Bias-Based Beliefs in Schools and its Impact on Disproportionality in Special Education, Suspension and Gifted Programs

Eddie Fergus, Ph.D.

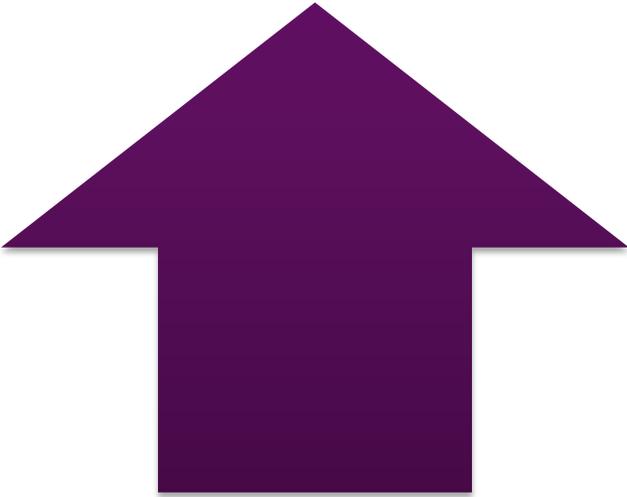Educational Leadership and Policy

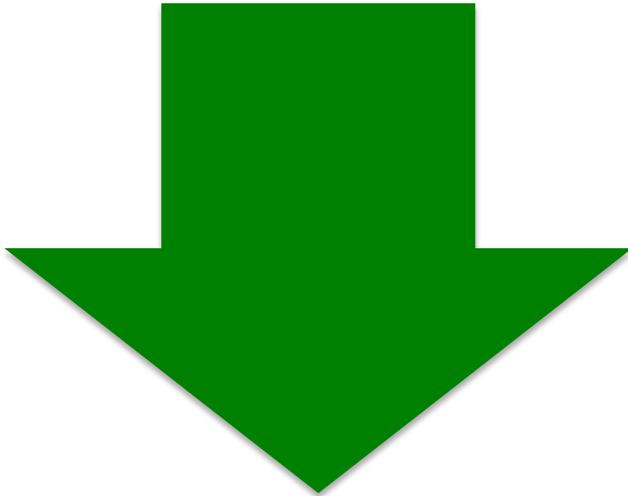eaf7@nyu.edu

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Objectives

- Discuss the persistence of educational inequality

- Understand the bias-based beliefs that disrupt strategies for achieving equity

DEFINING DISPROPORTIONALITY

Over-representation

Under-representation

NEW REGULATIONS, DECEMBER 2016

Major Components of Significant Disproportionality Regulations

- USDOE –OSEP establish formula for calculating significant disproportionality
- Flexibility in Methodology
  - States set thresholds across 14 categories of analysis
  - States set cell size and N size
  - States establish number of years for formula
  - States set reasonableness of progress when making determination
  - States have flexibility start on or before 7/1/2018
- Comprehensive CEIS
  - Expanded to include students with disabilities
 - Must be targeted to address root cause factors

SAMPLE DISTRICT CITED FOR DISPROPORTIONALITY

Relative Risk of Being Identified as Student with Disability in Sample district
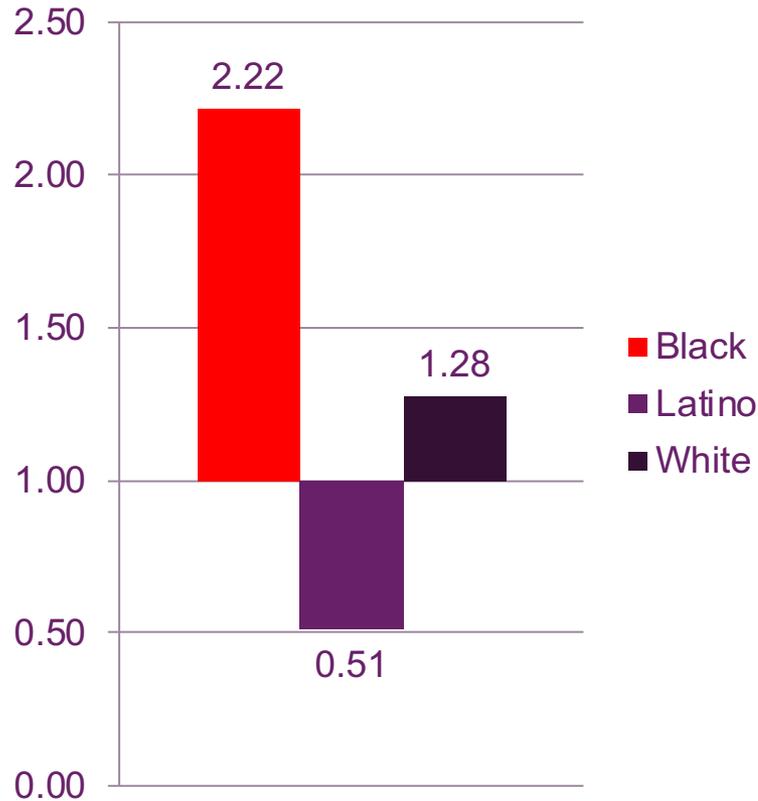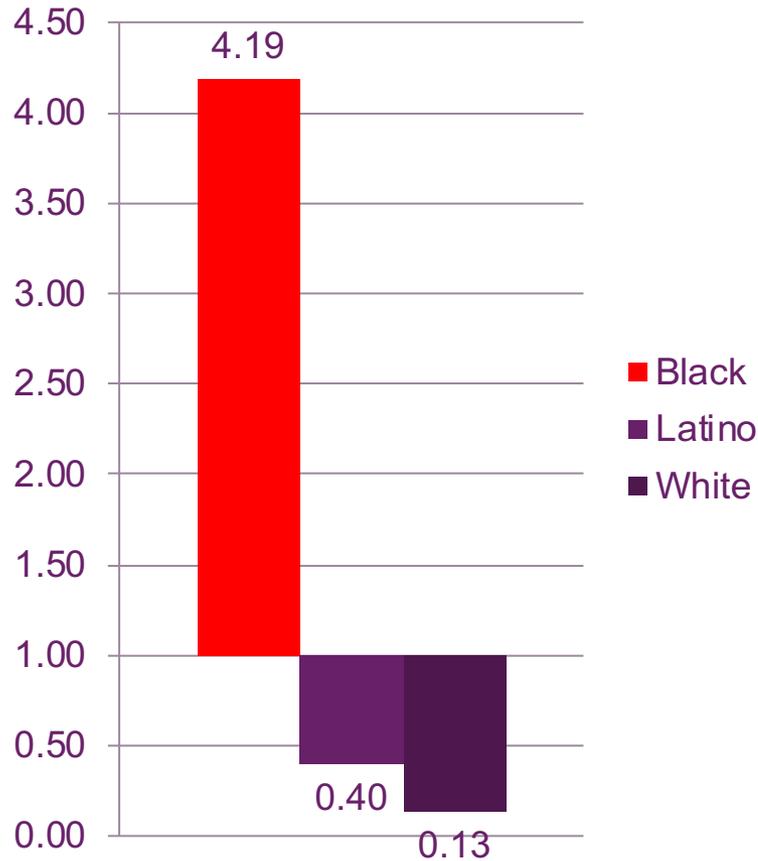

Black students in district are more than twice as likely to be identified as having a disability compared to all other students in the district

