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Understanding Racial Inequity in School Discipline Across the Richmond Region

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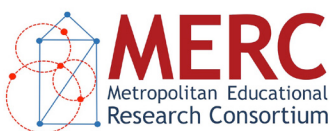
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A Research Report by the Metropolitan Educational Research Consortium

Established in 1991, the Metropolitan Educational Research Consortium (MERC) is a research alliance between the School of Education at Virginia Commonwealth University and school divisions in metropolitan Richmond: Chesterfield, Goochland, Hanover, Henrico, Petersburg, Powhatan, and Richmond. Through our Policy and Planning Council, MERC division Superintendents and other division leaders identify issues facing their students and educators and MERC designs and executes research studies to explore them, ultimately making recommendations for policy and practice. MERC has five core principles that guide its work: Relevance, Impact, Rigor, Multiple Perspectives, and Relationships.

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This report comes from the MERC Achieving Racial Equity in School Disciplinary Policies and Practices study. Launched in the spring of 2015, the purpose of this mixed-method study was to understand the factors related to disproportionate school discipline outcomes in MERC division schools. The study had two phases. Phase one (quantitative) used primary and secondary data to explore racial disparities in school discipline in the MERC region as well as discipline programs schools use to address them. Phase two (qualitative) explored the implementation of discipline programs in three MERC region schools, as well as educator and student perceptions of school discipline and racial disproportionality. This report shares findings from both phases of our study and offers numerous implications and recommendations for research, policy, and practice.

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VCU
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Executive Summary

Racial disproportionality in discipline practices is a national civil rights issue. Black students, and to a lesser extent, Latinx students, are suspended and expelled from public schools at higher rates than their White peers.[1]

In Virginia, Black students made up 23% of total enrollment in 2016, but between 50 and 58% of short- and long-term suspensions and expulsions.[2] Black and Latinx students are also more likely to be referred for subjective behaviors such as disrespect or loitering while White students are typically referred for more objectively observable behaviors such as smoking.[3] Factors contributing to racial inequity in discipline include racial segregation, implicit bias, lack of clarity and consistency in implementation of discipline models and lack of explicit focus on race and culture inherent in commonly adopted models.[4] Given deep and persistent discipline disparities facing area schools and students, the MERC Policy and Planning Council tasked researchers in 2015 with investigating this phenomenon in seven partnering divisions: Chesterfield, Colonial Heights, Goochland, Hanover, Henrico, Powhatan, and Richmond. The findings reported below emerged from our investigation.

STUDY PROCEDURE

Phase One: We analyzed discipline and demographic data from the Virginia Department of Education (VDOE) and calculated rates of disproportionate discipline for students of differing racial/ethnic categories. Additionally, we surveyed school level leaders about discipline policies and practices in their schools.

Phase Two: We conducted observations, interviews, and focus groups with educators and students at three schools representing urban, rural, and suburban communities. Schools were selected to provide variation in locale, student demographics and discipline programs. Each case study school had evidence of racial disproportionality in its student discipline outcomes.
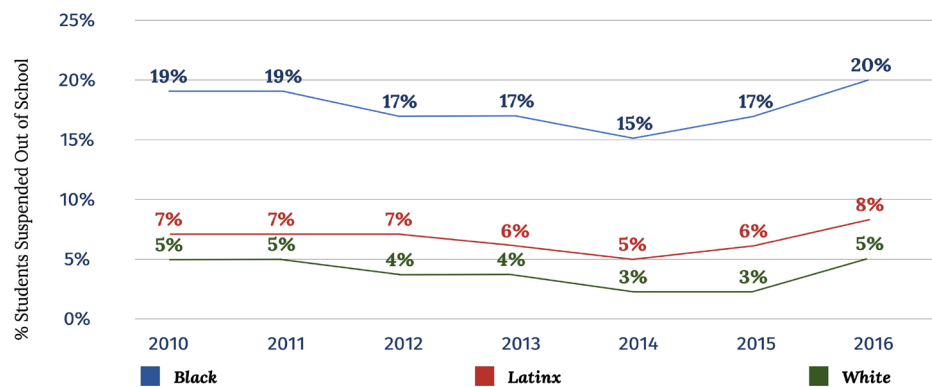
1.   Losen, 2014

2.   Legal Aid Justice Center, 2018

3.   Gregory, Skibba, & Noguera, 2010

4.   Gregory et al., 2010; Edwards, 2016; Kirwan, 2014

KEY FINDINGS

- Black students consistently received far more out of school suspensions (OSS) than their White and Latinx peers in the region.

Source: VDOE restricted use data, 2016

- Out of school suspension rates increased sharply between elementary and secondary education in Richmond area school divisions. The increase was starkest for black students, who were more than three times as likely to be suspended in secondary (29%) than in elementary school (9%). Black secondary students were also more than three times as likely to be suspended than white secondary students in the Richmond area.

- Region-wide, 6% of all Black students and only 1% of all White students received OSS for subjective infractions in the 2015-2016 school year. These include infractions such as disrespect and defiance as opposed to objectively observable infractions such as vandalism.

- Another way of examining the same issue, Black students received 75% of all suspensions for subjective infractions like disrespect or defiance, but made up only 36% of region-wide enrollment that year. In general, racial disproportionality in out of school suspensions was more severe when it came to subjective infractions versus all infractions.
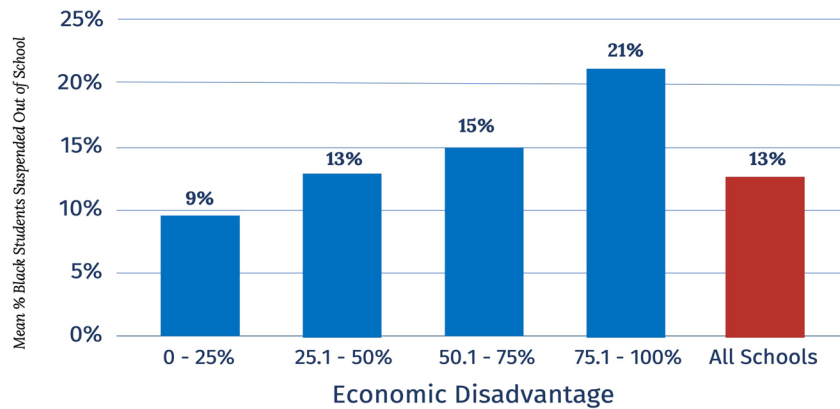
Source: VDOE restricted use data, 2016
Note: Overall differences statistically significant (p<.01). Differences between first and fourth quartiles and second and fourth quartiles statistically significant.

- Though Black students experienced racial inequity in discipline across all area schools and communities, Black students were more likely to be suspended out of school in schools of concentrated poverty and in schools with higher populations of Black students. More specifically, about 9% of Black students received OSS in the lowest poverty schools (where 0-25% of students were identified as Economically Disadvantaged (ED)), compared to 21% of Black students in the highest poverty schools (75-100% ED). When it came to racial segregation, for every 10% increase in Black student enrollment in a school, Black students received about 2% more out-of-school suspensions.

- Implementation of discipline models such as Positive Behavioral Interventions and Supports (PBIS) and Restorative Practices was complicated by a lack of communication between education stakeholders, inadequate staff training, and misconceptions about implementation for students with disabilities. As a result of these challenges, discipline practices varied from educator to educator, which led to inconsistencies in discipline referrals.

- Discipline policies and practices lacked an explicit focus on addressing racial disparities, compromising their ability to address issues of racial disproportionality.

- Educators' perceptions of disproportionality were largely informed by the availability of discipline data and the composition of the student body. They offered attributions for disproportionality that were internal (e.g. cultural mismatch between teachers and students and implicit bias) and external (e.g. socioeconomic status, home life) to the locus of control of the school. Internal attributions represented beliefs that the school could work to address through professional development and hiring procedures. However, external attributions highlighted deficit perspectives that some educators held about family or community poverty. These attributions were thought to be out of the locus of control of both the school and educators.

RECOMMENDATIONS

Given these findings, we suggest the following steps be taken to begin addressing racial disproportionality in our schools.

- Stakeholders should revisit the content of the codes of conduct that dictate which disciplinary infractions warrant which consequences. State guidance separating out consequences for older and younger children is a logical first step but will do little to reduce discipline inequities for secondary students. Other necessary changes include distinguishable differences between consequences for major and minor infractions, and for first versus repeated offenses. Though policymakers recently limited out of school suspension in K-3, similar efforts have not been directed toward secondary schools. This must change since secondary settings are key drivers of inequities in discipline.

- Policymakers should consider limiting or removing the option to suspend students for subjective infractions, especially at the secondary level. This should be coupled with additional resources and supports for leaders and teachers such as social services, counselors, and wraparound services, particularly in segregated schools.

- Stakeholders should advocate for robust, culturally conscious, and effective discipline interventions as well as capacity-building for implementation and continual monitoring of these interventions.

- School administration should annually seek feedback from stakeholders including teachers and students about school climate and discipline approaches.

- Regular Professional Development (PD) should be provided in which school administrators share and analyze discipline data that demonstrates racial disparities. This type of discipline-related PD should provide explicit guidelines for how interventions are to be implemented across the school.

- Beyond intervention-specific PD, districts and schools should provide training related to implicit bias and culturally responsive practices.

- Schools should consider hiring more faculty and leaders of color. It is well-documented in the literature that hiring faculty that are demographically representative of the student body can lead to more favorable discipline outcomes for students of color.[5]

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5. *e.g. Gregory et al., 2010; Okonofua & Eberhardt, 2015*

Introduction

Rachel Levy

David Naff

In the spring of 2015, the Policy and Planning Council of the Metropolitan Educational Research Consortium (MERC), comprised of area superintendents, research directors, and other division leaders, commissioned a study to explore factors contributing to racially disparate outcomes in exclusionary discipline for students in MERC division schools.

In 2016, Black students made up 23% of Virginia's total enrollment but between 50 and 58% of short and long term suspensions and expulsions.[6] In general, Black students tend to be more likely to be disciplined for subjective offenses, such as "disrespect" or "defiance," and more likely to receive harsher punishments than White students are for those infractions.[7] Our study, titled "Achieving Racial Equity in School Disciplinary Policies and Practices" explored racial disparities in discipline across the MERC region and what schools might do to address them. The study included two phases over the course of two years. The following report discusses the background, methods, findings, and implications of this study, and offers recommendations intended to inform future decision-making in disciplinary policies and practices in the MERC region. To date, we have released two literature briefs related to this study, one on factors that contribute to racial disproportionality in discipline and another offering a review of discipline interventions in K–12 public education. The following section highlights key studies from these earlier literature briefs as they pertain to the findings shared in this report.

How and Why Racially Disparate Discipline Happens

Black students are more likely to be monitored, scrutinized, suspected, and then sanctioned for the same infractions as White students by school safety staff, teachers, and administrators.[8] White students are often referred for "objectively observable" behaviors such as smoking and vandalism while black students are more likely to be referred for behaviors that are more "subjective in nature" such as loitering and excessive noise.[9] Furthermore, there has been a lack of consistency in district policy guidelines for schools, teachers, and administrators around which infractions to report, which to penalize, and how to respond to students' behaviors.

The literature suggests several potential contributing factors to disparate disciplinary outcomes. This includes implicit bias and cultural mismatch, particularly between Black male students and an overall teaching force that is predominately White and female.[10] Additionally, the share of Black student enrollment in a school is a strong predictor of the use of exclusionary discipline.[11] The overall number of out-of-school suspensions tends to be highest in racially segregated urban schools.[12] However, racialized disparities in out-of-school suspensions are often severe in suburban areas, particularly for Black students and where demographic shifts are taking place and suburban communities becoming more diverse.[13] Schools with higher rates of exclusionary discipline practices are often those with fewer resources and materials, less rich curricula, and fewer highly qualified and experienced teachers.[14] For a more comprehensive look at the contributing factors to racial disproportionality in school discipline, refer to our "Why Do Racial Disparities in School Disciplinary Policies and Practices Exist?" literature brief.[15]

6. Legal Aid Justice Center, 2018

7. Skiba, Michael, Nardo, & Peterson, 2002; Skiba, Trachok, Chung, Baker, & Hughes, 2012; Heilburn, Cornell, & Lovegrove, 2015

8. Curran, 2016; Edwards, 2016; Gregory, Skibba, & Noguera, 2010; Lewis & Diamond, 2015

9. Gregory et al., 2010

10. Gregory et al., 2010, Kirwan Institute, 2014; Stephan, 2014

11. Rocha & Hawes, 2009; Skiba et al., 2012; Welch & Payne, 2010

12. Notltemeyer & McLaughlin, 2010; Rausch & Skiba, 2004

13. Eitle & Eitle, 2004; Frankenberg & Orfield, 2012; Rausch & Skiba, 2004

14. Eitle & Eitle, 2004; Government Accountability Office, 2016; Gregory et al., 2010

15. .Tefera, Siegel-Hawley, & Levy, 2017

Interventions: Past, Present, and Future

In the past, approaches to school discipline have focused on punishments intended to deter certain behaviors. This has historically included corporal punishment, which was widely used in American public schools during the nineteenth and twentieth centuries.[16] It is still allowed in 19 states, and Virginia did not prohibit the use of corporal punishment until 1989. Zero tolerance became more popular in the 1990s with the federal Gun-Free Schools Act and federal efforts to address illegal drug use, and was the underlying approach in many discipline codes, until recently.[17] Both of these approaches are based on the theory of behaviorism, which assumes that people engage in behaviors to avoid punishments or pursue rewards as well as deterrence theory, which posits that the existence of strong punishments discourages potential violators from committing infractions.[18] These approaches adversely impact Black and Latinx students more than they do White students.[19]

In recent years, schools across the country and the Commonwealth have begun to shift to disciplinary approaches that take into consideration contextual elements such as students' backgrounds, cultures and potential exposure to trauma.[20] These interventions are more holistic, educational, and proactive, and try to reinforce self-awareness, reflection, and positive behavior. They include Trauma-Informed Care (TIC), Positive Behavioral Interventions and Supports (PBIS), Culturally Relevant Positive Behavior Interventions and Supports (CRPBIS), and Restorative Practices (RPs). Trauma-Informed Care (TIC) takes into account how traumatic experiences can influence student behavior when navigating disciplinary incidents.[21] TIC practices tend to be particularly important in urban, high-poverty schools where students are more likely to have experienced trauma.[22] Positive Behavior Interventions and Supports (PBIS) is a tiered model of behavioral support that focuses on the organization and culture of the school as well as on the behavior of students.[23] All students participate in Tier One supports that include recognition of positive behavior, with subsequent tiers being intended to address more challenging behavioral issues among smaller numbers of students.[24] The Virginia Tiered Systems of Support (VTSS) is a variant of PBIS increasingly implemented throughout school divisions in the Commonwealth. VTSS requires evidence-based practices for responding to the academic, behavioral, social, and emotional needs of students.[25] PBIS generally does not include advice on how to include the culture and context of the schools where it is being implemented, or how to include families and community members.[26] Hence, Culturally Responsive PBIS first looks at the "long-lasting cultural assumptions in the U.S. education system that are reproduced, shaping school climate, rituals, and routines" and then seeks to engage students, families, and community members of non-dominant groups.[27] Restorative Practices involve bringing together those affected by an infraction or crime to discuss their experiences as well as how to address the harm with an emphasis on mending relationships.[28] This approach also focuses on preventative action, community building, strengthening social connections, shared ownership of learning spaces, student engagement, providing explanations, and developing a shared understanding of expectations and consequences for behaviors. For a more comprehensive discussion of these alternative discipline models, their implementation, and demonstrated impact on reducing racial disproportionality in school discipline outcomes, please refer to our "A Review of Disciplinary Practices in Public K12 Education" literature brief.[29]

16. *Middleton, 2008*

17. *Atkinson, 2005; Curran, 2016*

18. *Curran, 2016; Gershoff, 2013*

19. *Hoffman, 2014*

20. *Nelson & Sheridan, 2011*

21. *Kolodner, 2015; Withers, 2017*

22. *Gregory et al., 2010*

23. *Bal, Thorius & Kozleski, 2012*

24. *Bal, Kozleski, Schrader, Rodriguez & Pelton, 2014*

25. *Virginia Department of Education news release on VTSS implementation, http://www.doe.virginia.gov/support/virginia_tiered_system_supports/index.shtml*

26. *Bal et al., 2014*

27. *Bal et al., 2012, p. 6*

28. *Gregory, Clawson, Davis & Gerewitz, 2016*

29. *Levy, Naff, Terry, & Coffee, 2018*

How to Use This Report

This study involved two phases. Phase one of our study was quantitative in nature and included an analysis of primary and secondary data on school discipline to understand the prevalence of and contexts behind racial disproportionality in discipline in the MERC region. Phase two was qualitative in nature and involved a multiple case study of three schools in three separate MERC divisions. Here we explored implementation of discipline programs and stakeholder perceptions of racial disproportionality in discipline. This report discusses findings from both phases of our study and concludes with implications and recommendations for research, policy, and practice.

While the quantitative (phase one) and qualitative (phase two) sections of this report each offer uniquely meaningful information, considering both phases together offers a more holistic understanding about racial disproportionality in school discipline in the MERC region. Throughout the report, we refer to findings across sections to provide triangulating evidence for further explanation and context. Each section of this report could be used for professional development purposes to help explore trends and racial disparities in school discipline in the MERC region as well as how our educators and students experience and navigate this issue. This study was commissioned by school division leaders in the MERC region, led by faculty from the VCU School of Education, and informed at every step by our study team comprised of educators, administrators, and central office personnel overseeing school discipline in their divisions. We hope this report will guide decision-making at the state, local, division and school levels.

Phase One Findings

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RESEARCH QUESTIONS

Research Question 1. What is the relationship between school, district and community composition and discipline outcomes among students of different racial/ethnic backgrounds?

Research Question 2. What is the relationship between school, district and community composition and the proportion of students suspended for subjective discipline codes like disruption or defiance?

Research Question 3. What is the relationship between school and district composition and leadership attitudes toward racial disproportionality in discipline?

DATA AND METHODS

To answer the first two questions, this study relied on student-level discipline data by race/ethnicity, disability and gender from the Virginia Department of Education (VDOE) for the years 2010-2016. To analyze community characteristics, we used block group data related to poverty from the American Communities Survey (ACS) 5-year estimates for 2011-2015 in geodatabase format.[30] For the third question, we drew on survey data from school leaders. A 31-item school survey provided information about the discipline models used at each school and the degree of implementation. The survey also investigated school leaders' perspectives on racial disproportionality in discipline. A local team of researchers and practitioners developed and piloted the survey to allow for internal and external editing. The final survey was administered online in spring of 2016 to leaders at schools across seven divisions surrounding Richmond. The overall response rate for the survey was a strong 80%.[31]

Given past and current trends, we focused our analysis primarily on racial disproportionality in discipline as it relates to Black students.[32]

30. *See notes on methodology in appendix A for further details.*

31. *In total, 139 principals, 18 assistant principals, and two deans of students completed the survey.*

32. *Langberg & Ciolfi, 2016.*

Measuring Exclusionary Discipline and Racial Disproportionality in Discipline

We explored the risk of suspension for each racial/ethnic group (absolute risk) as well as that risk compared to the risk for a comparison group (relative risk).[33] The absolute risk calculation tells us, for instance, what percentage of all Black students in the Richmond region have been suspended out-of-school. The relative risk ratio tells us how much more likely Black students are to be suspended out-of-school compared to students of other races.

$$Absolute\ Risk = \frac{Number\ of\ Black\ students\ receiving\ out-of-school\ suspensions}{Total\ number\ Black\ students\ enrolled}$$

$$Relative\ Risk\ Ratio = \frac{Absolute\ risk\ of\ out-of-school\ suspensions\ for\ Black\ students}{Absolute\ risk\ of\ out-of-school\ suspensions\ for\ all\ other\ students}$$

Recognizing the importance of using multiple measures to understand racial disparities in discipline, and because the relative risk ratio is sensitive to the overall size of racial groups in a given setting, we also explored the discipline gap, which assesses the difference between the absolute risk of Black and White out-of-school suspensions.[34] A Black-White discipline gap of 7 percentage points, for example, might tell us that 15% of Black students in a school were suspended, compared to 8% of White students.

$$Black\ White\ Discipline\ Gap = (absolute\ risk\ of\ OSS\ for\ Black\ students) - (absolute\ risk\ of\ OSS\ for\ White\ students)$$

Measuring School and District Composition

We classified school and district racial/ethnic and economic composition using a number of different categories.[35] These included:

- Quartiles of Economically Disadvantaged (ED)[36] students in each school (0-24.9%, 25%-49.9%, 50%-74.9% and 75%-100%)

- Deciles of Black students by school (0-9.9% Black, 10%-19.9%, 20%-29.9%, etc.)

- Doubly segregated schools, or high-poverty Black and Latinx schools (75% or more ED and 75% or more Black and Latinx) and low-poverty Black and Latinx schools by year (25% or less ED and 25% or less Black and Latinx)

- Intense segregation: 90-100% Black and Latinx schools

We tested for significance using one-way ANOVAs across each of these categories, which is a form of statistical analysis that tells us whether there are significant differences between the averages of schools of varying racial or socioeconomic composition.

Measuring Community Composition

We also explored the relationship between school discipline outcomes and neighborhood characteristics. Specifically, we explored the proportion of residents living below the poverty line in metro area census tracts using mapping software.[37]

33. U.S. Department of Education, 2016. A relative risk ratio greater than 1.0 for a racial/ethnic group indicates overrepresentation, while a risk ratio less than 1.0 indicates underrepresentation (see http://www2.ed.gov/programs/osepidea/618-data/LEA-racial-ethnic-disparities-tables/disproportionality-analysis-by-state-analysis-category.pdf). To center our analysis on Black students and address concerns about small non-Black enrollments in a number of area schools, we calculated relative risk for Black students compared to all other student racial groups.

