

Pasadena Independent School District

March 13, 2022

Mr. Travis Fife, Legal Fellow and Staff Attorney

Mr. Christopher Rivera, Outreach Coordinator, Criminal Injustice Project

Texas Civil Rights Project

Via Email

Dear Mr. Fife and Mr. Rivera,

Thank you for reaching out with your inquiry and concerns related to student “discipline and policing” in Pasadena ISD. I also appreciate our conversation and dialogue during our February 24, 2022 phone conference. In Pasadena ISD, we pride ourselves in providing a positive and safe learning environment for our students and staff. As such, student discipline is something we constantly reflect on and address with various stakeholders in our proactive efforts to ensure we provide Positive Behavior Supports for our students and staff.

Before I share some of the proactive steps we have taken to address the concerns you brought up in your February 15, 2022 letter to Dr. Powell, I would like to clarify some of the data you referenced in your letter.

Your Claim on Arrests

In 3 previous school years

- **1,462 student arrests**
- **374 students arrested in 2020-2021**
- **Black students account for 7.5% student body, but account for 19.4% total arrests**

As I shared in our February 24 phone conference, the data we originally provided as part of your Open Records Request included data from the National Incident-Based Reporting System (NIBRS) report, which is often required for various grant applications we submit. In the NIBRS report, our Pasadena ISD Police Department reports any time our officers interact with any student as part of a criminal offense or part of an investigation. Unfortunately, the NIBRS report considers individuals being questioned as part of an investigation as being “detained” and are coded as “arrested” even if in the course of the investigation it is determined no criminal offense took place and students are released. In these incidents, even though these students are not formally arrested and are only subject to questioning,

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our PISD PD codes them in NIBRS as “arrested” since they were in our PISD PD’s custody as part of their investigation.

As I shared in our February 24 phone conference, beginning in fall of 2021, our PISD PD is now using ARMS (Automated Reports Management System). Our PISD PD was able to go back to that date range in question here and determined there were 301 actual student arrests during this 3-year period and not 1,462. The specific arrest data breakdown by year is as follows:

- 2018-2021: 301 total arrests of which 53 were Black Non-Hispanic (17.6%) and 3 Black Hispanic (1.0%) combined 18.6% of the arrests over this period
- August-Dec 2018 – 96 total arrests of which 21 were Black Non-Hispanic (21.9%) and 1 Black Hispanic (1.0%) combined 22.9% of the arrests in 2018 and approximately 0.57% of our Black student body
- Jan-Dec 2019 – 130 total arrests of which 27 were Black Non-Hispanic (20.8%) and 2 Black Hispanic (1.5%) combined 22.3% of the arrests in 2019 and approximately 0.75% of our Black student body
- Jan-Dec 2020 – 46 total arrests of which 3 were Black Non-Hispanic (6.5%) and 0 Black Hispanic (0%) combined 6.5% of the arrests in 2020 and approximately 0.08% of our Black student body
- Jan-May 2021 – 29 total arrests of which 2 were Black Non-Hispanic (6.9%) and 0 Black Hispanic (0%) combined 0.05% of the arrests in 2021

It is important to note we have seen a significant decrease in the total number of arrests (70% decrease) as well in the number of arrests for our Black Non-Hispanic and Black Hispanic student groups (91% decrease) during this time period.

Your Claim on Suspension, Expulsion and DAEP

2018-2019

- **8,942 different students**
- **23, 890 different disciplinary actions**
- **15% of student body removed**

2020-2021 (Pandemic)

- **4,494 different students (Suspension, Expulsion and DAEP)**

Across 3 previous years – Black students account for 7.5% student body, but account for 15.3% DAEP referrals and more than double for suspensions.

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The number of “disciplinary actions” referenced in your February 15 letter does match our data. However, we would like to clarify a couple of things, some of which I shared during our February 24 phone conference.

