

Disproportionate Discipline Task Force

March 26, 2024, 9:00 am - 12:00 pm

Meeting Objectives

- Review task force timeline
- Review potential task force recommendations
- Vote on current recommendations

Agenda

- 8:30 am: Breakfast, networking**
- 9:00 am: Welcome**
- *Quorum*
 - *Approval of Agenda & Minutes*
 - *Announcements*
- 9:10 am: Public Comment**
- 9:15 am: Discipline Interchange File**
Jewel Sale, CDE
- 9:25 am: Review Recommendations List**
- 10:00 am: Discussion & Voting**
- 11:30 am: Taskforce Timeline Review**
- 11:45 pm: Public Comment & Next Steps**
- 12:00 pm: Adjourn**
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Meeting Minutes

Attendees: Zoe O'Donnell, Chair; Elie Zwiebel, Vice Chair; Anne Keke, Lisa Schlueter, Angelina Sandoval, Laura McArthur, Dawn Fritz, Michelle Murphy, Sara Pielsticker, Nicole Alvarado, Floyd Cobb, Mike Claudio

Public Attendees/Staff: Danielle Ongart, Jewel Sale, Jennifer Gallegos, Tricia Walz, Amber Minogue, Andrea Wilkins, Denver Post photographer

Public Comment: None.

Opening & Welcome: Meeting facilitator, Amber Minogue, provided welcome, overview of meeting objectives, timeline, and process for reviewing and voting on recommendations.

Meeting Called to Order:

- Vice Chair Zwiebel called the meeting to order; confirmed the presence of a quorum
- Vice Chair Zwiebel calls for a motion to approve the March 12th meeting minutes. Motion was moved by Sara Pielsticker and 2nd by Dawn Fritz. Minutes were approved.
- Vice Chair Zwiebel calls for a motion to approve the March 26th meeting agenda. Motion was moved by Sara Pielsticker and 2nd by Laura McArthur. Agenda was approved.

Discipline Interchange File

Jewel Sale, CDE ([presentation slides](#))

- Records behavior incidents and discipline actions.
- Each record represents a single disciplinary incident resulting in an action taken.
- Data goes to SpED Discipline and Student Discipline Snapshot
- A variety of information is collected and added into the data fields, including district, discipline type, school, special ed information, student information, weapons (if applicable), behavior type, and seclusion and restraint.
- Each behavior required to be reported includes the code violation name, the CDE code and the definition. (no changes that TF is contemplating have been incorporated here)
- Changes to student level collection include addition of nonbinary category, information on discipline action length (i.e. number of school days missed due to disciplinary action), more specific student level data in terms of behavior category by student group (Ex: How many Asian students received a drug violation?)

Review Recommendations List

Overview of Revised Recommendations by TF Subcommittee Members

Definition – word “minority” was removed because it was excluding some groups such as boys, who are not a minority in the larger population and they are also one of the groups that are disciplined at a disproportionate rate.

Value Statement - Laura McArthur, Lisa Schlueter



- Every district is committed to inclusion of positive education outcomes for all students. Requires all staff to examine and address their own biases. Engage in ongoing PD and address systemic inequities.

Administrative – Sara Pielsticker, Lisa Humberd

- Some legislative recommendations could be administrative actions if CDE is willing to implement. Otherwise legislation will be needed. Combined revised recommendation that incorporates the draft recommendations for this section.

Legislative – Elie Zweibel, Michelle Murphy

- Agrees that if CDE will implement recommendations, legislation may not be needed.
- Small language changes to draft recommendations.
- Added language about special circumstances – rural districts, having a study body comprised of minority-majority student population, etc.
- Need to expand workforce resources to ensure that there is staff available to support implementation of TF recommendations.

Task Force Recommendation Review - Discussion

[Recommendations List with CDE advisement](#)

**Action steps from meeting are noted below by asterisk and italicized, underlined language*

- *From the notes of the revised recommendation—add to the value statements the following language:*

“We believe that every district is committed to positive educational outcomes and safe learning environments for all students, families, and staff. We also acknowledge that to ensure these intended outcomes, each district and their staff must examine their own personal biases, engage in ongoing, targeted professional development, and address the root of systemic inequities that cause harm and undermine this core commitment through the use of disproportionate disciplinary action.”

