# Civil Rights Data Collection (CRDC) Webinar:

Using the Data in Local Work June 28, 2018



Liz Olsson ♦ NAACP Legal Defense Fund

Harold Jordan → ACLU Pennsylvania

Amir Whitaker ◆ ACLU SoCal Attorney & UCLA Researcher

# **Agenda**

#### I. Introduction - Liz

Why CRDC and how to use as an advocacy tool?

#### II. Overview of CRDC website and accessing local info - Harold

- Accessing Local Information
- Charts/diagrams that can be generated

#### III. Analyzing and Understanding the Data – Amir

- Data flaws and issues
- Data analysis tips
- Publication preview
- National and state analysis

#### IV. Closing and Next Steps – Liz

- Collection of issues (e-mail to Liz at <u>eolsson@naacpldf.org</u>)
- ESSA data requirements and timeline

# Intro to CRDC and Local Work

# Liz Olsson NAACP Legal Defense Fund

## What is the CRDC?

- The U.S. Department of Education (ED) conducts the Civil Rights Data Collection (CRDC) to collect data on key education characteristics of school districts.
- Office of Civil Rights (OCR) collects the data to ensure that districts are meeting their civil rights obligations.
- Conducted usually every two years.
  - Current data is for 2015-2016
  - The next data collection will be for 2017-2018.
- Data on individual schools and districts.

## What is the CRDC?

- Covers a number of school characteristics, like:
  - Access to Advanced Placement courses, Math and Science courses,
  - SAT/ACT tests,
  - Preschool programs,
  - Percentage of first-year teachers,
  - Enrollment demographics, and
  - Discipline.
- Data is disaggregated by race/ethnicity, sex, limited English proficiency, and for students with disabilities and students without disabilities.

# Why CRDC Matters?

- It matters more than ever it is connected to ESSA
- CRDC is a tool for members to use in their local work
- Reveals school climate disparities related to discipline, restraint and seclusion, retention, and bullying
- Tracks personnel and non-personnel expenditures
- Can be used to check that data is being reported accurately
- Gives State/National estimations

# What new info is in the 2015-2016 CRDC?

# Several elements were optional for 2013-2014 but required for 2015-2016, including:

- Number of incidents of violent and serious crimes
- Number of school days missed by students who received outof-school suspensions
- Number of students transferred to alternative schools
- Number of instances of corporal punishment PreK-12
- Number of allegations of harassment or bullying on basis of sexual orientation or religion
- Number of FTEs for psychologists, social workers, nurses, security guards, and SROs

Additional elements included data on school characteristics, early childhood education, college and career readiness, & school staffing/resources.

# Local Issues with Reporting + Definitions

- Local districts do not always report data accurately to OCR
- If a district fails to report certain data, a zero will appear
- There may also be cases where the data on the OCR website does not match the data you can access locally. One reason may be different rounding of numbers attempting to maintain privacy
- Some districts may not accurately report particular disciplinary categories because the way OCR defines a category does not match the district's definition

# **Holding Districts Accountable**

- Schools and districts can be held accountable if you know that the data reported is incorrect, and you have documentation to prove otherwise.
- For example, in Holmes County Mississippi:
  - -During the previous data collection, it was reported that no students were referred to Law Enforcement; but through Nollie Jenkins Family Center's organizing we had evidence that at least four students had been referred.
  - With regards to school-related arrest, data from the previous collection reported a lower number than actual in elementary, middle and high schools.

# **Questions**

Any questions so far?

# HOW TO: Explore the OCR Website

Harold Jordan ACLU Pennsylvania

#### **OCR** website has evolved over time



#### Features added in 2016:

- Data Analysis Tools 3 tools that automate the process of making calculations and comparisons <a href="http://ocrdata.ed.gov/DataAnalysisTools">http://ocrdata.ed.gov/DataAnalysisTools</a>
- Discipline Report but does not include arrests & assignment to alternative schools
- But some tools do not yet use the 2015-16 data
- And some tools use data only for school-administered discipline (suspensions, etc.), not police-administered discipline (arrests)

