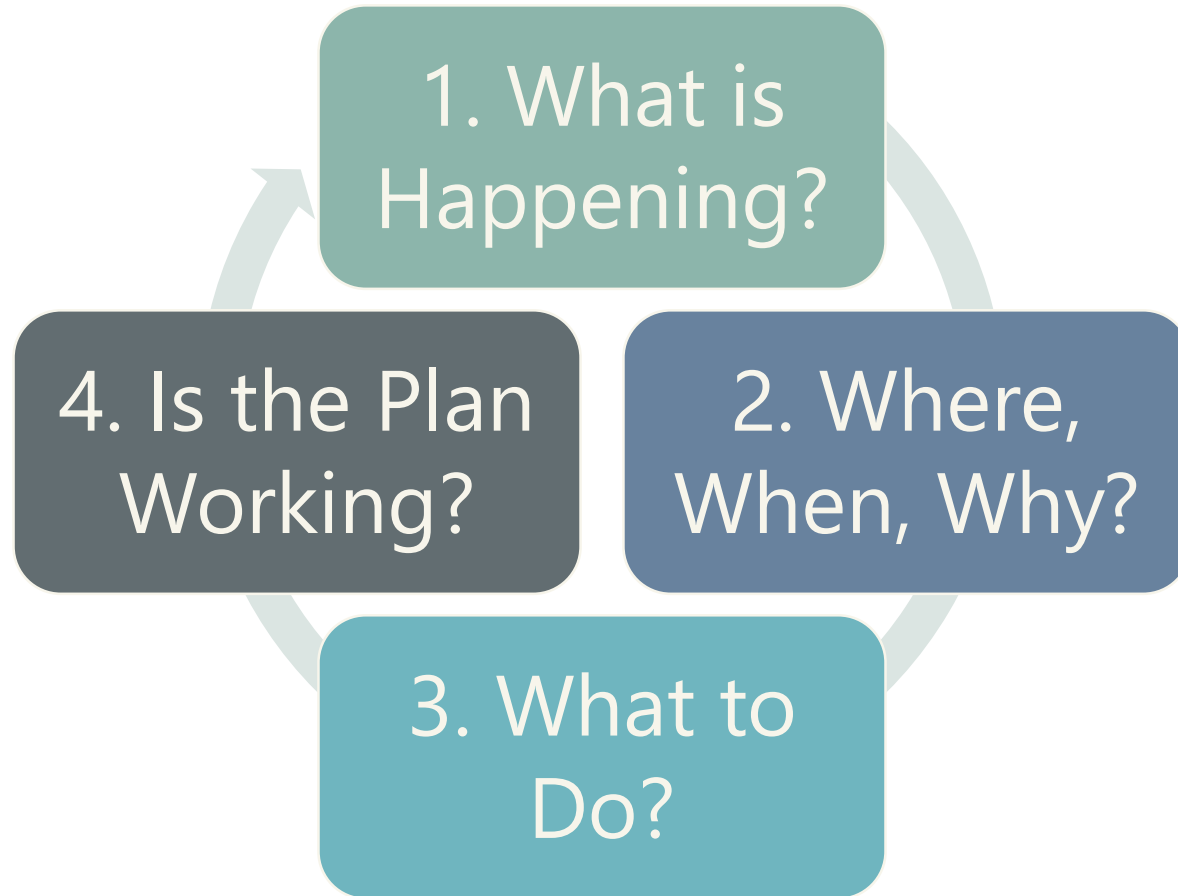
29% more likely to have been in prison than similar non-suspended youth

(Rosenbaum, 2018)

The study matched students on up to 60 variables to ensure those other variables did not influence the differences in outcomes, and to increase confidence in the likelihood that being suspended was the impacting factor on these outcome differences.

Root Cause Analysis for Discipline Disparities

1. What is Happening?

2. Where, When, Why?

3. What to Do?

4. Is the Plan Working?

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1. What is happening?

Using Data to Accurately Define the Problem

Discipline Rates

Disaggregated Discipline Rates

Risk Ratio/Relative Rates

Identify Disparities:

Over 1.25?

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- 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)

Risk Ratios

- 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.

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Examples of the use of Risk Ratios

- In 2011, Black youth were 5.47 times more likely to be held in juvenile detention, compared to white youth

- African-American and Hispanic adults are imprisoned at 5.9 and 3.1 times the rate, respectively, of white adults

- Hispanic home ownership rates are only 0.63 the rate of white home ownership

- African Americans have 2.3 times the infant mortality rate of non-Hispanic whites

Considering Disparity Using Relative Rates

- A Relative Rate of 1.0 indicates no disparity (Numerator=Denominator)

- A RR<1.0 means a group is underrepresented or disparately low (Numerator<Denominator)

- A RR>1.0 means a group is overrepresented or disparately high (Numerator>Denominator)

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Risk Ratios in Washington K-12 Schools, 2018-19

Student Race/Ethnicity	Students Excluded	Exclusion Rate	Risk Ratio
All Students	45,401	4.0%	-
American Indian/Native Alaskan	1,175	7.7%	2.27
Asian	1,029	1.1%	0.34
Black/African American	4,301	8.3%	2.46
Hispanic/Latino of any race(s)	12,933	4.8%	1.42
Native Hawaiian/Other Pacific Islander	860	6.4%	1.90
Two or More Races	4,623	4.8%	1.43
White (reference group)	20,498	3.4%	1.0

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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 (2

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Analyzing disparities: rates, gaps and trends

When examining discipline disparities, consider *rates*, *gaps* and *trends*.