Relative Risk of Being Identified with Emotional Disturbed (ED) in sample district
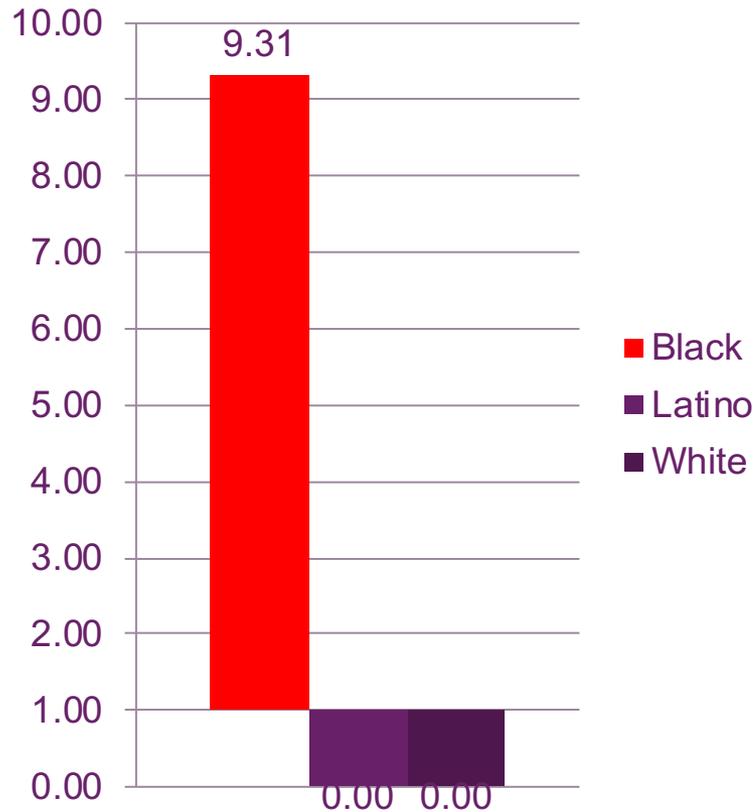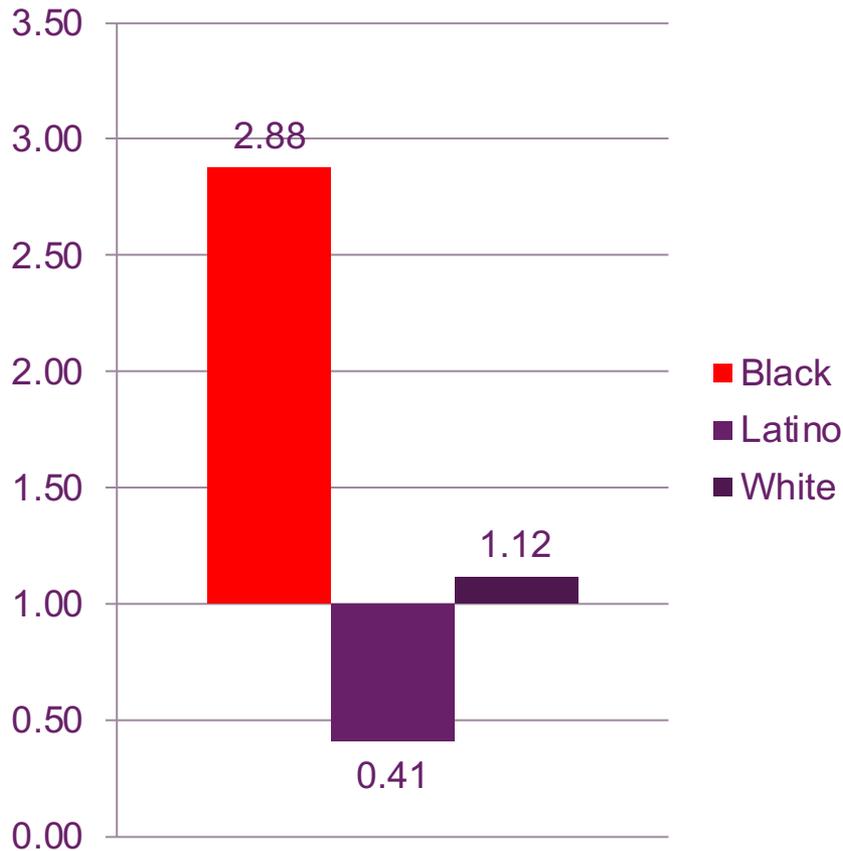

Black students in district are more than nine times more likely to be identified as emotionally disturbed compared to all other students in the district

Relative Risk of Being Identified as Learning Disabled (LD) in sample district

Black students in district are more than four times more likely to be identified as learning disabled compared to all other students in the district

Relative Risk of Being Identified with Other Health Impairments (OHI) in sample district

Black students in district are more than two and half times more likely to be identified as having an other health impairment in compared to all other students in the district