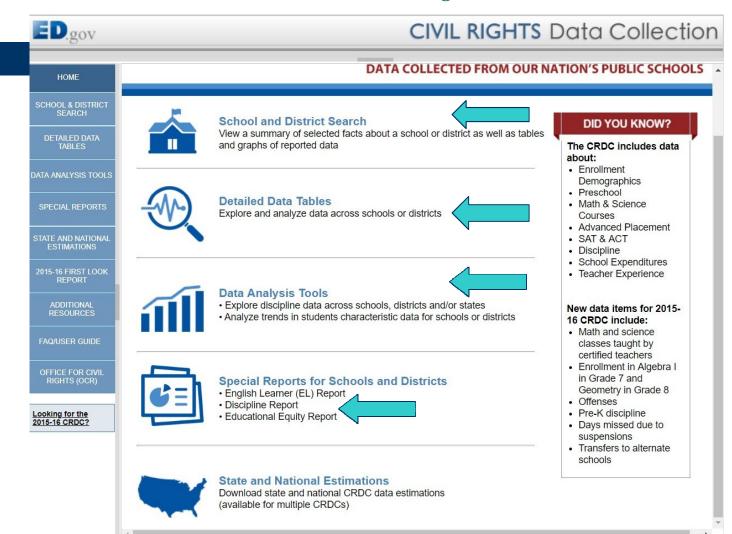




#### **Four Approaches to Accessing Data**

Go to ocrdata.ed.gov

**HOW TO: Explore the District Data <u>Summaries</u> from Office for Civil Rights** 



#### **Approaches to Pulling/Displaying Data**

1. Use School and District Search

Lesson1

- ✓ Access to complete data w/visuals
- 2. Use Detailed Data Tables
  - ✓ Displays all categories of discipline data in tables
  - ✓ #s and %s can be downloaded in Excel, CSV, or PDF
  - ✓ Best choice for the data hound, but you must do
    the math
- 3. Use OCR's Data Analysis Tools
  - ✓ But only the Outcome Calculator uses 2015 data (so far)
  - ✓ Not all tools report arrest trends

Lesson 2

- 4. Use Discipline Report
  - ✓ Easy and quick snapshot with helpful line graphs
  - ✓ Does not report arrest and alternative schools data
  - ✓ Displays suspensions by race and gender in a unique way



#### **CIVIL RIGHTS** Data Collection

HOME

SCHOOL & DISTRICT SEARCH

> DETAILED DATA TABLES

DATA ANALYSIS TOOLS

SPECIAL REPORTS

STATE AND NATIONAL ESTIMATIONS

2015-16 FIRST LOOK REPORT

ADDITIONAL RESOURCES

FAQ/USER GUID

OFFICE FOR CIVIL RIGHTS (OCR)

Looking for the 2015-16 CRDC?



#### **DATA ANALYSIS TOOLS**



#### **Comparison Graphs and Data**

Select up to 12 schools, districts and/or states and view and compare data elements

#### Examples

- \* For 10 schools, a district and a state, compare the in-school suspension rates for black students
- \* Compare the multiple out-of-school suspension rates for LEP students across 10 districts in a state
- \* Additional assistance is available through this tutorial



#### **Detail Graphs and Data**

Select up to 2 schools, districts or states and compare detailed data elements

#### Examples:

- \* For two districts, compare single out-of-school suspension rates for students, by race/ethnicity
- \* Examine one school's expulsion rates for students, by disability status
- \* Additional assistance is available through this tutorial



#### **Outcome Rate Calculator**

Select up to 250 schools or districts and view and sort outcome rate calculations

#### Examples:

- \* For 100 districts, view the out-of-school suspension rates for all students and by race/ethnicity
- \* For 10 schools, view how much greater or lesser expulsion rates are for non-white students compared to white students
- \* Additional assistance is available through this tutorial

## Data Analysis Tools in a Nutshell

#### **Comparison Graphs and Data**

- Compare up to 12 individual schools, districts (or LEAs), or states
- For each one, rates are also compared to national rates for that category of discipline
- You have the option of generating a bar graph (default) or a table
- You can export data in Excel (from table option)
- BUT No 2015-16 data yet

### Data Analysis Tools in a Nutshell

#### **Detail Graphs and Data**

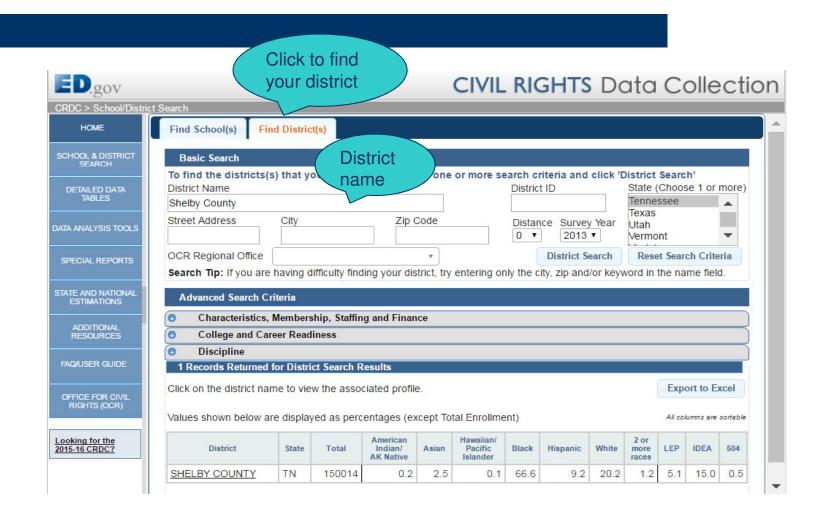
- Similar to comparison graphs and data
- Limited to comparing two schools, districts (or LEAs), or states
- A much more detailed comparison (includes subcategories and interactive options)
- But does **not** allow you to compare to national rates
- You have the option of generating a bar graph (default) or a table
- You can export data in Excel (from table option)
- BUT **No 2015-16** data just yet

