# EQUITY AUDIT REPORT

Findings and Recommendations for
Improved Opportunity

Prepared for
PADUCAH PUBLIC SCHOOLS

By

EDUCATION AND CIVIL RIGHTS INITIATIVE
COLLEGE OF EDUCATION
UNIVERSITY OF KENTUCKY

# Equity Audit Report

Findings and Recommendations for Improved Opportunity

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# Executive Summary

The Education and Civil Rights Initiative of the University of Kentucky was engaged by Paducah Public Schools to conduct an equity audit following public backlash from an incident involving a photo of Superintendent Donald Shively. The research team worked with a committee of school stakeholders – students, personnel, and community members – to perform a contextualized audit of equity in the District. We obtained data from diverse stakeholders, including students, families, personnel, and the larger community through surveys and focus groups. We also reviewed policy documents provided to us. Thematic findings were contextualized through the use of publicly available data. Identified areas of concern include issues of academic opportunity and access, disparities in discipline, and an overall lack of trust and communication.

Specifically, while the three elementary schools in the district – Clark, McNabb, and Morgan – each have Gifted and Talented programs, there is concern that Clark has a full-time teaching position for their program while the other two schools share a part time position for their programs. Clark is seen as the wealthier and "whiter" of three elementary schools. Clark has a larger white student population, 61% versus 18% at McNabb and 36% at Morgan (NCES, 2021), and fewer students eligible for free lunch (51% versus 87% at McNabb and 86% at Morgan). The disparities in educational opportunity that arise from disparate access to gifted curriculum persist through the high school level where white students were more likely to access Advanced Placement curriculum. We recommend an equitable allocation of gifted resources to programs with a clearly communicated identification process applied with fidelity. We further recommend an AP for all approach to recruiting a more representative cohort of students accessing the highest level curriculum. We also note the community expressed concerns about under-identification of students with disabilities, resulting in these students not receiving the services they need.

Students and staff alike expressed that they felt that the policies of the district were unfair or were not fairly applied. Students expressed concerns about racial bias as well as favoritism. Personnel expressed concerns about bias and cronyism. The community, too, expressed concerns about racial bias in discipline generally, and of exclusionary discipline in particular. Of notable concern to students and community members were the impact of school dress codes on female students, particularly Black females. Specifically, there are concerns that the manner in which the dress code, as applied, sexualizes adolescent females. We recommend that the District implement restorative justice or a peer court model. We further recommend that the District begin a routine practice of reviewing disaggregated discipline data to identify patterns in discipline. Additionally, we recommend implicit bias education for all District personnel and a student-focused review of the dress code.

Our equity audit found a high level of distrust in the District as well as concerns about poor communication. The apparent opacity of the decision making processes in the District leaves room for unfavorable narratives. Thus, we recommend that the District make efforts to overcommunicate during decision making processes. Such overcommunication involves multiple modes and times of communication. This overcommunication, in turn, creates a transparency that allows for the rebuilding of trust. A further recommendation for the sake of transparency is the inclusion of diverse stakeholders on hiring committees. It is further encouraged that these committees receive all materials submitted in response to the job posting rather than an edited set of materials.

The District benefits from great diversity, but the benefits of this diversity are lost in a setting of mistrust. We are confident that by tending to the above articulated areas of concern, particularly through the implementation of the recommended policies and practices, the District will be positioned to rebuild trust between stakeholders and across demographics.

# Background

## Paducah Public Schools

Paducah is a city located in Southwest Kentucky.  Paducah Public Schools district (the "District") was founded in 1864.  Paducah began the process of desegregating in March 1956, nearly a year after the second Brown decision.  These efforts were reported in the 1959 Conference before the United States Commission on Civil Rights.  The high school level was fully desegregated less than a decade after the process began, in 1965, with the closing of Lincoln High School.

Today, the District serves a diverse student body of around 3300 students.  As of the 2019-20 school year, the student population of the District was 40% Black/African American, 42% white, 7% Latinx, and 12% more than one race (USDOE, 2021).  These students are served primarily in five schools: Clark Elementary School, McNabb Elementary School, Morgan Elementary School, Paducah Middle School, and Paducah Tilghman High School.  Tilghman, as the high school is known, is named for the widow of a Confederate soldier.  Nonetheless, the District is more diverse than the surrounding McCracken County Public Schools' 7200 student body (82% white).

Per its website, Paducah Public Schools district has a vision "to know each and every student by name and need."  Though many of the District's personnel were able to quote the District's vision, most of those individuals expressed doubt that the District is able and willing to do so.

## Incident Leading to Equity Audit

While many concerns about inequities in the District were articulated during the audit process, many respondents pointed to one incident as indicative of the underlying issues of inequity and mistrust in the District.  In October of 2020, a photograph of Superintendent Shively in blackface was made public.  This photo, dating back to 2002 when Shively served as a football coach and high school teacher, appears to depict Shively dressed as a Black student from Tilghman.  In the photo, Shively sports a Tilghman high school t-shirt as well as a gold chain with a large dollar sign and a do-rag.  The photograph, which highlighted long-held concerns for many in the District, was met with a strong public backlash.  In response, the District retained the Education and Civil Rights Initiative of the College of Education at the University of Kentucky to conduct an equity audit.  Among those who noted that the incident was indicative of underlying issues in the District, some further noted that the incident had the potential to be a catalyst for positive change in the District by bringing these areas of concern to light.  One change that has occurred since this equity audit began is the hiring of a chief diversity officer.

## Methodology

The goal of an equity audit is to identify "institutional practices that produce discriminatory trends in data that affect students" (Skrla, McKenzie & Scheurich, 2009).  Throughout this report, we use the most recently published, publicly available data to look for such trends.  However, we note that in all cases that data is at least a year old.  Specifically, we use demographic data from the National Center for Education Statistics' Common Core of Data for the school year 2019-2020.  We use student achievement data from the Kentucky Department of Education for the previous year (2018-2019) due to the impacts of COVID-19 on student testing.  The most recently available data from the Office for Civil Rights' Civil Rights Data Collection are still a year older (reporting for the 2017-2018 school year).  While these data sources provide a historical context for the attitudes and beliefs of survey respondents and focus group

participants, they would not reflect the impacts of any changes to policy and practice that have taken place, particularly in response to the above-referenced incident.