This dashboard view displays all three.

Comparing Discipline Rates of Student Groups, Multiple Years

Washington State

Select an Organization
Washington State

Parent Group Selector
Federal Race Ethnicity

Exclusion Type Selector
SS,LS,EX,EE

Grade
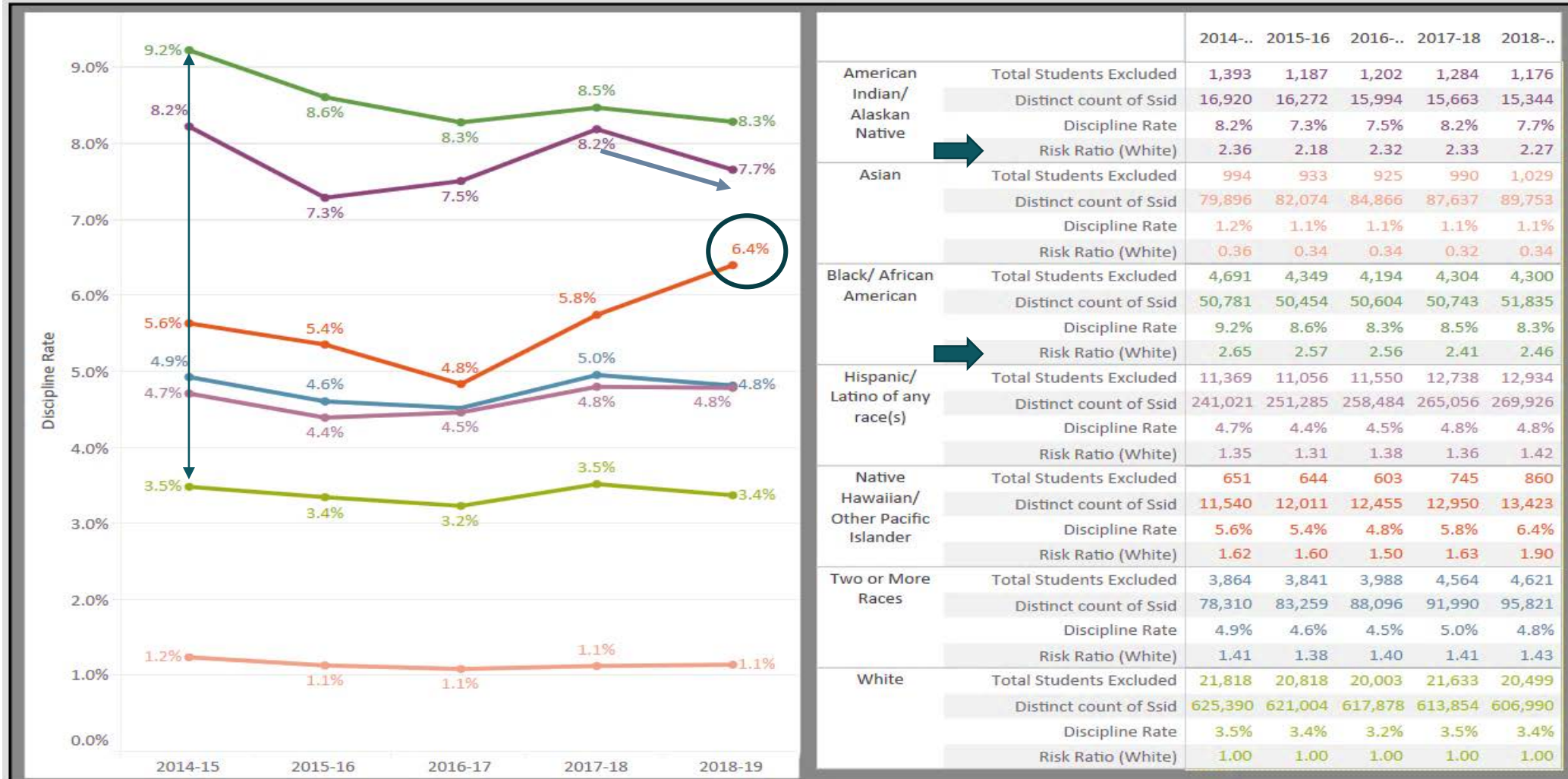All

Legend:
- American Indian/ Alaskan Native
- Asian
- Black/ African American
- Hispanic/ Latino of any race(s)
- Native Hawaiian/ Other Pacific Islander
- Two or More Races
- White

