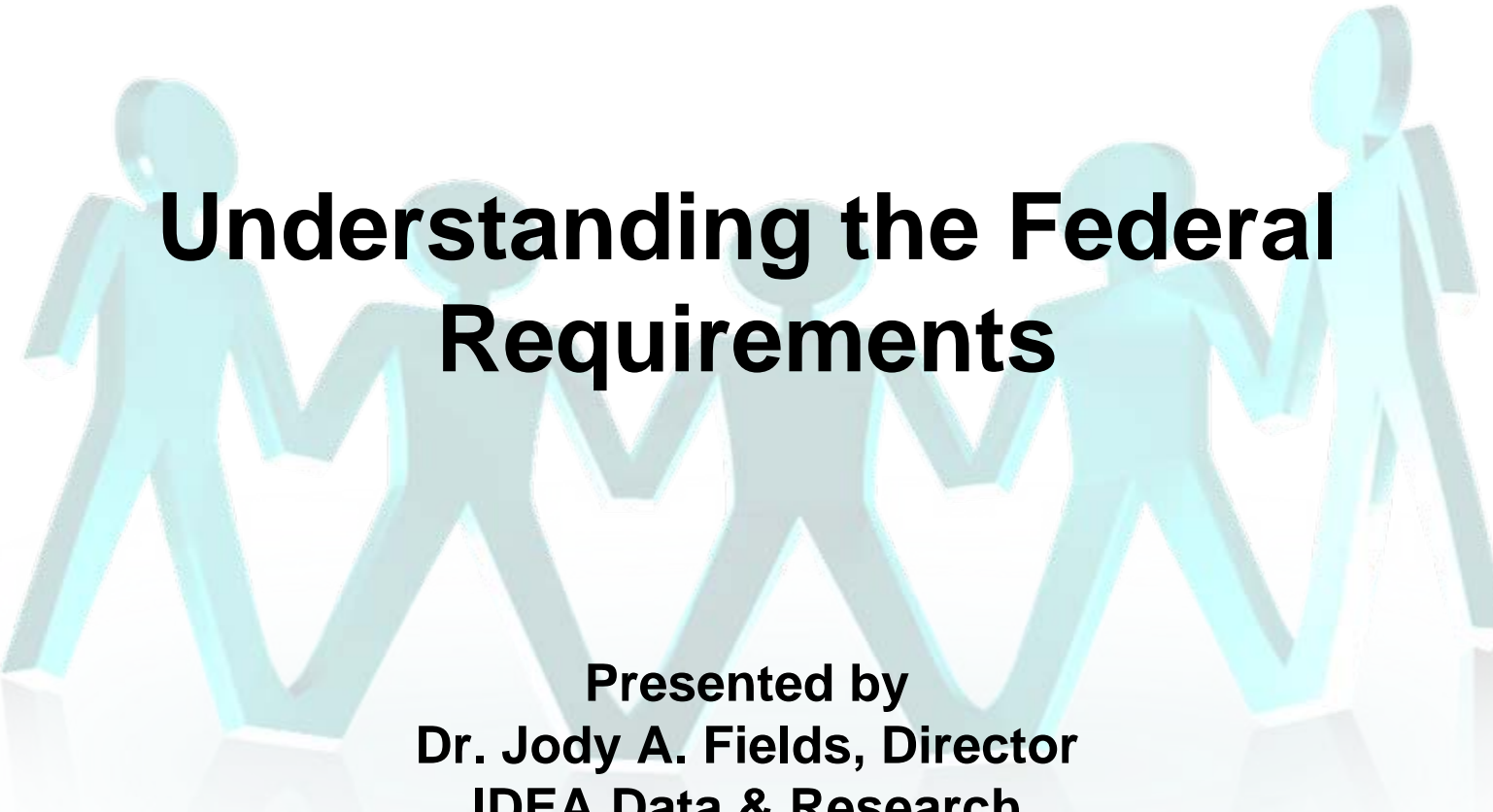


The Ins & Outs of Disproportionality

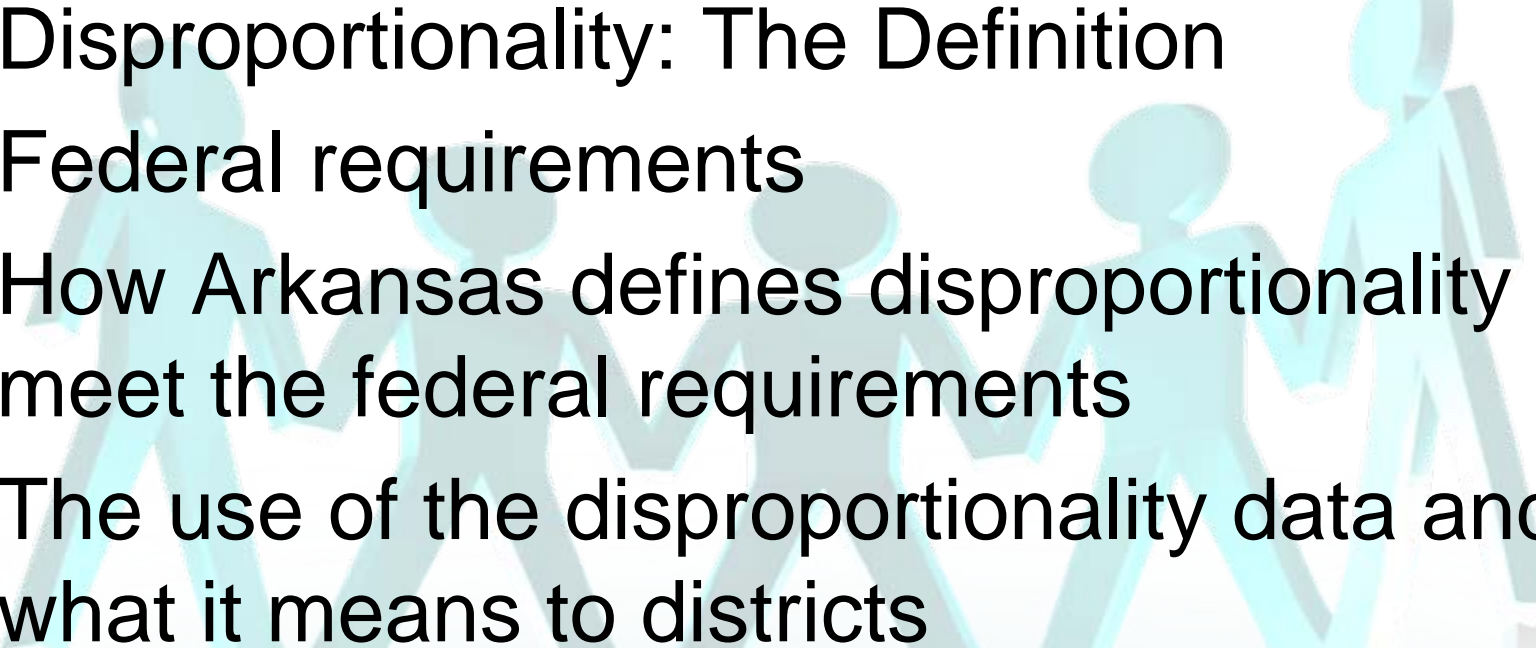


Understanding the Federal Requirements

**Presented by
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IDEA Data & Research**

University of Arkansas at Little Rock

Overview

- Disproportionality: The Definition
 - Federal requirements
 - How Arkansas defines disproportionality to meet the federal requirements
 - The use of the disproportionality data and what it means to districts
- 

What is Disproportionality?