## **Data Analysis Tools in a Nutshell**

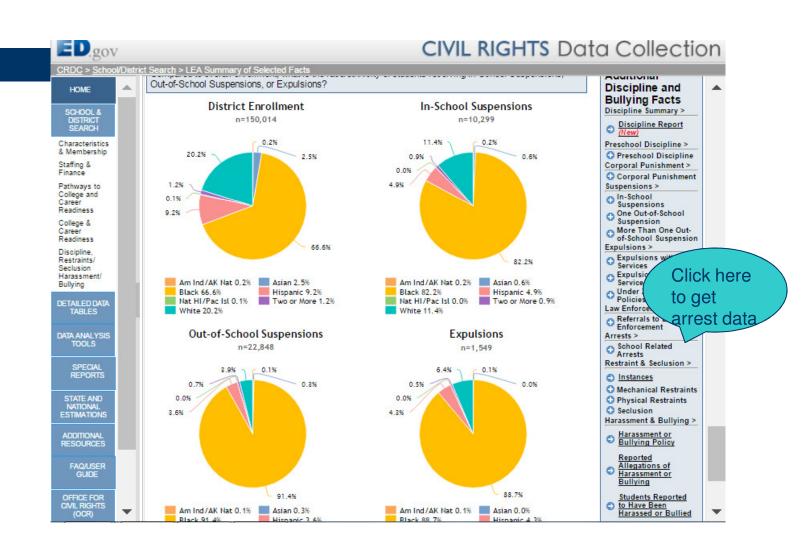
#### **Outcome Calculator**

- Includes 2015-16 data
- Allows you to compare rates of ethnic/racial groups vs. whites
- Can select up to 250 schools or districts (LEAs)
- Reports OSSs and expulsions, not law enforcement data
- Generates tables only (no graphs)
- Can export table into Excel