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SAMPLE DISTRICT CITED FOR DISPROPORTIONALITY IN GIFTED/HONORS/AP

NEW YORK UNIVERSITY

District enrollment: 2012-2013
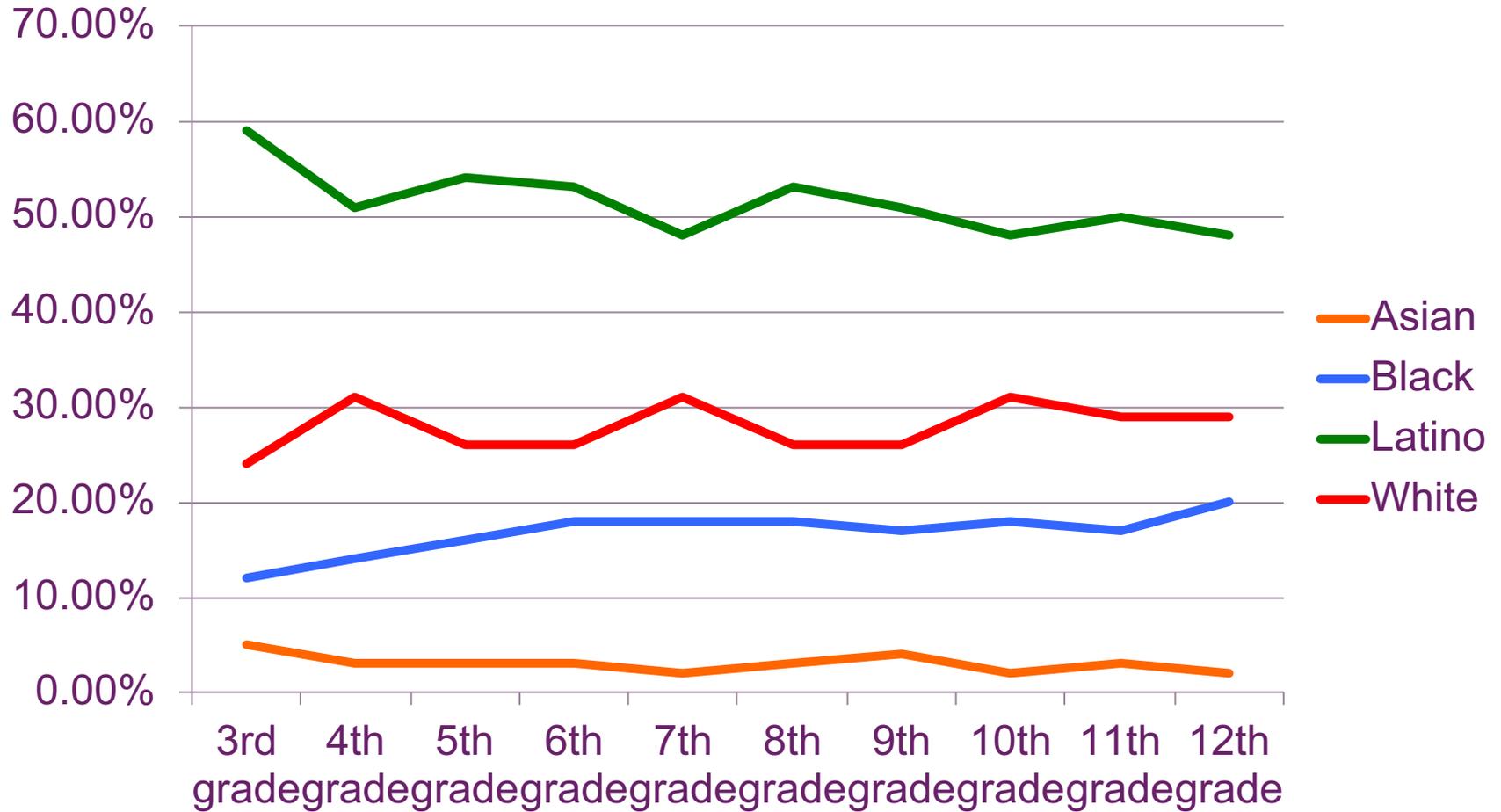
Gifted program enrollment: 2012-2013
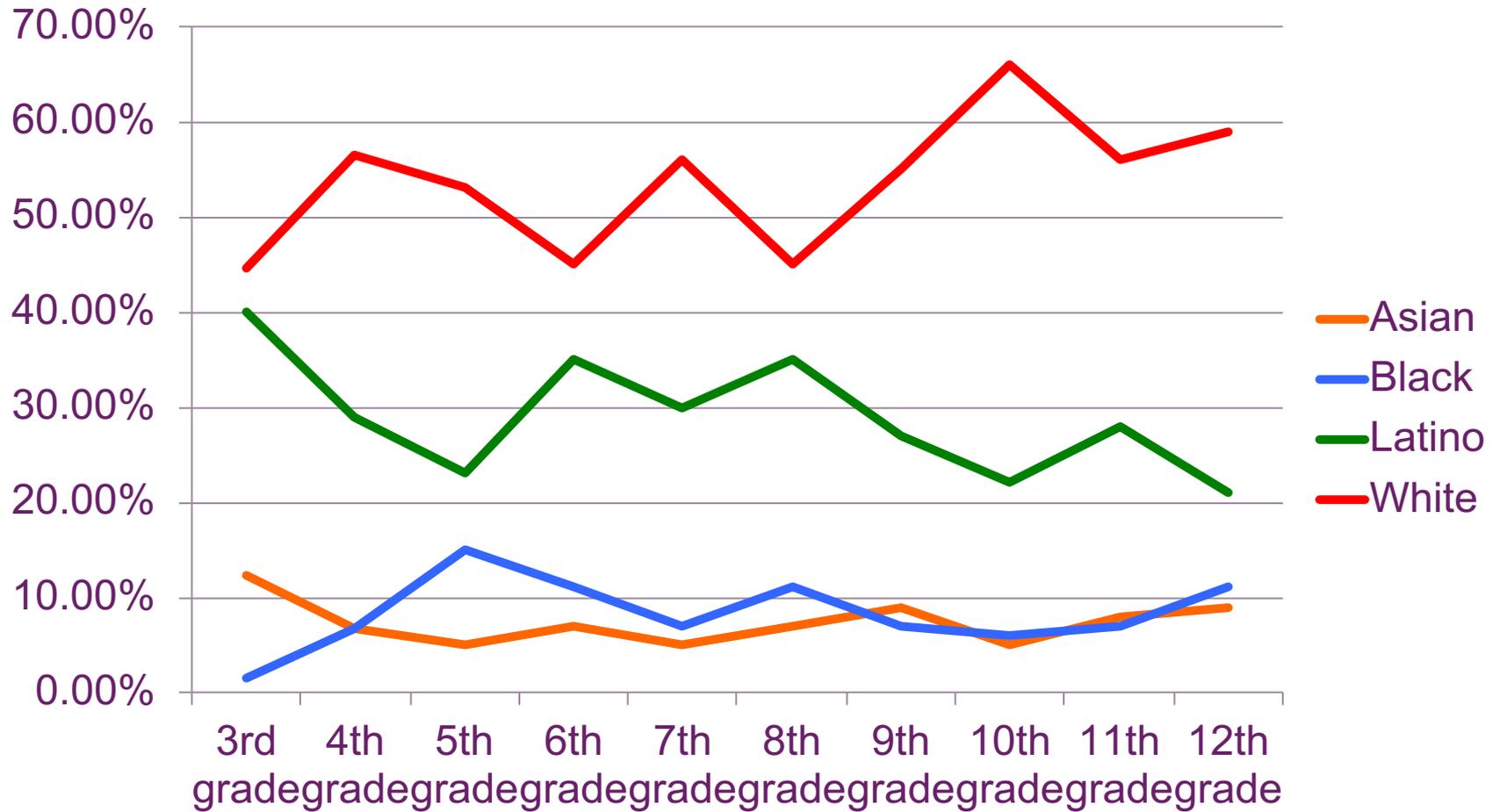
Gifted/AP/Honors program enrollment – *proportion of population analysis*: 2012-2013
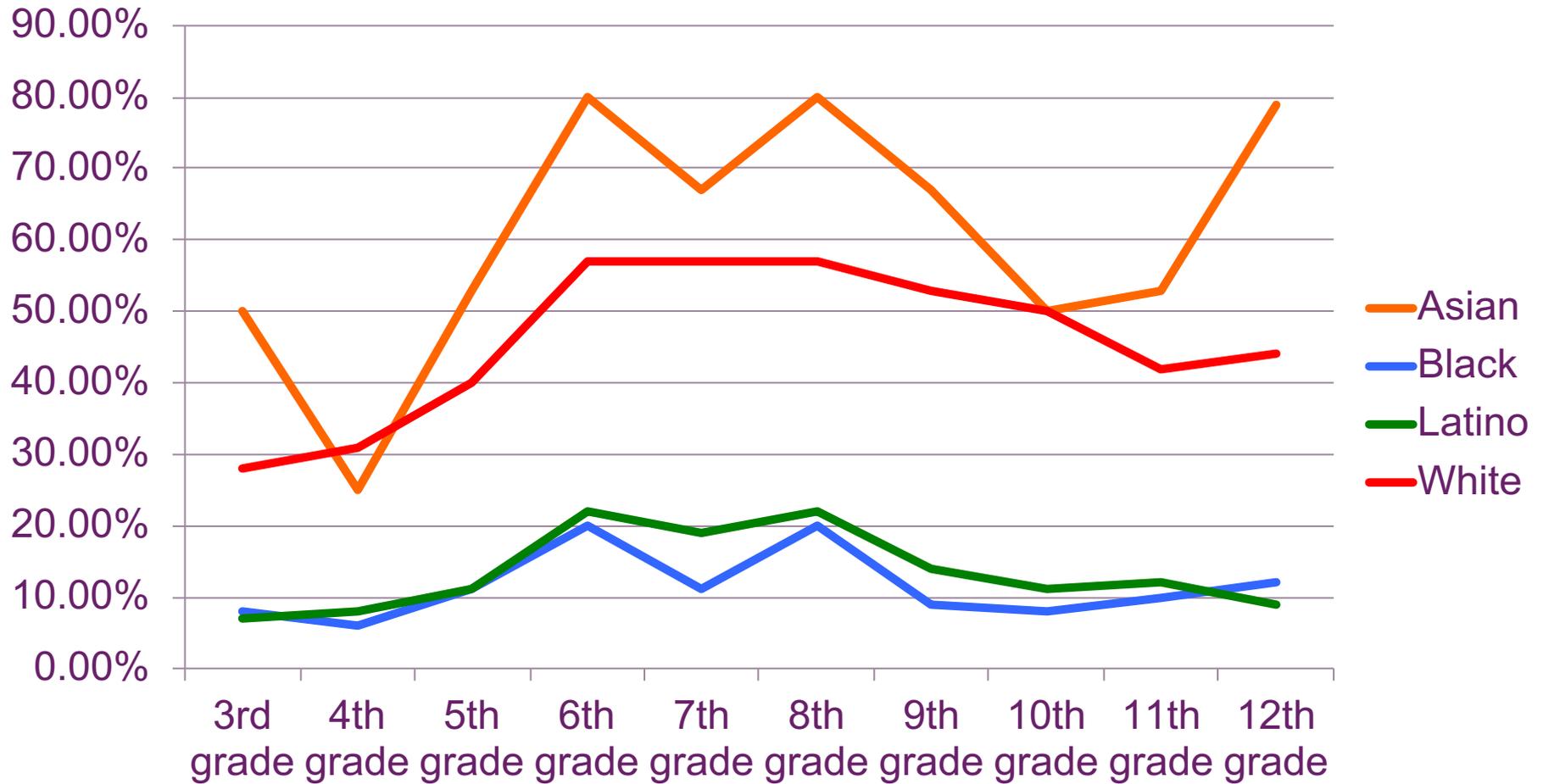
WHAT ARE THE CAUSES OF DISPROPORTIONALITY IN SPECIAL EDUCATION, SUSPENSION, AND GIFTED/AP?

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NEW YORK UNIVERSITY

There are common causes of disproportionality

Discipline Policies and Practices

Tracking

Interventions and Referral Process

Teacher Expectations and Misconceptions

Instruction, Curriculum and Assessment

Disproportionality

Cultural Dissonance

FOCUS OF DISPROPORTIONALITY REMEDY:

1. *FIX GAPS IN SYSTEM THROUGH…ADDING MORE SERVICES, STAFF, TRAINING, ETC.*
2. FIX KIDS'…

PERSIST CONCERN: ARE THESE REMEDIES DRIVEN BY EQUITY-BASED BELIEFS?

Ahram, Fergus, and Noguera. (2011). Addressing Racial/Ethnic Disproportionality in Special Education: Case Studies of Suburban School Districts. _Teachers College Record,_ Volume 113 Number 10, 2011, p. 2233-2266

- RQ: What sociocultural notions do practitioners attach to disability and non-disability?

