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# SOLVING DISPROPORTIONALITY: THE GAP IN OUR PRACTICE AND CROSS-CULTURAL EXPERIENCES

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# POLICY TERRAIN ON DISPROPORTIONALITY HAS ENSURED DISTRICTS ARE CITED AND ADDRESS THE CORE ISSUES

# DISPROPORTIONALITY IS:

- The over-representation of specific groups in special education programs in relation to their representation in the overall enrollment, and/or the under-representation of specific groups in accessing intervention services, resources, programs, rigorous curriculum and instruction.
- The over-representation of students with disabilities by race and ethnicity in suspension by duration, frequency, and intensity
  - The 1997 amendment of IDEA [20 U.S.C. §1418(c), 1998] established a specific policy approach for identifying disproportionality in special education and suspension.
  - The 2004 IDEA statute also included (a) guidance for states to monitor disproportionality, (b) to describe the formula used for identifying disproportionate districts, (c) to require districts found with "significant disproportionality" to set aside up to 15% of IDEA funds for coordinated early intervening services, and (d) require the school district to publicly report on the revision of policies, practices, and procedures.
  - The December, 2016 regulations on "significant disproportionality" included: (a) common use of relative risk ratio formula; (b) states establish threshold of disproportionality; (c) states establish a reasonable threshold with statewide stakeholder group; (d) states can determine reasonable progress and whether to identify districts.

# Revision to IDEA Regulation

## What are the Methodology Parameters?

In December 2016, the U.S. Department of Education revised the IDEA regulation and adopted a **risk ratio** as the standardized methodology.

**A State must complete the risk ratio methodology by setting:**

1. Reasonable risk ratio threshold
2. Reasonable minimum cell size (No >10)
3. Reasonable minimum N-size (No >30)

**Must be based on advice from stakeholders**

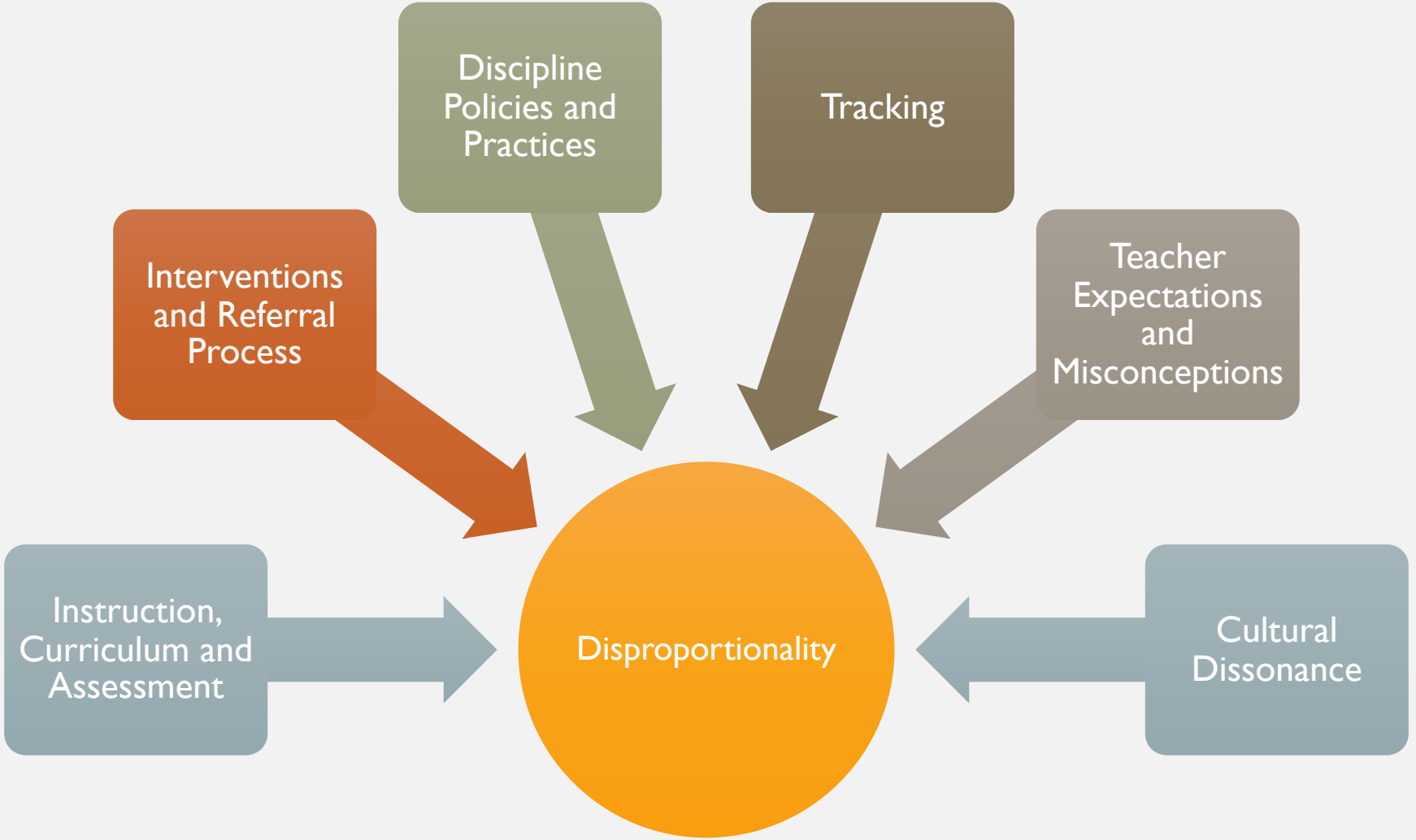
The requirements of the regulation become effective July 1, 2018.

34 CFR 300.647(b)

# Root Cause Analysis

REQUIRED STEP

# WHAT LEADS TO DISPROPORTIONALITY



# RESEARCH ON DISPROPORTIONALITY…

- **Propensity of disproportionality in SpEd, Gifted/AP/Honors, and Suspension**
  - Students of color (i.e., Black, Latino and Native American populations) are more likely to be classified with a disability, limited access to rigorous academic tracks, and suspended compared to all other students (e.g., Coutinho and Oswald, 2000; Fabelo, et.al., 2012; Fierros and Conroy, 2002; Oswald, Coutinho and Best, 2002; Parrish, 2002; Skiba, et.al., 2011; Zhang, et.al., 2014).
- **School level factors interacting with rates of disproportionality**
  - Limited interventions, procedures and teams for implementing interventions (Gravois and Rosenfield, 2006); differential implementation of referral processes (Harry and Klingner, 2006); inappropriate approaches to behavior management (Milner, 2006; Skiba, et.al., 1997; Weinstein, et.al., 2003); inadequate framing of zero tolerance and other behavior management policies (Hoffman, 2014; Noguera, 2003; Skiba, et.al., 2002); and beliefs about poverty and race in student learning and behavior (Ahram, Fergus, & Noguera, 2011; Fergus, 2016; Skiba, Simmons, & Ritter, 2006).
- **Student level factors interacting with rates of disproportionality**
  - Student level demographic factors (i.e., gender, race, parent educational level, eligibility for free or reduced lunch program) and/or teacher race and gender operate as explanatory variables of disciplinary infractions (e.g., Beck & Muschkin, 2012; Bryan, 2012; McElderry and Cheng, 2014) and special education classification rates (Morgan, et.al., 2015).

