

Disproportionality in School Disciplinary Practices: Findings from a Policy Surveillance

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Abstract

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The central problem investigated in this dissertation is the role that policy plays in ameliorating the deleterious effects of exclusionary practices and inequities in discipline. This research utilized policy surveillance as a research technique to illuminate that the current nature of existing school district policies may be exacerbating or mitigating disproportionality in disciplinary practices. Conducted on a large county in Washington State, the sample included 17 school districts that serve a diverse population ranging from both urban and rural locals. This dissertation comprises six chapters. Chapter one offers an introduction to disciplinary practices in the United States and current policy efforts in place to identify, address and reduce disparities, promote equity and protect the civil rights of students. It looks at contributing factors, implications of educational disparities and the role that policy plays in promoting equity. Chapter two describes the first part of the study, and explores the relationship between acknowledging

disproportionality in discipline in policy and disciplinary rates by race/ethnicity. Chapter three examines the strategies used by the districts that acknowledge disproportionality in disciplinary practices to ameliorate disparity and their application in practice. Chapter four acknowledges the role that policy plays in addressing inequities from a public health perspective. Finally, chapter five addresses implications for future research and the role that nurses play in advancing policy research and practice to improve population health outcomes.

In memory of my father, Richard G. Howe, who always believed
in me and continues to inspire me every day.

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Chapter I

Disproportionality in School Disciplinary Practices

Introduction

School discipline has emerged as a critical area of focus as schools across the United States struggle to address inequities and the widening achievement gap. Disparities in educational practices and the unequal application of discipline across races/ethnicities have existed for decades (Children's Defense Fund, 1975). Yet despite efforts to identify and mitigate the common mechanisms that exclude children from school, the national suspension rate has more than doubled from 3.7% in 1973 to 7.4% in 2010 (Koon, 2013). These disparities are particularly high for Black students. A 2009-2010 survey of 72,000 schools, encompassing grades kindergarten through high school, found that while Black students made up only 18% of student populations in schools sampled, they accounted for 35% of those suspended once, 46% of those suspended more than once and 39% of all expulsions. Largely, Black students were three and a half times more likely to be suspended or expelled than their White counterparts (Lewin, 2012).

Racialized disproportionality in the administration of school discipline is recognized as a national crisis (Rudd, 2018). In January of 2014, the United States Department of Justice, Civil Rights and the United States Department of Education, Office of Civil Rights published national letter of guidance to assist public schools in meeting their Federal obligations to administer student discipline that is discrimination free on the basis of race, color or national origin to ensure equal educational opportunities (United States Department of Justice, 2014). This letter provided schools with a review of the legal obligations required as a public institution, a review of current disparities in disciplinary rates and a legal framework by which schools are required to

operate within to promote a safe and inclusive environment (United States Department of Justice, 2014).

In Washington State, during the 2016-2017 school year, 42,176 students received either suspensions or expulsions. Of that population, Black/African American students received the highest rate of this discipline in the state at 7.9%, followed by American Indian/Alaska Native at 6.7%. This is more than double the rate of their White peers at 3.2% (Office of Superintendent of Public Instruction (OSPI), 2017). In 2014 Washington State Senate Bill ESSB 5946 went into effect which restructured disciplinary practices to address disparities and required that exclusions from school can no longer be indefinite (Washington Appleseed, 2016). Following the introduction of this legislation, OSPI set forth an initiative in 2015 to improve equity in student disciplinary rates, address the rising disparities in disciplinary practices, and address policies that rely on exclusionary means of discipline (OSPI, 2015). The goal of this initiative was to encourage and assist schools and the communities they serve to identify, address and reduce disparities, to promote equity and to protect the civil rights of the students they serve (OSPI, 2016b). While initiatives like this are paramount to facilitating change, without understanding the root cause of the issue, we cannot begin to work towards solutions that promote equity.

Contributing Factors

Exclusionary Policies and Practices

The steady increase in national suspension rates is widely due to the adoption of “zero tolerance” policies and approaches to discipline in the 1980’s as a means to deter serious offenses by punishing minor offense violators (Skiba & Knesting, 2001; Teske, 2011). Examples of minor infractions punishable by suspension of up to ten days included disruptions to the class or smoking on campus (Teske, 2011). The premise behind zero tolerance policies is that if you

remove students who are acting in a negative manner, you will deter others from similar conduct while simultaneously enhancing the overall classroom atmosphere. However, research has shown that these practices often lead to lower academic success rates and higher dropout rates (Blodgett & Dorado, 2016).

The nature of zero tolerance policies was then further exacerbated by the placement of police on school campuses, which resulted in a considerable increase in number of students arrested and referred to juvenile courts, facilitating what is now often referred to as the “school-to-prison pipeline”(Teske, 2011). Research has shown a negative relationship between exclusionary practices and school-wide academic achievement (Gregory Bell & Pollock, 2014; Skiba et al., 2006). This is especially true of marginalized student populations (Blodgett & Dorado, 2016). Often it is high-need, low-risk students who experience cyclic exclusionary and punitive responses from schools, leading to a disconnect from the school environment, which is often a critical resource for these students (Blodgett & Dorado, 2016). This disconnect from the educational system leads to reduced academic performance and an increase in delinquent activity which can ultimately result in incarceration (Blodgett & Dorado, 2016; Krezmien, Leone & Wilson, 2014; Skiba & Rausch, 2006). A process that tends to more severely penalize students of color, those that are of a lower socioeconomic status (SES), males and those who have disabilities (Krezmien, Leone & Wilson, 2014). Alarming, there are approximately 80,000 school aged children in detention programs each day (Mallett, 2016).

Students who are disciplined by exclusionary means, either suspension or expulsion, particularly those who were repeatedly disciplined, are more likely to be held back a grade or to drop out of school than those students who did not receive such disciplinary measures (Fabelo et al., 2011). Exclusionary practices hinder academic growth and contribute to racial disparities,

further widening the achievement gap (Morris & Perry, 2016). Youth who use illicit substances, commit crimes, break rules and threaten violence are often victims of abuse, depressed or suffering from mental illness. As such, it is these children that are most likely to be suspended or expelled and are therefore in the most need of adult supervision and help (Rushton, Forcier & Schectman, 2002). It is this stress compounded with what is already occurring in their home life and the new exposure to academic stressors that predisposes them to even higher risks of behavioral problems. School-based behavioral problems are associated with high rates of depression and numerous life stressors, yet despite this knowledge, schools do not routinely refer students to healthcare providers after disciplinary action. Without the intervention of trained healthcare professionals and the supervision of parents at home, students who receive exclusionary discipline are far more likely to engage in criminal activity (Committee on School Health, 2003).

Institutional Racism and Implicit Bias

While the application of zero tolerance policies has been shown to have adverse effects on academic achievement and engagement in the judicial system, it is a far more complex issue than that. For over forty years, the over-representation of minority students in school disciplinary practices has been a consistent finding (Children's Defense Fund, 1975; Krezmien, Leone & Wilson, 2014; Lewin, 2012; Rudd, 2018; United States Department of Justice, 2014). A study by Skiba, Michael, Nardo & Peterson (2000) found that Black students appeared to be referred to the administrative office for less serious offences and for more subjective reasons than other students. They argue that the continued presence of disproportionality in exclusionary discipline practices, as evidenced by their study and extensive studies prior, demonstrate pervasive and systematic biases (Skiba et al., 2000).

Discriminatory behavior manifests in two characterized ways, either conscious/explicit or unconscious/implicit (Pearson, Dovidio & Gaetner, 2009). Implicit attitudes are feelings or stereotypes that an individual holds that often reside outside of awareness and are usually activated by the actual or symbolic presence of an object that triggers a latent response (Pearson, Dovidio & Gaetner, 2009). The roles and responsibilities of today's teachers include the accurate evaluation of their students' behavior and academic performance, the degree of an offense committed, the punishment warranted and judgements related to the student's own perceptions of the behavior and potential to behave in a similar fashion (Weiner, 2006). Research has demonstrated that to some degree there is implicit bias in the response of educational professionals to minority students (Kunesh & Noltemeyer, 2015; Rudd, 2018; Skiba, Michael, Nardo & Peterson 2000). Educators' implicit bias may then hinder the development of positive and respectful relationships with their Black students and contribute to disproportionality in disciplinary practices (Kunesh & Noltemeyer, 2015). An improved understanding of instructional characteristics and policies associated with disproportionality in disciplinary practices may help explain why some schools are subject to higher or lower rates of discipline disproportionality (Fabelo et al., 2011).

Institutional and Structural Barriers

As a society, we have an expectation that it is the role of the academic institutions to address issues with our youth, yet we are unwilling to fund those primary supportive services that are necessary for facilitating student achievement (United States Department of Education, 2018). Students today are exposed to an abundance of environmental risks, the effects of which unfortunately begin to spill into the school setting (Committee on School Health, 2003). Yet despite the increased need for fiscal resources and supportive services, public school funding has

declined dramatically over the last decade (Leachman, Masterson & Figueroa, 2017). Sufficient funding is critical to academic and professional success later in life. One study found that poor children who attend schools with better funding are more likely to successfully complete high school, have higher earnings and have lower poverty rates in adulthood (Jackson, Johnson & Persico, 2015). Washington State currently ranks 38th in the nation per student education funding and 42nd in cost of living adjusted teacher salaries (Washington Education Association, 2018). These figures are concerning to the future prospects of not only current students, but the economy and overall quality of life as well. In neglecting the education of our children, we diminish the capacity of our own futures.

Further, smaller class sizes can enhance student achievement, especially in elementary years and for low-income students, yet Washington state ranks 44th in the nation in average class size (Schanzenbach, 2014; Washington Education Association, 2018). Overworked, underpaid teachers are struggling with classroom capacities that far exceed a manageable work load. When these factors combine with the increasing demands of a diverse student population that require more individualized instruction, it can result in classroom management issues that then exacerbate the issue and often result in unnecessary disciplinary action (Johnson, Boyden & Pittz, 2001). Positive classroom management may reduce the frequency of exclusionary disciplinary practices (Milner, 2015). Scholars, thus, propose that students are more academically and socially engaged through smaller classroom settings, which in turn enhances learning (Finn, Pannozzo & Achilles, 2003). Strategies such as reduced class sizes, classroom management strategies, improved funding and decreasing teaching workload have all been identified as helping to address equity in educational and disciplinary practice. However, without

concerted effort, policy initiatives and accountability, disparity will remain in the forefront of the educational crisis.

Implications of Educational Disparities

Being present and engaged in the school system has been identified as a protective factor against delinquent conduct (Department of Health and Human Services (DHHS), 2001; Mizel et al., 2016). Exclusionary disciplinary policies and practices (such as suspension and expulsion) that remove students from that environment such as suspension and expulsion are counterproductive to addressing the issues of disparity. Higher rates of exclusionary discipline practices have been associated with a myriad of issues that are more than academic in nature. The Centers for Disease Control and Prevention (CDC) found that youth that are not in school are more likely to become involved in physical altercations and to carry a weapon. Adolescents that are not in school are also more likely to engage in risk behaviors such as smoking, using alcohol, marijuana and cocaine and engaging in sexual intercourse (CDC, 1994). Furthermore, suicidal ideation and behavior may occur more often at these times of isolation among susceptible youth (Committee on School Health, 2003). All of these risks have far reaching health implications across the lifespan.

Students lack professional guidance during periods of exclusion from school, which then increases the risk of complete disengagement from the educational system and drop-out (Brooks, Schiraldi & Ziedenberg, 2000). In addition, students that do not complete high school earn considerably less money and have fewer educational and career opportunities than students who have completed high school (Civil Rights Project, 2000; Shore and Shore, 2009). Furthermore, high school dropouts experience worse health with a life expectancy of 6 to 9 years shorter than their graduate counterparts (National Institutes of Health [NIH], 2009; Wong, Shapiro, Boscardin

& Ettner, 2002). The importance of reengagement strategies and clearly defined policies that address disproportionality cannot be overstated. By increasing educational attainment through eliminating exclusionary practices whenever possible, we can significantly decrease the financial burden that is pressing our healthcare system (Meunig, 2006). The evidence concerning exclusionary discipline practices points to not only its disparity in application, but also its deleterious effects across the lifespan.

The Role of Policy

Given the current political climate, research pertaining to the equitable attainment of education for all students is of vital interest. A report issued by the United States Government Accountability Office (GAO), reiterates this necessity, indicating that students who face exclusionary discipline in school may be affected in profound ways that influence their adult lives (GOA, 2018). Starting in pre-school, children as young as three are being suspended and expelled from school for minor offenses, and that pattern can continue throughout the child's education (Department of Education (DOE), 2016). The guidance letter issued in 2014 by the Department of Justice (DOJ) and DOE states that disciplinary policies and practices can result in unlawful discrimination towards minority students in two ways. First, through intentional mistreatment or discrimination based on race; and second, if a policy provides neutrality up front but has a disproportionate and disparate impact on minority students (DOJ, 2014).

