# Reducing and Eliminating Disproportionate Impact

## Technical Assistance Guide for Local Educational Agencies and Schools to Address Disproportionality in School Discipline

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MARYLAND STATE DEPARTMENT OF
EDUCATION
PREPARING WORLD CLASS STUDENTS

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## Letter from the State Superintendent

Dear Maryland Educators,

The work to support student learning in Maryland is crucial. As a community, Maryland is committed to supporting a world-class educational system in which teaching and learning take place every day in safe, supportive, and respectful school environments, and where students, educators, and families are valued and have the opportunity to succeed. Positive climates and successful school discipline policies and practices administered fairly, equitably, and consistently support positive student outcomes. Therefore, school should not use discipline practices that disproportionately impact specific students, including but not limited to students of color and students with disabilities. Where such disparities exist, school systems must make continuous efforts to understand the causes of and reduce such disproportionality.

Over the past years, the Maryland State Board of Education (MSBE) has examined the negative effects of suspensions and expulsions. In a report entitled *A Safe School, Successful Students, and A Fair and Equitable Disciplinary Process Go Hand in Hand*, the MSBE determined that a significant percent of out-of-school suspensions were for non-violent offenses and the disproportionate impact of school discipline seemed to fall upon students of color and students with disabilities. Maryland has substantially reduced the use of suspensions and has decreased the use of suspensions for non-violent offenses. However, the disparate impact for students of color and students with disabilities remain.

Over the past 20 years, the racial composition of Maryland school has changed. Therefore, it is imperative that school systems build the necessary infrastructure to support all students. The Maryland State Department of Education (MSDE) is working to provide support in the area of addressing issues related to disproportionality. This workbook is designed to support school and local systems in examining policies, procedures, and practices for serving students from diverse backgrounds and students with different abilities.

Safe and positive school environments are built on trusting relationships between students and school staff. When students experience a system of school discipline that is administered fairly, equitably, and consistently, they will more often accept responsibility for their actions and the consequences resulting from their behavior. Together, we can continue to make progress toward ensuring Maryland students are educated in a world-class educational system where teaching and learning take place every day.

Karen B. Salmon, Ph.D.
State Superintendent of Schools

# Introduction

The MSBE has challenged itself and schools throughout the State to create a world class education system that prepares all of Maryland's students for college and career success in the 21st Century. To realize this challenge, we must create schools that are both welcoming and academically rigorous, in which are provided the educational and social tools they need to succeed.

In July 2012, the MSBE issued a groundbreaking report on school discipline practices declaring that school discipline and academic success are equal partners in education reform. The report noted that school discipline practices, particularly out-of-school suspensions and expulsions, are linked to academic achievement for the simple reason that in order for students to have an opportunity to receive a world class education, they first and foremost need to be in school.

When a student is excluded from school, the exclusion impacts not just the student, but also the family and the school. For the student, suspensions are a leading factor in a student's decision to drop out of school. For the family that has young children, the risks associated with an unsupervised child must be balanced against the financial cost of missing work to stay home with that child. For the school, exclusionary discipline is often associated with less satisfactory ratings of school climate and negative achievement outcomes. When schools rely too heavily on exclusionary discipline, the impacts are both negative and cumulative.[1]

To spark reform in the area of equitable discipline, the MSBE adopted a regulation in January 2014, which directed the MSDE to develop a method to analyze school discipline data to determine whether school discipline practices are having a disproportionate impact on students of color and students with disabilities (COMAR 13A.08.01.21).

| COMAR 13A.08.01.21 |
|---|
| A. The Department shall develop a method to analyze local school system discipline data to determine whether there is a disproportionate impact on minority students. |
| B. The Department may use the discrepancy model to assess the impact of discipline on special education students. |
| C. If the Department identifies a school's discipline process as having a disproportionate impact on minority students or a discrepant impact on special education students, the local school system shall prepare and present to the State Board a plan to reduce the impact within one year and eliminate it within three years. |
| D. The local school system will report its progress annually to the State Board. |

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[1] Maryland State Board of Education, *School Discipline and Academic Success: Related Parts of Maryland's Education Reform*, July 2012, available at:
http://www.marylandpublicschools.org/stateboard/Documents/StudentDiscipline/SchoolDisciplineandAcademicSuccessReport0712.pdf

# Purpose

Disproportionate rates of suspensions and expulsions among racial/ethnic groups are a local, state, and national concern. Maryland has made significant progress in decreasing the use of exclusionary discipline, but there is substantial work left to do to move toward equity. Maryland has cut the use of exclusionary discipline practices by half in the last decade, from 8.7 to 4.3 percent since the 2005-2006 school year. However, when Maryland discipline data is disaggregated by student group, it becomes apparent that the experience of individual student groups varies widely.

According to 2015-2016 data, 8.1 percent of African-American students and 9.9 percent of students with disabilities in Maryland received an out-of-school suspension or expulsion, compared to just 2.3 percent of white students and 3.6 percent of students without disabilities. It was review of data such as this that sparked reform in the area of equitable discipline and caused the MSBE to direct the MSDE to develop a method to analyze local school system discipline data. Data indicators can help school climate or leadership teams identify racial/ethnic disproportionality in school discipline practices.