- Value statement around keeping school environment safe and not excluding students for for “unsafe behaviors” that are actually developmentally appropriate or are trauma responses.
- Conflating discipline and safety leads to some concerning trends, including disproportionate discipline. How does Task Force want to frame value statement around safe schools while also acknowledging that prioritization of safety can lead to disproportionate discipline? Discipline does not always lead to safety. Need to strike the right balance here.
- **Define safety in recommendations.*
- Districts should look to alternatives to discipline “when possible”. Instead, we need to make sure districts have the opportunity to use expulsion when necessary for safety.



**Remove “when possible” and specify incidents in which suspension or expulsion is needed (i.e. safety). Instead use “as appropriate and available.” (comment consistent with need to balance safety with need to address disproportionate outcomes.)*

- Inclusion of workforce development – districts are woefully understaffed.
- Quality rooted in equity
- Value statement – if education system is to be equitable, we need more funding universally and investments in workforce development. State needs to make more serious investments here.
- Value statement – **Do not name a specific district (strike reference to DPS)*
- CDE staff is keeping an eye on all TF recommendations to identify areas of commonality or overlap. It is also possible to have a presentation by the other TF chairs/CDE task force staff to provide an overview of their work and recommendations.
- **Revise BESS value statement to emphasize goal is to identify an intervention point based on tracking teacher conduct of disproportionately disciplining students based on their own implicit biases* (BESS system is secondary and really just an example of a system that could help do this – but it costs money and maybe real goal is to have CDE develop a tool available to all districts that is capable of tracking this sort of information.) Goal is identify implicit biases in teachers and intervene/provide training. For more information on BESS, see the following resources:

[From Pearson \(tool-maker\);](#)

[Article about its use in DPS;](#)

[DPS SEL & MH resource page;](#)

[DPS Screening program \(using BESS\);](#)

[DPS Screening program FAQ.](#)

- Safety is prioritized because there are laws that provide for strict accountability. There are no laws in place that provide accountability for disproportionate discipline. Define what is “harm” for purposes of the Claire Davis Act? Calling out tension caused by Claire Davis Act could be useful (and also controversial). What does it mean to create a safe environment for kids? What is the outcome we want from discipline matrix? Consistency? It is hard to say if they “work” because some districts have matrixes that are more punitive than others. What should the model matrix look like (Include best practices for discipline)? Need to also provide tools or alternatives to exclusionary discipline. People need tools/resources if they are going to change their behavior.
- Administrative – what is rationale behind differentiating between a teacher discipline referral and referral from an administrator. Does it matter who makes the referral? Original inclusion of recommendation is to provide more data to better identify intervention points, intending to understand where more training or support may be needed if there is a trend of disproportionate referrals from a staff member (i.e. new teachers may make more discipline referrals than veteran teachers or than administrators and need more training).
- Administrative – **Michelle, Sara, and Floyd to regroup to determine which aspects of revised rec #1 can be pulled out and put into legislative category. Lisa H can be* If district



is flagged for disproportionate discipline, the legislature could require reporting to CDE and district compliance with an improvement plan. (similar to schools that are low in academic performance and required to develop an improvement plan – UIP)

- Legislative – concern about recommendation that district codes should align with CDE reporting categories since many districts are currently in the process of re-categorizing their codes. We need to figure out what districts are doing in terms of their codes and alignment. We don't want to recommend legislation that is premature. (**see revised legislative rec #3*)
- We don't track conduct that does not occur on school grounds but results in suspension or expulsion. We need improved data here to understand how much this is happening. (is intent to align with OCR?)
- CDE's role isn't centered on policy development – more focused on implementation. Legislature would have to grant authority to the entity the Task Force recommends to work on developing and clarifying definitions (state board of education, etc).
- Important to note that CDE does not have an office dedicated to discipline. Need to factor in CDE's capacity to implement as Task Force shapes recommendations, especially administrative in nature.

Next steps:

- Timeline review: 2 hour meeting on April 9th; convene in person on April 23rd – subcommittee members will refine definitions on things we discussed and we will begin voting on ones that are in final form. April 23rd meeting 9:00-1:00 with working lunch.