There is a growing consensus that policies can support reducing health disparities and improving population health (Miller et al., 2017). However, those policies must be applied equitably in order to promote effective and sustainable change. A disproportionality policy guideline issued by Positive Behavioral Interventions & Supports (PBIS), a program funded by the DOE, states that policies should strive to minimize inequities in practice and have procedures

in place for ongoing assessment and continuous improvement with accountability for both actions and outcomes (PBIS, 2015). Based on a limited research base, PBIS recommends that equity policies address: 1. A commitment to equity, 2. Family partnerships in policy development, 3. Implementation of positive, proactive behavioral support practices, 4. Clear objective discipline procedures, 5. Removal or reduction of exclusionary practices 6. Graduated discipline systems with instructional alternatives to exclusion, and 7. Procedures with accountability for equitable student outcomes (PBIS, 2015). If appropriately constructed and applied, equity policies have the potential to set clear priorities, reduce the effects of explicit biases, enable targeted interventions, and reduce discriminatory practices (PBIS, 2015).

Research

While there is a vast array of evidence regarding disproportionality in disciplinary practices, a greater understanding is needed pertaining to the application and efficacy of policy in ameliorating the deleterious effects of exclusionary practices and inequities in discipline. This dissertation research begins to address this gap in the literature to generate evidence around educational policies and their applications to promote equitable change. This study utilized policy surveillance as a research technique to illuminate that the current nature of existing school district policies may be exacerbating or mitigating disproportionality in disciplinary practices. Conducted on a large county in Washington State, the sample included 17 school districts that serve a diverse population including both urban and rural locales. This two-part study sought to explore the relationship between acknowledging disproportionality in discipline in policy and disciplinary rates by race/ethnicity (Chapter 2). Further, this examines the strategies used by the districts that acknowledge disproportionality in disciplinary practices to ameliorate disparity and their application in practice (Chapter 3). Finally, in Chapter 4, the technique and value of policy

surveillance is described as a methodological tool for evaluating policies to promote health equity and addresses disparity in population health.

Chapter II

Acknowledging Disproportionality in Disciplinary Practices: A Policy Surveillance

Background

The use of exclusionary school discipline practices, such as suspensions and expulsions, is a major concern for researchers, educators, health professionals and community service providers. According to the U.S. Department of Education (2016), of the 49 million students enrolled in public schools in the 2011-2012 school year, 3.5 million received in-school suspension, over 3.4 million received out-of-school suspension and 130,000 students were expelled. Since the 1970s, the national suspension rate has more than doubled, rising from 3.7% in 1973 to 7.4% in 2010 (Koon, 2013). The number of students issued suspensions in U.S. schools is, thus, high and increasing; often resulting in increased school absences, lower academic success rates and higher dropout rates (Blodgett & Dorado, 2016).

The purpose of this paper is three fold. The first aim is to provide an overview of the current climate regarding disciplinary policies and disproportionality in discipline. Second, is to discuss legislation and policies within Washington State aimed at reducing disciplinary disparities. Third, this paper aims to describe the findings from this study examining the relationship between instituting policy that acknowledges and seeks to eliminate disparities in discipline and current discipline rate trends over time.

Beginning in the 1980s, the educational and juvenile systems shifted from rehabilitation to punitive approaches in response to youth violence and public perceptions of drug abuse. This was manifested in the form of zero tolerance policies in relation to school-based discipline, and these still exist in current educational practices (Mallet, 2016; Skiba & Knesting, 2001; Teske, 2011). It is often high need, low risk students who experience cyclic exclusionary and punitive responses from schools, leading to a disconnect from the school environment, which is often a

critical resource for these students (Blodgett & Dorado, 2016). These students are then at greater risk of entering the juvenile justice system with approximately 80,000 school aged children in U.S. detention programs each day (Mallet, 2016; Skiba, Arredondo & Williams, 2014).

Punitive and exclusionary disciplinary policies are those that model a zero tolerance practice. These traditional practices attempt to control student behavior and create a safe school environment. Within the framework for these policies, there are strict consequences for specific rule violations without an understanding for circumstances leading up to the offense (American Psychological Association [APA], 2008). The message conveyed to students is that civility is to be maintained and certain behaviors will not be tolerated. The belief behind these strict policies is that the stringent consequences will deter students from committing acts deemed inappropriate by the administration (Skiba & Knesting, 2001). Unfortunately, these disciplinary practices that were once thought to instill order and promote safe environments are actually criminalizing youth and excluding noncompliant students from their own communities (Blodgett & Dorado, 2016).

The current climate in school disciplinary policy generally focuses on the use of punishment as a strategy to address safety and accountability (Blodgett & Dorado, 2016). These actions rely on the exclusion of children from educational settings and include practices such as detention, diversion into alternate educational programs, and in-school and out of school suspension and expulsion (Blodgett & Dorado, 2016; Skiba & Rausch., 2006). This policy approach is closely related to current shifts in the juvenile justice system that emerge from the cultural belief that punishment is an effective means of facilitating behavioral change through the suppression of unwanted behaviors and control of the individual by punishing minor offense violators (Blodgett & Dorado, 2016; Teske, 2011). However, these punitive policies do not teach

new behaviors; rather they suppress behaviors and instill fear (Blodgett & Dorado, 2016). Furthermore, these policies and practices have been linked to several negative developmental outcomes including shame and isolation behaviors, higher rates of school drop-out, re-traumatization in students who have experienced previous trauma and entrance into the juvenile justice system (Blodgett & Dorado, 2016; Gregory Bell & Pollock, 2014; Skiba & Rausch, 2006).

School exclusionary policies are not applied equally across students or schools. Research has demonstrated disparities in the application of exclusionary policies that result in racial inequities and inequities for students with disabilities and lesbian, gay, bisexual, transsexual and queer (LGBTQ) youth (Blodgett & Dorado, 2016). One in six African American students in the U.S. are suspended at least once, compared to one in twenty white students (Losen & Gillespie, 2012). This parallels the research on juvenile justice involvement, finding that 68% of incarcerated youth are from racially and ethnically diverse backgrounds with 60% being African American and 33% being Latino (Office of Juvenile Justice and Delinquency Prevention [OJJDP], 2011). Among students with disabilities, 13% are suspended annually compared to 7% for those without a disability, and as a group, those with disabilities are more likely to experience multiple punitive and exclusionary events (Losen & Gillespie, 2012). Furthermore, LGBTQ youth experience approximately 1.5-3 times the rates of suspensions (Himmelstien & Bruckner, 2011; Poteat, Scheer & Chong, 2016). Those groups with disproportionate punitive disciplinary experiences are at greater risk for experiencing adversity and trauma, which can have serious health related, mental and social implications across the lifespan (Blodgett & Dorado, 2016).

The nature of exclusionary policies and the increased presence of police on school campuses has facilitated the creation of what is now referred to as the “school to prison pipeline”

(Teske, 2011). In pre-school, children as young as three are being suspended and expelled from school for minor offenses, and that pattern may continue throughout the child's education (Department of Education (DOE), 2016). Students who experience cyclic exclusionary punishment from schools are then disconnected from a critical resource, and this can lead to reduced academic performance and an increase in delinquent activity which can ultimately lead to incarceration (Blodgett & Dorado, 2016; Krezmien, Leone & Wilson, 2014; Skiba & Rausch, 2006). This is especially true for children of color (Krezmien, Leone & Wilson, 2014). For over forty years, the over-representation of students of color in school disciplinary practice has been a consistent finding (Children's Defense Fund, 1975; Krezmien, Leone & Wilson, 2014; Lewin, 2012; Rudd, 2018; United States Department of Justice, 2014). This suggests a long period of structural bias faced by children of color.

In the 2015-2016 school year in Washington State, 76,660 suspensions or expulsions were issued to 46,860 students (Office of Superintendent of Public Instruction [OSPI], 2017). Current disciplinary practices like these often result in increased school absences, lower academic school-wide success rates and higher dropout rates (Gregory, Bell & Pollock, 2014), this being especially true of marginalized populations (Blodgett & Dorado, 2016). Furthermore, a study by Skiba, Michael, Nardo & Peterson (2000), found that nationally, 95% of out-of-school suspensions were for non-violent, minor disruptions such as tardiness or disrespect.

In Washington State in 2014, the first reform to disciplinary actions in decades went into effect. Washington State Senate Bill ESSB 5946 restructures disciplinary practices in that it requires that exclusions from school can no longer be indefinite; emergency expulsions must be converted to another corrective action within ten days; districts are required to make reasonable efforts to reengage students in school following exclusionary discipline measures; and that

disciplinary data be collected, cross tabulated and disaggregated by race, English Language Learner (ELL) status, disability, and sex to identify disparities and monitor progress towards eliminating them. Those data must then be published publicly for each district, and disciplinary task forces must be developed to create standard definitions for discretionary disciplinary actions and to investigate the provision of educational services offered during those exclusions (Washington Appleseed, 2016). Furthermore, each district was asked by OSPI to develop a plan to address its disciplinary challenges and inform changes in practice and policy with input from key stakeholders including families, students, staff and community members (OSPI, 2016b).

Following the institution of ESSB 5946, and in an attempt to mitigate the deleterious effects of exclusionary discipline practices, OSPI embarked on an initiative in 2015 to address disparities and create equity in student disciplinary rates across Washington State (OSPI, 2015). Included in this initiative is the desire to help schools and communities identify disparities, to implement evidence-based practices that improve equity in discipline while keeping students in school, and to protect the civil rights of each student (OSPI, 2016a). This call to action requested that schools and district teams analyze discipline data in an effort to identify patterns, to determine root causes of disparities in discipline and to inform planning and decision making.

Washington's ambitious plan to have its schools and districts examine disciplinary disparities and establish changes in their practice and policies is largely unique within the U.S. states, yet little is known about the impact of these policies on disparities. Understanding the nature of what subsequently occurred among school policies in Washington could impact how disparities are addressed among marginalized student populations. Such information is critical for generating the evidence policy and education leaders need in Washington and nationally with regard to effective school policies. The following describes the findings from this study

examining the relationship between instituting policy that acknowledges disproportionality and seeks to eliminate disparities in discipline and current discipline rate trends over time.

Methods

This study utilized policy surveillance methods and Washington State disciplinary data publically available through OPSI to examine the relationship between school district policies pertaining to disproportionality in discipline and district level disciplinary rates. Policy surveillance is a method through which one examines and categorizes elements identified in sets of laws and policies with the purpose of identifying and translating knowledge and evidence pertaining to policy into practice (Burris et al., 2016a).

Policy surveillance. Policy Surveillance was conducted on 17 school districts that serve a large county in Washington State. The county has a total of 19 districts; however one district was unwilling to provide their policies while another did not respond to inquiries regarding accessing policies. A literature review was conducted to ascertain policy factors that influence change in disciplinary practices. From that review a codebook was developed by performing a preliminary review of five districts' instructional policies and handbooks obtained from the district's website. This purposive sample of a diverse array of districts represented variation in student population and environmental factors in an effort to assure representation across a range of characteristics. One is a large urban district, another serves a particularly high proportion of students in poverty, one is set in a rural region, one serves an affluent population and one serves a high number of racial and or ethnic minorities. This codebook included questions that pertained to disciplinary practices and policies implemented by the district. The questions were developed from the initial literature review. This method of preliminary analysis is part of the policy surveillance process as defined by Burris (2014).

The data from those five districts' instructional policies were then organized into categories and assessed for components such as what constitutes an offense and the degree of punishment to be

expected. Depending on the nature of the component, questions were coded as either binary (yes/no - a component was or was not included), categorical – mutually exclusive (answers are specific to each institution), or categorical – check all that apply. Included were questions such as, “Is there a policy for harassment, intimidation and bullying?” and “What acts does the policy state constitutes bullying?”

All of the content of the 17 district level disciplinary policies obtained was included in the analysis, with the exclusion of athletic policies pertaining to violations in the code of conduct for athletes as the focus of this research was to address general disciplinary policies. A total of 150 questions was developed and included in the code book. Search terms included in the review of policies included “discipline”, “equity”, “punishment”, “disproportionality”, “suspension” and “expulsion”. Analysis was conducted on the 17 districts’ policies using the codebook questions. A more extensive description of the policy surveillance methods used in this study is described elsewhere (LaValley et al., 2018, unpublished [Chapter 4]).

The coded policies produced a dataset of values for each district and regarding each question in the codebook. After review of the coded policies a particular variable of interest was identified in terms of whether the district explicitly acknowledged disproportionality in discipline as a stated, written element of their policy. This response was coded as yes or no, and the results by district were compared to disciplinary statistics by race/ethnicity.

District Disciplinary Data. The dataset used regarding student discipline rates consists of total unduplicated student enrollments of public schools across all grade levels (N=1,534,162) in the same large county in Washington State over a five-year period from 2013-2017 (Table 1). Data were obtained, aggregated and published by OSPI. The portion of the data used for this research identifies the number of students who were suspended or expelled by race, for each district served in the study county. Data for seven race/ethnicity groups on enrollment and discipline action were collected by

each district and submitted annually to OSPI. Each student was only accounted for once in each year, and enrollment counts were based on enrollment of a student at any point during the academic year. Student race/ethnicity groups with fewer than 10 students enrolled in a district were suppressed by OSPI reporting (OSPI, 2017).

Analysis. The district disciplinary data and policy component data were then paired by district and analyzed using SPSS, version 24, to assess for change over time for disciplinary rates following the implementation of policies aimed at ameliorating disproportionality. For this analysis, student groups of less than 100 were suppressed by OSPI. Data were weighted by students enrolled and students disciplined.