- Methods:
  - Participants
    - Two school districts
    - 44 school district personnel – principals, teachers, parents, superintendent, assistant superintendent, special education director, curriculum director, intervention coordinators
  - Post-session evaluations; focus groups and interviews; climate surveys; session activity notes; and policy/practice documents
  - Deductive and inductive analysis of interview and focus group transcripts; discourse analysis of session notes and post-session evaluations

Deficit thinking and Poverty Disciplining (Soss & Fording, 2011) in explanations of special education status

- Cultural deficit thinking in ability construction: The belief that poverty influences cognitive ability

- *"Low-income status"*
- *"Lack of books at home"*
- *"Lack of belief in education among the students and parents"*
- *"Connections in achievement gap between lower socio-economic and higher groups"*
- *"Correlation of Head Start students and special ed. classified. Correlation of poverty to classification"*
- *"Hispanic people listen to music too loudly"*
- *"They bring ghetto to the school"*
- *"They don't speak English"*
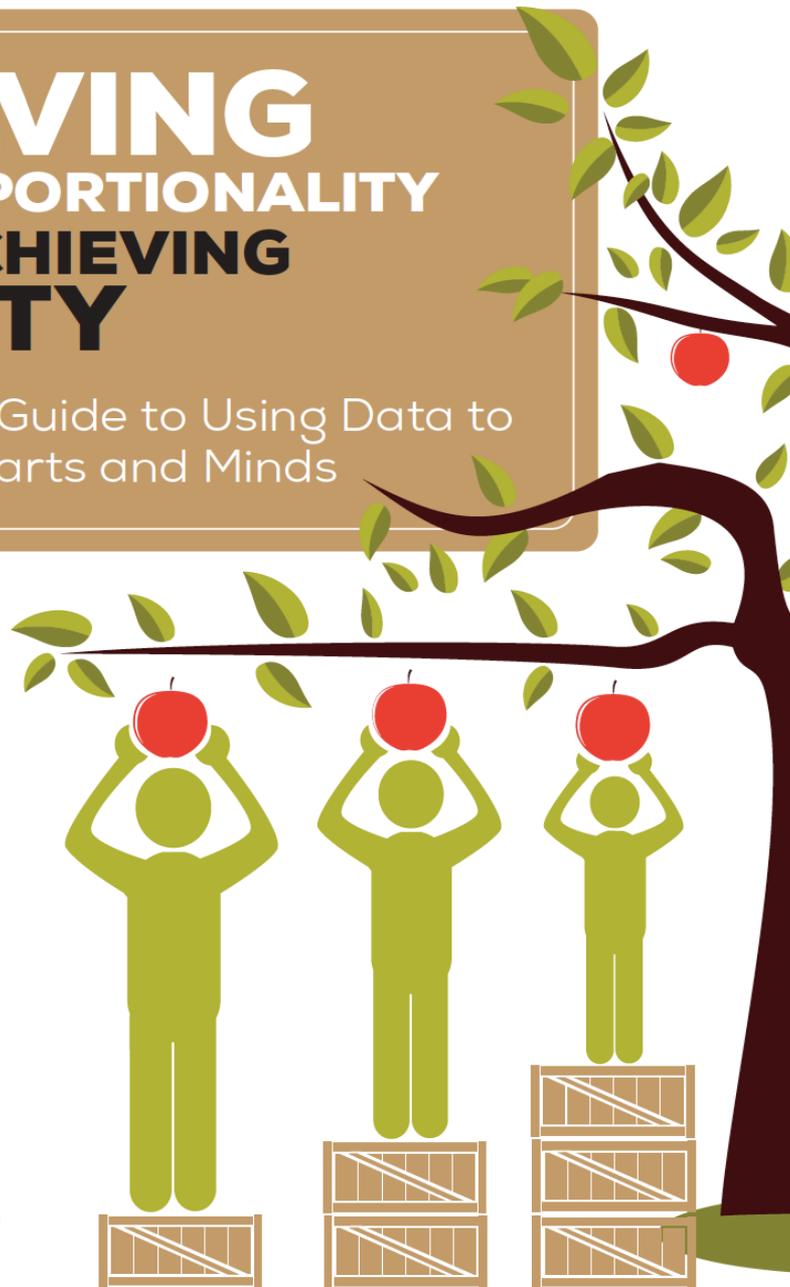
Post-1954 Brown v. Board: Two Integration Projects began

1. Integration of Black and White children.
2. Integration of Black children with White teachers!

We need to address our social understanding of each other and why it frames our practice!

March 13, 1953, Topeka, Kansas

Dear Miss Buchanan:

<u>Due to the present uncertainty about enrollment next year in schools for negro children, it is not possible at this time to offer you employment for next year</u>. If the Supreme Court should rule that segregation in the elementary grades is unconstitutional our Board will proceed on the assumption that <u>the majority of people in Topeka will not want to employ negro teachers next year for White children</u>. It is necessary for me to notify you now that your services will not be needed for next year. This is in compliance with the continuing contract law…I believe that whatever happens will ultimately turn out to be best for everybody concerned.
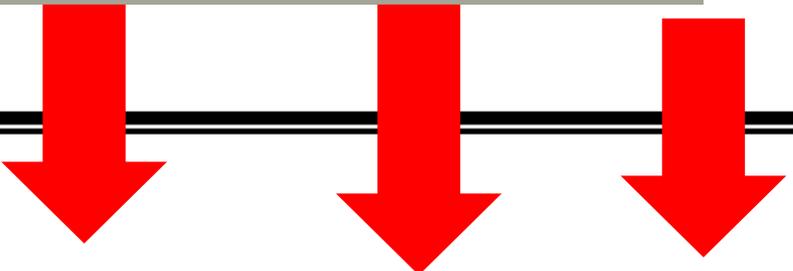
- Sincerely,

- Wendell Godwin, Superintendent of Schools

Though we've removed the legal frameworks of our bias, it does not mean we have not stop drinking from that same water fountain…

DESPITE 60 YEARS OF INTEGRATION, WE LEAD

Public Religion Research Institute (2014) Racial Homogeneity of Social Networks

Table 3. Racial Homogeneity of Social Networks Among...

Percent of network that is entirely composed of people who are...	All Americans	White Americans	Black Americans	Hispanic Americans
All White	53	75	2	9
All Black	8	*	65	1
All Hispanic	7	*	1	46
Racially Mixed	24	15	23	34
No members named	8	8	9	10

Source: Public Religion Research Institute, American Values Survey, October 2013

ABSENCE OF CROSS CULTURAL EXPERIENCES MINIMIZES OPPORTUNITIES TO REDUCE THE STEREOTYPES THAT FUEL BIAS-BASED BELIEFS

Who is the convicted felon?

Which one had a 2.35 GPA in undergrad?

THESE SEGREGATED SOCIAL LIVES ASSIST IN DEVELOPING BELIEFS ABOUT EACH OTHER…

Fergus, E. (2016). "Teacher Beliefs about Race in School Districts with Overrepresentation of Black and Latino Students in Special Education and Behavioral Referrals."

1. **Colorblindness:** operates from the stance that removing racism is to omit race and other social identities. It involves interacting with individuals as individuals not considerate of their social identity and focuses on discussing and framing the commonalities between individuals.

2. **Deficit-thinking:** used within education to explain academic performance as a result of deficiencies within an individual and/or group.

3. **Poverty-disciplining:** suggests to low-income individuals their behaviors are at fault and only through actions that focus on changing behavioral and psychological dispositions can low-income conditions be fixed.

SETTING THE STAGE OF DISPROPORTIONALITY

"What's the matter?
It's the same distance!"

COLORBLINDNESS

Why does colorblindness emerge?

- Bonilla-Silva (2003) argues that though viewing individuals' commonality is a desired state of humanity, colorblindness has led to a pattern of rationalizing racial inequality as due to market dynamics, naturally occurring phenomena, and Blacks' imputed cultural limitations.

- DiAngelo (2014) describes several components:
  1. Living in which there is minimal feelings of loss when there are no racially, ethnically and linguistically diverse populations, this limits experiences to draw from to understand racism
  2. Ascribing to the idea of an "American" common culture encourages the idea of this experience as universal

- Overtime colorblindness is treated and discussed as a more culturally-evolved concept

Name:

IN YOUR OPINION-Slavery in the South

Statement: By the mid 1700's, slavery was legal in every colony. If slavery was LEGAL back then, can you blame plantation owners for having slaves? Wasn't it just "the way things were?"