The process of identifying the underlying institutional practices that are implicated in the data was the focus of this audit. We achieved this with the guidance of an Action Committee of diverse stakeholders who advised on areas of potential concern in the District and voices that needed to be heard. Specifically, this committee helped shape a number of the survey items, advocated for us to extend the student survey and focus groups to middle schoolers, facilitate gather spaces for focus groups across the city to allow for geographic diversity. We employed a series of surveys and focus groups as well as a review of policy containing documents that were provided to us.

### Surveys.

The student survey was administered in May 2021 to students attending Paducah Tilghman High School and Paducah Middle School during students' English class period. We received 964 responses, although not every student chose to answer every question. School personnel (faculty, staff, and administration) were invited to provide feedback beginning June 1, 2021. We received 310 unique responses to this survey. The parent/family survey was launched later that month. We received 367 responses to the family survey. We invited the greater Paducah community to engage with the process through surveys that were made available beginning in late September, 2021. We received a total of 96 responses to the community survey. All surveys were provided through a Qualtrics web-based platform. No identifying information was kept through this process as an additional protection of respondents' anonymity. The community survey was also provided in paper copy at locations around Paducah. These responses were submitted via four lock boxes which were returned, still locked, to the research team the first and second weeks of November 2021. A total of 15 responses were submitted via hard copy (the other 81 were submitted via Qualtrics).

The surveys were a combination of Likert-type items and open response questions. With the exception of the first Likert-type item ("There is inequity in the District"), Likert-type items were positively oriented with respect to the District (e.g., "The policies of the District are fair to all students"). The items measured a single construct: perceived school community inclusion. This structure was confirmed using Rasch modeling. Two questions in the survey were conditioned on a given response to another question as they were meant to obtain additional, follow-up information. Specifically, for those who agreed or strongly agreed that there is inequity in the District, a follow up question asked whether they believed the District was working to address this inequity. For those who disagreed or strongly disagreed that the policies in the District are fair to everyone, a subsequent prompt asked for specific policies and populations. The open response (qualitative) items were analyzed using thematic analysis utilizing phronetic iterative analysis which utilizes an abductive method of working back and forth between theory and data-driven analyses to produce findings (Tracy, 2020). Themes were analyzed for commonalities and developed into findings presented below.

### Focus Groups

Focus groups also began in late Spring 2021, also with student voices. Specifically, three student focus groups were hosted via Zoom web conference. May 14, 2021, two focus groups were held with a total of 29 high school students participating. May 17, 2021, one focus group was held with 16 middle school students participating. A series of community focus groups followed on August 24, 26, 30, 31, and September 2, 2021 with a total of approximately 50 participants across all five focus groups. (We chose not to host separate focus groups for family members and the larger community. Rather, they were all invited to participate as a community.). On October 12 and 14, we hosted focus groups for District

personnel (faculty and staff). In addition to these 9 participants, we had 3 administrators participate in an administrators-only focus group on October 19, 2021.

## Policy Documents

The initial request for policy documents was for "any student, faculty, and/or employee handbooks as well as conduct/ discipline handbooks" as well as "any additional source documents that address … identification of students for special education and/or gifted and talented programs." The documents provided for review were a 2021-22 Curriculum Guide for Paducah Tilghman High School, Paducah Public Schools Code of Acceptable Behavior and Discipline 2021-22, and Paducah Middle School Student Handbook. As with the focus group transcripts and qualitative survey responses, we used a phronetic iterative analysis to analyze these policy documents.

We present excerpts from the constructed survey responses as well as quotes from focus group participants herein as illustrative examples. All excerpts are presented as received except where redaction was deemed necessary to protect the respondents' anonymity.

## Overall Sense of Equity and Inclusion

Of the various stakeholder groups, students appeared the most optimistic about equity in the District. As shown in Figure 1, below, a majority of respondents to the personnel (54%) and community (52%) surveys agreed or strongly agreed that there is inequity in the District. More parents agreed (39%) with the statement than disagreed (34%), although 27% of parent respondents neither agreed nor disagreed. Approximately a third of student respondents (33%) agreed that there is inequity in the District. This rate was consistent across both white and BIPOC (Black, Indigenous, and People of Color) student populations.

Figure 1. *General belief of inequity in the District, by respondent group*



There is inequity in the District.

■ Strongly Agree   ■ Agree   ■ Neither   ■ Disagree   ■ Strongly Disagree
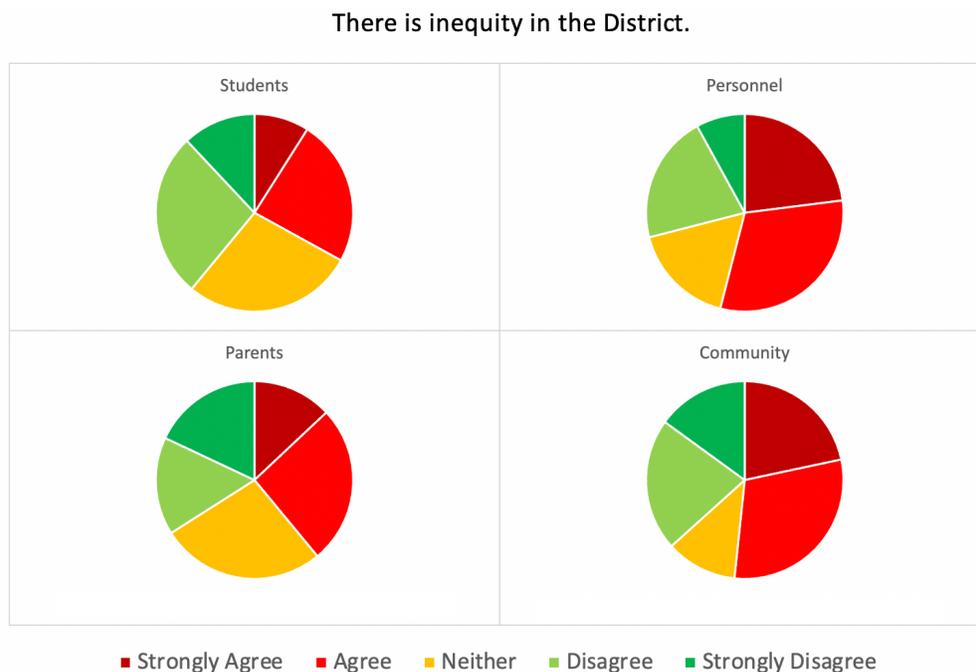
Of those students who agreed there is inequity in the District, less than half (43%) agreed that the District is working to address the inequity. District personnel (30%), families (38%), and the larger community (33%) had even lower rates of agreement. Thus, to the extent the District is engaged in practices intended to reduce inequities in the District, they would benefit from a greater communication of those efforts and their impacts.

