

# About Me

- Background
- Personal struggles as a classroom teacher
- Research and experience working with states and districts
- Goals for working with BASD: Help the district create and implement an effective action plan.
- Ultimate goal is identical to the district's goal of improving educational opportunity and outcomes for all students.

# What this presentation covers:

- Preliminary review of discipline data with descriptive results.
  - 3 distinct approaches to provide a more comprehensive picture.
  - Includes the rationale for each.
- Initial analysis of possible underlying issues that the district can address.
- My recommendations for the district's action plan. (These will be drawn from the district's data along with my experience providing similar support to many other districts).

# Descriptive Data

- This analysis is neither causal nor correlational.
- The data do describe actual rates, and they do reflect the lived experiences of students in BASD.
- The questions explored include:
  - Are there are rates of suspension that could be lower?
  - How can we best look at the disparities by race and disability status to improve our understanding of potential problems and solutions?
  - What areas should be examined more closely?
- The discipline data inform the action plan.

# Shared Principles to Guide The Action Plan

- There should be no tradeoffs with regard to safety or the health of the school climate.
- We want all students to be engaged in their schooling, attend school and receive instruction.
- We want to prevent misconduct and improve the conditions for learning.
- Efforts will be made to reduce or eliminate unjustified disparities.
- We should not deny access to academic instruction in response to minor forms of disruptive conduct, especially that occur outside the classroom.
- Responses to misconduct should serve the educational purpose which is why restorative responses, and those that are supported by research are preferred over purely punitive ones.

# Three Distinct Reviews of the Discipline Data

- **1. Student Suspension Rates:** This rate is based on the unduplicated count of students suspended one or more times.
  - The student in and out-of-school suspension rates are distinct from each other.
  - The focus is on out-of-school suspensions.
- **2. The rate of suspensions per 100:** This rate is based on the total count of suspensions.
  - Including a review by type of offense and location.
  - Combines in and out of school suspensions.
- **3. The days of lost instruction per 100 students enrolled:** This measure combines the duration of both in and out of school suspensions.
- Both suspensions per 100 and rates of lost instruction can be further broken down by the reasons for the suspension.

# 1. Student suspension rates have strengths and weaknesses.

- Unduplicated counts of students suspended one or more times means that “a few bad apples” cannot skew the data.
- This rate is the most common and uses percentages, a metric that most people are familiar with.
- However, the fact that some groups are more likely to receive multiple suspensions, or lose more time due to suspensions, is not captured by this metric.
  - Example: Johnny, who was suspended 5 times for 3 days each contributes no more to this rate than Duke, even though Duke was suspended just 1 time for 1 day.
- The lower the enrollment number for the group, the greater the impact on the rates for that group from any one student, even from one suspension.

## Theoretical Example: The Student Suspension Rate = Percent Suspended One or More Times.

- If the enrollment size is a small number, a change to the experience of one student can have a dramatic impact on the student suspension rate for that group, and visa versa.

|              | Number of Students Suspended (at least once) in Year 1 | Enrolled Year 1 | Student Suspension rate: Divide count of suspended students by Enrollment. | Number Suspended in Year 2 | Enrolled Year 2 | Suspension rate = % of enrolled that were suspended at least once. |
|--------------|--------------------------------------------------------|-----------------|----------------------------------------------------------------------------|----------------------------|-----------------|--------------------------------------------------------------------|
| White        | 10                                                     | 1000            | 1%                                                                         | 20                         | 1000            | 2%                                                                 |
| Native Amer. | 0                                                      | 3               | 0%                                                                         | 1                          | 3               | 33%                                                                |
| Latinx       | 5                                                      | 25              | 20%                                                                        | 6                          | 25              | 30%                                                                |

## Hypothetical Example explained:

- The change of one student can count as an increase of 33 percentage points; 5 percentage points or a fraction of one percentage point.
- When is 33% a high rate?
  - it is an anomaly, or indicative of a possible problem? The size of the enrollment should be considered.
  - It is also important not to overlook high rates for groups with low enrollment.
- In districts like BASD, big changes in student suspension rates are common for groups with low enrollment sizes.
- When we look at the data for groups with small enrollment sizes it's important to look at several years of data, as well as patterns over time.

# Researchers often ask, could the high rates simply reflect a chance event?

- The question about chance is another way to ask whether there really is a reason to be concerned about an observed disparity?
- This report is not representing findings from an experiment designed to test a hypothesis.
- By combining several years (and by also looking at each year and trends) we can better ascertain whether high rates and wide disparities are typical or atypical for BASD.
- Looking at several years of data together reveals patterns and whether what we look at in any given year is consistent with the multi-year pattern.

## Continued Work With BASD

- The initial report is not intended to end my work with the district.
- My role is to help the district see the patterns, to raise important questions, and to help the district find effective remedies where the data suggests there might be problems.
- I can also help the district evaluate the solutions being implemented.
- This report will explore some of the factors that the district controls that might contribute to the disparities.

# The Reason for Using Three-year Rates for BASD

- To diminish possible anomalies and volatile changes that might be more a reflection of chance, especially for groups with small numbers of students.
- For most of the analyses presented today I combined three years worth of data and treat as if it represented one year.
- Year by year analyses will be included in the appendix of the report.
- Chance is not eliminated, but the larger the numbers the more confidence there should be that there are underlying issues worthy of further exploration.