The purpose of this guide is to help educators understand the MSDE's method for analyzing out-of-school suspension and expulsion data to determine whether school discipline practices have a disproportionate impact on students of color and students with disabilities. This guide outlines a process for examining disproportionality within schools, as well as root cause analysis to help systems and schools identify areas of need on which to focus to reduce and eliminate disproportionality in schools. The guide is a part of a statewide effort to reform school discipline and ensures that policies and practices related to student conduct foster appropriate behavior create a positive school climate, and safe environments. In addition, this guide is a framework for Maryland schools and systems to use in analyzing discipline-related policies and practices that may lead to disproportionality.

## The Maryland Model

The Maryland model to determine disproportionality provides a comprehensive way to analyze out-of-school suspension and expulsion (removal) data using two complementary measures: risk ratio and State comparison. The term "removal" refers to an out-of-school suspension or expulsion. In-school suspensions and other forms of school discipline are not included in the Maryland model. The data to be used in the Maryland model will be unduplicated. The number of students who received one or more out-of-school suspensions or expulsions will be counted, not the number of out-of-school suspensions or expulsions issued. The Maryland model focuses on the unduplicated number of students because for some student groups, the risk of removal is higher the very first time they face school discipline. Even if a student has no history of misbehavior, if disproportionality exists, then removal is a more likely response to that student's behavior simply by his or her color or disability.

The Maryland model analyzes removal data for all students using the risk ratio and State comparison measures. Utilizing the same model for general education and special education students alike is an important consideration for equity. By analyzing removal data at the individual school level, the MSDE continues to support the transformation of school climate by viewing it, in part, through the added lens of disproportionality. Analyzing data through this lens is a critical first step as schools begins to develop specific interventions to address root causes of disproportionality and school systems institute data-informed plans to reduce, and ultimately eliminate, disproportionality in school discipline for all students.

# Getting Started

To make sustainable change that will reduce and ultimately lead to the elimination of disproportionality, local education agencies (LEAs) and schools must create and implement a process for systemic change through the use of well-established and highly functional disproportionality teams. The local school system-level and school level teams must have the knowledge and technical expertise to develop a deep understanding of disproportionality, root causes, data, and strategies to address problems. Deming (1986) conveys it is essential to plan and evaluate through a continuous improvement lens by examining pertinent data points, asking questions, and attuning interventions towards mastery. To aid in the facilitation of this process, educators will use the four-step Plan-Do-Study-Act (PDSA) as the framework to guide this work.

## Plan Do Study Act Cycle

The Plan Do Study Act Cycle is a cyclical four stage improvement process. The cycle begins with the Plan stage which includes identifying root causes, developing goals, creating an intervention plan, and choosing indicators to track progress. The Do stage includes implementing the intervention plan and collecting indicator data to monitor fidelity of implementation and tracking progress. The Study stage consists of evaluating progress, reviewing what has been learned, and determining what adjustments, if any, is needed. The Act stage is used to adjust the intervention plan if needed. These four steps are repeated as part of a cycle of continuous improvement.

During the 2017-2018 school year, the Plan Do Study Act Cycle will be completed in a unique format to align with the phased implementation of the Maryland model. At this point, the Plan stage includes analyzing removal data, identifying root causes, developing goals, investigating evidence-based interventions, and choosing indicators to track progress. The Do stage takes a deeper look at interventions in order to pair them with the identified root causes and select a data tracking process. The Study stage requires reviewing current practices and what has been learned. Finally, the Act stage includes making adjustments to any interventions, as needed, in anticipation of full implementation of the Maryland model in the 2018-2019 school year. At that point, schools will be identified and will develop their plans to reduce disproportionality within one year and eliminate it within three years.

**2017-2018**

**PLAN:** Step 1: Identify Root Causes                    **STUDY:** Step 3: Review Current Practices

**DO:**     Step 2: Develop and Identify Alternatives to Removal          **ACT:** Step 4: Adjust Interventions

The illustration below outlines the framework:

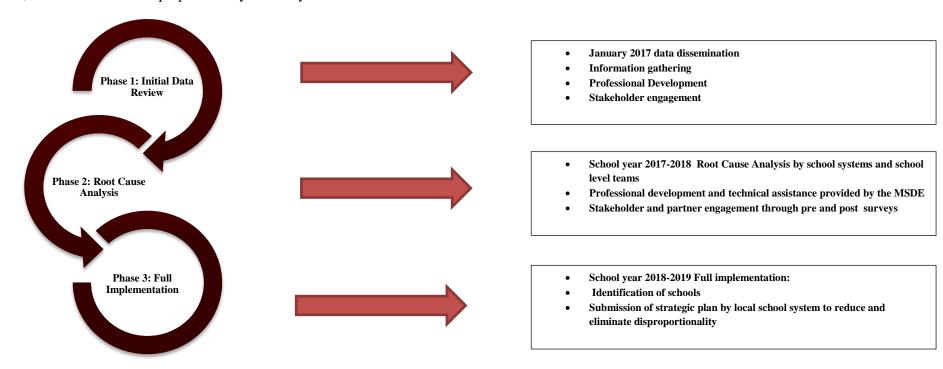Figure 1:  **Plan–Do–Study–Act: Using data to guide improvement decisions**



**Source: Authors' illustration of the Plan–Do–Study–Act continuous improvement cycle, based on Deming**

A detailed explanation of each the steps along with recommendations will be included in the next sections. The process should begin with the LEA identifying a point of contact to be a conduit for information from the MSDE about removal data, professional development, and next steps.  The LEA and schools should assemble Disproportionality Review Teams (DRT) to complete the 4 step process.