When it comes to an overall sense of inclusion, using a 100 point scale, Black personnel (m=40) and family members (m=48.5) have a significantly lower sense of belonging than do their white counterparts ($m_{personnel}$ = 54; $m_{families}$ = 53). Black personnel, in particular, fell well below the mean for District personnel; only one Black respondent on the personnel survey was able to endorse any of the 10 items most indicative of inclusion. White students also indicated an overall higher feeling of inclusion (m=53) than did their BIPOC peers (m=51). Another notable disparity in feelings of inclusion among students is that between LGBTQ+ students (m=45) and their non-LGBTQ+ counterparts (m=52).

Survey and focus group responses provided context for these differences in the general sense of belonging:

*"I've heard stories of racist, sexist, homophonic, etc. teachers and have had encounters with homophobic, racist, transphobic, etc. students."*
*-- White Female, Student*

*"Discrimination against LGBTQ+ and races"*
*-- White Female, Student*

*"I heard students making fun of a Mexican student because his English wasn't as good as their own. I've heard students making fun of others for their bodies."*
*-- White Student*

*"This year has been extremely difficult. The issues we face in racial equity have been around for a long time and were exacerbated by a hurtful choice. It has been hard to watch as our families and teachers of color have experienced devastating emotions. I am afraid they feel unloved, unimportant, and any trust that existed is now gone."*
*-- White Female, Personnel*

Additionally, more narrow responses were developed into themes, including concerns about academic achievement, discipline disparities, and trust and communication.

## Academic Achievement

When asked about areas of growth for the District, more student responses related to academics than to any other theme. Approximately half of personnel respondents, when asked about unfair policies in the District, referenced sorting and tracking and an inequitable distribution of academic resources when asked about unfair policies in the District. District personnel also noted areas of concern in academics in response to both a prompt on areas of growth for the District. Academic concerns were second only to equity generally as family-identified areas for growth. Students were concerned with teachers' ability to

reach students of all abilities and with matters of representation. Personnel were primarily concerned with sorting and tracking, a process that typically begins in elementary school and has long-lasting impacts on student achievement, including through the high school level. Personnel expressed concern that this results in more privileged and white students gaining access to greater resources, including more advanced curriculum. Parents, too, expressed concern about ability grouping as well as student supports following COVID-19 related disruptions. Parents and community members also expressed concerns that students were not being identified and provided necessary supports through special education services. The most recent full school report card (2018-19, because the 2019-20 school year saw COVID-19 interruptions) notes that Paducah Tilghman High School was flagged for its "significant achievement gaps." These gaps negatively impacted "African American compared to White" students and "Economically Disadvantaged compared to Non-Economically Disadvantaged" students. Through the audit process, we received feedback on the nature and potential causes of these gaps.

## Gifted and Talented

The under-identification of students of color for participation in Gifted and Talented or "GT" programs has been well documented in districts across the United States (see, e.g., Katch, 2013; Holzman, 2012; Otterman, 2011; Mickelson, 2003). This disparity in representation is likely due to the fact that the mechanisms of GT placement, "concealed beneath the cloak of a perfectly democratic method" (Bourdieu, 1974, p. 60; see also Oakes, 2005) are based on perceptions of student ability that while appearing merit-based actually have many cultural biases related to race and class (Wells and Serna, 1996). The practice of relying solely on standardized test scores is particularly implicated in these disparities. Additional concerns arise where parents are able to "advocate" for their child to be placed in these higher track classes. When, typically white parents with considerable social capital are able to have their children placed in these programs for which they might not have otherwise qualified, it can be seen as "opportunity hoarding," a practice by which those parents work to maintain advantage for their children, without regard to the consequences for other children (Lewis and Diamond, 2015).

### Stakeholder Perceptions

Stakeholder perceptions are that Paducah Public Schools have a similar problem. Specifically, the concern is that Clark Elementary School, seen as the "white" and "wealthy" elementary school has greater resources to devote to the identification and teaching of gifted students. Specifically, personnel reported an understanding that Clark has the equivalent of a 1.2 FTE GT teacher (one full time teacher and one shared with the other elementary schools) while McNabb and Morgan each have a 0.4 FTE equivalent. Community members reported a less nuanced understanding, that Clark had a GT teacher while the other two elementary schools had one on paper but not in practice. As one community member stated during a focus group,

> *"There's one elementary school that has a full time GT teacher and they identify all these students, but the other two schools don't have a GT teacher there every day and don't really have a GT program. So, students from that first school, when they all come together in middle school, they're ahead and these kids can't catch up. And, the school with the GT teacher, just so happens it's the white school"*
> *-- Black Female, Community Member*

This disparity in resources is seen as exacerbating a system in which students of color, particularly Black students, are tracked into lower-level curriculum than are their white peers, resulting in disparities in educational opportunity that persist across grades.  An example of how this is perceived by personnel is:

> *"Many students of color are shut out from advanced classes.  The process for which*
> *students are identified for GT or honors classes is vague at best.  Students are [sic] color*
> *are stereotyped and railroaded into lower classes and are not challenged as other peers.*
> *Yet students who are affluent are afforded opportunities that others are shut out of."*
> -- Black Female, Personnel

Community members and school personnel alike indicated opacity in the official policy for identifying students as "gifted" as well as an unofficial policy of allowing (some) parents to simply request to have their child placed in these classes.

> *"I defy anyone here to tell me the policy on identifying a child for GTC."*
> -- White Male, Personnel

> *"Students identified as lower academically are funneled into classes that are not teaching*
> *to the depth of the Common Core standards based on their test scores.  However, some*
> *students (white/wealthy) are able to attend higher level or even GTC classes if their*
> *parents so choose, even if they are not on an academically higher level.  This leaves out*
> *many students of color and doesn't seem to be an option for them."*
> -- White Female, Personnel

These are the kinds of practices that allow opportunity hoarding, or the passing of privilege from one generation to the next, rather than living up to the ideal of public education as a "great equalizer."  If the data support this perception of a racial and income divide in identification and a resource gap between schools, that is cause for concern.

