



Disproportionality: Underrepresentation In Special Education

*Georgia Department of Education
Divisions for Special Education Services and Supports
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What does Disproportionate Representation (DR) mean?

DR occurs when students from a racial/ethnic group are identified for *special education/related services* or for a *specific disability category* either at a *greater rate (overrepresentation) or lesser rate (underrepresentation) than other students.*

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Annual Performance Report:

Indicators 9 & 10

- Indicator 9: Percent of districts with *disproportionate representation (DR)* of racial and ethnic groups in *special education and related services* that is the result of inappropriate identification.
- Indicator 10: Percent of districts with *disproportionate representation* of racial and ethnic groups in *specific disability categories* that is the result of inappropriate identification.

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Why does Office of Special Education Program (OSEP) require States to look at underrepresentation?

- DR is a monitoring activity required by the Individuals with Disabilities Education Act (IDEA) in both under and overrepresentation.
- To ensure that all children who are suspected of being a child with a disability under 300.8 and in need of special education and related services are identified, located and evaluated.

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The monitoring of underrepresentation is NOT a process to increase the number of students with disabilities (SWD).

A review of underrepresentation will ensure that the process for identifying SWD and delivering services are equitable.

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What is Disproportionality?

Percent (%) of students of a specific ethnicity or race



In special education

*O**verrepresentation*



In school's population

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What is *Disproportionality*?

Percent (%) of students of a specific ethnicity or race

Underrepresentation



In special education



In school's population

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The Research

- More research on the inappropriate identification of children in special education has focused on the reasons for *overrepresentation* as compared to *underrepresentation*.

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Theories behind Underrepresentation

- Failure of general education to properly educate children from diverse backgrounds
- Misidentification and misuse of test
- Lack of access to effective instruction
- Insufficient resources
- Teachers who are not well prepared
- Poverty

National Center for Culturally Educationally Responsive Systems 2007

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Theories behind Underrepresentation

- Systemic school factors related to teacher ineffectiveness and biased perceptions about students
- Inadequate and inappropriate referral, assessment and evaluation procedures
- Biased tests

National Center for Culturally Educationally Responsive Systems 2007

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Georgia's Annual Determinations

- The State is required to monitor and make annual determinations for underrepresentation based upon a review of data.
- Georgia uses the *inverse* of its weighted risk ratio (WRR) for overrepresentation to determine its threshold for underrepresentation.

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Georgia's Criteria for Determinations

- 1) Total District Race Count ≥ 40
- 2) District Race Composition $\leq .75$
- 3) Weighted Risk Ratio (WRR) $\leq .25$
- 4) State Incidence Rate
- 5) District's Projected Incidence Rate (based on State Incidence Rate)
- 6) $N \leq -10$ between district's student count and projected student count

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FY10 Underrepresentation Data for 2 Sample Districts

Disability Area



How many students were identified in this category?



<i>fiscal_year</i>	<i>disability_code</i>	<i>disability_description</i>	<i>race_code</i>	<i>race_cat_count</i>	<i>district_race_count</i>	<i>district_risk</i>
2010	All	All Disabilities	H	0	164	0
2010	All	All Disabilities	H	2	1615	0.001238

Racial/Ethnic code



*What is the district's race count?
Does the count meet the minimum criterion of ≥ 40 ?*



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Continuation of Sample Districts' Data

Is the homogeneity rate $\leq .75$?



What is the projected number of children who should be identified as having a disability?



<i>fiscal_year</i>	<i>homogeneous_rate</i>	<i>Projected</i>	<i>Projected - Actual</i>
2010	0.072024	17	-17
2010	0.102761	172	-170



What is the difference between the projected count and actual race category count?

Does this number meet the ≤ -10 criterion?

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State Incidence Rate

FY10	SWD	Total Enrollment	State Level Risk	Incidence Rate
Am-Indian	525	4352	0.120634	12.06
Asian	821	50589	0.016229	1.62
Black	69,956	629584	0.111115	11.11
Hispanic	16,359	179468	0.091153	9.12
Pacific Islander	114	1331	0.08565	8.56
Two or More Races	4,599	45455	0.101177	10.12
White	82,928	752495	0.110204	11.02
State Total	177,070	1663274	0.106459	10.65

OSEP Disability Category	SWD	State Level Risk	Incidence Rate
Mental Retardation	19,109	0.011488787	1.15
Hearing Impairment	1,855	0.00111527	0.11
Speech or Language Impairment	31,656	0.019032342	1.90
Visual Impairment	765	0.000459936	0.05
Emotional Disturbance	17,244	0.010367504	1.04
Orthopedic Impairment	993	0.000597015	0.06
Other Health Impairment	25,511	0.015337822	1.53
Specific Learning Disabilities	51,992	0.03125883	3.13
Deaf-blindness	30	1.80367E-05	0.00
Autism	10,337	0.006214851	0.62
Traumatic Brain Injury	453	0.000272354	0.03
Developmental Delay	17,125	0.010295958	1.03
State Total	177,070	0.106458707	10.65

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Sample District

Hispanic race/ethnicity count of 3290

- State Incidence Rate for Autism is .62% (0.0062).
- Based on the state risk, the district would be projected to have identified approximately **20** Hispanic students as having autism;
- Only **6** Hispanic students were identified as having autism.
- The district has potentially underidentified 14 Hispanic students as having autism, which would meet the State's N size of ≤ -10 .