The MSDE is using a three phase approach to provide technical assistance to the LEAs. The initial phase provides an overview of their 2016-2017 data. Phase two in 2017-2018 allows for a deeper dive to determine the root cause analysis and phase three addresses full implementation of an action plan for reduction, and elimination in school year 2018-2019 and beyond.

The illustration below indicates an overview of the three stages the MSDE will execute towards the identification of schools, reduction of in year one, and elimination of disproportionality in three years.

**Phase 1: Initial Data Review**

- **January 2017 data dissemination**
- **Information gathering**
- **Professional Development**
- **Stakeholder engagement**

**Phase 2: Root Cause Analysis**

- **School year 2017-2018 Root Cause Analysis by school systems and school level teams**
- **Professional development and technical assistance provided by the MSDE**
- **Stakeholder and partner engagement through pre and post surveys**

**Phase 3: Full Implementation**

- **School year 2018-2019 Full implementation:**
- **Identification of schools**
- **Submission of strategic plan by local school system to reduce and eliminate disproportionality**

The MSDE delivered school level removal rates to each LEA to help identify trends and patterns in January of 2017. Professional development was also provided to LEAs on how to interpret their removal data and to familiarize staff with the risk ratio and state comparison measures.

Given the variation in data that may exist between schools, the LEA points of contact should train the school level DRTs. The process of assembling teams at the individual school level may occur after the LEA disproportionality review team is assembled and functioning. One of the strengths of the Maryland model is that it analyzes removal data at the individual school level, where school discipline practices are applied to students. School staff must also work together in analyzing the data to identify root causes for disproportionality among students and engage in difficult conversations about why students of color and students with disabilities are more likely to receive exclusionary discipline. The membership of a school DRT should be diverse. Schools may choose whether to identify interventions that are effective in reaching one student

group of concern or focus on school-wide reforms.  The school team is fundamental to this work, because it is perhaps most capable of working to address identified root causes of disproportionality related to staff actions, perceptions, and biases.

**Form LEA and School Level Disproportionality Review Teams (DRT)**

Katzenbach and Douglas (2015) states that, "a team is a small number of people with complementary skills who are committed to a common purpose, performance goals, and approach for which they hold themselves mutually accountable." An efficient team is essential to produce high-quality outcomes. All members of the school community have a role in building schools where teaching and learning take place every day in safe, supportive, and respectful school environments, and where students, educators, and families are valued and have the opportunity to succeed. Our schools are the safest and most successful when everyone collaborates, respects each other's roles, invests in positive, proactive behavior support practices and develop clear, objective school discipline practices. Meaningful parent, student, and community involvement in the creation and application of school and school policy is essential for building an effective school with positive and inclusive learning environments.

Implementation of the Maryland model for disproportionality requires two types of disproportionality review teams. Each LEA will be responsible for assembling a DRT at the LEA level as well as the individual school level. The LEA DRT will provide strategic direction for school DRTs by analyzing removal data to identify common areas of concern and leveraging resources to support individual schools. Each school DRT will take a deepest dive into its own data to identify root causes and begin conversations about how to change culture, climate, and school discipline practices as applied to its student population. The implementation of alternatives to removal at the school level is critical to reducing, and ultimately eliminating disproportionality. The table below outlines possible members to serve on the LEA and school DRTs.

All DRTs should develop communication protocols, describe the roles and responsibilities of each member of the team, and create regular meeting dates and times. It is critical that the team also uses data to (a) help identify valued outcomes based on need, (b) monitor fidelity of intervention implementation, and (c) monitor the impact on youth and adult outcomes (data). Highly effective teams take the time to develop the group. The local disproportionality review teams will receive support from the MSDE (e.g. ongoing professional learning, coaching, and performance feedback, etc.) to fully implement and monitor practices that will ultimately address issues of equity. When assembling members of the team, it is important to have a diverse DRT in terms of roles (e.g. student service director, special education director, local accountability coordinator, equity officer, etc.) and demographics (e.g. individuals of color, individuals with disabilities). To the extent possible, a DRT should reflect the diversity of the LEA that it serves. Diversity will help support substantive conversations regarding disproportionality including answering questions such as "why racial/ethnic minority populations or students are with disabilities being disproportionately affected policies, practices, and beliefs?"

| **Potential Local Education Agencies (LEA) Disproportionality Review Teams (DRT) members could include:** | | |
|---|---|---|
| **LEA Level Members** | **Task** | **Timeline** |
| Superintendent (or representative, i.e., Asst. Supt., Student Services Director, etc.) | ● After the review of the data, establish a clear and concise goal for stakeholders, provide sufficient human and fiscal resources for team members to begin to plan for possible implementation of evidence based strategies in consultation with all parties. | ● August 2017 |
| Representatives of Local Boards of Education and Union Leadership | ● Provide support to the superintendent's goal to eliminate disproportionality through collaborative discussions and resources. | ● August 2017 |
| School Level Leadership of Identified Schools (including Principal, Assistant Principal, and Deans of Discipline) | ● Identify team members with expertise in addressing the educational needs of individual students who exhibit behavioral concerns.<br><br>● Identify team members who have experience using and designing instructional techniques that address the individual needs of students.<br><br>● Facilitate an effective review of the data, current practices, and the purpose of the team.<br><br>● Monitor the effectiveness of the process, review of interventions and their implementation status. | ● August 2018 |