34. Losen, 2015

35. Frankenberg & Siegel-Hawley, 2011, 2012; GAO, 2016.

36. In Virginia, a student is considered Economically Disadvantaged if they are eligible for Free/Reduced Meals, receive TANF or are eligible for Medicaid.

37. Geographic Information Systems software.

PHASE ONE FINDINGS

We review six key findings in the following section. These include a steady and gaping Black-White discipline gap across the region, stark racial disparities in elementary and secondary suspensions, racial disproportionality in discipline across all types of schools and communities, glaring racial disparities for subjective infractions like defiance, a strong relationship between the racial/ethnic and economic makeup of schools and Black students' risk of suspension and evidence of a range of discipline interventions across the region.

Finding #1: The Black-White discipline gap remained steady and gaping across Richmond area school divisions

Richmond area school divisions consistently suspended Black students at about four times the rate of White students (see Figure 1).[38] Between 2010 and 2016, the Black-White discipline gap has remained relatively constant despite policy and political attention to discipline disparities.[39] Specifically, the discipline gap between Black and White students ranged from between 12 and 15 percentage points. Richmond area gaps were larger than the national Black-White gap, as Black students were suspended at more than three times the rate of White students across the country.[40] In metropolitan Richmond school divisions, marginally higher proportions of Latinx students received out-of-school suspensions compared to White students between 2010 and 2016. This tracks closely with national trends indicating that Latinx students are slightly more likely to be suspended out-of-school (7% in 2011) than White students (5% in 2011).[41]

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38. *This number represents the absolute risk of being suspended out of school as a black student in MERC school divisions.*

39. *ED, 2014; CAP, 2019.*

40. *Losen et al., 2015.*

41. *Ibid.*

The root causes of racial inequities in discipline are complex. As noted above, research points to harsh discipline policies like zero tolerance and differential treatment of Black and White students during discipline processes and policies, which is in turn related to unconscious bias (see our first research brief, "Why do racial disparities in school discipline exist?") School and community context matters too, as we will see.

Figure 1. Absolute risk of out-of-school suspension for Black, Latinx, and White students, Richmond area school divisions, 2010-2016
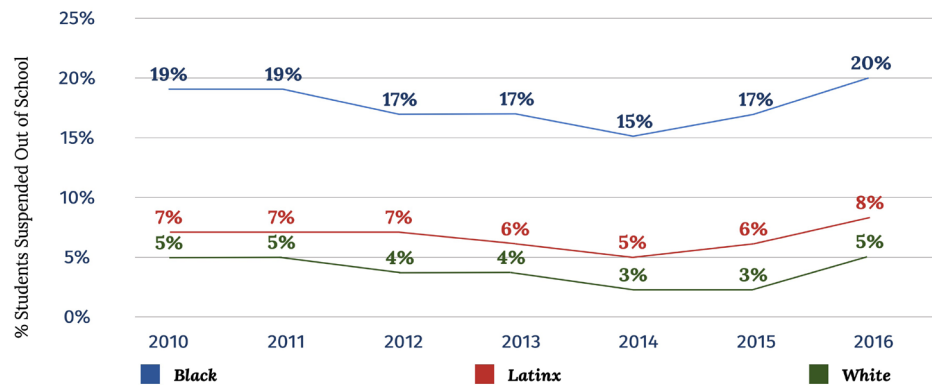
Source: VDOE restricted use data, 2010-2016

In 2016, Black students accounted for about 33% of the enrollment in Richmond area school divisions but 64% of all out-of-school suspensions (see Figure 2). For Black students, disproportionality in discipline was evident across all area school divisions. The gap between the percentage of Black students enrolled and the percentage of students suspended who were Black was particularly stark in Henrico (28 percentage points) and Chesterfield (25 percentage points). Area school divisions like Powhatan and Goochland, with smaller overall shares of Black students, reported more commensurate shares of suspensions for Black students.

Figure 2. Percent students suspended out-of-school who are Black by percent Black enrollment, Richmond area school divisions, 2016
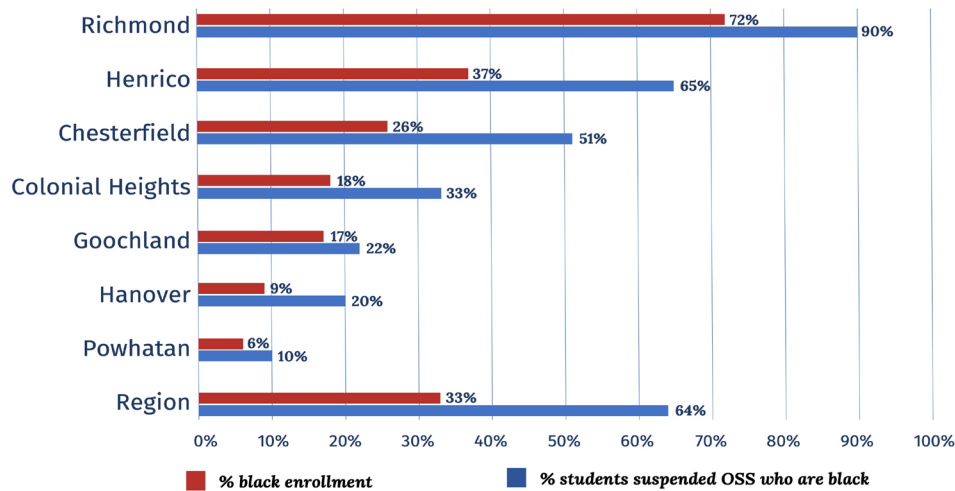
Source: VDOE restricted use data, 2016

Finding #2: Exclusionary and racially disproportionate discipline was more severe in secondary than in elementary schools

Out-of-school suspension rates increased sharply between elementary and secondary education in Richmond area school divisions (see Figure 3). The increase was starkest for Black students, who were more than three times as likely to be suspended in secondary (29%) than in elementary schools (9%). Black secondary students were also more than three times as likely to be suspended as White secondary students in the Richmond area. Latinx students and White students were suspended at comparable rates in elementary schools and both groups were more likely to be suspended in secondary settings. However, out-of-school suspension rates jumped dramatically for secondary Latinx students (15%) compared to secondary White students (8%). These regional figures tracked closely with national trends on school-level racial inequities in discipline.[42]

While developmental changes in youth may be a source of the increase in exclusionary discipline between elementary and secondary schools, the disparity between White, Latinx and Black groups in secondary schools also reflects a sharp rise in the numbers of Black students disciplined for subjective infractions like "classroom disturbance" and "failure to follow rules" at this stage.[43] Other research suggests that the transition to middle school itself—and the disruption in long-term relationships it represents—may be to blame, as students in 6-8th grade attending elementary/K-8 schools do not experience the same increases in exclusionary discipline.[44]

42. Losen et al., 2015; Bergquist, Bigbie, Groves, & Richardson, 2004

43. Theriot & Dupper, 2010.

44. Arcia, 2007

Figure 3. Absolute risk of out-of-school suspension for Black, Latinx and White students by school level,[45] Richmond area school divisions, 2016
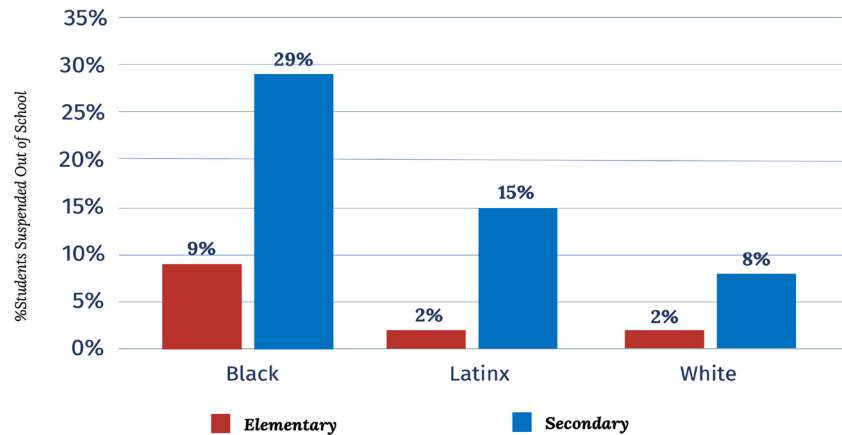
Source: VDOE *restricted use data, 2016*

Finding #3: Racial disproportionality in discipline was evident across the Richmond region's secondary schools and their associated communities

Most Richmond area communities contain secondary schools with intense Black–White discipline gaps (see Map 1). As previously described, the Black–White discipline gap is calculated by subtracting the percentage of White students suspended out-of-school from the percentage of Black students. Though the starkest gaps (between 22 and 42 percentage points) were concentrated in higher-poverty communities, large gaps of between 12 and 21 percentage points were common in lower-poverty communities.

45. *We identified school-level by name listed in the Virginia Department of Education data*

MAP 1. Black-White discipline gap by secondary schools and % residents in poverty, Richmond area school divisions, 2016
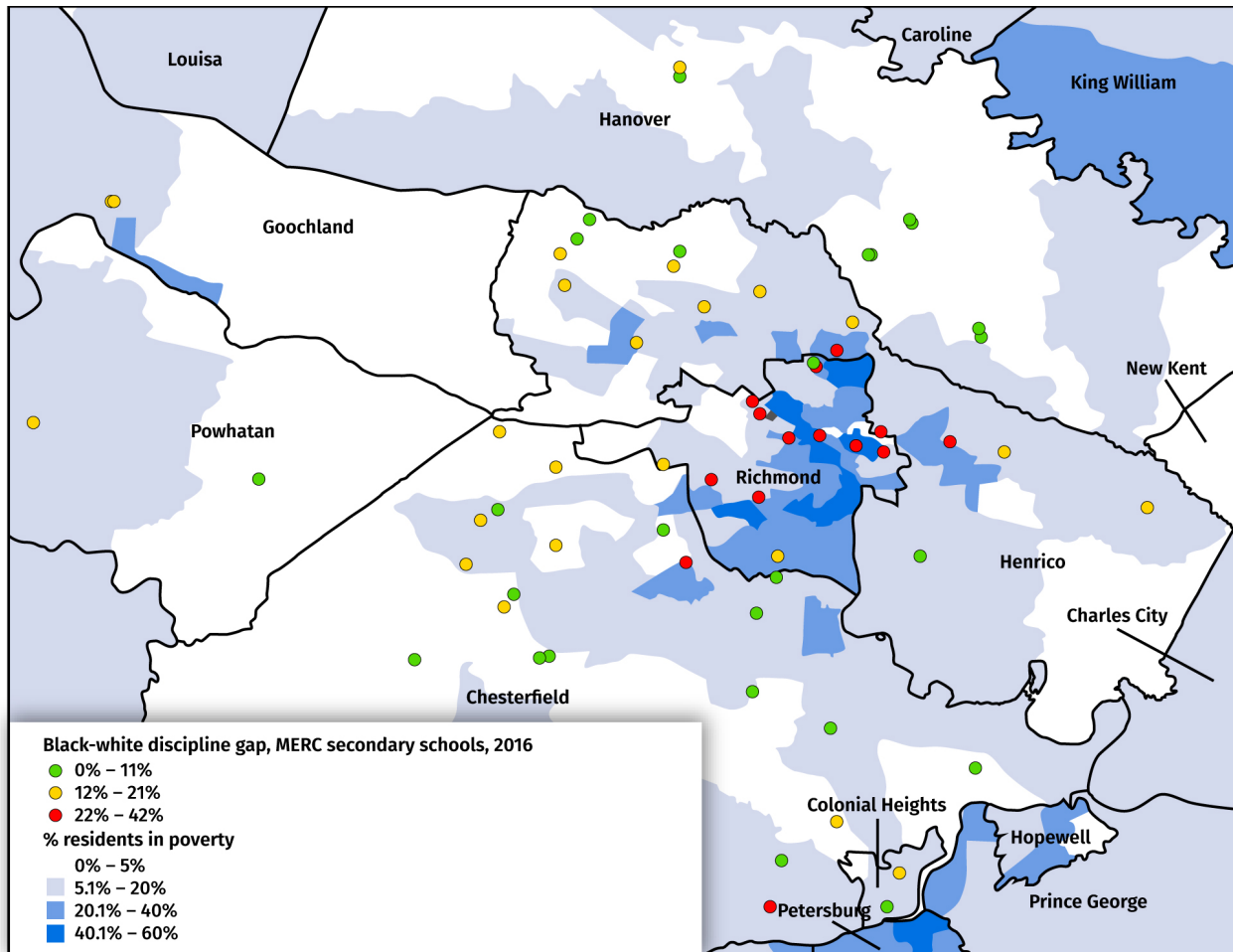
Source: VDOE restricted use data, 202016; ACS 5-year estimates for 2011–2015

The relative risk ratio represents another way to think about racial disproportionality in school discipline.[46] We calculated the ratio to understand Black students' risk of out-of-school suspension compared to all other students. In the eyes of the state or federal government, any ratio larger than 1.5 indicates racial disproportionality in discipline as it means that Black students are 1.5 times more likely to be suspended than students of other races.

46. *Limitation—impacted by school composition.*

Using the relative risk ratio, we found evidence of intense racial disproportionality in school discipline across all kinds of Richmond area communities (see Map 2). These Richmond area secondary schools, denoted in red, suspended Black students between 3 and 8 times as often as non-Black students. They were found in neighborhoods of concentrated poverty in Richmond and central Henrico, as well as in neighborhoods with very little poverty in the far western portions of Henrico, Chesterfield, and Goochland. A significant number of area secondary schools suspended Black students between 1.6 and 3 times as often (denoted in yellow), also regardless of neighborhood poverty. Schools without evidence of serious disproportionality (denoted in green) were few and far between, scattered across several area divisions. Racial inequities in school discipline, in other words, persisted across the Richmond region. No community was immune.

MAP 2. Relative risk ratio for Black and non-Black students by secondary schools and % residents in poverty, Richmond area school divisions, 2016
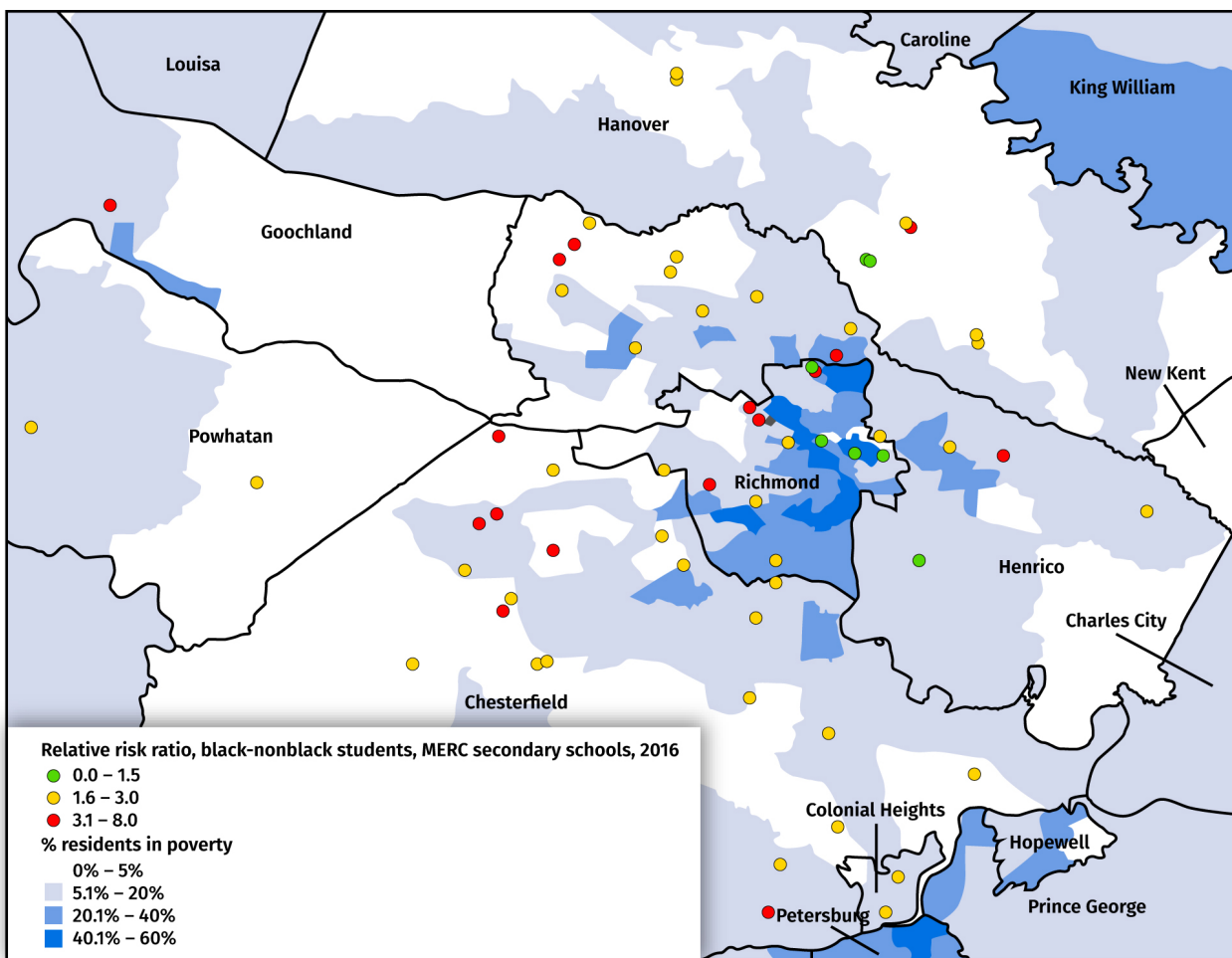
Source: VDOE restricted use data, 202016; ACS 5-year estimates for 2011-2015

Finding #4: Subjective infractions resulted in particularly harsh disparities in discipline for Black students

Black students faced exclusionary discipline for subjective infractions at rates far higher than their White and Latinx peers in the Richmond region (see Figure 4). Subjective infractions are discipline violations open to interpretation by involved parties. In Virginia, they include discipline for defiance, disruption or disorderly conduct. Because each of the subjective violations begins with the letter "d," they are sometimes referred to as d-code violations. The "eye of the beholder" nature of d-code violations highlights the role implicit bias often plays in exclusionary discipline.[47]

Region-wide, 6% of all Black students received out-of-school suspensions for subjective infractions. Richmond Public Schools (RPS) reported the highest share of Black student suspensions related to d-code violations (10%). Black students in RPS were suspended for subjective reasons almost ten times as often as White students. Numbers were less severe across other area school divisions but similar patterns of disproportionality persisted.

Figure 4. Absolute risk of out-of-school suspension for subjective infractions for Black, Latinx and White students, Richmond area school divisions, 2016
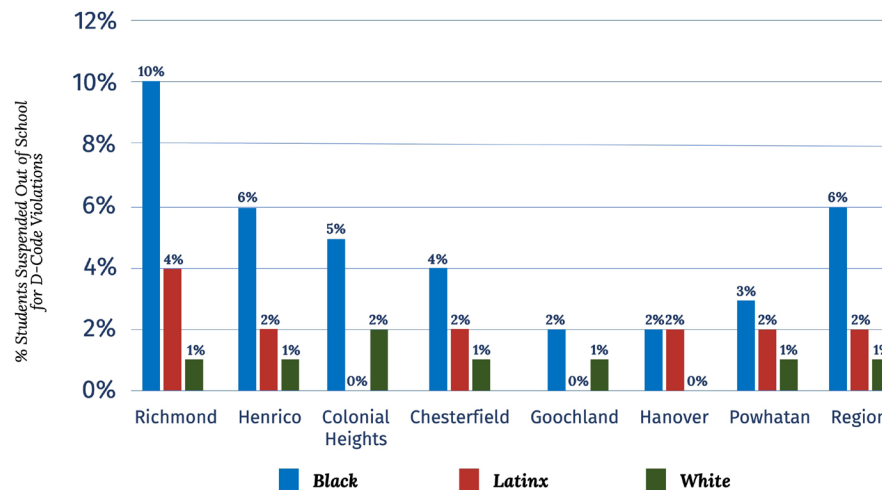
Source: VDOE restricted use data, 2016

Examining the percentage of all d-code suspensions given to Black students compared to the percentage of Black students enrolled offers an alternative way of understanding disproportionality related to subjective infractions. Across area schools reporting d-code suspensions, Black students accounted for about 36% of the enrollment[48] but 75% of suspensions for subjective d-code infractions (see Figure 5). Black students were heavily over-represented in the d-code suspension category across all area school divisions.

47. *Kirwan, 2016*

48. *Overall share of Black enrollment varies slightly compared to Figure 2 because it includes only schools reporting d-code data in the region. Across the MERC divisions, 28 schools did not report d-code data.*

Percentage point differences between the percentage of Black students enrolled and the percentage of students suspended for subjective violations who were Black were most apparent in Chesterfield (30 percentage points) and Henrico (37 percentage points). In general, racial disproportionality in out-of-school suspensions was more severe when it came to subjective infractions versus all infractions (see comparison of Figures 2 and 5).