- According to www.webster.com...being out of proportion

Another definition is...

- A racial/ethnic group that has a number of its members in some condition in fewer or higher numbers than would be expected based on their representation in the population of interest.



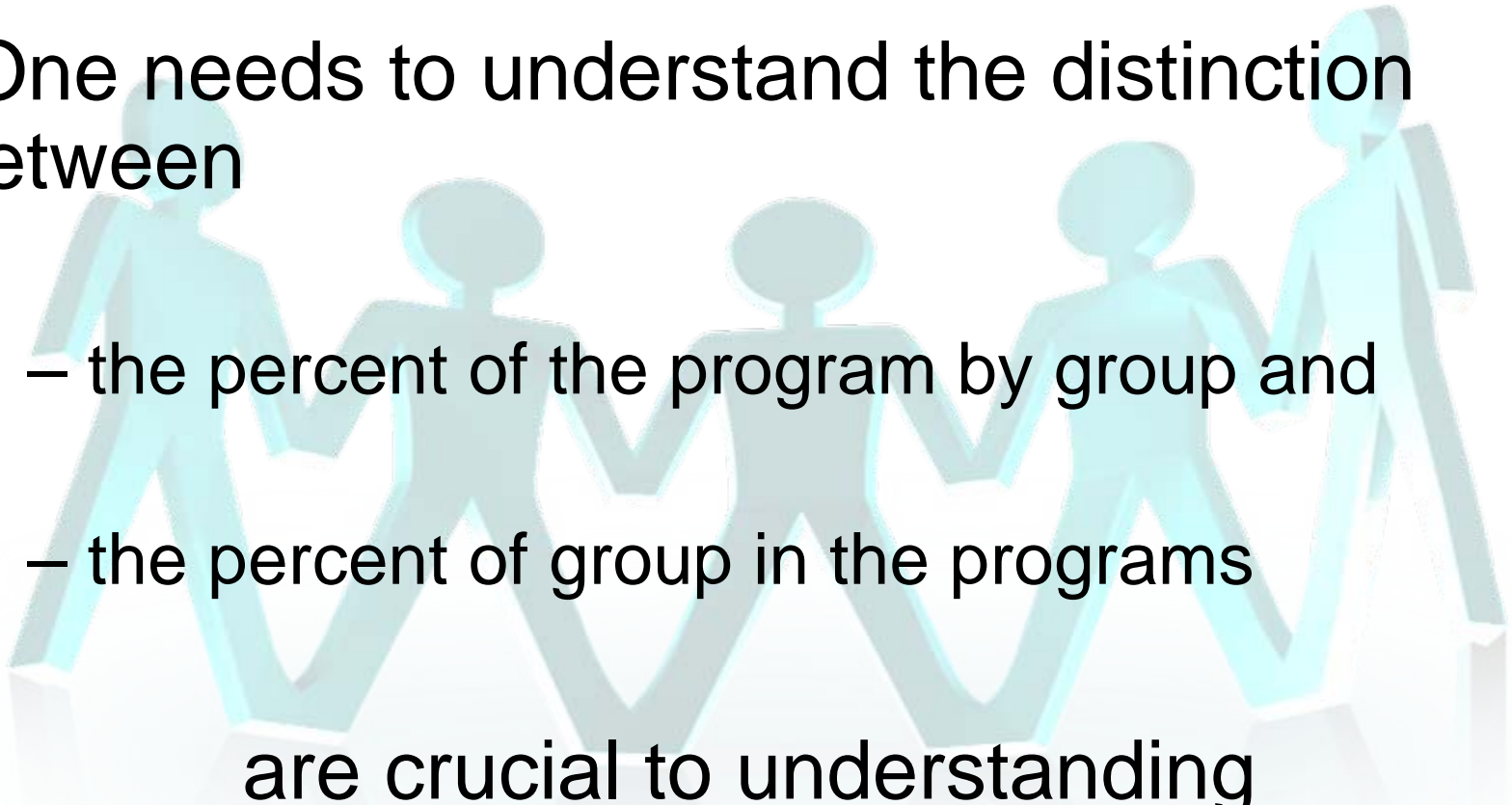
What is Disproportionality?

- One needs to understand the distinction between

- the percent of the program by group and

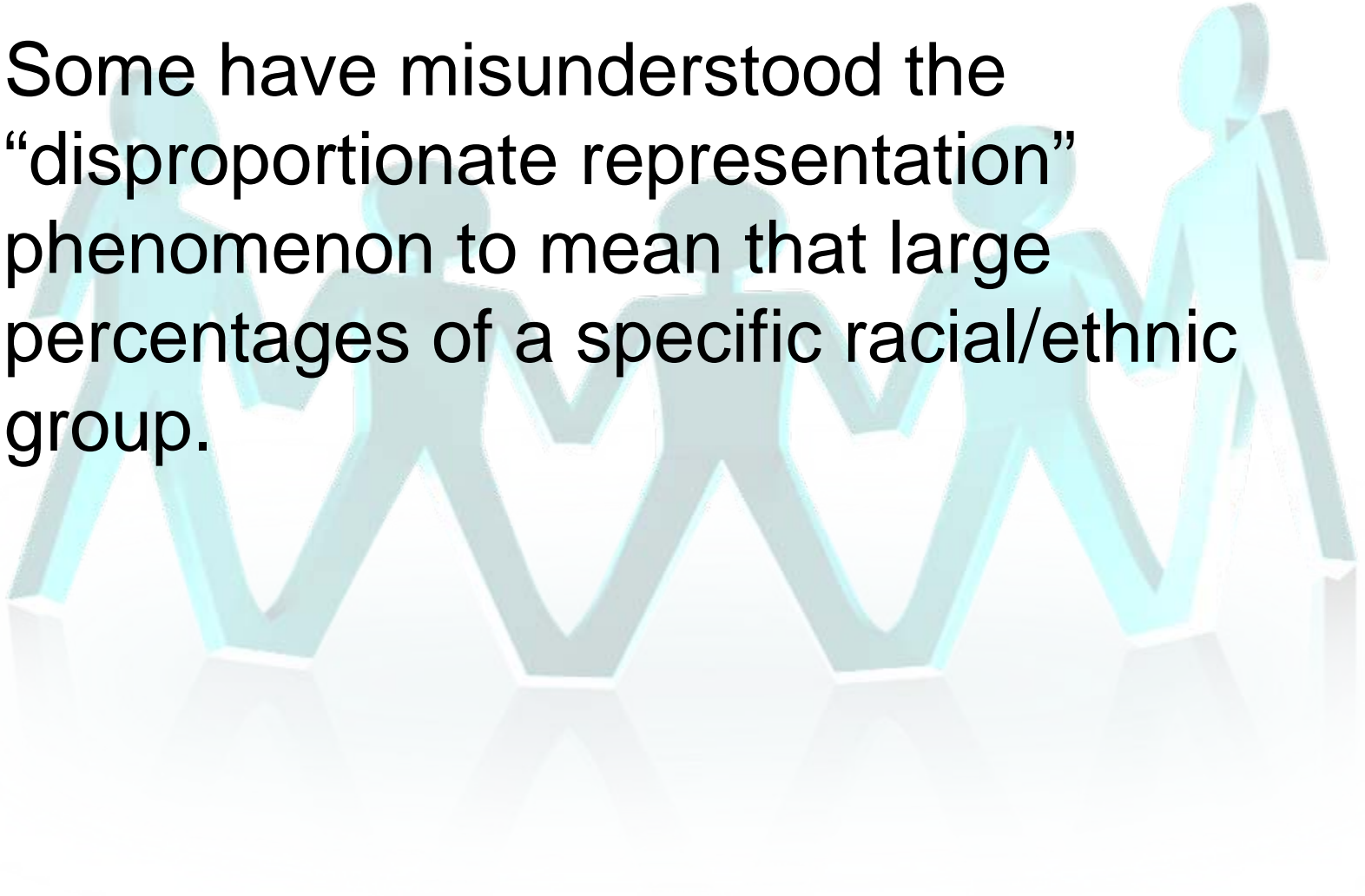
- the percent of group in the programs

are crucial to understanding
disproportionate representation.



