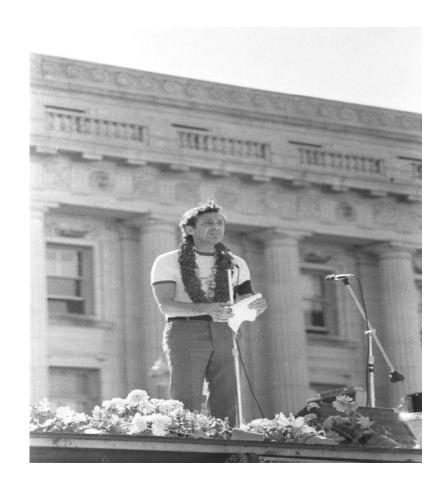
# Educational Equity in the Decision-Making Process – Reaching Every Learner Without Sacrificing One Tierney F. Dukes, Esq. Peter E. Keup, Esq.

SCSBA Annual Convention Breakout Session February 19, 2021





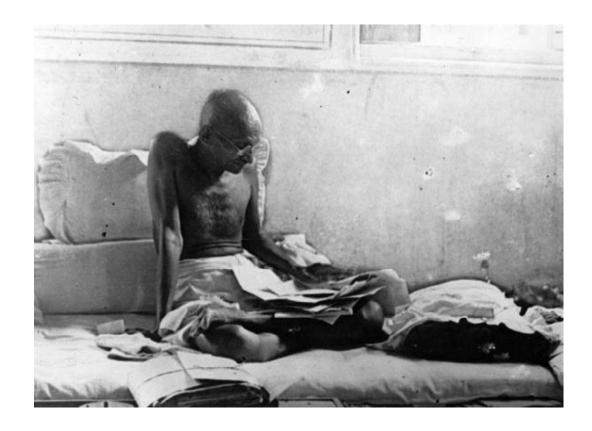




















### Questions to Think About:

- What do you see as your role in promoting educational equity?
- What motivates you to effectuate change and seek progress?
- O How can your school district or organization achieve its educational equity goals?

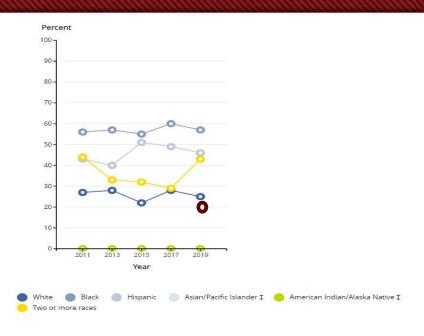
# Step 1: Reach a Common Understanding of Essential Terms

### **Educational equity** is:

Raising the achievement of *all students*, while *narrowing the gaps* between the highest and lowest performing students, and *eliminating the demographic predictability and disproportionality* of which student groups occupy the highest and lowest categories, and promoting a sense of belonging in all students regardless of their cultural, socioeconomic, physical, or mental characteristics

### Applying the Term to Data

NAEP Assessment South Carolina 4<sup>th</sup> Grade Reading Percent Below Basic (2011 -2019)



### A Common Understanding

### Diversity is:

Understanding, and appreciating *human differences and individuality* in acknowledgment of the interdependence of all individuals and cultures in society with a *focus* on building alliances across differences in a mutually respectful manner.

### A Common Understanding

### **Inclusion** is:

A conscious practice of promoting the involvement and empowerment of the individual and their differences in a manner that promotes the inherent worth and value of the individual and fosters a sense of belonging in the individual as a part of the whole.

### Step 2: Set Data Analysis Expectations

#### In order to determine:

- Where you are, where you want to be, and whether you are getting there with respect to educational equity
- Your district needs to obtain, review, and analyze disaggregated data

### Examples of Education Data Sources

National, State, and District Academic Assessment Data (NAEP, SC Ready, SC PASS, EOC, AP, MAP, course grades/GPA)

College Ready Assessments (SAT, ACT) and Achievements (AP, Honors) Data

Career Ready Assessments (R2W, WorkKeys) and Achievements (CATE certificates) Data

**Graduation Rates** 

**Drop Out Rates** 

Suspension/Expulsion Data

Attendance Data

RTI Data

IDEA/504 Data

### Data Analysis Example

Disaggregated data using the National Assessment of Educational Progress (NAEP) –  $4^{th}$  Grade Reading

Where are we?