| LEA Level Members | Task | Timeline |
|---|---|---|
| LEA Positive Behavior Interventions and Support Point of Contact | ● Coordinate the implementation of positive behavior initiatives with fidelity. | ● August 2017 |
| General Education and Special Education Teachers (elementary, middle, and high school) | ● Review classroom disciplinary practices.<br><br>● Implement positive behavioral initiatives.<br><br>● Collect and review student data. | ● August 2018 |
| Representatives from teacher/intervention teams and special education review committees | ● Identify individual students who may need assistance.<br><br>● Implement interventions or consult with other staff members who may provide small group or classroom assistance. | ● August 2018 |
| Parent(s) and/ or local parent groups | ● Share knowledge about the child's strengths and needs.<br><br>● Provide information about the family's cultural background.<br><br>● Suggest strategies that have worked with the child.<br><br>● Implement strategies in the home. | ● August  2018 |

| LEA Level Members | Task | Timeline |
|---|---|---|
| Local college or university faculty | ● Provide additional support, research, and technical. | ● August 2018 |
| LEA or community groups that provide support to the LEA and/or students who are disproportionately represented | ● Provide researched based best practices to assist the team with resources for implementation. | ● August 2017 |

| Potential School Level Disproportionality Review Teams (DRT) members could include: | | |
|---|---|---|
| **School Level Members** | **Task** | **Timeline** |
| School Level Leadership of Identified Schools (Principal, Assistant Principal, and Deans of Discipline) | ● Identify team members with expertise in addressing the educational needs of individual students who exhibit behavioral concerns.<br><br>● Identify team members who have experience using and designing instructional techniques that address the individual needs of students.<br><br>● Facilitate an effective review of the data, current practices, and the purpose the team.<br><br>● Monitor the effectiveness of the process review of interventions and their implementation status. | ● August 2017<br><br>● August 2017<br><br>● August 2017<br><br>● August 2018 |
| General Education and Special Education Teachers (elementary, middle and high school) | ● Review classroom disciplinary practices.<br><br>● Implement positive behavioral initiatives.<br><br>● Collect and review student data. | ● August 2017 |

| School Level Members | Task | Timeline |
|---|---|---|
| Representatives from teacher/intervention teams and special education review committees | ● Identify individual students who may need assistance.<br><br>● Implement interventions or consult with other staff members who may provide small group or classroom assistance | ● August 2018 |
| Parent(s) and/ or local parent groups | ● Share knowledge about the child's strengths and needs.<br><br>● Provide information about the family's cultural background.<br><br>● Suggest strategies that have worked with the child.<br><br>● Implement strategies in the home. | ● August 2017 |

| School Level Members | Task | Timeline |
|---|---|---|
| Program Leadership: English as a Second Language, Title Programs, Special Education, School Counseling, School Psychology, Student Services, etc. | ● Provide assistance to students as appropriate and in accordance with the school and LEA goals and objectives. | ● August 2018 |
| School Counselors, Pupil Personnel Workers and Student Service teams | ● Provide assistance to students as appropriate and in accordance with the school and LEA goals and objectives. | ● August 2018 |

**PLAN Step 1: Identify Root Causes**

**Table 1**._____

At this stage of the improvement process, it is essential to ask questions and come to consensus on the end goal. Disproportionality Review Teams should examine the data to gain additional knowledge about the issue.  This can be done through a root cause analysis. The root cause analysis is a method LEAs and schools can use to identify underlying reasons for disproportionality.  A root cause can be defined as *"An objective, thorough and disciplined methodology employed to determine the most probable underlying causes of problems and undesired events within an organization with the aim of formulating and agreeing on corrective actions to at least mitigate if not eliminate those causes and to produce significant long term performance improvement."* - Vorley & Tickle, (2002).  The members of the DRTs should work together to review the data provided by the MSDE.  The members of the LEA team will support the school level team to review the data provided by the MSDE upon request. A sample of the data chart is outlined in Table 1and Table 2 below:
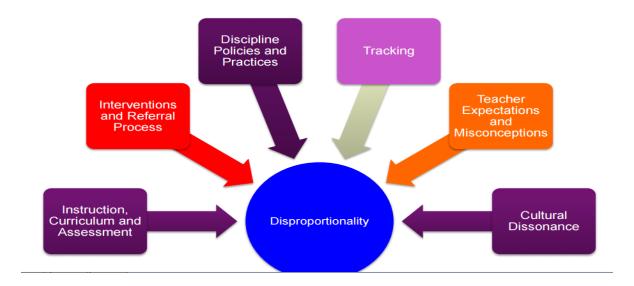
**Elementary School Data**

| School Year | LEA Number | LEA Name | School Number | School Name | School Type | Student Group | (A) Student Group Removal Count | (B) Student Group Total Count | Student Group Removal Rate (A÷B) | (X) All Other Students Removal Count | (Y) All Other Students Total Count | All Other Students Removal Rate (X÷Y) | Risk Ratio Measure (A÷B)÷(X÷Y) | Statewide Removal Rate | State Comparison Measure (A÷B)÷(Statewide Removal Rate) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | | 1.53 | |
| | | | | | | | | | | | | | | 1.53 | |
| | | | | | | | | | | | | | | 1.53 | |
| | | | | | | | | | | | | | | 1.53 | |
| | | | | | | | | | | | | | | 1.53 | |

