

Equity in IDEA: Preparing for New Disproportionality Requirements



Kara Waldron | Virginia Ressa

What We'll Cover

What is significant disproportionality and how is it changing?

What do these changes mean for Ohio's school districts?

What will the new Special Education Profiles look like?

How will we address disproportionality?



**What is significant
disproportionality?**

Significant Disproportionality

When children from any racial or ethnic group are *identified for special education, placed in more restrictive settings, or disciplined at a markedly higher rate* than their peers

Racial and Ethnic Disparities

**Nationally,
Black
students
are:**

- **Two and a half times** more likely to be identified as a student with an intellectual disability
- **Two times** as likely to be identified as having an emotional disturbance
- **18 percent** of enrollment but **42 percent** of out-of-school suspensions

Racial and Ethnic Disparities

**In Ohio,
Black
students
are:**

- More than **two times** as likely to be identified with intellectual disabilities, placed in restrictive settings, or removed for discipline
- More than **three times** as likely to be identified as having an emotional disturbance or expelled
- **16 percent** of enrollment but **44 percent** of out-of-school suspensions

Goal

To promote equity
through accurate
identification and
response to
significant
disproportionality



Changes to Federal Significant Disproportionality Regulations



Establish a standard approach across states for three primary categories



Expand discipline categories



Require comparison of racially homogenous districts to the state

Categories of Analysis

Calculations cover seven racial groups:

1. American Indian or Alaska Native;
2. Asian;
3. Black or African American;
4. Hispanic/Latino;
5. Multiracial (two or more races);
6. Native Hawaiian or Other Pacific Islander; and
7. White.

Categories of Analysis

Identification (All students ages 3-21)	Placement (Students with disabilities ages 6-21)	Discipline (Students with disabilities ages 3-21)
<ol style="list-style-type: none"> 1. All Disabilities 2. Intellectual Disabilities 3. Specific Learning Disabilities 4. Emotional Disturbance 5. Speech or Language Impairments 6. Other Health Impairments 7. Autism 	<ol style="list-style-type: none"> 8. Inside a regular class less than 40 percent of the day 9. Inside separate schools and residential facilities 	<ol style="list-style-type: none"> 10. Out-of-school suspensions and expulsions of 10 days or fewer 11. Out-of-school suspensions and expulsions of more than 10 days 12. In-school suspensions of 10 days or fewer 13. In-school suspensions of more than 10 days 14. Disciplinary removals in total

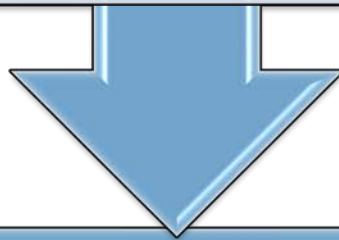
Methodology: Risk Ratio

What is each racial group's risk of

Identification

Placement

Discipline



as compared to the risk for all other children?

What does a risk ratio really mean?

Risk Ratio	What does it mean?
1	Equal or proportionate representation
> 1	Overrepresentation (greater risk of...)
< 1	Underrepresentation (less risk of...)

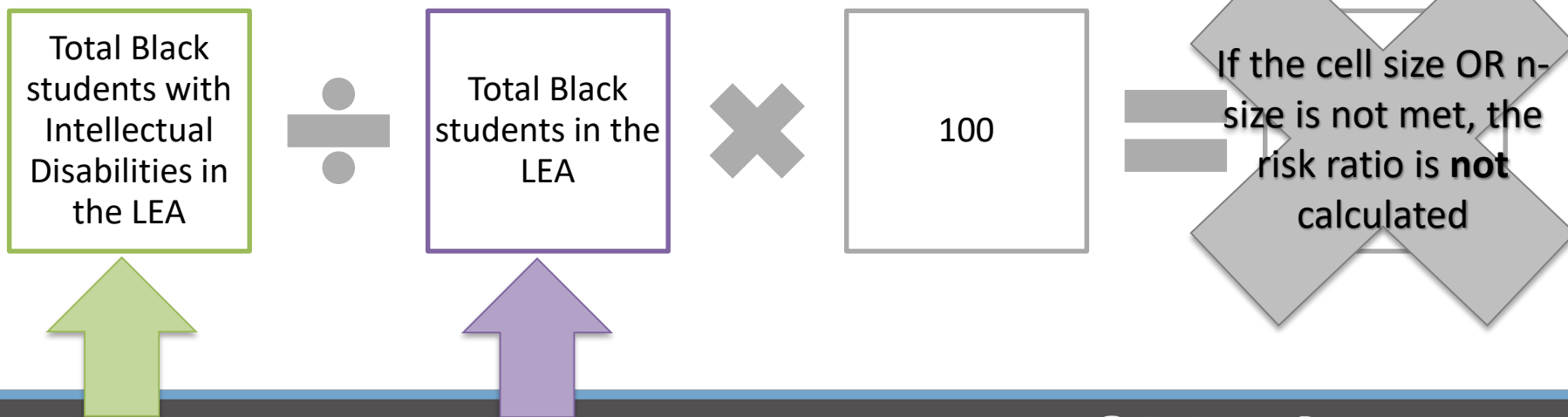
**Ohio's risk ratio threshold:
>3.50 for three consecutive years**