# EMERGING RESEARCH ON BELIEFS THAT SUPPORT AND/OR DRIVE POLICY AND PRACTICE

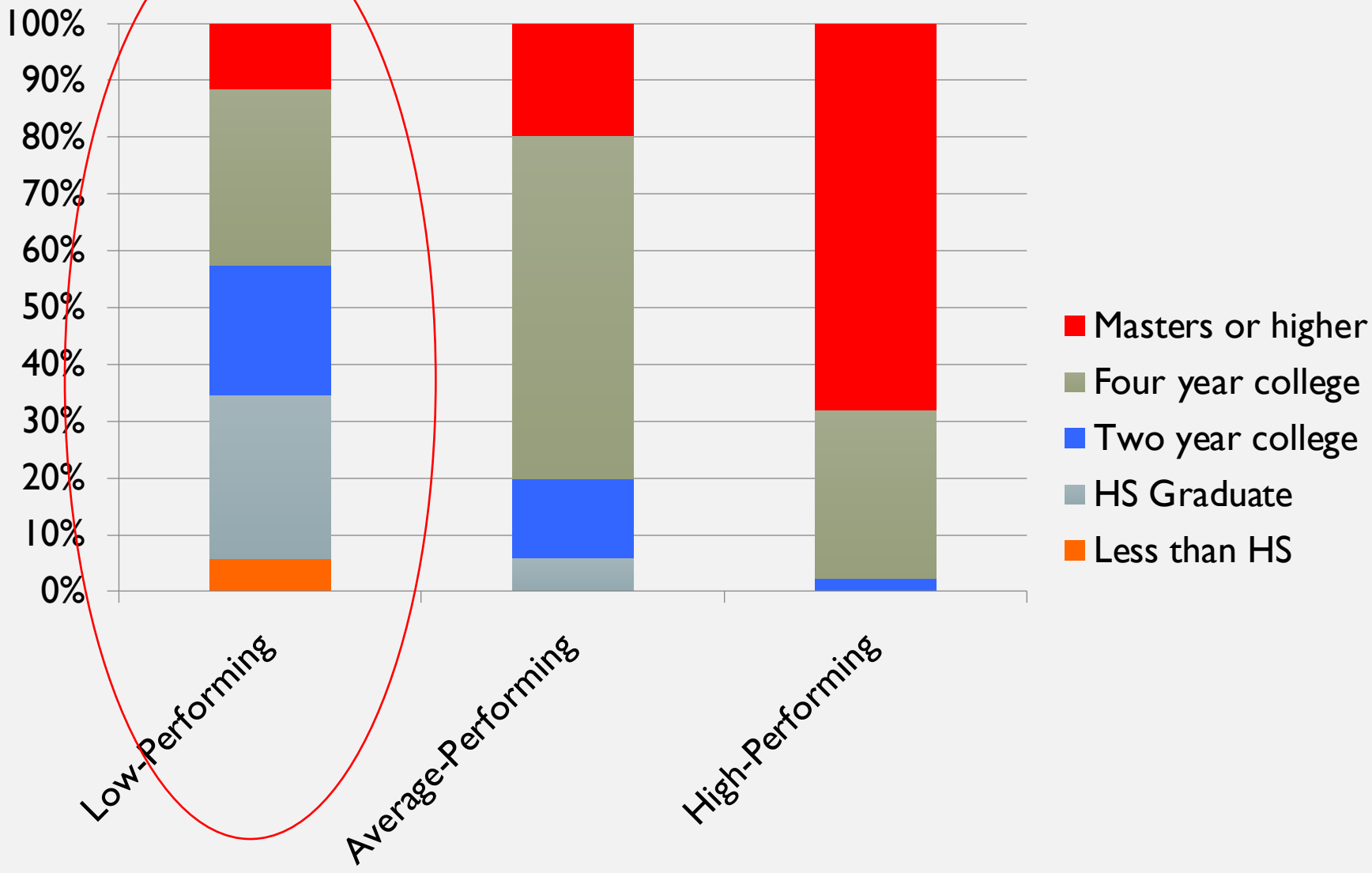
## FERGUS, E. (2016). "TEACHER BELIEFS ABOUT RACE IN SCHOOL DISTRICTS WITH OVERREPRESENTATION OF BLACK AND LATINO STUDENTS IN SPECIAL EDUCATION AND BEHAVIORAL REFERRALS." THREE FORMS OF BIAS-BASED BELIEFS

1. **Colorblindness:** 1) removes race identifiers; and 2) uses personal lens for viewing interaction. This belief can be showcased through interaction with individuals as identity-neutral "individuals", or looking for the commonalities between individuals.
2. **Deficit-thinking:** Premised on cultural and/or genetic deficiencies and used within education to explain academic performance as a result of deficiencies within an individual and/or group.
3. **Poverty-disciplining:** Premised on the notion that poverty happens because of individual behaviors and psychological dispositions. This belief is used to develop practices that are intended to change "poverty" behaviors.