**Table 2.**

**Middle & High School Data**

| School Year | LEA Number | LEA Name | School Number | School Name | School Type | Student Group | (A) Student Group Removal Count | (B) Student Group Total Count | Student Group Removal Rate (A ÷B) | (X) All Other Students Removal Count | (Y) All Other Students Total Count | All Other Students Removal Rate (X ÷Y) | Risk Ratio Measure (A ÷ B) ÷ (X ÷ Y) | Statewide Removal Rate | State Comparison Measure (A ÷ B) ÷ (Statewide Removal Rate) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | | 6.75 | |
| | | | | | | | | | | | | | | 6.75 | |
| | | | | | | | | | | | | | | 6.75 | |
| | | | | | | | | | | | | | | 6.75 | |
| | | | | | | | | | | | | | | 6.75 | |

What causes disproportionality?  Research indicates the cited items in the illustration below serve significant impact disproportionality.



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Disproportionality teams should analyze data points to determine disproportionality trends among student groups. There are several possible reasons for disparity among groups. According to Voulgarides and Zwerger (n.d), common root causes for disproportionality are found in issues surrounding discipline policies and practices, intervention and referral processes, instruction and assessment, access to educational opportunities, family and community partnerships, teacher and administrator expectations, and cultural dissonance. Research has shown a direct correlation between an individual's implicit biases and their actions in a real world setting. Implicit bias is defined as an unconscious judgment, based on stereotypes, beliefs, values, and ambiguous decisions. It is essential to use data to drive change in local education agencies and individual schools. Data-driven root cause identification aids DRT teams on the LEA and school level to take a deeper dive into identifying root causes of the problem, the impact on student groups, and the opportunity to develop and implement resolutions for equitable outcomes to discipline practices.

The LEA and individual school teams should engage in the review of the data guided by the probing questions to identify what can be implemented structurally and what system strategies can be put into place to address issues of disproportionality. Probing questions should be designed to connect root causes for disproportionality with policies, practices, and beliefs. Below are questions that can guide DRT's discussion on using data throughout the Plan-Do-Study-Act process. Each LEA and school DRT should ask these questions as applicable to their unique roles, so that individuals may focus on root causes that are within their locus of control.

Are there systemic concerns contributing to the problem? Is the problem schoolwide or in isolated areas?

- Are there specific protocols and practices that promote a positive school climate and equitable discipline clearly defined in policies and guidance documents?
- Is the emphasis of discipline policies and protocols on prevention and keeping students in school?
- Does the school implement schoolwide evidence-based practices and programs that support positive climates, student engagement (e.g., PBIS and Restorative Practices, etc.), and alternatives to removal to determine existing strengths?
- Are there discipline policies and restorative practices to keep students in school?
- Do current discipline policies present barriers to potential solutions?
- Does the LEA and school have the data necessary for identifying the root causes of problems, selecting evidence based solution, and tracking progress?

What are the reasons or reported behaviors for which students receive suspensions?

- What are the top three reasons for suspensions/expulsion overall within the school?
- Are there specific reasons for suspension of the top five suspension and expulsion codes?
- How much more likely is it for racial/ethnic students of color to receive a suspension for disruptive or disrespectful behaviors, then other ethnic groups?
- Are there external factors influencing the effectiveness or equity of school discipline practices?

What type of behaviors lead to exclusionary discipline?

- What typically occurs before and after the discipline incident?
- Does communication or cultural misunderstanding contribute to the problem?
  - Are the concerns schoolwide or in isolated settings and times?

Do teacher classroom management skills or teacher- student relationships play a significant role?

- Do teachers provide positive feedback to each student?
- Do teachers possess high expectations for each student?
- Do teachers provide a rigorous, engaging environment for each student that exposes them to cultural differences?
- Do teachers establish ritual and routines on how conflicts can be resolved?
- Do teachers maintain cultural sensitivity when interacting with students?
- Are students subjected to negative, racial/ethnic group intentional/unintentional comments that are disrespectful?

What practices are being implemented well? What practice needs improvement?

- Are processes that promote a positive school climate and equitable discipline practices adhered to across the LEA?
- Are schoolwide interventions available that could prevent discipline incidents, such as re-teaching rituals and routines, increasing supervision in specific locations, or changing schedules?
- Are there external or other factors influencing the effectiveness or equity of school discipline practices?
- Is the school or LEA executing professional development or targeted interventions to address cultural or other factors that may increase the likelihood of a discipline incident?
- Does the school collaborate with families and the community to maintain a welcoming educational climate that supports teaching and learning?

How do you determine that LEA and school current intervention  are being successful?

- How will interventions be measured to determine if school discipline intervention is completed with fidelity?
- What data points will inform the LEA and school if progress is being made toward the elimination racial/ethnic disproportionality?
- What data points will inform the LEA and school if there is a reduction in the use of exclusionary discipline, especially in specific problem areas in the school or LEA?
- What are the positive outcomes that the LEA and school hope to accomplish by reducing exclusionary discipline, such

as increasing classroom instructional delivery and time on task?

- How do the LEA and school know if the LEA and school are achieving these outcomes?

Once the LEA and school has identified root causes or specific conditions that lead to disproportionate discipline practices, it is time for the DRTs to gather information to inform the selection of evidenced- based or promising practices. After completing this process LEAs and schools should review and prioritize root causes.  Disproportionality Review Teams should be culturally responsive, which requires a development of cultural competence, and habits of equity thinking in order to create effective practices.  Conley (2005) conveys a practical approach for culturally responsive habits of thinking DRTs should consider.  Culturally responsive habits of thinking are as follows:

- Problem Identification: What is happening here? What are the cultural implications/results? Is there a disproportionate representation?

