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Not All Significant Disproportionality Is the Same

Significant Disproportionality Summit
November 9, 2021

Tom Munk, IDC

Heather Reynolds, IDC

Mindy Duell, Fayetteville School District, AR

Natasha Dunn, Watson Chapel School District, AR

Jody Fields, Arkansas Division of Elementary & Secondary Education

Kristine Peters, Appoquinimink District, DE

Susan Veenema, Delaware Department of Education



Agenda

- Introductions
- How significant disproportionality can differ
- Delaware: Discipline
- Arkansas: Discipline and placement
- Discussion



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Introductions

- Tom Munk, IDC
- Heather Reynolds, IDC
- Mindy Duell, Fayetteville School District, AR
- Natasha Dunn, Watson Chapel School District, AR
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As You Listen, Add Your Thoughts to Our Jamboard ([link in chat](#))

- What questions do you have for the presenters?
- How does what you've heard fit with your own experience?
- What ideas from today's discussion can you apply now? Later?



How Significant Disproportionality Can Differ



How Significant Disproportionality Can Differ

- Racial/ethnic group of children affected
- Outcome area
 - Identification
 - Placement
 - Discipline
- Calculation type
 - Risk ratio
 - Alternate risk ratio



Delaware

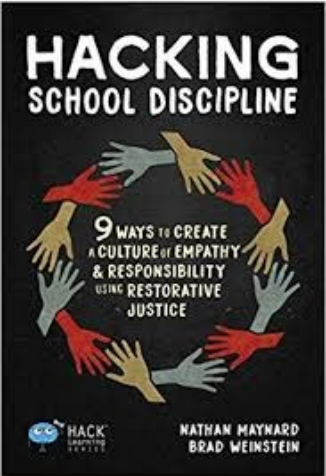


Restoring Proportionality in Delaware

Appoquinimink School District



Multi-Tiered System of Supports
(MTSS) in Action



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Defining Significant Disproportionality in Delaware

- **Identification**

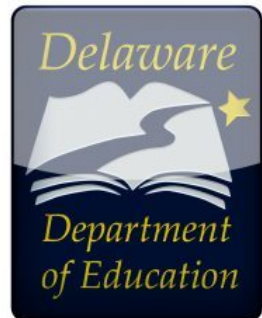
- Exceeds a **risk ratio** of 3.0 for three consecutive years. The state established a minimum “n” size of 30 or more students

- **Placement**

- Exceeds a **risk ratio** of 2.0 for three consecutive years. The state established a minimum “n” size of 30 or more students

- **Discipline**

- Exceeds a **risk ratio** of 3.0 for three consecutive years. The state established a minimum “n” size of 30 or more students



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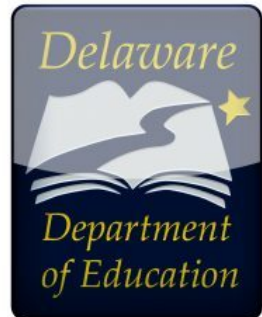
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Addressing Significant Disproportionality

The DDOE requires that LEAs identified with significant disproportionality must

- Conduct a root-cause analysis
- Review/revise policies, procedures, and practices related to the identification
- Publicly report revisions of policies, procedures, and practices related to the identification
- Allocate 15% of IDEA special education (Part B, Sections 611 and 619) funds within the upcoming Consolidated Grant Application (CGA) Process for Comprehensive Coordinated Early Intervening Services (CCEIS) to address the root cause of the determination



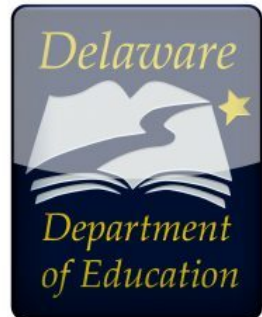
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Additional Support

- All LEAs receive their significant disproportionality data highlighting areas they need to address
 - Meet with anyone that is flagged in years 1–3
- State offers technical assistance to all LEAs through the process
- This year
 - Provided Equity Summit for all LEAs to prevent significant disproportionality and assist LEAs in developing plans
 - Provided coaching from the Positive Behavior Support (PBS) Project, our technical assistance partner
 - Worked with a consultant to do an evaluation of data and develop a 5-year plan for state to support LEAs