		2014-..	2015-16	2016-..	2017-18	2018-..
American Indian/ Alaskan Native	Total Students Excluded	1,393	1,187	1,202	1,284	1,176
	Distinct count of Ssid	16,920	16,272	15,994	15,663	15,344
	Discipline Rate	8.2%	7.3%	7.5%	8.2%	7.7%
	Risk Ratio (White)	2.36	2.18	2.32	2.33	2.27
Asian	Total Students Excluded	994	933	925	990	1,029
	Distinct count of Ssid	79,896	82,074	84,866	87,637	89,753
	Discipline Rate	1.2%	1.1%	1.1%	1.1%	1.1%
	Risk Ratio (White)	0.36	0.34	0.34	0.32	0.34
Black/ African American	Total Students Excluded	4,691	4,349	4,194	4,304	4,300
	Distinct count of Ssid	50,781	50,454	50,604	50,743	51,835
	Discipline Rate	9.2%	8.6%	8.3%	8.5%	8.3%
	Risk Ratio (White)	2.65	2.57	2.56	2.41	2.46
Hispanic/ Latino of any race(s)	Total Students Excluded	11,369	11,056	11,550	12,738	12,934
	Distinct count of Ssid	241,021	251,285	258,484	265,056	269,926
	Discipline Rate	4.7%	4.4%	4.5%	4.8%	4.8%
	Risk Ratio (White)	1.35	1.31	1.38	1.36	1.42
Native Hawaiian/ Other Pacific Islander	Total Students Excluded	651	644	603	745	860
	Distinct count of Ssid	11,540	12,011	12,455	12,950	13,423
	Discipline Rate	5.6%	5.4%	4.8%	5.8%	6.4%
	Risk Ratio (White)	1.62	1.60	1.50	1.63	1.90
Two or More Races	Total Students Excluded	3,864	3,841	3,988	4,564	4,621
	Distinct count of Ssid	78,310	83,259	88,096	91,990	95,821
	Discipline Rate	4.9%	4.6%	4.5%	5.0%	4.8%
	Risk Ratio (White)	1.41	1.38	1.40	1.41	1.43
White	Total Students Excluded	21,818	20,818	20,003	21,633	20,499
	Distinct count of Ssid	625,390	621,004	617,878	613,854	606,990
	Discipline Rate	3.5%	3.4%	3.2%	3.5%	3.4%
	Risk Ratio (White)	1.00	1.00	1.00	1.00	1.00

Rates, gaps and trends for students with disabilities, compared to students without disabilities.

Comparing Discipline Rates of Student Groups, Multiple Years

Washington State

- Students with Disabilities
- Students without Disabilities

		2014-..	2015-16	2016-..	2017-18	2018-..
Students with Disabilities	Total Students Excluded	12,592	12,751	12,643	13,896	13,323
	Distinct count of Ssid	139,584	144,942	148,728	153,088	156,810
	Discipline Rate	9.0%	8.8%	8.5%	9.1%	8.5%
	Risk Ratio (SWD)	2.70	2.84	2.79	2.76	2.61
Students without Disabilities	Total Students Excluded	32,183	30,078	29,833	32,369	32,087
	Distinct count of Ssid	964,144	971,328	979,746	984,745	986,136
	Discipline Rate	3.3%	3.1%	3.0%	3.3%	3.3%
	Risk Ratio (SWD)	1.00	1.00	1.00	1.00	1.00

Racial Disparities are distinct, but there is intersectionality, too

Racial Disparities Persist When Controlling for Income, Washington K-12, 2017-18

Statewide Exclusion Rates by Race/Ethnicity and Free and Reduced Lunch Status (2017-18)

Legend: ■ Non-FRL ■ FRL

Race/Ethnicity	Non-FRL	FRL
White	1.9%	5.8%
Two or More Races	2.4%	7.2%
Native Hawaiian/Other Pacific Islander	2.9%	5.7%
Hispanic/Latino of any race(s)	2.6%	5.0%
Black/African American	4.7%	8.5%
Asian	0.7%	1.9%
American Indian/Alaskan Native	5.1%	8.6%

Race/Ethnicity	FRL Status	Relative to White+ Non-FRL
American Indian/Alaskan Native	FRL	4.4
Black/African American	FRL	4.4
Two or More Races	FRL	3.7
White	FRL	3.0
Native Hawaiian/Other Pacific Islander	FRL	2.9
American Indian/Alaskan Native	*Non-FRL*	**2.7**
Hispanic/Latino of any race(s)	FRL	2.6
Black/African American	**Non-FRL**	**2.5**
Native Hawaiian/Other Pacific Islander	**Non-FRL**	**1.5**
Hispanic/Latino of any race(s)	**Non-FRL**	**1.4**
Two or More Races	Non-FRL	1.2
White	Non-FRL	*1.0*
Asian	FRL	1.0
Asian	*Non-FRL*	0.4