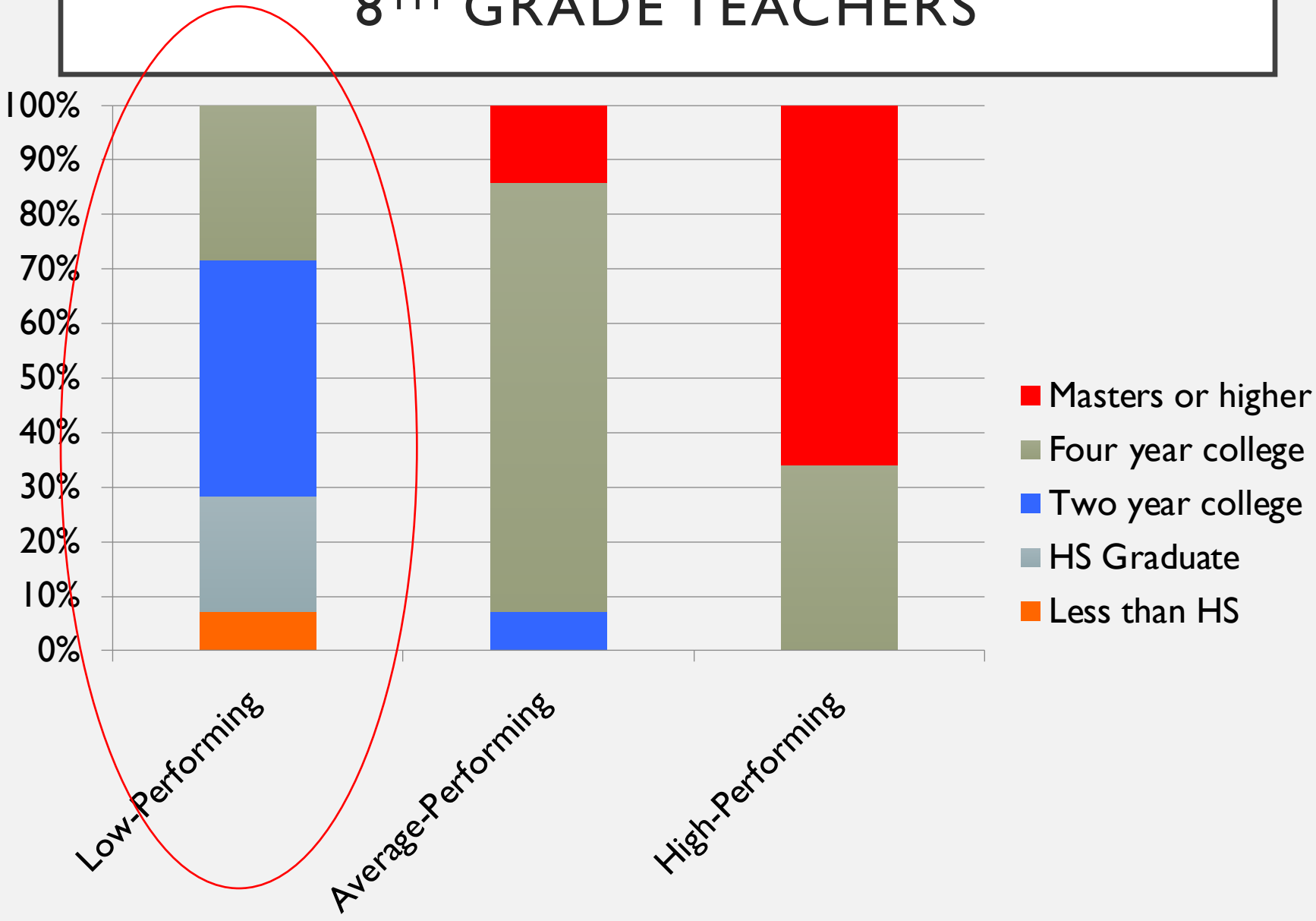
# EXAMPLES OF BELIEFS

# ACADEMIC EXPECTATIONS SURVEY QUESTION – *HOW FAR DO YOU EXPECT YOUR LOW, MODERATE AND HIGH PERFORMING STUDENTS TO ACHIEVE?*

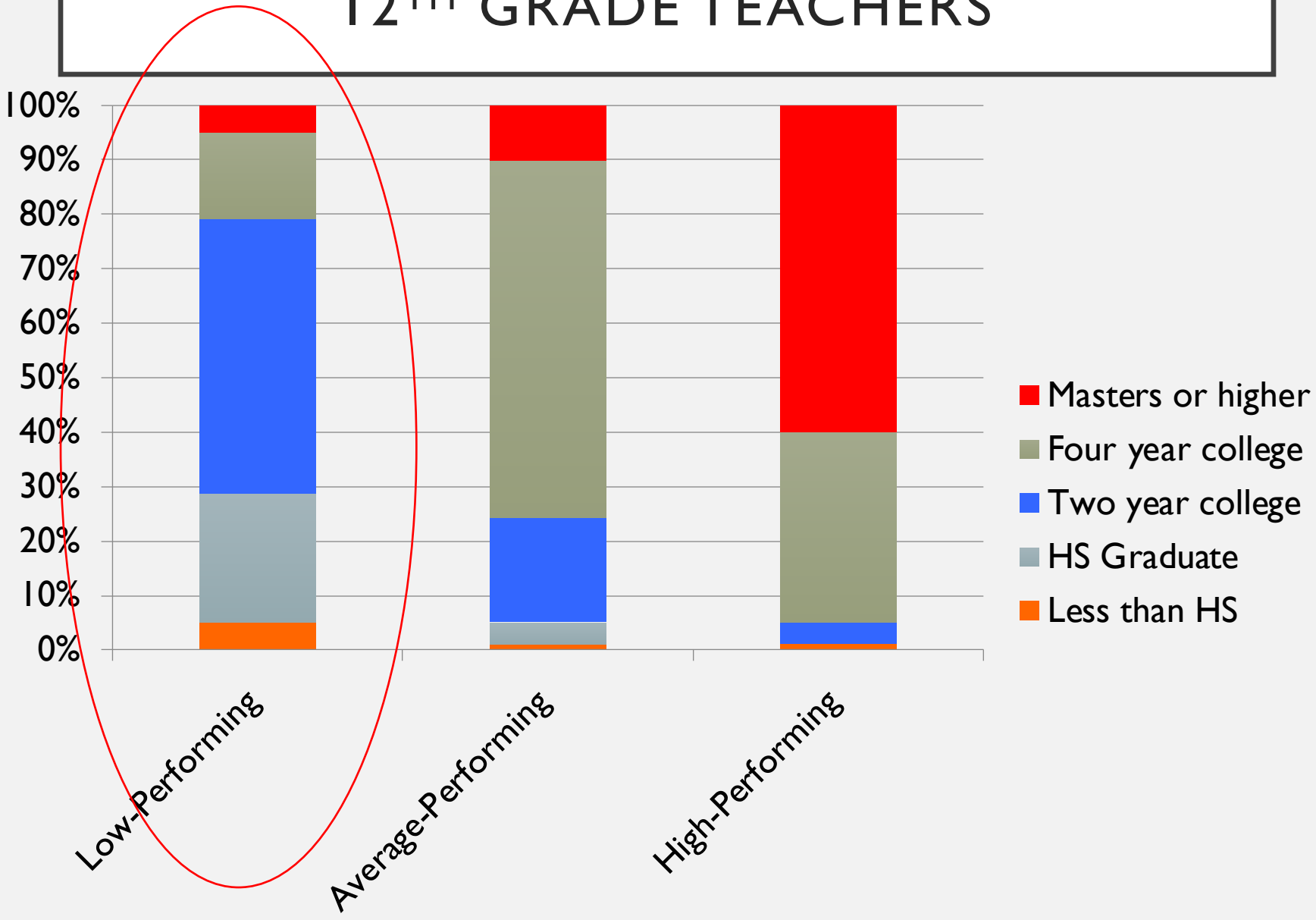
# KINDERGARTEN TEACHERS



# 8TH GRADE TEACHERS



# 12TH GRADE TEACHERS

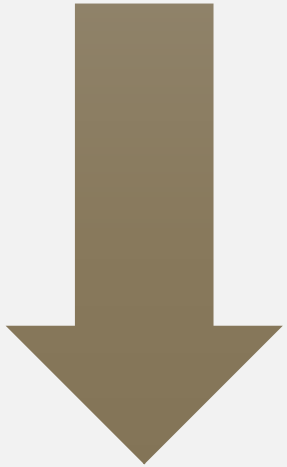


FERGUS, E. (2016). "TEACHER BELIEFS ABOUT RACE IN SCHOOL DISTRICTS WITH OVERREPRESENTATION OF BLACK AND LATINO STUDENTS IN SPECIAL EDUCATION AND BEHAVIORAL REFERRALS."

Self-efficacy

Deficit Thinking

Deficit Thinking



Cultural awareness knowledge

FERGUS, E. (2016). "TEACHER BELIEFS ABOUT RACE IN SCHOOL DISTRICTS WITH OVERREPRESENTATION OF BLACK AND LATINO STUDENTS IN SPECIAL EDUCATION AND BEHAVIORAL REFERRALS."