## 3-Year Student Suspension Rates

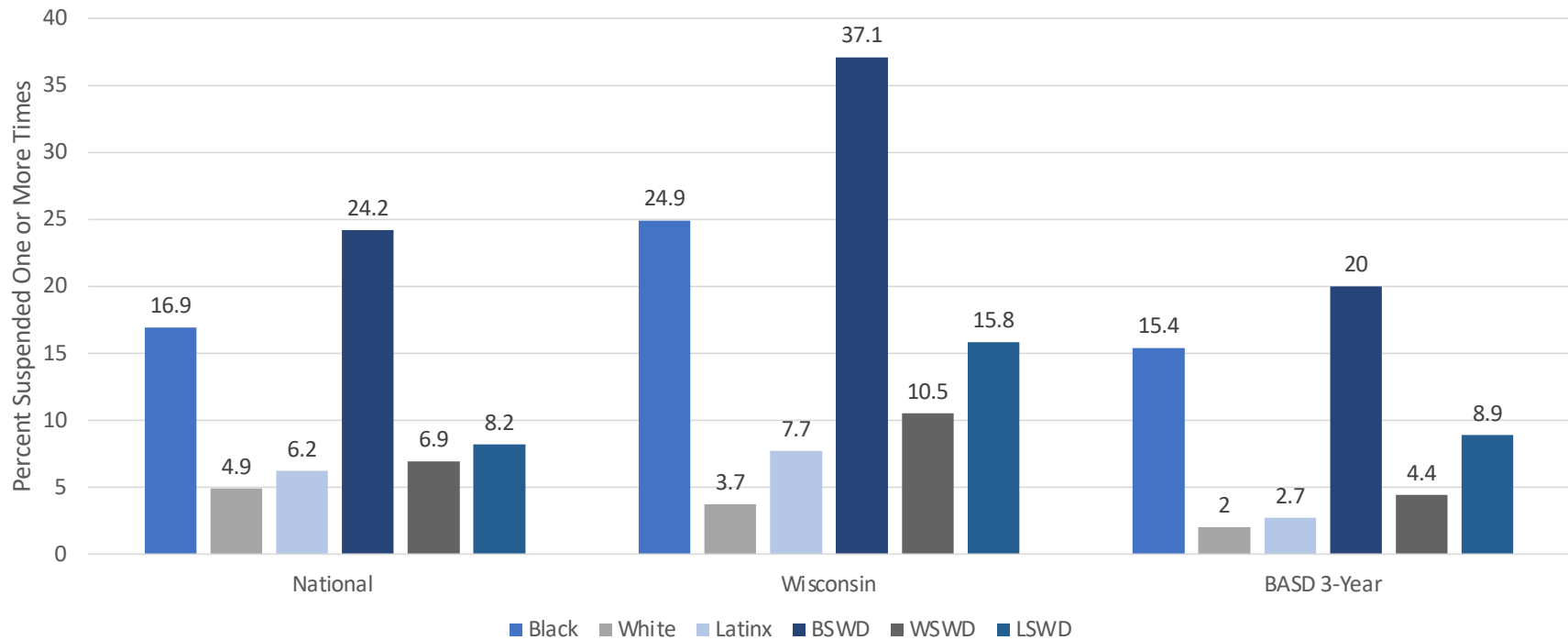
- Treats 3 year's worth of data as if it represented one year to diminish the impact of an anomaly in any given year, or where enrollment changes are large.
- In BASD the concern is that with fewer than 30 Black students the experience of any one student **represents 3-4 percentage points**.
- **The 3-year total enrollment count is used. Each Black student represents 1.2 percentage points when calculating the suspension rate.**
- The per year average is very similar, but slightly higher than the 3-year rate.
- The comparisons within BASD are made to the 3-year rate for other students. The state and national averages come from one year.

# This Report Combines 3-years of Data and Presents 3-year Rates

- Several groups of students we are examining have low enrollment numbers.
- By combining years, we enlarge the enrollment.
- The final report will include both one-year and three-year rates, some data will only appear in an appendix.
- Black students and students with disabilities had higher rates than other groups each year. The size of the difference varied but the gaps were consistently large.

# BASD 3-Year Secondary Student Out-of-School Suspension Rates (thru 2019-2020)

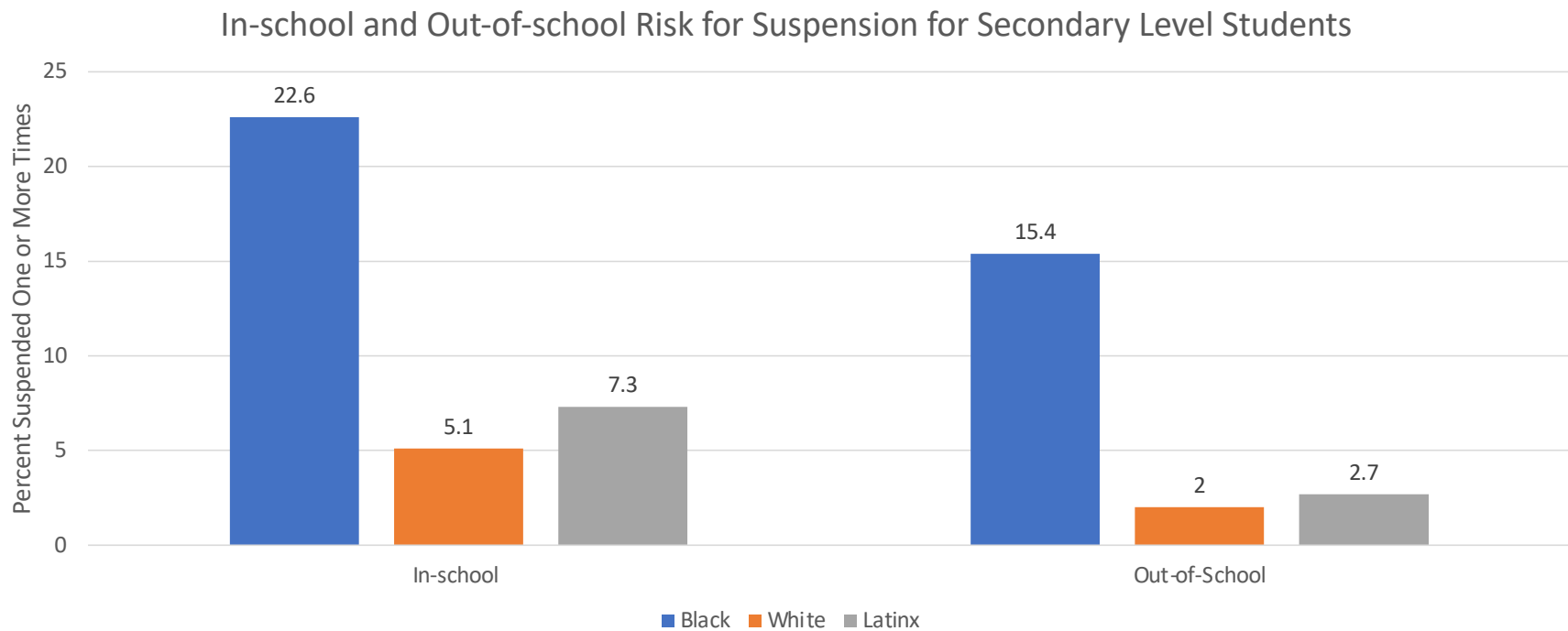
Compared to State and National Averages from 2017-18