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Appoquinimink School District's (ASD) Journey from Disproportionate to Proportionate

Identified for Discipline May 2019 and May 2020 for total
removals



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Key ASD Implementation Strategies

- Prioritization of resources
- Thorough data digs related to disproportionality data
 - Disproportionality dashboard
- Strong Tier 1 MTSS for academic and non-academic areas and equity centered initiatives
 - Restorative practices
 - Trauma informed care
 - Social emotional learning

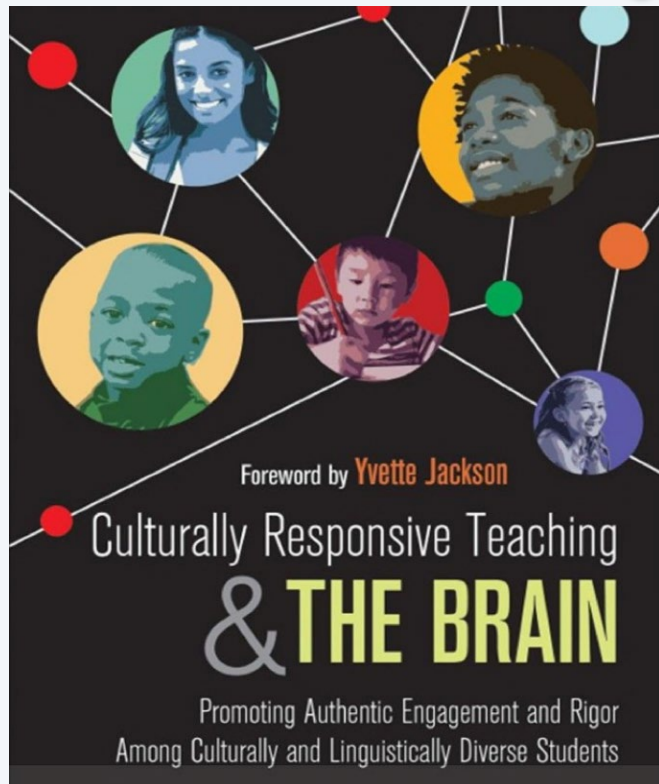
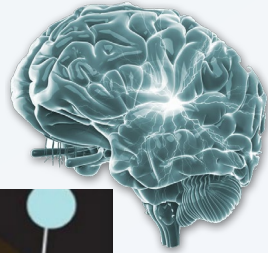


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How to Respond



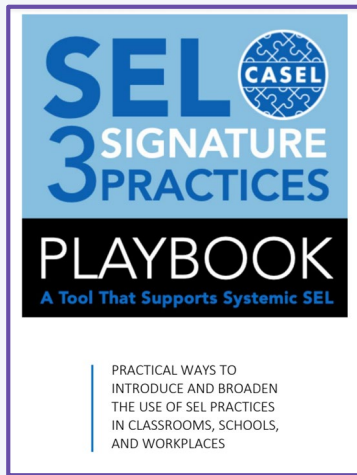
- Build strong supportive relationships
- Offer a welcoming environment
- Create predictable routines
- Support the development of self-regulation (students & staff)
- Empower agency



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Collaborative For Academic Social And Emotional Learning (CASEL) recommends “bite-sized” Social Emotional Learning (SEL) practices throughout the day



Appetizer:
Welcoming/inclusion activities



Main Dish: Engaging strategies/transitions & breaks



Dessert: Optimistic closure



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Appetizer

Main Dish

Dessert

Building Community

WEDNESDAY
SEPTEMBER 22ND, 2021

MORNING CHECK-IN

On a scale of Superheroes, how are you feeling today? Use a number to label your emotion

1
Sad

2
Focused

3
Happy

4
Angry

5
Proud

6
Scared

POLL OF THE DAY

or

CAPTION IT

Caption this image

"What Does this Image say to you?" Use the [jamboard](#) if necessary

LESSON

Gratitude Wednesday

Students will make a copy and complete a new journal entry for the days specified.