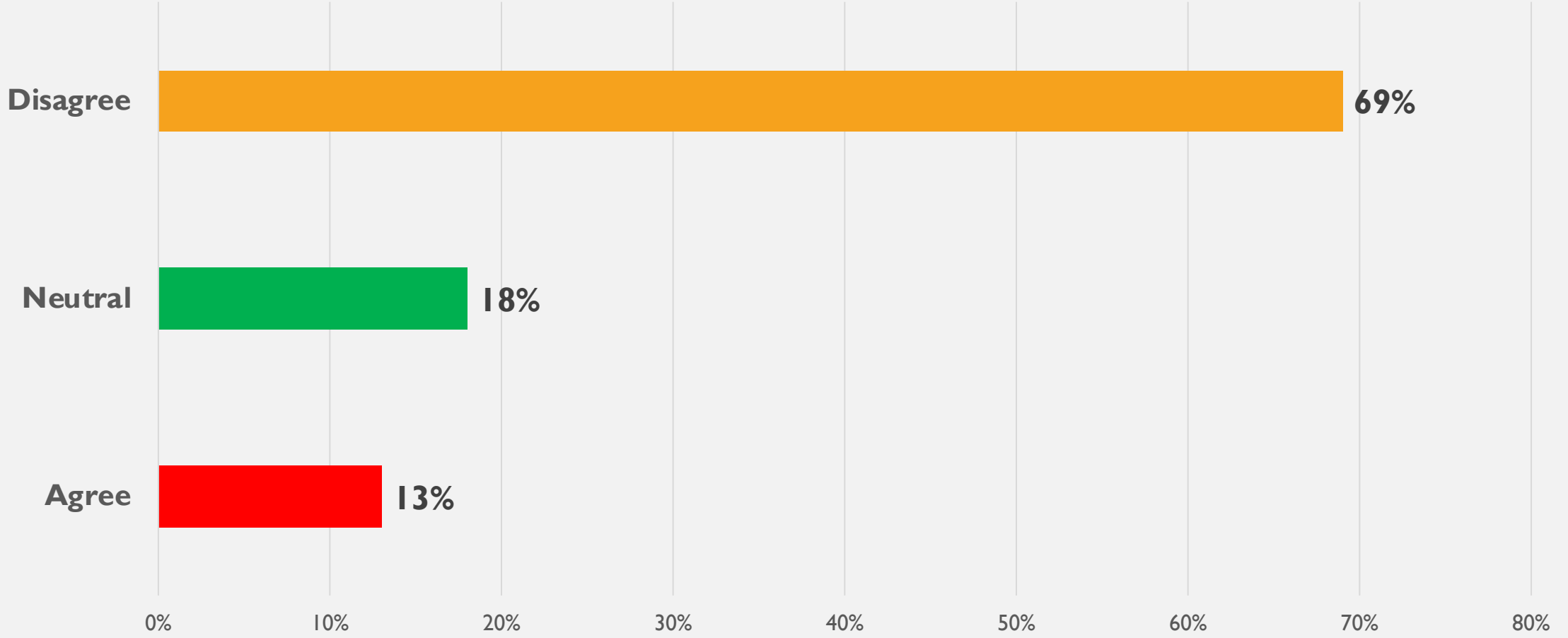
Deficit thinking

Lowered expectations

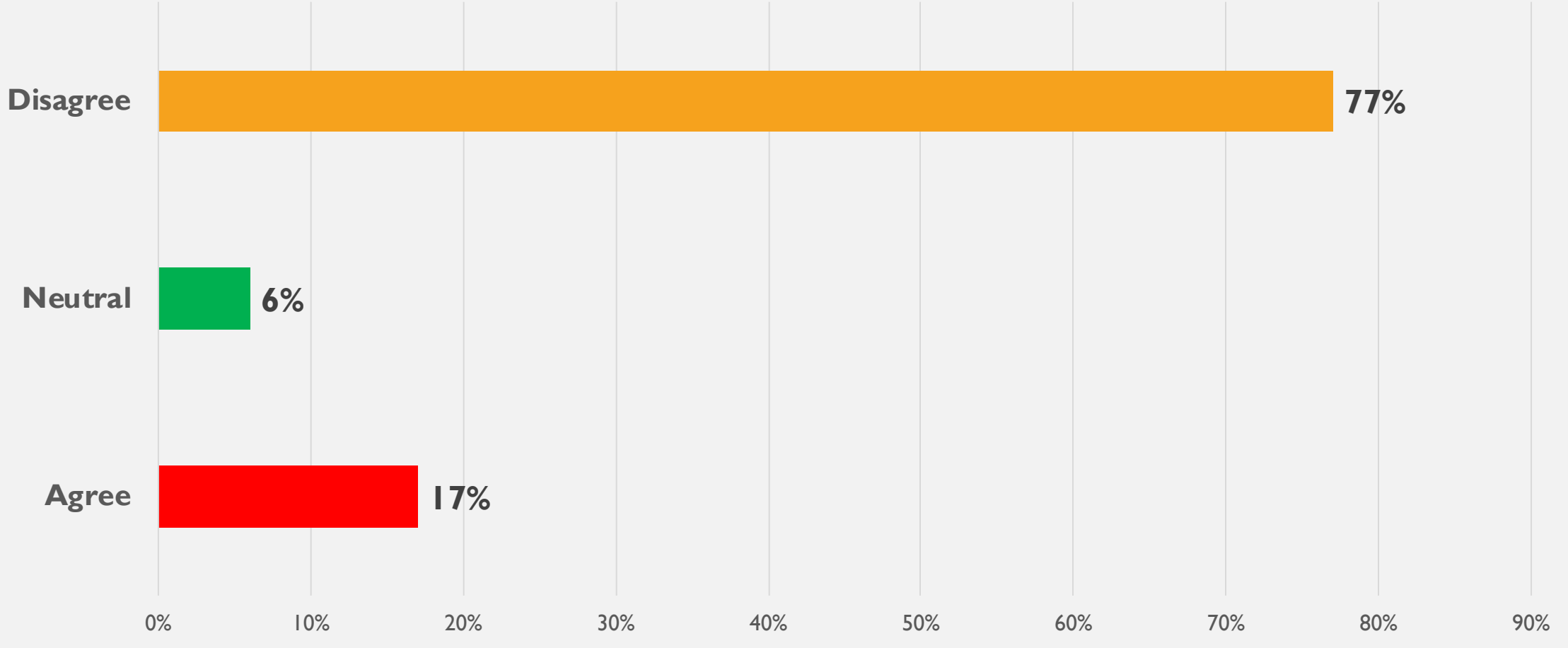
Colorblindness

Self-Efficacy

# TRYING TO BE CULTURALLY RESPONSIVE ALL THE TIME IS NICE IN THEORY, BUT THE REALITY IS THAT A TEACHER DOES NOT HAVE TIME TO BE ALL THINGS TO ALL STUDENTS. (200 RESPONDENTS)



# ALTHOUGH I AM HESITANT TO SAY SO PUBLICLY, I BELIEVE THAT RACIAL OR SOCIO-ECONOMIC DIFFERENCES IN INTELLIGENCE MAY HAVE A HEREDITARY OR GENETIC COMPONENT (200 RESPONDENTS)