## *BASD is NOT a “High-Suspending” District*

- With elementary rates (not depicted) near or at zero percent, BASD is among the lowest suspending districts in the state and in the nation at the elementary level!
- However, at the secondary level the rates for Black students and for students with disabilities are high and disparate compared to other groups in the district.
- Even though the rates are lower than the state average, the differences in the rates are often larger than found at the national level.
- Wisconsin was among the highest suspending states.
- For all groups by race and disability BASD’s student suspension rates at the secondary level are below Wisconsin statewide rates, and for most groups BASD is also below national averages.
- The relatively high and disparate rates remain *problematic* at the secondary level in BASD.

# BASD 3-year Both In and Out-of-School Suspension Rates Show Large Racial Disparities.



# Could Some Suspensions Be Replaced by Other Responses?

- *All groups had higher rates of ISS than OSS.*
- *This suggests that less punitive approaches might have been used before an out of school suspension was used.*
- *Suggests looking at the data on other types of responses.*
- Ratio of ISS to OSS.
  - If high, a closer look might suggest that ISS deters OSS.
    - Not necessarily if they are the same students.
    - Look at reasons for offenses, and if the OSS came after ISS, and for a similar offense.
  - If low, it may mean that ISS is not used as often as it could be. But, this assumes that an ISS is less punitive and less detrimental than an OSS.
  - Are there other responses that could be used more often than either ISS or OSS?

## Ratio of ISS to OSS

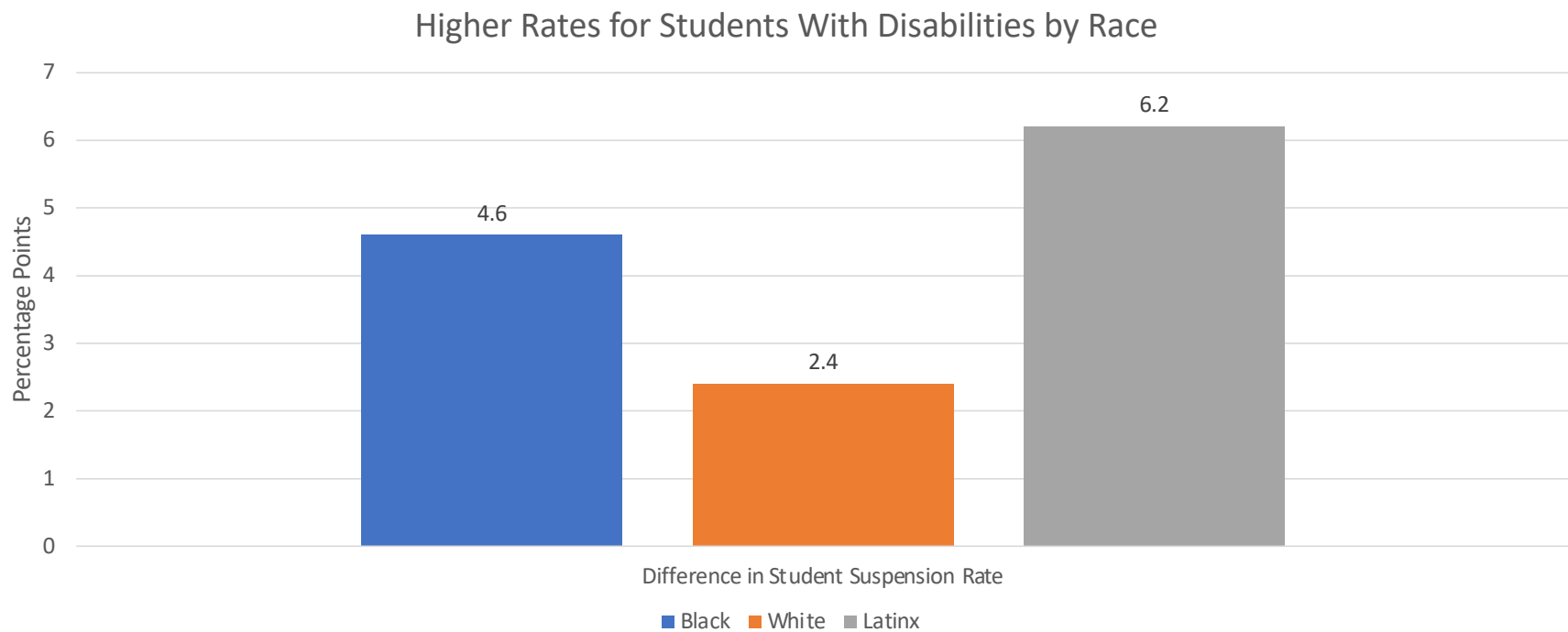
This comparison is of the risk for at least one ISS compared to the risk for at least one OSS within each racial group.