Methodology: Minimum Size for Racial Group

To calculate a risk ratio, the district must meet the minimum group sizes for the racial group being measured.

Ohio's minimum cell size is 10, which applies to the numerator.

Ohio's minimum n-size is 30, which applies to the denominator.

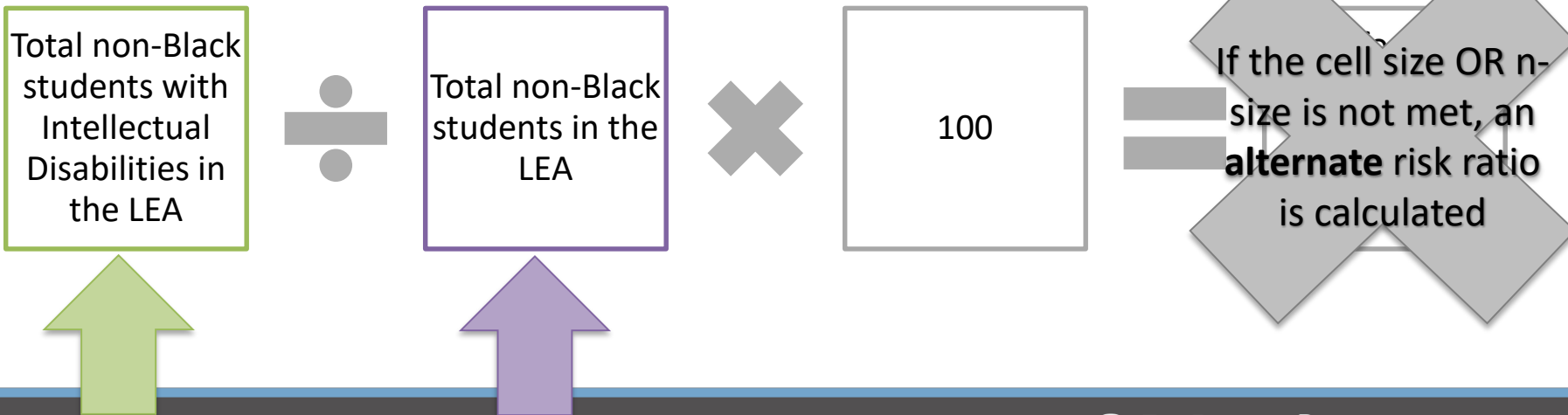


Methodology: Minimum Size for Comparison Group

To calculate a **regular** risk ratio, the district must meet the minimum group sizes for the comparison group.

Ohio's minimum cell size is 10, which applies to the numerator.

Ohio's minimum n-size is 30, which applies to the denominator.