Results

Over a five-year period, the 19 school districts together decreased their overall county level disciplinary rates in all race/ethnicity groups (Table 1.1). The least reduction occurred for American Indian/Alaska Native students (a 32.68% decrease over time) and the greatest reduction was for Asian students (a 48.30% decrease over time). Black/African American and American Indian/Alaska Native students had the highest disciplinary rates of all populations, at 6.52% and 6.16% respectively with both, markedly higher than their White (1.53%) or Asian (0.76%) counterparts in 2017 (Table 1.1).

Table 1.1 County Discipline Rates

County Level Data							
Race/Ethnicity	Year	Total Students Enrolled	Total Number of Students Disciplined	Discipline Rate	Percent of Students Disciplined	Percent Point Reduction 2013-2017	Total Percent Reduction 2013-2017
White	2013	143307	3461	0.0242	2.42%	0.89%	36.78%
	2014	142932	3070	0.0215	2.15%		
	2015	142412	2606	0.0183	1.83%		
	2016	141495	2338	0.0165	1.65%		
	2017	140667	2156	0.0153	1.53%		
Black/African American	2013	27128	2880	0.1062	10.62%	4.1%	38.61%
	2014	28204	2337	0.0829	8.29%		
	2015	28359	2136	0.0753	7.53%		
	2016	28006	1921	0.0686	6.86%		
	2017	28637	1866	0.0652	6.52%		
Native Hawaiian/Other Pacific Islander	2013	3969	233	0.0587	5.87%	2.25%	38.33%
	2014	4470	209	0.0468	4.68%		
	2015	4576	220	0.0481	4.81%		
	2016	4646	189	0.0407	4.07%		
	2017	4828	175	0.0362	3.62%		
Hispanic/Latino	2013	48331	2434	0.0504	5.04%	2.16%	42.86%
	2014	51428	1871	0.0364	3.64%		
	2015	53397	1665	0.0312	3.12%		
	2016	55273	1517	0.0274	2.74%		
	2017	56860	1639	0.0288	2.88%		
Asian	2013	48171	706	0.0147	1.47%	0.71%	48.3%
	2014	49587	594	0.0120	1.20%		
	2015	51470	489	0.0095	0.95%		
	2016	53917	426	0.0079	0.79%		
	2017	57041	436	0.0076	0.76%		
American Indian/Alaska Native	2013	2186	200	0.0915	9.15%	2.99%	32.68%
	2014	1949	151	0.0775	7.75%		
	2015	1839	119	0.0647	6.47%		
	2016	1606	95	0.0592	5.92%		
	2017	1592	98	0.0616	6.16%		
Two or More Races	2013	21631	911	0.0421	4.21%	1.58%	37.53%
	2014	23742	839	0.0353	3.53%		
	2015	25430	818	0.0322	3.22%		
	2016	26753	733	0.0274	2.74%		
	2017	28323	744	0.0263	2.63%		

The policy surveillance coded data showed that, despite ESSB 5946 and the initiative from OSPI, only six of the 17 districts (35%) whose policies were examined, acknowledged disproportionality in disciplinary practices. Of those six districts that acknowledged

disproportionality in their practices, three (50%) experienced a consistent decrease in disciplinary rates over the five-year period (Figure 1.1). The district we labeled District 5 decreased their discipline rate by 66.95%, District 7 by 51.60% and District 13 by 42.63% over this 2013 to 2017 period (Table 1.2).

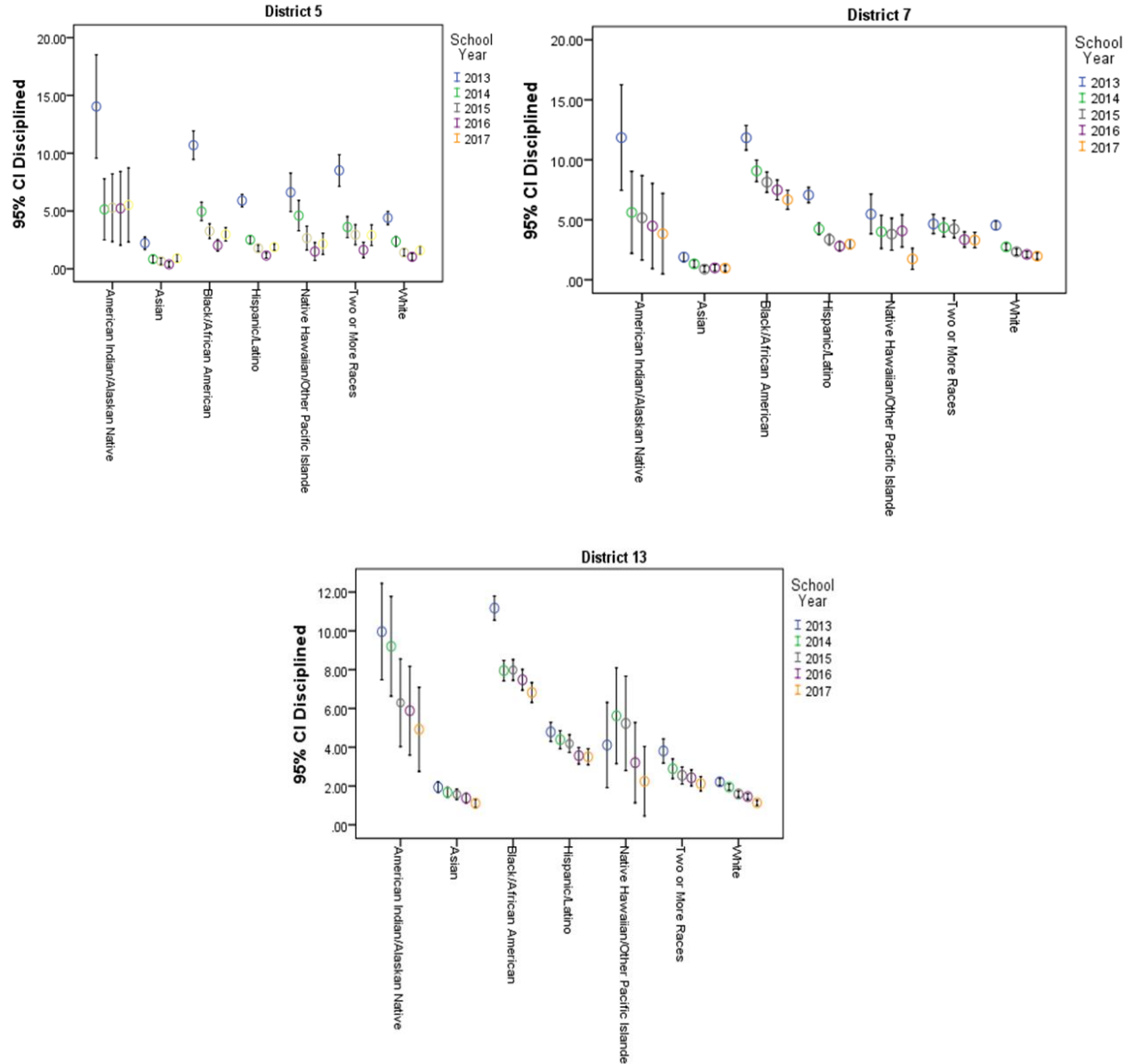


Figure 1.1 Districts with policies that acknowledged disproportionality with consistent decrease in disciplinary rates and their discipline rates by race/ethnicity

Table 1.2 Districts that demonstrated consistent trends in disciplinary rates over the five-year period

School District	Policy Acknowledging Disproportionality In Disciplinary Practice	Percent Change Disciplinary Rates (2013-2017)
1	Y	-17.76%
5	Y	-66.95%
7	Y	-51.60%
9	Y	-47.56%
13	Y	-42.63%
14	Y	-16.82%
2	N	-86.73%
3	N	+62.90%
6	N	+46.40%
15	N	+29.52%
17	N	+16.33%

The remaining three districts (Districts 1, 9, and 14) that acknowledged disproportionality in discipline demonstrated some variation in disciplinary rates by year, but overall, decreased the number of disciplinary actions (Table 1.2). Despite these decreases, disparities in race/ethnicity remain, however, particularly for Black/African American and American Indian/Alaska Native students (Table 1.3), who represent the highest proportion of disciplined students in each remaining three districts examined.

Table 1.3 Districts with policies that acknowledged disproportionality in their discipline rates by race/ethnicity

District Name	Race	Number of Students Enrolled (2013-2017)	Number of Students Disciplined (2013-2017)	Discipline Rate	Percent
District 1	White	39097	1267	0.0324	3.24%
	Black/African American	6469	551	0.0848	8.48%
	Native Hawaiian/Other Pacific Islander	3052	132	0.0433	4.33%
	Hispanic/Latino	23580	913	0.0387	3.87%
	Asian	6699	97	0.0145	1.45%
	American Indian/Alaskan Native	1290	96	0.0744	7.44%
	Two or More Races	8189	379	0.0463	4.63%
District 5	White	25285	545	0.0216	2.16%
	Black/African American	14737	658	0.0446	4.46%
	Native Hawaiian/Other Pacific Islander	4693	162	0.0345	3.45%
	Hispanic/Latino	40455	1042	0.0258	2.58%
	Asian	15135	149	0.0098	0.98%
	American Indian/Alaskan Native	1124	80	0.0712	7.12%
	Two or More Races	7425	300	0.0404	4.04%
District 7	White	55812	1544	0.0277	2.77%
	Black/African American	19387	1675	0.0864	8.64%
	Native Hawaiian/Other Pacific Islander	3993	150	0.0376	3.76%
	Hispanic/Latino	33818	1358	0.0402	4.02%
	Asian	26375	317	0.012	1.20%
	American Indian/Alaskan Native	808	54	0.0668	6.68%
	Two or More Races	14302	566	0.0396	3.96%
District 9	White	15737	101	0.0064	0.64%
	Black/African American	237	7	0.0295	2.95%
	Native Hawaiian/Other Pacific Islander	11	1	0.0909	9.09%
	Hispanic/Latino	959	14	0.0146	1.46%
	Asian	4430	22	0.005	0.50%
	American Indian/Alaskan Native	9	1	0.1111	11.11%
	Two or More Races	1210	8	0.0066	0.66%
District 13	White	125874	2079	0.0165	1.65%
	Black/African American	48855	4054	0.083	8.30%
	Native Hawaiian/Other Pacific Islander	1527	64	0.0419	4.19%
	Hispanic/Latino	36938	1509	0.0409	4.09%
	Asian	44531	687	0.0154	1.54%
	American Indian/Alaskan Native	2290	172	0.0751	7.51%
	Two or More Races	24106	642	0.0266	2.66%
District 14	White	26892	645	0.024	2.40%
	Black/African American	3512	202	0.0575	5.75%
	Native Hawaiian/Other Pacific Islander	197	8	0.0406	4.06%
	Hispanic/Latino	6338	224	0.0353	3.53%
	Asian	6878	112	0.0163	1.63%
	American Indian/Alaskan Native	236	16	0.0678	6.78%
	Two or More Races	5601	146	0.0261	2.61%

In graphing districts that did not have a policy pertaining to acknowledged disproportionality, this researcher found that two districts showed a consistent increase in disciplinary rates over the five-year period (Figure 1.2). District 3 increased discipline rates by 62.90% and District 6 by 46.40% (Table 1.2). District 15 had an overall increase of 29.52% over the five-year period (Table 1.2); however, exclusionary discipline appears to be declining for all race/ethnicity groups in the fifth year (Figure 1.2). Furthermore, District 17, which also had not acknowledged disproportionality in discipline in its policies, showed a consistent increase in disciplinary rates among Black/African American students of 41.63% from 2013-2017 (Figure 1.2).