## Publicly Available Data

The most recently available Civil Rights Data Collection data (2017-18) substantiates these concerns.  In that year, students at Clark Elementary School made up more than a fourth of all Gifted and Talented students in the District across all five campuses.  In fact, students at Clark had a 22.6% change of being identified as gifted.  By comparison, students at McNabb had an 11.4% chance of being identified; Morgan, only a 7.1% chance.  Moreover, as the respondents suggested, Clark has a larger white student population, 61% versus 18% at McNabb and 36% at Morgan (NCES, 2021), and fewer students eligible for free lunch (51% versus 87% at McNabb and 86% at Morgan).  Thus, there is a sense that valuable GT resources are being provided in greater quantity to a school serving students who are already more advantaged.

Disparities in gifted identification are not just across schools, but also within schools.  The same Civil Rights Data Collection shows that at Clark, white students comprised 56.3% of the student body, but 79% of students in Gifted and Talented.  The program at Morgan was also disproportionately white (59.3% of GT versus 38.2% of the student body).  While both Clark's and Morgan's GT programs had a population that was more than 20 percentage points whiter than the overall student body, McNabb's GT population was roughly 5 percentage points less white (15.2% of the GT population versus 20.3% of the student body).

The over-representation of white students in Gifted and Talented continued in Middle School where the student body was 41% white, but the GT population was 70.5% white. In fact, white students were about four times as likely to be in GT than were their Black peers in middle school. By high school, 32.7% of white students were in GT while only 6.8% of Black students were in GT. Moreover, at least one member of the middle school personnel and one student indicated that among those students of color who are able to access high track classes in the middle and high school grades, the majority were students at Clark.

Given these historical disparities and the perception of GTC across stakeholder groups, the GT identification process presents an opportunity for the District to address as early as elementary school one of the great sources of inequity in educational opportunity: sorting and tracking.

## Recommendations

Our recommendation is for the District to provide resources for robust GTC programming at all five schools, particularly to provide these resources equitably at the elementary level. Moreover, while we support local control and recommend that the identification process resides at the school, the policy should be written, communicated to all parents, and applied consistently. Importantly, decisions should not be based on parental pressure at either the school or District level as social and historical contexts have advantaged more resourced parents with greater social capital in this regard. While schools are free to make their own decisions about what criteria they use to identify gifted students, a starting point might include reading 2 or more years above grade level, grades, and teacher recommendations.

## Honors and Advanced Placement

While the benefits of challenging curriculum such as Advanced Placement (AP) and International Baccalaureate (IB) courses are well established in the literature (see, e.g., Kyburg, Hertberg-Davis, and Callahan, 2007), access to these courses remains inequitable (Oakes et al., 2000; Solorzano and Ornealas, 2004; Tyson, 2013; Schmidt et al., 2015). In many cases, schools offer these courses on a limited basis through a selection process. Reasons for limiting the number of high level classes and who is allowed to enroll in them including low enrollment or a perception of a lack of student interest, insufficiently trained teachers, and/or insufficient funding (Clemmitt, 2006; Santoli, 2002).

There are also concerns that heterogenous grouping would not meet the needs of all students, resulting in the frustration of the lower achieving students and impeding the learning of their higher-achieving classmates (Klopfenstein, 2003). While some studies do associate heterogenous classes with decreased learning of high achievers (Brewer, Rees, and Argys, 1995; Kulik and Kulik, 1992), it is impossible to disentangle the perceived benefit of tracking from the benefits of access to other benefits such as access to the most qualified teachers (Kerckhoff, 1986; Oakes, 1986; Slavin and Braddock, 1993). Moreover, additional studies report the performance of the highest achievers is not diminished by heterogenous classes (Figlio and Page, 2002; Mosteller, Light and Sachs, 1996; Rui, 2009).

The benefits of Advanced Placement courses, including the potential to receive college credit, may be of most benefit to the lowest resourced students, but these same students are least likely to have the opportunity to experience the benefits of these courses.

## Stakeholder Perceptions

Across stakeholders, there was a concern about the underrepresentation of students of color in honors and Advanced Placement courses in the District. Some stakeholders linked disparities in educational opportunities in elementary school to high school achievement and participation in more challenging curriculum. For example:

*"I'm not sure of the cause but children of color are disproportionately underrepresented in academic clubs, more advanced educational tracks in classes, and the academic achievement groups/ honors/ accolades in the high school.  It begins in elementary when the children get tracked differently."*
*-- White Community Member*

*"Basing educational paths/instruction on standardized tests (known to be biased in favor of white students and to the detriment of students of color) in elementary school starts the down the [sic] path for disparate outcomes before the children are even in middle school."*
*-- White Community Member*

*"There should be more diversity in upper-level and AP classes.  This may be a problem originating in elementary or middle school.  The racial distribution in my AP classes is not at all representative of the racial distribution of the school as a whole."*
*-- White Male, Student*

Personnel also referenced disparities in student populations in Advanced Placement courses.  Some noted that historical disparities might lead to students feeling unwelcome in these spaces while others noted that parents might use their social and political capital to shape course composition.

*"I think maybe there's a perception that some students are not welcome in certain courses, AP and honors courses, because of their race, because students in there don't look like them."*
*-- Black Male, Personnel*

*"We must ensure equal and fair access to grade-level curriculum for ALL students.  Exceptions should not be made for white students to be in `higher' classes simply because their parents demand it.  We have a diverse student body, but many classes feel segregated."*
*-- White Female, Personnel*

Parents also noted that sorting and tracking excludes many capable students.  These parents were concerned that this was unfair to high achieving students who remained in regular-track courses.

*"Challenge more children with the upper-level gifted courses instead of just a few kids getting the opportunity to learn higher level content.  If kids are making straight A's but not selected for gifted classes that seems unfair."*
*-- White Male, Family Member*

Given that students, personnel, and community members all expressed concern about within school segregation based on a lack of diversity in the highest and lowest tracked classes, we looked to the publicly available data to see if it supported that perception.

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We again turned to the most recently reported Civil Rights Data Collection (2017-18). That data showed that while less than half of the student population identified as white (44%), more than three fourths of students in AP courses in Math (82%), Science (79%), and other areas (77%) identified as white. While approximately 42% of the student body identified at Black, even in the "other" AP courses category saw Black students represented at a third that rate (14%). Lower percentages of students in AP Math courses (4%) and AP Science courses (11%) identified as Black.