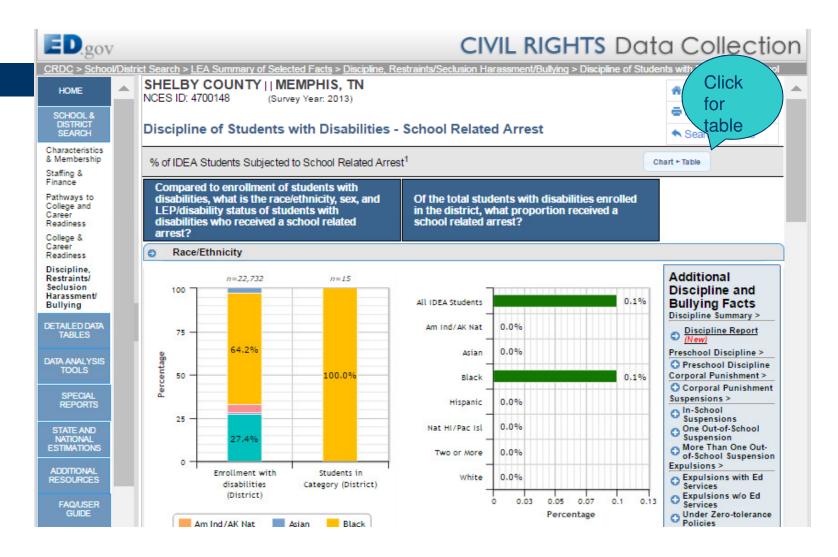
#### Lesson 1 – School/District Search

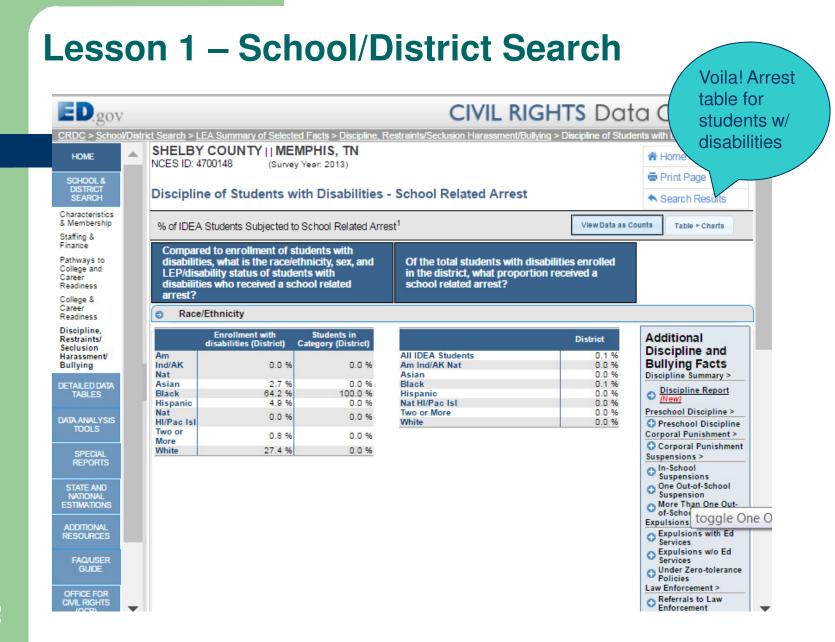


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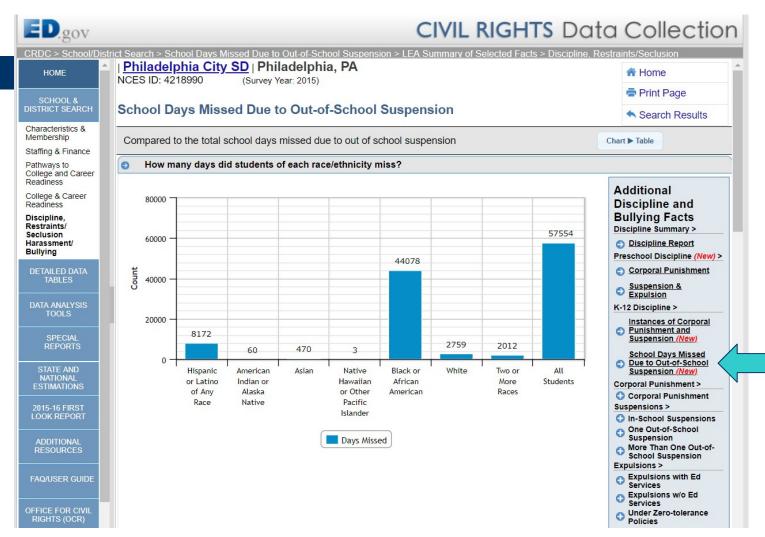


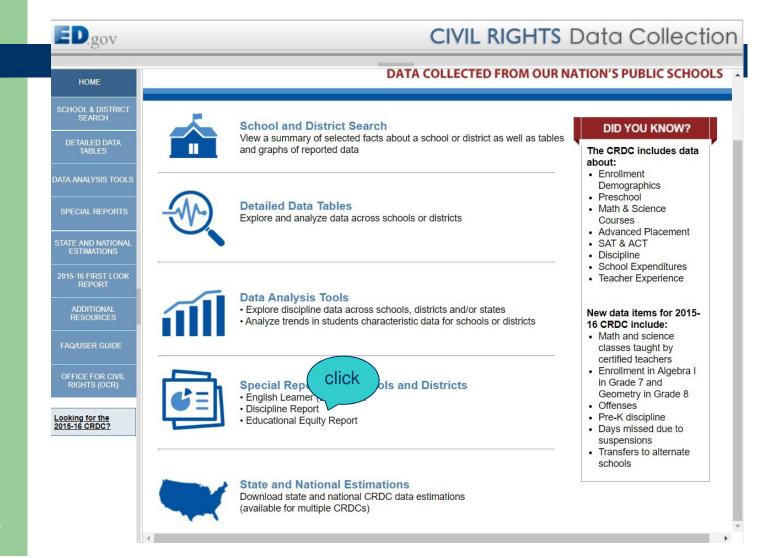
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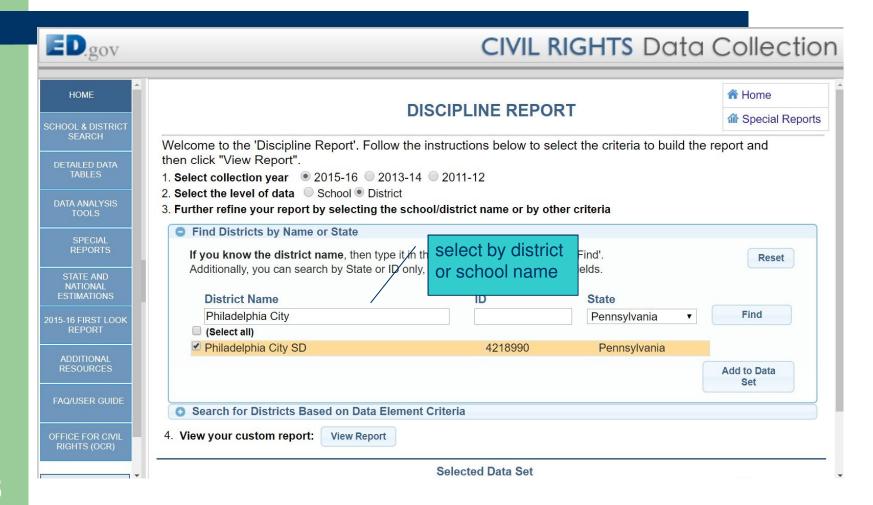


