Building Brighter Futures Together at the Ottawa-Carleton District School Board

COMMITTEE OF THE WHOLE (PUBLIC)   **10 November 2020**
Report No. 20-085

Annual Report on Student Suspensions (2019-2020)

Key Contact: Michèle Giroux, Executive Officer, Corporate Services, 613-596-8211 ext. 8310
Mary Jane Farrish, Superintendent of Instruction, ext. 8821
Dorothy Baker, Superintendent of Instruction, ext. 8886
Peter Symmonds, Superintendent of Learning Support Services, ext. 8254

PURPOSE:

1.   To present the annual report on student suspensions, including findings from analyses undertaken on 2019-2020 OCDSB student suspension data in conjunction with *Valuing Voices – Identity Matters! Student Survey* data to identify:
    - groups of students who may be over/underrepresented in the suspension data based on their Indigenous identity, race, gender identity, and disability; and
    - differences in student suspension rates across groups of students (disparity) based on these same demographic characteristics.

STRATEGIC LINKS:

2.   The review of suspension and expulsion data is an essential step in the District's commitment to creating a culture of caring and a culture of social responsibility. Our safe schools strategy is built on promoting positive student behavior by building relationships, establishing a code of conduct, ensuring bullying prevention initiatives are in place and employing a progressive discipline approach. Analyzing suspension data informs our safe schools practice, allows an opportunity to assess progressive discipline practices and helps to identify strategies to ensure our practice is bias free. This allows for the establishment of quantifiable estimates of inequities in the education system as it relates to student discipline.

CONTEXT:

3.   The OCDSB annually reports on student suspension data in accordance with Policy P.026.SCO Student Suspension and Expulsion. This is the first year that the suspension data has been analysed using identity-based data which was

collected last year. Reporting this data in alignment with the requirements under the *Anti-Racism Act* and accompanying *Data Standards* allows for deeper analysis of additional groups of students based on Indigenous identity, race, gender identity, and disability as reported in the *Valuing Voices – Identity Matters! Student Survey*. For the benefit of the reader, there are a number of references to and appendices explaining some of the more detailed technical/ methodological elements of analysis that are requirements under the provincial Data Standards.

A total of 2,374 suspensions were issued in OCDSB schools in 2019-2020
- 1,305 at the elementary level, and
- 1,069 at the secondary level –

This is almost the same from the previous year. The overall suspension rate based on a student population of 74,854 was 2.2% (similar to the previous two years). Provincial data for last year is not yet available, but the provincial average for the year prior was 2.85%.

For many years, students, parents, and community partners have raised concerns that racialized students, students of diverse gender identities, and students with disabilities are disproportionately represented in the suspension data and often face increased risk of disciplinary action compared to other students. The data supports these concerns and indicates that some student populations are suspended at a disproportionate rate. This information will support the District's work to review current practices related to progressive discipline through the lens of equity and inclusive education and human rights principles and to implement practices that support positive behaviour and bias-free progressive discipline, taking mitigating and other factors into account not only in response to inappropriate behaviour but in all interactions with students along the "continuum of progressive discipline".

KEY CONSIDERATIONS:

Analysis & Reporting of Suspension Data
4. The Ministry of Education collects suspension data for all publicly funded school districts in Ontario. Suspension rates are calculated as a percentage of the October 31 enrolment and include suspensions issued over the full course of the year (i.e., between the first day of school in September and the last day of school in June). At the provincial level, suspension data is disaggregated by panel (elementary, secondary), gender (male, female), and students with special education needs as a whole, not by exceptionality.

Due to school closures commencing mid-March as a result of the pandemic, data for 2019-2020 is not directly comparable to previous years. In an effort to ensure comparability, the overall, historical suspension data was reanalyzed to use figures for September to March.

Collection and Reporting of Identity Based Data

5.   The collection of identity-based data serves the following purposes:
   (i) to gather demographic information about the unique and diverse characteristics of the OCDSB's student population;
   (ii) to identify and respond to barriers to student learning and well-being;
   (iii) to enhance the District's capacity to serve its increasingly diverse student population and client communities.

   This is the first in a series of reports that begins to look at barriers to student learning and well-being with a view to effecting change that will result in greater support and more equitable outcomes for students who have been minoritized.