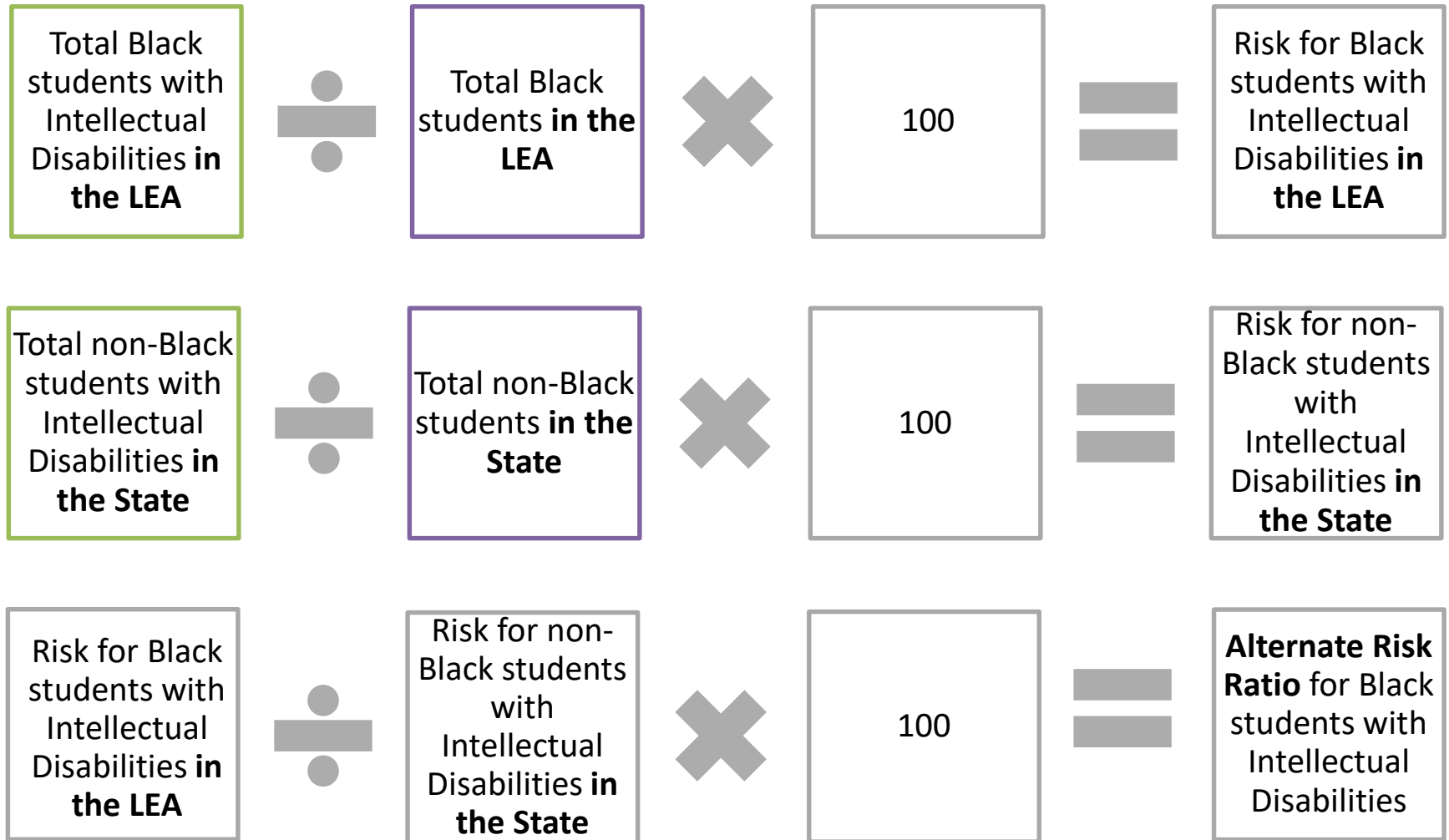


Methodology: Alternate Risk Ratio

States must now calculate an alternate risk ratio if the district does not meet the minimum cell and n-size for the comparison group.

The alternate risk ratio compares the risk for the racial group within the district to the risk for all other students in the state.

Methodology: Alternate Risk Ratio



Methodology: Reasonable Progress

Applies if the risk ratio decreases by 0.25 for two consecutive years, though still >3.50

The risk ratio for the second year must be at least 0.25 less than the first year

The risk ratio for the third year must be at least 0.25 less than the second year