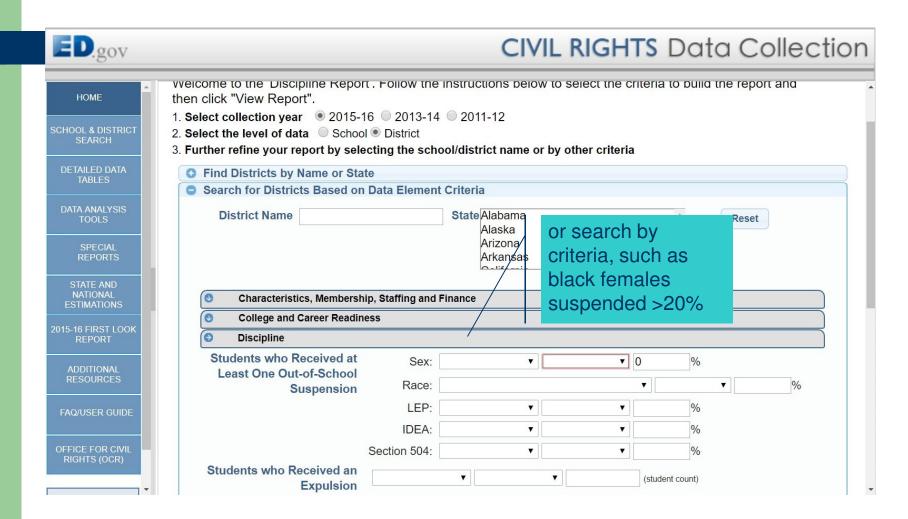


## Lost Class Days Due to Suspension (new)

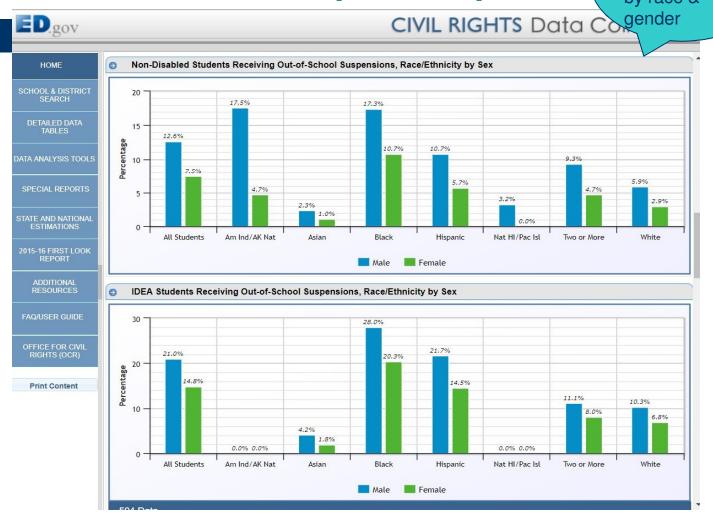








viewing suspensions by race & gender



#### Using Data ERANCE END ZE

COMBATING THE SCHOOL-TO-PRISON PIPELINE

Home Blog FAQ Using Data Our Work All Resources This Site

Q Search



Join Our Team Working to End the School-to-Prison Pipeline

#### **OUR BLOG**

School Policing: What the Research Shows



See Our Resources on School Safety

#### LATEST UPDATES

- School Safety is About Strong Relationships, Not Hardened Schools (Article) School Discipline Regulations Are Eminently Reasonable (Article)
- As the Education Department Strips Away Civil Rights Protections, New Coalition Aims to Fight for Students (Article)
  California Budget Deal Might Extend 'Willful Defiance' Suspension Ban to All
- Grades (Article)
  The Futility of Trying to Prevent More School Shootings in America (Article)



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Make suggestions or report broken links at stpp@aclupa.org

www.endzerotolerance.org

# HOW TO: Analyzing and Understanding the Data

Amir Whitaker
ACLU SoCal
UCLA Researcher

# **DATA FLAWS AND ISSUES IN 15-16**

- There are a total of 608 juvenile justice facilities in the data collection. Due to a system error, over 400 of those facilities were not able to completely report data for data elements in the juvenile justice module. A data element that should have been reported (but was not) is identified with a -7 in the data file.
- A reserve code of -5 is used to indicate that an LEA is unable to report all required data elements in the current collection, but will be able to report those data elements in the future (action plan). Every data element related to the action plan should have a -5 in the data file. Due to a system issue, LEAs can have a mix of -5s and data values. The most common scenario is where there are -5s and 0s for those data elements related to the action plan.
- The Sworn Law Enforcement Officers indicator question was inadvertently carried over from the 2013-14 data collection and displayed in the submission tool for 2015-16. This carryover caused a reporting issue with the SCH\_FTESECURITY\_LEO data element. Although the data element was required for all schools, the data element was skipped for over 69,000 of those schools. A -9 in the data file for the SCH\_FTESECURITY\_LEO
- Hawaii and Florida...again
- Problematic federal interpretations

# ANALYZING AND UNDERSTANDING DATA

- Risk = absolute values (the percentage of students suspended at least once).
- Risk difference = absolute differences. Subtract the highest group from the lowest.
- Risk Ratio and Composition Index- useful for conveying the injustices. They are purely relative measures, they are not recommended for comparing schools or measuring progress. They DO NOT not reveal whether the underlying risk for suspension is high or low
- Composition index- compares the composition of the enrollment to the composition of a comparison group (students suspended). MAY NOT work for schools/districts primarily serving students of color.