- Of the 23,890 disciplinary actions, 5,342 disciplinary actions involved Out of School Suspension (OSS), Expulsion or DAEP.
- Of the 5,342 disciplinary actions, 3,656 different students were involved and issued an OSS, Expulsion or DAEP.
- In 2018-2019, our student enrollment was 53,291. Of those, 3,656 different students received an OSS, Expulsion or DAEP consequence. This accounts for 6.9% of our student body.
- For 2020-2021, 2,315 disciplinary actions were for OSS, Expulsion or DAEP, and included 1,842 different students and not 4,494.
- During this 3-year school period (2018-2021), as a district, we saw a significant decrease in the number of DAEP assignments and among our African American (AA) kids.
 - Pasadena ISD DAEP dropped from 944 to 440 during this 3-year period for a 53.4% decrease.
 - AA DAEP dropped from 119 to 37 during this 3-year time period for a 68.9% decrease.
 - As a % of total DAEP assignments, we also saw a decrease in AA DAEP assignments from 17.2% to 8.4%.
 - As a % of AA student enrollment in Pasadena ISD receiving a DAEP placement, we saw a decrease from 3.1% to 1.0% of our AA student body receiving a DAEP placement during this 3-year period.
- Overall, OSS decreased in Pasadena ISD from 2681 in 2018-2019 to 1391 in 2020-2021 for a 48.1% decrease.
- There was a 49% decrease among our AA OSS from 455 in 2018-2019 to 232 in 2020-2021.
- % of AA OSS as a comparison to the total OSS remained consistent (17%, 18.7% and 16.7%) during this 3 year period.
- When compared to the overall AA student enrollment, in 2018-2019 11.8% of AA student in Pasadena ISD received OSS and decreased over the following 2 years (9.4% in 2019-2020 and 6.0% in 2020-2021).
- In 2018-2019, of the 23,890 disciplinary actions, 8408 different students received an In School Suspension (ISS) disciplinary consequence.
- Overall, In School Suspension (ISS) decreased in Pasadena ISD from 8408 in 2018-2019 to 4049 in 2020-2021 for a 51.8% decrease.
- There was a 54% decrease among our AA ISS from 1140 in 2018-2019 to 524 in 2020-2021.
- % of AA ISS as a comparison to the total ISS remained consistent (13.6%, 13.9% and 12.9%) during this 3 year period.

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- When compared to the overall AA student enrollment, in 2018-2019 29.6% of AA students in Pasadena ISD received ISS and decreased over the following 2 years (24.9% in 2019-2020 and 13.7% in 2020-2021).

Your Claim on Restraints across 3 Previous Years

- **663 instances of school employees using restraints**
- **40% of these were Black students**

With respect to restraints, it is important to point out the 663 restraints we reported did not involve 663 different students. Using the 2020-2021 restraint data:

- Of the 122 total student restraint counts were reported, 47 different students were involved
- Of the 47 students involved, 10 were AA students in Pasadena ISD accounting for 21.3% of the number of total student restraints
- In 2020-2021, our AA student enrollment was 3836 and of those 10 (0.51%) were restrained.

We would also like to point out that over this 3-year period, our number of student restraints have decreased significantly.

- 67.6% decrease in overall number of student restrains (377 in 2018-2019; 164 in 2019-2020 and 122 in 2020-2021)
- As a % of AA restraints per year
 - Of the 377 restraints in 2018-2019, 29% were AA students
 - Of the 164 restraints in 2019-2020, 32% were AA students
 - Of the 122 restraints in 2020-2021, 22% were AA students
- As a % of our AA student enrollment in PISD
 - In 2018-2019, 0.83% of our AA student body in PISD were restrained
 - In 2019-2020, 0.51% of our AA student body in PISD were restrained
 - In 2020-2021, 0.26% of our AA student body in PISD were restrained

As I stated in this letter, we do pride ourselves in providing a positive and safe learning environment for our students and staff. Although we have seen many areas with significant decreases and trending in the right direction, we continue to analyze, adjust and take proactive steps in addressing student behavior and provide timely and relevant Positive Behavior Interventions and Supports (PBIS) for our students and staff.