6.   Data collection, analysis and reporting of identity data is governed by the *Ontario Anti-Racism Act* (2017), and the *Data Standards for the Identification and Monitoring of System Racism* (2018).

   The Data Standards, which apply to public sector institutions in Ontario, establish
   "consistent, effective practices for producing reliable information to support evidence-based decision-making and public accountability to help eliminate systemic racism and promote racial equity. The Standards set out requirements, rationale, and guidance at every stage from planning and preparation to analysis and reporting. This includes, collecting, using, disclosing, de-identifying, and managing information, including personal information."

   An initial report, which presented the story of identity in the OCDSB, was released in June 2020. Background information, including the process for data collection, survey content, and reporting is available on the District website.

7.   The availability of this type of data allows for and generates interest in a range of additional reports. As we consider our path forward, we are guided by these principles:
   i.   the collection of race-based data must lead to reliable and high-quality race-based statistics which contribute to informed strategies and evidence-based decision-making; and
   ii. information collected may only be used for the purpose of eliminating systemic racism and advancing racial equity as defined in subsection 7(2) of the Data Standards.

Bringing Together the Data Sets

8.   The *Valuing Voices – Identity Matters! Student Survey* yielded an overall response rate of 46.5% (34,888 of 74,975; JK to grade 12). Of the 1,674 students who received a suspension during the 2019-2020 school year, 657 (39.2%) participated in the survey. Comparing characteristics of suspended students who DID vs. DID NOT answer the IDB survey using available Trillium data indicates there are some differences between the groups, though these have not been analysed statistically. For example, there was higher representation from:

- students from grades 7 to 9 in the survey sample (9-10% higher as compared to those who did not participate);
- students with Permanent Resident status (+4%);
- English Language Learners (+8%); and
- students who reside in lower income neighbourhoods (+4%).

Conversely, there was less representation from:
- elementary students (-6%); and
- students born in Canada (-5%).

The distributions for Gender and IEP status were similar for suspended students who DID and DID NOT respond to the survey (<1% difference).

9. A QuantCrit framework (Gillborn, Warmington & Demack, 2018) has continued to guide the approach to analysis and reporting of this data. Despite the multidimensional nature of identity, this initial phase of reporting focuses only on single aspects of identity – Indigenous, race, gender, and disability – and does not yet take into account intersectionality (e.g., race x gender).

Calculating Disproportionality and/or Disparity Indices

10. This phase of reporting requires the calculation of disproportionality and/or disparity indices for each unit of analysis (Standard 29). In the case of suspensions, both have been calculated where suppression thresholds have been met. Meaningful interpretation of disproportionality and disparity requires the selection of appropriate benchmarks and reference groups, respectively (Standards 30 and 31), as well as the establishment of thresholds (Standard 32) to support monitoring of progress over time.

Calculations for this report have been based on mutually exclusive groups of students (i.e., a student is only counted in one category) for Indigenous identity, race, and gender identity; and inclusive groups (i.e., a student may be counted in more than one category) for disability. For disparity calculations, groups have been compared to "all other" students (race, gender identity) or to a group of students who do not identify as Indigenous or as having a disability. More details about these technical specifications and decisions can be found in the full suspension report (Appendix A).

Summary of Suspension Data Analysis and Findings

11. **Overall Results.** Results for 2019-2020 are comparable to those for the past few years, even for the partial year reporting. Specifically:

- Approximately 2% of OCDSB students were issued a suspension during the 2019-2020 school year, a rate that is consistent with the previous two years for the same time period (September to March);
- Suspensions rates continue to be higher in the secondary panel than they are in elementary;

- Approximately two-thirds of suspensions issued were single-day suspensions; and
- Close to three-quarters of students who were suspended last year received only one suspension.

For the first time, mandatory and discretionary suspensions were examined separately. Mandatory suspensions involve more significant safety concerns, including reasons such as: weapons related offenses, trafficking drugs, physical assaults that cause bodily harm requiring treatment by a medical practitioner, robbery, extortion, sexual assault, repeated bullying, and discretionary suspension reasons that are motivated by bias, prejudice, or hate. Results of this analysis yielded the following:
- Nearly 90% of suspensions issued to students in 2019-2020 were of a discretionary nature;
- Suspensions of a mandatory nature were predominantly issued to students in intermediate and senior grades; and
- The majority of suspensions lasting for six days or more were of a mandatory nature.