Figure 2. *Advanced Placement Participation*
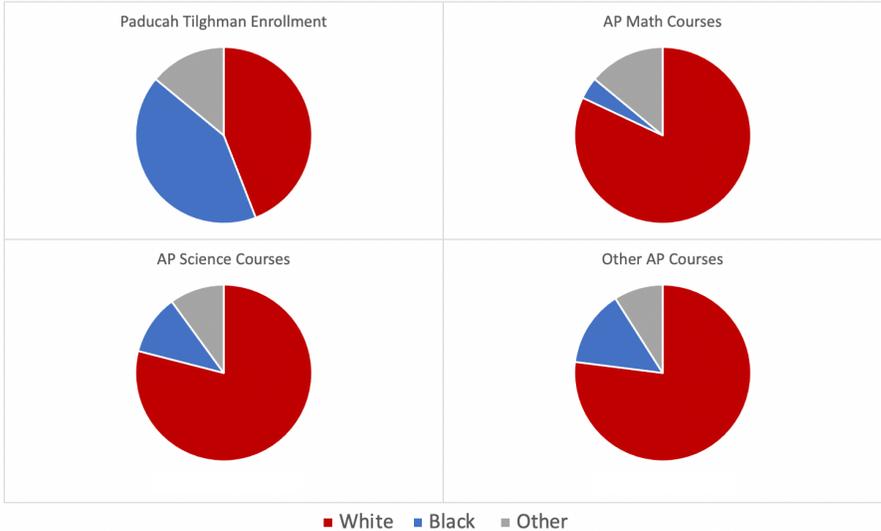


Given the benefits of challenging curriculum, including as preparation for post-secondary education, identifying the reason for such disparities and addressing them is an important step toward improving educational equity in the District.

Policy Review

A review of the 2021-22 Curriculum Guide for Paducah Tilghman High School shows that (1) most AP courses have a "gatekeeper" rather than being open to any student who wishes to register for them, (2) the requirements to participate in AP coursework vary across courses and content areas, and (3) there are additional barriers to full AP participation.

As an illustrative example, a student wishing to take AP World History must submit an "application" (Curriculum Guide, p. 23), including evidence of an A or B in English 93 and Freshman Social Studies. In addition, because the course is offered as a 2-hour block with Pre-AP English, a prospective student must also have an "A or B in English 9 Honors and/or teacher recommendation" and a "STAR reader score >1028."

**AP WORLD HISTORY ...................................... 450876A/450876B**
*Grade: 10*
*Prerequisites: By application (A or B in Eng. 93*
*and Freshman Social Studies)*
Examines the world's history through extensive reading, research, and
culminating learning events, including the major world civilizations, and

requires work above grade level for successful completion. Taught in a 2-hour period with Pre-AP English/World Studies.

**PRE-AP Literature ....................................** 230118A/230118B
*Grade: 10*
*Prerequisite: A or B in English 9 Honors and/or teacher recommendation. STAR reader score >1028. Concurrent enrollment with AP World History is required.*
Designed for students to learn about world history through extensive reading and writing, examining major world civilizations' literature and requires work above grade level for successful completion. No remediation is available. Taught in a 2-hour period with AP World History/World Studies. *Summer reading assignment is required.*

By linking these courses, students must demonstrate aptitude and interest in both areas in order to participate in either. Also, because this tenth-grade course requires prior success in a freshman Honors course, students must have been among the most successful middle school students in order to access it. While subsequent AP track courses in English and Social Studies do list success in the track as a prerequisite, they also allow for a teacher recommendation to move students up to this more advanced track.

Perhaps more concerning, students' paths through the mathematics curriculum are heavily influenced, if not outright determined, by their middle school experience. Specifically, in order to take AP Calculus a student would need to enter high school having already completed Algebra I. The student would then be able to take freshman Geometry (requires Algebra 1), sophomore Algebra 2 Honors (requires Algebra 1 and Geometry), junior Pre-Calculus Honors (requires Algebra 2 Honors), and, finally, senior AP Calculus AB (requires Pre-Calculus Honors). Notably, the Curriculum Guide requires students to have completed AP Calculus AB in order to take AP Calculus BC. Students who are not performing above grade level in middle school math but hope to achieve an Advanced Placement math course do have the option of taking AP Statistics, but must enter that course from Algebra 2 Honors. If these pre-determined paths are not being communicated to students and families in middle school, only those who already have the social capital to know the sequence of math courses will know to advocate for their child to be placed in the more advanced math class as a path to opening their opportunities in high school. This, in turn, is placing burdens on personnel at the middle school who must deal with the expectations of the more informed parents who wish to make these opportunities available to their students by requesting that their child be placed in higher level math courses.

One additional note regarding Advanced Placement courses poses a potential barrier to the least resourced students receiving the full benefit of this most challenging curriculum. Per the Curriculum Guide, "[t]he school will reimburse the exam fees paid for any student who scores a 3, 4, or 5" (p. 4). Exams are $96 per exam. Therefore, a student who participates in the English/Social Studies block would need to spend $192 to take both tests for which they are eligible. Likewise, a student taking AP courses in more than one content area would have more than one test to order. This price point is likely to be a barrier for the District's least advantaged students to receive one of the key benefits of these courses, the potential for college credit. Furthermore, these exams are ordered in November, a full six months before they are administered in May. Consequently, students who might be able to make the initial investment conditional on receiving reimbursement are being asked to predict their success before the halfway point of a year long course. A student may choose to not sit for an ordered exam but must still pay a $40 fee.