Racial Disparities Persist when Controlling for Disability

Statewide Exclusion Rates by Race/Ethnicity and Special Education Status, 2017-18
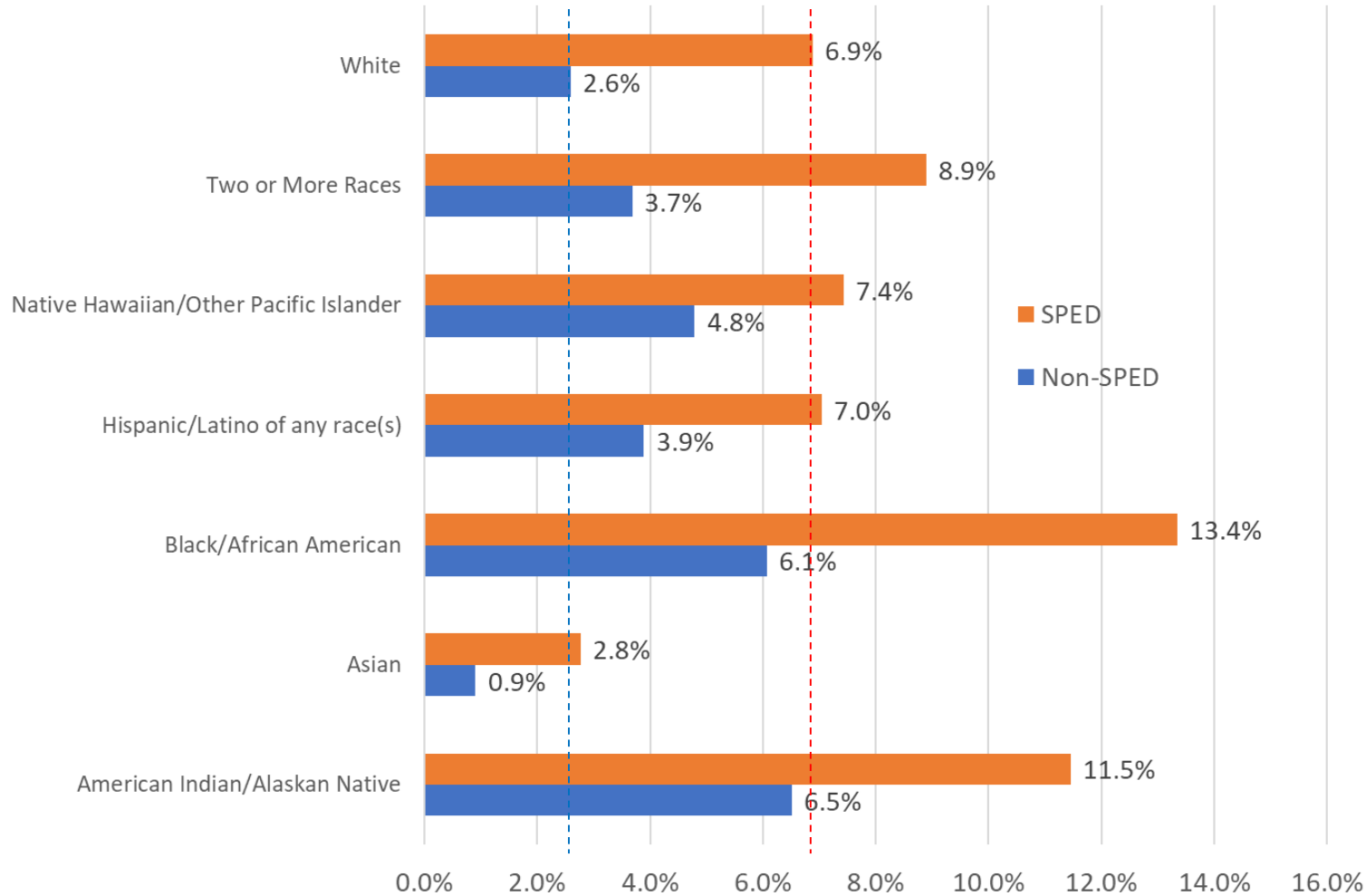
Race/Ethnicity	Disability Status	Relative to White/SWOD
Black/African American	SWD	5.16
American Indian/Alaskan Native	SWD	4.43
Two or More Races	SWD	3.44
Native Hawaiian/Other Pacific Islander	SWD	2.87
Hispanic/Latino of any race(s)	SWD	2.72
White	SWD	2.66
American Indian/Alaskan Native	No IEP	2.52
Black/African American	No IEP	2.35
Native Hawaiian/Other Pacific Islander	No IEP	1.85
Hispanic/Latino of any race(s)	No IEP	1.50
Two or More Races	No IEP	1.42
Asian	SWD	1.07
White	No IEP	1.00
Asian	No IEP	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
- Risk ratios
- Changes year-to-year in the above

2. Problem Analysis

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***.

