



# Equity & Excellence: Implicit Bias

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New Jersey School Boards  
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**Implicit Bias  
Penetrates All Realms of  
Society, from  
Hiring Decision  
to  
Medical Care  
and even  
NBA Foul Calls!**



# My Inherent Bias: Hurricane Andrew



# Essential Questions

- How do we develop our Hidden/Inherent/Implicit Biases?
- What's the difference and definition:  
**Implicit Bias, Suppressed Thoughts, Explicit Bias?**
- How Does Implicit Bias Manifest Itself in Schools?
- What does the National Education Association report about teacher bias?
- What is the impact of implicit/hidden/inherent biases on children?
- Implicit Bias & Discipline: What does the data and research report?
- What is the impact of the Implicit Bias of “Low Expectations”?
- What is meant by Disproportionality in Special Education and Discipline/Student Management?
- Confronting Implicit Bias: External Forces or District Reflections
- Academics, Placement, Tracking & Implicit Bias: What does data report?
- How can we address Inherent Bias in Academics and Student Discipline?
- What does the discipline and achievement data in your district report?
- How can I identify my hidden biases?
- What can our district do to ensure there is EQUITY for ALL?



# How Do We Develop Implicit Biases?

- We are **bombarded** with millions of images and bits of information daily
- Our brains absorb each and everyone of those images and bits of information
- But, most of it registers **subconsciously** and **not through a cognitive filter** that processes and interprets that data.
- This **unfiltered information** influences our implicit biases



# Implicit Bias, Explicit Biases & Suppressed Thoughts

- *Implicit Bias refers to attitudes or stereotypes that affect our understanding, actions and decisions in an **unconscious** manner.*
- *It's different from **suppressed thoughts** we might conceal to keep the peace; it's the opposite of **explicit bias**, which refers to attitudes or beliefs that we fully admit to.*

Kirwan Institute for the Study of Race and Ethnicity, Ohio State U



# How Does Implicit Bias Manifest Itself in Schools?

- Interactions among staff, students, their families, and the community
- Implementation of Discipline Policies & Practices
- Achievement
  - Grades
  - Course Placement / Tracking
  - Opportunities: academic, curricular, co-curricular, social,etc.



# Teachers Union

## NEA Magazine- September, 2015

- Whether or not a teacher “believes in” her students and “expects” them to succeed has been shown to affect how well that student does in school, particularly among disadvantaged students.
- Educators should be aware that those expectations can be influenced by their own implicit racial biases



# National Education Association Study

- 16,000 U.S. teachers interviewed
- Black and non-Black teachers were asked to predict their 10th-graders' future educational attainment.
  - Would s/he graduate from high school?
  - Would s/he graduate from college?
- When asked about any specific Black student:
  - *Non-Black teachers* were about 30 percent less likely than *Black teachers* to predict a specific black student would someday earn a college degree.
  - For *White students*, the teachers' predictions, or expectations, were about the same.
- District specific data reflects the national data



# National Education Association

- “We cannot determine whether the black teachers are too optimistic, the non-black teachers are too pessimistic, or some combination of the two...”
- “..systematic biases in teachers’ expectations for student success might contribute to persistent socio-demographic gaps in educational achievement and attainment.”
- “Biases in expectations are generally **unintentional** and are an artifact of how humans categorize complex information.”
- “**These results are not meant to, nor should they, demonize or implicate teachers,**”

Seth Gershenson , American University



# **Student Management/Discipline**

**Inherent Bias in Schools:**

**What does the data and  
research report?**

**Discipline: to teach**



# OSU Kirwan Institute Research Suggests:

- Implicit bias is implicated in **every** aspect of racial and ethnic inequality & injustice.
- Powerful consequences of implicit bias: it robs us of **compassion for** and **connection to** individuals and groups who suffer society's burdens of racial or other **inequality** and **injustice**.
- Implicit bias contributes to an **unconscious “hierarchy of caring”** that influences who we care about and what groups and individuals are **beyond our caring**, in a place of invisibility or disposability.



