

Introduction to Disproportionality

SELDA

RDA Unit- Disproportionality Team

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Temperature Check



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On a scale 1-5, rate your temperature for your understanding of Disproportionality!

Learning Targets



Define

Participants will be able to define disproportionality.



Investigate

Participants will be able to investigate sources of disproportionality and data.



Examine

Participants will be able to examine each area of disproportionality.



Explore

Participants will be able to explore the outcomes of disproportionality.

Let's take a Closer Look



Federal Requirements



Office of Special
Education Programs (OSEP)



OSERS

Office of Special Education and Rehabilitative Services



U.S. Department of Education

Individuals with Disabilities Education Act (IDEA) section 618 (D)

“Requires States to collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the local educational agencies (LEAs) of the State.”

Federal Requirements



Office of Special
Education Programs (OSEP)



OSERS

Office of Special Education and Rehabilitative Services



U.S. Department of Education

Individuals with Disabilities Education Act (IDEA) section 618 (D)

Significant Disproportionality
areas:

1. IDENTIFICATION,
2. PLACEMENT, and
3. DISCIPLINE

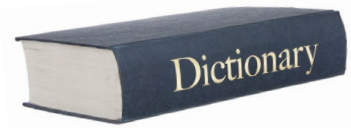
Federal Regulation for Significant Disproportionality

Federal Regulation	Georgia's Implementation
Categories: Identification, Placement & Discipline	Categories: Identification, Placement & Discipline
Methodology is Risk Ratio: Threshold of 3.0, Minimum Cell size, numerator: 10; Minimum N-Size (denominator): 30	Methodology is Risk Ratio: Threshold of 3.0, Minimum Cell size, numerator: 10; Minimum N-Size (denominator): 30
Alternate Risk Ratio when comparison group is too small (Cell < 10, N < 30)	Alternate Risk Ratio when comparison group is too small (Cell < 10, N < 30)
SWD ages: 3-21 for Discipline and Identification SWD Grades: K-12 for Disproportionate Representation-Identification SWD ages: 6-21 for Placement	SWD ages: 3-21 for Discipline and Identification SWD Grades: K-12 for Disproportionate Representation-Identification SWD ages: 6-21 for Placement
Discipline: Total Disciplinary Removals and individual calculations of ISS and OSS by length of removal (5 separate measures)	Discipline: Total Disciplinary Removals and individual calculations of ISS and OSS by length of removal (5 separate measures)
Identification: SWD, 6 specific categories	Identification: SWD, 6 specific categories
Placement, 2 categories: 1.) < 40% in general education setting, 2.) separate settings	Placement, 2 categories: 1.) < 40% in general education setting, 2.) separate settings
CCEIS (Comprehensive CEIS): 15% of IDEA funds for students with & without disabilities ages 3-21	CCEIS: 15% of IDEA funds for students with & without disabilities ages 3-21

DEFINITION



What is Disproportionality?



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

Another definition is...

Differences – or “gaps” – in a variety of educational factors and outcomes that excessively impact certain racial/ethnic* groups of students with disabilities compared to their peers of other racial/ethnic groups.

Significant Disproportionality in Georgia



“...when districts identify, place outside the regular classroom, or discipline children from any racial or ethnic group at markedly higher rates than their peers.”

Significant Disproportionality

- Risk Ratio of $3.0 \geq$ for 3 years
 - **IDENTIFICATION**
 - **PLACEMENT**
 - **DISCIPLINE**



*Fiscal Requirement

U.S. Department of Education, Press Office. (2016, February 23). *U.S. Department of Education Takes Action to Deliver Equity for Students with Disabilities* [Press release]. Retrieved May 1, 2019, from <https://www.ed.gov/news/press-releases/us-department-education-takes-action-deliver-equity-students-disabilities>. ED Data Demonstrates Need to Address Widespread Disparities in Special Education.

Additional Types of Disproportionality in Georgia

- **Disproportionate Representation (Identification)**
 - Risk Ratio $3.0 \geq$ for 2 years
 - Indicator 9
 - Indicator 10
- **Significant Discrepancy (Discipline)**
 - Rate Ratio $2.0 \geq$ for 2 years – compared to state
 - Indicator 4a
 - Indicator 4b
- No Fiscal Requirement



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Which SPP/APR indicators report
Disproportionate Representation?

 Start presenting to display the poll results on this slide.



IDENTIFICATION



PLACEMENT



DISCIPLINE

AREAS OF DISPROPORTIONALITY

IDENTIFICATION

Disproportionality Breakdown

IDENTIFICATION	
SIGNIFICANT DISPROPORTIONALITY <i>3-year categories</i> <i>(Ages 3-21)</i>	IDENTIFICATION AREAS
	Significant Disproportionality in Identification - All
	Significant Disproportionality in Identification - Specific Disability Categories
ADDITIONAL AREAS <i>2-year categories</i> <i>(Grades K-12)</i>	Disproportionate Representation – All
	Disproportionate Representation- Specific Disability Categories

General Overview of Disproportionality



Disproportionality – IDENTIFICATION

This occurs when:

- 1) One racial/ethnic subgroup has a demonstrated higher risk of being ***identified as students with disabilities*** when compared to students from all other racial/ethnic subgroups.

or

- 2) One racial/ethnic subgroup has a demonstrated higher risk of being ***identified as having a specific disability*** as defined by the *Individuals with Disabilities Education Act (IDEA)* when compared to students from all other racial/ethnic subgroups.