Measuring Equity: Overview of Findings

12. Looking at the data in the context of disproportional representation indicates that students who self-identify as Indigenous, boys, students with special education needs (excluding gifted), English language learners, and students residing in lower income neighbourhoods are more likely to be suspended. Within the subset of students who participated in the *Valuing Voices* survey, students who identified as First Nations, Métis, Black Middle Eastern, Indigenous (Race), boy or man, gender diverse, or with a disability (i.e., Autism, Learning, Developmental, Mental Health, and/or Addiction) were disproportionately represented in the suspension data. Appendix A includes a more fulsome analysis of these groups, including tables and charts for the full student population[1], but some key highlights of the findings include:

- In the context of race, disparities were greatest for Indigenous students (3.5), followed by Middle Eastern students (2.3) and Black students (1.9), with likelihood of suspension between 2 and 3.5 times higher than other students who responded to the *Valuing Voices* survey.

- The suspension rate for students with special education needs was 2.5 times higher than the overall student population, and these students were 4 times as likely to receive a suspension compared to all other students.

- Students who self-identified as having a disability(ies) on the *Valuing Voices* survey had a suspension rate 2.5 times higher than the overall survey

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[1] An infographic-style companion document is being prepared to showcase the results of analysis on four dimensions of identity (Indigenous identity, race, gender identity, and disability) for the subset of students who participated in the *Valuing Voices* Survey conducted in 2019-2020.

population, and were 4 times as likely to receive a suspension as compared to students who self-identified as not having disability. The largest disparities were recorded for students reporting Addiction(s) (10.5), followed by Mental Health (6.1), Another disability not listed (5.4) and Developmental (5.4).

- Students who self-identified as Gender Diverse (i.e., a gender other than Boy/Man or Girl/Woman) on the *Valuing Voices* survey were twice as likely to be suspended, both compared to all students (1.91) and all other students (1.94).

- English language learners are 1.9 times more likely to receive a suspension as compared to all other students.

13. Findings from this report shine a light on some of the inequities that exist in our system in relation to disciplinary policies and practices. They reinforce our call to action as a system to eliminate the systemic barriers and biases that prevent all students from reaching their full potential, particularly students who identify as Indigenous, Black, and who have been minoritized (a term which includes racialized, religious, 2SLGBTQ+ and people with a disability).

14. The rate at which discretionary suspensions are issued, particularly those that last for only one day, point to larger issues, including lack of student engagement and threats to feelings of safety and sense of belonging. Behaviour that is deemed to be inappropriate should be viewed as an opportunity to understand the underlying needs of the student. Rather than using suspensions to manage student behaviour, the focus of our work must shift towards creating learning environments for students where they: are comfortable expressing themselves without fear of retribution; are truly engaged in their learning; and see themselves reflected in the curriculum and in the staff who are responsible for supporting their learning and well-being while in school. It is through these actions and the use of a progressive discipline approach that we teach children the skills necessary to self-regulate and facilitate their understanding of the consequences of their actions.

Next Steps

Creating Safe Spaces and Conditions for Learning

15. Recognizing the importance of the early years in setting the foundation for positive learning experiences, the Ontario Ministry of Education recently introduced a new regulation (O. Reg.440/20) which removes the principal's discretion to suspend students enrolled in junior kindergarten to grade 3 for activities listed in subsection 306(1) of the Education Act.

16. Funding has been allocated to school districts to help support the implementation of these changes. In the OCDSB, this work includes collaboration across multiple

departments, including Learning Support Services, Program and Learning, and Safe Schools. For example, the Early Learning Team in LSS is continuing to provide coaching and mentoring support to Kindergarten teachers, ECEs and EAs to promote positive student behaviour. Examples include professional learning sessions focused on the factors that impact behaviour (e.g., implicit bias, traumatic experiences); specific programming (e.g., Mindmasters 2); and implementing the Third Path framework to further promote sense of belonging, physical and emotional safety, and self-regulation amongst students.