## Recommendations

Given the benefits of access to the most challenging curriculum, we recommend that the District adopt an AP For All policy. There are a few versions of such a policy. We would advocate for one where Advanced Placement coursework becomes the "standard" senior year curriculum, particularly in the core content areas. This requires reworking the curriculum path from middle school through high school to prepare all students to enter into this more challenging curriculum (see above discussion on math prerequisites) and providing necessary supports for all students to succeed. This is a deliberative process rather than an expeditious one. We recommend the District obtain guidance if it decides to pursue this recommendation. We note, too, that this recommendation is consistent with the desires of some stakeholders:

> *"Holding all students to higher expectations district wide and doing away with ability grouping at the middle level."*
> *– White Female, Personnel*

> *"Our classes are very segregated. Our 'honors' classes are predominantly white and our 'traditional classes are the minority students. I would love to drop all the labels of honors and traditional."*
> *– White Female, Student*

An alternative or intermediate measure might be to set an expectation that all students take a certain number of Advanced Placement courses (e.g., every student will graduate having taken four AP classes), removing barriers such as teacher recommendations, test scores, and grades in previous courses, and assisting students in deciding which courses to pursue as part of their course of study. This option, while not promising all students access to the most challenging curriculum in all four of the core content areas, would allow students to pursue advanced coursework in their area(s) of interest and ability.

Additionally, we recommend that the District encourage students to attempt these challenging courses, to take the risk. To that end, admonitions to "carefully consider their abilities and work ethic" (Curriculum Guide, p. 4) before signing up for AP courses should be reworded to help students see their potential. The financial barrier of testing should also be removed. The District can show its support of students taking on this challenging course work by paying for the testing rather than reimbursing student success.

Although the use of the CRDC data might suggest an emphasis on STEM (science, technology, engineering, and math) education, our recommendation is to focus on STEAM (science, technology, engineering, arts, and math). In particular, we would like to note that the District might consider arts education as an area of opportunity for establishing and growing community partnerships.

## Special Education

Nationally, schools identify an average of 10-15% of students as needing special education services. However, only 8.4% of students in the district were identified as requiring services under the the Kentucky Department of Education, Kentucky School Report Card (2017-18). This is concerning given that the research suggests minority children are less likely to receive these necessary services than are their otherwise similar white peers (Morgan et al., 2017). The difficulty in having students identified and receiving services was mentioned in both community and personnel focus groups and in survey responses from families, personnel, and the larger community. For example:

*"The district has to make changes in the Special Ed department's administration (teachers are great). The district is known statewide among advocacy groups to have an unreasonably restrictive view of eligibility for services and actively dissuades parents from seeking accommodations. I have experienced personally and know several families who have left the district for the same reason."*
*-- White Male, Family Member*

*"We knew my son had special needs in kindergarten, but they kept saying, `Just give it another year. Let's see how he does next year.' Meanwhile, he's getting further and further behind. I kept asking them to test him, to put him in special education, but they just passed him along."*
*-- Black Female, Family Member*

*"I think all teachers and staff should participate in a yearly training class concerning ways to handle children with disabilities."*
*-- Black Community Member*

We recommend the District seek education for all personnel on the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act and implement a plan for identifying and serving students with disabilities. Necessary accommodations and modifications allow these students to benefit from the curriculum Paducah Public Schools offers.

# Discipline and Exclusion

It may seem obvious but warrants emphasis that a student who is removed from the classroom as a form of punishment is unable to benefit from that day's classroom instruction. In fact, schools generally have absence and truancy policies in place precisely because the classroom learning environment is important for student achievement. Nonetheless, a reliance on exclusionary discipline (practices like suspension and expulsion that remove or exclude a student from the classroom environment) persists. This form of discipline is all the more concerning where racial and gender disparities show a portion of the population is being removed from the learning environment at significantly higher rates. This has a particularly compounding effect when the excluded students are those who were already least likely to access the highest levels of curriculum. Every focus group was unanimous that the policies were either not fair or were not fairly applied to stakeholders from diverse backgrounds. The disparate impacts were noted along racial and socioeconomic lines.

## Racial Disparities

Both the incidence of school suspensions and the black-white racial gaps in the experience of suspensions have grown for the past four decades. More specifically, suspension rates have more than doubled while the gap has more than tripled (Losen, 2011). The evidence suggests that the disparities in suspension rates is not due to Black students having a higher rate of misbehavior (Bradshaw et al., 2010; McFadden et al., 1992; McCarthy and Hoge, 1987). Rather, Black students are more likely to be sent to the office for subjective behaviors (e.g., insubordination, noise) while their white peers are referred for more objective offenses (e.g., vandalism, leaving without permission, use of obscene language) (Skiba et

al., 2002).  Moreover, an extensive reliance on exclusionary discipline is implicated in the phenomenon known as the school-to-prison pipeline.  Whereby students are pushed repeatedly out of school and ultimately wind up encountering the criminal justice system.  Again, the impacts of this phenomenon fall disproportionately on poor communities and communities of color.

## Stakeholder Perceptions

One Black Family Member noted a perceived link between discipline disparities in Paducah Public Schools:

> *"Discipline is just like the criminal justice system, black students are punished at higher degree."*
> *-- Black Community member*

Less than half of students (49%) were willing to endorse (Strongly Agree or Agree with) the statement, "The policies of the District are fair to all students."  The item was similarly difficult for family members to endorse (49%).  Approximately a third of the community (33%) felt the policies were fair to all students.  And, perhaps most importantly, District personnel, including the very people tasked with implementing and enforcing those policies, had the lowest rate of endorsing the item (30%).  The reasoning was further expressed in focus groups and the open response items on the survey.

> *"The policies of punishment are unfair to people of color they are punishment [sic] much harsher and more often compared to their white counterparts."*
> *– White Male, Student*

> *"Minority students are punished more often and harshly."*
> *-- White Community Member*

> *"They are pushing students of color, Black students, particularly Black boys, out of the schools.  We need restorative justice."*
> *-- Black Male, Personnel*

> *"There's a policy at the kindergarten that if two students are fighting, it doesn't matter who started it, if one student leaves a mark on the other, that student is going to get a longer suspension.  Well, of course a bruise in going to show up on a fair skinned white boy.  My son's dark.  That policy is never going to help him, just the white boy."*
> *-- Black Female, Parent*

> *"There is significant inconsistent discipline between students, with the observation being that race is part.  White kids get away with much more.  (I'm white.)  White parents are treated better."*
> *-- White Female, Family Member*

Moreover, even for those stakeholders who might have been willing to consider the policies themselves to be fair, there was concern that the enforcement was unfair.

*"The policies aren't unfair they just don't always apply to a certain group of people. POC and black people are more likely to be put out of class for simply expressing a opinion or an emotion. A white student wouldn't get the same consequences as their POC & black classmate."*
*– Black, Student*

In light of the concerns of stakeholders, it was important to consider the data around discipline to look for evidence of the perceived disparities.