- Black student ISS risk was 1.5 x their OSS risk.
- White students 2.6 ISS for Every OSS
- Latinx students 2.7 ISS for Every OSS

Questions regarding the quality of in-school suspensions should be explored.

**BASD should reflect on its use of other less-punitive responses.**

## Within Group Differences in Student Suspension Rates Between Secondary Students With and Without Disabilities



**Addressing the behavioral needs of students with disabilities is often necessary to provide a Free Appropriate Public Education (FAPE).**

- Behavior differences, and the failure to address them appropriately, can contribute to higher rates of disciplinary removal.
- The law prohibits punishing students with disabilities for behaviors that educators know are caused by their disability.
- Historically, before Congress passed the Individuals with Disabilities Education Act (IDEA) in 1975, such students were often denied access to education for fear of behavioral issues.
- The law requires that SWDs receive needed mental and behavioral health supports and services, and many students may need a behavioral intervention plan.

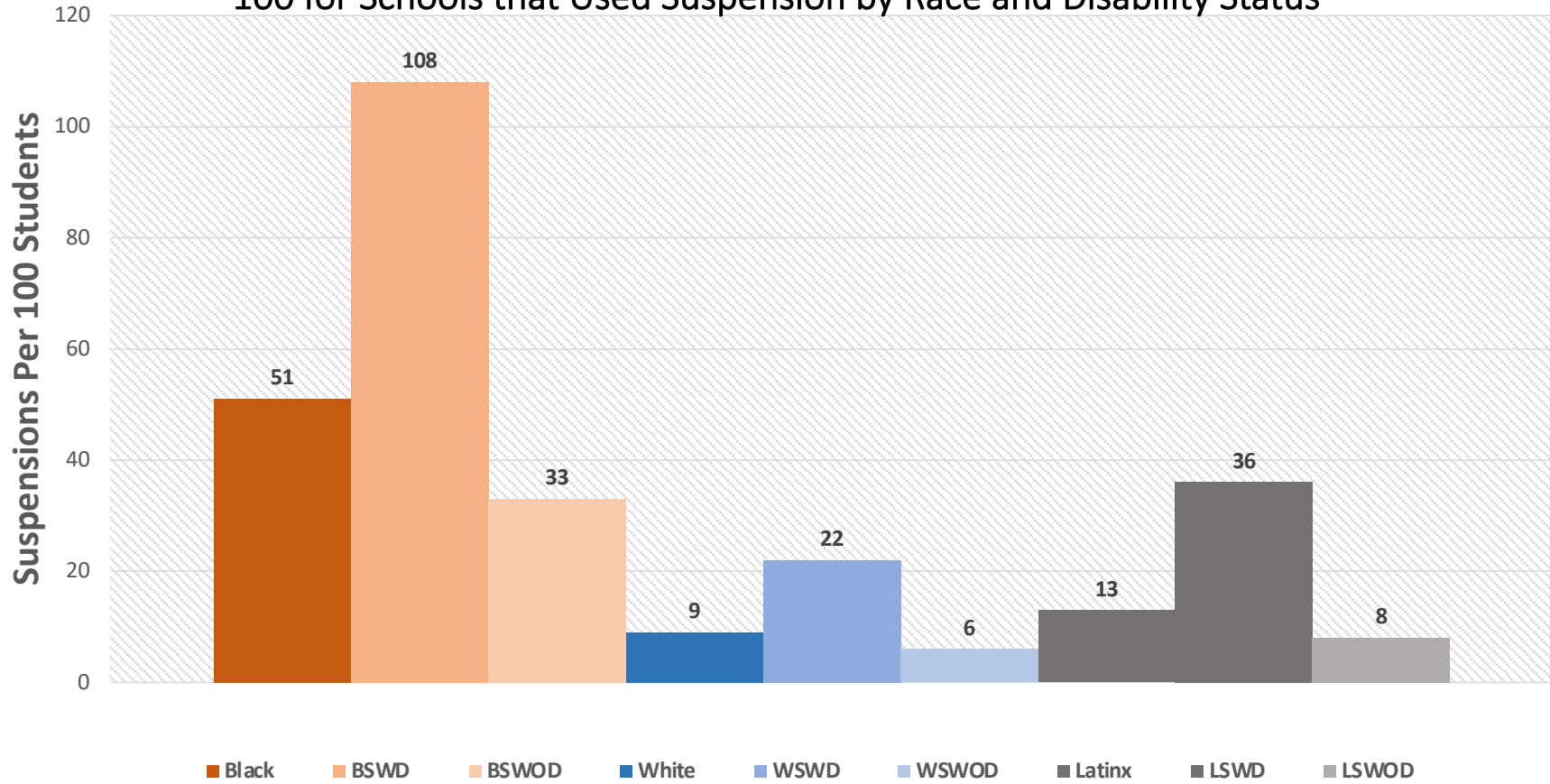
## FAPE: Educators are required to provide the necessary supports and services.

- These requirements apply to students with disabilities who are eligible under Section 504-only as well as those eligible pursuant to the IDEA.
- Suspending a student with disabilities after failing to provide the needed supports and services is also prohibited.
- Most conduct leading to suspensions for both SWD and SWOD involves minor misbehaviors, not violence.
- The disability discipline disparities observed in BASD raise questions about the quality of supports, services and safeguards and deserve further exploration.