#### SOUTH CAROLINA STATE LEVEL NAEP RESULTS

Reading Grade 4 by Achievement Levels

All Students	Percent Below Basic	Percent at Basic	Percent at Proficient	Percent at Advanced
All Students	39.0	29.0	23.0	8.0
White	25.0	31.0	31.0	13.0
Black	57.0	29.0	13.0	2.0
Hispanic	46.0	27.0	21.0	6.0
Two or More Races	43.0	27.0	23.0	7.0
Students with Disabilities	78.0	14.0	7.0	1.0
English Language Learners	59.0	25.0	13.0	3.0
Free or reduced lunch eligible	51.0	29.0	16.0	4.0

### Data Analysis Example

Where do we want to be?

90% at Basic or Above for Reading Grade 4 (ambitious goals for equity and achievement):

	Percent Below Basic	Percent at Basic	Percent at Proficient	Percent at Advanced
All Students	15.0	35.0	40.0	20.0
White	15.0	35.0	40.0	20.0
Black	15.0	35.0	40.0	20.0
Hispanic	15.0	35.0	40.0	20.0
Two or More Races	15.0	35.0	40.0	20.0
Students with Disabilities*	25.0	45.0	30.0	10.0
English Language Learners*	20.0	35.0	30.0	15.0
Free or reduced lunch eligible	15.0	35.0	40.0	20.0

<sup>\*</sup> Students are receiving services and we are working towards eliminating disparities over the course of their k-12 schooling.

### Data Analysis Example

Are we making progress? (percent basic and above for NAEP

reading 4th grade)

Category	2015	2017	2019
All Students	65	59	61
White	78	72	75
Black	45	40	44
Hispanic	50	51	54
Two or More Races	68	71	57
Students with Disabilities	21	20	22
English Language Learners	47	42	41
Free or Reduced Lunch Eligible	54	48	49

## Step 3: Establish a Framework that Embeds Educational Equity

### O Types of Decisions:

- Strategic: decisions commonly identified in strategic plans or made on a long-term basis
- Operational: decisions are those that most directly influence the routine, day-to-day operations of the organization
- Organizational: decisions that define the organization and establish the culture of the organization

### Strategic Decisions



- Strategic decisions focus on the internal and external environmental factors.
- Strategic decisions are about the future based on present data.
- O Strategic decisions should be continually monitored and evaluated.
- o Examples:
  - Building/Closing Schools
  - Drawing attendance lines
  - Finding funding sources

### Operational Decisions

- O Operational decisions impact the daily process of operating school buildings or programs, classrooms, and other departments in the organizations.
- Operational decisions require a high degree of information about the subject matter.
- Examples:
  - Personnel actions (e.g., background checks, application process, etc.)
  - Pupil assignment (e.g., educational needs of the child, available space for the student, etc.)

### Organizational Decisions

- Organizational decisions establish the structure of the organization, the processes that define how the organization will make decisions, and the measures that define growth.
- Examples:
  - Policy formulation
  - Development of regulations
  - Development of goals for the District
  - Development of programs
  - Hiring of personnel

# Embedding Educational Equity into the Decision-Making Framework

- O Every decision is an opportunity to act in an equitable and inclusive manner.
- Focus on immersing the values of diversity and inclusion into the core operations of the organization in order to realize educational equity.
- Oldentify any assumptions, presumption, and biases, and consider past histories and current realities.

# Embedding Educational Equity into the Decision-Making Framework

- O The Ethic of Justice: identifies a right, law, policy, or procedure to address the issue
- O The Ethic of Critique: examines the rights, laws, policies, and procedures to determine if they are just and if they serve the needs of the individual/group
- O The Ethic of Care: care and concern for the individual guides our choices; an understanding of the individual

# Embedding Educational Equity into the Decision-Making Framework

- O <u>The Ethic of Profession</u>: core values of the profession; personal values; professional and personal ethics.
- O The Ethic of Community: engages others in the decision-making process; seeks multiple perspectives; the belief that leadership is distributive.