- Reflection: How does the LEA or school level operate for various cultural groups? What has worked and what has not? What has happened here previously?

- Interpretation: How is another cultural perspective of the problem likely to offer different guidelines for the system, behaviors, and individual choices?

- Reasoning: How can the LEA and school validate or assess the new cultural approach? Checks for precision and accuracy throughout.

**For example:  Code of Maryland Regulations (COMAR) 13A.08.01.11 (Disciplinary Actions)** How does the LEA and/or school utilize discipline for infractions like "disrespect"?  Utilize the above four steps to guide the discussion to make ongoing systemic practice and policy changes.

**DO Step 2: Develop and Identify Alternatives to Removal**

Now that the LEA and school have identified the root causes for disproportionality, the LEA and school are ready to develop alternatives to removal. During the 2017-2018 school year, DRTs should choose evidence-based interventions that target the identified root causes. Consider the programs and practices cited in appendix A, which support positive school climate and student engagement for both general and special education students.  If the root cause is explicit bias, then professional development for administrators, teachers, and other support staff should be conducted to address it specifically and focus not on student centered classroom management**.**

Once interventions are selected, it is critical that be related professional development to occur ensure both buy-in and fidelity in implementation by administrators, teachers, and other support staff.  Depending on the root cause identified, the focus of the training, and the audience for it, may differ.   In addition, it will be critical to include all stakeholders, be parent and community engagement activities the LEA and school level. Disproportionality Review Teams should think about strategies on, how do you engage? Finally, based on the determined gaps in knowledge or skills, the DRT should identify technical assistance needs that may be provided by the MSDE. For example, does the LEA or schools identified require technical support to develop alternatives to suspension, student engagement, and classroom management for general education and special education students?

One way to accomplish this goal will be to start with a small group of schools or students.  Starting small can help the team gather information about the effectiveness of the intervention and make adjustments prior to going schoolwide or districtwide.  The start small strategy can help a team determine appropriate professional development and support needed to implement the intervention with fidelity.

**STUDY Step 3: Review Current Practices**

At this stage, DRTs at the LEA and school levels should use formative measures to check on implementation progress. The MSDE will provide the removal data for the LEAs and schools the fall of each school year. The DRTs at the LEA and school level should establish a process to collect data on specific indicators to effectively progress monitor to answer essential questions that drives the disproportionality improvement process: "Is what we're doing working, and how do we know?" Evaluation allows the DRT to look back over the process and ask the questions, "How did the intervention work, what was its impact on students, and what adjustments should be made?" Program evaluation depends on good monitoring. The Disproportionality Review Teams during 2017-2018 at the LEA and school level should not wait until the end of the year to see if the measures being implemented are working. The review current practices are a useful tool for checking on implementation and making adjustments for unanticipated events or barriers. Some guidelines for effective progress monitoring include the following:

- Some formative techniques that are used to monitor implementation include:

    i. Review of student discipline data by student group, such as ethnicity, gender, general and special education, etc.;

    ii. Review of student discipline referral data;

    iii. Surveys of staff to determine how the continuum of responses to behavior is applied,

    iv. Observations of students in both general education and special education settings to determine the most prevalent behaviors, the impact of the classroom setting on the behaviors, and responses to those behaviors;

    v. Checklists of student behavior to determine the frequency of behaviors in the classroom and other school environments;

    vi. Student interviews to determine perceptions of adult responses to behaviors ; and

    vii. External review teams to provide an objective view of school climate and its impact on student behavior.

- LEA and school level teams are expected to schedule regular meetings to monitor progress. LEA and school teams should designate staff members, and representative stakeholders to review what's happening and be cheerleaders for progress throughout the school year. These individuals should be members of the DRT. After review of the data, if progress does not appear to be occurring team members should discuss some possible reasons why and identify strategies for improvement. For example, are the identified programs and practices being implemented as planned? Do school staff need additional support in implementing programs and practices? Are data being collected consistently for all affected student groups? Were the appropriate root causes identified?

ACT **Step 4:  Adjust the Interventions**

Based on the analysis of the student data, quality review, disciplinary process, and interventions the DRT should examine the following: if the interventions are achieving desired results, if not make adjustments or discontinue them in their entirety and develop new ones.  DRTs should take a deeper dive by looking at the trends of student groups such as: white students as opposed to African American students, etc.  In this stage DRTs at the LEA and school level should review their data regularly to ensure that interventions are working. If the data reveals little or no progress, the team should investigate and make necessary changes.  If the DRT was successful, then the team could consider expanding it or identifying a different problem of practice to address. In either of the above examples, this stage provides an opportunity for DRTs to begin a new cycle of planning based on observation.

Based on the level of progress made during the 2017-2018 school year, the LEA will have some idea as to whether it is at risk of being identified in the 2018-2019 school year.  As part of reviewing the success of interventions, it will be important to begin to outline additional technical assistance needs and what lessons have been learned that could be applied to disproportionality planning next year. A LEA, for example, can look at the varying experiences of its schools to identify which interventions worked and which did not, in order to take best practices to scale.    By completing the cited example, LEAs can target specific professional development opportunities for schools to address areas of deficiency.  The same holds true for the school to analyze their areas of need to request specific targeted support.

