Introduction to Disproportionality

SELDAA

RDA Unit- Disproportionality Team
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Temperature Check
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

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

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

Significant Disproportionality areas:
1. IDENTIFICATION,
2. PLACEMENT, and
3. DISCIPLINE
### Federal Regulation for Significant Disproportionality

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

*Fiscal Requirement

Additional Types of Disproportionality in Georgia

- **Disproportionate Representation (Identification)**
  - Risk Ratio 3.0 ≥ for 2 years
    - Indicator 9
    - Indicator 10

- **Significant Discrepancy (Discipline)**
  - Rate Ratio 2.0 ≥ for 2 years – compared to state
    - Indicator 4a
    - Indicator 4b

- No Fiscal Requirement
Which SPP/APR indicators report Disproportionate Representation?
AREAS OF DISPROPORTIONALITY
IDENTIFICATION
## Disproportionality Breakdown

<table>
<thead>
<tr>
<th>Identification</th>
<th>Identification Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Significant Disproportionality</strong> 3-year categories (Ages 3-21)</td>
<td>Significant Disproportionality in Identification - All</td>
</tr>
<tr>
<td></td>
<td>Significant Disproportionality in Identification - Specific Disability Categories</td>
</tr>
<tr>
<td><strong>Additional Areas</strong> 2-year categories (Grades K-12)</td>
<td>Disproportionate Representation – All</td>
</tr>
<tr>
<td></td>
<td>Disproportionate Representation- Specific Disability Categories</td>
</tr>
</tbody>
</table>
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)
   - Specific Learning Disabilities
   - Emotional Behavioral Disorder
   - Speech or Language Impairments
   - Other Health 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 \( \geq 3.0 \) for 3 consecutive years
Disproportionate Representation

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

<table>
<thead>
<tr>
<th>IDENTIFICATION</th>
<th>Significant Disproportionality</th>
<th>Disproportionate Representation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identification of SWD</td>
<td>✅</td>
<td>✅</td>
</tr>
<tr>
<td>Risk Ratio ≥ 3.0 for 3 consecutive years</td>
<td>✅</td>
<td>--</td>
</tr>
<tr>
<td>Risk Ratio ≥ 3.0 for 2 consecutive years</td>
<td>--</td>
<td>✅</td>
</tr>
<tr>
<td>Federal Regulation Requirement</td>
<td>✅</td>
<td>--</td>
</tr>
<tr>
<td>Federal Fiscal Requirement</td>
<td>✅</td>
<td>--</td>
</tr>
<tr>
<td>Included on SPP/APR</td>
<td>--</td>
<td>✅</td>
</tr>
<tr>
<td>State Requirement- Compliance Review</td>
<td>✅</td>
<td>✅</td>
</tr>
<tr>
<td>Data includes SWD ages 3-21</td>
<td>✅</td>
<td></td>
</tr>
<tr>
<td>Data includes SWD grades K-12</td>
<td></td>
<td>✅</td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>SIGNIFICANT DISPROPORTIONALITY</th>
<th>Placement AREAS</th>
</tr>
</thead>
<tbody>
<tr>
<td>3-year categories</td>
<td>Regular class &lt; 40% of the day</td>
</tr>
<tr>
<td></td>
<td>Separate Settings</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDITIONAL AREAS</th>
<th>NONE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-year categories</td>
<td></td>
</tr>
</tbody>
</table>
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

<table>
<thead>
<tr>
<th>DISCIPLINE</th>
<th>Discipline Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Disciplinary Removals</td>
</tr>
<tr>
<td></td>
<td>ISS &gt; 10 Days</td>
</tr>
<tr>
<td></td>
<td>OSS &gt; 10 Days</td>
</tr>
<tr>
<td></td>
<td>ISS ≤ 10 Days</td>
</tr>
<tr>
<td></td>
<td>OSS ≤ 10 Days</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ADDITIONAL AREAS</th>
<th>Significant Discrepancy- SWD (Indicator 4a)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Significant Discrepancy – Race/Ethnicity (Indicator 4b)</td>
</tr>
</tbody>
</table>
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

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

a) Total disciplinary removals
b) Specific disciplinary removals
  • ISS ≤ 10 days
  • ISS > 10 days
  • OSS ≤ 10 days
  • OSS > 10 days

Risk Ratio of ≥ 3.0 for 3 consecutive years
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 $\geq 2.0$ for 2 consecutive years
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

<table>
<thead>
<tr>
<th>DISCIPLINE--</th>
<th>Significant Disproportionality</th>
<th>Significant Discrepancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discipline of SWD (ages 3-21)</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>Risk Ratio ≥ 3.0 for 3 consecutive years</td>
<td>✔️</td>
<td>--</td>
</tr>
<tr>
<td>Federal Regulation Requirement</td>
<td>✔️</td>
<td>--</td>
</tr>
<tr>
<td>Federal Fiscal Requirement (Mandate?)</td>
<td>✔️</td>
<td>--</td>
</tr>
<tr>
<td>Included on SPP/APR</td>
<td>--</td>
<td>✔️</td>
</tr>
<tr>
<td>State Requirement- Compliance Review</td>
<td>✔️</td>
<td>✔️</td>
</tr>
<tr>
<td>Examines only OSS &gt; 10 Days</td>
<td>--</td>
<td>✔️</td>
</tr>
<tr>
<td>ALWAYS compared to State data</td>
<td>--</td>
<td>✔️</td>
</tr>
</tbody>
</table>
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 years 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
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.
## Comprehensive Coordinated Early Intervening Services (CCEIS) - Mandatory

<table>
<thead>
<tr>
<th>Age/Grade Level</th>
<th>Age 3 through grade 12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Groups Served</td>
<td>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. Children currently identified as need special education or related services (funds can be used primarily, but no exclusively, for this group).</td>
</tr>
<tr>
<td>Budget</td>
<td>Exactly 15 percent of IDEA Part B funds</td>
</tr>
<tr>
<td>Permitted Activities</td>
<td>Professional development and educational and behavioral evaluations, services, and supports. The activities must address factors and policy, practice, or procedures contributing to significant disproportionality.</td>
</tr>
</tbody>
</table>
## Regulatory Requirements-CEIS

### Coordinated Early Intervening Services (CEIS)

<table>
<thead>
<tr>
<th>Voluntary</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th><strong>Age/Grade Level</strong></th>
<th>Kindergarten through grade 12</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Groups Served</strong></td>
<td>ONLY children not currently identified as needing special education or related services</td>
</tr>
<tr>
<td><strong>Budget</strong></td>
<td>Up to 15 percent of IDEA Part B funds (voluntary)</td>
</tr>
<tr>
<td><strong>Permitted Activities</strong></td>
<td>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. Educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.</td>
</tr>
</tbody>
</table>
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](#)
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