Methodology: Old vs. New

Area	Previous	New
Identification	All disabilities and six disability categories; ages 6-21	Same categories (adding ages 3-5 by 2020)
Placements	Inside regular ed class 40-79% Inside regular class < 40% Separate placements	Inside regular ed class <40% Separate placements
Discipline	OSS & Expulsion > 10 days, consecutively or cumulatively	OSS & Expulsion ≤ 10 days OSS & Expulsion > 10 days ISS ≤ 10 days ISS > 10 days Total removals
Calculation	Risk ratio (currently >3.50)	Risk ratio and alternate risk ratio (>3.50)
Minimum Group Sizes	30 for ID and placement numerator, 5 for discipline numerator, 30 for denominator	Max of 10 for numerator, max of 30 for denominator
Years	Three consecutive years	Up to three consecutive years
Reasonable Progress	Not evaluated	Can look at progress for previous two years to waive redirection of funds

A young girl with curly hair is smiling and looking towards the camera while holding a tablet. She is wearing a blue shirt. In the background, other students are visible, including one in a red shirt. The scene is set in a classroom.

**What do the changes mean for
districts?**

Responding to Significant Disproportionality

If a district is identified as having disproportionality for any of the categories the district must...







Provide early intervening services using 15 percent of federal special education funding*

States must ensure a review of policies, procedures and practices

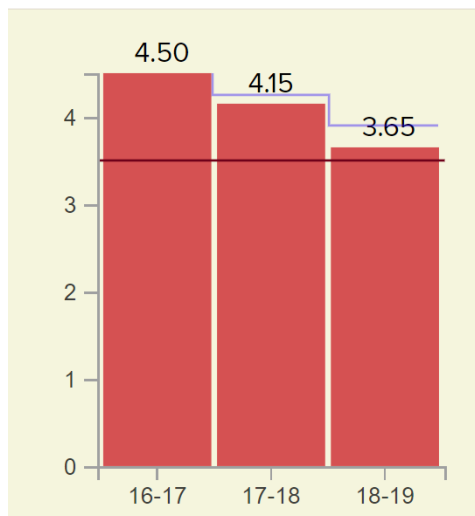
The review does not change the identification of the district as having significant disproportionality

*Designed to address the contributing factors and include professional development, educational and behavioral evaluations, services and supports.

Special Education Profile Preview

Discipline					
In-school suspensions of 10 days or fewer					
Racial Group	Target	Result	Ratio Type	Trend	More
Black	≤3.50	Met	Regular		
Multiracial	≤3.50	Met	Regular		
White	≤3.50	Met	Regular		

Racial Group Target
Black ≤3.50



Data Notes:

- This section measures if there is an overrepresentation of students with disabilities from the Black racial group placed in more restrictive educational settings.
- This risk ratio was calculated by comparing the placement of a **district racial group** to the placement of a **district comparison group** of students of all other races.
- The district is identified as having disproportionate representation if the risk ratio comparing the district racial group to the comparison group is greater than 3.50.
- If the district is over 3.50 for 3 consecutive years without reasonable progress, the district must redirect 15% of federal special education funds to early intervening services designed to address factors contributing to the disproportionality.
- Calculations are based on student placement reported to the Student Special Education (GE) record in EMIS.
- Each category within placement is only calculated if there are at least 10 students with disabilities within the racial group in the specific placement category and at least 30 students with disabilities within the racial group in the district overall.
- Your district has had a risk ratio greater than 3.50 for three consecutive years and has been identified with significant disproportionality.
- This means that:
 - In order to meet the criteria for reasonable progress, the risk ratio must decrease by at least 0.25 for two consecutive years.
 - The risk ratio for the third year must be at least 0.25 less than the second year.
- If the risk ratio decreases by 0.25 for two consecutive years, your district will no longer be required to redirect 15 percent of funds to Comprehensive Coordinated Early Intervening Services.

How will we address
disproportionality?

Next Step

#EachChildOurFuture

In Ohio, each child is *challenged, prepared* and *empowered*.



Vision

In Ohio, each child is **challenged** to discover and learn, **prepared** to pursue a fulfilling post-high school path and **empowered** to become a resilient, lifelong learner who contributes to society.