During the 2018-2019 school year, DRTs will focus on the root causes analysis, implement concise interventions, and leverage resources for change.  The LEA and school level team will collaborate in order to create and submit a LEA plan to the Maryland State Board of Education. After the plan has been reviewed and feedback given, the LEA should begin planning for the next year to address areas of need and expand on areas of success.

**Appendix A. List of supportive school discipline websites and resources**

Maryland School Discipline Resource Guide:

http://www.marylandpublicschools.org/about/Documents/DSFSS/SSSP/ResourceGuideMDSchDiscPactices011117.pdf

PBIS Maryland: http://pbismaryland.org/   or www.pbis.org

What Works Clearinghouse: https://ies.ed.gov/ncee/wwc/

Center on Response to Intervention: http://www.rti4success.org/

Mind-Up (the Hawn Foundation) https://mindup.org/

SWIFT Center: http://www.swiftschool.org/

Center on Great Teachers & Leaders at American Institute for Research: http://www.gtlcenter.org/technical-assistance/professional-learning-modules/social-and-emotional-learning-daily-life-classrooms

Flippen Education: http://www.flippengroup.com/education/ckh.html

Safe and Civil School: http://www.safeandcivilschool.com/services/classroom_management.php

Character Counts Mid Shore, Inc.: www.charactercountsmidshore.com

Johns Hopkins Bloomberg School of Public Health: http://www.jhsph.edu/research/centers-and-institutes/center-for-prevention-of-youth-violence/field_reports/PBIS

 USA Mental Health First Aid: https://www.mentalhealthfirstaid.org/cs/now-time-project-aware-mental-health-first-aid-grants/

Move This World: http://movethisworld.org/

Violence Prevention Works: http://www.violencepreventionworks.org/public/index.page

Center for Dispute Resolution University of Maryland Francis School King Carey School of Law: http://www.law.umaryland.edu/RestorativePractices

Committee for Children: http://www.secondstep.org/

http://www.casel.org/guide/programs/second-step/

United States Department of Justice – Supporting Safe School: www.cops.usdoj.gov/Default.asp?Item=2687

National Association of School Resource Officers: www.nasro.org/

Maryland Association of School Resource Officers: www.masro.com/

Why Try: http://www.whytry.org/

Botvin Life skills Training: http://www.lifeskillstraining.com/

Check & Connect Website: http://www.checkandconnect.umn.edu/

Implement Check and Connect with Fidelity Website: http://checkandconnect.umn.edu/manual/default.html
Center for Dispute Resolution University of Maryland Francis School King Carey School of Law: http://www.law.umaryland.edu/PeerMediation

Student and Youth-Based Mediation: http://www.theresolutioncenter.com/peermediation/

## Appendix B: Quality Improvement process resources

Anderson, A. (2005). An introduction to theory of change,  *Evaluation Exchange, 11*(2), 12–19. http://eric.ed.gov/?id=ED486082

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Cherasaro, T. L., Reale, M. L., Haystead, M., & Marzano, R. J. (2015). *Instructional improvement cycle: A teacher's toolkit for collecting and analyzing data on instructional strategies* (REL 2015–080). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Central. http://eric.ed.gov/?id=ED556126

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Gerzon, N., & Guckenburg, S. (2015). *Toolkit for a workshop on building a culture of data use* (REL 2015–063). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast & Islands. http://eric.ed.gov/?id=ED555739

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Malone, N., Mark, L., & Narayan, K. (2014). *Understanding program monitoring: The relationships among outcomes, indicators, measures, and targets* (REL 2014–011). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Pacific. http://eric.ed.gov/?id=ED544758

Shakman, K., & Rodriguez, S. M. (2015). *Logic models for program design, implementation, and evaluation: Workshop toolkit* (REL 2015–057). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast & Islands. http://eric.ed.gov/?id=ED556231

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**Appendix C: Technical Assistance and Implementation Timeline**

| 2016-2017 | 2017-2018 | 2018-2019 |
|---|---|---|
| Overview of the Maryland Model | Form Disproportionality Teams | Continue Disproportionality Teams |
| Local Education Agencies received data and technical assistance | Root Cause Analysis | Root Cause Analysis |
| Local Education Agencies and schools receive technical assistance to address disproportionality | Identifying Interventions | Identifying Interventions |
| | Leveraging resources for change | Leveraging resources for change |
| | Begin planning an outline for next year | LEAs create and submit a plan to the Maryland State Board of Education |
| | | Begin planning an outline for next year |

**Step One: Removal Rates**

To measure disproportionality, it is necessary to first determine the removal rate for each student group within a school. A removal rate is calculated by dividing the unduplicated number of students in a particular student group suspended or expelled in a school by the number of students in that student group enrolled in the school. Removal data will be disaggregated within each school only for student groups with 10 or more students enrolled (e.g. African American, Hispanic, other racial/ethnic groups, and students with disabilities, etc.).

$$Student\ Group\ Removal\ Rate = \frac{Unduplicated\ Count\ of\ Students\ from\ the\ Student\ Group\ Removed}{Total\ Count\ of\ Students\ in\ the\ Student\ Group}$$

$$Student\ Group\ Removal\ Rate = \frac{Unduplicated\ Count\ of\ Students\ from\ the\ Student\ Group\ Removed}{Total\ Count\ of\ Students\ in\ the\ Student\ Group} \quad \textbf{X 100}$$

**For example:**

- 200 Hispanic students are enrolled in a school and 5 of those students were suspended or expelled at least once [(5 / 200 = 0.025) * 100 = 2.5%]. Therefore, the removal rate for Hispanic students in that school is 2.5 percent.