6-8th: Gratitude Journal

MINDFUL MOMENT

[Introduction to Mindfulness](#)

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Where We Were



**Restorative
Practices & SEL**

**Reactive code of
conduct**

**Exclusionary
practices**

Siloed initiatives



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Where We Are Going



Restorative Practices & SEL

Integrated initiatives

Equitable practices

Progressive discipline code



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Appoquinimink Schools

Making Code of Conduct (CoC) changes equity centered

- Focus on student learning and safety
- Developmentally appropriate
- Culturally responsive
- Reinforcement of social emotional learning
- Support equitable outcomes/neutralize bias
- Emphasis on collective commitments (shared ownership and responsibility)



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Appoquinimink Schools

Minimize ineffective strategies and reduce disproportionality

- Shift balance from
 - Punishment toward teaching strategies
 - External control (rule compliance) toward internal (intrinsic, self motivated)
 - Exclusionary practices (removals)
 - Revised infractions (offense codes)



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Appoquinimink Schools

Multi-Tiered System of Supports (MTSS) CoC Alignment

- One size does not fit all
- Strong Tier 1 supports
- Prevention and reinforcement of SEL
- Focus on skill gaps and teaching alternative skills
- Progression of supports and consequences strategies in a stepped matrix



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Appoquinimink Schools

CoC focus on effectiveness

- Ensure consequence strategies are logical and repair the harm
- Avoid inadvertently reinforcing behavior
- Focus on developing social emotional learning
- Focus on the WHY for policies
 - What TO DO instead of what NOT to do
 - Staff and student ownership
- Alignment with district core values and board policy



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Restorative practices take incidents that might otherwise result in punishment and in them recognize opportunities for kids/students/people to *recognize the impact of their behavior*, understand their obligation to take responsibility for their actions, and take steps towards making things right.

The Lawyers' Committee for Civil Rights Under Law





Either we spend time meeting children's emotional needs by filling their cup with love or we spend time dealing with the behaviors caused from their unmet needs. Either way, we spend the time.

Pam Leo





Appoquinimink Schools

Goals of CoC revisions

- Offered clear and concise language and policies
 - Example: Bus expectations from 28 to 5
 - Student- and parent-friendly wording
- Improved definitions to increase decision reliability (consistency)
- Removed offense codes that were redundant, unclear, or unnecessary
 - Example: Dress code moved from infraction to policy
- Visual format



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Progressive Discipline Model, Approaches, and Responses: A Collective Model Encouraging Proactive Teaching



STEP 1: Classroom Interventions, Restorative Practices, and SEL Strategies/Supports

Teachers and staff are encouraged to use culturally responsive PBS, restorative practices, and SEL supports and classroom management strategies

- Establish positive relationships and rapport with students
- Utilize calm down and coping strategies as needed
- Emphasize teaching of positive SEL replacement strategies
- Prevent negative behaviors from occurring and set students up for success
- Establish meaningful and restorative responses to negative behavior
- Engage in ongoing communication between home and school for both positive and negative behavior



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Revised Infractions/Code Violations (Collective)



DISRUPTIVE BEHAVIOR (S0091): Language, gestures or actions that product distractions, frictions or disturbances that interfere with effective functioning of the teacher, another student, a class, or any school activity.

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
K-5	X	X	X					
6-8	X	X	X					
9-12	X	X	X					

FIGHTING (D1101): Any aggressive physical altercation between two or more individuals.

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
K-5				X	X	X		
6-8					X	X	X	
9-12						X	X	X



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One Vision

12,715+ Reasons Why



Arkansas



How Arkansas identifies and supports districts

- Arkansas uses a three-year pattern for identifying LEAs as having significant disproportionality
 - Cell size = 5
 - Numerous iterations revealed this minimized the use of the alternate risk ratio
 - N size = 15
 - Aligned with ESSA subgroup
 - Risk Ratio Threshold = 3
 - Previous threshold was 4
- LEAs are notified in December if required to set aside funds for the next school year





How Arkansas identifies and supports districts: Timelines

- Once identified LEAs have January 1st – March 31st to:
 - Complete and submit the Arkansas CCEIS Tool for area(s) identified
 - Student folder review
 - Success Gap Rubric
 - Self-Assessment
 - Complete and submit the CCEIS Application
 - Program information
 - Budget of CCEIS funds
- CCEIS Tool and Application are due March 31st.