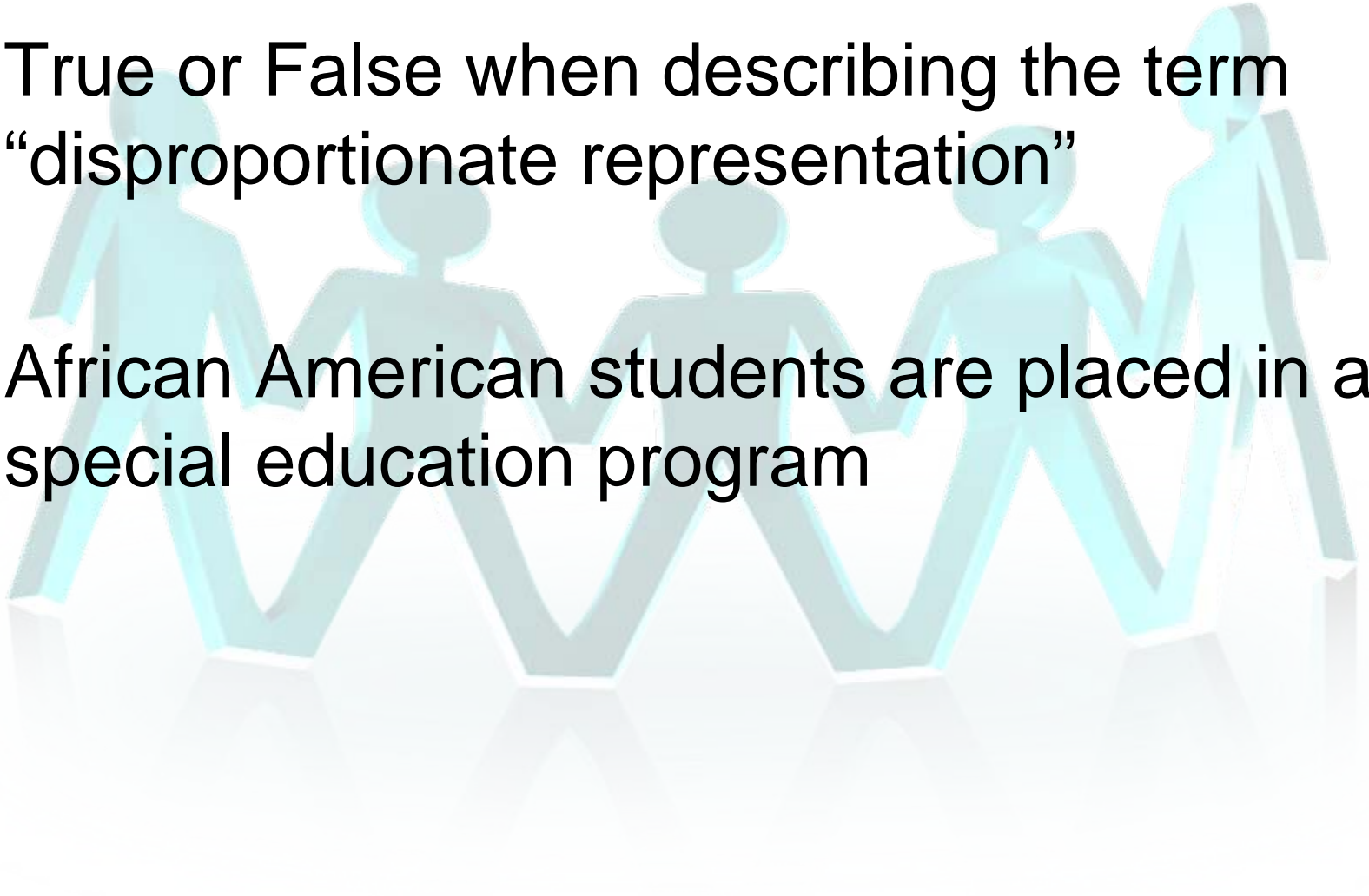
What is Disproportionality?

- Some have misunderstood the “disproportionate representation” phenomenon to mean that large percentages of a specific racial/ethnic group.

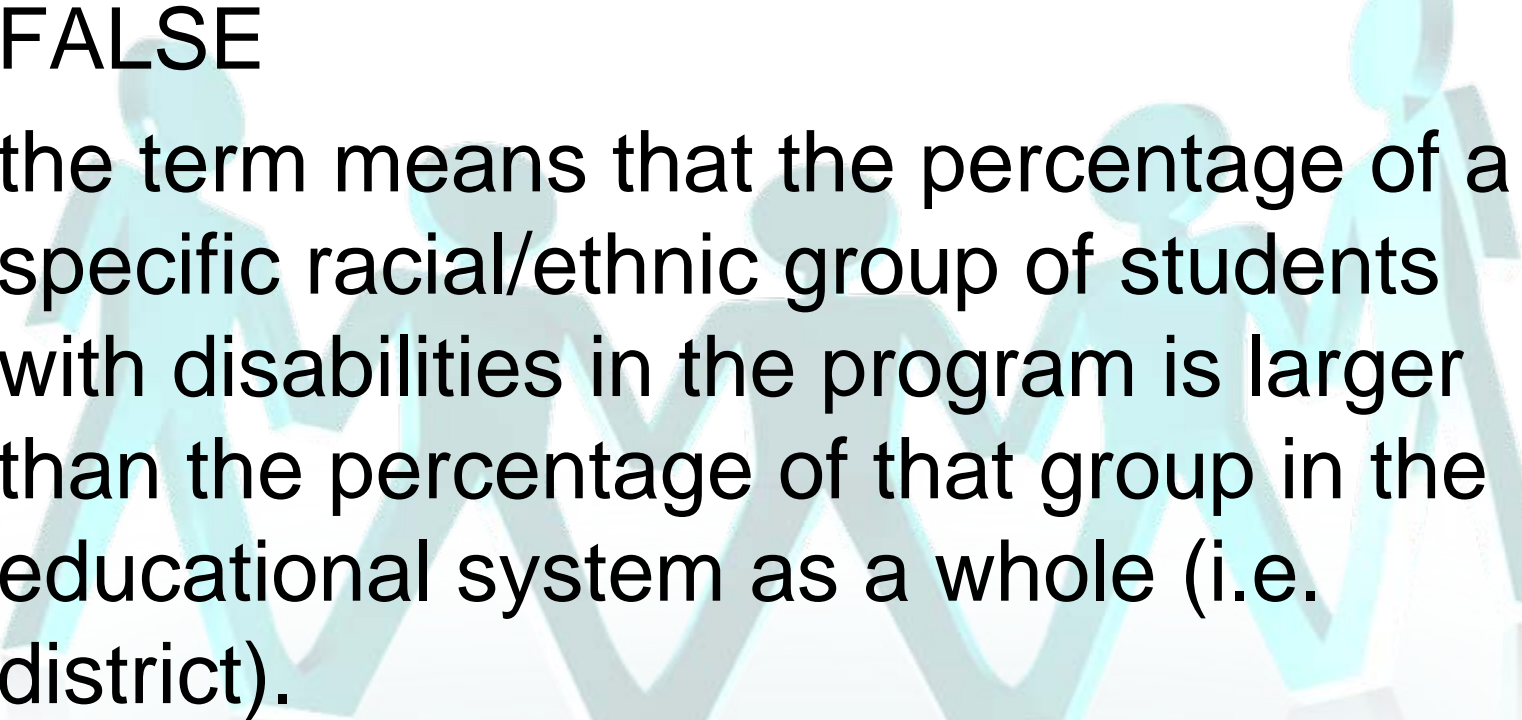


What is Disproportionality?