## Publicly Available Data

We once again consider the Civil Rights Data Collection (2018) to confirm whether there is historic evidence to support these perceptions. We find that, for example, Clark Elementary had a population of students of whom just over a quarter (28%) identified as Black, but Black students comprised more than half (52%) of students who received in-school suspensions (ISS) and out-of-school (OSS) suspensions. At the middle school, 41% of the student population was Black, but 71% of students receiving out of school suspension were Black. At the high school, 42% of the student population identified as Black versus 66% of students receiving ISS.

## Policy Review

We reviewed both the District's Code of Acceptable Behavior and Discipline (2021-22) and the Paducah Middle School Student Handbook. While both documents indicated that they were not exhaustive, retaining some discretion for school and District administration, they were mostly thorough. While each spent considerable time describing exclusionary discipline (suspensions, expulsions, and alternative placement), they also emphasized a commitment to Positive Behavioral Intervention and Supports (PBIS). PBIS is intended to prevent negative behaviors (including through clear communication of expectations and increasingly specialized systems) and reward positive behavior. The PMS Student Handbook had clear escalations of consequences for certain types of behaviors (e.g., repeated tardiness).

## Recommendations

Our first recommendation is that the District routinely (by semester or year) collect, reflect upon, and publicly report data on the use of exclusionary discipline. These reports should be disaggregated by race/ethnicity, gender, and disability status (to the extent doing so will not reveal an individual student's identity). The reporting should include data on the types of infractions resulting in exclusion as well as the number of days of missed instruction resulting from removals (see, Losen, 2011).

We recommend the District implement restorative justice (RJ) as a way of repairing the harms caused by negative behavior rather than just punishing the wrongdoer (Gonzalez, 2012). RJ can and should be applied to both personnel and students as a way of resolving conflicts. RJ recognizes students as active and empowered participants in the resolution process. Rather than exclusion of students (as seen with a reliance on suspensions and expulsions), RJ focuses on restoring perpetrators to the community while holding them accountable for their behavior (Morrison and Vaandering, 2012). The use of restorative justice has been shown in the literature to reduce future incidents of misbehavior (see, Gonzalez, 2012).

Because we recognize that full implementation of restorative justice with fidelity is an extensive process involving education for students and personnel, we recommend the creation of a peer resolution process such as a peer court as an interim step. This allows students to take some ownership of the discipline process and makes schooling more democratic. This is especially true for the upper grades, but the literature shows it can also be successfully implemented in elementary school.

Additionally, because students and families expressed concerns that teachers were biased in administering punishment (a position that is consistent with the literature), we recommend ongoing bias education for all personnel.  In fact, where some educators expressed concern in addressing difficult topics such as race, bias education may also mitigate that anxiety.

## Labeling and Identity

Within the context of discipline and exclusion, an item of elevated concern for students, families, and the wider community was the fact that students appeared to be labeled as "good" or "bad" early in their educational career. The "good" students were given greater leniency as they progressed through grades while "bad" students were pushed out of schools.  Without giving the specifics that might allow for the identification of the student(s) involved, focus group participants referenced students being identified as "bad" as early as kindergarten, pushed out to Choices (alternative school) by middle school and never returning to the general education environment.  Students noted that teachers overlooked misbehaviors of "good" students because they were focused on students they had identified as being "bad."

*"They're so focused on him – he's not even doing anything – waiting for him to slip up, that they don't even notice what's going on over here.  If you're one of the good kids, you can do just about anything and they might say something or ask you to stop, but you won't get into any real trouble.  But, if they don't like you, you'll get a referral for just nothing."*
*-- White Female, Student*

*"If you're one of the `good' kids, you get by with anything.  But, there's other kids that they don't let them do anything.  They get in trouble and they haven't even really done anything wrong."*
*-- Black Male, Student*

We believe the previously recommended bias education and reviewing of discipline data would also help inform this practice as personnel become aware of these practices and correct them.  Similarly, sharing responsibility for discipline with a peer resolution committee would add another barrier to the potential for conflicts between one or more teachers and a given student.

## Dress Code

A particular area of concern under the discipline umbrella was the student dress code.  While the literature acknowledges "legitimate pedagogical goals" (Harbach, 2016, p. 1059) of schools in crafting student dress codes, it also recognizes that dress codes and dress code enforcement often send messages about the value of females and the sexualization of girls' bodies (Harbach, 2016; see also, Aghasaleh, 2018; Morris, 2016).  In drafting and enforcing dress codes, the District should question whether "motivations are based on stereotypical assumptions about girls' bodies, female dress, and the preferences or reactions to female dress by both males and females" (Harbach, 2016).  Of particular concern is the potential for messaging that girls are responsible "for the inability of boys and other girls to keep their hands to themselves" (Morris, 2016, p. 215).  Schools are also faced with the potential for First Amendment implications in dress code enforcement (Fossey and DeMitchell, 2014)

## Stakeholder Perceptions

Students and community members alike expressed concerns about the dress code policy. Where discipline, generally, was the most referenced area of inequality in policies and area for improvement, the dress code was the most discussed subtopic.

*"Dress codes seem targeted at cultural/racial groups and are particularly aimed at females. The effect on this later group amounts to body shaming."*
*-- White Community Member*

*"Dress codes are targeted towards females and African American students."*
*-- Black Female, Student*

*"Dress code is not fair and it's not fair to the girls, and sometimes it's not fair to a particular group of girls (black girls). We get dress coded for certain clothing and when a (white girl) wears it they don't."*
*-- Black Female, Student*

*"Some of our girls are curvier so when they wear the same thing as a skinnier girl, it looks different and they get dress coded."*
*-- Black Female, Community Member*

Personnel extended this concern. Specifically, male personnel expressed discomfort in discussing dress code violations with female students.

*"There are certain conversations that I won't have with them. I'll call in a female colleague and say, `You need to handle that.'"*
*-- Black Male, Personnel*

Female students were also able to point to the reason for this discomfort.

*"Why are you, as an adult teacher, looking at my body like that? You shouldn't be sexualizing me. I'm 13."*
*-- White Female, Student*

While the perception was strong across stakeholders that dress code enforcement was focused on female bodies, a review of the dress code itself would be instructive as to the reason for this perception.