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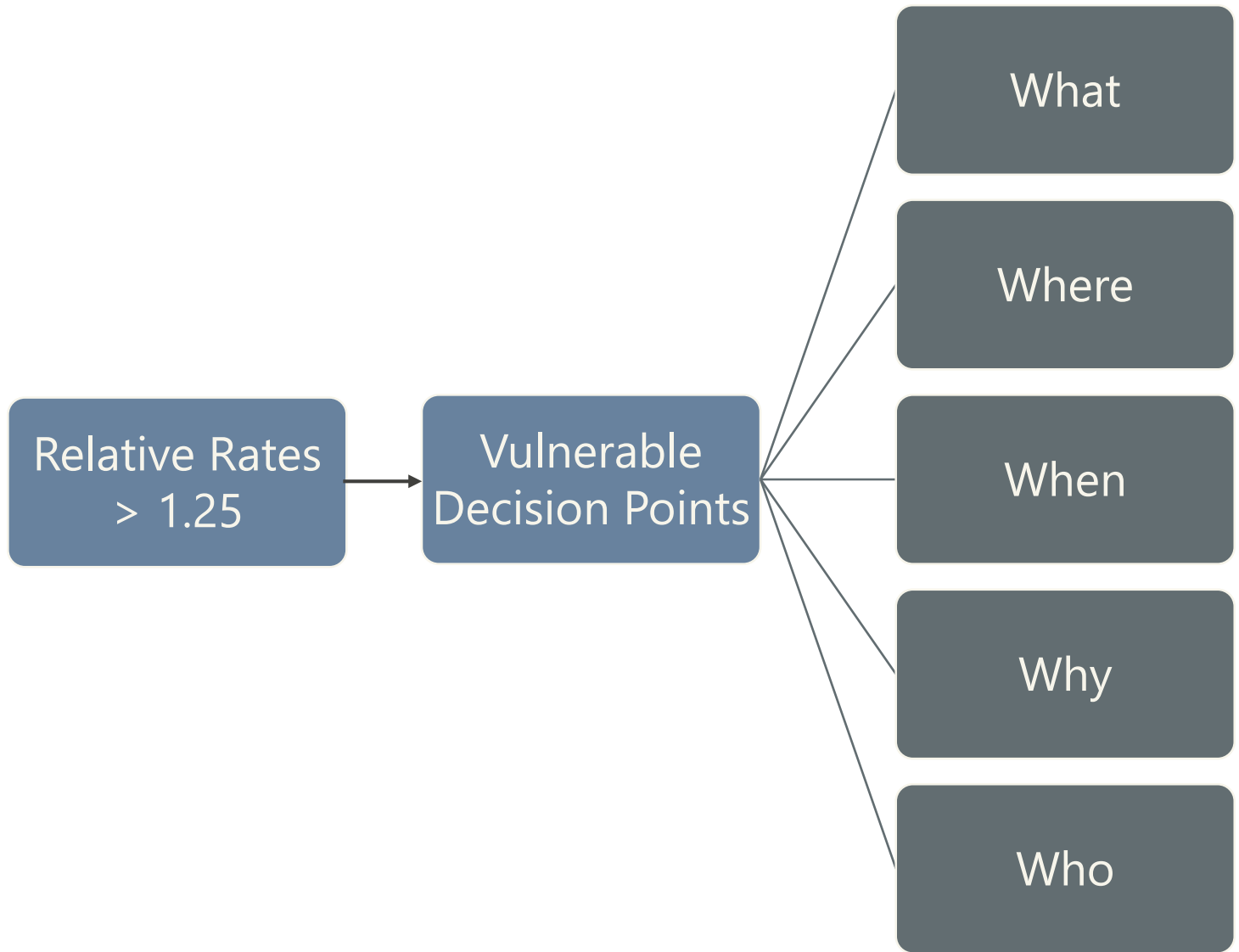
Vulnerable Decision Points (VDPs)

- **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.*

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

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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

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	Denominator Total Incident Count	Numerator Incident Count by Group	Behavior Proportion	
Academic Dishonesty/Plagiarism	82,046	36	0.0%	0.0%
Alcohol	82,046	1,610	2.0%	2.0%
Bullying	82,046	1,950	2.4%	2.4%
Destruction of Property/Vandalism	82,046	843	1.0%	1.0%
Discriminatory Harassment	82,046	824	1.0%	1.0%
Disruptive Conduct	82,046	11,766	14.3%	14.3%
Failure to Cooperate	82,046	7,486	9.1%	9.1%
Fighting Without Major Injury	82,046	13,641	16.6%	16.6%
Illicit Drug (Other than marijuana)	82,046	2,138	2.6%	2.6%
Marijuana	82,046	6,145	7.5%	7.5%
Multiple Minor Accumulated Incidents	82,046	1,032	1.3%	1.3%
Other behavior resulting in Intervention	82,046	17,966	21.9%	21.9%
Possession of a Weapon	82,046	1,927	2.3%	2.3%
Serious Bodily Injury	82,046	73	0.1%	0.1%
Sexual Harassment	82,046	848	1.0%	1.0%
Sexually Inappropriate Conduct	82,046	722	0.9%	0.9%
Theft or Possession of Stolen Property	82,046	929	1.1%	1.1%
Tobacco	82,046	4,164	5.1%	5.1%
Violence With Major Injury	82,046	848	1.0%	1.0%
Violence Without Major Injury	82,046	7,098	8.7%	8.7%

Incidents by behavior type, Washington state K-12, 2018-19:

46.6% of exclusions were for:
- Disruption
- Disobedience
- Multiple Minors
- Other Behavior

Disparate Discipline

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.