17.   In addition, both the *OCDSB Strategic Plan 2019-2023* and the *Indigenous, Equity and Human Rights Roadmap* outline some of the key work being undertaken by the District to promote more safe and inclusive learning spaces for students including:
- a review of the Safe Schools Policy, including policies and practices associated with police involvement in schools);
- the establishment of foundational mandatory professional learning for school and District staff in Indigenous knowledge, Diversity and Inclusion Fundamentals, Unconscious Bias, anti-racism/anti-oppression and human rights;
- implementation of a staff census to better understand the representativeness of the OCDSB workforce and identifying strategies to increase representation of minoritized groups in leadership roles and those directly impacting student learning and well-being;
- redesigning course content (e.g., Social Studies, History and Geography; Grade 9-12 English) to include and represent Indigenous, Black and minoritized histories perspectives and ways of knowing;
- introduction of Indigenous and Black Graduation coaches at specific sites to promote and support student success and pathways to graduation;
- expansion of leadership and networking opportunities for Indigenous, Black and minoritized youth.
- Staff will continue to work with the community and system to identify additional strategies and supports to help address these issues of inequity.

Next Steps in Identity Based Data Analysis and Reporting
18.   Dialogue with communities will be critical in the development of data sharing protocols/agreements (e.g., the rights of First Nations communities to have ownership, control, access, and possession of their data). This will form part of the governance work to be undertaken, along with the development of a District policy and/or procedure that establishes parameters for access to public use data sets (i.e., Open Data) more broadly.

19.	Recognizing the complexity of the data and the significant interest in using the data to effect change, we must be very thoughtful about our expectations and approach to reporting. A phased approach to analysis and reporting which ensures timely and useable information, and informs decision-making will be critical. For the 2020-2021 school year, the following additional reports are being planned, all of which will focus on Indigenous identity, race, gender identity, and disability:

- Grade 10 credit accumulation (proxy for graduation) – January 2021
- Elementary and secondary achievement and streaming – March 2021
- Sense of belonging – June 2021

20.	Future reports will need to examine other demographic variables not incorporated into the reports being generated during the 2020-2021 school year (i.e., language, ethnicity, sexual orientation, religion, socioeconomic status), intersectionality across different dimensions of identity, and the integration of perceptual data (e.g., sense of belonging, student well-being, school safety, etc.).

RESOURCE IMPLICATIONS:

21.	Over the past two years, the District has received $153,000 in one-time funding through Transfer Payment Agreements to support this work up to August 2020. These funds were used to hire research staff and consultant services for the facilitation of focus groups and community partner meetings. Approximately $200,000 was allocated through the annual budget process for the 2020-2021 school year to support the governance work (e.g., establishment of data sharing agreements with First Nations communities, development of an open data policy) and extension of contract staff in the *Research, Evaluation and Analytics Division.*

COMMUNICATION/CONSULTATION ISSUES:

22.	Our collaboration with community organizations has been critical to informing our practice. Following the release of the June 2020 report, a meeting was held with community partners to share the results and discuss next steps. Based on feedback from participants, a timeline for a series of initial reports to be released during the 2020-2021 school year was developed. Work with community organizations will continue and reports such as this are shared so that we have a collective understanding of the data, opportunities to discuss findings, and most importantly opportunities to discuss next steps.

23.	A Technical Advisory Group (TAG) has been established to support ongoing work on reporting with identity based data to ensure alignment with the Data Standards. This Group will ensure there is a forum which engages community organizations in ongoing input/dialogue regarding research methodology and

statistical analysis of identity based data. Terms of Reference for the TAG can be found in Appendix B. The first meeting is scheduled for November 6.

24. Ongoing communication about the use of the survey data to the community, particularly to participants, is a vital part of the process. Sharing the process and results – in report format, infographic and through an open data set for public use – increases credibility, usability and impact. It is important for participants to see how the data is treated, how their responses are being used, and the impact that their participation has on the future work of the organization.

DISCUSSION QUESTIONS:

The following questions are provided for discussion purposes:
- What stands out for you in the data/information that is presented?
- What questions does the data/information raise?
- What actions/next steps should be considered?

Michèle Giroux	Camille Williams-Taylor
Executive Officer, Corporate Services	Director of Education/
	Secretary of the Board

Appendix A-2019-2020 Suspension Report
Appendix B-OCDSB Technical Advisory Group: Anti-Racism Data Standards