# Kirwan Institute Research Suggests:

- Implicit bias may influence a teacher's expectations for academic success.
- Meta-analysis of research found statistically significant evidence that **teachers hold lower expectations**—either implicitly or explicitly, or both—for **African American** and **Latino** children compared to European American children

(Rosenthal & Jacobson, 1968; Tenenbaum & Ruck, 2007)



## Hidden Bias Shapes Expectations & Discipline: “The Bias of Low Expectations”

- Psychology research documents self-fulfilling expectation of delinquent behavior
- A student “labeled” as “defiant” or “problematic” is “more likely” to internalize these labels and *act in ways that match the expectations* that others have set for him/her...
- Labeling and exclusionary practices can create a self-fulfilling prophecy that results in a cycle that can be difficult to break



# Disproportionality

- Disproportionality:
  - is over-representation of minority students identified with a **learning disability** or other type of disability under the IDEA (Individuals with Disability Education Act).
  - is over-representation of minority students who are **suspended or expelled**
  - When a minority group's numbers in special education or suspension/expulsion are statistically higher than they should be, they are considered **disproportionate**.
- NJ DOE identifies districts with over representation or disproportionality of a group and requires districts to develop action plans when disproportionality is identified in a district.
  - 2 pervasive examples of disproportionality:
    - Classification of Black males as Special Ed
    - Suspension of Black males



# Data-2010

- 70%+ of school arrests/referrals to law enforcement: Black or Hispanic
- Ed Week 72,000 k-12<sup>th</sup> graders studied:
  - Black students comprise 18% of sampled schools
    - 35% of those suspended once
    - 46% suspended more than once
    - 39% of all expulsions
  - Black students 3.5 times more likely to be suspended or expelled than White peers



# Data: African-American Males

- Portland, OR. (2010)
  - AA students 5X more likely to be expelled/suspended than White peers
- Oakland (2011)
  - 20% of AA males suspended at least once
  - 6 times the rate of White peers
- Chicago (2009-10)
  - Black students = 45% of the student body
  - Black students = 76% of the suspensions



## Research Reports (Skiba, 2000):

- Black students 5 yo and up are routinely suspended/expelled for minor infractions like talking back and writing on desks.
- The over-zealous application of “zero tolerance” policies is not the cause for suspensions, etc.

-*The hypothesis that African American students act out more than other students is not valid.*

-*African American students are referred to the office for less serious and more subjective reasons.*

-*When combined prior reliable data, these results argue that disproportionate representation of African Americans in office referrals, suspension and expulsion is evidence of a pervasive and systematic bias that may well be inherent in the use of exclusionary discipline*



- Implicit Bias: major contributing factor of racial disproportionality in school discipline.
- In this context, implicit bias is the *mental process that causes us to have negative feelings and attitudes about people based on characteristics like race, ethnicity, age and appearance.*
- ***Because this cognitive process functions in our unconscious mind, we are not consciously aware of the negative racial biases that we develop over the course of our lifetime.***



- In the general population:
  - Implicit Bias supports the stereotypical caricature of Black youth (especially males):
    - irresponsible, dishonest, and dangerous.
- In an ideal world:
  - Teachers, school administrators, paraprofessionals, bus drivers, etc. would be immune to these unconscious negative attitudes and predispositions about race
- 2003 study: students who displayed a “black walking style” perceived by their teachers as **lower in academic achievement, highly aggressive** and more likely to need special education services.



## Hidden Bias Shapes Expectations & Discipline

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# ACLU v. South Orange Maplewood

- ACLU alleged violations
  - Title VI of the Civil Rights Act of 1964
  - Section 504 of the Rehabilitation Act of 1973
- No claims of overt racism
- Allegations of disparate impact
  - Student discipline
  - Student access to advanced placement



# Federal Law

- Title VI
  - No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.



# Federal Regulation

- Section 504
  - No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance.



# Complaint

- Allegations that minority & disabled students were suspended at disproportionate rates on the basis of race
- Allegations that minority students were denied access to advanced placement courses at disproportionate rates on the basis of race



# Legal Theory

- Disparate Impact = Implicit Bias
  - A facially neutral policy or practice that has an unjustified adverse impact on members of a protected class.
    - No need to show intentional discrimination
    - Public entity must show that the policy or practice is necessary or that no less restrictive means exists to achieve a mandatory goal