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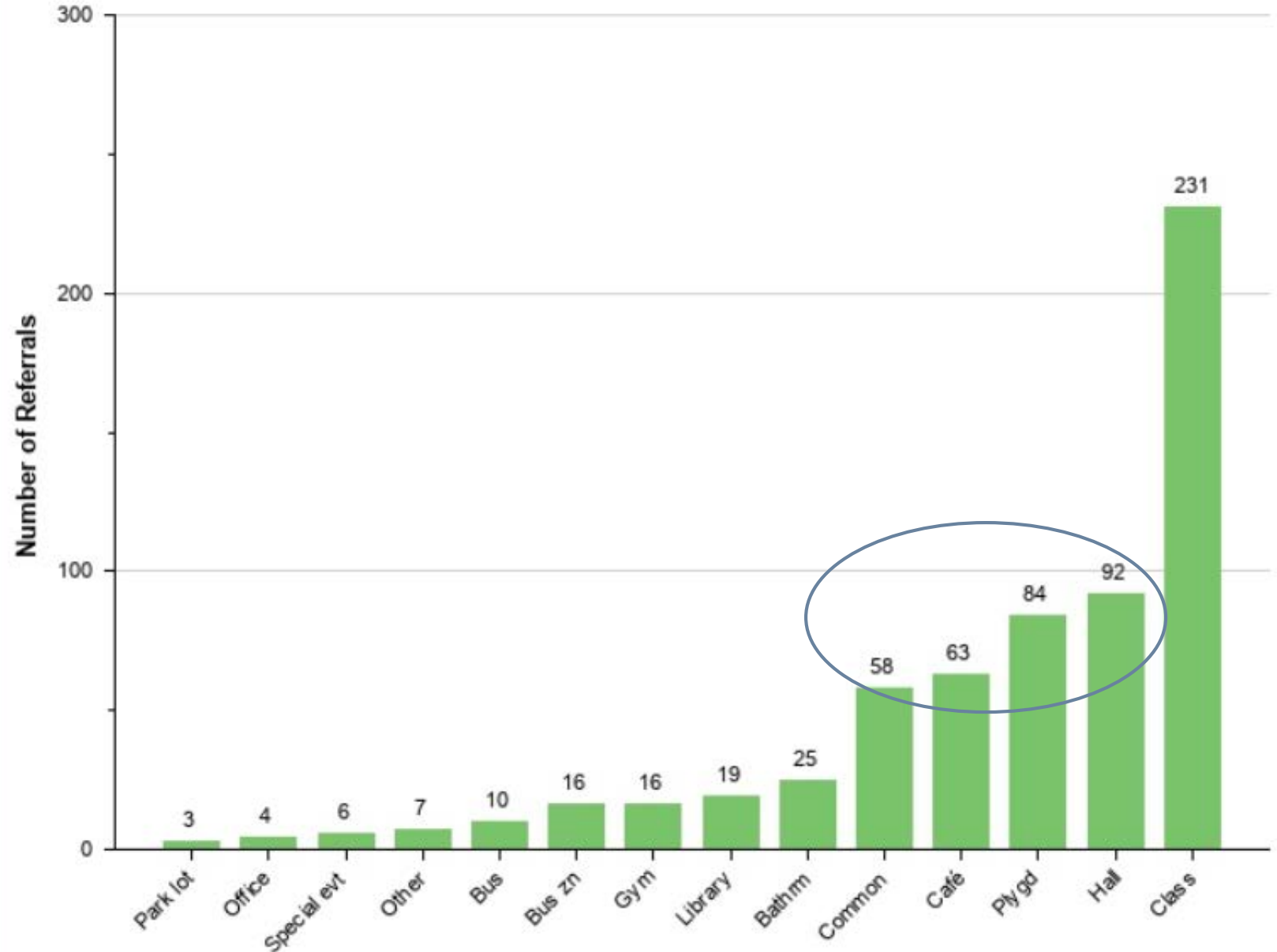
Data systems such as SWIS allow districts and buildings to analyze the location and frequency of behavior referrals.