## 2. Rate of Suspensions Per 100

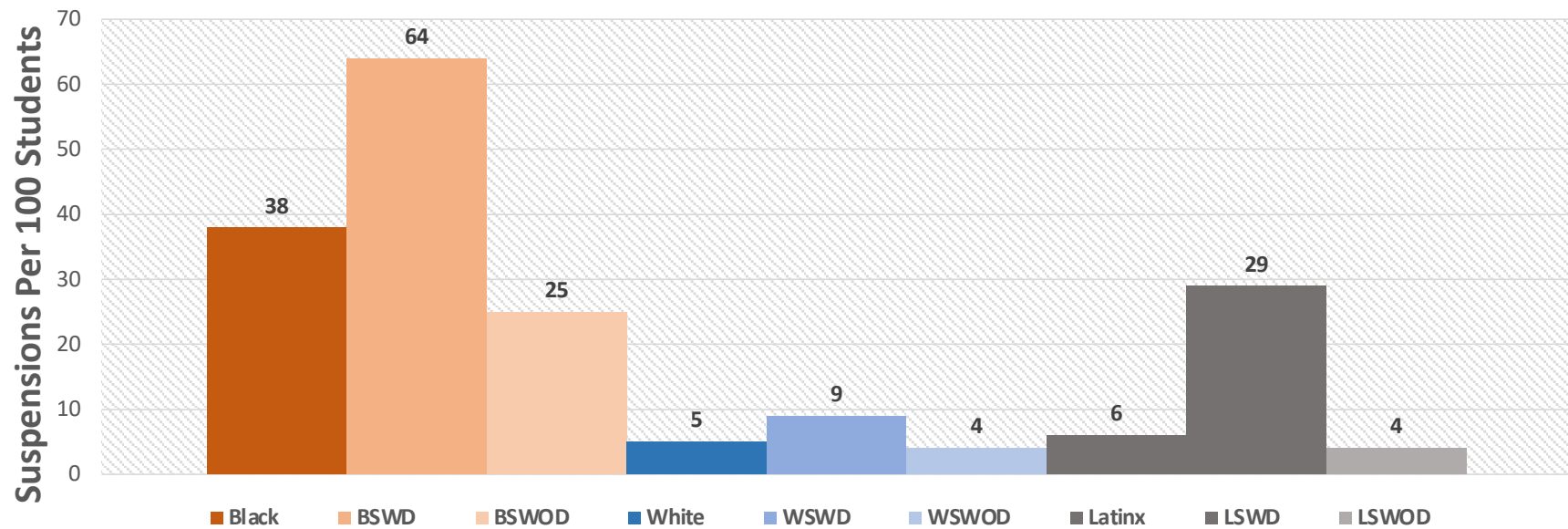
- Added up all the suspensions over three years.
- 3 years of enrollment, combined, is the denominator.
- This rate divides the total count of suspensions by the enrollment.
- Combined 3-Year Rates also reduces the volatility in rates of suspensions per 100 students enrolled.
- This rate will reflect differences in the repeated use of suspensions that are not reflected in the student suspension rate.
- This rate is more susceptible to the “few bad apples” problem which is why it’s good to consider both rates.

Burlington Areas School District 3-Year Cumulative Rates of Suspensions per 100 for Schools that Used Suspension by Race and Disability Status



# Burlington High School Cumulative 3-Year Rate of Suspensions

(2017-18, 18-19 and 19-20)



# Students with Disabilities Lose More than their Peers

- Occupational therapy
- Physical therapy
- Mental and behavioral health supports and services.
- Much harder time catching up on lost instruction for some students with disabilities.
- Research suggests that they lose more from not having in-person instruction.

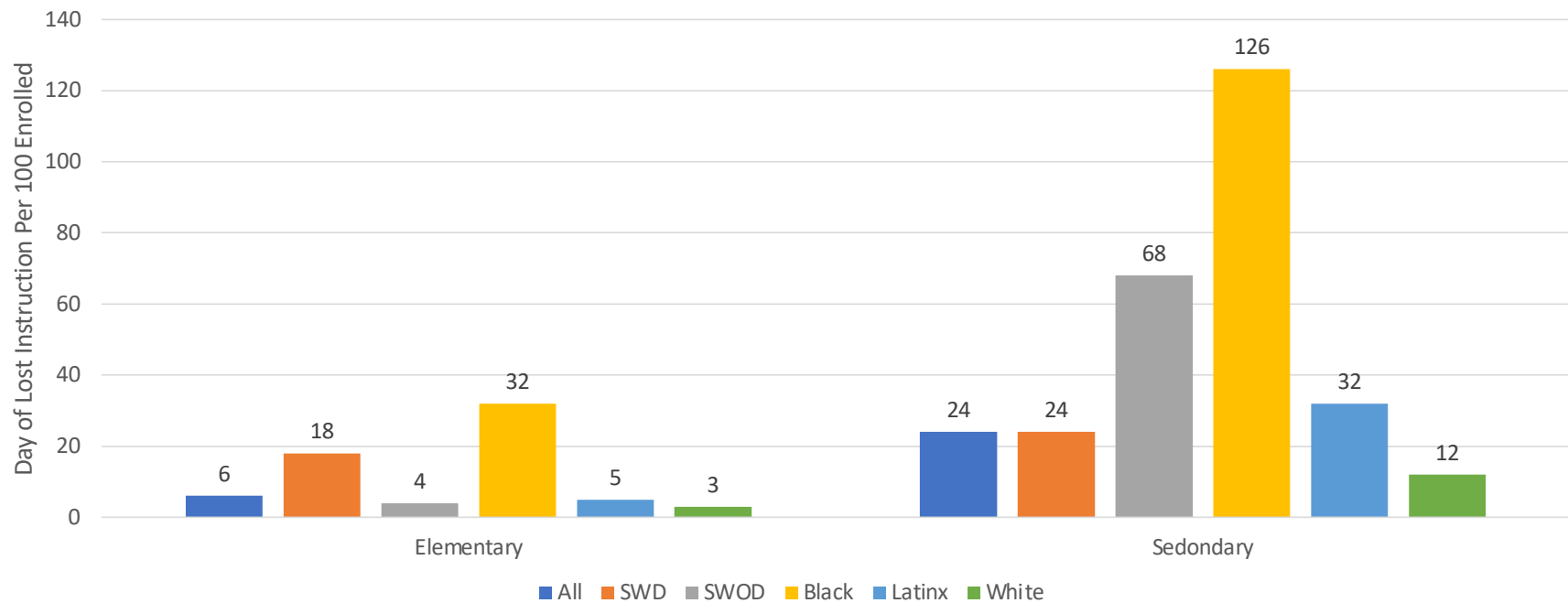
## More Data Will Be Included in the Appendix of the Written Report and Some Will Be Used Internally