Figure 5. Percentage of students suspended out-of-school for subjective violations who were Black by percentage of Black students enrolled, Richmond area school

	% black students enrolled	% students suspended OSS for d-code violations who are black
Region	36%	75%
Richmond	72%	91%
Henrico	40%	77%
Chesterfield	27%	57%
Goochland	17%	41%
Colonial Heights	16%	39%
Hanover	10%	31%
Powhatan	6%	14%
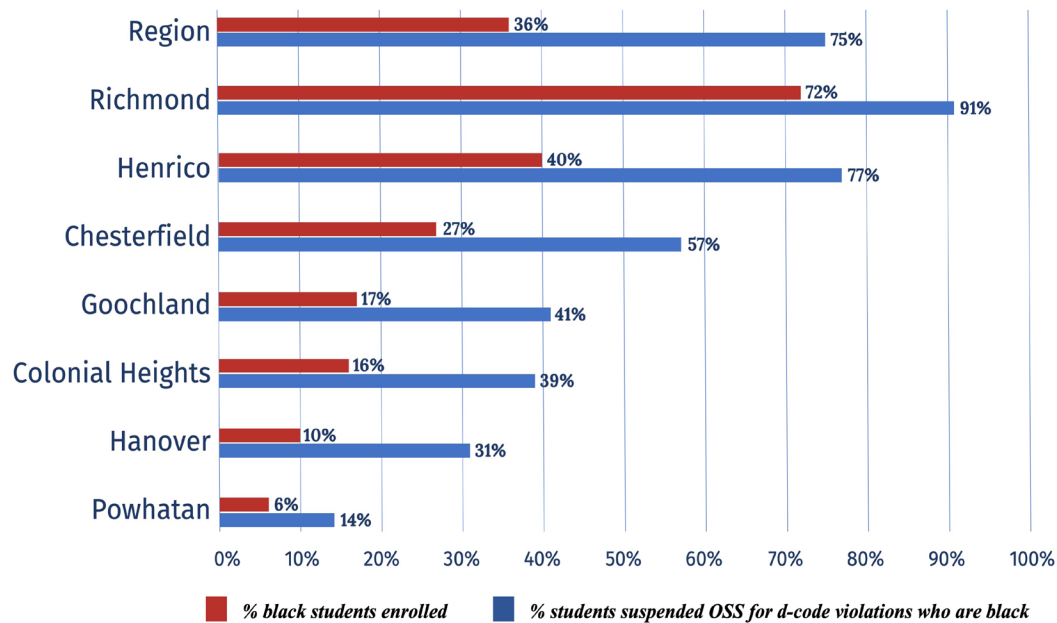
Source: VDOE *restricted use data*, 2016

Finding #5: School racial and/or economic makeup was significantly related to racial inequities in discipline

A strong, statistically significant relationship exists between high concentrations of school poverty and/or racially marginalized students and exclusionary discipline in the Richmond region. Past studies routinely have indicated that the proportion of Black students in a school is a strong predictor of exclusionary discipline[49] though research has been less clear regarding the proportion of students in poverty.[50] Characteristics already associated with racially segregated schools of concentrated poverty are also linked to exclusionary and inequitable discipline. These include high levels of student and faculty mobility, lower attendance and achievement rates and higher dropout rates.[51]

49. *Sartain et al., 2015; Welch & Payne, 2010*

50. *Losen & Skiba, 2010; Skiba, Chung et al. 2014*

51. *Christle, Jolivette & Nelson, 2007*

There is a statistically significant relationship between the risk of suspension for Black students and concentrations of student poverty in Richmond area schools. The greater the presence of Economically Disadvantaged (ED) students, the more likely Black students are to be disciplined (see Figure 6). On average, roughly 9% of Black students received out-of-school suspensions in the lowest poverty schools, compared to 21% of Black students in the highest poverty schools.[52] Another way of looking at it: Black students who attended schools that were 25% or less ED were about two times less likely to be disciplined than their peers at a school with 75% or greater ED, and about 1.5 times less likely than those attending schools in the 50-75% ED range. Schools with the highest concentrations of poverty are unevenly distributed across the Richmond area, with Richmond Public Schools reporting, by far, the largest number (16), followed by Henrico County Public Schools (10) and Chesterfield County Public Schools (5) in 2016 (See appendix A, Tables 1A-4A).[53]

Figure 6. Mean absolute risk of Black student out-of-school suspension by quartiles of economically disadvantaged students, Richmond area schools, 2016
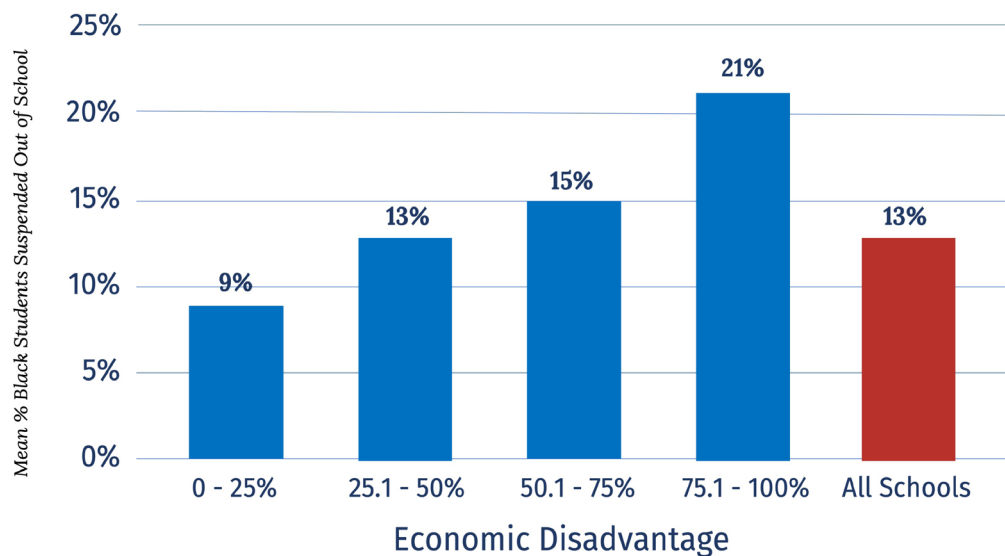
Source: VDOE restricted use data, 2016
Note: Overall differences statistically significant (p<.01). Differences between first and fourth quartiles and second and fourth quartiles statistically significant.

52. *This calculation represents the mean absolute risk of out-of-school suspension for black students attending schools with varying concentrations of poverty.*

53. *These data apply to the 185 schools reporting discipline data in 2016.*

The same trend extended to subjective violations. Black students attending higher poverty schools were significantly more likely to be suspended for subjective violations than Black students in lower poverty schools. Just 2% of Black students enrolled in schools with the lowest concentrations of poverty (25% or less ED) were suspended for subjective violations, on average, compared to 8% of their same-race peers at the highest poverty schools (75% or more ED) (see Figure 1A in appendix A).

Though school segregation by poverty was linked to the highest likelihood of exclusionary and racially inequitable discipline for Black students in the Richmond region, school segregation by race was similarly harmful. On average, Black students enrolled in schools with the highest shares of same-race peers were more than three times less likely to be suspended out-of-school (23%) than Black students in schools with the lowest shares of same-race peers (7%) (see Figure 7 below). Black student suspension rates also tended to be lower in schools with a critical mass of Black students (between 10 to 40% and between 50 and 60% Black). For every 10% increase in Black student enrollment in a school, Black students received about 2% more out-of-school suspensions for all violations and .7% more out-of-school suspensions for d-code violations. Additionally, for every 10% increase in Black student enrollment, the Black-White discipline gap rose by about 1%. These trends were statistically significant and held for schools with the most intense concentrations of historically marginalized students.

Figure 7. Mean absolute risk of out-of-school suspension for Black students by deciles of Black students, Richmond area school divisions, 2016
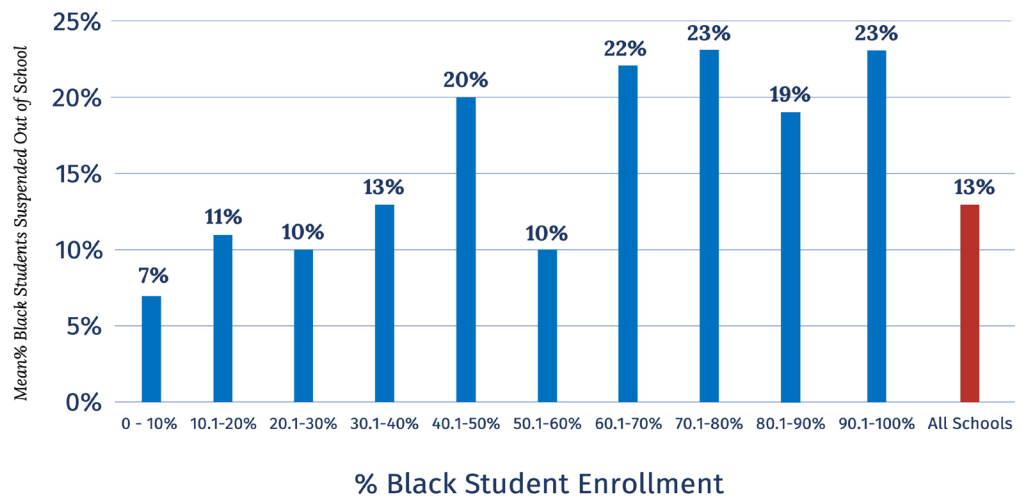
Source: VDOE restricted use data, 2016

Black students in intensely segregated schools (10% or fewer White students) were suspended out-of-school almost twice as often as Black students not enrolled in intensely segregated schools (see Figure 8). Similar trends held for subjective violations (see Figure 2A in appendix A). There was also a statistically significant relationship between intense school segregation and the Black–White discipline gap. Schools that were intensely segregated had a Black–White discipline gap of 11%; schools that were more diverse had a gap of about 7% (see Figure 3A in appendix A). As with segregation by socioeconomic status, RPS reported the largest number of intensely segregated schools by race (30). HCPS (11) and CCPS (5) were the only other school divisions reporting schools with intense racial segregation, for a total of 46 in the region (see Tables 5-8A in appendix A). Racial segregation in Richmond, Henrico and Chesterfield schools is shaped by past and present discrimination, as well as a lack of coordinated action confronting it in the housing and school sectors.[54]

Figure 8. Mean absolute risk of out-of-school suspension for Black students by intense school segregation, Richmond area school divisions, 2016
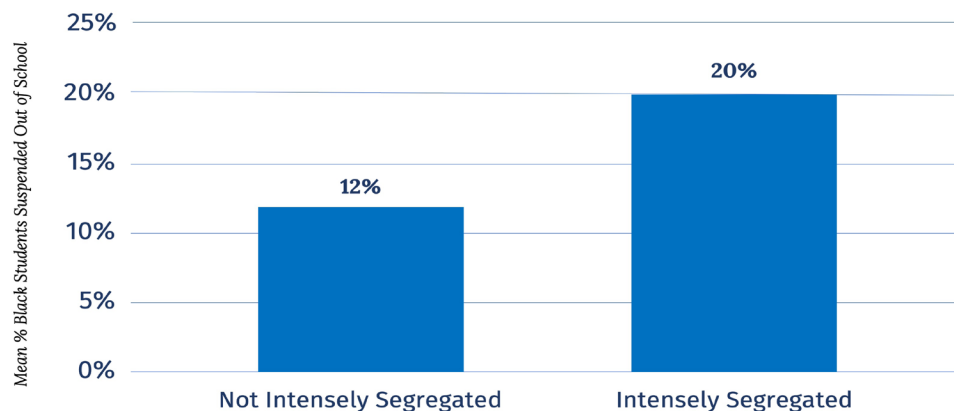
Source: VDOE restricted use data, 2016
Note: Differences statistically significant (p<.01)

We also sought to understand how these trends played out in schools doubly segregated by race and poverty. Adapting a federal measure to our local context, we found that Black students were significantly more likely to face inequitable discipline in schools with high concentrations of historically marginalized students and students in poverty (defined as schools where 75% or more students were ED and Black or Latinx). There were 27 such schools in the Richmond area, concentrated again in RPS (16) and HCPS (7) in 2016 (see Tables 9-11A in appendix). Black students were disciplined about twice as often, on average, in doubly segregated schools than their peers in schools that were not doubly segregated (see Figure 4A in appendix). Further, there was a significant relationship between Black student suspensions for subjective violations and double segregation. Black students were more than twice as likely to receive suspensions for d-code violations in racially segregated schools of concentrated poverty than Black students in other settings (see Figure 5A in appendix). Finally, the average Black–White discipline gap was considerably higher in doubly segregated schools (13%) compared to schools not doubly segregated by race and poverty (7%) (see Figure 6A in appendix).

54. http://homeofva.org/Portals/0/ Images/PDF/livetogether-report.pdf

Finding #6: Area schools implementing a range of interventions to address racially inequitable discipline

According to our 2016 survey of school leaders, Richmond area schools reported implementing a variety of disciplinary interventions. Positive Behavior Interventions and Supports (PBIS)/Virginia Tiered Systems of Support (VTSS) was the most commonly used model, with about two in three schools, or 84, report these as primary interventions. Still, other discipline programs also were in evidence. A handful of schools experimented with programs like Restorative Practices or Culturally Relevant PBIS (3). Others reported no formal program (17) or miscellaneous socio-emotional programs like Leader in Me or Responsive Classrooms (21). Length of implementation of programs varies. Approximately 30% of survey participants reported that they have used the current discipline model for 1-2 years, 33% for 3-4 years, and 30% for 5 or more years.

TABLE 1. Primary discipline model by number and percentage of schools in Richmond area school divisions, 2016

	# SCHOOLS REPORTING	% SCHOOLS REPORTING
PBIS/VTSS	84	63%
Restorative Practices	3	2%
CRPBIS	3	2%
No Formal Program	17	13%
Zero Tolerance	1	1%
Other Interventions	21	16%
Multiple Interventions	5	4%
TOTAL	134	100%

Source: *Achieving Racial Equity in School Disciplinary Policies and Practices Survey, 2016*
Note: *Programs listed as "Other Interventions" include: Leader in me, Class Dojo, Trauma informed Care, responsive classrooms, Character programs*

We examined the relationship between various interventions and the percentage of Black students receiving out-of-school suspensions with a good deal of caution, recognizing that low numbers of schools in categories like Restorative Practices or Culturally Relevant PBIS likely skewed the results. In more robust intervention categories, like PBIS, we found that schools relying on PBIS reported Black student suspension rates roughly comparable to the overall average for the region (see Table 2). We saw the highest rates of Black student suspension (over 50%) in the one school reporting the use of zero tolerance. The schools relying on Restorative Practices also reported much higher average rates of suspension for Black students (26%) than the total average for the region (15%). This could relate to the low number of schools implementing this intervention and/or more of a willingness to try Restorative Practice techniques in settings already struggling with racially inequitable discipline. Conversely, schools reporting other interventions like Leader in Me, a robust category that included 21 schools, had lower rates of Black student suspension (10%) than the total average in the region (15%). Past research highlights the effectiveness of social-emotional interventions like Leader in Me.[55] Still, this finding could also relate to the fact that Leader in Me is an intervention designed for elementary schools, which reported much lower rates of exclusionary discipline for Black students in the region.

TABLE 2. Mean absolute risk of out-of-school suspension for Black students by primary discipline model, Richmond area school divisions, 2016

	# SCHOOLS REPORTING	MEAN % BLACK STUDENT ABSOLUTE RISK OF OSS
PBIS/VTSS	84	15%
Restorative Practices	3	26%
CRPBIS	3	18%
No Formal Program	17	16%
Zero Tolerance	1	51%
Other Interventions	21	10%
Multiple Interventions	5	17%
TOTAL	**134**	**15%**

Source: *Achieving Racial Equity in School Disciplinary Policies and Practices Survey, 2016 and VDOE restricted use data.*
Note: *Programs listed as "Other Interventions" include: Leader in me, Class Dojo, Trauma informed Care, responsive classrooms, Character programs. Differences were significant (p<.05), though we interpret this with caution given the small numbers of schools in several categories.*

55. See https://merc.soe.vcu.edu/ reports/published-reports/review-of-disciplinary-interventions/

Several tentative relationships emerged between school socioeconomic composition and type of discipline intervention. These numbers should be interpreted with the same caution as above given low numbers of schools across several key discipline intervention categories. The lowest poverty schools (0-25% ED) reported the highest share of other interventions (25%), perhaps indicating they had more organizational capacity to experiment with programs like Responsive Classroom or Leader in Me. Recall from the table above that these interventions were descriptively linked to the lowest average suspension rates for Black students.[56] Lower poverty settings were the most likely to report no formal program (about 19%). Schools with moderate to high levels of poverty reported that PBIS predominated; remaining responses for this group were a mix of no formal program, CRPBIS, multiple interventions or other interventions. Schools with lower concentrations of poverty (25-50% ED) were also home to the three settings relying on Restorative Practices.

TABLE 3. Primary discipline interventions by quartile of Economically Disadvantaged Students, Richmond area school divisions, 2016

	0-25% ED (N=36)	25.1-50% ED (N=28)	50.1-75% ED (N=47)	75.1-100% ED (N=23)
PBIS/VTSS	50%	64%	68%	69%
Restorative Practices	0%	10%	0%	0%
CRPBIS	3%	0%	2%	4%
No Formal Program	19%	11%	13%	9%
Zero Tolerance	0%	0%	0%	4%
Other Interventions	25%	11%	13%	13%
Multiple Interventions	3%	4%	6%	0%
TOTAL	100%	100%	100%	100%

Source: Achieving Racial Equity in School Disciplinary Policies and Practices Survey, 2016 and VDOE restricted use data.
Note: Programs listed as "Other Interventions" include: Leader in me, Class Dojo, Trauma informed Care, responsive classrooms, Character programs

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56. *We were not controlling for poverty in these calculations.*

PHASE ONE CONCLUSION

Key findings from phase one show that Richmond region schools continue to struggle with persistent racial inequity in school discipline. Black students are far more likely than white or Latinx students to be suspended out of school across all area school divisions and virtually all communities. They are particularly susceptible to harsh, exclusionary discipline practices in secondary schools and to being suspended out of school for subjective discipline infractions. Black students also are significantly more likely to be suspended in schools of concentrated poverty and in schools with high shares of same-race peers. Though most Richmond area schools have implemented interventions related to discipline, we found varying relationships between the interventions and rates of out-of-school suspension for Black students. Phase two further explores these relationships, seeking, in part, to understand how discipline interventions are enacted across different types of school and division settings.

Phase Two Findings

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RESEARCH QUESTIONS

Research Question 4: How clearly do educators perceive ostensive discipline policies to be communicated in their schools and how much do their performative practices align?

Research Question 5: How do educators' attributions about racial disproportionality in school discipline differ, and how is this mediated by their school contexts?

METHODS

This section will describe the methods used to execute phase two of the study, which was qualitative. It will first outline the processes used for selecting our three schools for data collection, as well as demographic, academic, and behavioral information for each site. Next, it will describe recruitment methods and the profile of participants across sites. Finally, it will discuss procedures for data collection and analysis, including efforts to ensure prolonged engagement with participants and a rigorous approach to systematically analyzing the qualitative data. A trustworthiness section will follow to describe efforts to ensure credibility of the findings.

School Selection

The research team met late in the fall of 2017 to select schools by first asking school division contacts on the MERC Policy and Planning Council for recommendations. Four school divisions recommended a total of eight potential schools (six middle schools and two high schools). We then compiled racial/ethnic demographic data on each of the schools, along with results of the phase one survey, which offered evidence of discipline programs employed at each potential site. The research team ultimately selected two high schools and one middle school to be included in the study. The selected schools are representative of varied demographic contexts included in the MERC region. Each of these schools reported implementation of PBIS/VTSS, as well as some use of Restorative Practices and Trauma Informed Care. To help protect the identity of the schools and their participants, all of the numbers and percentages presented below to describe the student population at each school are approximations, and their names have been replaced with pseudonyms. Because the numbers and percentages are approximations, percentages will not always add up to 100%.

TABLE 4. Case study school comparisons

	MIDDLE SCHOOL A (AMS)	HIGH SCHOOL B (BHS)	HIGH SCHOOL C (CHS)
Total Students	700	1500	1600
Percentage Black	65%	30%	7%
Percentage White	3%	50%	85%
Percentage Latinx	30%	10%	3%
Average SOL pass rate in English, math, and science (2016-2017)	<50%	>80%	>80%
Percentage of Black students suspended (2016-2017) [a]	55%	15%	15%
Percentage of White students suspended (2016-2017) [b]	40%	5%	7%
Percentage difference between Black and White student suspensions	15%	10%	8%
Percentage of OSS at school given to Black students [c]	80%	60%	12%
Relative Risk Ratio (RRR) [d]	2.5	3.5	2.0

a. This represents the percentage of Black students suspended within the school. For example, there were approximately 700 students at AMS and approximately 65% (approximately 455) were Black. Of those students, approximately 55% (250) were suspended.

b. This represents the percentage of the White students suspended within the school. For example, there were approximately 700 students at AMS and approximately 3% (21) were White. Of those students, approximately 40% (8) were suspended.

c. Compare these percentages to the percentage of the student body that was Black. For example, at BHS, Black students made up 30% of the student body but 60% of OSS at the school.

d. Relative risk ratio calculated by considering the percent of Black students receiving an out of school suspension in comparison to their other peers at the school. RRR = (% Black students disciplined) / (% of all other students disciplined)

Participant Recruitment and Profile

Following the selection of case study schools, MERC researchers contacted the principal at each site to set up an informational meeting late in the fall semester of 2017. In these meetings, we discussed the background and purpose of the study as well as the plan for recruitment and data collection. We also provided principals the opportunity to ask questions about the research and suggest a three day period that would work best for data collection. The research team developed a faculty recruitment flyer containing background information about the study as well as a link to an online REDCap survey where interested faculty could volunteer for potential participation. At least one member of the research team visited the first faculty meeting of 2018 at each school to speak with the faculty about the study, to distribute copies of the flyer, and to answer questions.