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

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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).
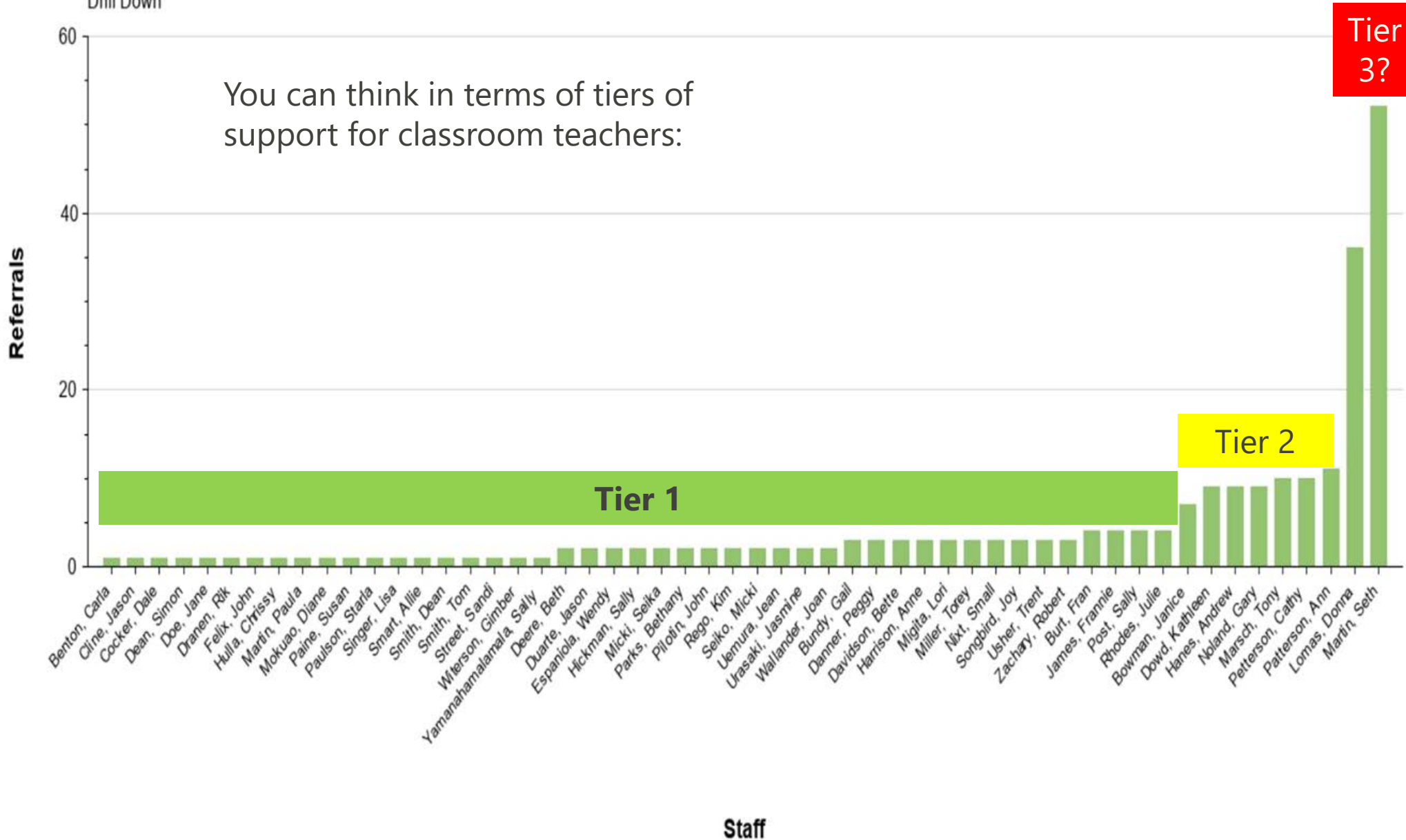
3. What to do?

Research-based Responses to Disparities in Discipline

Neutralizing Implicit Bias

Applying Evidence Based Practices to Reduce the Impact of Bias at Vulnerable Decision Points

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")

(adapted from Kirwan Institute for the Study of Race and Ethnicity, Ohio State University)

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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.

(adapted from Kirwan Institute for the Study of Race and Ethnicity, Ohio State University)

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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....

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Recognize and Neutralize Implicit Bias

Implicit bias can easily mislead us in social situations that are more complex and nuanced – particularly in cross-cultural interactions.

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Recognize and Neutralize Implicit Bias

- Much of communication is non-verbal

- 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….

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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