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How Arkansas identifies and supports districts: Fiscal

- Monitor budget and expenditures to assist LEA to stay on-track to meet their CCEIS obligation.
- Work closely with LEAs that are risk of having to pay funds back due to fund lifespan and CCEIS requirement to expend 15% of the total FY allocation, which includes reserve allocations from the SEA during the grant award lifespan.



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How Arkansas identifies and supports districts: Program Review

- Office Hours calls during February and March
- 1:1 coaching calls as requested by LEA
- Read Tool submission
- Read application for alignment with tool, root cause, and addressing identified areas.
- Call district with any questions and ask for revised application or a written response to attach to the application.



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Fayetteville School District

Who are we?-1st chartered school district in Arkansas in 1871

- Located in the Northwest
 - 17 Schools
 - 9 Elementary Schools
 - 3 Middle Schools
 - 2 Junior High Schools
 - 1 High School
 - 1 Alternative School
 - 1 Virtual Academy
- 10,600 Student Population
 - 1,450 Students with Disabilities
 - 22.3% Free and Reduced
- 118 square miles

Home of the bulldogs!



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2,342

2018-2019 Number of Days of OSS

This is the equivalent of 13 years of lost instructional time.



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Identification

Why the district was identified

- Arkansas uses a risk threshold of 3.00; prior to the regulation changes in 2018, the threshold was 4.00
- FPS exceeded the threshold for three consecutive years: 2016–17, 2017–18, and 2018–19, in the area of out-of-school (OSS) suspension/expulsion for Black students



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Fayetteville Racial/Ethnic Demographics



	2018–2019		2019–2020		2020–2021	
Asian	327	3.16%	325	3.09%	313	3.06%
Black	1,031	9.97%	1,044	9.92%	1,011	9.88%
Hawaiian/ Pacific Island	82	0.79%	100	0.95%	147	1.44%
Hispanic/LatinX	1,228	11.87%	1,252	11.90%	1,224	11.96%
Native American/ Alaskan Native	57	0.55%	44	0.42%	41	0.40%
Two or More Races	617	5.96%	752	7.15%	757	7.40%
White	7,004	67.70%	7,005	66.57%	6,739	65.86%



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Facing Reality

The Root Cause analysis and Fayetteville Public Schools (FPS) district data indicated that Black students are four times as likely to receive in-school-suspension (ISS) and out-of-school suspension (OSS) compared to white or other ethnic groups.





Where We Began

- Had critical conversation with superintendent(s)
- Developed a District Support Team
- District team set times to meet and discuss/monitor data
- Conducted root cause analysis and completed Success Gap Rubric to determine “our cause” –and “How did we get here?”
- Developed goals to guide the work



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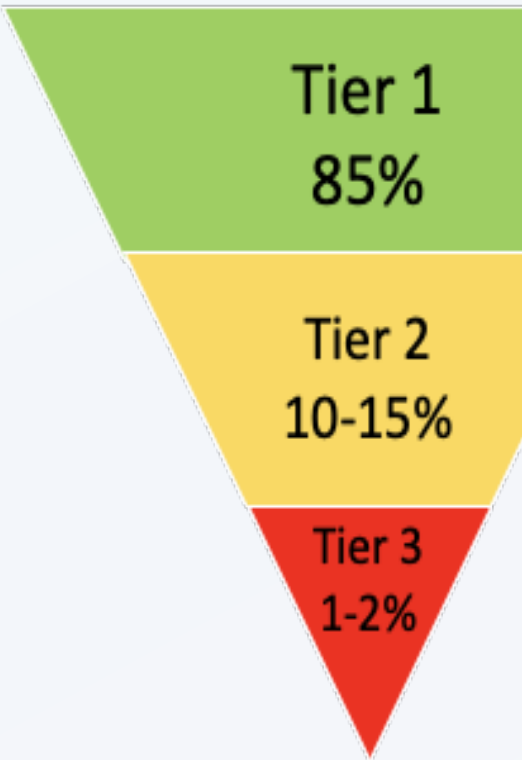