# Which District was Highest Suspending For Blacks? Which had the largest Racial Gap?

County	Black Risk %	White Risk %	Racial Gap	Composition Variance For Highest Group	Black to White Risk Ratio
Baltimore City	8	2	6	11%	4.0
Dorchester	17	6	11	68%	2.4
Montgomery	5	1	4	132%	5.0

# **Analysis Tip: Translate to Class Time**

# SUSPENDED OPPORTUNITIES

There were **58,322** suspensions in **MIAMI-DADE PUBLIC SCHOOLS** 

(25,819 Outdoor and 32,503 Indoor Suspensions in the 2013-14 school year. Data available at www.dadeschools.net)

#### THAT IS...

1,625 SUSPENSIONS EACH WEEK

325 SUSPENSIONS EACH DAY

I SUSPENSION EACH MINUTE OF CLASS

# Analysis Tips: Report Cards PINELLAS COUNTY SCHOOLS REPORT CARD

SCHOOL DISCIPLINE

Nearly 70% of Florida school districts use suspension less than Pinellas County. Defiance/insubordination is the most frequent cause of suspension.<sup>1</sup>

**250,000+** hours of school have been missed by black students being suspended since 2010.<sup>ii</sup>

**54%** of black students received an in-school suspension compared to 20% of white students.<sup>iii</sup>

53% of students given out-of-school suspensions are black.iv

45% of students placed in alternative schools are black.

**23%** of blacks students without disabilities were suspended multiple times, nearly **4X** the rate of white students.<sup>vi</sup>

#### **EQUITY AND ACADEMIC OUTCOMES**

**Twice** as many black students drop out of school than white students. $y^{ii}$ 

**45%** of black males do not graduate, compared to 27% of white males viii

**32%** of students who are held back a grade are black. $^{\rm ix}$ 

**75%** of black students failed the FCAT reading test.\*

Only 4% of students identified as "gifted" are black. $^{\rm xi}$ 

**48%** of students identified as "Emotionally/ Behaviorally Disabled" or EBD are black.xii

8% of teachers are black, nearly half the state average.xiii

#### SCHOOL ARRESTS

**81%** of Florida school districts arrest fewer children than Pinellas County Schools.xiv

2 out of 3 school arrests are for misdemeanor offenses.xv

Pinellas is **3rd** in the state for disproportionately arresting black children.<sup>xvi</sup>

21% of school arrests are for disorderly conduct, the most common reason for arrest in Pinellas County Schools. Only 2% of youth arrests in the community are for disorderly conduct.\*\*

**35X** as many students are arrested for disorderly conduct in Pinellas than Miami despite Miami having 3X as many students.xviii

**70%** of disorderly conduct arrests and 63% of school arrests are of black students.xix

#### **Percentage of Black Student Representation** 60 50 40 30 Level for equal representation 20\_ 10 2013-14 **School Arrests** Per 1,000 Pinellas Hillsborough State Average Sarasota Miami-Dade

# the mical center JUST EDUCATION JUST ACTION SPLC Southern Poverty Law Center MAN SOCIETE TO 19

# VIDEO LINK: <a href="https://www.youtube.com/">https://www.youtube.com/</a> /watch?v=KAxREnIONZk

# **Analysis Tips: Report Cards**

Research finds that Black students receive harsher punishments than white students for the same behavior. That points to IMPLICIT BIAS, which is when people unconsciously make decisions based on stereotypes.

#### EQUITY AND SCHOOL OUTCOMES:

(All information in this section is from the 2015 calendar year and 2014-15 school year.)

The ratio of students per counselor in California averages **792:1**, ranking the state among the lowest in the nation.

The ratio of students per counselor in Stockton Unified averages even lower, at **850:1**.

**42%** of students in California graduated with UC/CSU required courses.

**35%** of students in Stockton Unified graduated with UC/CSU required courses.

FUNDS FROM THE STATE that are earmarked to benefit ENGLISH LEARNER, LOW-INCOME, and FOSTER YOUTH students.

For the 2016-2017 school year, the District spent nearly

\$3 MILLION

of those dollars to

**FUND SCHOOL POLICE.** 

## SCHOOL DISCIPLINE:

(All information in this section is from the 2013-2014 school year.)

24.7% of all out of school suspensions were of Black students.

20% of expulsions were of Black students.

**9%** of all students with disabilities who received one out-of-school suspension were Native American or Alaskan Native students.