In other words, if you were a plantation owner who didn't have slaves, and your neighbor had slaves and was making tons of money off of his crops, wouldn't you purchase slaves as well?
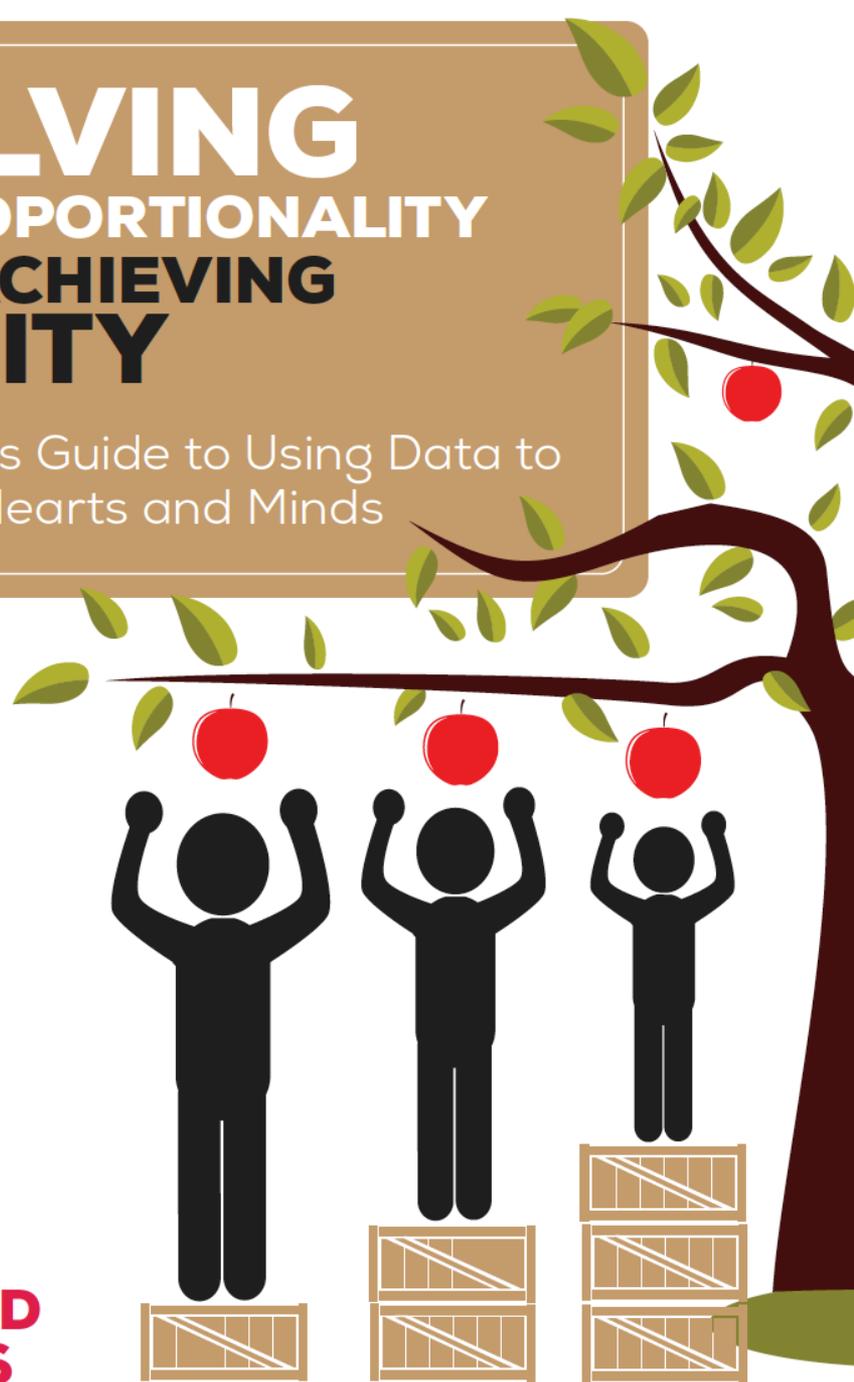
2014 American Red Cross Pool Safety Campaign: Find the Colorblindness

A cross-cultural lens requires constant attention to how we normalize specific ideas!

SOLVING DISPROPORTIONALITY AND ACHIEVING EQUITY

A Leader's Guide to Using Data to Change Hearts and Minds

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POVERTY DISCIPLINING BELIEF

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Why does poverty disciplining emerge?

- Soss et.al. (2011) describe poverty disciplining as premised on two conditions:
  - Theory of compromised human development (TCHD) suggests that poverty minimizes human development which in turns lowers potential
  - Theory of "good citizenship" suggests that individuals living in low-income and extreme poverty conditions require a level of disciplining in which they learn ways of being "good citizens" in order for them to help themselves.
- The combination of these two components create the justification for poverty disciplining belief. In other words, low-income kids need to be strictly managed because their class condition has compromised their thinking and behavioral potential.

GOT GRIT? REPORT CARD

Student Name_____ Teacher _____

Grade _____ School_____ School Year (date) _____

Teacher grades student on each of the following four components: G: Getting along with others, R: Responsibility, I: Integrity, T: Tenacity, using a scale of 1-5 with 1 being "not so good" to 5 being "very good."

COMPONENT		GRADING PERIOD			
		1	2	3	4
G	Works well in groups (shares, takes turns, not bossy)				
	Tries to handle conflicts in a positive manner (no arguing, yelling)				
	Is polite (says please, thank you)				
	Refrains from tattling, bullying, teasing, blaming others, hitting				
	Follows school and class rules and has good manners				
R	Student is prompt (on time to class, very few tardies or missed days)				
	Is prepared (has homework, supplies, permission slips, parent notes)				
	Is able to control emotions, especially anger				
	Gives good effort when doing school work (not careless or sloppy)				
	Takes good care of body (exercises, gets enough sleep, eats well)				
I	Student is honest (tells the truth, doesn't cheat, steal)				
	Shows good sportsmanship				
	Makes valid attempts to always do the right thing				
	Is respectful to **all** adults in school				
	Is helpful to others (students and adults), often volunteers				
T	Student is willing to take positive risks (learn new things)				
	Seldom uses excuses or blames others				
	Tries hard to solve problems by him/herself before asking for help				
	Rarely quits or gives up				
	Sets goals and works hard to accomplish them				
TOTAL POINTS					

Scoring

90-100   Student has grit! Student is on the road to success!

80-89   Student is almost there; needs to work on a few items.

70-79   Student has a lot of work to do to acquire enough grit to be successful.

Below 70   Student needs to seek help from teacher, counselor or parents to come up with a plan to address the lack of grit.

2015 state legislations focused on poverty disciplining…

- At least 18 states introduced proposals that would require **drug screening or testing for public assistance applicants** and/or recipients in 2015. The states include: Connecticut, Illinois, Iowa, Kentucky, Maine, Massachusetts, Minnesota, Montana, New York, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia and West Virginia.

- Beginning July 1, the lifetime limit on receiving TANF in Kansas will be reduced to 36 months; recipients will only be able to withdraw $25 a day; and families will no longer be permitted to use or withdraw cash assistance at a wide array of establishments, including movie theaters, jewelry stores, cruise lines, lingerie stores, and nail salons.

DEFICIT THINKING

Why does deficit thinking emerge?

- Richard Valencia (1997) discuss two paradigms of thought that support deficit thinking: 1) genetic pathology model and 2) culture of poverty model.
  - Genetic pathology popularized in the early 1900s argued genetic traits (e.g., cranial size) are associated with "superior" genetic traits (e.g., intelligence).
  - Culture of poverty model argues cultural **attributes or practices have prevented racial/ethnic groups from assimilating and attaining social mobility** within U.S. society. For example, limited attitudes and outlooks of the future, failure to internalize work value ethics, instant gratification behavior, lack of parent involvement in schools, etc.
- The combination of these two concepts provide the foundation for deficit thinking. In other words, thinking of racial/ethnic minority groups as genetically inferior and culturally deficient supports deficit ideas of groups.

