



Disproportionate Discipline Task Force
November 28, 2023, 9:00 pm - 2:30 pm

Castle Pines Library
360 Village Square Lane, Castle Pines, CO 80108
Event Hall on the lower level

Agenda

8:30 am: Breakfast, networking

9:00 am: Welcome

- *Quorum*
- *Approval of Agenda & Minutes*
- *Icebreaker & Announcements*

9:25 am: Public Comment

9:35 am: Nov 14 Follow-up Discussion: *Johann Liljengren, CDE*

10:05 am: Discussion: Review of Task Force Statutory Responsibilities

How does what we have learned to date tie back to our responsibilities? Where do you see opportunities for change? What more do you need to know to make recommendations?

10:50 am: Break

11:00 am: Background Information & Breakout Discussion: Disproportionate Discipline definitions and state trends - *Johann Liljengren, CDE*

- What do you see that you want to replicate in Colorado? Are there barriers to replicating? What are some strengths and weaknesses to each approach? What do you see as the implementation challenges that would need to be addressed? What do you want to know more about? What, if anything, is missing from these examples?

12:00 pm: Lunch - Eat and Network

12:45 pm: Discussion: What factors are necessary for consideration in developing a definition?

Task Force Responsibility: Define "disproportionate discipline" with considerations for size, location, and demographics of the local education provider

→ What are the key things you want in this definition?

- ◆ Race, class, gender, ability, language, etc
- ◆ District size, location
- ◆ Formula for measuring:

Examples:

- *Risk ratio that measures group comparison*
- *Indicate how much higher a level is (i.e. 2 times the population)*
- *Indicate or have metrics for how long it continues and if improvements occur (ie, if this occurs for two years)*

→ What is the scope of this definition? Does the definition and process address the entire discipline pipeline, from prevention to intervention and suspension/expulsion?

→ What information do we still need to accomplish this task? What should we be aware of as we are defining this? How do the other task force responsibilities need to be included in the creation of the definition? Who do we still need to hear from?

2:20 pm: Public Comment & Next Steps

2:30 pm: Adjourn

Meeting Minutes

Task Force Attendees: Zoe O'Donnell, Chair; Elie Zweibel, Co-Chair; Representative Stephanie Vigil, Sara Pielsticker, Anne Keke, Angelina Sandoval, Floyd Cobb, Mike Claudio,

Dawn Fritz, Laura McArthur, Sierra Agens, Lisa Schlueter, Michelle Murphy, Bridgette Anshus, Lisa Humberd

Public Attendees & Staff: Johann Liljengren, CDE, Jewel Sale, CDE, Jen Gallegos, CDE, Tricia Walz, CDE; Amber Minogue & Andrea Wilkins, Allied Agenda

Meeting Minutes:

- Chair Zoe O’Donnell called the meeting to order and the meeting facilitator verified the presence of a quorum.
- Chair O’Donnell called for a motion to approve the November 14th meeting minutes. Motion was moved by Sara Pielsticker and 2nd by Elie Zwiebel. Minutes were approved.
- Chair O’Donnell called for a motion to approve the November 28, 2023 agenda. Motion was made by Angelina Sandoval and 2nd by Lisa Humberd. Agenda was approved.

Call for public comment: No comments received.

Remarks by Johann Liljengren, CDE, to address questions arising from the presentation during the Nov. 14 meeting.

- Intersectionality can be reported as an aspect of reports developed by CDE; however the more indicators that represent intersections are drawn when looking at data, the more different suppression rules will overlap and need to be applied.
 - Smaller districts and/or smaller groups of students may not allow for reporting when overlapping suppression rules are applied.
- Risk ratio has evolved over time, starting with a stakeholder engagement process in 2017 that helped define disproportionate discipline for LEAs. This process was in response to 2016 Federal IDEA regulations requiring all states to use a standard methodology to analyze significant disproportionality in their LEA to develop a definition of significant disproportionality with stakeholders’ input. [See this brief](#) for detailed description of CDE process and implementation progress.
- The redefining of significant disproportionality came with a reduction of risk ratio thresholds and increase in the amount of risk ratio reduction necessary to qualify for “reasonable progress.”
- There are many CDE data collections that collect a lot of repetitive data from districts, but those collections don't necessarily share between each other. The taskforce should be mindful that if we recommend changes, we should consider

changes to current data collections so as not to create a whole new collection which would put additional work on staff and district reporting.

