The Balancing Act: Identifying Disproportionality and Possible Interventions

Margaret Barrera & Ruth Solis, ESC Region One
THE BALANCING ACT: IDENTIFYING DISPROPORTIONALITY AND POSSIBLE INTERVENTION

Outcomes

- Understand the purpose of the tool
- Understand team and process necessary for using tools
- Understand common causes of disproportionality

Overview

- Definition of Disproportionality
- Nation’s Monitoring Process
- Contributing Factors
- State’s Monitoring Process
- Ways to Prevent Disproportionality
What is Disproportionality?

• “Disproportionate Representation exists when students’ representation in special education programs or specific special education categories exceeds their proportionate enrollment in a schools general population.”

Dr. Wanda J. Blanchett, 2006

Federal Law Requirements

Individuals with Disabilities Education Act
IDEA 2004 addresses Disproportionality in

– §300.173 Overidentification & Disproportionality

– §300.646 Disproportionality

§300.173 Overidentification and Disproportionality

• The State must have in effect, ... policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment
§300.646 Disproportionality

- The States are to collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and local educational agencies (LEAs) of the state with respect to the identification of students as students with disabilities, ages 6-21.

Over-Identification and Disproportionality

- Identification of students with particular impairments
- Placement of students in particular educational settings
- The incidence, duration, and type of disciplinary actions occurring for students including suspensions and expulsions.

Statistics of Disproportionality

- American Indian/Alaska: overrepresented in MR
- African American: overrepresented in MR & ED
- Hispanics: under-identified in certain disability
- Asian/Pacific Islander: underrepresented in special education

National Education Association (2007)
Disproportionality in Texas (2013)

Disproportionality & Student Outcomes

- Limited access to the general curriculum
- Lower teacher expectations
- Poor school climates
- Increase of drop out rates

Contributing Factors

- Cultural differences
- Unequal educational opportunities
- Classroom behavior management
- Special education referral process
- Assessment policies and practices
Purpose of TEA Disproportionality Manual

- Disproportionate placement of students from race and ethnic diverse populations in special education programs have been a concern of the U.S. Office of Special Education Programs (OSEP) and the U.S. Office of Civil Rights for many years.
- To outline the TEA delivery system for addressing racial and ethnic disproportionality for indicators 4b, 9, and 10

Layout of TEA Delivery System: Three Tiers of Support

- Tier 1: TEA website
- Tier 2: Focused Assistance
- Tier 3: District-Led review of policies and practices

Tier 1: TEA Website

- Texas has created a disproportionality website that describes the impacts and provides brief descriptions and links to research based information and resources.
- Texas ESC 1 Website: http://specialed.esc1.net/tidrse/site/default.asp
Tier 2: Focused Assistance

• Texas ESC technical assistance providers conduct focused reviews of districts' policies, procedures, and practices.
• The TA providers can use a modified version of the Self-Assessment Checklist currently on the ESC 1 website: http://specialed.esc1.net/domain/12

Tier 3: District review of Policies and Practices

School districts use the Technical Assistance Plan outlined in the TEA manual

Step 1: Form Disproportionality Review Team
Step 2: Data-Driven Root Cause Identification
Step 3: Develop Improvement Plan (including utilization of funding sources)
Step 4: Implement and Monitor Disproportionality Plan

Step 1: Building a disproportionality team
Critical team members

- Superintendent
- Campus Administrators
- Teachers
- Program Administrators
- Parents and Local Parent Groups
- Support Staff
  - Assessment Personnel, Behavior Strategists, Social Workers, and/or Counselors

Indicator 9

- The over-identification of culturally and linguistically diverse (CLD) students as disabled or under-identification as gifted and/or talented.

Indicator 10A

- The over-identification of certain CLD populations in specific special education categories, such as ED, LD, SLI, MR or OHI
Three Methods of Calculating

Creating a Data Book for Your District or School
- Compilation of all of the relevant district or school data related to disproportionality including:
  - Demographic data
  - Achievement data
  - Special education data
  - Suspension data

Three Methods
- Relative Risk Ratio
- Composition
- Risk Index
Risk Index

• Rate or amount of risk students of a particular racial/ethnic group have of falling into a particular category

Composition Index

• The proportion of students by race/ethnicity in a particular category compared to their overall enrollment
  • For example, a higher percentage of Latino students in special education compared to their overall enrollment

Relative Risk Ratios

• Risk for one group in relation to the risk for all other groups
Relative Risk Ratios (cont.)