# THESE BELIEFS ARE PART OF OUR SOCIAL HISTORY

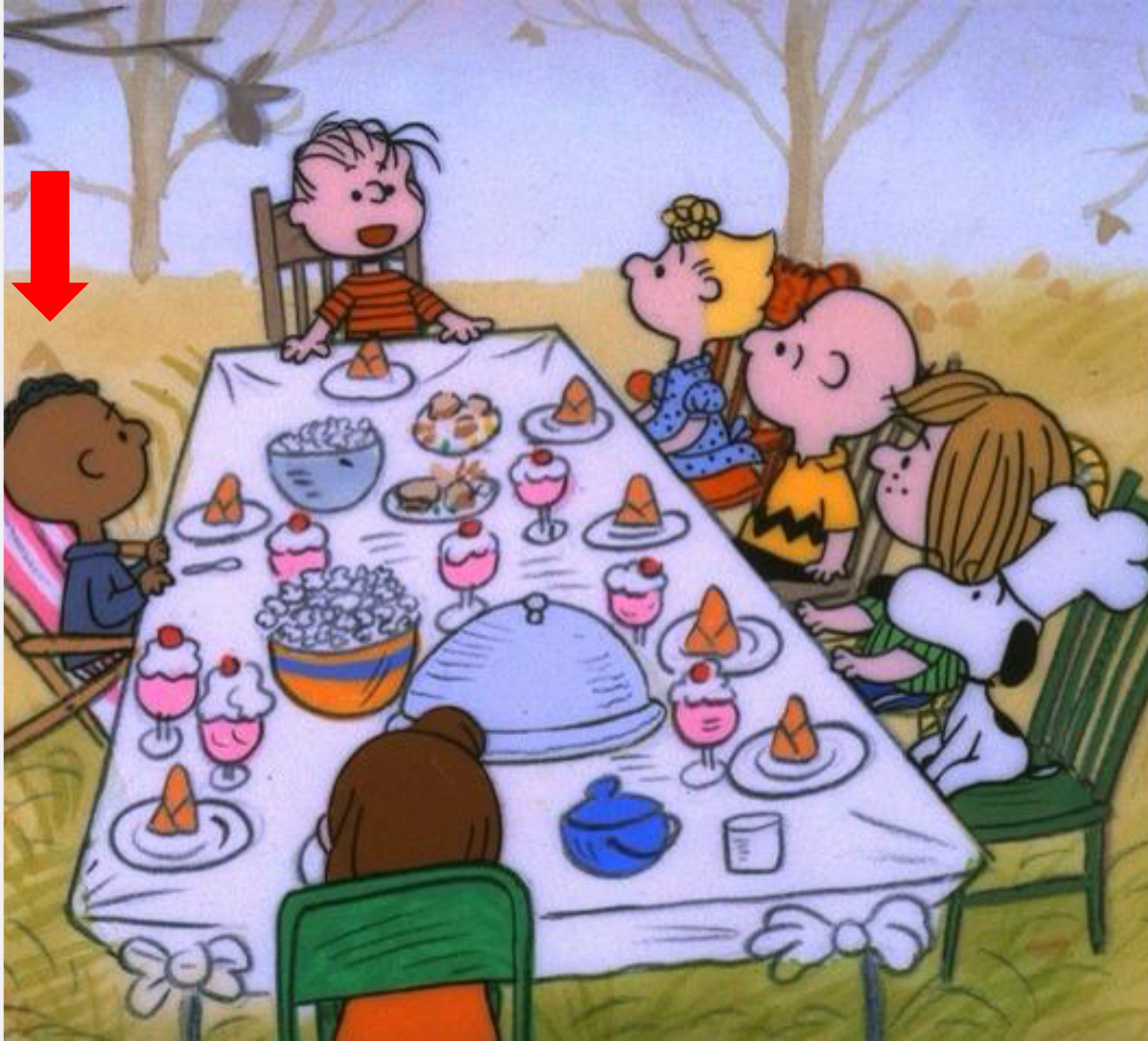
March 13, 1953, Topeka, Kansas

Dear Miss Buchanan:

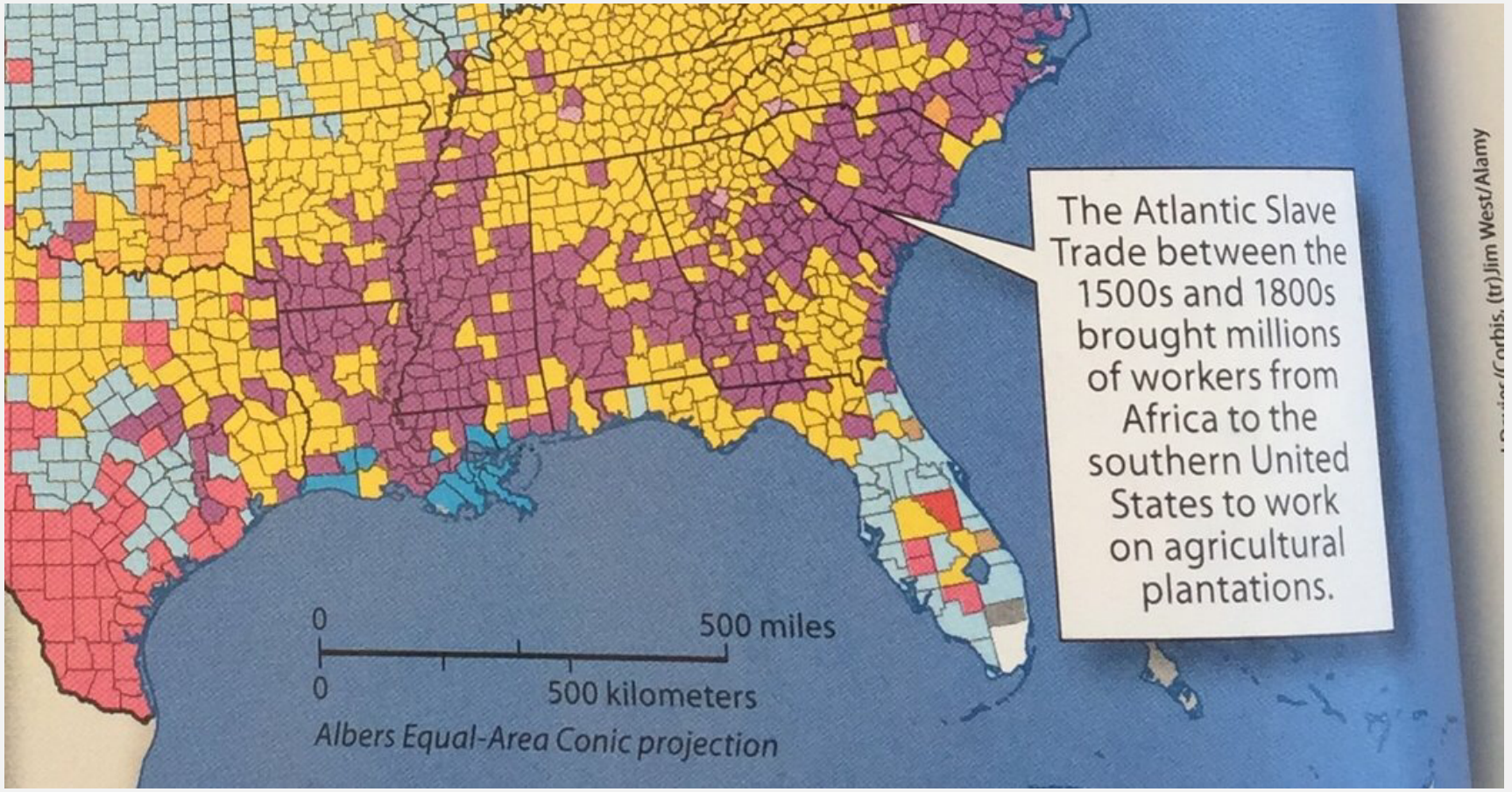
Due to the present uncertainty about enrollment next year in schools for negro children, it is not possible at this time to offer you employment for next year. If the Supreme Court should rule that segregation in the elementary grades is unconstitutional our Board will proceed on the assumption that the majority of people in Topeka will not want to employ negro teachers next year for White children. 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

COLORBLINDNESS EMERGED AS A MORE CULTURALLY EVOLVED BELIEF SYSTEM…HOWEVER IT WAS STILL KEPT US CULTURALLY DISTANCE AND/OR STEREOTYPES.



# MCGRAW-HILL TEXAS GEOGRAPHY TEXTBOOK (2015)



# STATEMENT FROM MCGRAW-HILL

- *We are deeply sorry that the caption was written this way. While the book was reviewed by many people inside and outside the company, and was made available for public review, no one raised concerns about the caption. Yet, clearly, something went wrong and we must and will do better.*

# BUILDING OUR EQUITY PRIORITIES MEANS PIVOTING FROM IDENTITY **HARMONY**

# DIMENSIONS OF EQUITY CONCEPTS (HAMMOND, 2017)

## Multicultural Education

- Focuses on celebrating diversity; creating social harmony that centers on seeking a common humanity (e.g., "we are all the same inside")
- Exposing privileged kids to diverse populations; and kids of color to seeing themselves and their potential.

