

Guide to Item 14.5

Equity in Student Discipline

Legal Background

At least annually, LEAs must review disaggregated student discipline data at each building to identify disproportionalities based on sex, race, EL-status, and disability (special education and Section 504) to ensure the LEA does not discriminate in the administration of discipline. At a minimum, the review must include **suspensions** (in-school, short-term, and long-term), **expulsions**, and **emergency expulsions**.

OSPI Resources and Tools

[Addressing the Root Causes of Disproportionality](#)—A step-by-step guide from OSPI’s discipline guidelines illustrating how an LEA could analyze student discipline data to identify and address disproportionalities.

If the review identifies a substantial disproportionality based on sex, race, EL-status, or disability, LEAs must take prompt action to ensure it is not the result of discrimination.

Legal authority: RCW [28A.640.010](#); RCW [28A.642.010](#); and WAC [392-190-048](#).

Description of the Review Process (14.5.A)

Evidence to Provide

- A. A written description of the process the LEA uses to annually review disaggregated student discipline data at each building to identify and address substantial disproportionalities based on sex, race, EL status, special education status, and Section 504 status. At a minimum, the description must include:
 1. When the review occurs.
 2. Who is involved in the reviews.
 3. How the reviews are documented.
 4. What data is reviewed.
 5. How the LEA or building determines whether substantial disproportionalities exist.



Tips for Program Review (14.5.A)

- **Please ensure your written description addresses each of the five numbered prompts.** Answering each prompt will help show how the LEA's process aligns with applicable legal requirements and will help OSPI better understand the evidence submitted for Items 14.4.B and 14.4.C. Non-exhaustive guiding questions to consider for each prompt are provided below.

Description Must Include:	Guiding Questions To Consider:
1. When the review occurs.	• Does the annual review happen each year before school starts? Mid-year? Over the summer?
2. Who is involved in the reviews.	• Which district or building employees are responsible for participating on the review team in each building?
3. How the reviews are documented.	• How is data collected and disaggregated for each building? • How are the building team's discussions and decisions documented? For example, is there a worksheet that must be completed? Or does the team rely on keeping meeting notes? • Where is the team's work saved from year to year?
4. *Which data is reviewed?	• Which disciplinary sanctions are included in the review?
5. How the LEA or building determines whether substantial disproportionalities exist.	• Is this a case-by-case determination? • Or is there a threshold or cut-off point that the district or building is using?

*At a minimum, the LEA must review all suspensions (including in-school suspensions), expulsions, and emergency expulsions if those forms of discipline were used in the building. LEAs may also choose to review other types of discipline referrals and behavioral violations to better understand the root causes of disproportionalities.

- **OSPI does not require a specific threshold for determining whether disproportionality is "substantial."** Instead, the LEA should make this determination independently for each building through an individualized review of factors such as the size of the school, the size of the student group being analyzed, the group's proportion of the overall student population, the number of students being disciplined, and the degree to which the group is overrepresented or underrepresented among enrolled students.

Evidence of Implementation (14.5.B)

Evidence to Provide

Submit evidence from two elementary schools, two middle/junior high schools, two high schools, and two online or ALE programs (as applicable).

- B. Evidence of implementation of the LEA's process to annually review student discipline data at each building for the 2025–26 or 2026–27 school year.

Evidence must include at least the following:

1. A summary of the disaggregated student discipline data that was reviewed in each building.
2. A narrative, report, or meeting minutes that demonstrate how the LEA or building analyzed the data to identify substantial disproportionalities.
3. A list of substantial disproportionalities identified in each building, if any.

Tips for Program Review (14.5.B)

- **Please provide responsive evidence for each of the three numbered prompts.** Because this item is intended to verify that the required review was completed within the past year, responses to each prompt are needed to demonstrate full implementation.
- **Consider reviewing [Appendix B](#) of OSPI's *Preventing and Addressing Discrimination in Student Discipline* (2019).** While not required, it provides a step-by-step guide how an LEA could conduct its review.
- **Conduct this review using data from each individual school building, rather than district-wide data.** Student discipline data for *each school building* should be disaggregated by sex, race, EL status, and disability status (including both special education and Section 504). Analyzing data by building allows the LEA to: (1) identify disproportionalities that may not be apparent in LEA-wide data; and (2) address any substantial disproportionalities directly in the building where they occurred.
- **A disproportionality in discipline data does not automatically mean discrimination occurred.** However, significant and unexplained disproportionalities may signal a need for closer review. This annual review helps schools and districts identify substantial disproportionalities, understand what may be causing them, and determine whether any policy, procedure, or practice played a role. If so, schools and districts should take appropriate corrective action.
- **OSPI does not require a specific threshold for determining whether disproportionality is "substantial."** Instead, the LEA should make this determination for each building through a thoughtful, individualized review of relevant factors, including the size of the school, the size of the student group being analyzed, the group's proportion of the overall student population, the number of students being

disciplined, and the degree to which the group is overrepresented or underrepresented among enrolled students.

- **For smaller LEAs, alternative approaches may help support a more meaningful analysis.** For example, reviewing multiple years of data together can help identify trends that may not be apparent in a single year of data, particularly when student populations or enrollment numbers are small.

Evidence of Analysis (14.5.C)

Evidence to Provide

Submit evidence for the same schools selected in 14.5.B. If no substantial disproportionalities were identified, please add a note to this item in EGMS stating grounds for N/A.

- C. If substantial disproportionalities were identified, evidence that the LEA or building is addressing each substantial disproportionality to ensure it is not the result of discrimination.

Evidence must include the following:

1. A narrative, report, or meeting minutes that demonstrate the LEA or building's analysis to determine the causes of substantial disproportionalities (i.e., root cause analysis).
2. The LEA or building's plan to address each substantial disproportionality to ensure it is not the result of discrimination (e.g., reviews of student discipline policies, procedures, and practices, and implementation of evidence-based practices reasonably calculated to address the root causes..

Tips for Program Review (14.5.C)

- **If any substantial disproportionalities were identified**, the LEA must provide evidence (e.g., meeting notes, summaries, reports, or other documentation) showing that the LEA and/or building team analyzed them to identify potential root causes and determine whether bias, discrimination, or other barriers to equitable access may have contributed to the disproportionality. Access a step-by-step guide to conducting a root cause analysis in [Appendix B](#) of OSPI's *Preventing and Addressing Discrimination in Student Discipline* (2019)
- **Any plans to address a substantial disproportionality should be informed by the LEA's root cause analysis.** The proposed corrective actions should clearly connect to the findings from the analysis and explain how they will address the identified or suspected causes of the disproportionality.

Learn More About Equity in Student Discipline

- [WAC 392-190-048](#) Access to Course Offerings—Student Discipline and Corrective Action.
- OSPI Guidelines: [Preventing & Addressing Discrimination in Student Discipline](#) (2019). See pages 14-18 (annual review) and Appendix B (step-by-step guide to annual review).
- OSPI's [Equity in Student Discipline](#) website (tools and resources)
- National Center for Safe and Supportive Learning: [Addressing the Root Causes of Disparities in School Discipline—An Educator's Action Planning Guide](#) (2015)
- U.S. Department of Education, Office for Civil Rights (OCR): [Guidance and Resources: School Climate and Discipline](#)