MERC researchers held the registration survey open for approximately one month and provided a copy of the potential participant list to the principal to ensure it included a representative sample of perspectives in the school. In no cases did the principal make changes to the list. We then contacted participants at each school to schedule a time for data collection during a designated three day window at each school. If participants were not available during those days, researchers came to the school on a different day that was more convenient. We provided electronic copies of the informed consent for the study in email communication with faculty participants. To recruit student participants, MERC researchers worked with the principals at each school to distribute an informational flyer to students who might be interested. Students were instructed to pick up consent documents for the study in the main office at their school. For students under the age of 18, they were instructed to have their parents sign and return a consent document along with a separate assent document signed by students. For students over the age of 18, they were instructed to sign and return a separate consent document. In total, there were 50 participants in this phase of the study: 26 faculty and 24 students. The participant profile at each school is depicted in the following table.

TABLE 5. Participants by school

	MIDDLE SCHOOL A (AMS)	HIGH SCHOOL B (BHS)	HIGH SCHOOL C (CHS)	TOTAL
Teachers	1	7	8	16
Administrators	1	2	1	4
Student support personnel*	4	2	0	6
Students	11	8	5	24
TOTAL	17	19	14	50

*Student support personnel included counselors, school resource officers, and other school staff. They are not further disaggregated in order to protect participant identities.

The following table depicts the participant profile of educators at each school, all of whom identified as either male or female and either White or Black.

TABLE 6. Participating educator demographics by school

	MIDDLE SCHOOL A (AMS)	HIGH SCHOOL B (BHS)	HIGH SCHOOL C (CHS)	TOTAL
Female	4	9	4	17
Male	2	2	5	9
White	3	10	8	21
Black	3	1	1	5

Overall, our sample of educators was predominantly White and female. The school with the most racial variability based on percentage of the sample was AMS (50% White and 50% Black), and the most gender variability in the sample was at CHS (44.4% female and 55.6% male). Researchers did not collect demographic data on students participating in focus groups. However, the first focus group at AMS appeared to be predominantly Black and the second focus group predominantly Latinx. At BHS, the focus group was predominantly White and at CHS the group appeared to be more racially diverse, comprised of Black, White, and Latinx students.

Data Collection and Analysis

Although MERC researchers remained flexible based on the availability of the participant, the typical approach to data collection involved the following steps. A team of two to four researchers met shortly before the start of school in a room provided by the administration to discuss the plan for the day during the first class period. At the start of the second class period, researchers met participants in their classrooms or offices and shadowed them for two full periods following a protocol (appendix B). After shadowing and observing for two periods, researchers convened during the final period of the day to discuss themes and type observation notes. Observations helped inform supplemental, personalized questions to the semi-structured interview protocol developed by MERC researchers and study team members for teachers (appendix C) or other faculty, staff, and administration (appendix D). Both interview protocols were piloted by research and study team members with building level personnel from schools in the MERC region not participating in the study.

We then interviewed our participants for approximately 45-60 minutes. The purpose of shadowing ahead of the interview was to help develop an understanding of participants' experiences to help inform the interview, as well as build some rapport with participants to elicit richer responses.[57] Although not all schools followed a four period schedule, researchers generally took a similar approach across each site by shadowing participants for two periods, reconvening for the final period of the day, and then interviewing participants after school. Two participants were unable to participate in a full day

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57. Maxwell, 2013

of shadowing and requested to be interviewed over the phone rather than in person. Researchers also conducted focus groups with between five and eight students, following a semi-structured protocol (appendix E). Researchers audio recorded all interviews and focus groups and had them transcribed verbatim for analysis.

A team of three researchers separately coded the same three transcripts using Dedoose and ATLAS.ti qualitative coding software. We selected these initial transcripts to offer a representation of different stakeholder perspectives (e.g. a teacher, other educator, and student focus group) and different school sites. We each used a common codebook initially based on literature related to ostensive and performative discipline,[58] racial disproportionality,[59] and attribution theory.[60] Additionally, researchers added new codes based on emergent themes using an in-vivo coding process.[61] After each transcript, we met as a team to discuss our themes, the coding process, and any new codes that we developed. We repeated this process until we came to an agreement on the codes. We then replicated this process with the remaining two transcripts, meeting each time to calibrate coding and come to a shared understanding of the findings. The remaining transcripts were distributed among the three researchers and coded separately, with quotes and corresponding codes being loaded into a shared spreadsheet for analysis. Throughout the process of data analysis, we engaged in memoing to explore emergent themes and identify potential bias in our interpretations of the data.[62]

TRUSTWORTHINESS

Researchers took steps to ensure that the findings presented in this report were an accurate representation of the perspectives and experiences of participants. This included prolonged engagement,[63] as researchers met with participating educators early in the school day to shadow them for multiple class periods, typing case notes prior to conducting an interview in the afternoon. This approach not only afforded researchers additional data for drawing inferences, but also provided the opportunity to spend more time with participants. This allowed for the development of a relationship as well as a better understanding of the context in which participants did their work, including how they approached student discipline. Additionally, researchers engaged in analyst triangulation by developing a common codebook and engaging in team coding with multiple researchers who were familiar with relevant literature and had collected data in the schools, thus better understanding the context of the findings.[64] We also selected and highlighted negative cases to point out when apparent themes did not hold true.[65] Finally, researchers engaged in member checking by sharing drafts of findings with leaders and educators from participating school divisions to ensure that they were fair and accurate. Member checking is often considered to be the most important element of establishing trustworthiness in qualitative findings,[66] and having access to feedback from a study team comprised of representatives from cooperating school divisions is a key component of the rigor of studies conducted by the Metropolitan Educational Research Consortium.

58. Lewis & Diamond, 2015

59. Gregory, Skiba, & Noguera, 2010

60. Weiner, 1972

61. Corbin & Strauss, 2015

62. Maxwell, 2013

63. Ibid

64. Guba, 1981

65. Tracy, 2010

66. Guba, 1981; Maxwell, 2013

PHASE TWO FINDINGS

In this section of the report, we demonstrate the ways racial disproportionality in school discipline was embedded within the everyday practices and routines of leaders and educators. As previously discussed, we build on the work of Diamond & Lewis (2015), focusing on the ways educators respond to their schools' policies related to school discipline, and the ways they make sense of racial disproportionality in discipline. In other words, we focus on what Pentland and Feldman (2005) describe as the ostensive and performative aspects of school discipline. The ostensive aspects include how things should be done, while the performative aspects include how things are actually done. When applying this lens to school discipline, it is important to remember:

"While discipline routines are stated in race-neutral terms, their practice can deviate from the ideal. This is because of the way race works symbolically (the meaning and values people attach to members of different racial groups) and structurally (affective who has access to certain kinds of resources), when real people interact in specific contexts."[67]

Therefore, we approach the study of school policies and practices with regard to discipline, recognizing that racial inequities often permeate everyday school policies, practices, and processes in both explicit and implicit ways. In the section that follows, we begin by demonstrating how the lack of a clearly communicated and adopted school discipline policy led to teachers enacting their own classroom practices that often deviated from the school's policies. Then, we demonstrate how this lack of clarity contributed to educators not always understanding the different disciplinary models used in their school (e.g., PBIS/VTSS, Restorative Practices, and/or Trauma Informed Care), what their purposes were, and how to use them. Next, we discuss how this lack of clarity included misunderstandings related to the disciplining of students with disabilities. Then, we discuss our second finding related to a mixed review of professional development among educators, followed by a demonstration of how teachers often engaged in disparate and disconnected day-to-day practices. Next, we outline how a lack of an explicit focus on race, culture, and disability in disciplinary policies and practices contributed to challenges related to disproportionality in discipline. Finally, we focus on the types of attributions participants made for racial disproportionality, including the degree to which participants perceived this to be an issue at their schools and the factors they believed contributed to racial disparities in exclusionary discipline.

Throughout this section, individual case studies will be included to help demonstrate how educators wrestled with the issue of equitable discipline and racial disproportionality in their schools. These cases include discussion questions that relate to the findings presented in phase two. For each case, the name of the individual has been masked with a pseudonym. Additionally, some details may be masked or slightly changed to protect anonymity. It is our hope that these cases help illustrate the complexity of this issue.

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67. *Diamond & Lewis, forthcoming*

Finding 1: Lack of clearly communicated and adopted discipline policy

"But there isn't a direct link saying 'okay, this is what you sent the referral for, this is how I handled it and why.' I think that's what's really missing."

Practitioners across case-sites reported a lack of communication between teachers and administration around discipline policies and outcomes. They voiced frustration that when they wrote referrals and followed the procedures they have been trained to follow, there was little to no communication after to inform them of their student's discipline outcome. For example, one White educator from AMS, where the majority of the student body was Black and Latinx, stated, *"teachers would write referrals and nothing would happen. Teachers felt unsafe and one teacher even commented to me like 'you're supposed to call home. I think you're supposed to call home and then you're supposed to come up with a behavior plan.'"* This reflection demonstrated a lack of communication between administration and teachers when the referral was written and submitted. Similarly, various other teachers voiced a desire to "get feedback" from their administration, and be included as a team member in the discipline process. In other words, they voiced a desire to be filled in on the rationale of why a discipline referral was handled in a certain way so that it feels like *"more of a team approach as opposed to 'Okay, I'm just handing this to you, you deal with it and then I'm not part of that discussion at all.'"* Other educators similarly identified communication about discipline policies as an area that needed improvement. When asked what changes they would make to the discipline program, one teacher from BHS, our most diverse school, responded,*"I think communication because when we do turn in a referral, we don't hear anything back. So we don't know what has happened until all of a sudden we get a notice that the kid's out for 10 days … But there isn't a direct link saying okay, this is what you sent the referral for, this is how I handled it and why. I think that's what's really missing."*

Overall, the lack of communication seemed to hinder teachers' willingness to fully buy into the discipline program as they were unsure what steps were being taken after the referral was written. This lack of school wide buy-in seemed apparent in the everyday discipline policies. For example, in discussing smaller discipline issues such as hall sweeps, one educator from AMS highlighted the lack of buy-in to the discipline program stating, *"These kind of things are not what we should be writing referrals for. These kinds things I think could be easily nipped in the bud if you had a plan that everybody was on board with…"* Thus, the lack of clarity of communication and procedure that surrounded discipline programs in schools seemed to provide evidence of a lack of school-wide adoption of such models.

Differences in understanding of disciplinary models between administrators and staff. According to the survey we conducted in phase one, 79% of administrators who participated described using distinct disciplinary models. Specifically, 71% described using a disciplinary program that included PBIS/VTSS, 13% said they used a program that included Restorative Practices, and 23% described a different intervention. The remaining

21% said they did not have a formal program. The overwhelmingly popular reference to the use of PBIS/VTSS is important, given the focus on tiered behavioral supports for all students and positive school climates. Perhaps unsurprisingly, our interviews with administrators demonstrated clarity in the understanding of the disciplinary models used and why. For example, one administrator at the more racially diverse high school, BHS, shared:

We still have disproportionality, and so that's when you start to put things into play like your PBIS plan, the fact that we use Restorative Practices with our students when they get in a fairly significant event, be it the physical or verbal altercation, and normally you'd immediately go to suspension...We really try and spend some time with the restorative method to help the students understand what went wrong, but then it also forces an opportunity to bring students back early so that there's not a 10 day out [suspension].

Despite the majority of leaders identifying a specific disciplinary program, many of our interviews with educators revealed a lack of clarity regarding what specific discipline models were being used and why. Specifically, participants discussed challenges related to a lack of consistency and clarity about the discipline model that was used. While it was not the norm, it is important to note that some educators we spoke with were able to clearly identify the ostensive aspects of the different disciplinary models that were being used in their school. However, many we spoke with were unclear about what PBIS was or how to specifically use it in practice. For example, when asked about the types of professional development related to classroom management and cultural competency, a White teacher at CHS explained teachers only had "a little bit," and that *"it's just been introductory, so I don't know any specifics about it. We did have cultural competency at [mentions former school], but none that I can think of here."* Others found interventions confusing that were not aligned or did not have to do with behavior, such as Response to Intervention with Restorative Practices. When asked about the sort of practices or interventions that were explicitly used to address issues of disproportionality, many participants said they were unaware.

Inadequate staff training on disciplinary practices. Several participants also expressed not feeling adequately trained or included in the process for determining the adoption of the new model, which may have contributed to a lack of clarity. One White teacher from CHS, the school with a predominantly White student body, shared, *"Well, one kind of interesting thing, even with the PBIS, is it feels like we may be trained on programs, but we're not part of the program itself...Where is our role in understanding this? Where is our role in being an active participant in this?"* For many teachers there was a disconnect between the approaches to discipline the district and school leaders were engaging in (ostensive aspects) and what they were actually doing in their classrooms (performative aspects). In part, the teacher described how this related to being disconnected from the decision making process of leaders. Again, while it was the case that administrators seemed to have a clear understanding of the different disciplinary models, this did not always translate to educators in their classrooms. Therefore, simply adopting a disciplinary model like PBIS did not mean there was consistency in how the model was adopted in classrooms. Without being more "active participants" in the decision making process related to school discipline, teachers were more likely to engage in diffuse and disparate disciplinary practices in their classrooms. It is critical that sufficient opportunities exist for key stakeholders (e.g., teachers and leaders) to review current discipline policies and practices,

provide feedback, and together decide on discipline practices and interventions that work for these key groups.

Misconceptions regarding lenient disciplinary practices for students with disabilities. Related to this, we also found that training was needed on understanding the needs of diverse students, including students with disabilities. We found, for example, a troubling sentiment that different disciplinary approaches were too lenient for students with disabilities. For example, one White staff member from AMS shared,

I understand that they're, you know, exceptional education's a little bit different but some of these kids use their IEPs [Individualized Education Program] to their advantage, they know what they're doing. But it's got to be accurate. It's got to be the same for pretty much everything, by the books.

Similarly, one White teacher from CHS teacher said, *"We have a joke here at the high school that if you are a person with an IEP you have diplomatic immunity...Go ahead and if you just say what's on the IEP, it's okay, and just make it go away."*

These quotes demonstrate a lack of understanding how discipline should be approached for students with disabilities and why. Specifically, we found there was a disconnect between what current law and policy stipulates (ostensive aspects) and what educators and staff understood (performative aspects). Furthermore, and perhaps most importantly, the notion that students with disabilities are given a "pass" when it comes to discipline due to their disability defies current data on discipline among students with disabilities. Related findings have shown that MERC school divisions face serious challenges related to disproportionately disciplining students with disabilities, particularly students of color with disabilities. [68]

Finding 2: Mixed review of professional development (PD)

"Not everybody values them, and not everybody thinks they need them... so there's a lot of push back..."

Case study schools used professional development as a method for gaining teacher support of new discipline approaches and to train teachers and staff on how to appropriately handle student misbehavior under certain discipline policies and programs. This included professional development on diversity. According to the school leaders who responded to our survey, on average, 2-3 professional development opportunities were provided around discipline in the 2016-2017 school year. Further, a White teacher from BHS, our more racially diverse case study school, exemplified the extent of exposure to professional development on diversity by stating:

We've had professional development about diversity, a lot about making teachers aware of diversity and cultural differences...our school does that a lot....We've had training on what stress does, the current education about what stress, cortisol levels with behavior in children... if anybody in this school said they weren't aware of it, I think you were living under a rock, because I would say that it's a very open and very honest discussion that we've had.

68. e.g., Holton et al., 2018; JustChildren, 2017

Despite being widespread, PD on the topics of diversity and racially disproportionate discipline outcomes received mixed reviews. While some highlighted it as beneficial to their work, others voiced that these PD activities felt like a waste of time, and as such were undervalued by some educators. Some even found the PD offensive, as one White BHS teacher explained, "*I think most of us that were in there were not very receptive because the way it was taught that everybody was wrong.*" In this way, some educators seemed to express resistance towards PD activities that targeted implicit bias. One White administrator from BHS further explained this hesitation, "*...we brought in a person in the county who does diversity training and kind of cultural awareness training, and those were hard conversations. Not everybody values them, and not everybody thinks they need them... so there's a lot of push back...*" Additionally, various reports suggested that, although beneficial on a theoretical level, these professional development opportunities lacked any specific pragmatic tools for handling discipline. In this way, while these PD opportunities may have focused on the ostensive aspects of the discipline models, they seemed to lack support or guidance for the performative aspects. Thus, teachers reported feeling like they had not "been given steps on how to handle" certain behaviors. This reported lack of explicit tools and procedures complicated the schoolwide adoption of discipline models since educators were unsure of which protocols to follow.

Taken together, this difficulty surrounding professional development and lack of consistency in communication between teachers and administration had the potential of leading to a discipline program that was not fully adopted by all stakeholders in the school. In many cases, we found evidence of this in teachers' reports that there was "*a lack of teacher consistency.*" This inconsistency was coupled with teachers who felt like their hands were tied because if they "*send a kid to the office yet nothing's going to happen to them, well, then that kid's going to continue to misbehave in [the] classroom,*" as described by a White teacher at BHS. This teacher went on to say that other teachers do "*try to be consistent in their classroom...[discipline] from classroom to classroom is different*" and the specific model did not seem to be adopted by all stakeholders. This lack of schoolwide adoption manifested in incohesive day-to-day practices by teachers.

Case Study: Caroline

Caroline is a White teacher who has been a public educator for over 20 years working in various roles, including in administration. She came back to teaching because she wanted to work directly with students again. The classes she teaches are at the standard, honors, and AP level. Related to her previous experience, she helps with some leadership tasks in the school including monitoring student behavior in the hallway and cafeteria when there is a need for another de-facto administrator. Caroline described how she sets the tone for handling discipline at the onset in her classroom, *"I even have in their syllabus that it says, 'We have to deal with discipline issues,' then I say but 'We're not going to have any in this classroom.' So my understanding from day one is that we're not doing discipline issues...I am very vigilant about making sure things don't happen."*

Her school made efforts toward implementing alternative models of discipline, including PBIS, Restorative Practices and Trauma-Informed Care. She perceived these efforts to be approached thoughtfully, *"I have to commend them, because they did a lot of research."* The PD sessions also included a conversation on racial disproportionality in school discipline, which Caroline deemed necessary but not received particularly well by the faculty, *"It got to be very tense, because some people decided to be very accusative....but there was an honest discussion about that."*

The efforts by the administration to implement alternative discipline models to help address issues of disproportionality aligned with Caroline's personal approach to handling discipline in her classroom, *"They've always stressed relationships since I've been here...You can give students a chance by talking, resolving it in the classroom, giving rewards, forcing them to do positive things."* Because of this alignment, Caroline tended to buy-in to the approach, *"I absolutely do, and I try very hard to work with them in their plan, because I do believe in it. I would do more, but I get it."* She believed that her colleagues at the school were also starting to align with the approach as the administration increasingly advocated for the implementation of alternative discipline interventions, *"I think this year it's been really hit hard, but it's been incremental."* Still, Caroline recognized that teachers had critiques of new discipline approaches that they sometimes considered to be too lenient. *"You hear people complain about, 'Well, you know we just make excuses for them' and 'Why don't they just throw them out?' The old school kind of discipline thing."*

She believed that there was not always sufficient effort given by administration toward soliciting feedback and buy-in from teachers at the onset, *"There was very much an implicit, you know, 'We don't want to hear from you. This is the information and you just need to get on board with it.'"* Related to this, Caroline recounted concerns from her fellow teachers that this new approach to discipline did not hold students accountable for their actions, *"What teachers' perceptions were, and I have to say maybe it was more than a perception, I think it was a reality, was that for a while, especially last year, it didn't appear that students were being disciplined at all."*

What are the challenges that might accompany professional development related to racial disproportionality in school discipline? What helps these efforts be more effective?

What is necessary for eliciting faculty buy-in for alternative approaches to school discipline? How can school leaders build from the existing discipline practices of teachers in their classrooms to implement programs designed to reduce racial disproportionality?

Finding 3: Disparate and disconnected day-to-day practices among teachers

"...being an educator is a lot like being a parent. You have to pick your battles."

Due to the lack of clarity and school wide adoption of discipline programs, discipline practices were often inconsistent across classrooms. While one educator may have been more lenient in their approach to discipline another may have implemented strict classroom rules by which all students were expected to abide. This meant that students were often confronted with differing behavioral expectations from classroom to classroom. One teacher from BHS, where the student body was approximately 50% White, highlighted these differences by describing how the dress code was implemented:

When you get to the referral stage, it doesn't seem to be consistent. It's like we have a dress code. You send three kids out because they've got holes all the way in their pants, two kids come in with another pair of pants on and the third kid comes in with the holes still in the pants and he goes well nothing happens to me. That's not fair.

From this example, it was evident that the use of referrals was not always consistent within the school, which had the potential of perpetuating disparate discipline outcomes for students. We also found inconsistencies within classrooms specifically. For example, another teacher from the same school detailed her stricter opinion on the dress code, describing a conversation with a student: "*administration told you. It's in your student code of conduct...How many times have I had to tell you to take your hood off in class? You're going to tell me you didn't know this? That's just a bunch of hooey.*" However, other educators seemed to be more lenient in the implementation of the code of conduct such as an educator at AMS who stated that "*being an educator is a lot like being a parent. You have to pick your battles...*" Even if the code of conduct was ostensibly clear, the performative features of it required students to alter their behavior from class to class to meet educators' differing expectations, potentially contributing to disparate discipline outcomes.

Additionally, the different approaches to discipline seemed to create a divide among some educators. One White teacher from BHS explained her frustration by stating: "*There's a break in generation, and that they're just too damn lazy... we have tried with our committees to get what the teachers think is important to deal with, and we have set up plans. The problem is the teachers don't follow through.*" Other educators viewed their discipline more than an opportunity to enforce school protocols, as one Black AMS educator explained, "*I listen. You know, I just – that's what we're supposed to do. First you find out what's going on.... A lot of our kids sometimes just need someone they can really vent to, without any repercussions.*"

In many cases, beneficial discipline practices were implemented. Despite the differentiation in discipline practices among classrooms, several teachers implemented practices that are shown to be beneficial in school discipline. For example, many teachers prioritized relationships with their students as a critical part of the discipline process. When asked how relationships play into the job, one White teacher from BHS, our more racially diverse school, responded:

I think they're probably one of the most important things. I mean, I always stand out at my door the first week or so of school. I always ask them stuff so that as we get later on in the year they'll volunteer....if you build that relationship with the student then the student will be more open to tell you things either academic or things that are bothering them, that they're more open to come to you for help if they need it.