Classroom Observation of a compare and contrast lesson (9/24/08); 7th grade English
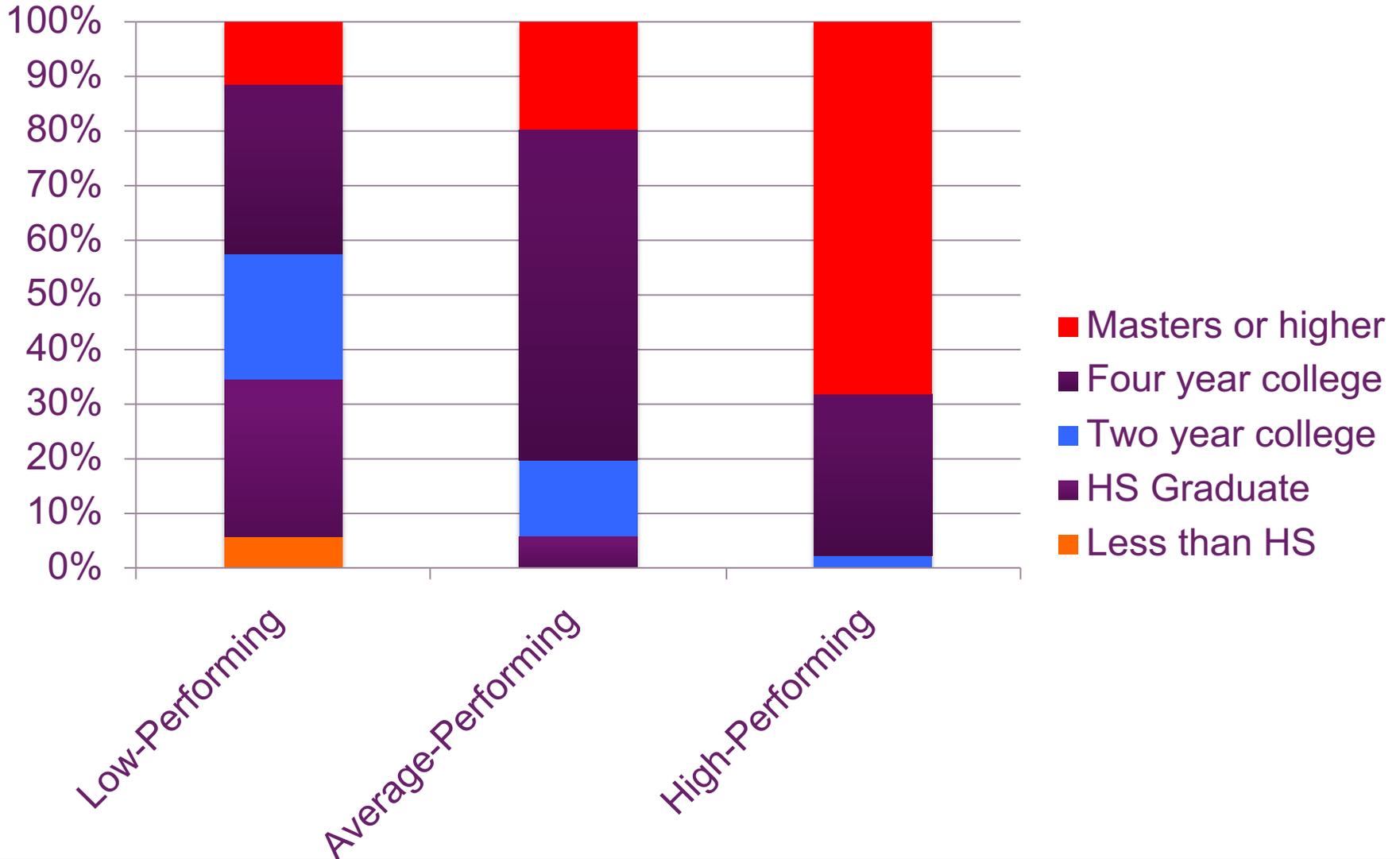
US Citizen

- Belongs here
- Born here
- Speaks English
- Gets help from government
- Birth certificate
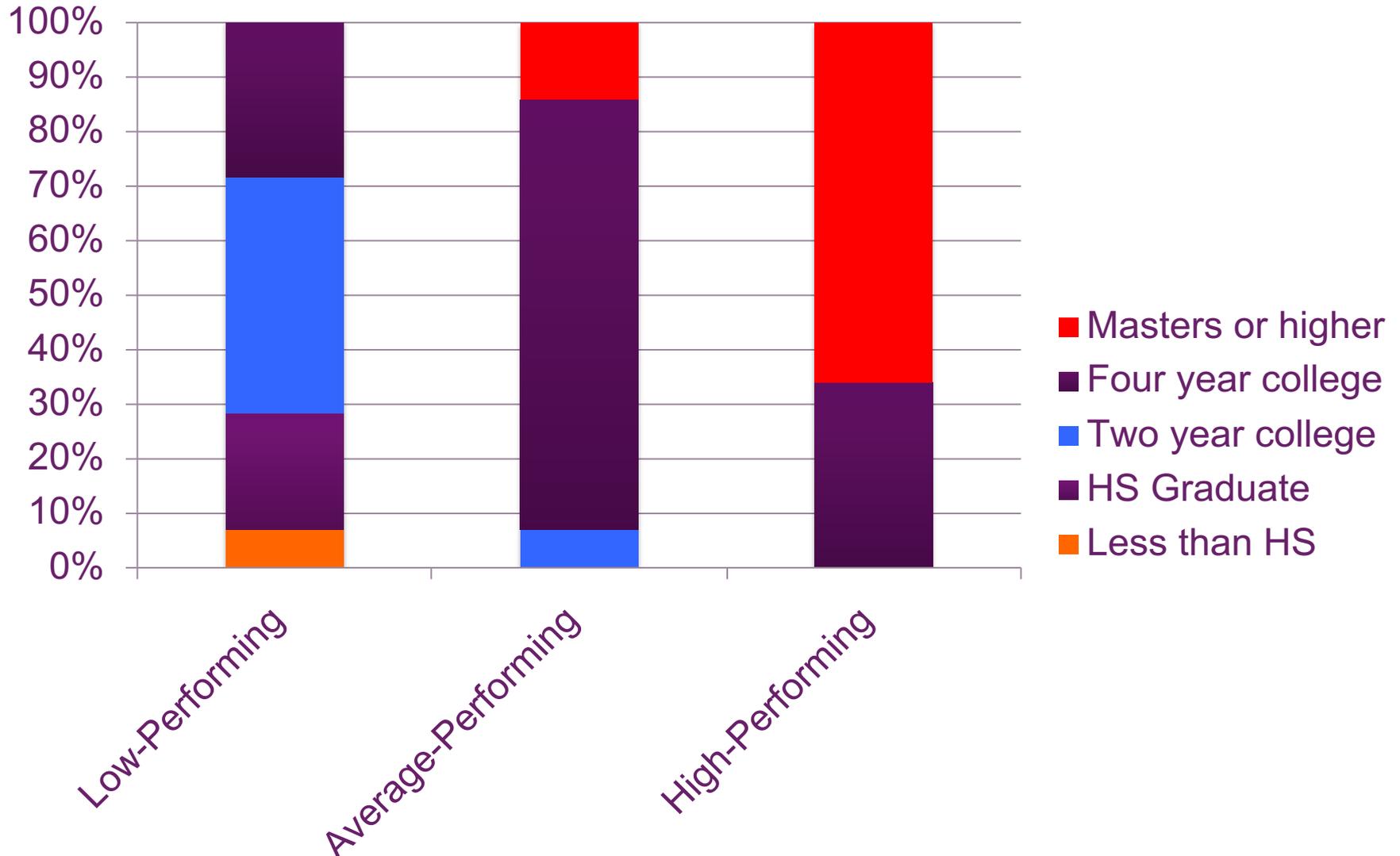- Nice neighbors

Illegal Immigrants

- Doesn't belong here
- Born in DR – another country
- Speaks Spanish
- Can't get help from the government
- No papers
- Sometime not nice neighbors
- Your family helps you alot

Kindergarten Teachers

Legend:
- Masters or higher
- Four year college
- Two year college
- HS Graduate
- Less than HS