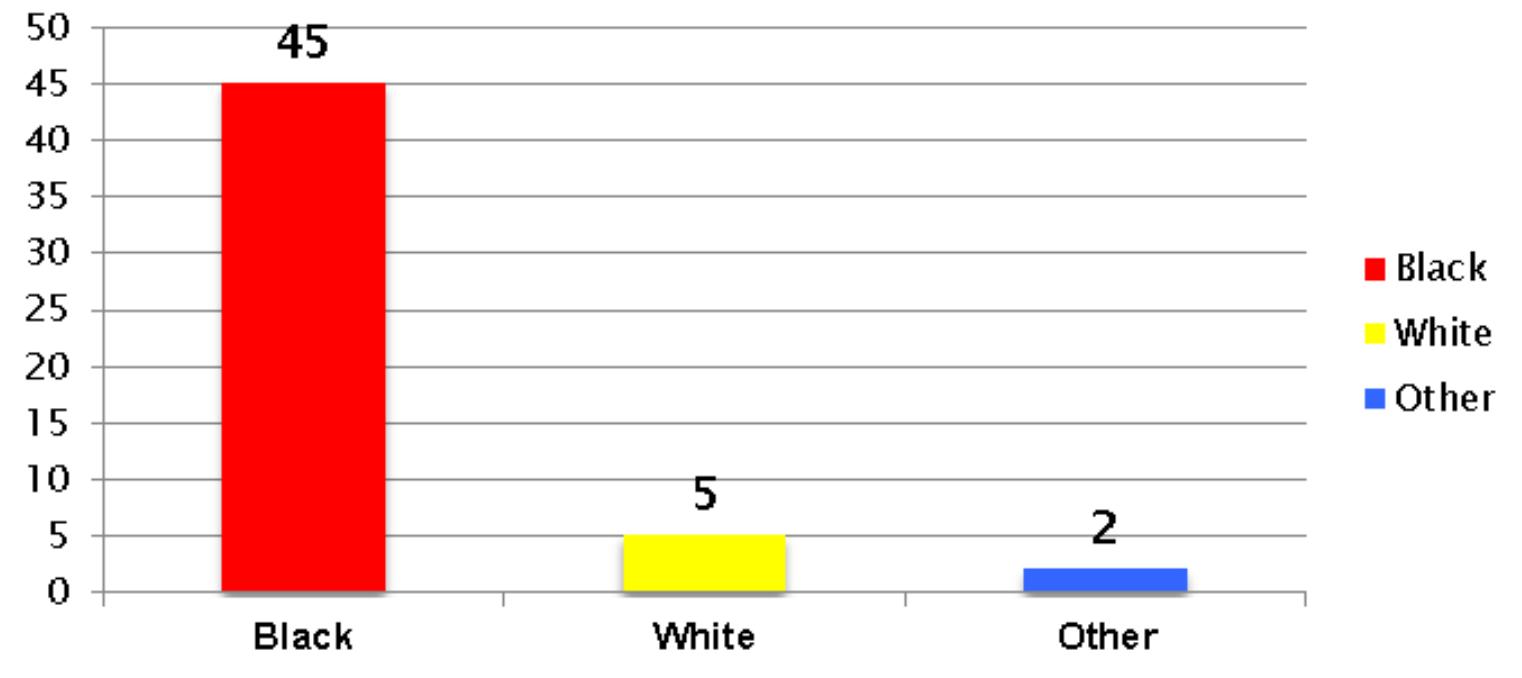
# Student Demographics

Race/Ethnicity	Female	Male	Total	Percentage
Am. Indian/Alaskan	6	6	12	0%
Asian	146	105	251	4%
Black	1182	1247	2429	35%
Hispanic	228	221	449	7%
Multi-Racial	121	135	256	4%
Hawaiian/Pac. Isl.	6	3	9	0%
White	1670	1776	3446	50%
Totals	3359	3493	6852	



# Student Discipline

## CHS Suspensions by Race 14-15



52 students accounted for 73 suspensions

14.7% of Black students were suspended

6.5% of Latino students were suspended

2.7% of White students were suspended



# Special Education

Race	All Students	Black	Hispanic	White
Suspension Rate Students with Disabilities	19.7%	28.1%	4.3%	5.0%
Suspension Rate Students without Disabilities	7.4%	11.9%	6.9%	2.5%
Suspension Rate Overall Student Body	9.0%	14.7%	6.5%	2.7%



# Student Consequences

- Parent conference
- After school or lunch detention
- Suspension from co-curricular activity
- Restitution—"Make It Better" (written apology)
- Community Service around the school
- School-based or home-school contingency contract
- Saturday School
- In-School-Suspension (w/ support)



# Policy Critique

- Unnecessarily harsh
- Vague
- Lack of penalty differentiation
  - Out-of-School Suspension for
    - Roughhousing
    - Refusal to follow staff directives
    - Profanity
  - Lack of individualized services
  - Lack of professional development



# Out of School Suspensions (OSS)

- Link to higher levels of retention, academic failure, drop-outs, & involvement in juvenile justice system
- Not educationally necessary b/c less discriminatory means are available to address behavioral issues
- Undermine the goal of providing a productive learning environment



# Resolution/Remediation

- Consultant to review underrepresentation of African-American students in advanced level courses
- Internal review and assessment
  - Potential barriers to increased student participation
  - Revise/expand eligibility criteria
- Enhanced parent/student outreach