- Individual rates for each school will be provided in the appendix:
  - 3-year rates
  - Single year rates
- Once the accuracy of the data for the first two or three months is confirmed, I can help the district look at rates thus far and project whether the district is on a path toward higher rates and wider disparities compared to prior years.

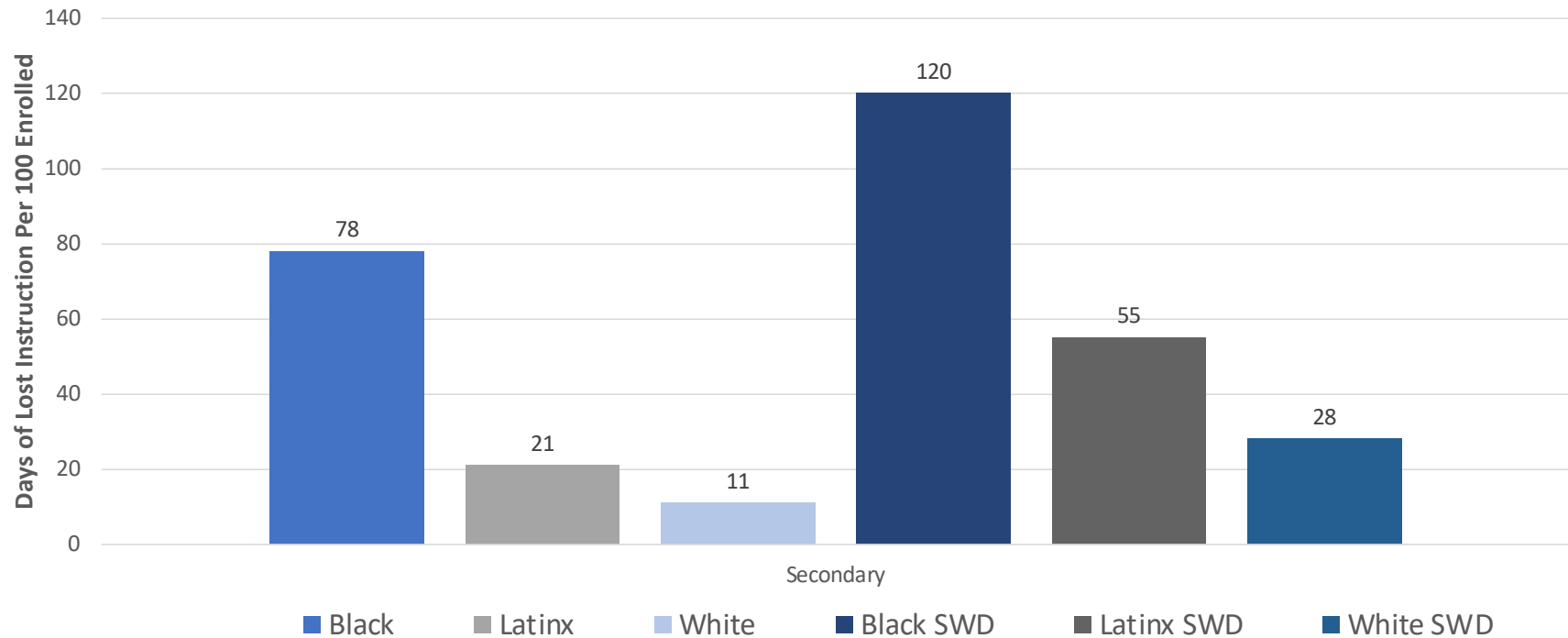
## Why Look at Days of Lost Instruction

- Important to measure **what we care about**: days of lost instruction is a direct measure of the impact on education.
- Denying education does not prevent misconduct or teach appropriate conduct.
- Discussing lost instructional time keeps the focus on educational opportunity, or the loss of it.
- Captures differences if one group tends to get more frequent or longer suspensions.
- Better captures how different groups experience disparate exclusion.