- Intellectual Disabilities (all 4 levels)
- Emotional Behavioral Disorder
- Other Health Impairments
- Specific Learning Disabilities
- Speech or Language Impairments
- Autism

Significant Disproportionality



- Identification Disproportionality calculations report the representation of students with disabilities in the district
 - a) All Disabilities
 - b) Specific Disability Categories

Risk Ratio of ≥ 3.0 for 3 consecutive years

Disproportionate Representation

2

SPP/APR - Indicators 9 and 10

- Identification Disproportionality calculations report the representation of students with disabilities in the district
 - a) 9 –All Disabilities
 - b) 10 –Specific Disability Categories

Risk Ratio of ≥ 3.0 for 2 consecutive years

Similarities & Differences

IDENTIFICATION		
	Significant Disproportionality	Disproportionate Representation
Identification of SWD	✓	✓
Risk Ratio \geq 3.0 for 3 consecutive years	✓	--
Risk Ratio \geq 3.0 for 2 consecutive years	--	✓
Federal Regulation Requirement	✓	--
Federal Fiscal Requirement	✓	--
Included on SPP/APR	--	✓
State Requirement- Compliance Review	✓	✓
Data includes SWD ages 3-21	✓	
Data includes SWD grades K-12		✓

Data and Resources



Data Source-Identification

- **FTE1 Child Count in October (Primary Area of Disability)**
 - FT042: Special Education Enrollment by Race/Ethnicity - Ages 6-21
 - FT043: Special Education Enrollment by Race/Ethnicity - Ages 3-5

State Rule(s)-Identification

- [Child Find](#)
- [Evaluations and Reevaluations](#)
- [Eligibility Determinations](#)

Check your Knowledge



What data is used to determine Significant Disproportionality in the area of IDENTIFICATION?

FTE1 Child Count-October

For Significant Disproportionality, 2 years of data is used. True/False

False

Which 2 indicators on the SPP/APR are Disproportionate Representation?

Indicator 9, Indicator 10



PLACEMENT

General Overview of Disproportionality

Significant Disproportionality – PLACEMENT

This occurs when one racial/ethnic subgroup has a demonstrated higher risk of receiving special education and related services *in a particular environment* when compared to students with disabilities from all other racial/ethnic subgroups.

Disproportionality Breakdown

PLACEMENT	
SIGNIFICANT DISPROPORTIONALITY <i>3-year categories</i>	Placement AREAS
	Regular class < 40% of the day
	Separate Settings
ADDITIONAL AREAS <i>2-year categories</i>	NONE

Categories of Analysis

Placement:

Separate Settings includes environments

- *Private Separate School* - more than 50% of the school day in private separate day school facilities at public expense
- *Public Residential* - more than 50% of school day in public residential facilities
- *Public Separate School* - more than 50% of the school day in public separate day-school facilities;
- *Private Residential* - more than 50% of school day in private residential facilities at public expense

Data and Resources



Data Source-Placement

- **FTE1 Count in October (Special Education Environment Code & Primary Area of Disability)**
 - FT020 - Special Ed. Environment Grades K-12 (previously ages 6-21)

State Rule-Placement

- [Least Restrictive Environment](#)

Check Your Knowledge



What data is used to determine Significant disproportionality in the area of PLACEMENT?

FTE1 Child Count-October

Which state rules are used in compliance reviews for significant disproportionality in PLACEMENT?

Least Restrictive Environment (LRE)

In regard to PLACEMENT, which two settings are used in the disproportionality determinations?

- **Regular class < 40% of the day and**
- **Separate Setting**



DISCIPLINE

Disproportionality Breakdown

DISCIPLINE	
SIGNIFICANT DISPROPORTIONALITY <i>3-year categories (Ages 3-21)</i>	Discipline Areas
	Total Disciplinary Removals
	ISS > 10 Days
	OSS > 10 Days
	ISS ≤ 10 Days
	OSS ≤ 10 Days
ADDITIONAL AREAS <i>2-year categories (Ages 3-21)</i>	Significant Discrepancy- SWD (Indicator 4a)
	Significant Discrepancy – Race/Ethnicity (Indicator 4b)

General Overview of Disproportionality

Significant Disproportionality – **DISCIPLINE**

This occurs when:

- 1) One racial/ethnic subgroup has a demonstrated higher risk in the ***total number of disciplinary removals*** when compared to students with disabilities from all other racial/ethnic subgroups,

or
- 2) One racial/ethnic subgroup has a demonstrated higher risk of a ***specific disciplinary removal*** when compared to students with disabilities from all other racial/ethnic subgroups.