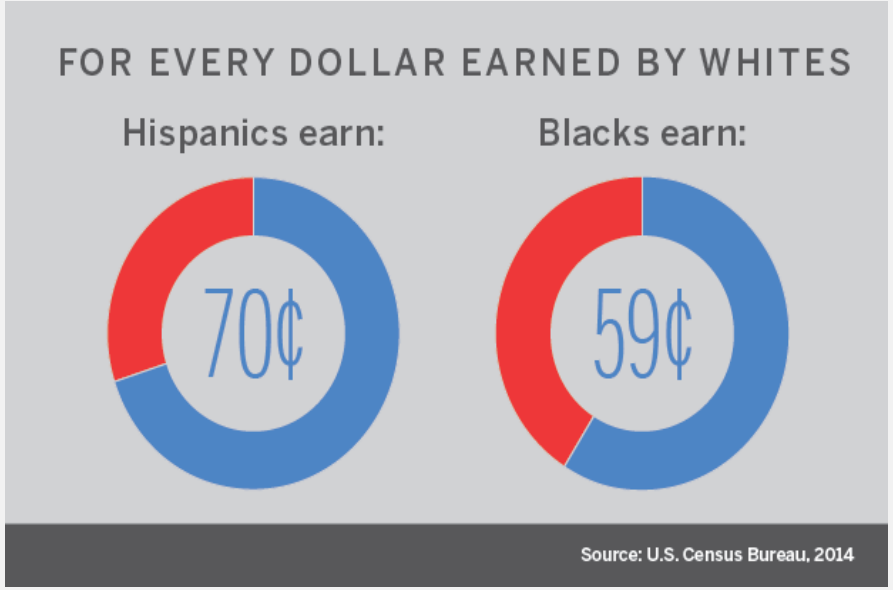
## Social Justice Education

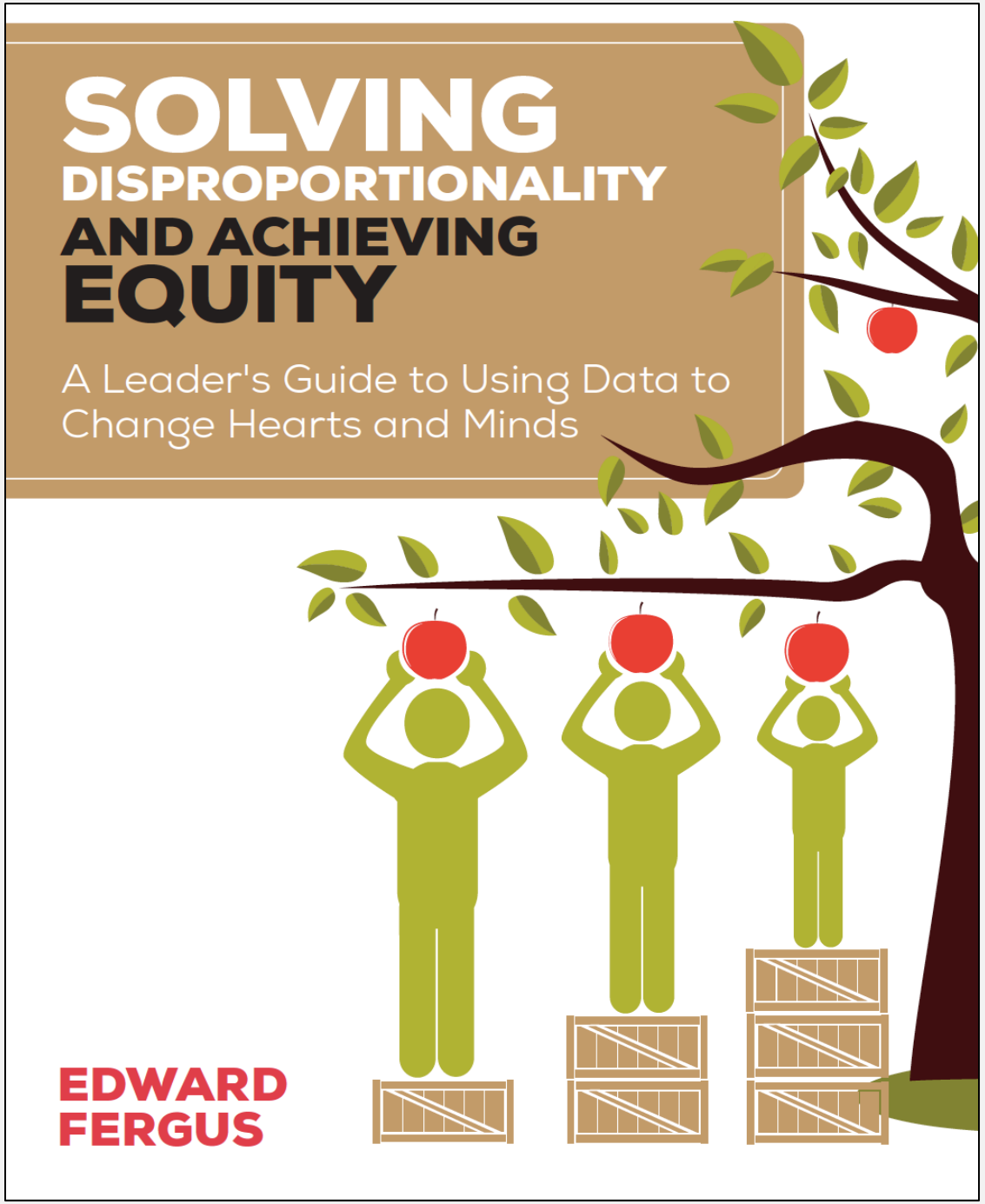
- Focuses on exposing social-political context of inequality
- Focuses on creating lens to interrupt patterns of inequality and bias
- Focuses on re-distributing educational process towards equity
- Focuses on understanding oppressions are supported by "normalizing" certain identities and "otherizing" those outside of the "norm"

## Culturally Responsive Pedagogy

- Focuses on improving learning capacity of marginalized students
- Identifies and adds and making core the cultural suitcases of marginalized groups into curriculum, instruction, and environment
- Centers on affective and learning domains of teaching and learning (i.e., how do I build positive views and social interactions with marginalized populations)

# MULTICULTURAL PIVOT TO SOCIAL JUSTICE REQUIRES UNDERSTANDING INEQUALITY PATTERNS, ACCESS & OPPORTUNITY, AND BELIEFS THAT SUPPORT INEQUALITY!




SOLVING
DISPROPORTIONALITY
AND ACHIEVING
EQUITY
A Leader's Guide to Using Data to Change Hearts and Minds
EDWARD FERGUS

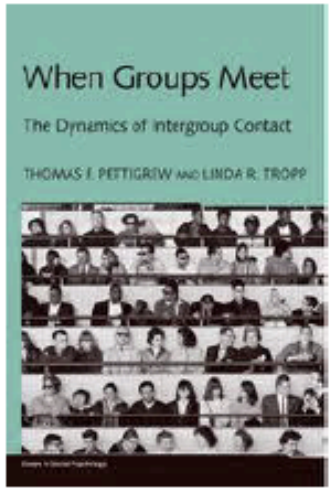
# INDIVIDUAL WORK ON ABSORBING EQUITY CONCEPTS

# Meta-Analysis of Intergroup Contact Effects

- **Quantitative Integration of Research Studies**
  - Total of 515 studies (713 independent samples)
  - Studies conducted between 1940s and 2000
  - Data from 250,089 study participants

- **Research Conducted in Diverse Contexts**
  - Contact studies from 38 different countries
  - Participants from different groups and settings
  - Studies gathered from multiple disciplines

    (e.g., psychology, sociology, political science, psychiatry, medicine, social work, education)




*(Pettigrew & Tropp, 2006; 2008; 2011; Tropp & Pettigrew, 2005a; 2005b)*

# DIFFERENT FORMS OF EVERYDAY BIAS AT PLAY

**Affinity Bias**: the tendency to gravitate toward and develop relationships with people who are more like ourselves and share similar interests and backgrounds. This leads people to invest more energy and resources in those who are in their affinity group while unintentionally leaving others out.