Where We Began (cont)

- Created collaborative documents for the team to work collectively
- Surveys to get input from stakeholders
- Focused on embedding the work with current practices
- Vision and mission
- Core values
- FPS 2019–2023 Strategic Plan
- FPS Task Force, Team Meetings, and Professional Development



FPS Model of Support



- **PBIS/Tier 1 Goal: Prevent Challenges/Harm**

- Consists of universal practices designed to prevent the initial occurrence of undesirable behavior.
- This level, also called primary prevention, is implemented with ALL students.
- PBIS implemented with fidelity and data driven decision making

- **Tier 2 Goal: Reverse Challenges**

- Specialized group systems for students at risk
- Consists of practices designed to prevent reoccurrence of undesirable behaviors
- This level, also called secondary prevention, includes targeted group supports for SOME students
- Includes at least 6-8 interventions that are ready to fit student need

- **Tier 3 Goal: Reduce Challenges**

- Specialized individualized systems for students at high risk
- Consists of intensive, individualized intervention strategies for youth who are not successful with Tier 2 supports.
- This level, also called tertiary intervention, includes intensive interventions for FEW students.
- Typically triggers in Functional Behavior Assessments





Action Steps

- Expanded the Behavior Coordinator position and Behavior Support Team
 - Notification of need for support at 2nd day of OSS
 - District Behavior Support Team follows up for every student receiving 2 or more days of OSS
 - Building teams working to implement Instructive, Reflective, and Restorative practices through ISS
 - Empowering administrators to use discretion in assigning number of days
 - Revision of current discipline policy to reflect best practice
- Trainings Provided
 - Behavior Tools Training
 - Restorative Practices
 - SWIS
 - PBIS
 - RTI B--Tier 2 Interventions
 - Data-Driven Decision making
 - Problem Solving Skills for Students
 - Functional Behavior Assessments
 - Specialized Classroom Management



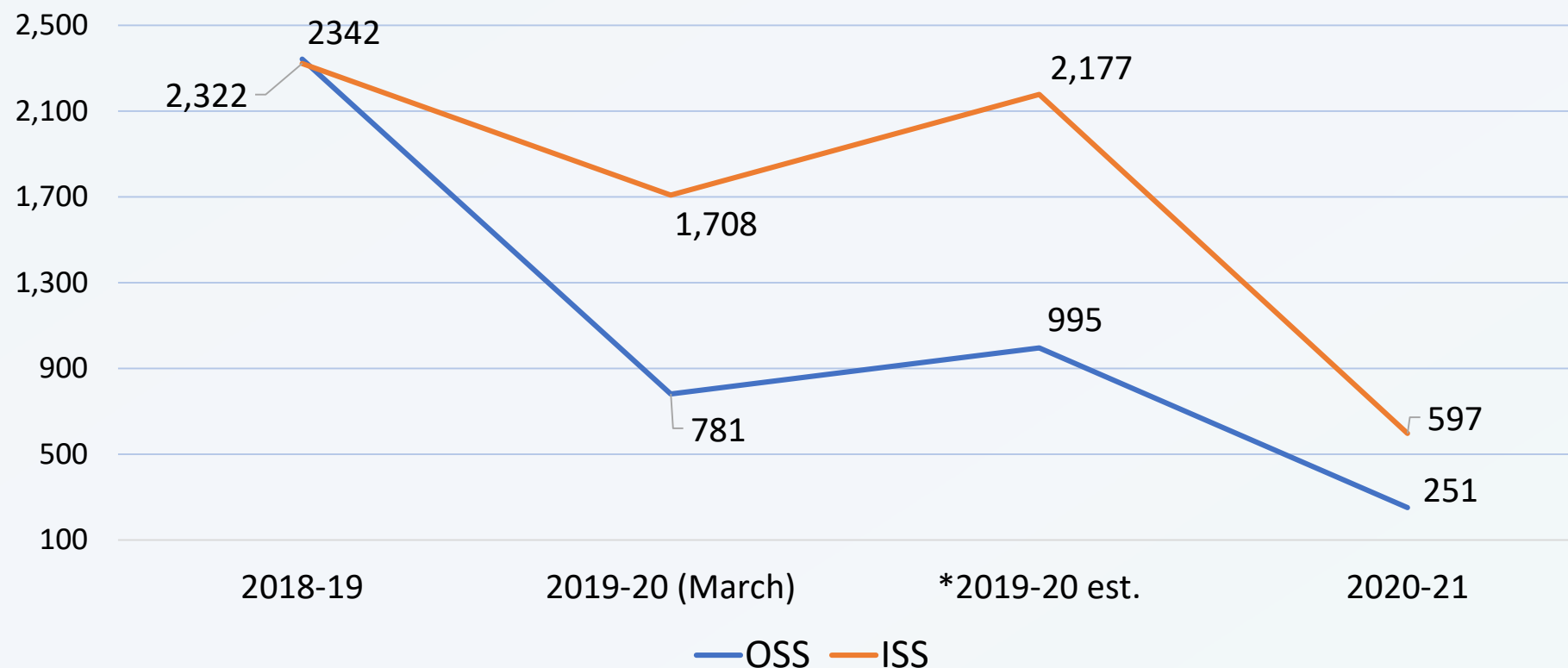
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Suspension Days