Categories of Analysis

Discipline:

- SWD ages 3 – 21, Total Disciplinary Removals:
 - ISS, OSS, expulsions, removals by school personnel to an interim alternative education setting, and removals by a hearing officer
- SWD ages 3 – 21, ISS and OSS, ≤ 10 days, > 10 days
 - Four Discrete Calculations
 - ISS ≤ 10 days
 - ISS > 10 days
 - OSS ≤ 10 days
 - OSS > 10 days

Significant Disproportionality

3

Discipline Disproportionality calculations report the representation of students with disabilities in the district

- a) Total disciplinary removals
- b) Specific disciplinary removals
 - ISS \leq 10 days
 - ISS $>$ 10 days
 - OSS \leq 10 days
 - OSS $>$ 10 days

Risk Ratio of ≥ 3.0 for 3 consecutive years

2

Significant Discrepancy

Indicator 4a and 4b

- Measuring the rate at which a district suspends SWD **GREATER THAN 10 DAYS** as compared to the state's rate of OSS > 10 days
 - 4a –ALL SWD
 - 4b –SWD by each race/ethnic category
- Significant Discrepancy - if Rate Ratio of ≥ 2.0 for 2 consecutive years

Unique

Data and Resources



Data Source-Discipline

- Student Record reported for the previous fiscal year
 - DIS090 Suspensions with the Same Date and Days
 - DIS092 Possible Duplicated Safety Records
 - DIS095 OSS Greater than 10 days w/out Services
 - DIS097 SWD System Totals by Discipline Action
 - SE055 Primary Area by EL, Hispanic, Race, and Gender

State Rules-Discipline

- [Discipline](#)

Similarities & Differences

DISCIPLINE--		
	Significant Disproportionality	Significant Discrepancy
Discipline of SWD (ages 3-21)	✓	✓
Risk Ratio \geq 3.0 for 3 consecutive years	✓	--
Federal Regulation Requirement	✓	--
Federal Fiscal Requirement (Mandate?)	✓	--
Included on SPP/APR	--	✓
State Requirement- Compliance Review	✓	✓
Examines only OSS > 10 Days	--	✓
ALWAYS compared to State data	--	✓

Check Your Knowledge



What data is used to determine Significant Disproportionality in the area of DISCIPLINE?

Student Record from Previous Fiscal Year

Which state rules are used in compliance reviews for Significant Disproportionality in DISCIPLINE?

Discipline State Rule



IMPLICATIONS



State Review of Data for LEA



State makes determination of LEAs with significant disproportionality

Identification

Placement

Discipline



Disproportionate LEAs MUST complete the following tasks:

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

If non-complaint policies, practice and/or procedures led to the disproportionality, LEA must correct all findings within one year of being notified

Reserve 15 percent of its Part B funds to provide Comprehensive Coordinated Early Intervening Services (CCEIS) to serve children in the LEA

**CEIS
(Voluntary)**

VS

**CCEIS
(Mandatory)**

- Both voluntary CEIS and CCEIS are important for identifying and addressing behavior and learning difficulties early.
- Both CEIS and CCEIS should help ensure at-risk students are disciplined, placed and identified properly.

Regulatory Requirements-CCEIS

Comprehensive Coordinated Early Intervening Services(CCEIS) Mandatory

Age/Grade Level	Age 3 through grade 12
Groups Served	<p>Children who are not currently identified as need special education or related services but who need additional academic and behavioral support to succeed in a general education environment.</p> <p>Children currently identified as need special education or related services (funds can be used primarily, but not exclusively, for this group).</p>
Budget	Exactly 15 percent of IDEA Part B funds
Permitted Activities	<p>Professional development and educational and behavioral evaluations, services, and supports.</p> <p>The activities must address factors and policy, practice, or procedures contributing to significant disproportionality.</p>

Regulatory Requirements-CEIS

Coordinated Early Intervening Services (CEIS)

Voluntary

Age/Grade Level	Kindergarten through grade 12
Groups Served	ONLY children not currently identified as needing special education or related services
Budget	Up to 15 percent of IDEA Part B funds (voluntary)
Permitted Activities	<p>Professional development for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavioral interventions, including scientifically based literacy instruction and, where appropriate, instruction on the use of adaptive and instructional software.</p> <p>Educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.</p>

Check your Knowledge

- Must spend 15% of IDEA Part B Budget and from carry over from prior year:

CCEIS

- Can include both children not identified as needing special education or related services and children identified as having a disability:

CCEIS

- ONLY children not currently identified as needing special education or related services:

CEIS



Resources



General Resources

[IDEA Guidance on Disproportionality](#)

[Early Intervening Services Overview](#)

[34 CFR Sec. 300.646 Disproportionality](#)

[Disproportionality: Overview, Identification, Placement, Discipline and Data Calculations](#)

[CEIS vs. CCEIS PDF](#)

Identification

[IDEA Guidance on Disproportionality](#)

[Significant Disproportionality – Identification](#)

[General Supervision and Monitoring](#)

Discipline

[IDEA Guidance on Disproportionality](#)

[Discipline - Manifestation Determination Reviews and Removals](#)

www.gadoe.org



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youtube.com/georgiadeptofed

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Georgia Department of Education



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