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From our School Board and Superintendent, to our various district level departments and all the way to the campus level faculty and staff, we are committed as a district to doing what is best for our students. We have a strong vision, culture and strategic plan which is student centered and focused.

From a policy and procedural perspective, we have adopted the TASB Student Code of Conduct model and made some significant cultural changes. We have moved away from traditional “Zero Tolerance” practices and worked with our campus leaders to address student behaviors from a restorative perspective. Through our focus on Social Emotional Learning (SEL) and restorative practices, our campus administrators and teachers look for alternative consequences to traditional punitive and exclusionary consequences. Although the data shows a significant reduction in disciplinary actions, the bulk of those actions are in In School Suspension (ISS). Our campuses work very hard to keep students on campus and in classrooms. ISS is a campus-based consequence where students continue to have access to teachers, campus staff and other services and supports. Our campuses use this as an opportunity to engage students in restorative discipline alternatives.

We have on-going training over a variety of topics, which align to our strong PBIS culture, including, but not limited to: SEL, Conscious Discipline, Restorative Practices, RTI, Special Programs and Cultural Awareness, just to name a few. We provide on-going trainings for a variety of stakeholders such as campus administrators, counselors, teachers, paraprofessionals, instructional coaches, district level administrators and more.

In Pasadena ISD, we have incredible partnerships with other organizations to support district leadership development, teacher development and other areas of support such as our partnership with Rice University and Holdsworth Center.

We have also partnered with ESC Region 4 through our PBIS District Support initiative. Through this partnership, we are in the process of conducting a full comprehensive needs analysis of our PBIS district system. PBIS includes strong Safe and Civil Schools campus teams, focusing on the works of Dr. Randy Sprick and continues with a multi-tiered model with great instruction and intervention for teaching behavior expectations and supporting students.

As part of our SEL focus, we trained campuses to use the Threat Assessment tool as a proactive approach focusing on the whole child. Teams aim to determine root causes and focus on the needs of the child. As a result, we have seen campus teams use this tool as a way to find supports and alternatives to discipline instead of approaching this from a traditional disciplinary consequence.

To conclude, I ask you to understand:

1. As a District, we re-examined the data and conclude that you and your organization’s representation of our data did not accurately reflect a complete picture. In particular, concerns related to student arrests, our review revealed that the data provided to you was a report extracted from the National Incident-Based Reporting System (NIBRS) by the Pasadena ISD

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Police Department. This report did not only include the students who were formally arrested during the 2018-2019, 2019-2020, and 2020-2021, school years, but also included all students who were “detained” by the police department for questioning. The District has since utilized an alternative reporting tool, the Automated Reports Management System (ARMS), to determine that Pasadena ISD Police Department formally arrested only 301 students during the three school years in question. We have attached this new ARMS report since it was not part of your original request.

2. We noticed a need for change in culture and additional training across all stakeholders over 8 years ago. Over the past 3 years, we have seen the positive results of our changes in our discipline data. When comparing student discipline data from multiple districts, one cannot simply use a limited set of variables, like population size and race demographics alone, to reach definitive conclusions. Instead, other variables need to be incorporated in this type of analysis and it is important to ensure that the districts being compared have an array of similar variables. The Texas Education Agency uses this type of analysis when comparing schools and their academic progress. When Pasadena ISD’s discipline data is examined against other districts with similar population sizes, racial demographics, location, and percentage of economically disadvantaged students, Pasadena ISD’s data corresponds with the similar-situated districts’ overall number of students disciplined, overall number of disciplinary incidents, and race-based assignment data. Unfortunately, these similarities are not reflected in the information you presented.

We assure you, your organization and the public at-large; we will continue our proactive approach to addressing student discipline concerns and are certain it will lead to continued student success.

We remain committed to maintaining open dialogue and reviewing our practices in response to concerns. Pasadena ISD is dedicated to meeting all of our student’s social and emotional needs while doing our best to provide a safe and supportive learning environment.

Sincerely,



Joe Saavedra
Associate Superintendent
for Campus Development