Districtwide Out-of-School (OSS) and In-School (ISS) Suspension Days



Ongoing Focus

- PBIS fidelity in all buildings
- Fidelity with RTIB/PBIS/MTSS processes for Tier 2 and Tier 3
- Positive Alternatives to Suspension professional development
- *Responses to challenging behavior should be*
 - INSTRUCTIVE
 - REFLECTIVE
 - RESTORATIVE
- Restorative Practices

This is the value of the teacher, who looks at a face and says there's something behind that and I want to reach that person, I want to influence that person, I want to encourage that person, I want to enrich, I want to call out that person who is behind that face, behind that color, behind that language, behind that tradition, behind that culture. I believe you can do it. I know what was done for me.

--Maya Angelou



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Continuing the Journey

- Continue to monitor and promote practices that are instructive, reflective, and restorative
- Continue to review student data at the building level and district level
- Be intentional to build strong school communities that are equitable and address the whole child
- Revisit district vision, mission, and core beliefs
- Continue to focus on inclusive practices that support all learners



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Reflections from FPS

Do a few things and do them exceedingly well (more isn't always better)

Provide yearly equity and discipline refreshers for administrators

Discuss Discipline frequently with district leadership teams (at least monthly)



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Watson Chapel School District

- Why the district was identified
 - Significant disproportionality for 3 years in a row, as it related to educational placement in Day School
- What actions the district took?
 - Completed CCEIS Tool, Success Gap Rubric, and Self-Assessment
 - Reviewed students' due process folders and evaluation reports
 - Conducted regular observations at the Day School
 - Provided Easter Seals Training
 - Purchased S.T.A.R. Curriculum and Sensory Items
 - Hired an additional paraprofessional





What Happened?

- At Annual Review Conference time, placement changes were made.
- Majority of Day School students were successfully transitioned back on campus into a self-contained classroom.
- Our District's Risk Ratio went from 12.17 to not being calculated. We are below the minimum cell count of 5.



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Lessons Learned

- What our district learned?
 - We became too comfortable with sending students with severe Autism and Multiple Disabilities to a Day School.
- What would our district do differently?
 - Try everything (training, curriculum, etc..) prior to deciding place a student in a Day School setting.



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Reflections and Advice

- In retrospect, it would have been helpful to have...
 - Utilized the CCEIS Tool prior to looking at Day School Placement
- What advice I have for other states...
 - To the best of your abilities, educate your special needs student in your district rather than a Day School, if at all possible



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Discussion



Discussion

- What questions do you have for the presenters?
- How does what you've heard fit with your own experience?
- What idea from today's discussion can you apply now? Later?



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