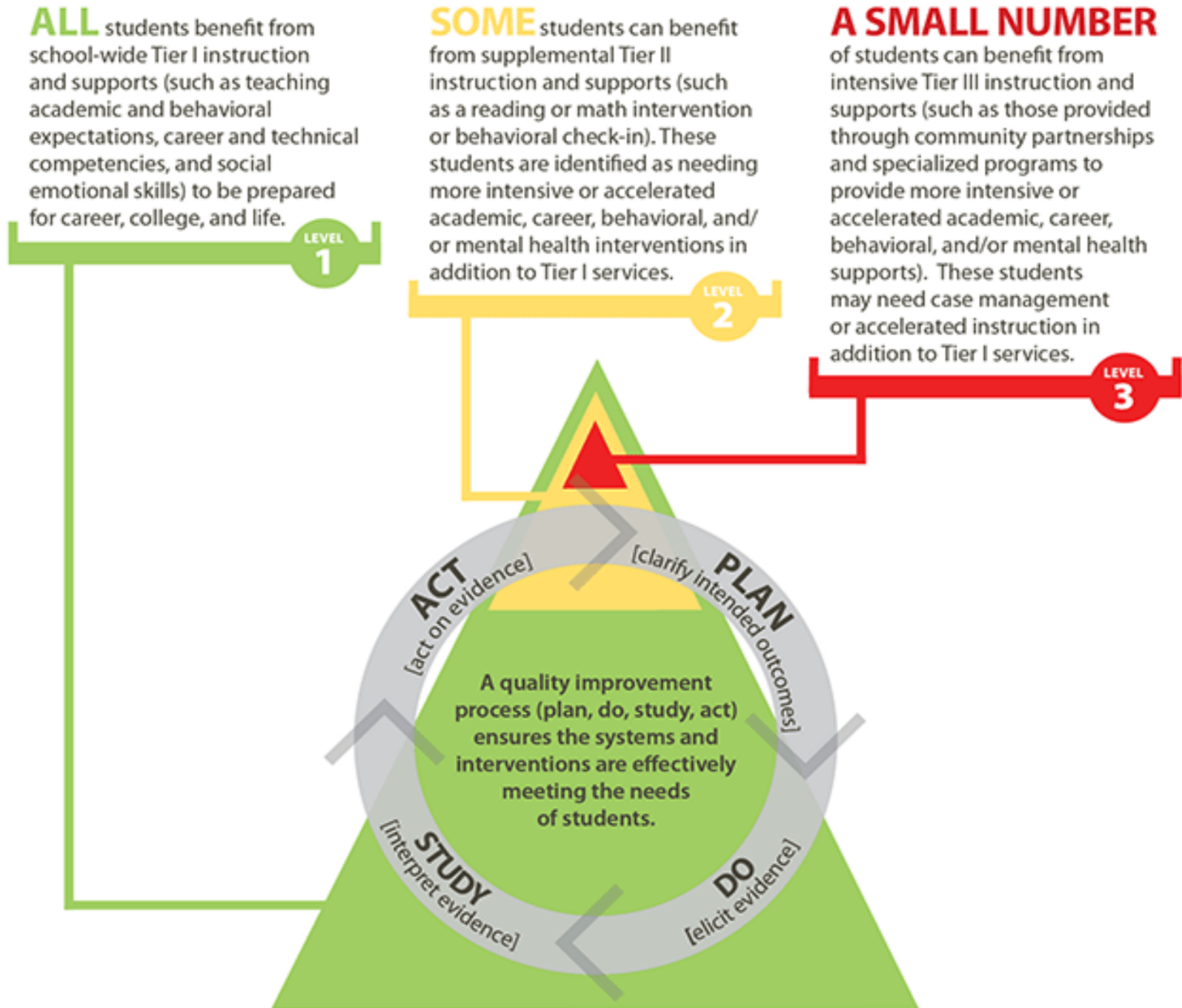# Recognize and Neutralize Implicit Bias

Once we recognize implicit biases, _we can choose to act or not act on our instincts_:

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

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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

ALL students benefit from school-wide Tier I instruction and supports (such as teaching academic and behavioral expectations, career and technical competencies, and social emotional skills) to be prepared for career, college, and life.

LEVEL 1

SOME students can benefit from supplemental Tier II instruction and supports (such as a reading or math intervention or behavioral check-in). These students are identified as needing more intensive or accelerated academic, career, behavioral, and/or mental health interventions in addition to Tier I services.

LEVEL 2

A SMALL NUMBER of students can benefit from intensive Tier III instruction and supports (such as those provided through community partnerships and specialized programs to provide more intensive or accelerated academic, career, behavioral, and/or mental health supports). These students may need case management or accelerated instruction in addition to Tier I services.

LEVEL 3

ACT [act on evidence]

PLAN [clarify intended outcomes]

A quality improvement process (plan, do, study, act) ensures the systems and interventions are effectively meeting the needs of students.

STUDY [interpret evidence]

DO [elicit evidence]

For Detail on These and Other Strategies

1. OSPI Practice Brief (2019): [Reducing and Eliminating Disparities in School Discipline](). The practice brief is a convenient and accessible summary of the research discussed in:

   Gregory, Skiba & Mediratta (2017). [Eliminating Disparities in School Discipline: A Framework for Intervention]()

2. McIntosh, Girvan, Horner, Smolkowski & Sugai (2018). [A 5-Point Intervention Approach for Enhancing Equity in School Discipline]()

3. Green, Nese, McIntosh, Nishioka, Eliason & Canizal Delabra (2015) [Key Elements of Policies to Address Discipline Disproportionality: A Guide for District and School Teams]()

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I'm happy to help. Call or email:

Mark McKechnie, Senior Consultant: [Equity in Student Discipline](#)

Center for the Improvement of Student Learning (CISL) at OSPI

(360) 725-6039

Mark.McKechnie@k12.wa.us

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Thomas J. Mowen, John J. Brent & John H. Boman IV (2019) The Effect of School Discipline on Offending across Time, 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/2019-20CEDARSDataManual.pdf And Appendices: https://www.k12.wa.us/sites/default/files/public/cedars/pubdocs/2019-20%20CEDARS%20Appendices.pdf

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Welsh, R.O. & Little, S. (2018). The school discipline dilemma: A comprehensive review of disparities and alternative approaches. *Review of Educational Research, 88* (5), 752-794.

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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

OSPI Discipline Main Page

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 Safe Supportive Learning Environments (NCSSLE)

National Implementation Research Network (NIRN)

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