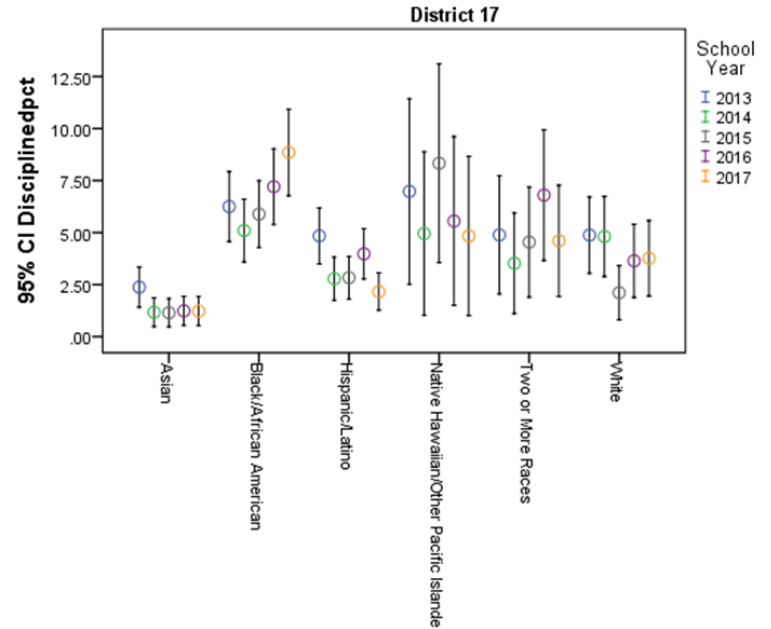
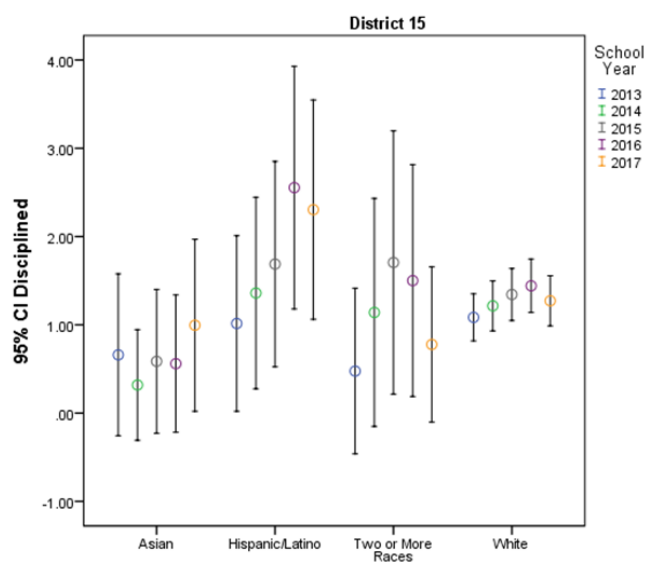
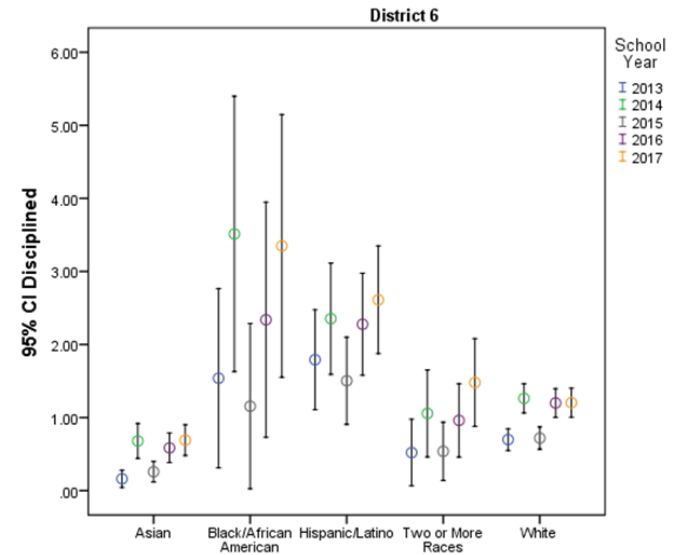
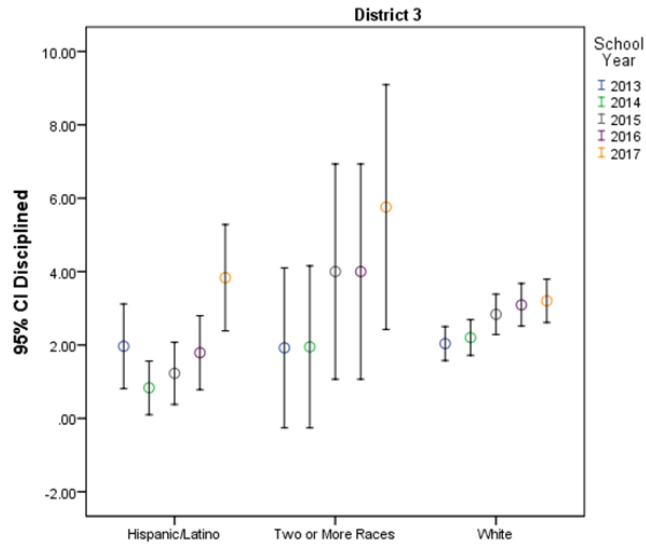


Figure 1.2. Districts that did not acknowledge disproportionality in discipline with consistent increases in disciplinary rates and their discipline rates by race/ethnicity

The 7 districts in the sample that did not acknowledge disproportionality varied year by year in their disciplinary rates, with some showing increasing disciplinary rates for certain race/ethnicity groups and others decreasing and are not displayed graphically. Of note, District 2, which did not acknowledge disproportionality in their policy, showed decreasing disciplinary rates over the five-year period (Table 1.2). Upon further investigation, we found that while District 2 had not implemented a stated policy change pertaining to disproportionality in disciplinary practice, addressing equity was a focus of their five-year plan instituted during the 2012-2013 school year (Bellevue School District, 2016).

Discussion

This is the first known study to use policy surveillance to examine variation in school discipline policies and to combine policy evidence with data related to the incidence of punitive and exclusionary school practices. The purpose of this study was to examine the extent to which school discipline rates might be decreasing, and by racial and ethnic groups, in relation to the stated acknowledgement of disciplinary disproportionality in district policy. Where disproportionality was acknowledged, the districts demonstrated repeated reductions in some of the related disparities. The findings suggest that discipline policies that acknowledge disproportionality have the potential to decrease disciplinary rates and begin to reduce related disparities by changing school-level practices. Ultimately, acknowledging disproportionality in disciplinary practices could ameliorate the deleterious effects that punitive and exclusionary policies have on students.

Despite institutional policy change, however, disparity remains. No district in the sample was without disparities in discipline by race/ethnicity, despite the improvements over time that some exhibited. And these changes over time were not entirely consistent with those that had

acknowledged disproportionality in policy. Patterns did emerge for certain races/ethnicities; this was especially true for both the Black/African American and American Indian/Alaska Native students in this sample--students who have consistently higher rates of disciplinary actions than their peers across all districts, despite the acknowledged disproportionality. While this indicates that policy alone may not be the only driving factor in reducing disparity, policy may contribute to setting the stage to change practices and lay a foundation for improvements in equity, especially among those that acknowledge disproportionality in practice and have strategies in place to ameliorate those disparities.

Law affects economic, social and physical conditions that influence population distributions of risk and protective exposures and behaviors that ultimately affect population health outcomes through various mechanisms. Komro, Mara & Wagennar (2012) discuss that when law is implemented economic, social and physical environments are altered. When regulations facilitate outcomes that promote health and wellbeing, they can reduce toxic exposures and increase protective exposures and ways to facilitate healthy behaviors and ameliorate unhealthy behaviors. When policies in place are poor, they can in turn exacerbate the economic, social and physical environments and increase the risk for poor health outcomes. The understanding of the mechanisms through which law influences public health allows for researchers and stake-holders to define the phenomena in question, to use inference to connect law to structures, behaviors and environments that either promote or hinder health and to better understand how laws can be utilized to influence change (Burris & Wagenaar, 2012).

Particularly alarming in these findings are the four districts that demonstrate steady increases relating to the number of students who received either expulsion or suspension, particularly among their students of color. None of these districts acknowledged disciplinary

disproportionality within their policies. This may indicate a lack of focus regarding addressing disparity that exists for the students that they serve and may thus contribute to the continued worsening of disproportionate expulsion or suspension and further marginalization of these students.

There are several potential explanations for the increased incidence of racial and ethnic disparity in disciplinary practice. School discipline studies have consistently documented the overrepresentation of students from a low socioeconomic status (SES) in disciplinary consequences (Skiba, Michael, Nardo & Peterson, 2002). However, a study by Wallace et al. (2008), found that Black, Hispanic, and American Indian students are significantly more likely to experience disciplinary action, even after controlling for socio-demographic differences. Another explanation that has been proposed to account for racial and ethnic differences in school discipline is administrator and faculty bias, or discrimination in the ways in which school personnel perceive and respond to students of color versus their white counterparts (Skiba, Michael, Nardo & Peterson., 2002; Townsend, 2000). This could account for the unequal distribution of disciplinary practices in schools and support recommendations in current disciplinary literature, such as the need to increase workforce diversity (Dee, 2004; Egalite et al., 2015; Klopfenstein, 2005) and faculty development (Finkel, 2014) and efforts to improve school climate (Gregory et al., 2010) .

These findings suggest that disciplinary policies that acknowledge disproportionality may signal actual changes underway that could be helping to reduce disproportionality in disciplinary practices. As the link between suspension and expulsion practices and educational outcomes is well documented, such reductions in these exclusionary disciplinary practices and disproportionality among them could improve educational outcomes. Research has shown a

negative relationship between these exclusionary practices and school-wide academic achievement (Gregory Bell & Pollock, 2014; Skiba & Rausch, 2006), which is especially true of marginalized student populations (Blodgett & Dorado, 2016).

This study has implications for policy and practice as it suggests that policies that focus on equity and the elimination of disparities could play a vital role in addressing and reducing disparities in discipline. Policies that address disproportionality in discipline have the potential to decrease disciplinary rates, particularly when paired with evidence-based systematic change addressing the root causes of disproportionality (LaValley et al., 2018, Chapter 3). Leaders and policy makers in education can benefit from considering the importance of tracking disciplinary data for trends related to exclusionary practices and evaluating interventions currently in place to ameliorate disproportionality. Further research should explore the relationship between disciplinary outcomes for underrepresented students of color and district-level disproportionality. Furthermore, evaluations of school and classroom level policy implementation and decision making processes should be evaluated to strengthen the understanding regarding how those processes contribute to disparity in disciplinary practice.

This research also suggests that reform to current disciplinary practices may also need a commitment to address disproportionality, focusing on the addressing the roots of racial inequities that are deeply imbedded in our culture and education system. Eliminating disciplinary disparities likely requires policy level change, an ongoing awareness of how inequities are produced and a commitment to equitable practice. Washington's ambitious plan to examine disciplinary disparities and establish changes in practice and policy begins to work toward equitable opportunities and outcomes for every student. As a result of this initiative districts are

beginning to implement policies that focus on equity and the elimination of disciplinary disparities that have may be contributing to changes in disproportionality in discipline rates.

Limitations

There were several limitations of this study. First, the data available from OSPI only supported descriptive analyses, as the overlap in students by year could not be accounted for. Second, the analysis was bound by the number of published and available policies; in this case, a policy analysis for two of the 19 districts could not be conducted. Third, there may be disproportionality that is not accounted for in the students that were suppressed in the data provided by OSPI. Finally, the sample for this study is from one count therefore limiting generalizability. The 17 districts examined, however, varied substantially and would suggest that these findings have applicability well outside of this population.

Conclusion

The need to address disparity in disciplinary practices is critical for the education, health, and well-being of our nation's youth. Systematic policy change is needed to reduce detrimental developmental outcomes that result from punitive and exclusionary disciplinary practices that further marginalize vulnerable student populations. Policies that acknowledge disproportionality in disciplinary practices may have the potential to decrease disciplinary rates and begin to reduce related disparities. Researchers, educators, and policy makers should consider the importance of policy in disciplinary practice reform, specifically the acknowledgement of disproportionality that occurs and the deleterious effects that it has on marginalized student populations.

Chapter III

Strategies for Ameliorating Disproportionality in Disciplinary Practices: Findings and Implications from Policy Surveillance

Introduction and Background

Discriminatory discipline practices in US schools disproportionately impact marginalized student populations, especially students of color (US Department of Education [DOE], 2014a). African American students without disabilities are more than three times as likely as their white peers to be suspended or expelled and, of students involved in school-related arrests or referrals to law enforcement, over 50% are Hispanic or African American (DOE, 2014b). As an increasing number of students receive exclusionary discipline, they are also losing instructional time (DOE, 2014b). This creates the potential for substantial and disproportionately negative educational outcomes (DOE, 2014b). Relationships exist between these exclusionary practices and educational and social developmental issues, including the development of school avoidance and diminished academic engagement, decreased academic achievement, increased drop-out rates, increased behavioral problems, substance abuse and involvement with the juvenile justice system (Arcia et al., 2003; Costenbader & Markson, 1998; Hemphill et al., 2006; Hemphill et al., 2012a; Hemphill et al., 2012b; Mendez, 2006).

To address disparities in disciplinary practices, the US DOE (2014a) published a list of strategies aimed at identifying racial disparities, modifying current practices to ameliorate those disparities, and establishing methods of accountability to ensure adherence to instituted changes. Some of those strategies include providing equity in services delivered, revising policy to provide clear definitions of infractions, developing and implementing teaching strategies that encourage and reinforce positive behaviors, and providing training for all school personnel

(DOE, 2014a). Additional strategies include, conducting and reviewing needs assessments of the students and community and using those data to inform policy and practice change, developing training programs for the students and community that clearly outline disciplinary policies and expectations and conducting annual reviews of school resources and their effectiveness (DOE, 2014a).

In Washington State, during the 2015-2016 school year, 76,660 disciplinary referrals were issued to 46,860 students for either suspension or expulsion (OSPI, 2017). To mitigate the negative effects of exclusionary discipline practices, the Office of Superintendent of Public Instruction (OSPI) in Washington State set forth an initiative in 2015 to address disparities and improve equity in student disciplinary rates (OSPI, 2015). The goal of this initiative was to encourage and assist schools and communities to identify and reduce disparities, promote equity and protect the civil rights of all students (OSPI, 2016b).