Similarly, another White teacher at BHS highlighted the importance of rapport in these relationships and treating students with respect throughout the discipline process. When asked about her approach to discipline she stated, *"I explain why I feel like what they're doing is unacceptable or disrespectful, and they're usually pretty receptive to that."* She emphasized her focus on rapport building, stating, *"I have gotten angry at my kids and...been like, 'you guys, I'm very disappointed'...and that really relies on the rapport being there, because they don't want to disappoint you if you've got a good relationship with them."* Research has shown that this emphasis on mutual respect and relationship building tends to be associated with positive student discipline approaches.[69] Still, demonstrated variability in discipline approaches may have contributed to inconsistent interpretation of the code of conduct and referral of students to administration.

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69. *Martin & Beese, 2017*

Case Study: Kevin

Kevin is a Black teacher who is in his first five years of teaching. He teaches elective classes that often contain a diverse mixture of students (racially, socioeconomically, grade level, and academic ability). He describes how he tailors his discipline approach based on what he knows about his individual students, *"Honestly I just take it situation by situation. I don't know if I would have a universal way of handling it, because I know that there are different personalities. It's just about how you approach them."* Kevin believes that by handling most things in his classroom rather than referring them to administration, he is able to connect better with his students and get more out of them. He learned this in his previous work as a long-term substitute at a high-poverty, predominantly Black middle school where the students were used to teachers not being with the class for a very long time. This, he believed, made the students less likely to respect the authority of an adult, *"They'll just ignore you because 'Who are you? You're going to be gone in a week or two, so what's the point? I'm not going to listen to you.'"* Because of this, he focuses first on relationship building in his current position. *"I don't do much in terms of discipline until I get to know them, because I know that's one of the things that a lot of kids do not respond to is when someone who they don't know tries to tell them what to do."*

Kevin rarely refers students to the administration for disciplinary issues, *"I think I've written probably a total of four or five referrals this year, and most of them have been between like three people."* He believes that it is part of his responsibility as a teacher to "handle" things rather than quickly resorting to "bothering" administration. In addition to maintaining a positive relationship with his administrative colleagues, he believes this helps him build rapport with his students, *"If I'm always crying to the administration then why would they listen to me?...because I've been able to handle things in house and haven't referred things to them, that's what gives me a little more credibility when I do try to tell them, 'Hey, sit down, let's get to work.'"* In the moments where student behavior does escalate to the point of disrupting class, Kevin still is hesitant to write a referral, *"Even if it gets out of control where they need to leave, I will send them out in the hallway and still may not give them a referral. They just may need the time to relax and cool off a little bit."* Referrals were reserved only for "egregious" behavioral issues, *"Just when you're being a disruptive force in the entire classroom...and it's gotten out of control, then yeah, that's when I need to write a referral."*

At one point during his observation, a Black male student went up to Kevin's desk to ask him a question, but he was working with another student at the time and was unable to respond. The student then walked out of the classroom and did not return for the remainder of the period. Kevin did not intervene. When asked about his rationale for approaching the student in this way, he explained that he understood his reason for leaving. *"He knows what he needs, and he knows he can't really be in big rooms for a long period of time...I'll get with him tomorrow and tell him 'this is what you missed and this is what you need to make up.'"* Kevin believed that although this student had an IEP with behavioral accommodations that allowed him to leave class to and receive support from a counselor, not all teachers would have responded the way he did to the student leaving the classroom without directly asking permission, *"I think a lot of them would kind of either be forceful and try to get him to come back or they would just write a referral and not even worry about it. Which is not how you handle that situation in my opinion."*

What are the implications of "personalizing" discipline to the needs and personalities of individual students?

What contextual factors made it possible for Kevin to to allow his students to de-escalate rather than writing a referral to administration for potentially disruptive behavior?

Finding 4: Lack of focus on race and culture in disciplinary policies and practices

"I feel like we are moving in the direction of being more aware of it, but I don't necessarily think that things are being done to specifically address that."

By and large, we found a lack of an explicit focus on race and culture in current approaches to discipline. For example, only 9% of school leaders who responded to our survey indicated that their professional development on school discipline included an explicit focus on racial disproportionality. Further, of the 107 school leaders who responded to the question: "What do you believe is the biggest impediment to reducing racial disproportionality in your school?" 50.5% responded that disproportionality was not an issue although 63% of schools in the region had a relative risk ratio over 2.0 for African-American students. In fact, 56% of school leaders who responded that racial disproportionality was not an issue at their school worked in schools that had a relative risk ratio of 2.0 or higher. Among the other respondents, 23.4% highlighted racial bias or deficit perspectives as the largest impediment to equitable discipline. The remaining 26% of respondents either reported a lack of resources and training (13%) or a need to understand cultural differences (13.1%).

Qualitative data provided evidence of beginning conversations on race, culture, and disability, but often a lack of action. One teacher from BHS, our most racially diverse school, demonstrated that they had begun conversations, but had not yet started to address the issue of racial disproportionality in discipline, stating:

I do know actually that we had a professional development session where we talked about this issue... we did talk about like all kinds of minority student issues like students who are LGBTQ, students of color, students who are of lower socioeconomic status, Muslim students, Hispanic students, all kinds of things, so I feel like we are moving in the direction of being aware of it, but I don't necessarily think that things are being done to specifically address that.

Despite some evidence of conversations occurring within schools focused on race, culture, and diversity, these conversations did not appear to always translate into shifts in practice. We found this to be most evident during our focus group conversations with students. For example, a White CHS student described how discipline disparities between Black and White students was a problem, explaining:

[W]hen you have two students standing up for themselves, one's White and one's Black [that] were sent to the office, the office person takes the Black one away but the White one gets off, and it happens a lot more than it should. It shouldn't happen at all, but it happens more often than you think it would happen, and I think they also pick out Black people for punishment. A lot of Black people are more liberal about their opinions because of what they've been through, so they're seen as like, 'oh, they're just trying to stand for their rights and their race.'

This also appeared relevant to the sociopolitical context given that the high school was repeatedly described by students as conservative. Another White student similarly described perceived differential treatment when arguments arose during class discussions. She perceived being able to stand up for her beliefs without repercussion, which appeared different when a Black peer did the same:

Whereas my friend who is also in one of [the teacher's] classes -- she's Black, and this guy in her class was like making fun of people from poverty, and she's like not exactly from poverty, but her family doesn't have that much money. So she was like 'can you stop joking about that? It's not funny'...[A]nd the teacher got like mad at her...He told her not to have arguments in the classroom, and that it was supposed to be a civil discussion, where I was like -- I did the same thing...and I'm White.

Across focus group interviews we found students spoke frankly about issues of race and racism in ways many adults were reluctant to discuss. Students' discussions about inequitable disciplinary practices among Black and White students reflected clear challenges related to the need for more effective professional development explicitly focused on race and culture.

Finding 5: Perceptions of disproportionality were informed by the availability of evidence and demographic composition of the student body

"We don't get a list of who's suspended and who is not suspended...So I don't know whether I can answer that question. I don't have enough information."

Stakeholders from the three case study schools shared their perceptions of how much they perceived racial disproportionality in exclusionary discipline to be an issue. It is important to note that there was evidence of disproportionality at each site, with relative risk ratios ranging from 2.0 to 3.5. This meant that a Black student was at least twice as likely to be suspended as other students across all three schools. Still, educators varied in their perceptions of how much this was an issue. Most commonly, they tended to perceive racially disparate discipline outcomes as a broader societal issue, but were less likely to recognize it as a local concern. According to one White teacher at BHS, where the student body was approximately 50% White and 30% Black, *"This is a legitimate question, if White children did the same things as Black children would they get the same discipline? That's a legitimate question...I don't think that's the case here...I don't know that for a fact. I don't see that."* Educators frequently echoed this perception - that racial disproportionality in school discipline was a general concern but typically not immediately relevant to their schools. The basis for their assertions tended to be based on two criteria: the availability of evidence and the demographic makeup of the student body in the school.

When educators perceived racial disproportionality to be an issue at their schools, they tended to cite data or other observable evidence indicating demographic disparities in discipline outcomes. As one White administrator explained, *"It's a huge problem here. If you look at our numbers, a Black kid is twice as likely to be suspended as a White kid, and if they're a kid with disabilities, that ups the ante."* Said another White administrator, *"It seems like it's disproportionately slanted maybe towards African-American females or maybe towards Hispanic students that are English language learners and live below a*

certain income threshold...we know we have disproportionality going on." Educators who were not administrators appeared to be less familiar with the trends in suspension data in their school, and often cited this as a reason to be skeptical about the existence of local racial disproportionality. Said one Black AMS educator, where the student body was predominantly Black and Latinx, *"As far as difference between who's going to be suspended more – I haven't kept up with that kind of data."* Said a White BHS teacher, *"We don't get a list of who's suspended and who is not suspended...So I don't know whether I can answer that question. I don't have enough information."* Said a White CHS teacher, where the student body was approximately 85% White, *"I've never looked at numbers for it, so I could be completely wrong, but it doesn't seem that way."* Still, other teachers perceived racial disproportionality to be an issue based on observed discipline trends, including one Black BHS teacher's account of supervising in-school suspension:

I think (I had) seven or eight kids in ISS [in school suspension] last year one particular day, and all of them were White, and I told them, 'I just noticed something,' and they were like 'What, what do you mean?' I said 'Look around. You notice anything?' And one of them was like, 'Yeah, we're all White.' I said 'Yeah.' And it's like you almost make light of it, but then it's almost kind of like a sad thing, like you almost expect minorities to be here, not Whites, or maybe even a mixture, you know? Because there were plenty of times where it was all Black kids.

Students similarly tended to perceive racially disparate discipline outcomes based on what they observed in school. Sometimes this was based on how they observed their teachers interacting with students in the classroom, as one AMS student described, *"I like the teachers at this school, but there are certain ones that pick out two people or one person in the room, and then their mind is already set."* Other students based their assertions on when they observed their peers getting in trouble, as one CHS student explained, *"Black students are more expelled and suspended than White students...if there's an argument between a White person and a person of color they're more likely going to pick the person of color and be like, 'Hey, you've got to go.'"* BHS focus group students, who were predominantly White, tended to perceive students being treated fairly in the school overall, *"One way that I've seen that it's been completely fair is the person who is being accused or getting in trouble is always given a chance to explain themselves,"* but acknowledged that this was a matter of perspective, *"There's a whole other demographic of kids...mostly kids of color who might not be as well represented by us as they could represent themselves."*

While sharing discipline data appeared to offer evidence of the existence of racially disparate outcomes, this did not always translate into buy-in from faculty about the need to address the issue. As one White CHS teacher recalled, *"I know it's come up once in one of the staff meetings where they kind of shared a bunch of data...thinking about how our school is, those numbers are very skewed."* Considering the demographic composition of the school, which was predominantly White, it appeared to the teacher the data could not sufficiently capture clear racial disparities in discipline outcomes, *"I don't know if we really have a large enough percentage in a lot of the sub-categories to necessarily just take a one or two year snapshot to see if that's meaningful data."* Other educators who questioned the existence of disproportionality in their schools similarly tended to cite the lack of diversity in their student population. Said one White AMS educator, *"I mean, all of our kids are Black or Latino....So I don't know if it's disproportionate."* Said a Black AMS educator, *"I can't say that there's disproportionality compared to their peers that are not of color, because there's just none here."* By contrast, students tended to perceive the low numbers of

racial minority students in a school as contributing to their higher likelihood of receiving exclusionary discipline. Said one CHS student, *"Since Black people are such a minority they're easier to pluck out than White people, because if you have a huge crowd of White students and you see like one Black student you're like 'Oh, there you are, let's go.'"* This was also evident in student focus groups at AMS, one of which was predominantly Black and the other predominantly Latinx. Both groups tended to perceive special treatment for the other:

In class we will get in trouble for having our phone out, but when the Hispanic students do it…They don't get in trouble. – (predominantly Black focus group)

The teachers would be more fun with the other students…the teachers go to the African-American tables and not to the Hispanic ones. – (predominantly Latinx focus group)

As teachers reflected on school efforts to address disproportionality, they often acknowledged the importance of the issue but also expressed some enduring concerns. According to one White BHS educator, it often appeared administration took race into consideration when making decisions about student discipline, *"I think they might really try when it's not as cut and dry to work with (minority) students a little bit more, because they want to try to prevent it from going to discipline."* However, as this educator explained, such methods were not always received well by the faculty, *"Teachers get frustrated, because they don't feel like all the students are created equal in terms of maybe even the minority students are getting more second chances than the -- you know, the White students."* As another White BHS teacher advocated, moving the needle on racial disparities in school discipline required taking a solution-focused approach rather than simply pointing out the existence of the problem.

We are not helping anything by just smacking the school back and forth in the face going, 'You better be fairer about this.' That doesn't work….We are not asking the right question.

Taken together, the preceding evidence suggests that effectively addressing racial disproportionality in school discipline requires acknowledgement of the evidence that it exists locally, being solution-focused about how to address the issue, and eliciting buy-in from stakeholders who might help to impact it. As discussed earlier in our findings, there appears to be a need for additional professional development related to this issue. This should include sharing of trends in discipline data that indicate racial disproportionality, discussion of how it might be perpetuated by misinterpretation of student behavior, and clear communication about the purposes of alternative discipline approaches adopted by the school to address this issue.

Case Study: Malcolm

Malcolm is a Black staff member who is not a teacher, but does work directly with students. He has held various roles in public education over a career that has spanned more than 20 years. In his current position, he often intervenes with students who have behavioral issues at the school. He described how his students tended to come from lower income backgrounds and struggle with transience, *"People may move two blocks to get in another school zone. They may move because the rent is cheaper…and there's a lot of slum landlords that's renting property now."* He reflected on the issue of racial disproportionality in school discipline, but also how difficult it was to detect in a school where the majority of the students were a racial minority, *"Now if I had a larger population of Europeans and larger population of Latinos, then I could physically see it. But until I actually sit down and do some data collection and get with attendance and try to do some comparison once a month, I wouldn't know."* Malcolm similarly did not perceive racial disproportionality to be an issue within the urban centers of metropolitan Richmond.

Malcolm did, however, perceive racial disparities in school discipline to be an issue on a national level. He believed that this was in part related to cultural mismatch between educators and students leading to a lack of engagement in the classroom, *"One is lack of ability to deal with their behaviors at the school….Because if you don't know who you're dealing with, you can teach all day, but if you don't know the kids and what turns them on, what excites them, being able to stop a lesson – because see, everything now is staying on the pacing chart."* He believed this contributed to students falling behind in class, leading them to disengage further and be more likely to misbehave, *"You can't remediate for them to catch up, cause they were lost in the beginning. Because it's something they're looking for from you to support them on a day-to-day basis – Kids need to know that they're somebody to the person that's standing in front of them, or interacting with them."*

As a Black educator, Malcolm reflected on how his cultural background perhaps increased the likelihood of his students being able to relate to him. Still, he believed that this was not the only element needed to connect with students, *"People not understanding diversity, even Black folk don't understand it all the time, how other Black people feel."* Malcolm expressed how conflicted he felt about racial disproportionality. He recognized how it was related in part to school level factors, but still acknowledged how hard it could be to intervene with some of his students (particularly males) who got in trouble the most in school. He believed they felt compelled to portray a tough persona around their friends, leading them to disconnect with adults in the school and act out in class. Malcolm recognized this behavioral tendency and wanted to help, but still sometimes struggled to connect, *"They don't want to come in because they know I have something to share that may make them not necessarily want to be a tough guy. I just can't reach them, I can't – they won't let me in."*

How does the community context of Malcolm's school inform to his approach for intervening with students?

How important is it for educators to come from similar cultural backgrounds as the students they serve? What more might be needed for culturally responsive student intervention?

Finding 6: Attributions for racial disproportionality in school discipline were external and internal to the control of the school

"Yes, there is a disparity, but let's really look at it in terms of how we can help the children."

According to attribution theory, people tend to explain observed phenomena based on several criteria, including locus of control.[70] As educators and students alike described what they perceived to be the contributors to racial disproportionality in discipline outcomes, they proposed multiple factors. Some were internal to the control of the school (e.g. addressing cultural mismatch and implicit bias), while others were external (e.g. student poverty and experiences/expectations at home). This section will explore these attributions using existing research, including how they might reduce or perpetuate racially disparate discipline outcomes.

Socioeconomic status. Among the contributing factors to Black students being more likely to be suspended from school, educators often referred to students' socioeconomic status as a meaningful indicator. As one White educator from AMS observed, *"I think it happens, it does, but I think there are a large proportion of African-American boys living in poverty, and I think our schools have a large proportion of African-American men in them…I don't think it's a negative bias towards African-American boys."* Similarly, a White BHS educator believed that although the issue was complicated, the potential role of SES felt apparent, *"I don't know if in our area our African-American population tends to be lower socioeconomic…but I imagine that that's a trend as well, that students from lower socioeconomic backgrounds are also getting suspended at a higher rate."* A White CHS teacher expressed doubt about the existence of racial disproportionality, *"Just being honest with you, I can't say that I thought that I've ever experienced it being disproportionate towards Blacks, or Hispanics, or any group"* but believed there was disproportionality between students of different socioeconomic backgrounds, *"people who are not from a middle class value system."* A BHS student elaborated on this perception, *"I think students of color, not always, but are frequently disadvantaged socioeconomically so they don't necessarily have all the advantages growing up and being socialized as more privileged kids do… that kind of makes a big difference in how they learn to behave and perform in a school environment."* While the correlation between race and socioeconomic status is well-documented in the literature,[71] there is also abundant evidence that racial disparities in exclusionary discipline outcomes tend to persist even when controlling for student poverty across races.[72] Furthermore, focusing primarily on poverty can lead to avoidance of acknowledging the role race plays when exploring apparent discrepancies.[73]

Student behavior. Research has frequently noted that there is little empirical evidence that students of color misbehave more than their White peers.[74] However, participants frequently perceived that racial disparities in discipline outcomes were primarily attributable to Black students having a higher likelihood of misbehaving. Said one White CHS teacher, *"I think that a lot of discipline is brought up by the student by themselves. Maybe it's in their reaction or a way that they address the issue."* Said another White CHS educator, *"What I saw was generally speaking our African-American students were more likely to respond in defiant, disrespectful ways than*

70.　Scherer, 2018

71　e.g. Evans & Kantrowitz, 2002; Grant, 2004; Siegel-Hawley, 2013

72　e.g. Curran, 2016; Eitle & Eitle, 2004; Martinez, McMahon, & Treger, 2016

73　Artiles, Kozleski, Trent, Osher, & Ortiz, 2010

74.　e.g. Barrett et al., 2017; Skiba et al., 2012; Skiba & Williams, 2014

were their White peers.” A BHS student similarly attributed disciplinary outcomes to student behavior and interactions with adults, “*It's the way the student handles it. If there's two kids who are repeatedly tardy to class but one comes in quietly and doesn't make a big scene about it or make a big deal, then it would be handled another way than if a student repeatedly comes in tardy and makes a big deal about it.*” As a Black BHS teacher reflected, “*I feel that it doesn't matter where you come from or what the color of your skin is, everybody's got to follow those same rules.*” A White colleague in the school offered a similar account:

This is not a color thing. This is a behavior thing. Maybe in some schools it is a color thing, but here all of these kids -- I don't care if you're Hispanic, Asian, African-American, or White, they all have the ability to be given the same opportunities, which blows me away, and they don't always take it.

The two preceding quotes reflected expressions of colorblindness. As discussed in a previous literature brief from this study, discipline practices that claim to be “race neutral,” such as zero-tolerance policies, often exacerbate racial disparities.[75] While these policies may indicate that all students must follow the same rules, research has consistently shown that Black students are more likely to be scrutinized and sanctioned than White students, particularly when it comes to subjective infractions (e.g. “D code violations”).[76] Alternative discipline models, including those implemented by schools in this study, such as PBIS/VTSS, Restorative Practices, and Trauma-Informed Care, are often designed to take potential racial implications into account when disciplining students.[77] While students and educators in this study sometimes expressed the need to “see color” in order to embrace diversity and address racial disparities in school discipline, colorblind statements by participants may have reflected a lack of understanding about local racial disproportionality or the steps the school or division was taking to address it.