<table>
<thead>
<tr>
<th>1.0</th>
<th>Equal Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above 1.0</td>
<td>Elevated Risk</td>
</tr>
<tr>
<td>Below 1.0</td>
<td>Lower Risk</td>
</tr>
</tbody>
</table>

Threshold

- Distribution analysis (based on 2012-2013)
- 95\textsuperscript{th} percentile
- Yielded at a 3.47 rate difference threshold
Required Data

- You need have the following data
  - District enrollment by race and gender
  - Special education enrollment by race and gender, classification, and placement

Sample worksheet: Disability Categories

<table>
<thead>
<tr>
<th></th>
<th>Black</th>
<th>Hispanic</th>
<th>White</th>
<th>Asian</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Number SWD</td>
<td># classified</td>
<td># classified</td>
<td># classified</td>
<td># classified</td>
<td>Total # classified</td>
</tr>
<tr>
<td>B. Number ED, LD, SLI, or OHI</td>
<td># enrolled</td>
<td># enrolled</td>
<td># enrolled</td>
<td># enrolled</td>
<td>Total # enrolled</td>
</tr>
</tbody>
</table>

Critical things to remember

- General, suspension and special education enrollment data reflect the same school years.
- Record all of your answers in the appropriate cells
IDENTIFYING DISPROPORTIONALITY IS JUST THE BEGINNING OF THE DATA PROCESS

Review of Common Causes

Common Causes

Distinguishing Difference from Disability: The Common Causes of Race/Ethnic Disproportionality in Special Education
Gaps in the Instruction, Curriculum and Assessment

**Cause**
- Differentiated instruction as common professional development – inconsistency in capacity building and instructional fidelity.
- Curricular development varies by content

**Remedy**
- Identification and sustained implementation of appropriate reading and math core program that is sequenced K-12

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Common Causes of Disproportionality

<table>
<thead>
<tr>
<th>Discipline Policies and Procedures</th>
<th>Tracking</th>
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</thead>
<tbody>
<tr>
<td>Teacher Expectations and Misconceptions</td>
<td>Interventions and Referral Process</td>
</tr>
<tr>
<td>Disproportionality</td>
<td>Cultural Dissonance</td>
</tr>
</tbody>
</table>

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Gaps in Instruction, Curriculum and Assessment

**Cause**
- Limited use of assessment
- Limited understanding of assessment data – poor interpretation of diagnostic data and translation into intervention/strategies

**Remedy**
- Sequenced and sustained support for non-tenured and tenured teaching staff to build ability to effectively implement curriculum and assessment
Gaps in Interventions for Struggling Learners

**Cause**
- Range of interventions with limited fidelity

**Remedy**
- Identification and implementation of targeted intervention programs (i.e., research-based) for students demonstrating academic difficulty while core curriculum program is re-developed.

Gaps in Interventions for Struggling Learners

**Cause**
- Overabundance of interventions (e.g., reading recovery, read 180, foundations, etc.) for struggling learners – limited structured as to when and how to best apply.

**Remedy**
- Tiered system of academic supports for struggling learners,

Referral Process

**Cause**
- Referrals primarily maintain limited information on prior interventions
- Referral teams unsure what to provide after "interventions" have been provided

**Remedy**
- Development of a common process and form for pre-referral
Cultural dissonance within school environment

Cause
• Cultural capacity of instructional support teams limited
• Teacher beliefs and behaviors view students of color and low-income students as anti-intellectual

Cultural dissonance within school environment (cont)
• Situating of “poverty-induced traits” as expressions of learning or emotional disability.
• Marginalization of the developmental expressions and competencies of low-income and minority students

Common Remedies
Encourage difficult dialogues

- Reading groups
- Volunteer work with diverse groups
- Encourage race conversations with kids

Addressing Disproportionate Representation

Involves a comprehensive analysis of policies, procedures and practices focusing on implementing research-based approaches through *elements for change.*

Elements For Change

- Response to Intervention
- Positive Behavior Supports
- Systems of Support Teams
- Culturally Responsive Teaching/Assessments
- Family and Community Involvement
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- Positive Behavior Supports
- Systems of Support Teams
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- Family and Community Involvement

Technical Assistance

- Disproportionate Representation in Special Education website
  [http://specialed.esc1.net/tidrse/site/default.asp](http://specialed.esc1.net/tidrse/site/default.asp)
  - Access to the General Curriculum
  - Evaluation for Eligibility in Special Education
  - Multicultural and Diverse Learners
  - Texas Behavior Support
- Regional Educational Service Centers (ESCs)

Schools have a responsibility to:

Establish culturally responsive systems by:

- Developing effective Child Find program
- Possessing a high level of appreciation and cultural awareness
- Understanding the impact of how teacher expectations are formed and how those expectations affect student performance
- Implementing school-wide programs addressing motivation of all students
Schools have a responsibility to:

- Utilizing unbiased assessments to determine student’s abilities
- Examining student discipline practices
- Instilling a positive school climate for students and staff
- Reinforcing and building upon the home-school and school-community relationships

Expanding educational opportunities for all learners will “require leadership with vision and commitment and teachers with skills, dedication, and compassion to deliver the change we need.”

Dr. Pedro Noguera, 2009

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References


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