While strategies exist for reducing exclusionary discipline practices, such as having clear objective discipline procedures and involving family partnerships in policy development, they are often implemented in an ineffective manner, which does not result in a reduction of disparities (PBIS, 2015; Skiba, Shure & Williams., 2011). This may stem from ineffective monitoring of practice and implementation, lack of policy level change, issues of fidelity, inadequate structural support, and inherent biases that are not addressed or focusing on the symptoms of the disparity rather than the root cause. Fundamental to understanding the mechanisms in which policy influences public health, is an evaluation of environmental factors that, when paired with policy, either exacerbate or foster protective behaviors to effect health outcomes Komro, Mara & Wagennar (2012).

When clear, well-developed policy change is initiated to promote health and wellbeing, it can reduce toxic exposures and unhealthy behaviors and can increase protective exposures and healthy behaviors. When policies in place are poor, it can in turn exacerbate the economic, social and physical environments which then increase the risk for poor health outcomes. When we begin to understand the mechanisms through which law influences public health, researchers can then clearly define the problem at hand, use causal inferences to connect law to structures, behaviors and environments that either promote or hinder health and begin to understand of how law influences change (Burris & Wagenaar, 2012). A better understanding of current practices in such attempts to reduce exclusionary discipline practices would provide important guidance for school system leaders toward establishing effective and equitable policies. This paper describes the results of a study to examine the policies and strategies implemented in a large urban Washington State county to reduce disparities in practice.

Methods

This study utilized policy surveillance methods to examine the relationship between school policy pertaining to disproportionality in discipline and current practices to eliminate related disparities.

Policy Surveillance was conducted in a county that serves a total of 19 districts. Policies pertaining to disciplinary practices were sought from all district; however, two districts elected not to participate-thus the sample is based on 17. A primary review of the literature was conducted to determine disciplinary policy factors that influence change in practice. From that review a codebook was developed by performing a review of five purposively sampled districts' publicly available instructional policies and handbooks obtained from among the 19 districts' websites. The five purposively sampled districts were selected with variables in student

population and environmental factors in mind, as to be representative of the largest variation in population factors possible. This method of preliminary analysis is part of the policy surveillance process defined by Burris (2014).

All 17 identified and available district disciplinary policies were then included in the full analysis, with the exclusion of athletic policies pertaining to violations in conduct. A total of 150 questions were developed and included in the code book. Analysis was conducted by coding all codebook questions from the 17 districts. A related analysis focused on a specific question from the developed codebook: Did the district acknowledge disproportionality in disciplinary practices? That research examined the relationship between the acknowledgement of disproportionality in disciplinary practices and a reduction in those disparities (LaValley et al., 2018, unpublished [Chapter 2]). From that research this researcher found that six of the 17 districts acknowledged disproportionality in their school policies and were identified by the research team as establishing corrective strategies as indicated by policy statements identifying strategies to be implemented within the district to address disparity (LaValley et al., 2018, unpublished [Chapter 2]). The current paper extends that previous work by describing the strategies used by those six districts to ameliorate disciplinary disparities.

The findings of this study focus on a deeper analysis of the policy surveillance with the purpose of answering the question, If disproportionality in disciplinary practice is acknowledged, what corrective measures are in place to identify and eradicate those practices? An in-depth analysis of the six district level policies acknowledging disproportionality yielded 27 unique strategies aimed at promoting equity in student success and reducing disparity in practice. While some strategies identified in the policies are not specific to disciplinary disparity, their application may be used to address equity in disciplinary practices. These 27 strategies were

reviewed systematically using an a priori coding framework based on the domains identified in the literature review, followed by a secondary coding that allowed for the capture of emergent themes (Ryan & Bernard, 2003). From this analysis eight concepts were identified (Table 2.1).

Results

Eight theoretical concepts were identified during the coding process. These concepts include: 1. diversity in the workforce, 2. workforce development, 3. climate, 4. curriculum development and student success, 5. diverse community partnerships, 6. tracking and accountability, 7. business strategies and 8. increased accessibility. All six districts, to some degree, identified the same four of the eight concepts in their strategies, namely addressing diversity in the workforce, workforce development, diverse community partnerships, and tracking and accountability. All districts acknowledged strategies that addressed at least five of the concepts, with one district addressing all eight. District 3 addressed all eight concepts, districts 4 and 5 addressed seven, district 1 addressed six and district 2 addressed five. Those concepts with a higher number of strategies identified and those with a greater concentration of district acknowledgement appear to be most represented in the literature as effective approaches for intervention. Those four concepts include diversity in the workforce, workforce development, climate, and community partnerships.

Table 2.1 District strategies organized by identified concept

Identified Concepts	District Strategies	District
Diversity in the Workforce	Recruit and retain faculty that more accurately reflect the student population served	1, 2, 3, 4
	Recruit and retain a diverse employee population	1, 2, 3, 5, 6
Workforce Development	Train its workforce to strengthen employees' knowledge and skills to eliminate disparities	1, 2, 3, 4, 6
	Develop and support school-based equity teams	3
	Maximize resources and professional development opportunities to cultivate cultural responsiveness	2, 3, 4, 5, 6
Climate and Supportive Services	Create a safe environment	3, 6
	Create welcoming school and facility environments	3, 4, 5, 6
	Ensure system-wide supports for equity and diversity to support student learning and engagement	3
Curriculum Development and Student Success	Maintain and develop bias-free curriculum and courses	3
	Provide adequate supports to ensure academic success for all students when addressing racial disparities	3
	Provide materials and assessments that reflect the diversity of students which are geared towards the understanding and appreciation of diversity	5
	Commit to whole-student development by including social emotional development	3, 4
	Encourage, support, and expect high achievement	3
Diverse Community Partnerships	Welcome and empower all families as essential partners in their student's education, school planning, and district decision-making	3
	Expand and create partnerships and relationships that are inclusive of all segments of the diverse communities	2, 3, 4, 5, 6
	Invite representatives of traditionally underserved populations to join in examining issues and finding adaptive solutions which address the root causes of inequities	1
	Promote intentional involvement of families, students, and community members that bring multiple perspectives and views for solutions to issues that arise	1, 4
Tracking and Accountability	Track and report disaggregated data sets in determining student representation and success	2, 3, 4, 6
	Review and adopt the Race and Equity Policy	1, 3, 4, 5, 6
	Incorporate equity and diversity outcomes of accountability into the superintendent's performance evaluation process	3
	Design, maintain, and review all departments/programs to ensure alignment and relevancy to the equity and diversity objectives	3
	Measure data to ensure progress is being made towards stated equity and diversity goals	2, 3, 6
Business Strategies	Promote the use of diverse vendors and suppliers in accordance with law and district policy	3
	Model racial equity in business practices	1
Increased Accessibility	Provide every student with equitable access to a high quality curriculum, support, facilities and other educational resources	1, 2, 4, 5
	Provide multiple pathways to success in order to meet the needs of the diverse student body, and shall actively encourage, support and expect high academic achievement	5
	Ensure a variety of modalities and languages for the public	3

Discussion

This discussion focuses on the above identified four concepts that are most prevalent in the literature and were most common among the study sample of school districts. Current efforts in education pertaining to equity and diversity, especially in relation to disproportionality in disciplinary practices, have highlighted specific areas of focus for instituting change. These practices align with many of the theoretical concepts identified in this analysis and described in Table 2.1.

Diversity in the Workforce

This study found that this concept of diversity in the workforce was addressed by all of the district policies in the sample of districts acknowledging disproportionality in their schools. The emphasis among all of the examined districts on establishing a more diverse workforce, suggests that they consider this a key component of addressing and reducing disparity among students of color, specifically in regards to disciplinary action.

Diversity in the academic workforce providing educational and supportive services to students is lacking nationally, and current efforts to address this are well supported by the literature in relation to discipline. A 2016 report by the US Department of Education found that less than one in five (18%) public school teachers in the U.S. are individuals of color, while nearly half (49%) of public elementary and secondary school students are individuals of color (Department of Education, 2016). Studies show that workforce diversity in education is associated with employee innovation, increased productivity and a positive school reputation (Patton, 2017). Therefore, a racially diverse teaching force can also help to close the achievement gap, improve experiences for all students, and contribute to improved academic outcomes while serving as strong role models (Dee, 2004; Egalite et al., 2015; Klopfenstein,

2005). Further, a study by Lindsay and Hart (2017), found that elementary school students are less likely to be subjected to exclusionary discipline when their race matches that of their teacher. A focus on retaining employment from within the community that is served may help to foster positive faculty and staff relationships with students, with a mutual understanding of culture and a combined focus on student success.

In 2015, district 2 created a workforce development team with the purpose of recruiting and retaining teachers of color and was recognized for their efforts in District Administration (Patton, 2017). A state grant provided tuition assistance to the district's bilingual tutors to pursue a degree in teaching. Furthermore, a teaching academy was developed with the aim of attracting students to teaching careers. This district hopes to build on the diversity that exists within their service area, rather than to hire "transplants," with the goal of diversifying as a result of such faculty acquisition (Patton, 2017). While the faculty acquisition efforts of this district will likely have a delayed effect on the overall disciplinary rates, it is noteworthy that over a five year span, from 2013 to 2017, this district has seen an overall 66.95% decrease in disciplinary referrals for either suspension or expulsion (LaValley, et al., 2018, unpublished [Chapter 2]).

Workforce Development

District 3 was the only district to name and deploy all of the three workforce development strategies identified in this analysis. As described in a District Administration publication, to meet the needs of the growing diverse population, district 3 retained a dedicated full-time employee to provide cultural training to staff and faculty to facilitate a deeper understanding of students' cultures (Finkel, 2014). Furthermore, this district holds periodic reviews to track the progress of students with English as second language to ensure that faculty are utilizing best practices to boost achievement and to determine if further supportive services

are required (Finkel, 2014). Findings from LaValley et al. (2018, unpublished [Chapter 2]), show that this district also decreased disciplinary referrals by 51.6% from 2013 to 2017. It is possible that related culturally responsive training for faculty and staff, along with other efforts by district 3 to promote equity, may be helping influence their disciplinary rates and reducing the overall disparity experienced by students of color. Programs, such as this one instituted in district 3 offer the opportunity to evaluate current practices and align approaches that require change with evidence-based supportive services aimed at ameliorating disparities in discipline and closing the academic achievement gap.

Teacher quality has historically been measured and described by formal education attainment and professional achievement, rather than actual attributes in instructional effectiveness (Little & Bartlett, 2010). Recent developments relating to educational practice suggest a heightened sensitivity among practicing educators to issues of inequity and disproportionality (Little & Bartlett, 2010). One of the biggest hurdles faced in attaining educational equity for students is the preparation of teaching staff and their ability to meet the challenges of teaching in schools with increasingly diverse populations (Florian, 2009). Cultural responsiveness efforts, such as those employed by district 3, that focus on instructional effectiveness, enhancing cultural understanding and the acknowledgement of disproportionality provide faculty with some of the tools necessary to meet the needs of their diverse populations.

The academic achievement gap among diverse student populations, including those of different racial, cultural, linguistic and socioeconomic statuses, is widening and further exacerbated by inequities in educational practices and resources (Lalas, 2007). Cultural competence has gained increasing attention in academia due to the growing diversity of the United States' population (Sander et al., 2016) and strategies to “cultivate cultural

responsiveness” were identified by 5 of the sample districts in relation to workforce development. A recent literature review by Kaur (2012), found that as the attention shifts to inclusive practices in social justice and equity, there appears to be a move towards creating more comprehensive educational programs for teachers with an explicit focus on equity and social justice. Furthermore, Kaur found that this shift has increased the presence of more diverse critical voices in research and teaching, with an interest in exploring equity and social justice in teaching practice.

School Climate

Punitive and exclusionary disciplinary practices can erode the trust between students and staff and undermine efforts to create positive school climates (DOE, 2014c). Fostering a positive school climate can prevent and ameliorate problematic behaviors through engaging families and community partners, training staff, and developing resources to help students and staff develop the social, emotional and conflict resolution skills necessary to avoid and de-escalate problems (DOE, 2014c). Schools that have a high quality climate and authoritative characteristics have reduced drop-out rates (Jia et al., 2015), decreased bullying behaviors (Gregory et al., 2010), lowered incidences of aggression, increased levels of safety and reduced faculty stress (Bergs & Cornell, 2016), decreased the number of suspensions (Gregory et al., 2010) and reduced the engagement of students in risky behaviors (Cornell & Huang, 2016). School climate includes actions such as focusing on social and emotional aspects of learning that create conditions for student and staff well-being and educational success through facilitating a safe and supportive school community (Blodgett & Dorado, 2016). It is associated with the reduction in student behavioral problems, student aggression and victimization and improved academic achievement

and increased graduation rates (Brand et al., 2003; Gottfredson et al., 2005; Lo et al., 2011; Wang & Dishion, 2012).

The districts in the study sample were engaging in these climate-related practices through addressing educational success and program effectiveness with a particular emphasis across the districts on creating a more “welcoming” environment for students and faculty. One example of this includes district 5, which since 2015 has administered a yearly climate survey to family, staff and students. The survey addresses accessibility of information, creating clear strategic goals and priorities of the district, reaching out to guardians regarding priority decisions, delivering quality education that prepares students for success, clear and effective communication, and effectiveness of administrative service and support. As described on their website these results are then utilized to inform policy and practice procedures, such as the use of exclusionary discipline, both in the classroom and through administrative change (Seattle Public Schools, 2017). This same district decreased disciplinary referrals by 42.63%, over the years 2013 to 2017 (LaValley et al., 2018, unpublished [Chapter 2]).