X-axis: Low-Performing, Average-Performing, High-Performing
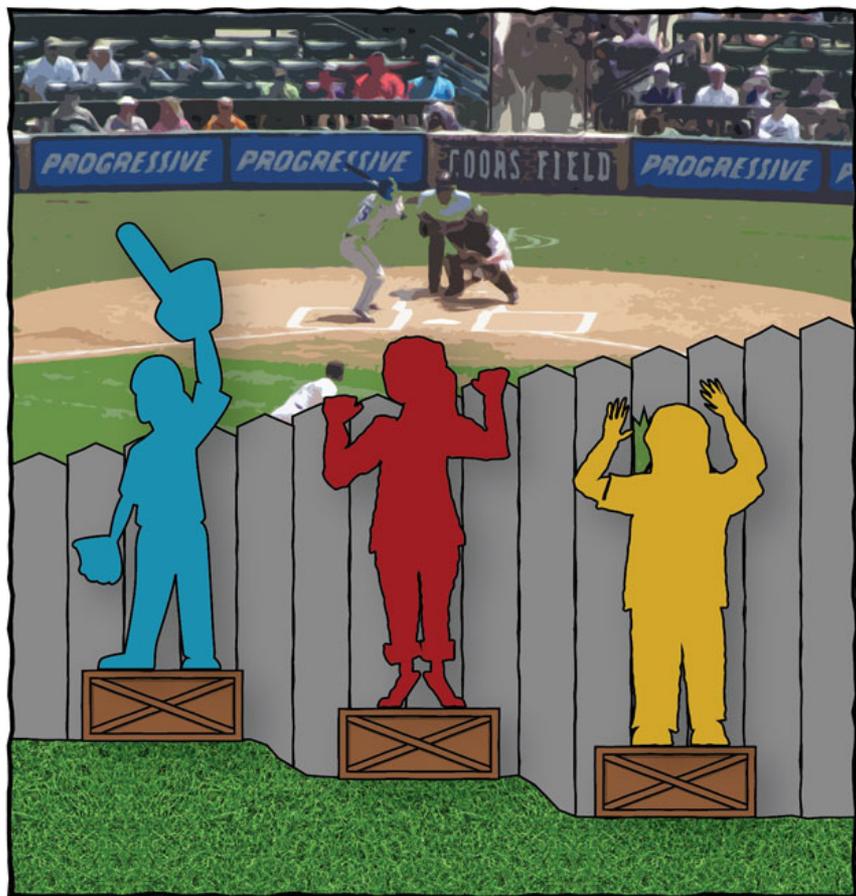
Y-axis: 0% to 100%
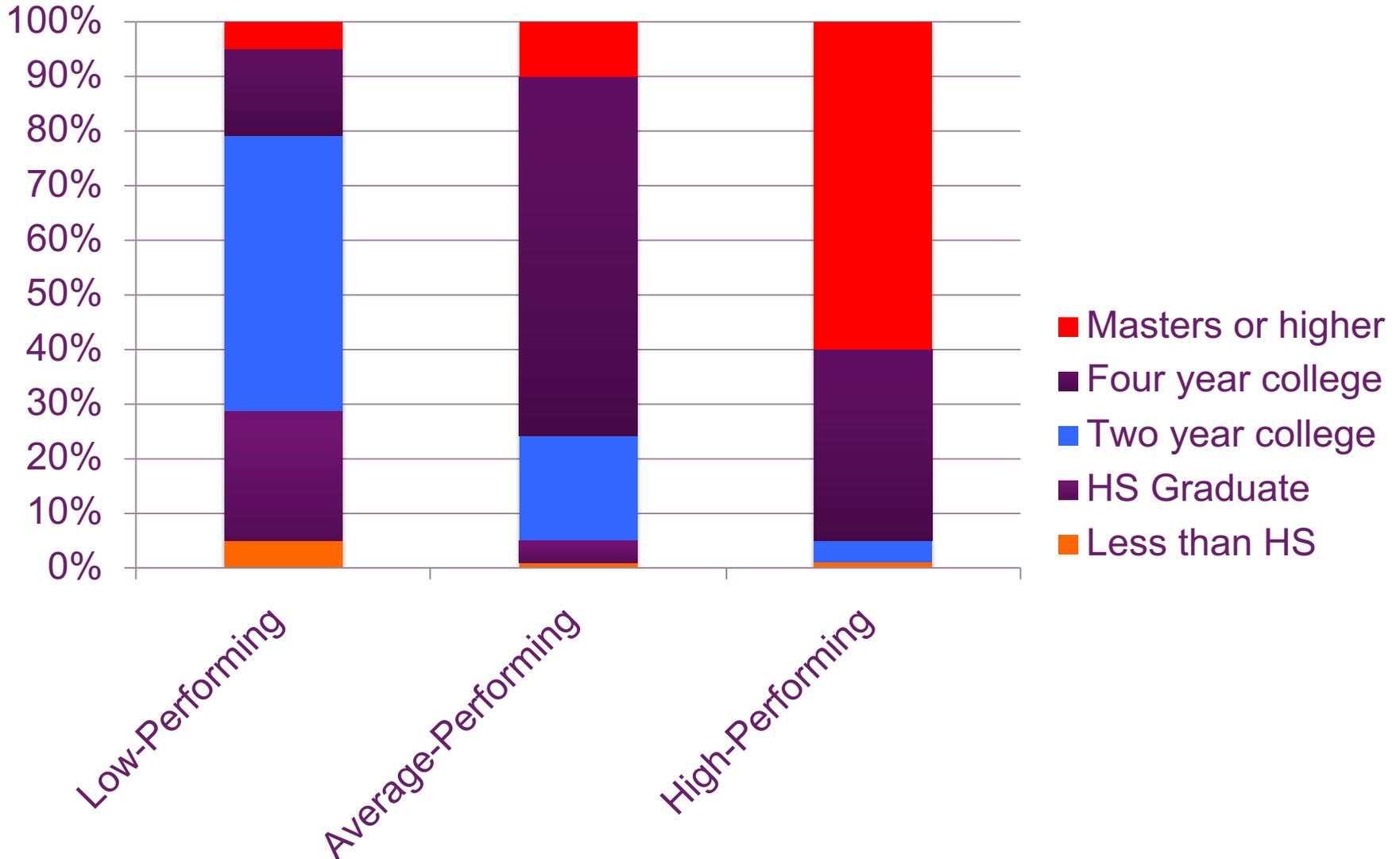
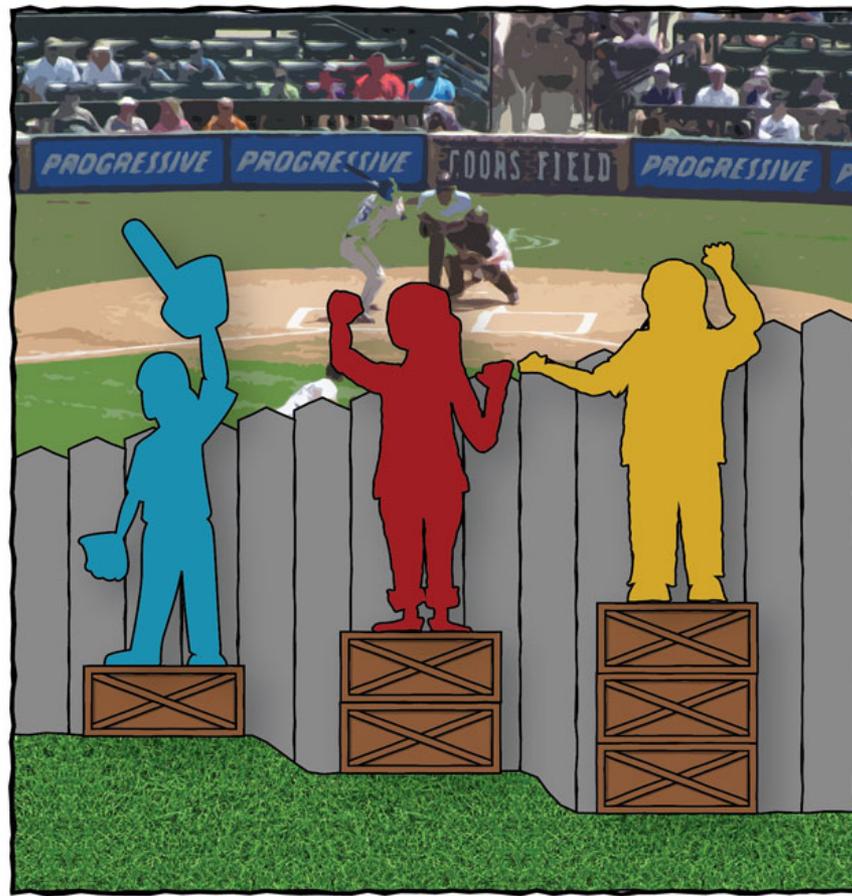# WHAT TO DO NEXT?

We need to institute equity first before getting to equality in order to address inequality!