Repeat offenders. Commonly, educators who shared a concern about student behavior being the primary contributor to racial disparities in discipline also offered an observation that the same students were repeatedly getting in trouble, potentially skewing the data. As one White BHS teacher expressed, “*I believe that African-American males are disciplined disproportionately to Caucasian children. That's just a fact. My issue is, is it the same African-American male child?*” Research shows that Black students are more likely to be repeatedly suspended than white students, particularly when they have a disability.[78] Additionally, the literature suggests that this tendency often represents racial disparities in how students are disciplined, as Black students have been shown to have fewer offenses that precede an initial suspension.[79] Still, as one White CHS teacher explained, having a student who repeatedly got in trouble could change the dynamic of a classroom and therefore merited referral to administration in some circumstances, “*Some students, they do not want to be taught.... when that student is gone class is so radically different.*” As our findings from phase one indicated, racial gaps in out of school suspension persisted in the MERC region even when counting repeat suspensions only once in the data. Research has shown that schools that reduce the number of days for out of school suspension for their students also tend to see test scores improve, suggesting that even when a student needs to be removed from class for disruption, it is important for them to remain in school.[80] As one White BHS teacher advocated, focusing on intervening with these select students could be particularly impactful, “*Yes, there is a disparity, but let's really look at it in terms of how can we help the children.*” Consistent with this recommendation, research has

75. *Curran, 2016*

76. *Skiba et al., 2002; Skiba et al., 2012; Heilburn, Cornell, & Lovegrove, 2015*

77. *Levy, Naff, Terry, & Coffee, 2018*

78. *Losen & Gillespie, 2012*

79. *Skiba et al., 2012*

80. *Losen & Gillespie, 2012*

shown that suspensions tend to not serve as a deterrent for students who repeatedly get in trouble and that alternative approaches like Restorative Practices tend to reduce the number of repeat offenders.[81]

Home life and expectations. Some educators expressed how students who got in trouble in school behaved in ways that were reinforced "at home." Said one White CHS teacher, "*I figure the home life attributes to that, and that sometimes school is not held as a priority.*" An AMS educator agreed, "*I think it's the environment that they come from and maybe the lack of parenting at home. That's all I can think of.*" As one White BHS educator expressed, it sometimes felt as though the students who were getting in trouble, "*don't have anybody in their lives that cares what they're doing.*" Collins, Connor, Ferri, Gallagher, and Samson (2015) cautioned against focusing too heavily on students' home lives when explaining disproportionality as it may lead to deficit thinking and potentially contribute to expectations at school that match the perceived low expectations at home. As one BHS student observed, student behavior was not only reinforced by expectations at home but also at the school level, arguing that this was not always consistent:

They kind of change expectations based off of who the person in trouble is. Like if it were me to get in trouble for talking bad to a teacher they'd be like 'Hey, don't do that' and expect me to have the shame of someone who usually is a good person, but if it were like someone who's a repeat not well behaving student they might have lower expectations, and so the way that they deal with that issue might be more or less severe.

Educators reflected on how consistent they were in their expectations for student behavior and tended to agree that it was important to treat students equitably and have reasonable structure in the school. Said one White administrator, it was important to be mindful of potential power differentials embedded in school expectations, "*We need to think through what is appropriate behavior…Are we asking them to be White, middle class citizens, or are we valuing the diversity that they bring to the table and using that in their academic progress, you know? Are we valuing that or are we just saying, 'No, that's of no value. You can't do that here,' and throwing it away?*" One White male student from CHS corroborated this claim by discussing how the expectations at the school tended to align organically with background, "*I just came in here, and you know, everyone had these expectations of me…I think it's something that's been great for me, but it's an awful thing. It's an awful force, and I think that it's definitely something that works both ways, and I think it's something that's definitely real.*" Research suggests that educators' expectations for student behavior are often a meaningful contributor to disproportionality.Higher suspensions for Black students may reflect misinterpretation of behavior or lower tolerance for infractions.[82] They may also indicate students' difficulty with adapting to social norms at school that are more reflective of White, middle class culture,[83] a possibility further explored in the following section.

81. Anyon, 2016

82. Artiles et al., 2010

83 Gregory et al., 2010

Case Study: James

James is a White teacher with between five and ten years of experience in the classroom. He teaches classes in a core academic subject at the standards, honors, and AP level, and his students come from all grade levels at the school. James described what he considered to be the foundation of his approach to handling school discipline in his classroom. *"The goal is to design it in such a way that there's no discipline issues, right? That's the goal. Engaging lessons, and actually I really do try to engage my kids as much as possible to cut down on discipline issues"* He also felt it was important to get to know students personally, *"I also spent time at the beginning of the year building relationships and working to establish that respect...respect is a big thing. We talked about what that means and what that looks like. Do they always get it? No. They're teenagers, and like I get that. But at least they understand that base and try to have fun with them and joke with them and like keep things pretty light."* He felt it was important to not be overly reactive to disruptive or otherwise inappropriate behavior, *"I don't blow up at things...and so that helps to keep them calm too. So when something's going on, it's usually easily diffused."* Still, he acknowledged that sometimes it was necessary to write a discipline referral, *"What happens when it doesn't work? We go to the next step."*

Although James recognized that it was sometimes necessary to refer a student to the administration for misbehavior, he believed that the consequences that ensued were not always much of a deterrent. This felt particularly true for students who frequently got in trouble in school, *"You get in trouble for skipping too many times or you get in trouble for things and you're in ISS or OSS, if your goal as a student is not to go into class, you just got what you wanted, and so that's not a valid punishment. There's no like negative impact on that."* He believed that there was sometimes a need for exclusionary discipline, but also that it was limited in its potential for curbing unwanted behavior, *"I don't necessarily have a perfect solution for that, but it's obviously not working."*

James believed that it was important to find other ways to intervene with misbehaving students, particularly the ones who repeatedly got in trouble in school. He shared an example of one of his students with whom he had worked to build a relationship, but still engaged in behaviors that could potentially merit a discipline referral. *"We had a guest speaker and she at the beginning of class was like, 'Hey, I need you all to take all your earbuds out,' and he put his ear buds back in. She came by and was like, 'Hey will you take your earbuds out?' and he got all hoity toity with her.'"* James described kneeling beside the student and quietly asking him to take out the earbuds. This led him to escalate, *"He went off and actually started cussing and doing some other stuff, so we went to my little back room, which I'm fortunate to have. I was like 'hey, let's go back there and talk.'"* They talked for around five minutes, and although the student was still upset, he calmed down enough to come back to class. *"I don't think he did any more work, but he came back in and put his ear buds back in. To me that's avoiding a referral and it's avoiding more discipline, and for this particular student who has already been in trouble about stuff and already has referrals, he doesn't need one more. And I mean, I could have written them up. But at the same time to me I'm like we can diffuse it and he can get back in class...Because if I send him out of the class he's missing everything."* From what James understood, this student already had several suspensions on his record, *"I know that he's in trouble all the time, and I don't know why."*

What motivated James' decision to not write a referral for this student? How might this approach be perceived by other teachers in the school? How does his approach align with alternative discipline practices such as PBIS/VTSS, Restorative Practices, or Trauma Informed Care?

What are the appropriate ways to intervene with students who get in trouble repeatedly in school? How can faculty and school leaders respond when suspensions do not seem to act as a deterrent?

Cultural mismatch. Educators also often reflected on the internal, school level factors that they might be able to control that contributed to potential racial disproportionality in discipline. This included the belief that there may be some cultural mismatch occurring between students and staff, leading to educators misinterpreting student behaviors. As one Black BHS teacher reflected, *"Right now, I would say we're a very diverse set of students and a very un-diverse set of staff. And I do think that sometimes that causes some problems."* The diversity in the student body at BHS compounded with a lack of comparable diversity in the faculty led to the potential for a "cultural divide" according to another White teacher in the school, *"where cultural minority students may do something or say something or they may act a certain way that other cultures don't get and understand, and because they don't like it, or they don't get it, or they're impatient, then they tend to go ahead and just say it's bad, and we refer this person, and they don't even get to actually understand what's going on or what they're saying or even give a little leeway."* Some educators expressed how important it was to recognize and address potential power dynamics at play, as one White BHS teacher explained:

I think it's really difficult, because I think the Caucasian way of life, of conducting life, of school, or work, is the dominant culture in our minds. It isn't the dominant culture in the United States anymore, but it is in our minds, and I just think maybe it's a direction we need to turn is to -- instead of making other people conform to this culture, changing this culture. Working on that in schools, the whole school culture maybe needs to be different, and I think we're working on that.

Research often focuses on how cultural mismatch is a meaningful driver of racially disparate discipline outcomes. As described in our earlier literature brief on factors contributing to disproportionality, this can lead to overuse of subjective discipline codes,[84] and recommendation for more severe punishment for misbehavior with Black students.[85] Educators at BHS (the most racially diverse school in our sample) often observed that the majority of the faculty were White. This was also true of our sample of educators at the school, which was 90.9% White. Observations at AMS (where the students were predominantly Black and Latinx), seemed to reveal a more racially diverse faculty. This was reflected in our sample of educators at the school, which was 50% White and 50% Black. The research suggests that this might lead to a lower likelihood of disproportionate discipline outcomes for Black students at AMS.[86] However, approximately 55% of Black students at AMS were suspended in the 2016-2017 school year compared to 15% of Black students at BHS. This is consistent with findings from phase one of this study, as well as from existing literature indicating that schools with higher concentrations of Black and low-income students also tend to have higher rates of suspension.[87] However, the higher apparent number of racial minority teachers at AMS suggests that while cultural mismatch may be a potentially significant contributor to disproportionality, there are likely other school-level factors to consider. This includes implicit bias, as discussed in the following section.

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84. *Gregory et al., 2010*

85. *Okonofua & Eberhardt, 2015*

86.   *e.g. Wright, 2015*

87. *e.g. Langberg & Ciolfi, 2016; Rausch & Skiba, 2004*

Implicit bias. Similar to recognizing the potential for cultural mismatch between students and educators, participants sometimes described the role that implicit bias could play in contributing to racial disparities in school discipline. According to one Black CHS teacher, some discipline referrals may come from a misinterpretation of student behavior, *"The first thing is I have to be comfortable with a person that doesn't look like me, and if you're not and the first interaction or second, third, whatever, is negative, then what's my fall back? To have you removed as quickly as I possibly can from my space, because I'm not comfortable with you because you are different than me or because you said something that I'm not accustomed to hearing or dealing with?"* This teacher explained that implicit bias training was not a part of his or her teacher preparation program, but argued that it perhaps should be, *"The first thing I think you have to ask yourself is 'Have I put aside any prejudice that I may have? Any biases? Any stereotypes?'…It bothers me when people say I don't see color. I want you to see color."* Educators were sometimes reflective of their own discipline practices to try to reduce this potential for bias, as one White BHS teacher described, *"I always just try to think am I being fair? Am I being biased towards this student because of previous behavior?"* A White administrator offered a similar reflection, *"I'm always thinking now if that were a White student would I feel the same way, or if that were a Black student, would I do the same thing?…are we treating those kids differently because of our values?"* As one White AMS educator observed, identifying and addressing potential biases required ongoing deliberation, *"We need to really be careful of who we're disciplining and who we're not disciplining."*

It is well-documented in the research that implicit biases can lead to interpretation of student behavior that is overly harsh[88] and promotion of "race neutral" discipline policies may actually be reflective of White, middle class culture and therefore propagate institutional biases.[89] Such biases tend to operate in subconscious ways but still influence decision-making.[90] As we explored in an earlier literature brief from our study, ongoing professional development that helps elicit buy-in for alternative discipline approaches while addressing some of the contributing factors to racial disproportionality is critical for moving the needle on this issue.[91]

The attributions for racial disproportionality discussed by educators and students in this study reflected factors internal and external to the control of the school. Research has shown that focusing too heavily on potential external contributors like poverty or home life, without also acknowledging school-level factors, can lead to deficit thinking and lowered expectations for student behavior.[92] Perspectives shared by study participants highlighted several ways that schools can intervene to reduce racial gaps in exclusionary discipline. This includes targeting interventions for repeat offenders, reducing the use of out of school suspension when it does not seem to act as a deterrent for misbehavior, reducing potential cultural mismatch by hiring more faculty and staff of color, and providing professional development on cultural awareness and implicit bias. Acknowledging the existence of racial disproportionality and the ways it may be addressed at the school level appears foundational for effectively reducing these gaps in exclusionary discipline.

88. *e.g. Okonofua & Eberhardt, 2015; Wright, 2015*

89. *e.g. Simson, 2014*

90. *Gregory et al., 2010*

91. *Levy et al., 2018*

92. *Artiles et al., 2010; Collins et al., 2015*

PHASE TWO CONCLUSION

Our findings demonstrate a clear understanding among many school leaders that racial disproportionality is an issue they must grapple with and one they were attempting to address with disciplinary models such as PBIS/VTSS and Restorative Practices. However, there appeared to be shared concerns among many educators about a lack of communication about discipline policies or insufficient support in how to implement new, alternative approaches. This appeared to contribute to disparate, disconnected, and inequitable disciplinary practices among teachers, as well as inconsistent understandings of how to apply discipline to students with disabilities. Furthermore, mixed reviews and shortcomings related to professional development focused on discipline also likely contributed to racial inequities in school discipline. This included a lack of explicit focus on race and culture and contributed to a wide variety of attributions for disproportionality, some of which reflected deficit perspectives related to perceptions of students' home lives and expectations. Based on these findings, the following section offers specific recommendations for division and school leaders on ways to improve equity among students in disciplinary practices.

Conclusions and Recommendations

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This final section discusses recommendations for educational policy and practice based on the conclusions from phases one and two of this study.

For each recommendation, we provide a list of relevant stakeholders. These include federal policymakers, state policymakers (e.g., members of the General Assembly and Virginia Department of Education officials), local school board members, school division leaders, school administrators, teachers and other educators, university schools of education, students, and community stakeholders in public, PK12 education. While MERC school division leaders have provided feedback on each section of this report, the conclusions and recommendations section presented here have been a primary focus of discussion within the MERC Policy and Planning Council, steering committee, and the study team for this project. Through this process, we have worked to develop recommendations from the study findings that are relevant and actionable. It is our hope that these recommendations will inform decision-making for improving school disciplinary policies and practices in the metropolitan Richmond region that ultimately contribute to the reduction of racial disparities.

PHASE ONE CONCLUSIONS AND RECOMMENDATIONS

Conclusion: The black-white discipline gap was steady and gaping across region.

The black-white discipline gap remains steady and gaping across the Richmond region, as black students were consistently suspended out of school at about four times the rate of white students. These gaps persisted despite recent federal, state and local attention to disparities in discipline.

Recommendation: Stakeholders must urgently press for robust, effective and race-conscious policy changes and discipline interventions, along with capacity-building for implementation and continual monitoring. We review a number of possibilities below.

Stakeholders: federal policymakers, state policymakers, local school board members, school division leaders, school administrators, teachers and other educators, students, community stakeholders

Conclusion: Subjective infractions were related to particularly harsh racial disparities in discipline for area black students.

Black students were starkly overrepresented in out of school suspensions for subjective infractions. They accounted for about 36% of the region's students but 75% of suspensions for infractions like disruption, defiance or disorderly conduct (sometimes referred to as "d-codes"). In general, racial disproportionality in out of school suspensions was more severe when it came to subjective infractions versus all infractions.

Recommendation: Stakeholders should consider limiting or removing the option to suspend area students for subjective d-code infractions like disorderly conduct, disruption, and defiance. Given the relationship between implicit bias and the "eye of the beholder" nature of subjective violations,[93] restricting educators' ability to suspend students out of school-- and providing alternatives to exclusion in the form of additional resources and supports-- for these violations makes sense. Changes in behavior can prompt changes in attitudes.

A nascent effort in the Virginia state legislature to eliminate criminal misdemeanor charges for disorderly conduct represents an important step forward.[94] Policymakers should additionally consider examples from other states and districts related to limiting or removing suspensions for subjective infractions.[95] For instance, in 2014, California prohibited districts from suspending students for willful defiance in grades K-3. Large California school districts like Los Angeles Unified School District and San Francisco Unified School District opted to eliminate the use of suspension for willful defiance for all students.[96]

Stakeholders: federal policymakers, state policymakers, local school board members, school division leaders, school administrators

93. *Kirwan, 2016*

94. *Blad, 2014*

95. *Jones, 2017*

96. *Ibid.*

Conclusion: Exclusionary discipline was more severe in secondary schools than in elementary schools.

Out of school suspension rates for all groups of students increased sharply between elementary and secondary school across the Richmond area, though Black students were particularly impacted. Nearly a quarter of Black secondary students faced out of school suspensions, compared to less than a tenth of black elementary students. Racial disparities were stark: Black secondary students were nearly two and a half times more likely to be suspended than White secondary students in the Richmond area.

Recommendation: Stakeholders should revisit the content of the codes of conduct that dictate which disciplinary infractions warrant which consequences. Recent state guidance separating out consequences for older and younger children is a logical approach but will do little to reduce discipline inequities for secondary students. Other necessary changes include distinguishable differences between consequences for major and minor infractions and for first versus repeated offenses.[97] Though policymakers recently limited out of school suspension in K-3, similar efforts have not been directed toward secondary schools. This must change since secondary settings are key drivers of inequities in discipline. Constraining the use of out of school suspension for subjective discipline would reduce exclusionary discipline in secondary schools,[98] as would additional resources and supports for leaders and teachers.

Stakeholders: state policymakers, local school board members, school division leaders, school administrators, teachers and other educators, students, community stakeholders

Conclusion: Racial disproportionality in discipline persisted across all school and community contexts; exclusionary discipline was significantly higher in racially segregated schools and schools of concentrated poverty

Black students faced exclusionary discipline across all Richmond area schools and communities. However, secondary schools in communities with higher concentrations of poverty reported the starkest black-white discipline gaps. Black students also were far more likely to be suspended out of school in racially segregated schools and/or schools of concentrated poverty. Black students enrolled in schools with the fewest shares of black peers were much less likely to be suspended out of school (7%) than black students in schools with the highest shares of black peers (23%). Similarly, black students who attended low poverty schools were significantly less likely to be disciplined than their peers at high poverty schools.

Past research echoes these trends,[99] in part because characteristics associated with racially segregated schools of concentrated poverty are also linked to exclusionary and inequitable discipline. These include high levels of student and faculty mobility, lower attendance and achievement rates and higher dropout rates.[100]

97. *https://www2.ed.gov/policy/gen/ guid/school-discipline/guiding- principles.pdf*

98 *See, e.g., Theoriot & Dupper, 2010.*

99. *Sartain et al., 2015; Welch & Payne, 2010*

100. *Christle, Jolivette & Nelson, 2007*

Recommendation: Policymakers should target critical resources like social services, counselors, and wraparound services to segregated schools and communities. Policymakers also should ameliorate segregation where possible through student assignment, rezoning attendance boundaries, and voluntary inter-district desegregation strategies.

Stakeholders: federal policymakers, state policymakers, local school board members, community stakeholders

Conclusion: Positive Behavior Interventions and Supports (PBIS)/ Virginia Tiered Systems of Support (VTSS) were the most commonly reported interventions across the Richmond area.

Recommendation: Given the widespread popularity of PBIS/VTSS, alongside various implementation issues raised below, surrounding area schools and faculties with related training seems essential. State grant support for VTSS implementation should be considerably expanded.

Particularly important is helping educators implement these and other interventions in ways that are conscious of long-standing issues of race and power.[101] In other words, implementing PBIS/VTSS alone does not guarantee discussion or awareness of racial inequities in discipline. Trainers and leaders need to deliberately implement race-conscious data collection, dissemination and discussion--and design responses accordingly. To do that, they must be adequately prepared by key partners, including schools of education. A previous literature brief related this study discusses Culturally Relevant PBIS (CRPBIS) as a method for implementing the program while also effectively attending to race.

Stakeholders: state policymakers, school division leaders, school administrators, teachers and other educators, university schools of education

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101. *Gregory, Skiba, and Mediratta, 2017*

PHASE TWO CONCLUSIONS AND RECOMMENDATIONS

Conclusion: Inconsistent communication about alternative discipline programs in schools led to a lack of clarity about program intent and implementation.

Although administrators in case study schools appeared to have some clarity in understanding the alternative discipline programs implemented their schools, their faculty reported uncertainty about the purpose and implications of such programs. This led to misconceptions about programmatic intent and implementation.

Recommendation: It is critical that school administrators are well-informed about the purposes and implementation of alternative discipline programs and clearly communicate both with their faculty, as discussed in our previous literature brief reviewing discipline interventions. There must also be practical and ongoing guidance for how each program will be implemented and what the anticipated results will be, including the desired impact on racial discipline gaps. Additionally, administrators should routinely seek input and feedback from their faculty about how the program is working to address any misconceptions that may exist and provide necessary support for implementation.[102] Effective implementation of discipline programs can be resource-intensive and may prove particularly challenging in smaller divisions. This should be taken into consideration when allocating state funds (e.g. VTSS grant support).

Stakeholders: state policymakers, local school board members, school division leaders, school administrators, teachers and other educators, university schools of education

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102. *Anyon, 2016*

Conclusion: Implementation of discipline programs was inconsistent.

Discipline practices varied widely between classrooms. Although the intent was often to personalize discipline to meet the needs of students and to be considerate of different classroom contexts, educators reported uncertainty about how to implement the alternative discipline programs introduced in their schools. They also indicated inconsistent enforcement among colleagues of some school rules like the dress code, which sometimes generated frustration. Additionally, students shared concerns about how behavioral expectations shifted throughout the day, depending on which class they were attending.

Recommendation: School leaders should ensure discipline guidelines are clear and consistently implemented across classrooms throughout the school. This may require school-specific PD and other communication that clarifies how to handle and respond to key disciplinary challenges. It also may be beneficial to discuss the benefits and pitfalls of handling classroom discipline "in house" to clarify what degree of consistency is appropriate within the school, ideally including student perspectives about the impacts of navigating different expectations throughout the day.

Stakeholders: school division leaders, school administrators, teachers and other educators, students, university schools of education

Recommendation: Divisions should revisit their codes of conduct with input from students, faculty, and the community. This could help build a discipline model that is more contextually appropriate for each division while eliciting greater buy-in from staff and students. Feedback from school division leadership suggested that divisions should also be mindful of how codes of conduct may include potentially racialized consequences. For example, mandating specific consequences for hoods or sagging pants may disproportionately impact Black students while being more general about clothing being too short may grant more leniency to other students.

Stakeholders: local school board members, school division leaders, school administrators, teachers and other educators, students, community stakeholders

Conclusion: Some general education teachers held misconceptions about lenient disciplinary practices for students with disabilities.