- True or False when describing the term “disproportionate representation”
- African American students are placed in a special education program



What is Disproportionality?

- FALSE
 - the term means that the percentage of a specific racial/ethnic group of students with disabilities in the program is larger than the percentage of that group in the educational system as a whole (i.e. district).
- 
- A faint, stylized background illustration of a diverse group of people of various ethnicities and ages holding hands in a circle, symbolizing unity and community.

Federal Requirements

There are two different disproportionality components in IDEA of 2004.

- Section 618 of 20 USC 1418
 - Coordinated Early Intervening Services (CEIS)
 - Significant Disproportionality - Over Identification
- Section 616 of 20 USC 1416
 - State Performance Plan (SPP)
 - Disproportionality - Over and Under Identification

Section 618 (d) of 20 USC 1418: Coordinated Early Intervening Services

(d) Disproportionality.-- ``

(1) In general.--Each State that receives assistance under this part, and the Secretary of the Interior, shall provide for the collection and examination of data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the local educational agencies of the State with respect to—

Section 618 of 20 USC 1418: Coordinated Early Intervening Services

- `` (A) the identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment described in section 602(3);
- `` (B) the placement in particular educational settings of such children; and
- `` (C) the incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

Section 618 of 20 USC 1418: Coordinated Early Intervening Services

“(2) Review and revision of policies, practices, and procedures.--In the case of a determination of significant disproportionality with respect to the identification of children as children with disabilities, or the placement in particular educational settings of such children, in accordance with paragraph (1), the State or the Secretary of the Interior, as the case may be, shall—

Section 618 of 20 USC 1418: Coordinated Early Intervening Services

- `` (A) provide for the review and, if appropriate, revision of the policies, procedures, and practices used in such identification or placement to ensure that such policies, [[Page 118 STAT. 2740]] procedures, and practices comply with the requirements of this title;
- `` (B) require any local educational agency identified under paragraph (1) to reserve the maximum amount of funds under section 613(f) to provide comprehensive coordinated early intervening services to serve children in the local educational agency, particularly children in those groups that were **significantly over-identified** under paragraph (1); and
- `` (C) require the local educational agency to publicly report on the revision of policies, practices, and procedures described under subparagraph (A).

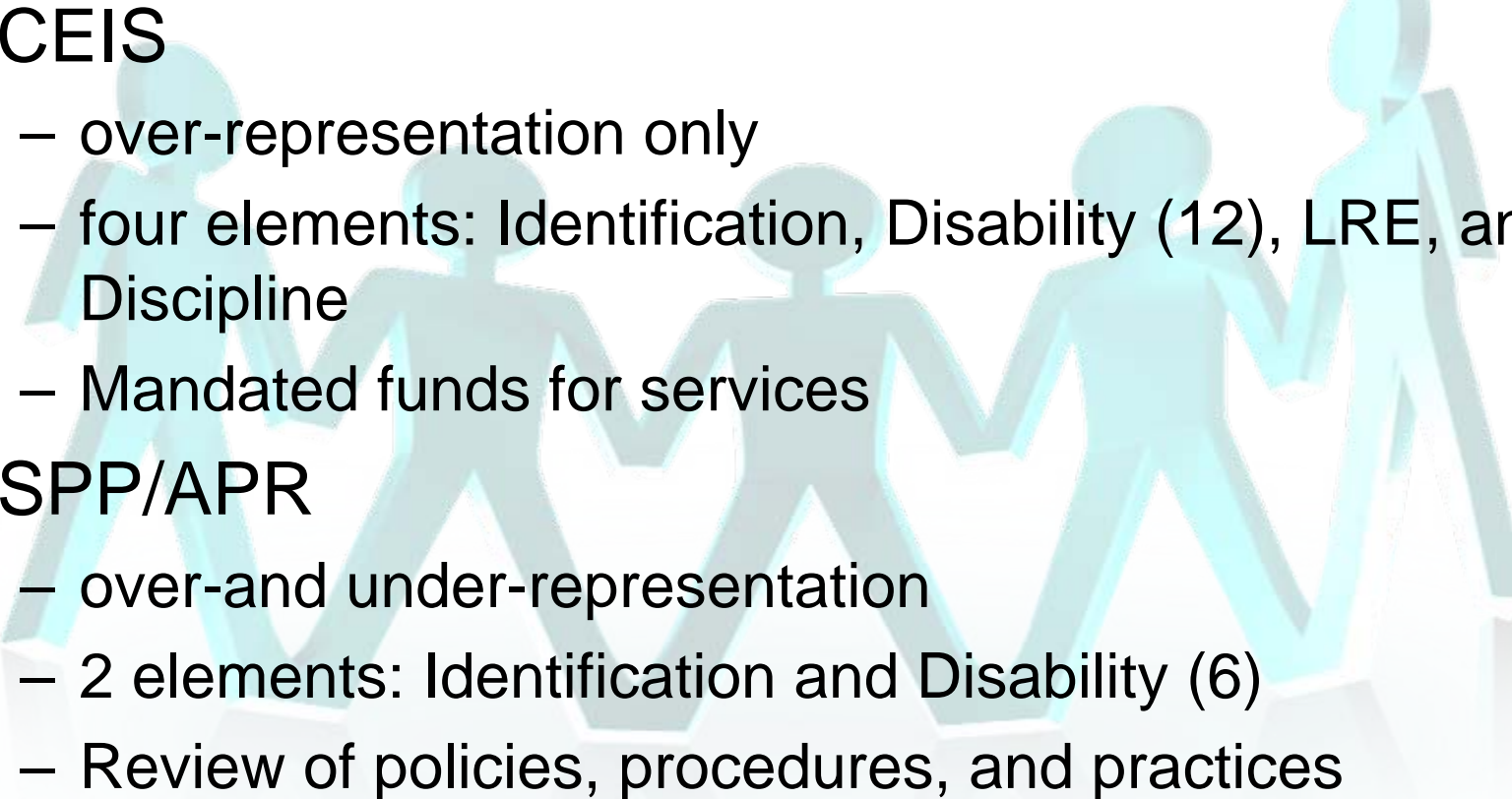
Section 616 (a)(3) of 20 USC 1416: State Performance Plan

“(3) Monitoring priorities.--The Secretary shall monitor the States, and shall require each State to monitor the local educational agencies located in the State (except the State exercise of general supervisory responsibility), using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in the following priority areas:

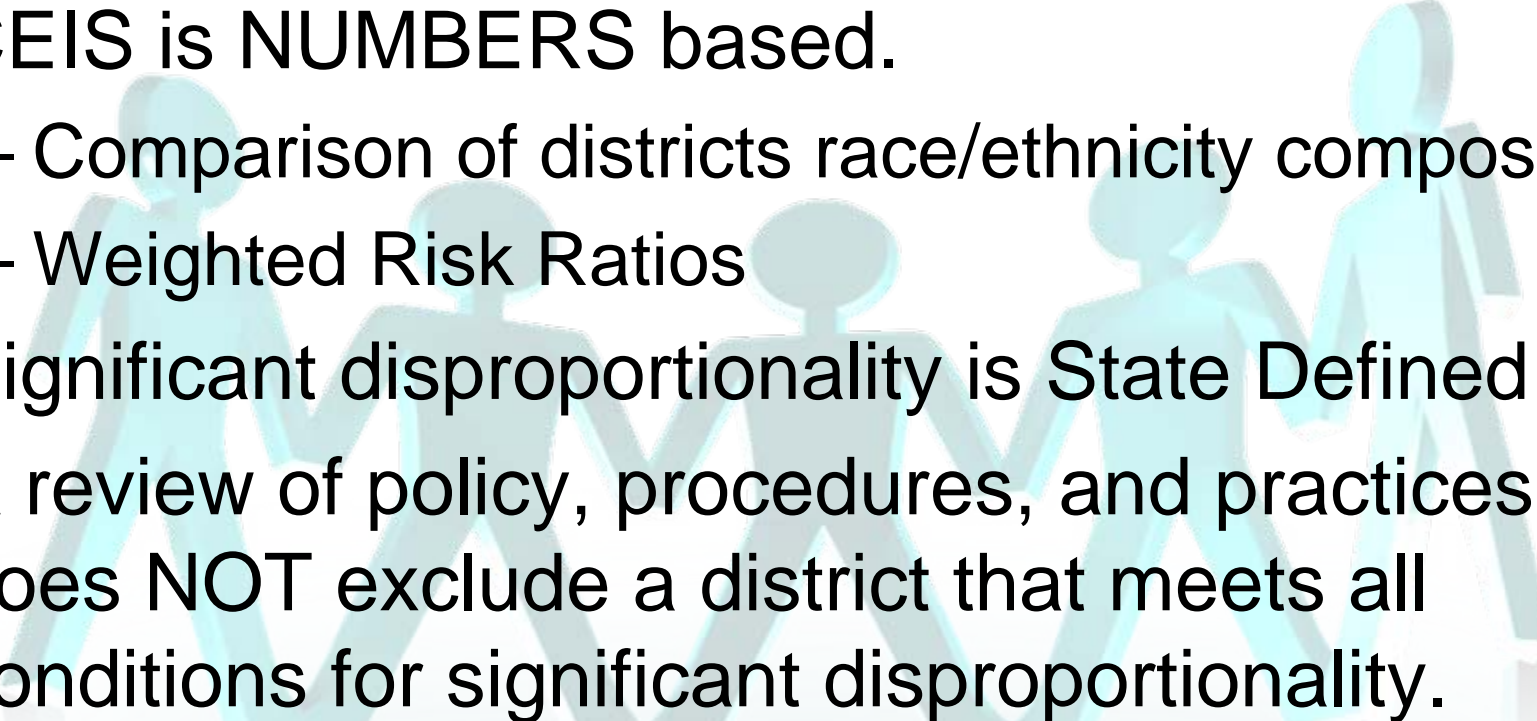
Section 616(a)(3)(C) of 20 USC 1416: State Performance Plan

- `` (A) Provision of a free appropriate public education in the least restrictive environment.
- `` (B) State exercise of general supervisory authority...
- `` (C) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification.

So, What are the Differences?

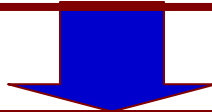
- **CEIS**
 - over-representation only
 - four elements: Identification, Disability (12), LRE, and Discipline
 - Mandated funds for services
 - **SPP/APR**
 - over-and under-representation
 - 2 elements: Identification and Disability (6)
 - Review of policies, procedures, and practices
- 

Coordinated Early Intervening Services?

- CEIS is NUMBERS based.
 - Comparison of districts race/ethnicity composition
 - Weighted Risk Ratios
 - Significant disproportionality is State Defined
 - A review of policy, procedures, and practices does NOT exclude a district that meets all conditions for significant disproportionality.
- 
- A background graphic consisting of a row of stylized human figures in various shades of blue and teal, holding hands. The figures are simplified, with no facial features, and are arranged in a slightly wavy line across the middle of the slide.

CEIS Flow Chart

State Review of Data for Over-Representation



State makes identification of districts with significant disproportionality

Identification

Disability

LRE

Discipline



Significant Disproportionate districts **MUST** complete the following tasks:

Complete the disproportionality self- assessment of policies, procedures, and practices;

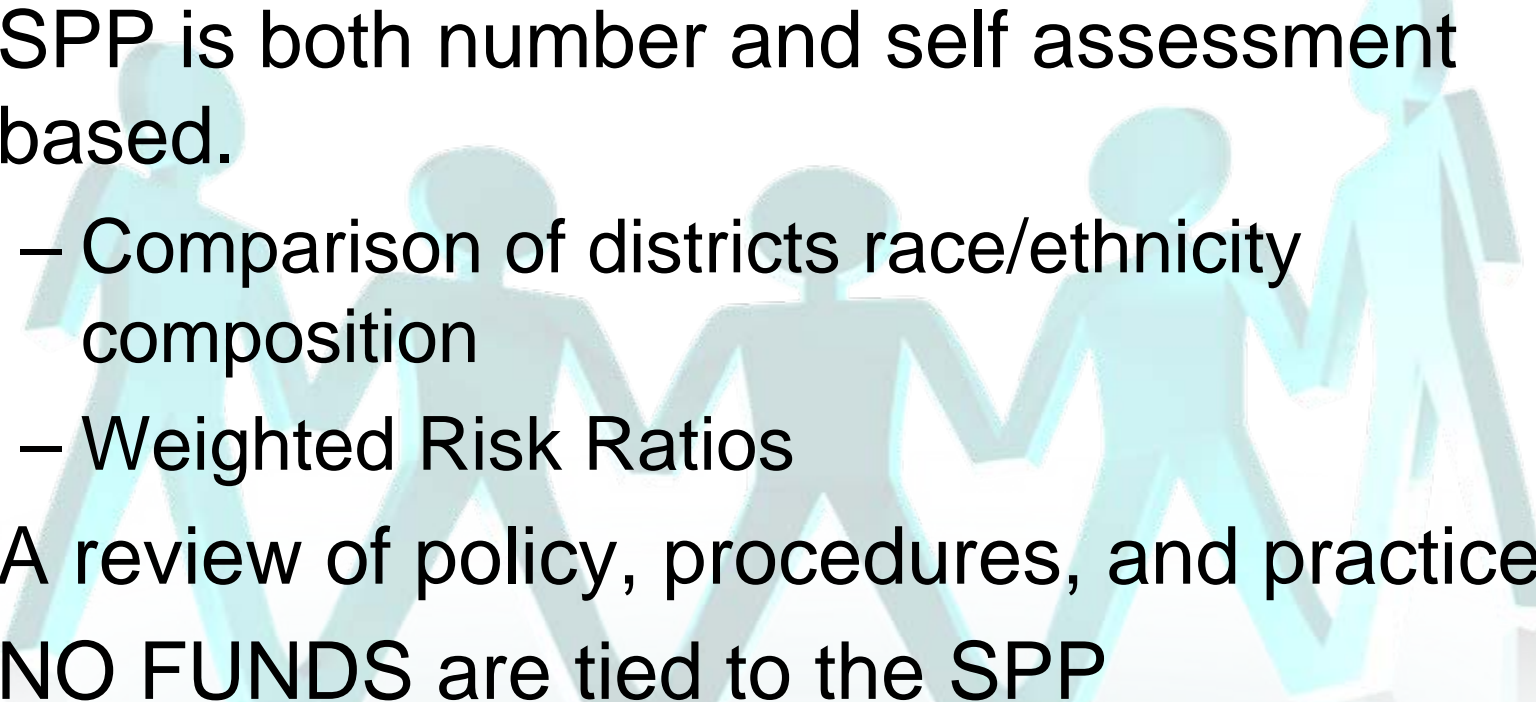
Develop the CEIS program and address in the Arkansas Comprehensive School Improvement Plan (ACSIP)