**42%** of Native American or Alaskan Native students with disabilities received at least one out-of-school suspension.

**27.5%** of all students with disabilities who received one out-of-school suspension were Black students.



#### **SCHOOL ARRESTS:**

(All information in this section is from July 2012 through November 2016.)

Black students are more than 2X as likely as white students to be arrested or cited by school police.

Black students with disabilities in the District are **more than 2X as likely** as white students with disabilities to be arrested or cited by school police.

Black students were **over 3X more likely** to be arrested or cited for the vague and subjective offense of "disturbing the peace" than every other student group in the District.

Black students in the District were arrested and cited for truancy at **about 2X the rate** of white students.

The data referred to here was for the most recent year we were able to find within each category, and was drawn from three main sources: the California Department of Education Dataquest website, http://data1.cde.ca.gov/dataquest/; the U.S. Department of Education Civil Rights Data Collection, http://ocrdata.ed.gov/; analysis of data for the years 2012-2016 that was received by the ACLU of Northern California from Stockton Unified School District pursuant to the Public Records Act; and Kidsdata.org, a program of Lucile Packard Foundation for Children's Health, http://www.kidsdata.org/topic/126/pupilsupportpersonnel-type/table#fmt=2391&loc=2,1285&tf=84&ch=276,278,280,277,279,807,1136,1204&sortColumnid=0&sortType=asc.

# **Analysis Tips: Include Solutions** and Citations

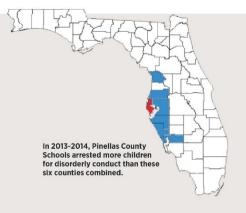
#### REMEDIES

- Consistently staff in-school suspension sessions with
- Allow suspended students to receive full credit for work instead of partial or no credit.
- Revise the code of conduct to eliminate vague
- Require use of progressive discipline chart that ensures alternatives are used before suspension.
- Institute implicit bias and cultural awareness training for teachers and administrators
- Increase efforts to recruit and retain teachers of color.
- Increase assessments to identify gifted black students.
- Evaluate and increase academic remediation and dropout prevention programs.
- Reduce bias in special education identification process.
- End the practice of arresting students for disorderly conduct
- Use civil citation and other alternatives to arrests more in school settings.
- Establish a protocol and guidelines for all law enforcement agencies to ensure students are not needlessly arrested.
- Institute implicit bias, cultural sensitivity, and de-escalation training for officers.

#### RECOMMENDATIONS BY THE FLORIDA ASSOCIATION OF SCHOOL PSYCHOLOGISTS \*\*

- Ban the use of out-of-school suspension for minor infractions including "defiance", "disruption" and other minor,
- Ban the use of out-of-school suspension and expulsion for ALL behavioral incidents involving our youngest and most vulnerable students in preschool and elementary schools.
- Mandate that teachers and other school professionals take at least one college credit or 20 hours of in-service training on classroom management and/or behavior interventions as well as information related to the school-to-prison pipeline
- Require all School Resource Officers (SROs) to be trained in differentiating criminal misconduct from misbehavior as well as a broader understanding of how to de-escalate potentially violent situations
- Provide technical and financial assistance to districts and schools in order to improve
- i FL DOE Survey 5 Student Discipline Data by District 2013-2014
- i Tampa Bay Times 12/6/2015, "Failure Factories: Pinellas suspends black kids more than virtually every other big Florida county
- iii United States Department of Education Civil Rights Data Collection 2011-2012 (latest
- iv Pinellas County Schools data from 2014-2015 from "Reports on Progress September xiv FL D.U "Delinquency in Schools 2013-2014"
- v Public Records Request submitted by the Southern Poverty Law Center
- vi United States Department of Education Civil Rights Data Collection 2011-2012 (latest
- vii FL DOE "Dropout Rates by Race by District 2013 2014"
- viii FL DOE "High School Graduation Rates 2013-2014"
- ix FL DOE "NON-PROMOTIONS BY RACE/GENDER BY SCHOOL 2013-14 SURVEY 5
- x Pinellas County Schools "2012 2014 FCAT Reading Data Charts Black/Non-Black

- XI FL DOE "EXCEPTIONAL STUDENT DATA BY EXCEPTIONALITY SCHOOL YEAR 2014-
- xii FL DOE "EXCEPTIONAL STUDENT DATA BY EXCEPTIONALITY SCHOOL YEAR 2014
- xiii FL DOE Table 15: Total Teachers by Race/Ethnicity and Gender, Fall 2012
- xv FL DJJ "Delinquency in Schools 2013-2014"
- xvi FL DJJ "Racial and Ethnic Disparities Benchmark Report 2012-2013"
- xvii FL DJJ "Delinquency in Schools 2013-2014"
- xviii FL DJJ "Delinguency in Schools 2013-2014"
- xix FL DJJ "Delinquency in Schools 2013-2014"
- xx Florida Association of School Psychologists Position Statement on Ending the



#### RECOMMENDATIONS FOR THE DISTRICT

INVEST FUNDS currently used for school police to hire more staff who are trained to promote a positive school climate, including restorative justice coordinators, community school resource coordinators, counselors, additional teachers, and tutors who are trained in research-based methods to address student behavior and promote a positive, safe school climate.