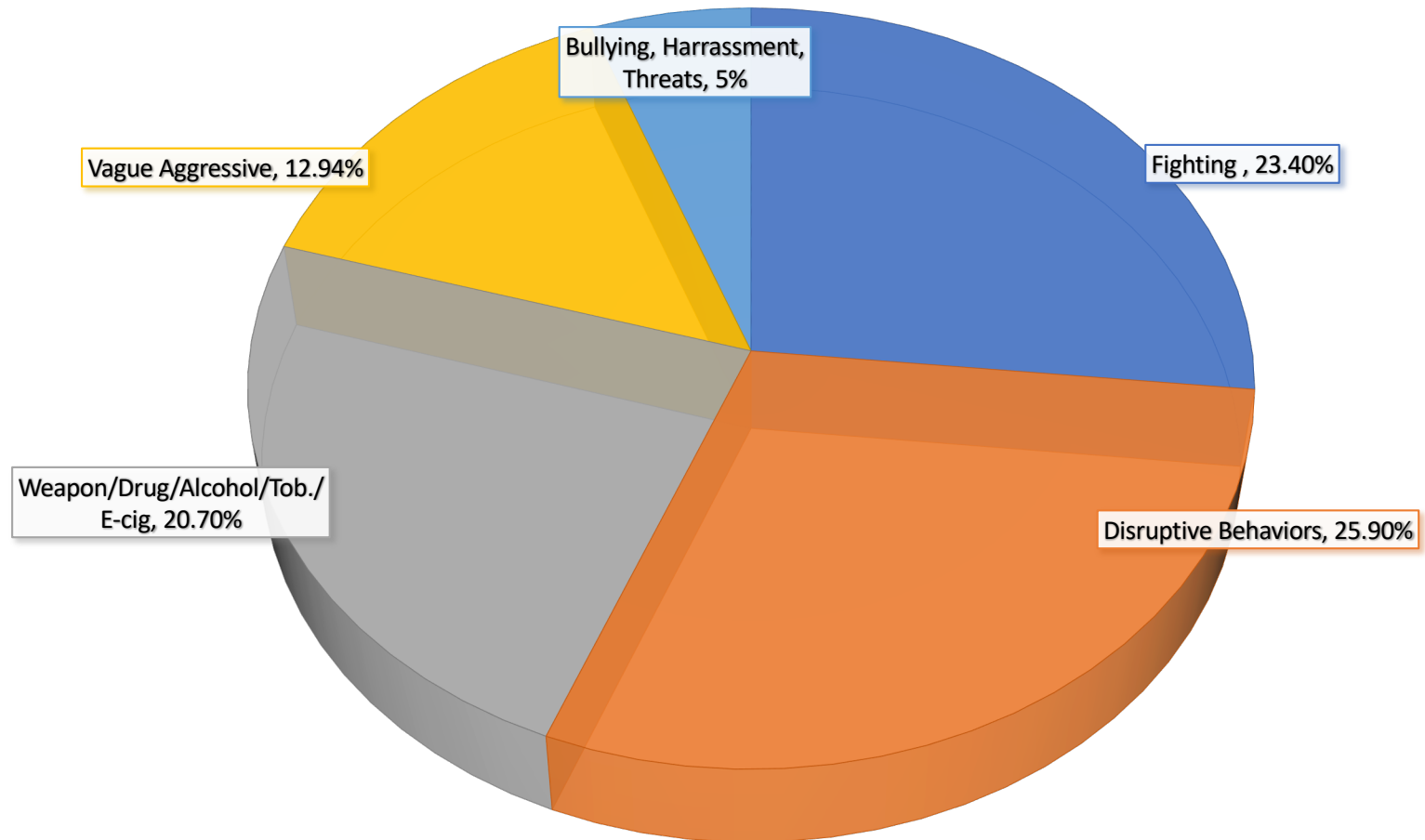
# Rates of Lost Instruction for Wisconsin in 2107-18 at Elementary and Secondary Levels



# BASD Schools that Suspended Students: 3-Year Rates of Lost Instruction Due to All Suspensions in BASD



SHARE OF SUSPENSIONS BY REASON FOR SUSPENSION  
TOTAL OF 680



## Students Disproportionate Share of Suspensions During 3-Year Period By Reasons for Suspension and Race

| Share of Enrollment                                                          | Black 1.3% | White 68.9% | Latinx 10.6% | 19.2%    |
|------------------------------------------------------------------------------|------------|-------------|--------------|----------|
| Share of suspensions by type of offense (most common)                        |            |             |              |          |
| <b>All Offenses<br/>= 680</b>                                                | 53 = 7.8%  | 498 = 73.2% | 120 = 17.6%  | 9 = 1.3% |
| <b>Minor Misconduct<br/>= 192</b>                                            | 13 = 6.8%  | 146 = 76%   | 26 = 13.5%   | 7 = 3.6% |
| <b>Aggressive, pushing<br/>= 88</b>                                          | 11 = 12.5% | 62 = 70.5%  | 15 = 17%     | 0        |
| <b>Fighting = 159</b>                                                        | 12 = 7.5%  | 100 = 62.9% | 41 = 25.8%   | 6 = 3.7% |
| <b>Objective: E-Cig, Tob.<br/>Alc. Drugs. Weapons.<br/>Paraph.<br/>= 141</b> | 12 = 8.5%  | 110 = 78%   | 19 = 13.5%   | 0        |

## Further Review of Instructional Loss by Reason for Offense and Race and Disability

- Is each additional day of lost instruction justified on educational grounds.
- Many students that were suspended in BASD received short suspensions.
- Are lengths of suspensions consistent by offense type and across racial/ethnic groups and students with disabilities?
- New and improved studies of PBIS and Restorative Practices suggest that reducing suspensions will yield academic benefits.

# Where do most incidents take place?

Total Number of Incidents Leading to a Suspension From 3 years: 680 incidents

- **In the Classroom = 217 (32%)**
- **Outside the classroom = 448 (68%)**
  - Playground = 99
  - Hallway or Locker = 77
  - Cafeteria = 63
  - Bathroom = 31
  - "OUTSIDE" = 31
  - Bus = 28
  - Gym, or locker room: 11
  - Office = 8
  - Car and/or Parking Lot = 6
  - Locations with 5 or fewer: (Field Trip, Library, Club, Detention Room, Courtyard: = 9
  - Only indicated school building or grounds = 48
  - Unclear: "z" = 31
  - Unclear: All; Other; Out of School; 4; in-school; = 46

# There were 498 Incidents Leading to Suspensions for White Students (3-years)

## **169 out of 498 happened in a classroom (34%)**

- 17 classroom Incidents reported as Fights or Dangerous Behavior in the classroom (10% of white classroom incidents)
- 72 of 169 classroom incidents involved White students with disabilities (43% of all classroom incidents for Whites).
- 82 classroom incidents (49%) were for leaving class, disruptive, or other types of inappropriate behavior.