Required use 15% of IDEA funds to provide CEIS for students at risk for special education

Publicly report revisions to policies, procedures, and practices

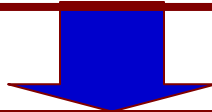
Track and report CEIS students and activities

State Performance Plan

- SPP is both number and self assessment based.
 - Comparison of districts race/ethnicity composition
 - Weighted Risk Ratios
 - A review of policy, procedures, and practices
 - NO FUNDS are tied to the SPP
- 

State Performance Plan

State Review of Data for Over-/Under-Representation



State makes identification of districts with disproportionality

Identification

Disability



Disproportionate districts **MUST** complete the following tasks:

Complete the disproportionality self-assessment of policies, procedures, and practices and submit to the SEU

If inappropriate policies, procedures, and practices led to the disproportionality, correct all findings within one-year of being notified.

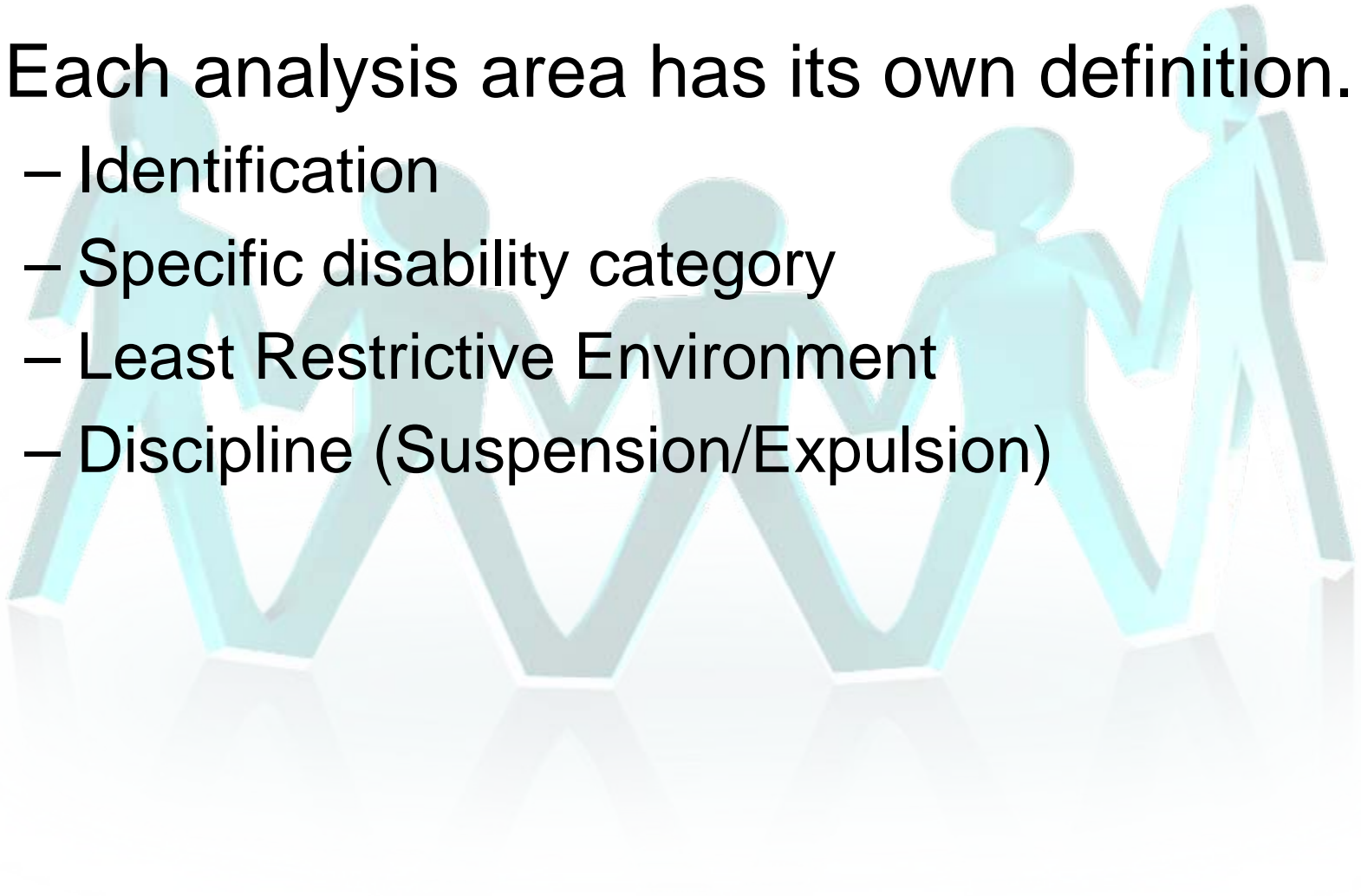
Publicly report all revisions made to district policies, procedures, and practices due to inappropriate policies, procedures, and practices.

QUIZ Time

Disproportionality Quiz	
Answer Code: (C) CEIS, (S) SPP, (B) Both, (N) Neither	
	1. Significant disproportionality
	2. Under representation
	3. Disproportionality analysis must include Identification, specific disability categories, LRE, and discipline
	4. Numbers and self assessment based
	5. Numbers based only
	6. Required to report to the public changes made to policies, procedures, and practices that resulted in disproportionality.
	7. Must budget 15% of new allocation.
	8. Identification and specific disability categories
	9. Uses district composition and weighted risk ratios
	10. Section 618 of IDEA
	11 Over representation
	12. Section 616 of IDEA
	13. Disproportionality analysis must include identification and six specific disability categories

State Definitions for Significant Disproportionality

- Each analysis area has its own definition.
 - Identification
 - Specific disability category
 - Least Restrictive Environment
 - Discipline (Suspension/Expulsion)



Significant Disproportionality: Identification

- If a district's enrollment of any racial/ethnic group is less than 5%, that racial/ethnic group is excluded from significant disproportionality.
- If a district's enrollment is comprised of 5% or more of a racial group, but the State's composition is less than 5% for that racial/ethnic group then the LEA is excluded from CEIS for that racial/ethnic group, but the LEA is required to conduct a self assessment.

Significant Disproportionality: Identification

Identification (All Disabilities) Significant Disproportionality Over-Representation Calculation					
	American Indian/ Alaskan Native	Asian/Pacific Islander	Black (Non-Hispanic)	Hispanic	White (Non-Hispanic)
Benchmark	0.040%	-0.065%	4.541%	-1.512%	-3.004%
Standard Deviation	0.451%	0.554%	8.611%	3.875%	9.972%
Base Value	0.491%	0.489%	13.152%	2.364%	6.968%

- Although the State's target **Base Value** is a three-year average, LEA data is analyzed annually for possible significant disproportionality. The area of **Identification** does not require a three-year pattern.
- If an LEA exceeds the base value, they are considered to be significant disproportionate in the area of identification.