Diverse Community Partnerships

Recent research has emphasized the importance of community based-partnerships to address system-based issues. Five of the districts in the sample described using strategies related to expanding and creating partnerships inclusive of all segments of their diverse communities. Only three of the districts in this sample, however, incorporated partnership-related strategies that involved including families, as indicated in the other three strategies that we found to make up this theme.

One policy-driven initiative that addresses disparity in the educational system is the Every Student Succeeds Act (ESSA), formerly the No Child Left Behind Act. This federal law

focuses on a commitment to equal opportunity for all students by upholding critical protections for disadvantaged students, supporting the utilization of evidence-based interventions aimed at addressing disparity, requiring that schools provide an education that prepares students for college and career success and holding schools accountable for effecting positive change in academic achievement (DOE, 2018). Imbedded in the ESSA is the call for schools to include community support frameworks to enhance student success. This includes support services for family and community engagement both in the home and at school, as well as providing community-based mentors to facilitate continued connectedness within the community and success in post-secondary education and the workforce (DOE, 2015). The ESSA suggests that all of the schools in the sample might benefit from employing partnership strategies that involve both their community and family partners.

Advancing equity through family and community engagement practices has been shown to predict positive student outcomes (Epstein & Sheldon, 2002). Community members provide a critical resource for student achievement and the development of school climates and cultures that respond to all students equitably (McAlister, 2013). Furthermore, parents play a key role in enhancing student academic success and thus reducing punitive discipline (Auerbach, 2009; Zellman & Waterman, 1998) and parental engagement is generally considered to be fundamental to high-quality education and early childhood care (Douglass, 2008). While the role that parents play as partners in the educational process is critical, this partnership can often result in parents of color feeling silenced, powerless and marginalized due to power dynamics and issues of school culture, at times stemming from their own negative school experiences (Lewis & Foreman, 2002). School cultures in which parents are viewed as partners rather than consumers and teachers are viewed as professionals, fosters collaboration and an environment that nurtures

student growth and achievement (Lewis & Foreman, 2002). These collaborations may then lead to the establishment of healthy policies with less punitive strategies that offer a greater degree of equity which is in turn, more likely to reduce disparities in disciplinary practice.

Of the five districts in the sample that described strategies relating to the creation of diverse community partnerships, none of them specifically addressed how the inclusion of community and family partners would be utilized to address inequity. While district 1 did state that those representatives would be utilized to examine issues and find adaptive solutions to address the root causes of inequity, it did not define the role of community partners nor the degree to which those individuals would be involved in innovative policy and practice reform. In order to really understand the root inequities that lead to disproportionality in discipline and academic achievement, there must be community partnerships in place in order to more fully understand the unique needs, drivers and culture of diverse populations. This lack of representation is further complicated by teaching faculty and staff that do not generally represent the populations they serve and may have a misunderstanding of people's backgrounds or those root causes that lead to inequity in marginalization. While the literature is rich in descriptions of the importance of addressing inequities, underlying root causes of disproportionality issues and the impact on academic achievement and student success will not be eliminated if faculty and staff do not have a clear understanding of their students' lived experiences.

The inclusion of diverse community and family partners can promote educational equity through active engagement and has the potential to positively influence student potential. Working collaboratively with parents and community members to develop and implement policies and programs instead of seeking their input after policies are in place allows for a deeper understanding of those root inequities and allows the focus to be on student achievement and

success. Moving forward, a clearer understanding of how these diverse groups are developed, how initiatives are brought forward and how the decision process is managed, especially in regards to disciplinary practices, will allow for targeted interventions that utilize effective and sustainable practices.

Curriculum, Accountability, Business Practices and Accessibility

While the remaining four theoretical concepts from this analysis are important for changing the culture and rhetoric pertaining to diversity and equity in education, they were far less prominent themes identified in the literature review (DOE, 2014a). Although research exists pertaining to the identified concept regarding changes in curriculum to promote equity and student success, for example, those changes appear to be highly focused and specific interventions that could provide a wide breadth of knowledge to schools looking to implement curricula changes, their level of specificity prove to require a high level of analysis that were beyond the scope of this research. Some such interventions include the integration of Social Emotional Learning and Trauma Informed Care practices (Blodgett & Dorado, 2016).

Furthermore, the identified concept regarding tracking and accountability practices plays a vital role in ameliorating disparity through identification and modification of practices that may prove detrimental to academic development. The US Department of Education's Resource Guide for Improving School Climate and Discipline (2014), states that districts should ensure that discipline practices are applied fairly and should continually monitor and improve disciplinary policies and practices through ongoing staff development. Accountability and regular tracking of policies and practices allows districts to monitor their progression towards identified goals, thus helping to ensure that policies and practices are applied fairly, consistently and appropriately to avoid disproportionality (DOE, 2014c). While all six districts identified the utilization of

concepts relating to accountability and tracking, it should be noted that this act is required by both the OSPI and the DOE annually (DOE, 2014c; OSPI, 2016b). With closer monitoring of policies and a proactive stance on addressing disparity, we can begin to illuminate areas of need and focus change actions to promote equity.

Conclusion

The six districts examined here demonstrate the breadth and focus of current efforts in education pertaining to equity in relation to disproportionality in disciplinary practices. Four key areas of practice were prominent in terms of how these districts, that were encouraged by their state office of public instruction to address disparity, were instituting change. Those most widespread practices included attention to diversity in the workforce, workforce development, climate, and community based partnerships.

Central to these practices is the importance of establishing structures and processes that increase the capacity of each district to adopt and maintain evidence-based practices that address the needs of marginalized student populations. The highlight of this is the need to implement community partnerships to work collaboratively on addressing the root causes of inequity and facilitating change that is not only effective, but sustainable given each district's unique student population. The implementation of such strategies through policy can facilitate behavior changes in student, teachers and community members that will lead to the reduced likelihood of punitive disciplinary disproportionality.

Chapter IV

Expanding the use of Policy Surveillance Methods as a Tool for Advancing Population Health

Background

Policy plays an important role in population level health. The United States Centers for Disease Control and Prevention (CDC) (2015), defines policy as a “law, regulation, procedure, administrative action, incentive, or voluntary practice of governments and other institutions”. Major improvements in population health have been attained through public health policy approaches (Hall, Graffunder & Metzler, 2016). Yet despite these improvements, public health policy is underappreciated and politically fraught (Wiley, 2016). Policy surveillance systems offer the occasion to identify opportunities for population level health improvements in a systematic way that clearly delineates policy components for stakeholders to find and understand existing laws and policies and make informed decisions regarding policy change (Burriss et al., 2016a). This paper focuses on the discussion of the use of policy surveillance systems in public health practice and implications for the advancement of population health. It will describe current surveillance systems in place in public health, the recent emergence of policy surveillance as a methodology of practice and how policy surveillance can be used, its current uses in practice, and an example of that methodology with practice implications.

Surveillance Systems in Public Health

Monitoring community health status is an essential function of all public health departments (CDC, 2018a). In public health practice, when threats to public health arise or have the potential to impact communities, surveillance systems are established to identify those threats that require a rapid response (Erwin, 2017). Public health surveillance, and the systems that enable surveillance, are central to the practices of public health (Groseclose & Buckeridge,

2017). Public health surveillance allows for the collection and assessment of data pertaining to adverse health events, the prioritization of public health actions, the monitoring of interventions and their impact, and the identification of emerging trends that may significantly influence population level health (Groseclose & Buckeridge, 2017, Institutes of Medicine [IOM], 1988).

Surveillance is critical for identifying and improving upon population health concerns. These systems generate information that drives action, advances public health practice through increasing program efficiency and effectiveness, and advances current practices in health policy and informatics (Groseclose & Buckeridge, 2017). One such example of public health surveillance includes the monitoring of infectious diseases to prevent and control outbreaks. When disease incidence is high, surveillance tracking systems allow for the tracing of transmission data to prevent the spread of disease with targeted campaigns aimed at changing behaviors to reduce the risk of transmission and allow for the mobilization of mass immunization for high-risk populations in outbreak areas. In periods when disease burdens are low, the use of sentinel monitoring of health in the general population provides early warnings of new patterns in disease reporting and trends to reduce transmissions and heighten awareness regarding vaccine efficacy (IOM, 2000a).

A surveillance system affects population health by capturing data and generating information that allows practitioners, stakeholders and policy makers to improve the quality of their decisions and effectiveness of their actions (Groseclose & Buckeridge, 2017). In relation to public health systems, surveillance is designed to support all three of the essential functions of public health---assurance, assessment and policy development (IOM, 1988). Analysis of surveillance data is typically performed to detect the presence or absence of patterns in reported data that may prompt a public health investigation or policy action. It may also be performed to

identify the associations between reported health outcomes and population characteristics to understand local epidemiology and determine effective prevention or intervention measures. As these data are collected over time, they support the detection of trends and the identification of changes in policy or community factors that alter health outcomes (Groseclose & Buckeridge, 2017). For example, in 1998 a measles outbreak occurred in Anchorage, Alaska. Of the 33 confirmed cases, 17 were among a highly vaccinated high school population. Analysis of the outbreak found that Alaskan schools did not require students entering school to have two doses of MMR (measles, mumps, and rubella) until September 1996. Within that high school setting, 49% of the students had received only one dose of MMR. As a result of these surveillance efforts, the Alaskan Department of Health and Social Services required that all students complete two doses of MMR by January 1999. By November 1998, 98.6% of Anchorage students had met vaccination compliance (IOM, 2000a). Currently, the CDC monitors vaccination coverage among children and teenagers to evaluate current trends and potential areas of concern (CDC, 2018b). Surveillance systems have typically been used for monitoring indicators related to chronic and communicable diseases such as measles, but the utilization of this method has recently broadened to cover the surveillance of policy and law as it relates to population health.

Policy Surveillance

Due to complexities and regulations in current health practices and funding for research, innovative methods of research and knowledge dissemination are needed to address public health concerns (Burris et al., 2016a; Frieden, 2013). There is a growing consensus that policies can support reducing health disparities and improving population health (Miller et al., 2017). This is clearly seen in the American Public Health Association's (APHA) adopted mantra "Health in all Policies" which seeks to assist leaders and policy makers to integrate considerations of health

and equity in the development, implementation and evaluation of programs and policies (APHA, 2012). Acknowledgement that public health policy influences community health has led to the establishment of surveillance systems to monitor and evaluate the impact of those policies on communities (Burriss et al, 2016a; Chriqui, O'Connor & Chaloupka, 2011; Presley et al., 2015).

Policy surveillance is an emerging method that involves the ongoing, systematic data collection, analysis and dissemination of information pertaining to laws and policies of health importance (Burriss et al., 2016a). Essentially, it is a method through which one examines and categorizes elements identified in sets of laws and policies. The purpose of policy surveillance is to identify and translate knowledge and evidence pertaining to policy and practice, and in doing so, influence policy change that is supported through systematic review and evaluation (Burriss et al., 2016a). This method allows researchers, health professionals, and policy makers to understand which parts of policy are most important and how policy change may be implemented across jurisdictions.

A key component to surveillance systems is the way in which these data are monitored over time. Policy surveillance may be static in nature, meaning a collection of laws, or elements of law, across jurisdictions at one time. Or, it may be longitudinal, meaning that law, or elements of law, are collected across jurisdictions and time (Burriss, 2014). Depending on the nature of the policy being measured, surveillance allows for monitoring on a predetermined basis, be it an annual event or something that is done in response to revision to current policies. In order to understand the impact of policy, it is vital that changes in health status and community risk factors are monitored across jurisdictions, over time, and evaluated to determine the degree to which changes in policies impact population health (Burriss, 2014). In tracking the nature and specific elements of local laws and policies over time, we can understand which jurisdictions

have more effective laws and local policies in place and even understand those elements of policies that produce the best health outcomes, which in turn allows for focused policy revision with an ultimate goal of improving population health (Burriss, 2014). The tracking of policy over time and across jurisdictions can inform policy makers, researchers and advocates regarding the specifics of each law or policy on a given subject and ultimately provide them with the data necessary to evaluate their impact (Presley et al., 2015).

Policy surveillance is a rather new surveillance method. In 2009, the Robert Wood Johnson Foundation (RWJF) funded the Public Health Law Research Program (PHLR) to facilitate the creation of a distinct method to support the scientific study of the impact of law and legal practices on public health. From this initiative, policy surveillance was born. In turn, the PHLR Program funded the use of this method to create data for use in evaluation research (Burriss et al., 2016). From this work, a software system, Law Atlas was created as a means to publish and disseminate legal datasets. This software (MonQcle) has recently been enhanced to allow for large-scale tracking of legal data at local, provincial and national levels throughout the world (PHLR, 2017).

Theoretical Mechanisms

There are many theoretical mechanisms through which law works to influence public health that encompass a number of distinct disciplines. Public health perspectives highlight numerous ways in which laws affect economic, social and physical conditions that influence population distributions of risk and protective exposures and behaviors that ultimately affect population health outcomes. Developed by Komro, Mara & Wagennar (2012), this diagram (Figure 3.1) depicts the way in which economic, social and physical environments are altered to reduce toxic exposures and increase protective exposures and ways to facilitate healthy behaviors

and ameliorate unhealthy behaviors. Central to this is the key role that enhancing environments through law plays in improving population health.