**Confirmatory/Associational bias**: is a type of sub/unconscious bias that causes people to pay more attention to information that confirms their existing belief system and disregard that which is contradictory. *We see what we expect to see!*

# STRATEGIES FOR REDUCING OR INTERRUPTING BIAS-BASED BELIEFS

IMPROVED DECISION-MAKING

COUNTER-STEREOTYPIC IMAGING

INDIVIDUATING

PERSPECTIVE TAKING

INTERGROUP CONTACT

# IMPROVED DECISION-MAKING

Slowing down; being more deliberate; checking assumptions of groups; removing discretion and ambiguity from decision-making:

*Example:*

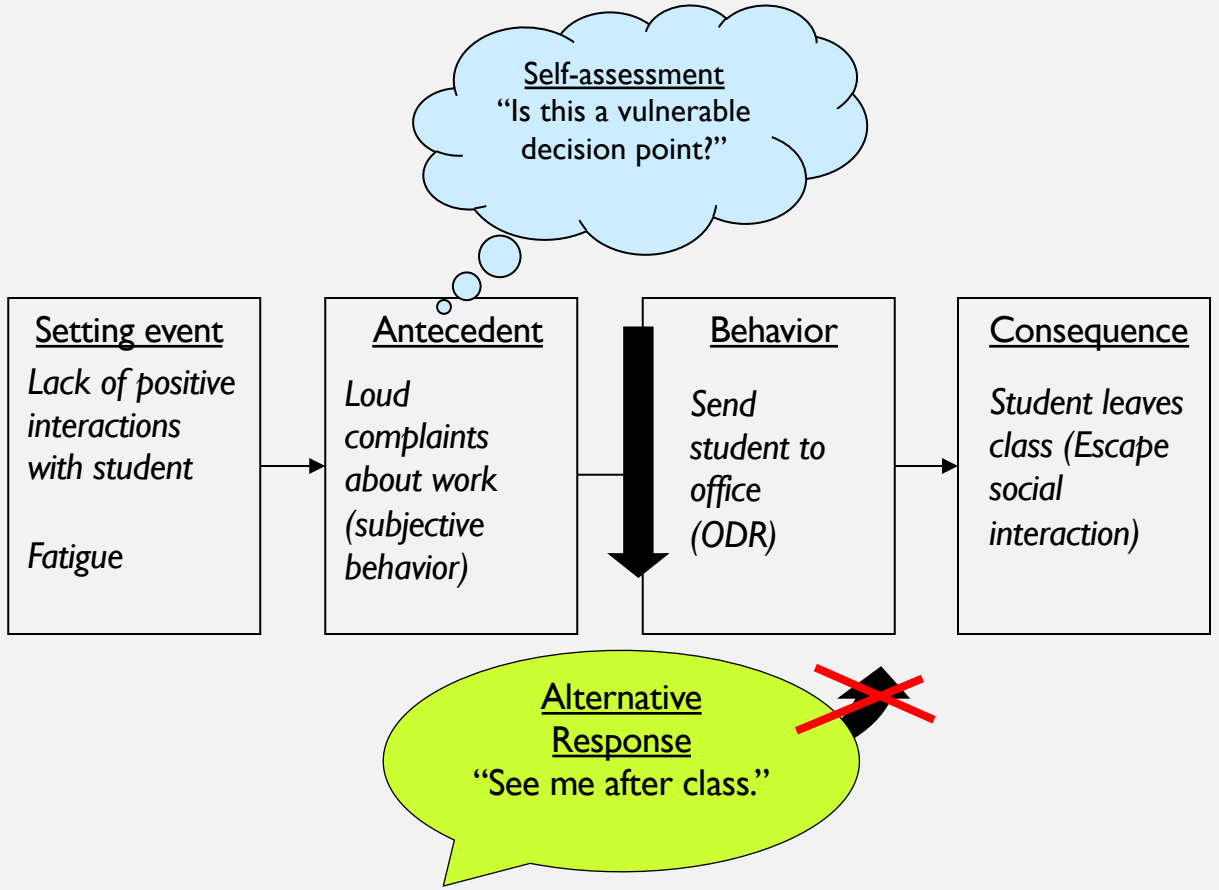
*DDI Meetings: "Are students from this group having a different experience in my class?"*

*Academic/Behavioral referral forms: "Demonstrate the efficacy of your practices"*

*Vulnerable decision-point in PBIS (McIntosh & Hill, 2013), questioning protocol for MTSS/RTI*

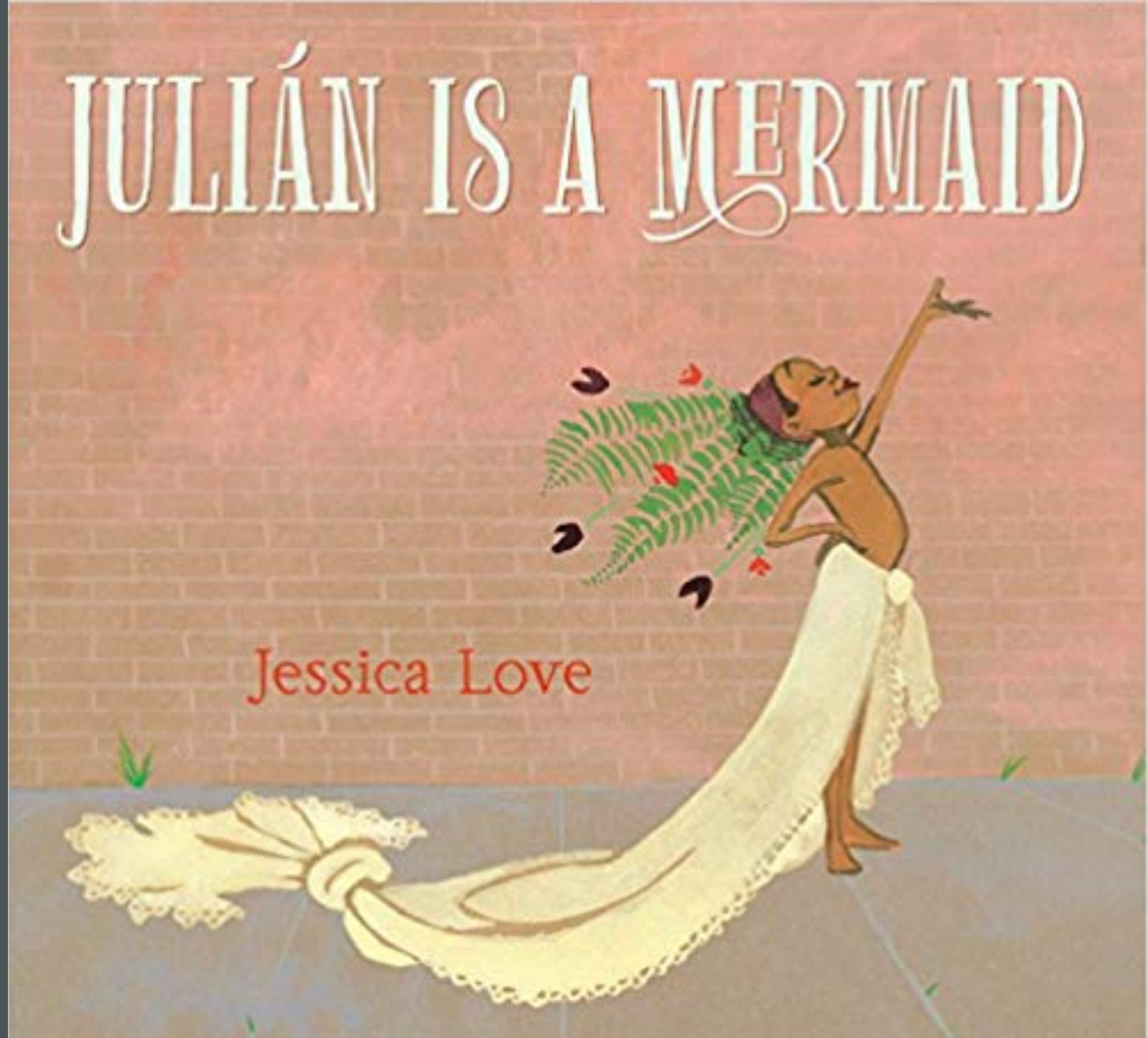
*"When I see this behavior, what are my beliefs and values about that behavior?"*