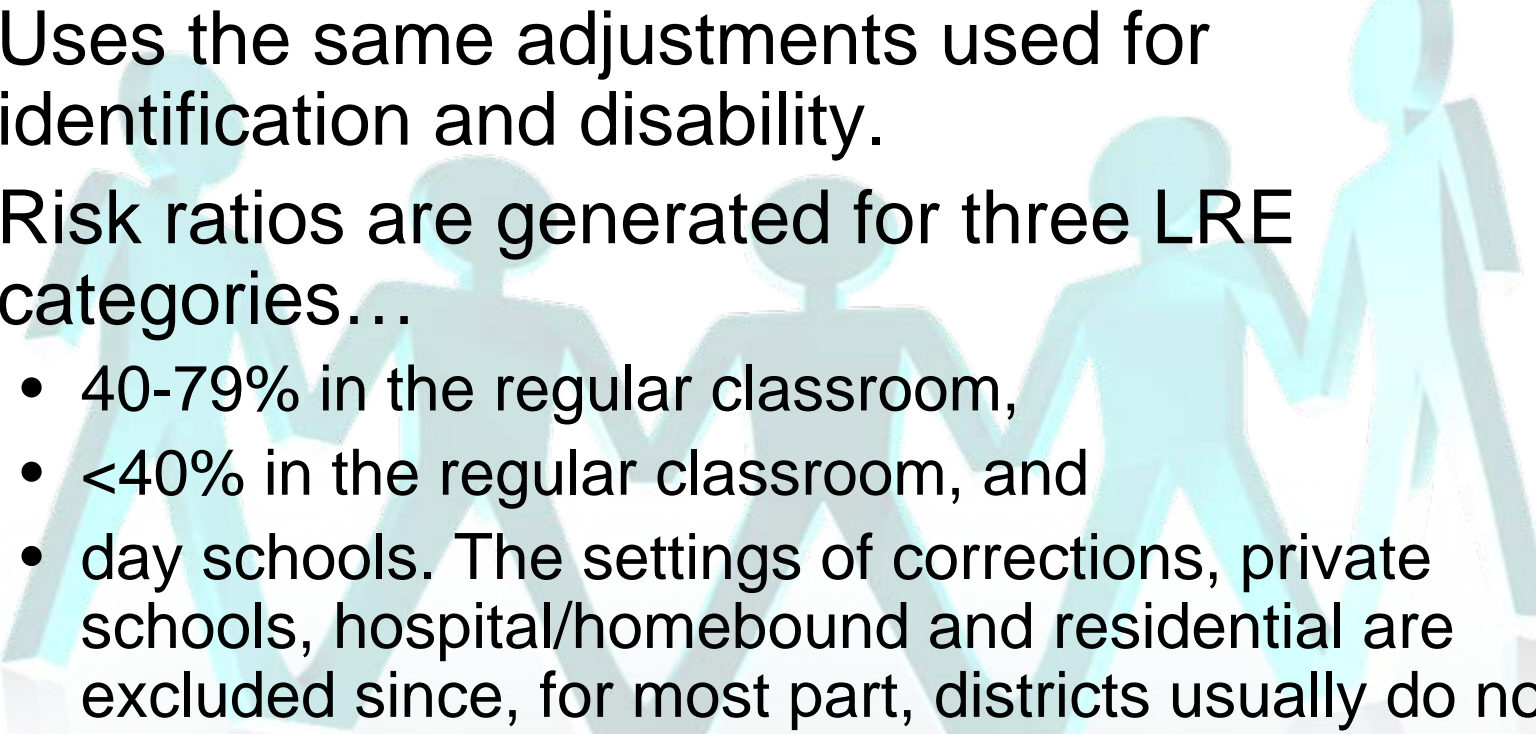
Significant Disproportionality: Disability Category

- Using a weighted risk ratio methodology, 12 disability categories are examined for significant disproportionality. District enrollment and special education child count data were examined and adjusted.
- After the October 1 enrollment and December 1 child count have been adjusted for private residential treatment students, risk ratios were generated for each of the disability categories.

Significant Disproportionality: Disability Category

- Weighted risk ratios were examined in relation to district composition and are considered invalid if
 - the district enrollment of a racial/ethnic group is less than 5%; or
 - the number of students in a disability category was below 40.
- The 5% criteria falls in line with significant disproportionality for all disabilities and 40 is the same number used for adequate yearly progress (AYP) subgroups.
- After adjustments, districts with weighted risk ratios greater than 10 for three consecutive years are identified as having significant disproportionality in a disability category and are then required to budget and provide CEIS.

Significant Disproportionality: Least Restrictive Environment

- Uses the same adjustments used for identification and disability.
 - Risk ratios are generated for three LRE categories...
 - 40-79% in the regular classroom,
 - <40% in the regular classroom, and
 - day schools. The settings of corrections, private schools, hospital/homebound and residential are excluded since, for most part, districts usually do not place students in these settings; they are placed there for reasons other than education.
- 

Significant Disproportionality: Least Restrictive Environment

- Weighted risk ratios are examined in relation to district composition and are considered invalid if
 - the district enrollment of a racial/ethnic group is less than 5%; or
 - the number of students in a LRE category is below 40.
- After adjustments, districts with weighted risk ratios greater than 10 for three consecutive years are identified as having significant disproportionality in LRE and are then required to budget and provide CEIS.