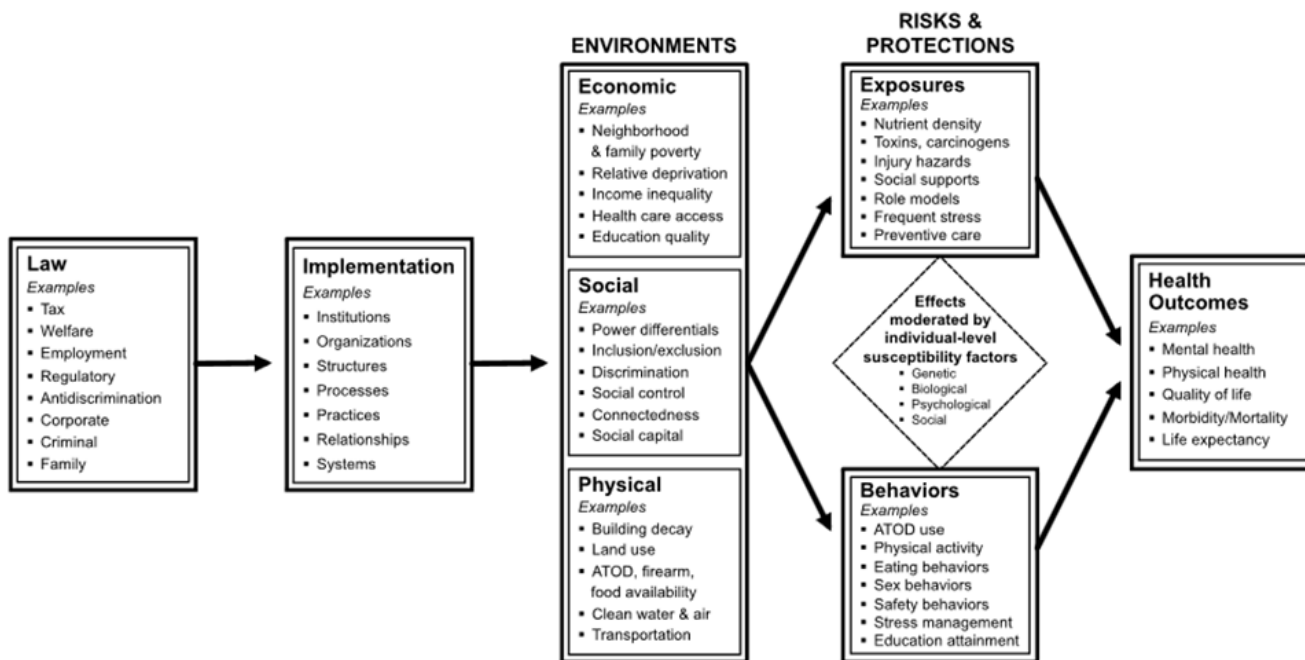


Figure 3.1 Causal diagram showing a public health perspective on how law affects population (Komro, Mara & Wagennar, 2012).

Theoretical understanding of the mechanisms through which law works to influence public health has three important benefits for public health research and practice. First, it allows for the defining of phenomena to be observed. It informs researchers and those in practice and facilitates a greater understanding regarding how law influences structures, behaviors and environments. It allows for pinpointing analysis of where inequities may be occurring, at what point observable effects can be expected, how those effects may evolve and what intended or unintended effects to be mindful of (Burris & Wagenaar, 2012). Second, it allows for the supporting of casual inferences or plausible mechanisms by which each component of law may be contributing to the overall health-related outcomes. Third, it can help to guide reform and

implementation through understanding of those effects and the role that they play in exacerbating health inequities. Further, it facilitates understanding regarding ways in which law can be utilized to effect change (Burris & Wagenaar, 2012).

Policy Surveillance Methodology

Several organizations have identified the need for policy surveillance to monitor public health efforts and assess the impact of interventions aimed at addressing public health concerns. These include the CDC, the RWJF and the World Health Organization (WHO) (CDC, 2014; RWJF 2012; WHO, 2016). In a policy surveillance, a set of laws regarding a specific topic is collected and the characteristics of the laws are measured over time. Changes in the law are then tracked over time through the creation of an empirical legal dataset. This empirical dataset is a set of measures that represents the observable characteristics of a body of law, across jurisdictions and over time. These datasets are built with protocols that allow for transparency of methods to ensure that the dataset can be replicated and updated quickly and efficiently (Burris, 2014).

Stakeholders are engaged to identify observable characteristics of importance to the study, weigh in on the research approach and offer interpretations based on the findings. The overall aim of policy surveillance is to inform public health practitioners and policy makers about the current state of specific laws and important institutional policies (Burris, 2014, Burris 2016a). Policy surveillance datasets can be utilized for further legal and political analysis, research and evaluation regarding the impact of policies and policy elements, to inform stakeholders of trends in specific laws and to increase awareness of the effectiveness and impact of law in practice (Burris, 2014).

This methodology involves a six step process that is rigorous, transparent and reproducible (Burris, 2014, Burris et al., 2016a). 1. Develop the scope, 2. Perform a systematic collection of the law, 3. Coding, 4. Documentation of the research, 5. Dissemination and 6. Updating (Figure 3.2). First, a team is assembled to conduct the research necessary to define the scope of the research project, create a preliminary list of variables to be measured and define the initial research strategy. This team can vary in size depending on the stakeholders and the complexity of the project, but typically consists of two researchers and a supervisor. The scope is developed as a team, with an understanding that the scope may be refined through the research and coding processes. In order to properly define the scope, background research on the topic area, intricacies of the law, changes to law over time and information accessibility is completed by the research team (Burris, 2014).

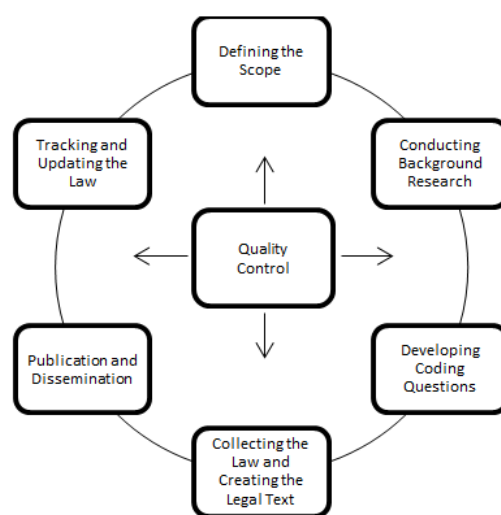


Figure 3.2 Policy Surveillance Methodology (Policy Surveillance Program, 2018d)

Scope is defined by determining the purpose of the dataset and the intended audience and includes the specific types of laws to be collected, the time period encompassed and the characteristics of law to be measured. From this research the team develops a memorandum,

outlining the topic area and elements of the law in several jurisdictions. This memorandum provides a comprehensive overview of a law and begins to identify what features of the law may be relevant to the dataset. These key features of the law are then operationalized as variables in the dataset. The datasets developed can be either cross-sectional, capturing variation in laws across jurisdictions at one point in time or longitudinal, capturing variation in laws across jurisdictions over multiple time points, spanning from years to even decades (Burriss, 2014).

Second, the team refines and revises the research strategy as necessary to ensure all legal texts within the scope of the research are identified and systematically collected. The research strategy outlines the steps the team will follow in the collection of the law, it includes where the team will look for the laws, the search terms they use to describe the laws, inclusion and exclusion criteria and secondary sources that they plan to use to ensure they are coding all relevant legal data. This strategy contains the details necessary for dataset replication. The collection of the laws includes systematically identifying and organizing all relevant legal documents found utilizing the research strategy (Burriss, 2014).

Third, the team creates the initial coding scheme and begins coding the law, making sure to review the work carefully and consistently as needed to ensure validity. The coding scheme consists of the variables that are being measured phrased as questions. These questions are developed from the background research to accurately measure the mechanistic features of the laws. This process is an iterative one, in which questions will evolve as jurisdictions are added and differences in laws or characteristics of law are identified. Coding is the actual process of creating the empirical legal dataset. The aim of coding is to capture objectively measurable characteristics of the law rather than an interpretation of the language or meaning behind the law. The questions are exhaustive and carefully constructed to measure only one dimension of the law

to minimize subjectivity (Burris, 2014). The types of questions that can be utilized are binary-mutually exclusive (yes/no), categorical-select all that apply, categorical-mutually exclusive, text response, numeric or date entry questions (Policy Surveillance Program, 2018c).

Coding should be completed through specialized software platforms designed to reduce errors and increase accuracy. The software should allow for the visualization of the legal text and coding questions on the same screen to minimize errors. Further, this software should allow for multiple users to access and make changes to the dataset simultaneously (Burris, 2014). Data entry and tracking can be facilitated utilizing the MonQcle software platform and policy surveillance datasets can then be made available on the public legal database LawAtlas, all operated by Temple Law (Burris et al., 2014, Policy Surveillance Program, 2017).

Fourth, documenting research and coding decisions, processes and rules is completed using a study protocol. This protocol provides the background, rationale, objectives, methodology, statistical evaluation of the data and overall organization of the legal dataset. The protocol lends scientific rigor, allows the team to update the dataset as laws change and contains all the necessary information to replicate the process (Burris, 2014). Quality control is built into the process through use of redundant research and coding by a team, to identify and resolve error. Redundant coding means that for one jurisdiction, two records are created with the same date, legal text and variables. Coding of the duplicate records is assigned to two researchers, resulting in two coded records for each jurisdiction that can then be compared for quality, reliability and consistency. Adherence to quality control is key to creating data that are not only reliable, but accurately capture the elements of a law (Burris, 2014).

Fifth, the findings are disseminated through publication of protocol materials along with the dataset using Temple University's freely accessible MonQcle software platform (Burris,

2014). LawAtlas allows researchers to publish analyzed policy datasets that address topics of public health concern such as occupational health and safety laws, emergency mental health laws, school tobacco policies and healthcare scope of practice laws (Policy Surveillance Program, 2018a; Presley et al., 2015). Temple's LawAtlas website allows policy topics to be broken down into component variables and utilizes data-visualization tools to help facilitate understanding and provide context to each dataset. This allows public health stakeholders and policy makers to easily find and understand existing laws and policies (Burris, 2016; Presley et al., 2015).

The final step of this process involves updating of the data over time. The overall purpose of policy surveillance is to monitor policy changes over time and document those changes in the existing published dataset so that stakeholders can make informed policy and practice decision. This process includes updating the original protocol to reflect changes made to the coding scheme, search criteria, data sources, and inclusion and exclusion criteria. These changes to the dataset will reflect the changes in law that have occurred over time (Burris, 2014).

Policy surveillance has promising applications for clinical and public health practice as this method is critical to advancing the evidence that might support understanding of elements of policy that improve population health. It provides quantitative datasets that allow for measurable analysis of critical elements of policy and law that influence population health. While the datasets are quantitative in design, the coding of the categorical data questions can lend itself nicely to qualitative analysis of specific policy components after the completion of the surveillance project. Furthermore, the ability to look at data longitudinally allows researchers the opportunity to look at the relationship that policy and laws have with related factors in the community, such as health or educational attainment.

Policy Surveillance in Practice

Law and policy are primary tools of health promotion (Burris & Anderson, 2013). Policy surveillance methods help to inform practice and policy change through addressing discrepancies and disparities in law and policy that promote inequities in population health. Local policy surveillance studies have the potential to make policy language and comparative analyses more accessible for everyday use (Ibrahim, 2015). Recent efforts in public health and policy arenas have utilized policy surveillance as a means to systematically evaluate policy to inform changes in practice that influence health, such as examinations of opioid overdose prevention (naloxone) laws to address the opioid overdose epidemic and prevent overdose deaths (Davis, Webb & Burris, 2013). Researchers using the LawAtlas and MonQcle software platforms have created datasets mapping one hundred health law topics including topics addressing environmental health, chronic disease, mental health and even public health infrastructure (Public Health Law Research Program, 2018b). These datasets amount to quantifiable data pertaining to law and policy that researchers and other stakeholders can use to evaluate current practices and make informed policy changes that promote equity in population health.

In public health practice, policy surveillance has been used to assess community level policy-responses to Washington State marijuana legalization with continued surveillance allowing for the monitoring of local policy implementation to increase understanding of how legalization is being implemented. From this research, best practices may be established for marijuana system regulations and policies that protect public health (Dilley et al., 2017). In addition, policy surveillance methods are being used to define and evaluate state laws restricting the use of a mobile device while driving, to inform policy makers and encourage enforcement of more stringent restrictions regarding their use (Ibrahim et al., 2011). Policy surveillance has also

been utilized to describe the current youth sports-related traumatic brain injury (TBI) laws to inform policy regarding interventions for reducing TBI incidence (Harvey, 2013) and to evaluate state confidentiality laws regarding communicable diseases to inform practice (Hexem, 2013). These publically available policy surveillance data provide policy-makers, advocates and researchers with tangible legal data that can be utilized to inform and evaluate elements of policy and how it relates to population-level health. While this method is gaining traction in public health practice and research across the United States, it remains largely underutilized. Studies by Ibrahim et al. (2011) and Davis, Webb and Burris (2013) pioneered this method and its utilization in evaluation research, however, literature review yielded very few studies that have utilized this methodology in generating evidence.