EQUALITY

EQUITY

How to Implement:

Book Purpose:

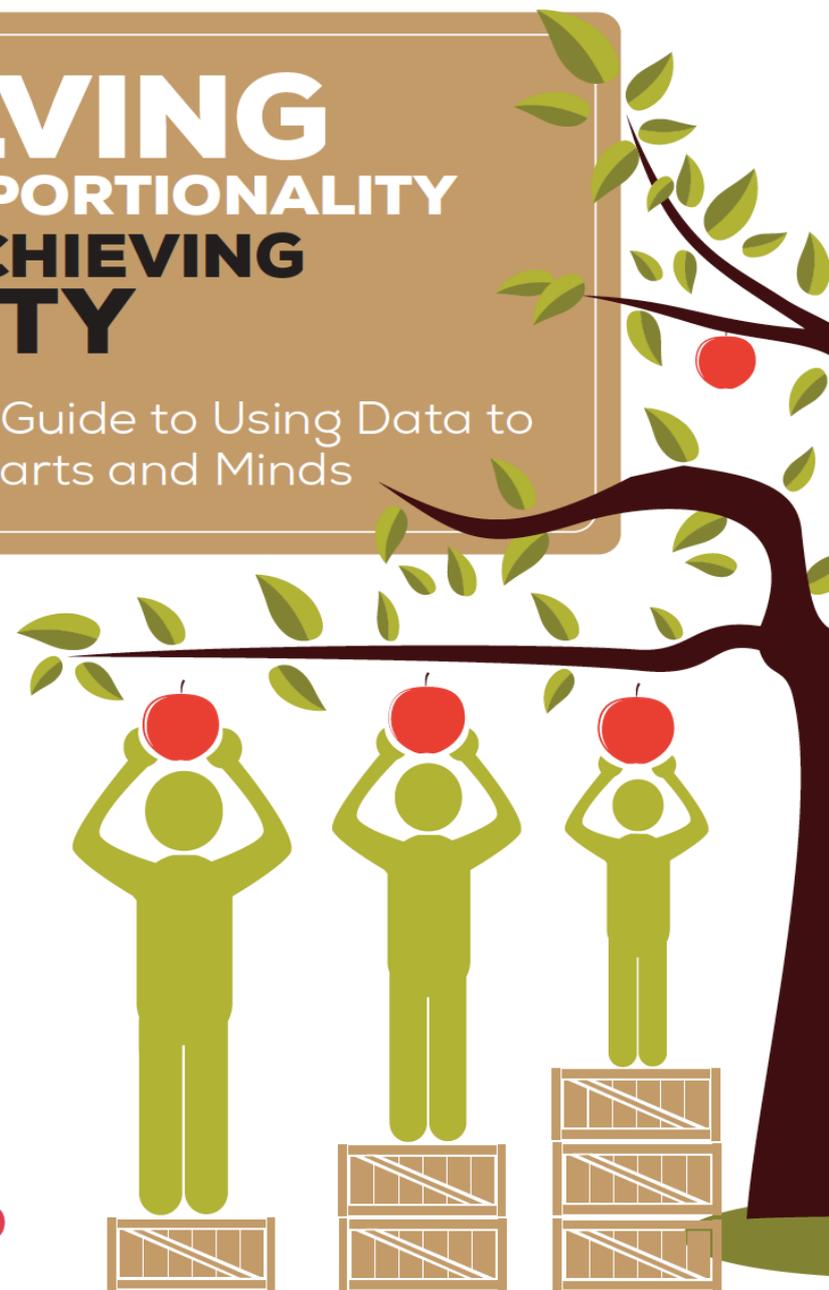- Self-guide for building capacity to understand and achieve equitable practice

Ideal:

- Community of practice that works collaboratively to conduct exercises in book in order to practice before conducting with school staff

SOLVING DISPROPORTIONALITY AND ACHIEVING EQUITY

A Leader's Guide to Using Data to Change Hearts and Minds

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Root cause

- Conduct root cause analysis with team
- Ensure causes are adequately documented
- Ensure there is an understanding of why process gaps disproportionately effect one group over others

Plans

- Develop plans tied to root cause analysis
- Ensure plans include a sequencing of change activities and expected interim process outcomes

Monitoring Process

- Develop quarterly benchmarks for team to examine wellness of CEIS plan implementation within years 1-2
- Develop annual benchmarks for team to match wellness of process improvements and student outcomes

Solving disproportionality requires attention to three components of educational practice…

Numerical	• *Name the outcome to be changed*
Social Justice	• *Name the access and opportunity to achieve and/or change*
Culture/Belief	• *Name and reduce the beliefs that frame and impact perceptions of cognitive and behavioral abilities*

RECOMMENDATION: ALIGNMENT OF COMPREHENSIVE CEIS PLANS AND ROOT CAUSE APPROACH

Root Cause Processes

- SEAs are already conducting root causes as component of significant disproportionality identification.

- Numerous tools available for conducting root cause analyses on disproportionality:

  – Disproportionality book: https://us.corwin.com/en-us/nam/book/solving-disproportionality-and-achieving-equity

  – Technical Assistance Center on Disproportionality: http://steinhardt.nyu.edu/metrocenter/center/technical_assistance/program/disproportionality/resources/publications

  – IDC IDEA Data Center: https://ideadata.org/resource-library/57ae50ea140ba0532a8b459e/

  – AIR: https://safesupportivelearning.ed.gov/addressing-root-causes-disparities-school-discipline

Comprehensive CEIS Plans

- SEAs are already requiring school districts to develop comprehensive CEIS Plans closely connected to root cause analysis.

  – California: http://www.cde.ca.gov/sp/se/qa/disproguidance112011.asp

- SEAs should also consider infusing into the outline of these comprehensive CEIS plans the framework from the National Implementation Research Network

(http://nirn.fpg.unc.edu).

Santa Cruz City School District

- Identified by California Department of Education as Significantly Disproportionate for Black/African American students in 2012-13 SY

- Conducted root cause analysis and identified various causes including instructional quality, absence of culturally responsive approach in educational practice and policy, and inconsistent effect of intervention strategies.

2013- Present CEIS Activities connected to root cause analysis

Instructional quality

- Developed school site tiers of instruction and intervention
- Developed observation rubrics for observing instructional depth with an equity lens

Interventions

- Mobilized funding opportunities to hire RTI coordinators at each site
- Developed intervention cycles, responsibilities of RTI coordinator, and translated intervention strategies into core instructional program

Culturally Responsive Approach

- Worked with various consultants to develop equity lens among school and district leadership
- Consultant conducted school climate survey of bias-based beliefs among staff

SAMPLE OBSERVATION TOOLS DEVELOPED BY SCCS

Equity and Productive Academic Talk Tool

Teacher: _____ Class/grade _____ Time: _____

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Race															
Gender															
Strategy : C, R, T, H, G															
Shares idea															
Response to initial question															
Initiates comment - question															
Help students share, expand, & clarify															
Help students listen carefully to one another															
Help students deepen their reasoning															
Help students think with others															
Allows time for Reflection															
Growth Mindset															
Comment:															

C=Call out, G = group, R=random, T= Teacher chosen, H= hand raised

Collaborative Work Rubric:

Check #1	Check #2	**Equity:** Group skills for equitable discussion	Teacher Feedback
☐	☐	All students are actively listening to others. - looking at the speaker - nodding when you agree - not talking while another person is talking	☐
☐	☐	Everyone participates so that no one dominates the conversation. *Wait a minute, let's talk about that.* *What I was trying to say was …*	☐
☐	☐	We pause to give space for quieter people to talk.	☐
☐	☐	We support everyone's voice. *That's an interesting idea.* *I hadn't thought of that.* *I see what you mean.* *_____, what ideas do you have?*	☐

Sample: *Root Cause tied to Action Plans*

SMART Goal	Indicators	Equity Principles
Sample: By May 2017, develop process for reviewing data and determining placement in GATE and honors/AP.	1. Placement team will (re)develop process and form for identifying criteria for placement. 2. Placement team defines specific data connected for placement	o Seek proportional outcomes o Address deficit thinking that defines "gifted" o Address stereotypes and colorblindness
Sample: By May 2017, develop criteria for movement between course sequence levels (i.e., general, college prep, GATE, Honors, and AP).	1. Staff participate in dialogue on identifying the criteria for movement between course sequence levels. 2. Criteria contains balance of academic and SEL measures.	o Seek proportional outcomes o Address deficit thinking that defines "gifted" o Address stereotypes and colorblindness
Sample: By May 2017, define process for college prep to Honors recommendation and transition process.	1. Staff participate in training on positive reinforcement. 2. Staff participate in developing school-wide and classroom expectations with positive reinforcement language.	o Seek proportional outcomes o Address deficit thinking that defines "gifted" o Address stereotypes and colorblindness

Thank you!

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