- 25 students with disabilities are enrolled in a school and 4 of those students were suspended or expelled at least once [(4 / 25 = 0.160) * 100 = 16.0%]. Therefore, the removal rate for students with disabilities is 16 percent.

The Maryland model only includes data for student groups that meet or exceed the minimum n-size of 10 enrolled students. The MSDE selected a minimum n-size of 10 for two related reasons. First, it represents a proper balance between concerns about student privacy and accountability. If the n-size is too small, there is a risk that individual students may be identifiable in data that is available to the general public. However, if the n-size is too large, there is a risk that a larger number of schools will be excluded from the analysis. Second, a minimum n-size of 10 aligns with current data suppression practices. The MSDE uses an n-size of 10 when publishing data on its website for public reference, such as the Maryland Report Card.

Additionally, the Maryland model only includes data when the number of removals in the student group meets or exceeds a minimum cell size of three. In contrast to n-size, which focuses on the number of students in a particular student group who are enrolled, cell size reflects the number of students in a particular student group who are removed from school. For example, if only one student in a student group is removed from school,

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then it will not be incorporated into the analysis because it does not meet the minimum cell size of three.  This minimum value prevents identification of schools that remove a small number of students and which may also have small n-sizes.

**Step Two: Risk Ratio Measure**

Once each student group's removal rate is calculated, the MSDE will conduct disproportionality analysis using two measures to provide a comprehensive picture of how removals impact various student groups.  One measure is the "Risk Ratio" measure, which compares the removal rate of each student group in a school to the removal rate of a comparison group in the school. The comparison group for the Risk Ratio is all other students in the school. For example, the comparison group for Hispanic students is all non-Hispanic students at the school. The comparison group for students with disabilities is students without disabilities.   To calculate the Risk Ratio, the removal rate of a student group is divided by the removal rate of all other students (the comparison group).

$$Risk\ Ratio = \frac{Student\ Group\ Removal\ Rate}{All\ Other\ Students\ Removal\ Rate}$$

**For example:**

- If the removal rate for African American students in a school is 10 percent and the removal rate for all other students (i.e. those who are not African American) in the school is 5 percent then the risk of removal is two times (10 / 5 = 2.0) higher for African American students in that school.  Therefore, the risk ratio is 2.0.

- If the removal rate for students with disabilities in a school is 24 percent and the removal rate for all other students (i.e. students without disabilities) in the school is 6 percent then the risk of removal is four times (24 / 6 = 4) higher for students with disabilities in that school.  Therefore, the risk ratio is 4.0.

As the name implies, this measure captures whether the "risk" of removal for a student in one student group is lower or higher than the risk of removal for a student in the comparison group.  Risk, in this context, refers to the likelihood that a student will receive an out-of-school suspension or expulsion.  A risk ratio of 1.0 means the risk is higher and disproportionate.  Therefore, the risk of an Asian student receiving an out-of-school suspension or expulsion is equal to the risk of a non-Asian student receiving a removal.  A risk ratio below 1.0 means the risk is lower, while a risk ratio above 1.0 means the risk is higher, and disproportionate to some degree.

**Step Three: State Comparison Measure**

To further develop the MSDE's analysis of disproportionality, another measure called the "State comparison" measure will be used. It compares the removal rate of each student group in a school to a statewide removal rate for all students. To calculate the State comparisons, the removal rate of a student group is divided by the applicable statewide removal rate. The statewide removal rate is a three-year cumulative removal rate based on the prior three years of Maryland's out-of-school suspension/expulsion and enrollment data. Because the frequency of removal varies between elementary and middle/high school, the MSDE will calculate two separate statewide removal rates, one for each of those two grade bands.

$$State\ Comparison\ Measure = \frac{Student\ Group\ Removal\ Rate}{Statewide\ Removal\ Rate}$$

**For example:**
- If an elementary school's removal rate for students of two or more races is percent and the statewide removal rate for all students in Maryland elementary school is 4 percent then the risk of removal for students of two or more races in that elementary school is one and a half times (6 / 4 = 1.5) higher than the risk of removal for elementary students statewide. Therefore, the State comparison ratio is 1.5.

- If a middle school's removal rate for students with disabilities is 18% and the statewide removal rate for all students in Maryland middle/high school is 6%, then the risk of removal for students with disabilities in that middle school is three times (18 / 6 = 3.0) higher than the risk of removal for middle/high school students statewide. Therefore, the State comparison ratio is 3.0.

Based on Maryland's out-of-school suspension/expulsion and enrollment data for school years (SY) 2013-2014, 2014-2015, and 2015-2016, the current statewide removal rate for elementary school is 1.53 percent and the current statewide removal rate for middle/high school is 6.75 percent. Importantly, the statewide removal rate for each of those grade bands will be re-calculated every three years to reflect contemporary data, allowing the State to monitor its collective progress over time.

Thus, the Maryland model captures not only disproportionality among student groups within schools, but also whether a particular school is applying exclusionary discipline more frequently than the statewide removal rates. In this way, the Maryland model continues to build on the progress Maryland has achieved in decreasing exclusionary discipline overall, while adding the lens of disproportionality that is necessary to move the State toward equity.

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