Some general education teachers expressed a perception that students with disabilities were given a "pass" when it came to school discipline. This reflected a misconception about policies stipulating how the school should take student disabilities into consideration when making disciplinary decisions. Furthermore, the claim that students with disabilities are granted leniency is inconsistent with discipline trends for students with disabilities in MERC school divisions.[103]

Recommendation: It is important that leaders, teachers (both general and special education), and staff receive training that explicitly focuses on behavioral practices for students with disabilities. This should include training related to IDEA and the manifestation determination review process. Particularly important is the need to focus on positive school climate, in part by hiring and training leaders who view prevention rather than punishment as a priority.[104] Again, it is important for faculty to routinely review discipline data that identifies disparities for students of color and students with disabilities.[105]

Stakeholders: school division leaders, school administrators, teachers and other educators, university schools of education

Conclusion: Educator perceptions of the discipline disproportionality tended to be based on data and school composition.

Educators who affirmatively perceived racial disproportionality in discipline to be an issue tended to make those assertions based on data and observable evidence. Conversely, those who were more skeptical about its existence tended to cite a lack of data or evidence to support the claim that it was not a local issue.

Recommendation: It is critical that leaders routinely share and analyze discipline data among faculty and staff that demonstrate existing racial disparities. It is also necessary in schools with high percentages of racial minority students to discuss how racial disproportionality can exist even without a meaningful comparison group of White students. For example, AMS had a student body that was predominantly Black (65%) and Latinx (30%), and 55% of Black students in the school were suspended during the 2016-2017 school year. By comparison, at BHS (30% Black) and CHS (7% Black), only 15% of Black students were suspended. While Black students at BHS and CHS were still at least twice as likely to be suspended as other students within their schools, they were much less likely to be suspended overall compared to AMS. Both of these discipline outcomes represent issues with disproportionality and exemplify how it can manifest in different school contexts. Sharing discipline data in a routine way will likely require that schools utilize reporting software that is intuitive and able to produce reports that clearly outline group differences. Feedback from MERC school division leaders indicated that the School Wide Information System (SWIS) associated with PBIS provides easy-to-use discipline data that can be disaggregated by race. While establishing a culture where discipline data is routinely shared in this format initially may prove challenging, it ultimately could prove impactful in addressing racial gaps in discipline. The state should also require schools and divisions to submit student referral data by race and make it publicly available. These data provide an important starting point for conversations about bias and inequity in discipline.

103. While this report did not quantitatively explore racial discipline trends for students with disabilities, deep seated inequities for these students have been well-documented in other places (see, e.g., Holton et al., 2018; JustChildren, 2017).

104. Skiba et al., 2012

105. For additional recommendations related to racial disparities in school discipline for students with disabilities, see Holton et al., 2018

Stakeholders: state policymakers, state department of education, local school board members, school division leaders, school administrators, teachers and other educators

Conclusion: Professional development related to discipline and/or racial disparities was often perceived as ineffective.

Educators offered mixed reviews of professional development related to discipline, raising concerns about a lack of practical recommendations or practices. Professional development dealing with racial and cultural diversity was not always clearly and directly tied to discipline.

Recommendation: There is a clear need for increased engagement with and sharing of the data that specifically focuses on racial disproportionality. Given that many school leaders do not feel equipped to engage in PD that includes a close analysis of data on disproportionality, external partners and division leaders should organize PD with school leaders not only on how to collect and analyze data, but also how to share, engage with, and have critical conversations during PD sessions using the data.

Stakeholders: school division leaders, school administrators, teachers and other educators, community stakeholders, university schools of education

Recommendation: PD intended to reduce racial gaps in exclusionary discipline should make explicit the connections between implicit bias and disparate discipline outcomes, as research has shown that this can lead to more culturally responsive practices in classrooms.[106] Faculty PD related to student discipline should be hands-on and provide opportunities for reflection and feedback.[107] It should also take into consideration how disparities in discipline may be related to disparities in instruction and achievement outcomes. Given the potential challenging nature of this content, such PD might best be administered in smaller groups, ideally co-facilitated by faculty in the school who already buy into the importance of culturally responsive practice.[108] This PD should be offered on an ongoing basis throughout the year.[109] Ultimately, effective PD is critical to successful implementation of discipline programs designed to reduce racial disproportionality. This PD may help offer clarity about the purpose of such programs as well as practical strategies for how to implement them, increasing the likelihood of buy-in from faculty.

Stakeholders: school division leaders, school administrators, teachers and other educators

Recommendation: This study can be used as a tool for professional development with faculty as well as with school and division leadership. This includes examining the trends outlined in the phase one findings and discussing the perceptions and experiences of educators and students in the phase two findings. A goal of qualitative research is to provide potentially transferable (relatable) findings,[110] and while the testimonies provided in phase two of this study are not intended to be generalizable to a broader population, they may prove relatable to educators wrestling with the issue of racial disproportionality in their schools. The individual case studies presented in phase two offer additional context as well as questions for guiding discussions in professional development.

Stakeholders: school division leaders, school administrators, teachers and other educators

106. *Savage et al., 2011*

107. *Anyon, 2016*

108. *Lee, Luykx, Buxton, and Shaver, 2007*

109. *Gregory et al., 2016*

110. *Guba, 1981*

Conclusion: Attributions for disproportionality included factors internal and external to the control of the school.

As educators discussed the perceived causes for racial disparities in exclusionary discipline, they tended to offer explanations that were external (e.g. student socioeconomic status, community poverty and home life) as well as internal (e.g. cultural mismatch between students and teachers and implicit bias) to their locus of control. Students often expressed similar attributions as they discussed the issue of racial disproportionality. Focusing too heavily on external explanations that included deficit perspectives may have interfered with educators recognizing what was within their control when it came to reducing racial inequity in discipline.

Recommendation: There should be open communication between administration and faculty about perceived factors that contribute to racially disparate discipline outcomes. While this should include an honest discussion of external attributions that counter deficit perspectives related to racial inequities in discipline, the primary focus—in terms of intervention strategies—should be on the internal attributions controllable at the school level. This may require professional development about what those school level factors are, including what institutional and individual biases may exist. The case studies provided in the phase two findings may prove useful in discussing what factors were within the control of educators in this study when making decisions about school discipline. Additionally, professional development related to cultural responsiveness may help address some of the implicit biases and deficit thinking that appeared to correspond with some of the internal attributions shared by some faculty, which may contribute to lower expectations for student behavior.[111]

Stakeholders: school administrators, teachers and other educators

Conclusion: Educators commonly attributed racial disparities in discipline to the same students being repeatedly suspended.

A common attribution in this study for racial disparities in discipline was the perception that the same students were consistently suspended. Findings from phase one indicated that racial discipline gaps in the MERC region persisted even when controlling for repeat offenders. Thus, it was an apparent misconception that racial disparities in discipline was due to repeat offenders.

Recommendation: Considering the frequent observation among educators that some students were repeat offenders and potentially skewed the discipline data, it appears important to address trends and research findings that correspond with this perception. This includes sharing data illustrating how racial discipline gaps persist even when counting repeat offenders only once. Also, it is important to discuss research evidence suggesting that schools with repeat offenders tend to also have more prevalent use of exclusionary discipline overall,[112] and that Black students who fall into this category tend to have fewer infractions leading to their first suspension than their White peers.[113] Reviewing discipline data with faculty may help illuminate similar tendencies that underlie repeat offenses. Data from phase one also may prove helpful in guiding conversations about how

111. *Artiles et al., 2010*

112. *Theriot, 2009*

113. *Lowen & Gillespie, 2012; Skiba et al., 2012*

racial gaps tend to persist when controlling for repeat suspensions. As educators in our study often suggested, it is important to target interventions for repeatedly offending students while considering the evidence that suspensions may not be serving as a deterrent as intended.

Stakeholders: school division leaders, school administrators, teachers and other educators

Conclusion: Cultural mismatch between students and educators was a perceived contributor to racial disproportionality, but more is likely needed to address this issue.

Some educators recognized how cultural mismatch between students and faculty potentially contributed to racial disparities in discipline. This is supported by research suggesting that hiring faculty that are demographically representative of the student body can lead to more favorable discipline outcomes for students of color.[114] However, enduring discipline discrepancies in case study schools suggested that while hiring a diverse faculty may be important, it may not be a comprehensive solution.

Recommendation: Teacher workforce diversity data in Virginia is not consistently reported across school divisions or made publicly available, making it difficult to determine the degree to which the demographics of students within any school in the Commonwealth are reflected in their faculty. Given the research supporting the importance of hiring diverse faculty for potentially reducing racial disproportionality in discipline, it seems worthwhile to begin systematically collecting and reporting this data to understand the degree of cultural alignment between students and faculty. Additionally, it remains necessary to provide professional development related to culturally responsive practices in schools where the faculty is more demographically representative of the students they serve. This recommendation is supported by discipline outcomes in our case study schools relative to the apparent diversity of the educators working there. At BHS, the faculty appeared to be predominantly white and 15% of Black students in the school were suspended. Conversely, the faculty at AMS appeared to be more racially diverse and 55% of Black students were suspended. This suggests that while hiring a diverse faculty is important, it is not a panacea.

Stakeholders: state policymakers, local school board members, school division leaders, school administrators, teachers and other educators, university schools of education

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114. *e.g. Gregory et al., 2010; Okonofua & Eberhardt, 2015*

Conclusion: Student focus groups elicited critical perspectives on school climate, particularly regarding racial tensions on campus and in the classroom, as well as racial disparities in school discipline.

Students believed that racial disproportionality in school discipline was an issue at their schools. This included perceptions of students being treated differently based on their race.

Recommendation: Given students' candid and honest reflections about racial inequities in discipline and relatedly, school climate, annually surveying students about these issues may offer critical insight. A recent request by the Virginia Department of Education for all schools in Virginia to conduct a climate survey for students in grades 4-5 and 9-12 may provide valuable insights for how students perceive their school experiences. It will be important that such survey efforts address the issues raised in this study and offer data that informs practice and the development of interventions. In its current form, the student survey addresses "Cultural and Linguistic Competence" as well as "School Discipline Structure," but does not ask students to directly reflect on whether discipline is implemented fairly for students of different racial or cultural backgrounds. School divisions should consider advocating for the addition of such survey items. Feedback is most fruitful when suggestions made by students are respected and honored by school and district leaders. As a result, it is important to regularly consult with and receiving feedback from all students (i.e., diverse students by race, ability, gender. etc.) regarding discipline. This would offer students, leaders, and teachers the opportunity to engage with one another, have critical conversations, and (most importantly) collectively create solutions that otherwise might be less likely to occur.

Stakeholders: state policymakers, school division leaders, school administrators, teachers and other educators, students

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Appendices

APPENDIX A - PHASE ONE NOTES, TABLES AND FIGURES

Additional notes on methodology

To form our database, we aggregated unduplicated student-level out-of-school suspension[115] (OSS) counts[116] to the school-level and linked them to publicly available VDOE data on school and district characteristics for the same years. To explore discipline for subjective infractions, we aggregated unduplicated student-level counts of OSS to the school-level for disruption, defiance and disorderly conduct. All schools, regular and alternative, in participating MERC divisions[117] were included in our database.[118]

Note: The data source for all of the following tables was the Virginia Department of Education (2016), each includes data from the 205 schools in the Richmond region reporting discipline data

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115. We focused solely on out-of-school suspensions for clarity and brevity, as well as the research literature documenting the harms of lost instructional time (see, e.g., Losen & Whitaker, 2017).

116. Unduplicated counts of students suspended means that we simply counted each student suspended once, regardless of whether they had been suspended multiple times.116. e.g. Gregory et al., 2010; Okonofua & Eberhardt, 2015

117. The seven participating MERC divisions at the time of the study included Colonial Heights, Goochland, Richmond, Chesterfield, Henrico, Hanover and Powhatan.

118. We included alternative educational settings because many of these schools are used to house students with chronic discipline issues. In each year examined, between 3 and 7% of schools in the sample did not report any discipline data to the state. In 2016, for instance, this amounted to 7 schools. Additionally, approximately 8 schools were completely missing from the dataset in 2016, for a total of 205 open schools reporting discipline data that year. We excluded these schools each year so as not to negatively bias the data. A smaller universe of Richmond area schools reported data on subjective suspensions in 2016 (n=178). Similarly, a smaller universe of schools reported discipline data and completed the survey on discipline interventions in 2016 (n=134). We note our reliance on these different universe of schools where applicable in the report. They resulted in minor differences in overall enrollment by race/ethnicity, for instance.

TABLE 1A: Schools by Quartile of Educationally Disadvantaged Students, All MERC Divisions, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
0-25% ED	66	32.2
25.1-50% ED	49	23.9
50.1-75 ED	59	28.8
75.1%-100% ED	31	15.1

TABLE 2A: Schools by Quartile of Educationally Disadvantaged Students, Richmond City, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
0-25% ED	2	4.7
25.1-50% ED	5	11.6
50.1-75 ED	20	46.5
75.1%-100% ED	16	37.2

TABLE 3A: Schools by Quartile of Educationally Disadvantaged Students, Henrico County, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
0-25% ED	19	32.2
25.1-50% ED	15	23.9
50.1-75 ED	20	28.8
75.1%-100% ED	10	15.1

TABLE 4A: Schools by Quartile of Educationally Disadvantaged Students, Chesterfield County, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
0-25% ED	23	38.3
25.1-50% ED	17	28.3
50.1-75 ED	15	25.0
75.1%-100% ED	5	8.3

TABLE 5A: Schools by Intense Segregation, All MERC Divisions, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
Not Intensely Segregted	159	77.6
Intensely Segregated	46	22.4

TABLE 6A: Schools by Intense Segregation, Richmond City, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
Not Intensely Segregted	13	30.2
Intensely Segregated	30	69.8

TABLE 7A: Schools by Intense Segregation, Henrico County, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
Not Intensely Segregted	53	82.8
Intensely Segregated	11	17.2

TABLE 8A: Schools by Intense Segregation, Chesterfield County, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
Not Intensely Segregted	55	91.7
Intensely Segregated	5	8.3

TABLE 9A: Schools by Double Segregation, All MERC Divisions, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
Not Doubly Segregated	178	86.8
Doubly Segregated	27	13.2

### TABLE 10A: Schools by Double Segregation, Richmond City, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
Not Doubly Segregated	27	62.8
Doubly Segregated	16	37.2

TABLE 11A: Schools by Double Segregation, Henrico County, 2016

	NUMBER OF SCHOOLS	PERCENTAGE OF SCHOOLS
Not Doubly Segregated	57	89.1
Doubly Segregated	7	10.9

Figure 1A. Mean absolute risk of Black student out-of-school suspension for subjective infractions by quartiles of economically disadvantaged students, Richmond area schools, 2016
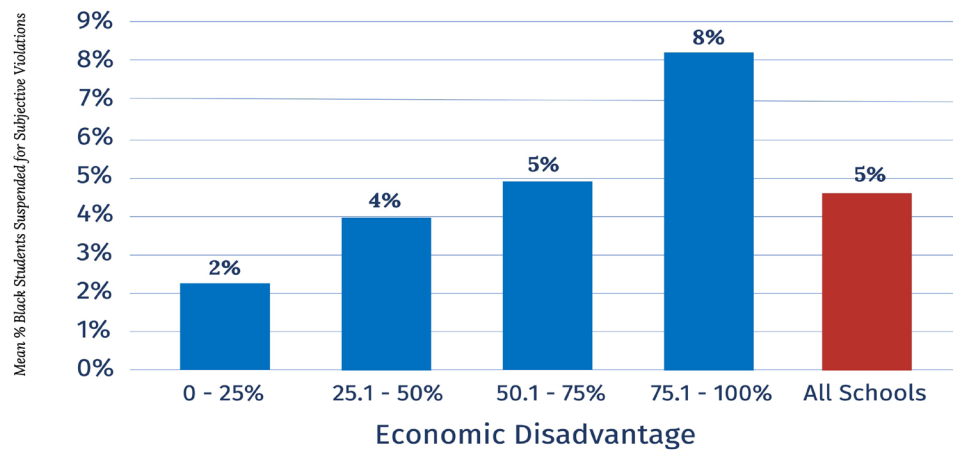
Source: VDOE restricted use data, 2016
Note: Overall differences statistically significant (p<.001)

Figure 2A: Mean absolute risk of Black student out-of-school suspension for subjective infractions by intense segregation, Richmond area schools, 2016
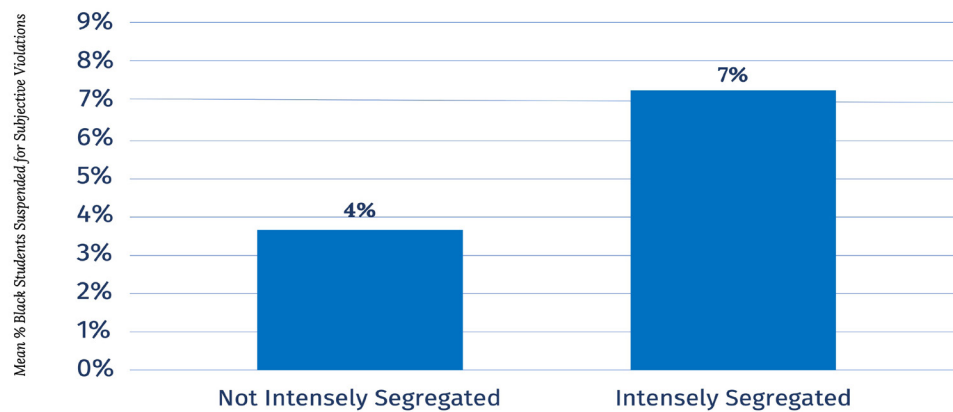
Source: VDOE restricted use data, 2016
Note: Overall differences statistically significant (p<.001)

Figure 3A: Mean Black-White discipline gap by intense segregation, Richmond area schools, 2016

Source: VDOE restricted use data, 2016
Note: Overall differences statistically significant (p<.01)

Figure 4A: Mean absolute risk of Black student out-of-school suspension by double segregation, Richmond area schools, 2016

Source: VDOE restricted use data, 2016
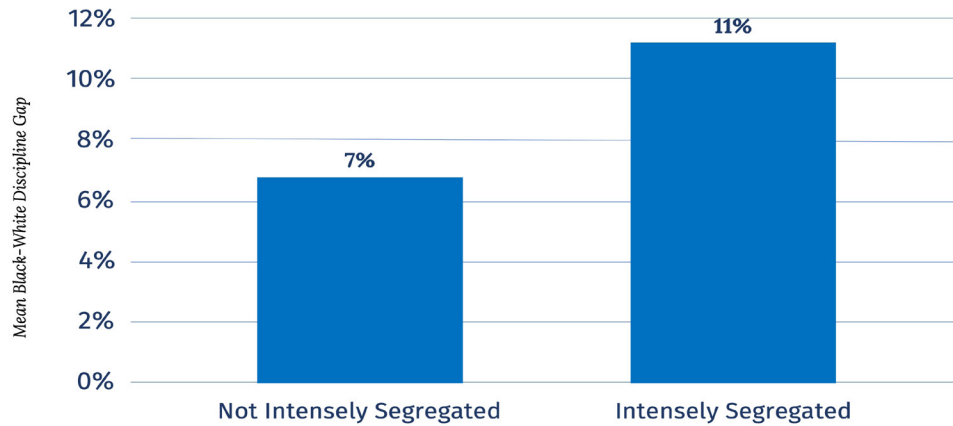*Note: Overall differences statistically significant (p<.001)*

Figure 5A: Mean absolute risk of Black student out-of-school suspension for subjective infractions by double segregation, Richmond area schools, 2016

Source: VDOE restricted use data, 2016
Note: Overall differences statistically significant (p<.001)

Figure 6A: Mean Black-White discipline gap by double segregation, Richmond area schools, 2016

Source: VDOE restricted use data, 2016
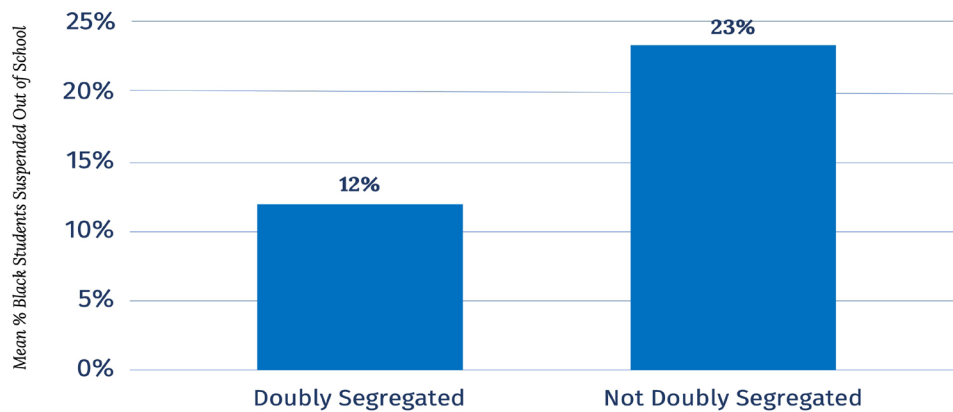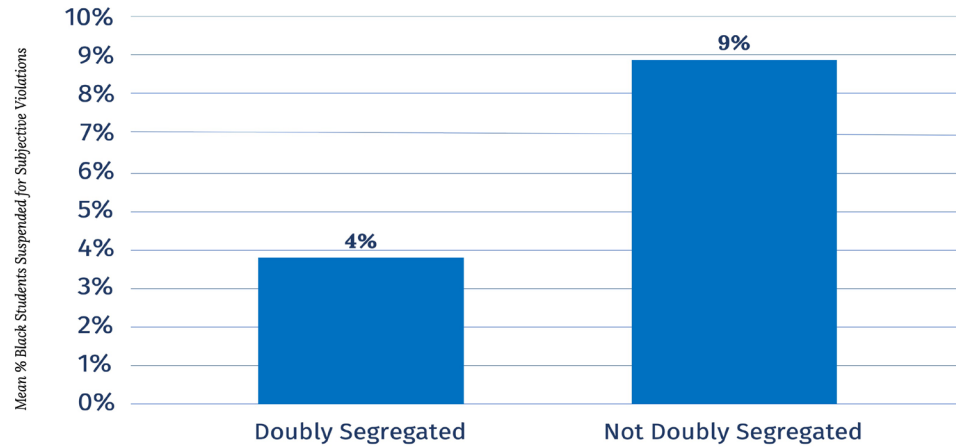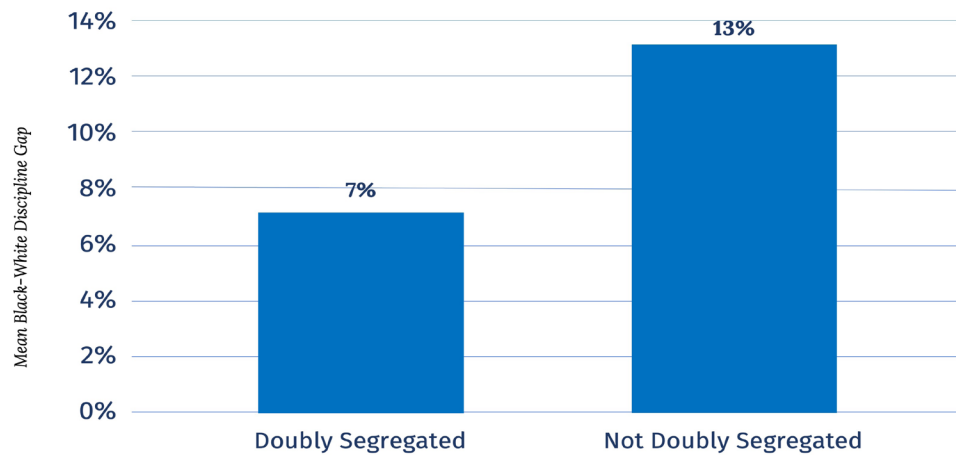Note: Overall differences statistically significant (p<.01)

APPENDIX B – SHADOW/OBSERVATION PROTOCOL

On Shadowing

- *Being unobtrusive.*

- *Asking questions.* Feel free to ask clarifying questions about things you are seeing and hearing, however avoid getting into any interview questions.