# NEUTRALIZING ROUTINES FOR REDUCING EFFECTS OF **IMPLICIT BIAS**



# COUNTER-STEREOTYPIC IMAGING

- The subconscious power of pictures, images and symbols to create "identity safety" and reduce/counter negative biases.
- Example: *Classroom libraries, images on classroom walls, etc.*



RESPECT
ALL
PEOPLE
STOP THE STEREOTYPES
I don't have to be a guy to be powerful.
RESPECT
ALL
PEOPLE
STOP THE STEREOTYPES
Jefferson Middle School
Not All Guys Have To Be Athletic.
RESPECT
ALL
PEOPLE
Not All Mexicans Play Soccer
RESPECT
ALL
PEOPLE

I am an honor
roll student
RESPECT
ALL
PEOPLE
Don't
judge...stand
RESPECT
ALL
PEOPLE
I don't have to

# INDIVIDUATING

Using the power of regular, one-on-one conversations to see people for their individual qualities and attributes versus seeing them as part of a stereotypic group.

*Mix-up small group continuously – genders, ability levels, linguistic capacity, races, ethnicities, etc.; continuous social interactions with individuals outside your affinity group*

*Activities: 2.7, 2.8*

# PERSPECTIVE TAKING

- Walking in the shoes – taking on the first hand perspective -- of others (or the perceived other)
- Cognitive tools:
  - Cultural reasoning: consider perspectives of others in situation (e.g., *how do kids of color or boys experience the disproportionate discipline)*
  - *Diplomatic Mindset: manages personal beliefs about cultural groups and understands self in cultural context (e.g., I am a White person working with racial/ethnic minorities, how do I understand my interactions…)*
- *Examples:*
  - *Former Newark Mayor Cory Booker living on food stamps for a week*
  - *Book study: The Other Wes Moore, Why are all the Black kids sitting together, White Fragility, Schooling Resilience, Other People's Children, etc.*
  - *Activities: 2.1b, 2.3b, 2.9b*

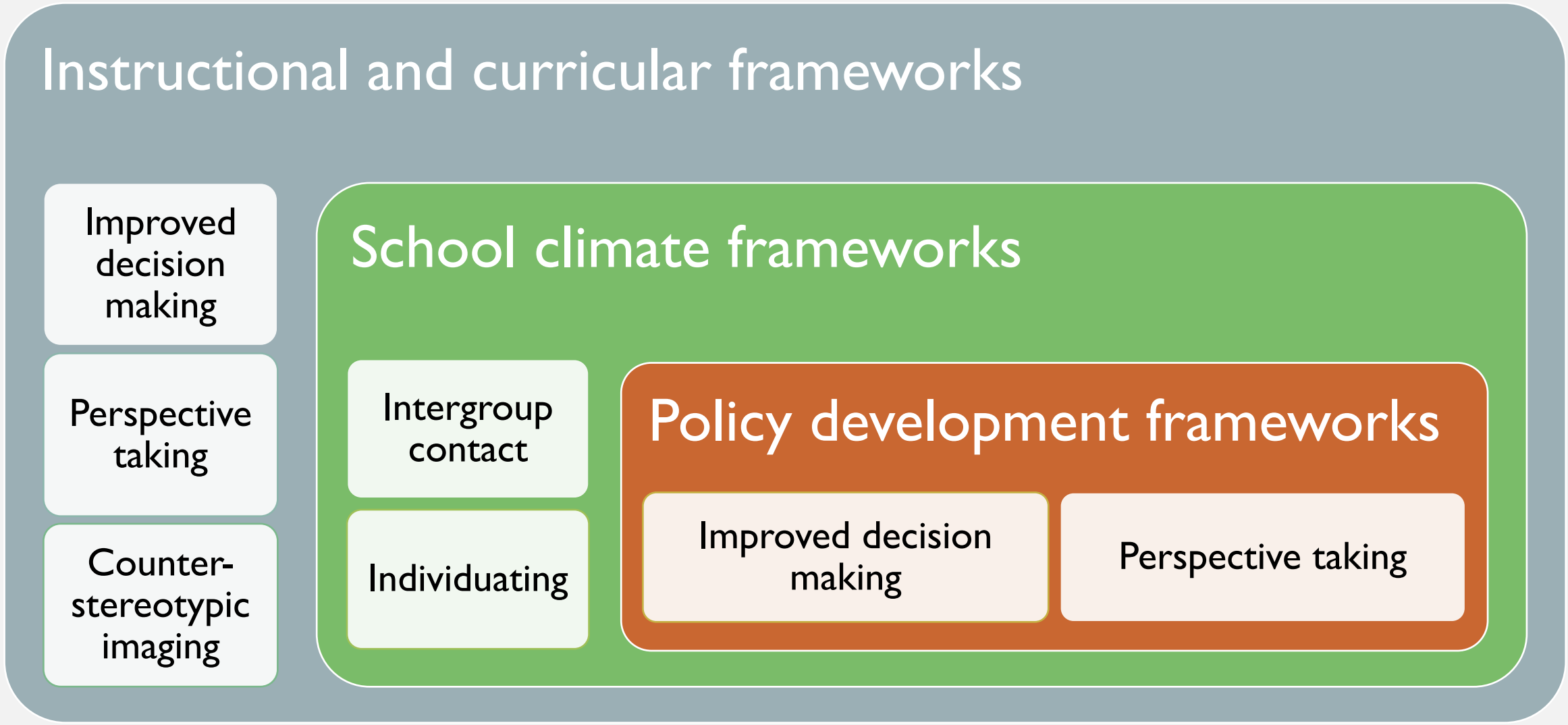
# INTER-GROUP CONTACT

- Using the power of positive, sustained dialogue across different identity groups to support individuation, perspective taking and group re-categorization.
- *Example: continuous and sustained social interactions with individuals outside of affinity group*

- *Activities: 2.7, 2.8, option activity 1-5*

# SYSTEMS WORK TO ABSORB EQUITY CONCEPTS

# PRACTICE EQUITY CONCEPTS WITHIN SYSTEMS: **BUILDING EQUITY INTELLIGENCE**



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**Dr. Edward Fergus**
Principal Manager
Collaborative Equity Solutions

*Dr. Eddie Fergus is a best selling author and an applied researcher at Temple University. Eddie's work explores the effects of educational policy and practice as it intersects the lives of populations living in vulnerable conditions.*