## Policy Review

The Code of Acceptable Behavior and Discipline does use some concerning language. Specifically, the reference to "dressing in a manner that may result in a distraction" (p. 10) may be seen as placing the burden of the male gaze on female students. A review of the PMS Student Handbook's Dress Code Policy also suggests a reason the policy may be seen as regulating female dress more than that of males. While references to shorts and hoodies may be seen as applying to both genders, references to cleavage, hemlines (especially in relationship to skirts, dresses, and leggings) may be viewed as having more of an impact on female students.

## Recommendation

We recommend that school personnel review and refine the dress code with diverse stakeholders, centering student constituents. Because dress codes are impacted by local cultural norms, it is important to consider how these norms change over time. Students would be familiar with these norms. Moreover,

this provides an opportunity to engage in dialogue with students about the purpose of the dress code (personnel) and why students choose to dress the way they do (students).  While we neither endorse nor discourage a policy of school uniforms, it should be part of this conversation with students.  Once a decision is made on the final dress code, it should be published in a place that is readily accessible.  For example, schools might post the dress code in an easily accessible tab on the school website.

## Trust and Communication

### Communication

An overarching theme throughout the equity audit, was a break down in trust and communication.  One of the more difficult items to endorse on the surveys were "My opinion is welcome" and "My opinion is valued."  The issue of a lack of communication between personnel in schools and District officials was frequently discussed on personnel surveys and in personnel focus groups.

*"We need a leader who understands how to relate and communicate with all stakeholders."*
*-- White Male, Personnel*

*"We never see anyone from the district in our building.  In some ways that's okay, just let us do our job.  Because, when they are here, we know it's not good.  They don't just come by to say good job or that they appreciate us."*
*-- White Female, Personnel*

*"I don't feel like I can voice my concerns to anyone.  It seems when someone speaks up, then they get axed."*
*-- White Female, Personnel*

*"Principals who value their teacher's opinions and listen."*
*-- White Female, Personnel*
*(in response to a request to identify an area in need of improvement)*

*"Effective communication and collaboration."*
*-- Black Female, Personnel*

Students, too, felt that as key stakeholders in the schools, their voices and opinions were not considered.

*"They don't listen to students, and we're the ones that have to live with it!"*
*-- Black Female, Student*

*"The district could get more student involvement in certain decisions.  These are ultimately up to the district but student representation would be appreciated!"*
*-- White Female, Student*

One of the apparent consequences of this breakdown in communication was a lack of trust.  That is, where stakeholders did not feel that the District heard their voices and similarly did not feel that the District was thoroughly conveying its reasoning on decisions, those decisions might feel capricious.  A particular area of distrust referenced by respondents was that of employment decisions.

## Employment Decisions

While state law limits the information the District can communicate about termination and hiring decisions, stakeholders are inferring reasons for those decisions.

*"People are hand selected for jobs. It's more important who you then [sic] how good you are for the job."*
*-- White, Personnel*

*"Get rid of the good ol' boy system! Which has not happened!*
*-- White Female, Personnel*

*"The main area of growth is leadership!!! The district admins are only worried about themselves. They aren't interested in developing talent from within. They are easily swayed by donations or what they can get from putting a certain person in a certain position."*
*-- White Female, Personnel*

*"When you over look or weed out African Americans for leadership positions in the district."   -- Black Female, Personnel*

*"The superintendent comes in and terminates all the Black people and replaces them with white teachers. It's like you take away all our role models."*
*--Black Female, Personnel*

*"Minority applicants are given preference or [sic] others."   -- White Male, Personnel*

*"Black teachers and administrators are often promoted to higher positions even though they were weak, mediocre, or inadequate in previous position. If a white candidate applies for a position and are extremely qualified they often lose out to a less qualified Black candidate."   - White Male, Personnel*

The stories that are shared in the absence of other information create a sense of unfairness. Notably, as seen above, both white and Black personnel feel like the deck is stacked against them. Respondents also cited the situation with the superintendent as feeding this concern.

*"Teachers have been terminated for far less serious offenses than dressing in blackface to mock students at their school. It seems that administrators are not held to the same standard as teachers or classified staff."*
*-- White Female, Personnel*

*"Determining when to fire an employee vs. Just suspending without pay. African Americans are terminated, Caucasians are suspended!"*
*-- Black Female, Personnel*

Personnel responses indicated that concerns about unfairness in hiring and firing decisions were of a similar magnitude to those about disparities in discipline experienced by students. The District should

take particular note of concerns about racial disparities in hiring and firing as student and family stakeholders also expressed a strong interest in a more diverse teacher workforce. Thus, to the extent the District finds that the staff composition is not generally reflective of the local diversity, we recommend further reviewing these practices.

## The Audit Process

As auditors, even we experienced distrust. Respondents expressed concern that the audit (1) was pushing a political agenda and trying to indoctrinate children, (2) would not result in any recommendations for change or that any recommendations would not be implemented, (3) that our conclusions were determined prior to data collection. As researchers we found ourselves re-communicating the audit goals and processes at most stakeholder gatherings.

## Recommendations

The District must address the concerns about communication and distrust. Our recommendation is that the District work to overcommunicate, particularly about larger decision processes. This extends beyond open board meetings to communication across multiple platforms and across multiple time points. In the absence of clear communication, stakeholders may subscribe to a different narrative. Thus, at this point of distrust, over-communication is necessary until trust can be rebuilt.

As part of this push for transparency in areas of opacity, we suggest the District form one or more hiring committees of diverse constituents. While we understand that previous hiring committees may have had diverse members, respondents expressed concerns that the applicants presented to these committees were already pre-selected from among a wider field of applicants. To that end, we note that transparency and trust building requires that these committees receive every application for a given position. Additionally, the concern about changing demographics of personnel over time might be addressed by a review of personnel demographics (teachers, classified personnel, and administrative) over time.

# Conclusion

Paducah Public Schools is a diverse district. That diversity is seen by many stakeholders as being one of its greatest strengths. However, breakdowns in communication and an increasing sense of distrust have undermined the strength that diversity brings. Current perceptions in the community are that opportunities are reserved for whiter, wealthier, and well-connected members of the community. We believe that our recommendations for reviewing how opportunities are apportioned and providing for additional access where opportunity is limited can help Paducah Public Schools build on their legacy. By increasing access to challenging curriculum, implementing a restorative model of discipline, and building channels of open communication, the District can make its next phase better than the last.

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