- *Taking field notes.* Focus your field notes on what you are seeing and hearing. Describe scenes and situations objectively. Write verbatim quotes of things you hear. Any ideas, questions or inferences you are making from the data should be bracketed in the third column of the field notes page.

- *Extending field notes.* At the end of the day we will reassemble in our team meeting room to write up extended field notes. During this time, you will answer a series of questions about your shadowing and observation experience. Support whatever answers you develop by referencing examples from your field notes.

Questions about the school and school context

1.   What did you learn about the community surrounding the school? What impressions did you have of the neighborhoods you drove through on your way to the school today? How much does it seem that the social context of the school reflects the community in which it exists? What does that tell you about the broader community that this school serves? What evidence gave you insights into how the community served by the school shapes the school culture?

2.   What did you learn about the school leadership? How do leaders in the school interact with faculty, staff, and students? What evidence gave you insights into the impact of building leadership on the school culture?

3. What did you learn about student/faculty relationships? How do students and faculty interact in this school? What evidence gave you insights into the nature of student/faculty relationships here?

4. What did you learn about special education? Was there any evidence of how special education students experience school? How does it appear that the school serves the needs of its special education students?

Questions about discipline and intervention

5. What was your general impression of student behavior in the school? To what degree do students appear to follow school rules? How much autonomy do students seem to have? How structured does the school day appear to be and how much do students appear to follow that structure? What evidence gave you insights into the nature of student behavior in the school?

6. What are your impressions about how discipline is handled in the school? How does the faculty member you are shadowing handle disciplinary issues? Does it seem as though the expectations for behavior in the school are clear? Does it seem as though the procedures for processing disciplinary infractions are clear? What evidence gave you insights into the nature of how discipline is handled? If the school has adopted a specific intervention model (e.g., PBIS), did you see examples of how responses to behavior aligns with or differs from the intervention model? For example, did you see examples of what happens before a "problem" occurs? What happens after?

Questions about race and racial disproportionality

7. What are your impressions of the racial composition of the student body? Would you consider this school to be diverse? How much do students of different races seem to interact with each other? What evidence gave you insights into the racial composition of the student body?

8. What are your impressions of the racial composition of the faculty/staff? Would you consider the faculty to be diverse? How much does the racial composition of the faculty reflect that of the student body? What evidence gave you insights into the racial composition of the faculty/staff?

9. What are your impressions of potential racial disproportionality in the school, disciplinary and otherwise? Does it seem as though racial minority students have a different experience than white students in the school? Does it seem as though racial minority students are more likely to be the subject of disciplinary intervention? What evidence gave you insights about potential racial disproportionality in the school?

APPENDIX C – TEACHER INTERVIEW PROTOCOL

Opening of Interview

This study is focused on understanding school divisions' disciplinary programs and interventions in addressing racial disproportionality in school discipline across the Richmond metropolitan area. This study will lead to a set of practice and policy recommendations that will support equity in disciplinary practices across the region. For the purposes of this study, racial disproportionality in school discipline is defined as the disproportionate disciplining (e.g., in school suspensions, out of school suspensions, expulsions, etc.) of certain racial or ethnic groups in comparison to their overall representation in the school/division. This interview is designed to gather information about your professional experiences in the division and the community where you work. The primary goal of the interview is to understand school disciplinary practices, policies, and interventions at your school.

- The interview will take approximately 45 minutes.

- All answers are confidential. The data will only be reviewed by the VCU research team.

- Any presentation of the data from these interviews will involve the use of pseudonyms for your name and the name of your school. Other identifying information will also be masked.

- If you have any question at any point during the interview, please just let me know.

- The interview will be audio recorded, but please know that you can stop being interviewed at any point during the interview. Just let me know.

Do you have any further questions about the purpose of this interview or the consent form?

Professional Description: We will start by asking you to describe yourself in a professional context. The purpose of this section is to understand your identity as a teacher in your school, and your perspective on your current position.

What are your current teaching responsibilities? (for non-teachers: is your role/job in the school?)
How long have you worked at the school?
How long have you been a teacher?
In what other schools/divisions have you worked?
What is your relationship to the community within which the school is located?
How would you describe yourself as a teacher?

Community: Now we will ask you about the community around your school. The purpose of this section is to understand the culture of the broader community surrounding your school.

What are you general impressions about the broader community surrounding your school?
Probe: Can you elaborate on your answer?
Probe: Is there something in particular that led you to your answer?
Probe: What are some benefits and/or challenging aspects of the community that affect how you do your work?

In your opinion is the community around your school diverse?
Probe: If yes, in what sense? Can you elaborate?
Probe: If no, in what sense? Can you elaborate?
Probe: What does the diversity look like? Or, what makes your community diverse?
Probe: How does the diversity affect your job or how the school or division operates?

Division and School: Now we will ask you about the school and district in which you teach. The purpose of this section is to understand the culture of your school as well as the culture of the division in which it resides.

What are you general impressions about the school?
Probe: Can you describe what you appreciate about the school? What are the challenges?
Probe: Is there something in particular that led you to your answer?

How would you describe the administration at your school?
Probe: Can you offer some insight into why you gave the answer you did?
Probe: Can you describe what you appreciate about leadership? What do you struggle with?

How would you describe teachers in your school?
Probe: Can you offer some insight into why you gave the answer you did?
Probe: Can you describe what you appreciate about the teachers? Struggle with?

How would you describe students at your school?
Probe: Can you offer some insight into why you gave the answer you did?
Probe: Can you describe what you appreciate about the students? Struggle with?

How would you describe parents at your school?
Probe: Can you offer some insight into why you gave your answer?
Probe: Can you describe what you appreciate about the school? Struggle with?

In your opinion, is your school diverse?
Probe: If yes, in what sense?
Probe: If no, in what sense?
Probe: What does the diversity look like?

Overview of Disciplinary Programs/ Interventions: In this section we will ask you about the disciplinary programs that your school is currently using. The purpose of this section is to better understand your school's disciplinary program, its effectiveness within your school, and its implementation.

How do you handle issues related to discipline in your classroom?
How much does your approach to discipline align with the broader approach to discipline in your school?
As a teacher, how do issues with student discipline affect your work on a daily basis?
How long has your school approached student discipline the way it currently does?
Probe: How has the approach evolved since you came to the school?

Do you have a clear understanding of what your school's disciplinary program does and is meant to do?
Probe: Do you believe your discipline program is effective in addressing challenging behavior from students?
Probe: If yes, in what ways?
Probe: If not, why not?

What types of changes would you make to the current disciplinary program?

Racial Disproportionality: In this section we will ask you about the presence of racial disproportionality within your school. The purpose of this section is for us to understand your perceptions of racial disproportionality within the school context, if it is present within your school, and what steps are being taken to resolve it.

In your opinion, does it seem like students of color are disproportionately getting in trouble in your school?
Probe: If so, please describe the issues of racial disproportionality in your school in more detail?
Probe: How long have you been working on issues of racial disproportionality in your school?
Probe: If not, what do you think are the reasons why you have not had issues of racial disproportionality in your school?

Was your school's approach to student discipline and intervention chosen with the goal of addressing/preventing issues of racial disproportionality?
Probe: If so, in what ways is your discipline program used to address or prevent issues of racial disproportionality?
Probe: Do you believe this program is effective in addressing/preventing racial disproportionality?

As a school teacher, what types of practices have been adopted within your school/classroom to address/prevent racial disproportionality?
Probe: How do you think teachers and students have been affected by these changes?

Students with Disabilities: We are now going to ask you about your school's disciplinary practices as they affect students with disabilities. The purpose of this section is for us to understand if racial disproportionality in disciplinary practices specifically affects students with disabilities within your school.

Is your school currently experiencing issues with racial disproportionality in school discipline for students with disabilities?
Probe: If so, please describe these issues in more detail?
Probe: If not, what do you think are the reasons why you have not had issues of disproportionality in your school for students with disabilities?

If your school is experiencing challenges related to disproportionality for students with disabilities, what do you think is contributing to the problem?
Probe: Is/was there anything in the school/community that you believe might have contributed to the problem?

In what ways does your school disciplinary program address/prevent issues of disproportionality for students with disabilities?
Probe: How do you personally address/prevent issues of disproportionality with your students with disabilities?

Professional Development and Data: Now we will move to discussing school discipline based professional development provided to your school's staff. The purpose of this section is to understand if the professional development provided is addressing issues of disproportionality in disciplinary practices.

What types of professional development are offered to staff about school discipline and student intervention?
Probe: How are issues of racial disproportionality in school discipline addressed in professional development?
Probe: What have been the successes and challenges of addressing racial disproportionality in professional development?

Is school data on disproportionality shared with school staff, including teachers in any way?
Probe: If so, how? How often?

If data are shared, what role do you play in analyzing the data?

If data have been used, has it been helpful to see trends in the data?

What additional data would be useful to you?

Impressions: In this section we will ask you about racial disproportionality at large. The purpose of this section is to understand your general impressions of racial disproportionality as it exists in your communities.

What are your impressions with racial disproportionality in the Richmond area schools?
Probe: What do you think contributes to the problem?

What do you think could help with addressing/preventing racial disproportionality?
Probe: What role do you think central administration has in addressing the issue?
Probe: What role do you think your school's administration has in addressing the issue?
Probe: What role do you think education policy/law has in addressing the issue?
Probe: What do you think your role is in addressing the issue?

Conclusion

Is there any more relevant information you would like to share with me about your school, division, or community regarding disproportionality in school discipline?

APPENDIX D - SCHOOL LEADER/STAFF INTERVIEW PROTOCOL

Opening of Interview

This study is focused on understanding school divisions' disciplinary programs and interventions in addressing racial disproportionality in school discipline across the Richmond metropolitan area. This study will lead to a set of practice and policy recommendations that will support equity in disciplinary practices across the region. For the purposes of this study, racial disproportionality in school discipline is defined as the disproportionate disciplining (e.g., in school suspensions, out of school suspensions, expulsions, etc.) of certain racial or ethnic groups in comparison to their overall representation in the school/division. This interview is designed to understand your professional perspectives on and experiences of school disciplinary practices, policies, and interventions at your school. your professional experiences in the division and the community where you work.

- The interview will take approximately 45 minutes.

- All answers are confidential. The data will only be reviewed by the VCU research team.

- Any presentation of the data from these interviews will involve the use of pseudonyms for your name and the name of your school. Other identifying information will also be masked.

- If you have any questions at any point during the interview, please just let me know.
  The interview will be audio recorded, but please know that you can stop being interviewed at any point during the interview. Just let me know.

Do you have any further questions about the purpose of this interview or the consent form?

Professional Description: We will start by asking you to describe yourself in a professional context. The purpose of this section is to understand your identity as a leader in your school, and your perspective on your current position.

Can you briefly describe what you do in your job?
Probe: What are some of the challenges or strengths of the work you do?

How many years have you worked in this school division? In your current position?
What (if any) were your previous roles or responsibilities in this school or other schools?
What are your leadership priorities in your school?

Community & School Community: Now we will ask you about the community served by your school. The purpose of this section is to understand the culture of your school as well as the culture of the broader community surrounding your school.

How would you describe the professional culture of your school?
What are your impressions about teachers? Students? Staff? Central administration?
What is your relationship to the community where the school/division is located?
Do you live in the community?
Can you describe the larger community within which you work?
Probe: In your opinion is your community diverse?

Probe: If yes, in what ways? Can you elaborate?
Probe: If no, in what sense? Can you elaborate?
Probe: What does diversity look like? What makes your community diverse?
Probe: Is there something in particular that led you to your answer?

How does diversity affect your job or how the school operates?
Probe: What are some positive and/or challenging aspects of the community that affect your work as a leader?

Impressions: In this section we will ask you about racial disproportionality at large. The purpose of this section is to understand your general impressions of racial disproportionality as it exists in your school's community.

What is your understanding of racial disproportionality - the higher likelihood for racial minority students to be suspended or expelled in schools?

Does it seem as though racial disproportionality is an issue in the Richmond area? In your school division?
Probe: Can you elaborate?
Probe: What do you think contributes to the problem?
Probe: Is there anything within the division or community where you work that you think might be contributing to the problem of disproportionality?

What do you think could help with addressing/preventing racial disproportionality?
Probe: What role do you think central administration has in addressing the issue?
Probe: What role do you think education policy/law has in addressing the issue?

Overview of Disciplinary Programs/ Interventions: In this section we will ask you about the disciplinary programs that your school is currently using. The purpose of this section is to understand your school's disciplinary program, its effectiveness within your school, and its implementation.

Please describe the way you currently handle discipline in your school.
Do you know the rationale behind your school's approach to discipline?
Do you believe your discipline program is effective in addressing challenging behavior from students?
Probe: If yes, in what ways?
Probe: If not, why not?
Probe: Do you believe that it is effective in addressing challenging behavior amongst all students of different racial/ethnic and cultural backgrounds? Can you share any examples or stories?

What types of changes would you make, if possible, to your current disciplinary program?
Probe: Why?

In your opinion, do you believe that this disciplinary model is being implemented with fidelity (as it's meant to be implemented) by your school's staff?
Probe: If yes, in what ways?
Probe: If not, why not?

Data: In this section we will ask you about the disciplinary data that is collected at your school. The purpose of this section is to understand how your school is using this data and what your future goals are for it.

What types of school disciplinary data are collected in your school?
How are these data analyzed and reported?
Probe: Who analyzes the data?

Are these data used to inform school practices and policies?
Probe: In what ways?

Are data shared with school staff, including teachers in any way?
Probe: If so, how?

Are teachers involved in the analysis of data in any way?

What are your goals for the collected data? How would you like to see it used?

Racial Disproportionality: In this section we will ask you about the presence of racial disproportionality within your school. The purpose of this section is to understand your perceptions of racial disproportionality within the school context, if it is present within your school, and what steps are being taken to resolve it.

In your opinion, does it seem like students of color are disproportionately getting in trouble in your school?
Probe: If so, could you please describe the issues of racial disproportionality in your school in more detail?
Probe: How long have you been working on issues of racial disproportionality in your school?
Probe: If not, what do you think are the reasons you have not had issues of racial disproportionality in your school?

Was your discipline program chosen with the goal of addressing/preventing issues of racial disproportionality at your school?
Probe: If so, in what ways is your discipline program used to address or prevent issues of racial disproportionality?

Do you believe this program is effective in addressing/preventing racial disproportionality?
Probe: Why or why not?

As a school leader, what types of practices have you adopted within your school to address/prevent racial disproportionality?
Probe: How do you think teachers and students have been affected by these changes?

Students with Disabilities: We will ask you about your school's disciplinary practices as they affect students with disabilities. The purpose of this section is to understand if racial disproportionality in disciplinary practices specifically affects students with disabilities within your school.

What is your understanding of racial disproportionality in school discipline as it applies to students with disabilities? Does your school experience this?
Probe: If so, could you please describe these issues in more detail?
Probe: If not, what do you think are the reasons why you have not had issues of disproportionality in your school for students with disabilities?

If your school is experiencing challenges related to disproportionality for students with disabilities, what do you think is contributing to the problem?
Probe: Is/was there anything in the school/community that you believe might have contributed to the problem?

If your school is experiencing issues with disproportionality for students with disabilities, what role do you think the school has in addressing the issue?
In what ways does your school disciplinary program address/prevent issues of disproportionality for students with disabilities?
What are you general feelings about how race and disability are approached in your division/school?

Professional Development: Now we will discuss school discipline based professional development provided to your school's staff. The purpose of this section is to understand if the professional development being provided is addressing issues of disproportionality in disciplinary practices.

What types of professional development are offered to staff about school discipline and student intervention?
Probe: What does the PD look like? Who participates? Who designs and delivers it?
Probe: Does your professional development address some of the challenges you've identified with disproportionality?
Probe: What have been the most challenging aspects with regard to professional development and disproportionality?
Probe: What have been the most successful aspects with regard to professional development and disproportionality?
Probe: What further supports do you think you need in order to address disproportionality?

Conclusion

Is there any more relevant information you would like to share with me about your school, division, or community regarding disproportionality in school discipline?

APPENDIX E - STUDENT FOCUS GROUP PROTOCOL

Opening of Interview

The purpose of this focus group is to gather information about your experiences in your school and community and to understand school disciplinary practices and policies at your school. The focus group will take approximately 45-60 minutes.

Before we begin, we will review some guidelines that will help the session run smoothly. We will be recording the session so that we can accurately capture all of your comments; it is helpful if you speak one at a time. Please know that you can stop being interviewed at any point during the focus group. Just let me know. Also, we want to assure you of complete confidentiality, so please use your first name only during today's session. In the written summaries of the session no names will be attached to comments. It is also important that you assure each other of complete confidentiality by not sharing any of the information discussed in this session.

We are interested in all of your viewpoints – both positive and negative. When responding to the questions, please be specific. Each time you begin your response to the focus group questions please start by stating your first name; this helps to ensure that the session will be transcribed accurately.

Background Information: We will start by asking you questions about how you describe yourself.

How old are you?
What grade are you in?
How long have you been going to school in this division?

Relationship to Community and School: Now we will ask you about your school and community. The purpose of this section is to understand the culture of your communities and whether or not you feel connected to them.

Tell me about your community. What are you proud of when it comes to your community? What do you wish you could change when it comes to your community?
Probe: Is there something in particular that led you to your answer?

Tell me about your school. What makes you proud of your school? What do you wish you could change when it comes to your school?
Probe: What is it like for you as students at this school?
Probe: What would you like to get out of our experience here?

Perceptions of Students, Teachers, Leaders, and Staff: Now we will ask you about your school's teacher, leaders, and students. The purpose of this section is to understand the relationships between these people within your school.

How would you describe the students in your school?
Probe: Do you feel connected to your peers?
Probe: Can you share more about why or why not?

How racially diverse is your school? How often do students of different races interact with each other? What brings students of different races together? What separates them?

How would you describe the teachers in your school? How would you describe your principals, assistant principals, school counselors, and other staff?
Probe: Do you feel connected to these adults in your school?

When you are facing a challenge, who do you go to or where do you go for support? Where do you feel most comfortable when you are in school?
How do you think teachers would describe students in your school?
Probe: Do you believe teachers treat all students the same? Why or why not?
How do you think the principals, assistant principals, school counselors, and other staff would describe students?
Probe: Do you believe they treat all students the same? Why or why not?

Suspension and School Climate: Now we will ask you about discipline practices in your school. The purpose of this section is to understand how discipline is handled in your school and your perception of the school's climate.

Do you generally feel safe in your school? If so, why? If not, why?
Probe: Can you share more?

What do you think about the behavioral expectations at your school for students?
Probe: Can you elaborate on your answer?
Probe: How do you know, or who have you learned from, what is acceptable behavior in school and what is not?

Do you think that your school treats the students fairly when disciplining them? If so, why? If not, why?
Probe: Can you share more?

Do you know if there is currently a discipline/intervention program at your school?
Probe: If yes, what is it?
Probe: What is it designed to do?
*Probe:* What changes would you suggest?

Nationally, it is more likely for students who are Black to be suspended or expelled than students who are White. Do you have any thoughts about why this is happening?
Probe: Can you share more? What do you think would help address the problem?
Probe: Do you see this at your school? Why or why not?

Conclusion

Is there anything else you would like to share with us about going to school in this school division or about your community?
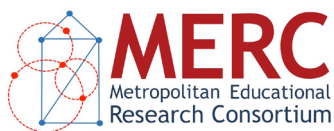
merc.soe.vcu.edu/projects

Learn more about our Achieving Racial Equity in School Disciplinary Policies and Practices Study and other MERC research projects.

merc.soe.vcu.edu/podcast

Listen to our podcast Abstract to explore critical issues in public PK12 education with stakeholders in metropolitan Richmond.

merc.soe.vcu.edu/conference

Learn more about our annual conference, bringing together stakeholders from educational research, policy, and practice.

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