While not without its own critiques, policy surveillance does have its limitations. Without constant vigilance to the ever changing political realm, changes in policy and practice may be missed without careful accountability practices in place, which may lead to insufficient or inadequate representations of current trends. Further, the design and structure of policy surveillance is purely quantitative in nature, which does not allow for the deeper exploration of policy components for language and meaning and how that may be interpreted in the implementation of law and its effects. While policy surveillance provides a landscape from which to review policy components, it may not provide the depth and breadth needed to truly understand the fundament and salient causes of inequities and disparities in health without deeper application.

Burris et al. (2016a) argue that policy surveillance methods could serve as an essential utility of public health practice by addressing the need for public health research, practice and policy making. This scientific method of collecting and coding law and policies to create data

suitable for use in rigorous evaluation studies addresses the chronic lack of readily available, nonpartisan information regarding trends in legislation and policy that impact health status (Burris et al., 2016a). Policy surveillance is, however, a new, underused and important analytic strategy that should be applied more broadly to examine and evaluate the effect of policy strategies that can impact public health. What follows is a case study of how this method can be used, the health implications associated with the utilization of the method and how such surveillance data can have implications for addressing health disparities. To this researchers knowledge, this example below is the only known study utilizing this method in the realm of educational policy.

Case Study

In Washington State in 2014, Senate Bill ESSB 5946 went into effect. This bill restructured disciplinary practices; addressing exclusionary terms, corrective actions, reengagement strategies and data tracking efforts to identify disparities in disciplinary practices and monitor progress towards eliminating them (Washington Appleseed, 2016). Following the introduction of this bill, the state's Office of the Superintendent of Public Instruction (OSPI) embarked in 2015 on an initiative to address disparities and create equity in student disciplinary practices across Washington State (OSPI, 2015). Included in this initiative is the aspiration to help schools and communities protect the civil rights of each student, identify disparities, and implement evidence-based practices that improve equity in discipline while keeping students in school (OSPI, 2016). This OSPI initiative required that schools and district teams analyze discipline data in an effort to identify patterns, to determine root causes of disparities in discipline and to inform district planning and decision making processes (OSPI, 2015).

In this study of school disciplinary practices, policy surveillance was used as a research technique to illuminate the current nature of existing school district policies that may be exacerbating or mitigating disproportionality in disciplinary practices. This policy surveillance was conducted on 17 school districts that serve a large county in Washington State. This two-part study first sought to explore the relationship between acknowledging disproportionality in discipline in policy and disciplinary rates by race/ethnicity. Study findings suggest that overall, when state level change is initiated; a decline in disciplinary rates is seen at the school district level. Over a five-year period, the 17 school districts together decreased overall county level disciplinary rates in all race/ethnicity groups (LaValley et al., 2018, unpublished [Chapter 2]).

Furthermore, findings suggest that disciplinary policies that acknowledge disproportionality may signal actual changes that are underway to reduce disproportionality in disciplinary practices. Through application of Burris' six-step method, this coded policy surveillance data demonstrated that only six of the sample's 17 districts (35%) acknowledged disproportionality in disciplinary practices. Of those six districts that acknowledged disproportionality in practice, three (50%) experienced a particularly consistent decrease in disciplinary rates across all race/ethnicities over the five-year period (LaValley et al., 2018, unpublished [Chapter 2]). The remaining three districts that acknowledged disproportionality in discipline demonstrated some variation in disciplinary rates by year, but overall, decreased the number of disciplinary actions between 2013-2017 by 16.82%, 17.76% and 47.56% respectively. In addition, findings also demonstrate that in districts not acknowledging disproportionality, there are increases in disciplinary rates--particularly among marginalized student populations, with two of these districts showing a particularly consistent increase in disciplinary rates across all race/ethnicities over a recent five-year period (2013-2017) of 46.40% and 62.9% (LaValley et

al., 2018, unpublished [Chapter 2]). Findings demonstrate the potential importance of policy level interventions, suggesting that disciplinary policies that acknowledge disproportionality may actually establish policy mechanisms that help facilitate change in disciplinary rates among marginalized student populations and that the absence of such policy may potentially be detrimental to addressing disparity.

The second portion of this study further utilized the coded policy surveillance data to examine the strategies used by the six districts that acknowledge disproportionality in disciplinary practices to ameliorate disparity. Eight theoretical concepts were identified including: diversity in the workforce, workforce development, climate, curriculum development and student success, diverse community partnerships, tracking and accountability, business strategies and increased accessibility (LaValley et al., 2018, unpublished [Chapter 3]). Four of these specific strategies implemented by the districts (diversity in the workforce, workforce development, school climate and diverse community partnerships) were examined in depth for their existing evidence-base in the literature and high potential application for addressing disciplinary disproportionality. The study of these strategies examines the importance of establishing structures and processes that increase the capacity of each district to adopt and maintain specific evidence-based practices that address the unique needs of marginalized student populations (LaValley et al., 2018, unpublished [Chapter 3]).

Findings suggest that the development and implementation of healthy policies pertaining to discipline is important for addressing disproportionality and that certain elements appear to be particularly important to advancing equitable practices in the districts. These findings have implications for disciplinary policy practices in districts around the state and perhaps beyond Washington and can be used to advance health improvement and enhance understanding of

policy and the implications for population health. While these policy surveillance data provide a rich foundation from which we can gain an understanding about disciplinary policies in practice, if these data were to be revised in the future to create a longitudinal dataset, we would be able to further examine not only the relationship between policy, health and educational outcomes, but we could potentially examine their true impact on health equity and population health as it relates to educational outcomes.

Implications

Policy surveillance has major implications for advancing public health research around regarding policy. This method establishes data that can be used to inform health policy and examine the impact of policy on health or other social determinants of health such as education. We know that health outcomes are influenced by factors much larger than healthcare (IOM 2000b, McGinnis et al., 2002). It is the genetic, behavioral, social and environmental factors that influence health and learning outcomes that are central to the development of effective population-based strategies aimed at achieving health and development equity (IOM, 2002).

Policy is one such population level strategy that plays a critical role in achieving equity across a range of domains, including but not limited to health (WHO, 2008). While the need to evaluate current health law and intervention is important, research pertaining to how non-health laws and policies contribute to poor health and health inequalities is also critical. Such research addresses the need to look beyond the physical components of health and begin to address those salient and significant social determinants, such as school disciplinary policies and practices that are detrimental to health and development and applied differentially across populations, such as harsh disciplinary practices initiated at younger ages, with greater frequency and severity across among marginalized student populations.

While epidemiologic evidence regarding health inequities and the social determinants of health is rich, considerably less research has been conducted on evaluating the impact of public policies on addressing those social determinants (Lee et al., 2018). Policy surveillance can be used in rigorous evaluation studies that address the chronic lack of readily available information pertaining to trends in legislation and policy that influence population health (Burriss et al., 2016). Policies have the potential to either improve or worsen health and health equity depending on their nature (Kickbusch, 2007). To advance public health practice effectiveness, we need to address health system changes through well-developed, evidence-based policy that promotes equity and eliminates injustices. Policy surveillance methods can advance our thinking in terms of population health and move policy practices forward. Incorporating information related to equity in population health and the social determinants into surveillance systems, can not only act as a mechanism to inform health policy development that is pre-equity, but also act as a means to support cross-sectoral action on addressing the social determinants of health (WHO, 2008).

Conclusion

Policy plays a vital role in population health. Policy surveillance has strong implications for providing evidence that promotes health equity and addresses disparities in population health. Surveillance information improves the effectiveness and efficiency of health services by targeting interventions and policy and documenting their effect on population health (Nsubuga et al., 2006). In public health practice there is a common saying, “what gets measured gets done” (Chriqui, O’Connor & Chaloupka, 2011). We cannot expect to address disparities and the social determinants of health without mechanisms to measure policy and interventions set in place to mitigate those disparities and improve population health. Policy surveillance is a free, readily

accessible tool that allows for the evaluation of policy and dissemination of knowledge to inform practice that can be utilized to address disparities in population health with sustainable implications for practice.

Chapter V

Implications for Policy and the Future of Nursing Practice

Research Findings

The findings of this dissertation research suggest that overall, when state level change is initiated, a decline in disciplinary rates is seen at a district level across all race/ethnicity groups. Perhaps more important, findings suggest that when policies are implemented that acknowledge disproportionality, it may signal changes that are underway to reduce disproportionality in disciplinary practices. Further, findings also suggest that in districts not acknowledging disproportionality, there may be increases in disciplinary rates--particularly among marginalized student populations. Together, this research points to the importance of policy level interventions; disciplinary policies that acknowledge disproportionality may actually establish policy mechanisms that help facilitate change in disciplinary rates among marginalized student populations and the absence of such policy may potentially be detrimental to addressing disparity in disciplinary practices.

In examining the strategies identified by the districts studied to reduce and ameliorate disparity, this researcher found that four specific strategies had high potential application for addressing disciplinary disproportionality when compared to the existing evidence-base. Those four strategies included increasing diversity in the workforce, workforce development, climate and diverse community partnerships. Findings suggest that the development and implementation of healthy disciplinary policies is important for addressing disproportionality and that certain elements appear to be particularly important to advancing equitable disciplinary practices in the districts.

Implications and Future Research

The evidence generated through this dissertation research points to the optimistic conclusion that disparities can be reduced or eliminated and that policies that acknowledge disproportionality in disciplinary practices may have an impact on disproportionality. The implementation of such policies may in turn lead to improved health and well-being trajectories for marginalized student populations. Education is critical to economic and social development and greatly influences population health (Zimmerman, Woolf & Haley, 2015). Establishing school environments and policies that, at a minimum, nurture students in general and ideally exercise caution not to exacerbate already difficult lived experiences of marginalized student populations, appear vital to the futures and health of our youth.

As disproportionality in disciplinary practices continues, these findings have implications for disciplinary policy practices in districts around the state and perhaps beyond Washington. The findings, for example, can be utilized to enhance understanding of policy and the implications for population health. This policy surveillance dataset provides a rich foundation from which we can gain an understanding about disciplinary policies in practice. These findings provide researchers and institutional leadership with an overview of current disciplinary practices, as well as strategies being implemented to address disparity.

This surveillance dataset also allows for the longitudinal tracking of disciplinary policies as they change. This allows for the identification of districts most in need of resource allocation to address disparities and an understanding of what strategies are working in similar locals that may be implemented to foster sustainable and equitable change. This dataset can also identify patterns in practice and potentially identify key elements of policy that may either exacerbate or ameliorate disproportionality in disciplinary practices. This would allow examination of the true

impact of disciplinary policies on health equity and population health as it relates to educational outcomes and create policies that are targeted to the precise needs of the population. Continued research is needed to address disparities in disciplinary practices. Research should address interventions that focus on systematic change through policy and other related means.

Policy and Nursing Practice

The role that policy plays in the transformation of population health cannot be overstated. Sizable improvements in population health have been attained through public health policy approaches (Hall, Graffunder & Metzler, 2016). However, health policies are frequently developed without evidence generated by nurse scientists (Wakefield, 2004). For the 16th consecutive year, nurses have been ranked by the American public as the highest ranking profession for honesty and ethical standards (Gallup, 2017). This position within the public provides ripe opportunity for nurses to utilize their advocacy skills to advance policy to improve population health. The American Nurse Association announced 2018 as the year of advocacy, one in which nurses should commit themselves to advocate for change for their patients, colleagues and the nation (ANA, 2017). Nursing scientists in health policy have the responsibility of increasing knowledge and providing evidence for informing and advancing health policy with the goal of improving population health outcomes (Ellenbecker & Edward, 2016).

The ultimate goal of health-related policy research and reform is to address health disparities within society in order to promote equity of attainment and delivery (Ellenbecker & Edward, 2016). Nurse leaders can use their expertise to advocate for increased attention to the social determinants of health through policy change (Persaud, 2018). Health equity cannot be attained without addressing those genetic, behavioral, social and environmental factors that

influence health outcomes (IOM, 2002). Education is one of those critical components to social and economic development that has a profound impact on population health (Zimmerman, Woolf & Haley, 2015). In education, it is the professional responsibility of the nurse to be engaged in policy and the legislative process. While policy development is a laborious process, in order to achieve the desired outcomes for students and families, nurses must be actively engaged and share voice in the conversation (Endsley, 2016). One such example of how nurses are engaging in this process to improve student outcomes is legislative work done by the California School Nurse Organization (CSNO) to pass Assembly Joint Resolution Bill 24 aimed at improving the student to nurse ratios in schools (Hundemer & Durando, 2014).

Conclusion

To address the inequities in education we must begin with the systematic issues that perpetuate disproportionality through policy research and action. If appropriately constructed and applied, equality policies have the potential to mitigate the deleterious effects of disproportionality in discipline by setting clear priorities, reducing the effects of explicit biases, allowing for targeted interventions and reducing discriminatory practices (PBIS, 2015). Without these efforts, disparities in not only continue, but will have lasting impacts on health and well-being for marginalized student populations across the lifespan.

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