Significant Disproportionality: Discipline

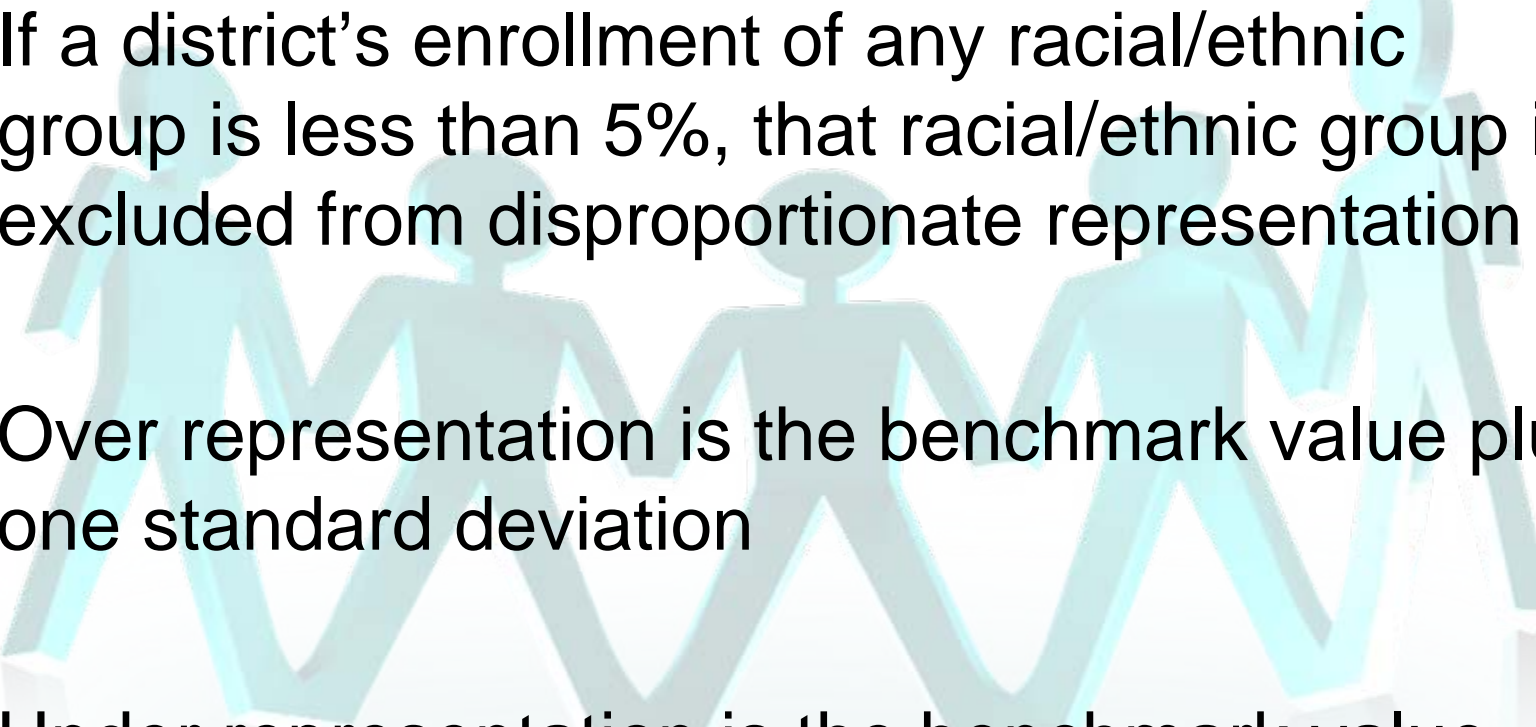
- ❖ Using a weighted risk ratio methodology, out of school suspension/expulsions totaling greater than 10 days are examined for significant disproportionality.
- ❖ The methodology uses the District's discipline data by race for all students and students with a disability with out of school suspensions/expulsions totaling greater than 10 days.
- ❖ Districts with weighted risk ratios greater than 10 for three consecutive years are identified as having significant disproportionality in discipline and are then required to budget and provide CEIS.

How Does the State Identify a District for Indicators 9 & 10 of the SPP?

- Over and Under
 - Identification
 - Specific Disability Category
 - MR
 - OHI
 - AU
 - SLD
 - ED
 - SI



Indicator 09: Identification

- If a district's enrollment of any racial/ethnic group is less than 5%, that racial/ethnic group is excluded from disproportionate representation
 - Over representation is the benchmark value plus one standard deviation
 - Under representation is the benchmark value plus two standard deviation to the negative
- 

Indicator 09: Identification

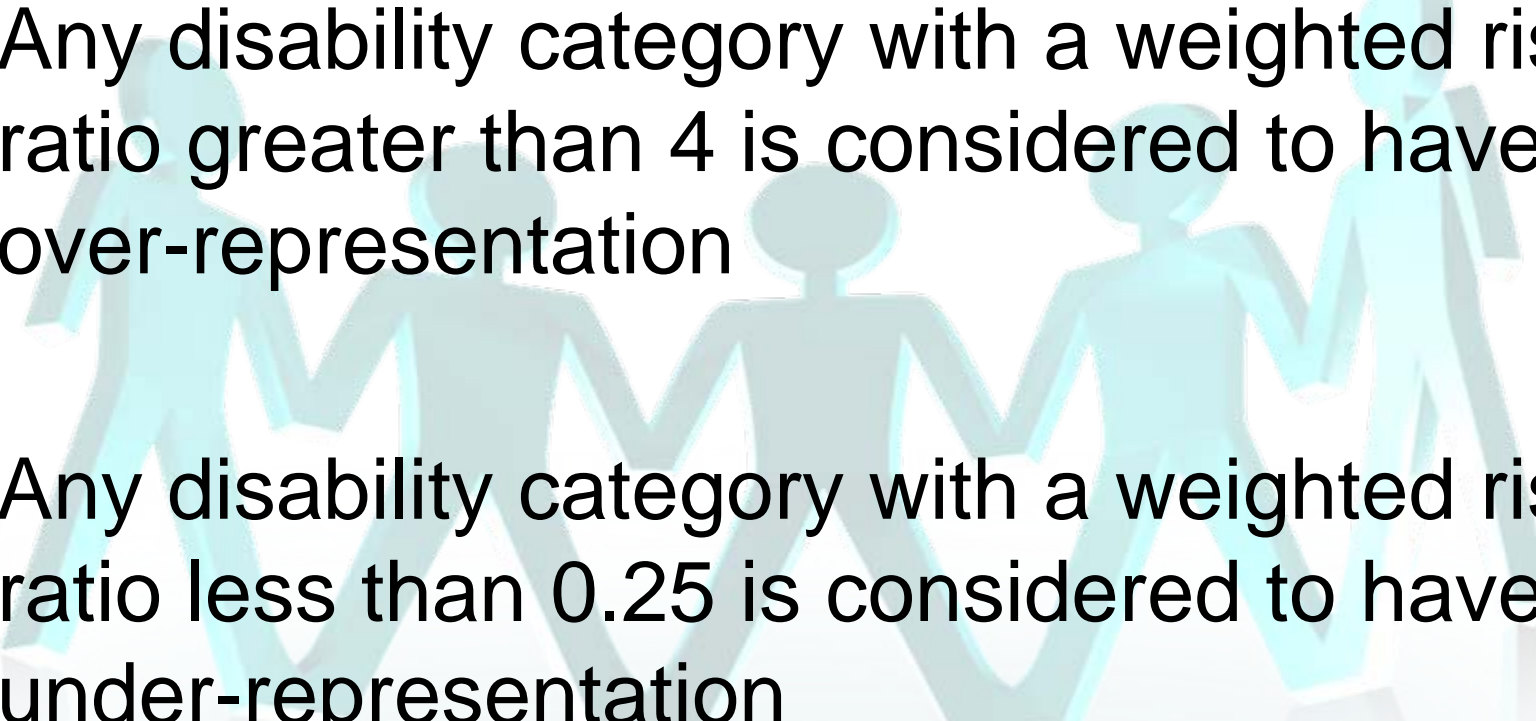
**Identification (All Disabilities)
Significant Disproportionality Over- and Under-Representation Calculation**

	American Indian/ Alaskan Native	Asian/Pacific Islander	Black (Non-Hispanic)	Hispanic	White (Non-Hispanic)
Benchmark	0.040%	-0.065%	4.541%	-1.512%	-3.004%
Standard Deviation	0.451%	0.554%	8.611%	3.875%	9.972%
Over Base Value	0.491%	0.489%	13.152%	2.364%	6.968%
Under Base Value	-0.942%	-1.043%	-21.763%	-6.238%	-16.940%

Indicator 10: Specific Disability Category

- Using a weighted risk ratio methodology, six (6) disability categories are examined for disproportionality. District enrollment and special education child count data are examined and adjusted.
- After the October 1 enrollment and December 1 child count have been adjusted for private residential treatment students, risk ratios are generated for each of the disability categories.

Indicator 10: Specific Disability Category

- Any disability category with a weighted risk ratio greater than 4 is considered to have over-representation
 - Any disability category with a weighted risk ratio less than 0.25 is considered to have under-representation
- 



Can you tell me how CEIS and the APR federal requirements differ?