REQUIRE ongoing district-wide training to enhance cultural competence and combat implicit bias.

DIRECT SCHOOL POLICE not to question stop or search students unless the conduct is related to school activity, on school grounds, during school hours, or during school-related events.

**ENSURE** that in the limited circumstances when school police must question students, they possess a legal warrant supported by probable cause that the student posed or poses a real and immediate physical threat to student, staff or others.

ENSURE that school police never enter a school to arrest a student unless the officer has a warrant or court order or the student presents a real and immediate physical threat to a person on campus.

MANDATE that school police never use physical force on a student, including the use of mechanical restraints, unless the student's behavior poses an immediate danger of serious bodily injury.

IMMEDIATELY NOTIFY a student's parent or guardian if school police have arrested, searched, restrained, placed in seclusion, or questioned the student.

COLLECT COMPREHENSIVE DATA regarding school police officers' interactions with students, broken out by race, sex, English Learner status, and disability status. Also collect data on complaints filed against school police officers. Publicly report this data and post it on the District's public website.

CREATE AN OVERSIGHT COMMITTEE that has the power to review applications for officers who want to work in the school district, conduct officer evaluations, investigate complaints, and review data. This committee should be made up of students, parents, educators, and communitybased advocates.

The data referred to here was for the most recent year we were able to find within each category, and was drawn from three main sources; the California Department of Education Dataguest website, http://data1.cde.ca.gov/dataquest/; the U.S. Department of Education Civil Rights Data Collection, http://ocrdata.ed.gov/; analysis of data for the years 2012-2016 that was received by the ACLU of Northern California from Stockton Unified School District pursuant to the Public Records Act; and Kidsdata.org, a program of Lucile Packard Foundation for Children's Health, http://www.kidsdata.org/topic/126/pupilsupportpersonnel-type/table#fmt=2391&loc=2,1285&tf=84&ch=276,278.280,277.279.807.1136,1204&sortColumnId=0&sortType=asc.

CREATED BY THE STOCKTON EDUCATION EQUITY COALITION

# DASHBOARD AND PUBLICATION PREVIEW

# ESSA data requirements and timeline

- ESSA requires states and districts to publish discipline data reported under the CRDC on annual report cards
- Report cards for 2017-2018 must be published by Dec 31, 2018
- These report cards must be posted on state and district websites
- Make sure this data is on report cards!

# Possible Next Steps and Closing

- Compile and report issues about accuracy of local data
  - Can send issues to Liz at eolsson@naacpldf.org
- Advocacy and Public Education
  - Use CRDC data to educate officials and the public about discipline disparities, resource inequity, etc. and to push for change!
  - The Engage for Education Equity Toolkit can help you develop a strategy:
     <a href="http://partnersforeachandeverychild.org/project/engageforedequity/">http://partnersforeachandeverychild.org/project/engageforedequity/</a>

## Resources

- Dignity in Schools Campaign "Take Action" page http://dignityinschools.org/
- ACLU-PA STPP Site (see: "Using Data" page)www.endzerotolerance.org
- □ ACLU-PA Open Records Request Templates <a href="https://www.endzerotolerance.org/data">https://www.endzerotolerance.org/data</a>
- □ ProPublica Tool Check the Status of Complaints <a href="https://projects.propublica.org/graphics/civil-rights-violations">https://projects.propublica.org/graphics/civil-rights-violations</a>
- □ Government Accountability Office Report:

## Resources

- □ The Civil Rights Project Resources

  <a href="https://www.civilrightsproject.ucla.edu/resources/projects/ce">https://www.civilrightsproject.ucla.edu/resources/projects/ce</a>

  <a href="https://www.civilrightsproject.ucla.edu/resources/projects/ce">nter-for-civil-rights-remedies/school-to-prison-folder</a>
- □ State-level data on discipline in SPED <a href="https://www2.ed.gov/programs/osepidea/618-data/static-tables/index.html#partb-dis">https://www2.ed.gov/programs/osepidea/618-data/static-tables/index.html#partb-dis</a>
- □ Primer on how to measure discipline disparities <a href="https://supportiveschooldiscipline.org/learn/reference-guides/measuring-discipline-disparities">https://supportiveschooldiscipline.org/learn/reference-guides/measuring-discipline-disparities</a>
- □ U.S. Department of Education CRDC webpage <a href="https://www2.ed.gov/about/offices/list/ocr/data.html">https://www2.ed.gov/about/offices/list/ocr/data.html</a>

# Q & A

# Any remaining questions for our panelists?

## **Presenter Contact Information**

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Amir Whitaker – Amir@aclusocal.org

To report issues with the data, please contact Liz at NAACP LDF at <a href="mailto:eolsson@naacpldf.org">eolsson@naacpldf.org</a>.