Understanding Discipline Disparities, Identifying Root Causes & Taking Action

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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

Washington Office of Superintendent of Public Instruction
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.
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
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?
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?
• 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.
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)
Risk Ratios in Washington K-12 Schools, 2018-19

<table>
<thead>
<tr>
<th>Student Race/Ethnicity</th>
<th>Students Excluded</th>
<th>Exclusion Rate</th>
<th>Risk Ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Students</td>
<td>45,401</td>
<td>4.0%</td>
<td>-</td>
</tr>
<tr>
<td>American Indian/Native Alaskan</td>
<td>1,175</td>
<td>7.7%</td>
<td>2.27</td>
</tr>
<tr>
<td>Asian</td>
<td>1,029</td>
<td>1.1%</td>
<td>0.34</td>
</tr>
<tr>
<td>Black/African American</td>
<td>4,301</td>
<td>8.3%</td>
<td>2.46</td>
</tr>
<tr>
<td>Hispanic/Latino of any race(s)</td>
<td>12,933</td>
<td>4.8%</td>
<td>1.42</td>
</tr>
<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td>860</td>
<td>6.4%</td>
<td>1.90</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>4,623</td>
<td>4.8%</td>
<td>1.43</td>
</tr>
<tr>
<td>White (reference group)</td>
<td>20,498</td>
<td>3.4%</td>
<td>1.0</td>
</tr>
</tbody>
</table>
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 (2020)
Analyzing disparities: rates, gaps and trends
When examining discipline disparities, consider **rates**, **gaps** and **trends**.

This dashboard view displays all three.
Rates, gaps and trends for students with disabilities, compared to students without disabilities.
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)

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>FRL Status</th>
<th>Relative to White+ Non-FRL</th>
</tr>
</thead>
<tbody>
<tr>
<td>American Indian/Alaskan Native</td>
<td>FRL</td>
<td>4.4</td>
</tr>
<tr>
<td>Black/African American</td>
<td>FRL</td>
<td>4.4</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>FRL</td>
<td>3.7</td>
</tr>
<tr>
<td>White</td>
<td>FRL</td>
<td>3.0</td>
</tr>
<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td>FRL</td>
<td>2.9</td>
</tr>
<tr>
<td>American Indian/Alaskan Native</td>
<td>Non-FRL</td>
<td>2.7</td>
</tr>
<tr>
<td>Hispanic/Latino of any race(s)</td>
<td>FRL</td>
<td>2.6</td>
</tr>
<tr>
<td>Black/African American</td>
<td>Non-FRL</td>
<td>2.5</td>
</tr>
<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td>Non-FRL</td>
<td>1.5</td>
</tr>
<tr>
<td>Hispanic/Latino of any race(s)</td>
<td>Non-FRL</td>
<td>1.4</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>Non-FRL</td>
<td>1.2</td>
</tr>
<tr>
<td>White</td>
<td>Non-FRL</td>
<td>1.0</td>
</tr>
<tr>
<td>Asian</td>
<td>FRL</td>
<td>1.0</td>
</tr>
<tr>
<td>Asian</td>
<td>Non-FRL</td>
<td>0.4</td>
</tr>
</tbody>
</table>
# Racial Disparities Persist when Controlling for Disability

## Statewide Exclusion Rates by Race/Ethnicity and Special Education Status, 2017-18

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Disability Status</th>
<th>Relative to White/SWOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian</td>
<td>No IEP</td>
<td>1.07</td>
</tr>
<tr>
<td>Black/African American</td>
<td>SWD</td>
<td>5.16</td>
</tr>
<tr>
<td>Hispanic/Latino of any race(s)</td>
<td>SWD</td>
<td>2.72</td>
</tr>
<tr>
<td>Native Hawaiian/Other Pacific Islander</td>
<td>No IEP</td>
<td>2.52</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>No IEP</td>
<td>2.35</td>
</tr>
<tr>
<td>American Indian/Alaskan Native</td>
<td>No IEP</td>
<td>2.25</td>
</tr>
<tr>
<td>White</td>
<td>No IEP</td>
<td>1.00</td>
</tr>
</tbody>
</table>
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.
Relative Rates > 1.25

Vulnerable Decision Points

What
Where
When
Why
Who
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.*

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

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

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

Risk Ratio = Risk Index of group / Risk Index of other group

Black students were excluded for disruptive behavior >3x as often as white students.
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.
**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).
You can think in terms of tiers of support for classroom teachers:
3. What to do?

Research-based Responses to Disparities in Discipline
Research-based 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)
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)
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](https://www.kirwaninstitute.org), Ohio State University)
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 cross-cultural interactions.

Photo by Unknown Author is licensed under CC BY-NC-ND
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....
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.

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
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


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
References


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)