# Embedding Educational Equity into the Decision-Making Framework

- Requires the conscious choice to consider the various methods of how decisions are made and integrate those methods to reach a decision.
  - Not mutually exclusive
- O Requires a review of the organization's systems and process, and the outcomes in order to continually assess the impact of decisions.

# Step 4: Include Inquiries Relating to Equity When Making Decisions

- Which student groups will be impacted most by the policy, program, or proposal?
- Will this policy, program, or proposal address any existing disparities?
- Will this policy, program, or proposal create or exacerbate any discrepancies?
- What barriers are in place that may inhibit specific student groups from benefitting from the policy, program, or proposal?
- Are there any additional actions or steps we can take to ensure that this policy, program, or proposal provides benefits across all student groups?

### Examples of Programs that Promote Equity

**Teacher Retention Incentives:** North Carolina offered a retention bonus (\$1,800) for certified mathematics, science and special education teachers in high-poverty and low-performing schools. Teacher turnover declined by 17%. Before the bonus was implemented, a third of teachers in these subjects were uncertified and many were concentrated in disadvantaged schools.

Family Engagement and Setting High Expectations: In California, schools using Advancement via Individual Determination (AVID) programs, which included placing low achievers in advanced programs rather than lowering the expectations, witnessed a 34% decline in dropout rates compared to a 14% drop in non-AVID schools. AVID also involves a set of extra-curricular activities and engages the family at a variety of levels.

Community Partnerships: In Carrollton County in Georgia, Southwire, an Atlanta-based global wire and cable manufacturer, partnered with the county high schools on a "12 for Life" program that offers students who have fallen behind in high school the opportunity to attend class and make money by working in a Southwire manufacturing facility. Recently, all five high schools in the Carroll County School system achieved a graduation rate of 90 percent or higher.

### RECAP/SUMMARY OF STEPS

- Step 1: Reach a Common Understanding of Essential Terms
- OStep 2: Set Data Analysis Expectations
- OStep 3: Establish a Framework that Embeds Educational Equity
- O Step 4: Include Inquiries Relating to Equity When Making Decisions

### Some Resources for You

Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, NSBA Q&A for Public Schools, January 20, 2021

10 Ways to Pursue Excellence through Equity, Dr. Pedro Noguera (see also <a href="https://www.cultofpedagogy.com/10-equity/">https://www.cultofpedagogy.com/10-equity/</a>)

Culturally Competent and Racially Conscious Professional Development for School Leaders: A Review of the Literature, Daniel D. Spikes, Iowa State University

Equity and Quality in Education, Supporting Disadvantaged Students and Schools, OECD Publishing (2012)

### Questions to Think About:

- What do you see as your role in promoting educational equity?
- What motivates you to effectuate change and seek progress?
- O How can your school district or organization achieve its educational equity goals?

# Thank you!

If we can be of assistance to your organization, you can contact us at:



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# 10 Ways to Pursue

# Excellence through Equity



Challenge the normalization of failure



Speak up for equity



Embrace immigrant students and their culture



Provide students clear guidance on what it takes to succeed



Build partnerships with parents based on shared interests



Align discipline practices to educational goals



Rethink remediation, focus on acceleration



Implement evidence-based practices and evaluate for effectiveness



Build partnerships with community to address student needs



Teach the way students learn rather than expecting them to learn the way we teach

Source: Dr. Pedro Noguera, professor of education at UCLA



# **Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government**

January 20, 2021

### **Q&A for Public Schools**

#### What policy is asserted in the EO?

This Executive Order asserts that the Federal Government should pursue a comprehensive approach to advancing equity, civil rights, racial justice, and equal opportunity for all, including people of color and others who have been historically underserved. By advancing equity across the Federal Government, the order aims to create opportunities for the improvement of communities that have been historically underserved.

#### What does the EO require federal entities to do?

Generally, executive departments and agencies must recognize and work to redress inequities in their policies and programs that serve as barriers to equal opportunity. Specifically, the EO requires the Director of Office of Management and Budget, in partnership with the heads of agencies, to determine the best means to assess equity and approaches for the application of those methods across the Federal Government. The head of each agency will also identify some of its programs and policies for a review that will assess whether underserved communities and their members face systemic barriers in accessing benefits and opportunities available pursuant to those policies and programs. The EO directs that federal resources be allocated to promote equity, and to increase investment in underserved communities, as well as individuals from those communities. Heads of agencies will develop a plan that identifies any barriers to full participation in the identified programs, procurement, and contracting opportunities, and heads of agencies will consult with members of historically underserved communities to evaluate opportunities and increase coordination, communication, and engagement with community-based organizations and civil rights organizations.