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Federally Reported Categories

- ✓ American Indian
- ✓ Asian
- ✓ Black
- ✓ Hispanic
- ✓ Pacific Islander
- ✓ Two or More Races
- ✓ White

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Disability Areas

- All Disabilities
- Autism
- Emotional /Behavioral Disorder
- Intellectual Disabilities
- Other Health Impairments
- Specific Learning Disabilities
- Speech/Language Impairment

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District Determinations

- The State monitors the data and will make determinations of underrepresentation based on the numerical criteria.
 - Then a review of policies, practices and procedures will occur to determine compliance or noncompliance.
- Note: Districts identified as having underrepresentation are ***NOT*** required to reserve 15% of their federal funds to provide Coordinate Early Intervening Services (CEIS).

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After the Determination of DR

- ✓ The State will provide a review of practices, policies, and procedures.
 - ✓ The district will complete a self-assessment monitoring protocol, which will address policies, procedures and practices.
 - ✓ The district will submit the self-assessment to the State by June 30, 2010.
 - ✓ From this self-assessment, compliance with the IDEA will be determined.

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After the Determination of DR

- The State will make a determination if the DR was the result of inappropriate identification.
 - Those with inappropriate identification will be determined noncompliant.
- Noncompliant districts will receive notification letters from the State at the beginning of FY11.

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Noncompliant Districts must...

- 1) Develop a corrective action plan (CAP),
- 2) Update the consolidated application with the CAP, and
- 3) Correct the noncompliance within 1 year of official notification.

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After the Determination of DR

*Even districts that are **not** determined to have underrepresentation due to inappropriate identification should review and revise, as appropriate, policies, procedures, and practices.*

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Overview of the Self-Assessment

- **Part I: DATA ANALYSIS**

Step A--List the data source used to complete the assessment
(AYP information and discipline data, etc.)

Step B --Analyze data to determine patterns or trends

- **Part II. CHILD FIND**

Child Find refers to the process of locating, identifying, and evaluating children with disabilities to ensure that they receive services to which they are entitled

- **Part III: Evaluating the Effectiveness of Self-Assessment Areas**

Rate the ten indicators under each of the seven areas

- **Part IV: SUMMARY**

Based on the data reviewed, summarize the team's findings

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Self-Assessment Areas

Language

Reading

Math

Evaluation

Eligibility

Placement

Behavior

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Example:

Please rate each item: 1 - Rarely 2 - Sometimes 3 - Almost Always

<i>Language</i>		<i>Rating</i>
1.	Language instruction is explicitly taught in all classrooms through research-based strategies.	
2.	Instruction employs evidenced-based methodology such as the use of flexible groups to differentiate instruction, which is delivered by highly qualified and effective teachers who have deep understanding of the content.	
3.	There is a universal screening system in place to determine if students have deficits in language development.	
4.	Teachers use progress monitoring to conduct ongoing evaluation of language development and to inform continued instruction.	
5.	After data analysis, staff implements specific, scientifically-based interventions that are tailored for students' needs. All students receive equitable access to pre-referral interventions including Student Support Team.	
6.	Appropriate Tier 2 interventions are provided for students based upon data (e.g., universal screenings and progress monitoring).	
7.	Staff implements the Student Support Team (SST) process to meet the individualized needs of students who have not responded to Tier 2 interventions.	
8.	Educators participate in high quality, sustained professional learning activities in order to promote effective instructional practices regarding language development.	
9.	Sustained supervision is provided in order to ensure that effective language instruction is being provided.	
10.	Schools partner with families in a variety of ways to increase students' language development.	
		<i>Number of 3's</i>

Brief Rationale:

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Some Essential Questions

- Are there cultural differences that may have contributed to the underrepresentation? How are these cultural differences addressed in your policies, procedures and practices?
- Is the identified student sub-group(s) primarily transient or migrant?
- Does the district have procedures to make sure these underrepresented groups receive appropriate instruction, interventions and services as needed?
- Are there child find activities in your district specific to the disproportionately underrepresented population?

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*Additional Technical Assistance
Questions/Concerns*

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Further Information

Donna Drakeford, Ed.D.

ddrakeford@doe.k12.ga.us

404-656-2427

Zelphine Smith-Dixon, Ed.D.

zsmith@doe.k12.ga.us

404-463-0678

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