# The Path of North Brunswick

- Initiated by 2 non-minority HS teachers who anecdotally identified bias in the implementation of discipline policies and the rosters of CP, Honors and AP classes
- The conclusion of the HS teachers analysis of discipline data plus interviews with recent HS graduates demonstrated bias in the implementation of discipline policies.
- Professional Development for All Staff in All Schools: Positive Behavioral Support in Schools Initiative (PBSIS)
  - End-of-the-year Reporting
  - Required Staff Training



# Data Gathering

To examine bias at NBTHS, data was gathered in 3 ways:

- Quantitative Data
  - Genesis Grades, Discipline, Tracking
- Qualitative Data
  - Survey of NBTHS Staff
  - Focus Group Interviews of Students and Parents (Video Played for Staff)
- Research Literature



# **Academics, Placement, Tracking**

## **Inherent Bias in Schools:**

**What does the data and  
research report?**



# Leveling/Tracking (Ability Grouping)

- Tracking sort students into different classrooms (or small groups within classrooms) on the basis of their perceived ability or previous achievement
  - Developed early in twentieth century
  - Helped separate the affluent White (college-bound) students from immigrants and minorities (factory-bound)



# NBTPS Steps Taken

- RIISA (Rutgers Institute for Improving Student Achievement) consultancy.
- Explore Alternative Discipline Strategies
- De-tracking
- Creation of Bridge Programs (Honors, AP)
- District Funds for PSAT & AP examinations
- PBSIS – Positive Behavior Supports in School
- Embed work into Strategic Planning / School Improvement Plan
- SMART Goal Setting
- Bilingual Services / ESL Classes / Tutoring
- Yearly Cultural Awareness PD
- Overt Celebrations of Diversity (Culture Fair, student performances / assemblies)



# Steps Taken & Resources

- *Mindset* (Fixed vs. Growth) - Carol Dweck
- Deficit Model - *The Pedagogy of Confidence* - Jackson
- Characteristics of Culturally Responsive Teachers
- Classroom Management Techniques
- Taking Action!
- Teaching Tolerance (online website)
- Anti-Bias Framework
- Teacher & Parent Interviews Video
- High Context vs. Low Context Cultures (explore the range in which behaviors vary across cultures)
- Embedded time for lesson and unit planning
- Schoolwide committees make a commitment to take action



# Consider various ways you can gain some insight into your bias.

- Biases affect us all in ways we seldom fully realize, even when we have one we are aware of and would like to deal with.
- We may see ordinary, happy people living their day-to-day life in all kinds of environments, but they all have a bias of some kind which is directing their intentions.
- Biases can be positive or negative aspects of human nature; they all influence how we act and interact with other people and events.
- It's important to compare our biases, because the way we create biases in our minds is the same process for both mild biases and severe ones.



## Recognize that the specific bias exists

- This is the beginning stage to enable you to overcome it. If you can, this means admitting there is a bias, as in really admitting it, not just thinking there is a bias.
- Often this is very difficult for most people to do honestly, as it is somewhat of a humbling act. But doing this will help you to explore it more in depth, as you are prepared to be more open.
- By recognizing your bias and what it relies on to stay in the mind, then you are one step closer to getting rid of it.



# Harvard's Project Implicit Project

- Battery of "implicit association tests" enables participants to measure their levels of implicit bias
- Results: tests reveal distressing things about how our **unconscious** minds work.
- <https://implicit.harvard.edu/implicit/>
- To measure your implicit bias levels:
  - [Understanding Prejudice: Implicit Association Test](#)
  - [Teaching Tolerance: Test Yourself for Hidden Bias](#)
  - [Look Different: Bias Cleanse](#)



# What does the data in your district report?

- When was the last NJSBA “wellness check” of your district policies?
- When was the last analysis of discipline data for equitable application of discipline policies?
- Is there inherent or overt bias in the implementation of discipline policies?
- Are students of color over represented in consequences? Suspensions? Expulsions?
- Although **Sameness DOES NOT equal Fairness**, are the behavior expectations of all students aligned?
- Is there an emphasis on teaching appropriate behaviors while also giving consequences for poor behavior choices?
- Do evaluations of potential textbook and materials include an assessment of biases in the proposed materials?
- How does professional development support equity in your district?
- Do evaluations include monitoring equity in the classroom?
- Are district leaders having the difficult conversations about equity?



I think unconscious bias  
is one of the hardest things  
to get at...

Ruth Bader Ginsburg

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**What will YOU do differently tomorrow?**



# QUESTIONS



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