## **328 incidents outside the classroom (66%)**

- 88 Fights (26% of outside incidents)
- 99 for minor misconduct: Refusal to cooperate, inappropriate behavior (30%).

# Incidents Leading to Black Suspensions (3-years)

## **15 out of 54 in the classroom (28%)**

- 0 Fights in the classroom
- 11 different students
- 9 classroom incidents involved Black students with disabilities. (60%)
- 8 classroom incidents (53%) were for leaving class, disruptive, or inappropriate behavior (cell phone)

## **39 incidents outside the classroom (72%)**

- 10 Fights (9 were male)
- 7 minor misconduct: Refusal to cooperated, inappropriate behavior.
- 0 Weapons

# Informing the Action Plan

- Strong need to include a review responses to misconduct outside the classroom.
- Training should be provided to those who monitor student behavior outside the classroom.
- A deeper review of the mental and behavioral health supports and services provided to students with disabilities.
- Trainings should include special educators
- The drafters of the action plan should further examine responses to misconduct outside of classrooms, including more recent data, and explore ways to improve student conduct (and adult responses) to misbehavior that occurs in those less structured places.

# What Can We Learn From Elementary Schools in BASD?

- Most elementary schools in BASD suspended no students in or out-of-school over 3 years.
- We can assume that some elementary school students exhibited some behaviors that could have been grounds for suspension and might have been suspended if they were in middle school.
- BASD likely has many educators that know about alternatives to suspensions.
- Often the most effective resources are the educators in the district.

# Possible Reasons Suspension Rates May Be Rising Across the Nation

- School districts had inadequate funding to meet the needs of students with disabilities and traumatized youth before the pandemic.
- Possible increase of many types of discrimination based on race and disability.
- Increase in risk for exposure to abuse and domestic violence.
- Increase in adverse childhood experiences:
  - Loss of a family member
  - Evictions
  - Homelessness
  - Loss of employment and income
  - Contracting COVID-19

## Next Steps:

- There is a great deal of valuable information besides this data analysis that should inform the district's action plan.
- However, be wary of cognitive dissonance and the tendency to resist change and to defend the status quo.
- BASD may not need to make dramatic changes, but making effective changes takes a good deal of time and commitment.
- Explore all the evidence and ways to improve experiences and outcomes for all students enrolled in BASD.
- For example: A policy or practice need not be completely broken before an alternative and more promising approach is considered.

# Descriptive Analyses In the Near Future

- More details on how educators responded to students, in ways that helped correct the misconduct without relying on removing the student.
- Further review can provide information about the changes already being implemented.
- Additional review can help distinguish which policies and practices are most likely contributing to the observed rates and disparities.
- Can help establish a baseline and a method to measure progress moving forward.
- Review discipline data on a quarterly basis.
- Consider possible underlying factors that result in some groups of students losing much more instructional time due to suspension than others.

Burlington is engaging in data review on a regular basis

Will be exploring data in real time, and projecting values and using a new program.

Hiring a data analyst

Implementing restorative practices

Ongoing efforts to reduce micro-aggressions.

## Broad-based findings of importance

- Most suspensions are **not** responses to classroom misconduct.
- Suspensions were meted out to students with disabilities at much higher rates, across all racial/ethnic groups.
- The analysis of the data raise concerns about both procedural protections and the quality of mental and behavioral health services for students with disabilities, and this concern applies to all racial/ethnic groups.
- There are large racial disparities as well that should be explored further with planned efforts to reduce such disparities spelled out in the action plan.

# Components of the Action Plan

- Connection of plan to educational mission
- Identification of specific areas
- Involve the community in developing the final plan
- Provide time for ongoing reflection
- Measurable goals, the same for all groups should be identified and baselines established.
- Specify resources to support changes and include a budget.
- Implementation with integrity:
  - Track the resources.
  - Allow enough time for implementation before drawing inferences and making further revisions
  - Ensure the measures of progress toward reducing suspensions and disparities are sound and not purely relative.

# Monitor for Progress

- Use principle of harm reduction to measure progress.
- Annually enable the public to monitor, review and evaluate.
- Reflect on progress during the year (continuous evaluation).
- Revise the action plan as needed during the year.
- Involve the community in the review process during the year and at the end of the year.

# Detailed Recommendations for Action Plan

- Review the contribution of discipline policies and practices to observed disparities including lost instruction by reason.
- Commit to eliminate the use of suspension where it is not justified.
- Additional support and training for staff on multicultural and trauma-sensitive responses including influence of implicit biases.
- Review of detention data.
- Review of 504 and IDEA data and the quality of functional behavioral assessments and behavioral intervention plans. The plans should be revised if they don't work, not revert to suspension.
- Add more detailed review of data regarding who referred the student to the office.

# Recommendations for Action Plan

- Build upon BASD's elementary school approach.
- **Consider adding SEL, Restorative Practice, PBIS**
- **Closer review of quality of supports and services for students with disabilities (504 and IDEA) and procedural protections against unintended but potentially discriminatory removals**
- **Consider reducing the length of suspensions.**
- **Closer review of data, both during the year and over time and include review of projected rates.**

# The End

- In a forthcoming written report, there will be some additional information, a summary of the relevant research literature, and data tables.
- The written report will include the data presented along with additional explanations, as deemed necessary.
- If reliable data are available, the report will also reflect on BASD's data from approximately the first quarter of the current year.