The EO establishes an Equitable Data Working Group to study and identify inadequacies in existing federal data so that agencies can expand and refine available data to measure equity and capture the diversity of the American people. Currently, many federal data sets are not disaggregated by key demographic variables, such as race, ethnicity, gender, disability, income, or veteran status.

#### Which federal officials and agencies are required to take action?

The EO launches a whole-of-government initiative to advance equity among historically underserved communities, including people of color. It directs all federal agencies to conduct an internal review and devise plans to "address unequal barriers to opportunity in agency policies and programs." The review should also examine equity based on sexual orientation, gender identity, religious minorities, and people with disabilities. The EO specifically mentions the following federal officials and agencies are required to take action:

White House Domestic Policy Council (Section 3, 5, 7, 9) The Director of the Office of Management and Budget (Section 4, 6, 7, 9) Heads of agencies (Section 4, 5, 7, 10)



Administrator of the U.S. Digital Service (Section 7, 9)

U.S. Chief Technology Officer (Section 7, 9)

Chief Statistician of the U.S. (Section 9)

Secretary of Commerce, through the Director of the U.S. Census Bureau (Section 9)

Chair of the Council of Economic Advisers (Section 9)

Chief Information Officer of the U.S. (Section 9)

Secretary of the Treasury, through the Assistant Secretary of the Treasury for Tax Policy (Section 9)

Chief Data Scientist of the U.S. (Section 9)

This order instructs the OMB to work to ensure that federal government spending more equitably invests in communities of color and that federal programs are available to people for whom English is not their first language. The new equitable data working group will ensure federal data "reflects the diversity of America." The head of each agency, or designee, shall, in consultation with the Director of OMB, select certain of the agency's programs and policies for a review that will assess whether underserved communities and their members face systemic barriers in accessing benefits and opportunities available pursuant to those policies and programs.

#### How are the stated policy and required action different from the past?

This Executive Order revokes Executive Order 13950, which rejected the promotion of "race or sex stereotyping or scapegoating," and prohibited federal contractors from instilling such views in their employees through workplace diversity and inclusion trainings. A national preliminary injunction from implementation or enforcement of Sections 4 and 5 of the EO was issued on December 22, 2020, by the U.S. District Court, Northern District of California. San Jose Division.

#### What past orders or actions were specifically rescinded?

This EO revokes two executive actions by former President Trump: (1) Executive Order 13950 of September 22, 2020 (Combating Race and Sex Stereotyping) and (2) Executive Order 13958 of November 2, 2020 (Establishing the President's Advisory 1776 Commission). The controversial EO 13958 required the "Secretary of Education to establish in the Department of Education the President's Advisory 1776 Commission to better enable a rising generation to understand the history and principles of the founding of the United States in 1776 and to strive to form a more perfect Union."

# What changes do we anticipate in federal policy, including regulation, guidance, enforcement, etc.? Specifically, what past administrative directive is likely to be changed significantly or rescinded entirely?

As noted above, Executive Order 13950 (Combating Race and Sex Stereotyping) and Executive Order 13958 (Establishing the President's Advisory 1776 Commission) are revoked. According to the Biden Administration, an order addressing racial equity issues will be released on Tuesday, January 26, 2020.

In addition, as agencies assess the equity focus and effects of their policies and programs, it is likely that the U.S. Department of Education will examine and strengthen its civil rights enforcement activities. The EO specifically requires agencies to look at the "operational status and level of institutional resources available to offices or divisions within the agency that are responsible for advancing civil rights ...."

#### What will the impact be on local policies?

This EO contains no directive that requires school boards to review and or revise local policies immediately; however, the new administration's focus on equity may lead to shifts in guidance and enforcement on topics such as racial disparities in student discipline, education curricula on racial injustice, and equity in access to educational resources.