Review of Task Force Statutory Responsibilities

- Task force reviewed statutory duties
- Identified legal standards as a place for review. Currently the categories are “catch all” and too vague.
- Task force should better understand how the discipline system aligns or correlates with the accountability system. (Discrepancy exists between 22-33-106 and 22-33-107 - can we recommend alignment?)*
- There is a discipline continuum, from prevention to intervention. How does student re-engagement and other drop-out prevention strategies decrease the need for discipline? How do we evaluate what is used as prevention and intervention and understand their efficacy? Do we know when we are successful, what is our measurement?
 - Who is doing it right? Are there alternatives to discipline practices that are successful (e.g. restorative justice practices)
 - We must remain mindful of the push and pull of local control vs. the state role in defining practice.
 - We should provide a menu of options for strategies that districts can choose from.*
 - How does state support continuation and replication of promising practices already in use within some districts?
 - As we make recommendations about changes, we also need to consider what works (e.g. Colorado Springs discipline matrix)
 - Classroom culture – what works in the classroom and how do you promote that school- and district-wide
 - Can every district develop a plan or discipline matrix that defines staff conduct for discipline?*
 - Our recommendations can include legislative and administrative changes.
 - What is the rural story in these contexts, how does it differ from what we see in urban and suburban districts? Are the recommendations we think about applicable for all environments?
- Task force must engage with legislators (i.e. Senator Buckner & Rep. Maclauchlan) to educate about and become champions for Task Force recommendations (Angelina, Rep. Vigil, Dawn are all good connections to the legislature)
- Identifying and understanding different systems (e.g. juvenile justice, human service, etc) and how they intersect with the education system, and with the laws that govern each system. Can we clarify and align languages across some of these intersecting systems?*
- As we define disproportionate discipline, our focus must include a definition of

discipline, not just disproportionate.

Disproportionate Discipline definitions and state trends

- Education Commission of the States (ECS) provided [a brief overview](#) of what other states are doing to define disproportionate discipline.
- Three main approaches for defining:
 - Compare percentage disciplined to percentage enrolled of different groups
 - Compare gaps between groups (ie 15 percentage point gap between highest and lowest)
 - Adopt federal significant disproportionality
- For example: In Illinois, they determine the top 20% of school districts annually using the following metrics:
 - Total number of out-of-school suspensions divided by the total district enrollment by the last school day in September
 - Total number of out-of-school expulsions divided by the total district enrollment by the last school day in September
 - Racial disproportionality, defined as the overrepresentation of students of color or white students in comparison to the total number of students of color or white students on October 1st of the school year in which data are collected, with respect to the use of out-of-school suspensions and expulsions
- Conversely, Oregon defines it more narrowly as follows:
 - “Disproportionate Discipline” means disproportionate rates of suspensions and expulsions for American Indian/ Alaska Native students compared to their white classmates who commit similar infractions and who have similar discipline histories.

What factors are necessary for consideration in developing a definition:

In defining discipline, we are focused on formal exclusion - as opposed to informal exclusion or “being pushed out”.

Categories to be considered when developing definition:

- race
- gender
- ability
- English language learners

- ethnicity
- age/grade
- gifted and talented
- at-risk status
- foster care involvement
- incident type and duration

(Offered by Elie Zweibel): When a student who is a minority in terms of demographic identification is disciplined in a manner outsized in comparison to that demographic minority's representation in the student population.

(Offered by Angelina Sandoval): A particular group of students (based on any personal characteristic) is represented in a given category at a significantly higher or lower rate than other groups.

Other factors for consideration:

- Categories of formal exclusion currently reported are suspension, expulsion, and restraint.
- Capturing some disproportionality for some groups will have positive downstream effects for other groups and the student population as a whole.
- Should categories considered in definition be limited to those that are a protected class?
- Can we require training about impacts of informal discipline/exclusion? One recommendation may be that a future task force be charged with examining informal push out.*
- Do we consider restorative practices part of the discipline model?
- Discipline is commonly associated with punishment/viewed as punitive.
- If we recommend additional data collection, what will CDE do with new data? How do we use data to effect the change we want to see? We need to ensure that recommendations are tied to a rationale that moves us closer to our desired outcomes.
- Recommend future task force to oversee implementation?*

Call for public comment: No comments received.

Adjourn at 2:30

*Indicates possible Task Force recommendation.