Three Core Principles



Equity



Partnerships



Quality Schools

Current Initiatives



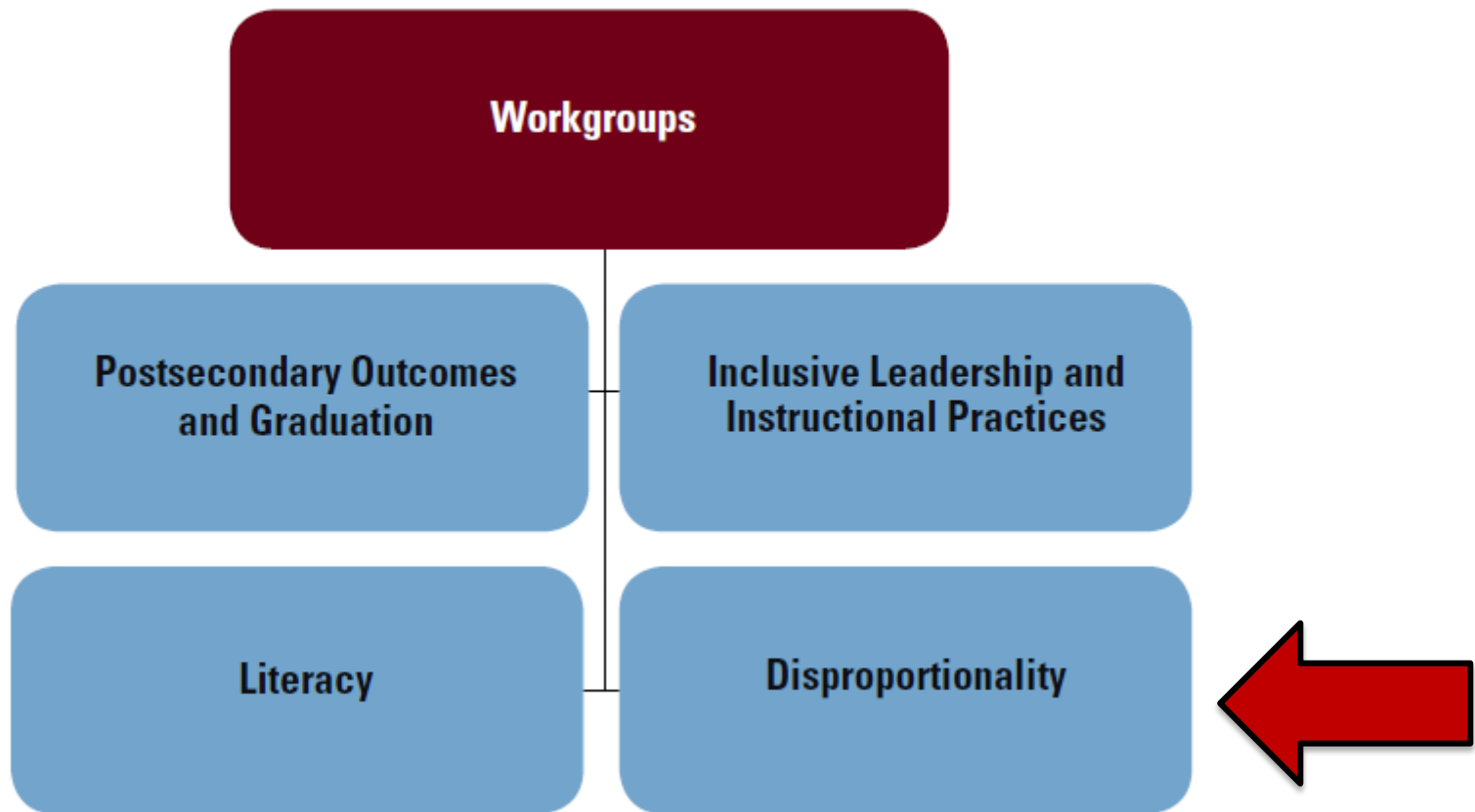
District Supports

Universal and targeted supports for those at risk: Training modules and data analysis tools

Guided data review and root cause analysis to identify contributing factors

Support in developing improvement and funding plans based on root cause analysis

Plan to Improve Learning Experiences and Outcomes for Students with Disabilities



Upcoming Communications

December 6, 2019

In-school
Suspension Memo

January 28, 2020

Special Education
Profile Release:
First Phase

December 9, 2019

EdConnection
Article: Special
Education Profiles

March 2020

Special
Education
Profile Release:
Second Phase

What's Next?

Stay tuned for more
updates and resources

Contact the
Office for Exceptional Children:

exceptionalchildren@education.ohio.gov

Alternate Assessment 2019-2020



Andrew Hinkle | Virginia Ressa

Alternate Assessment 2019-2020

Participation

Justifications

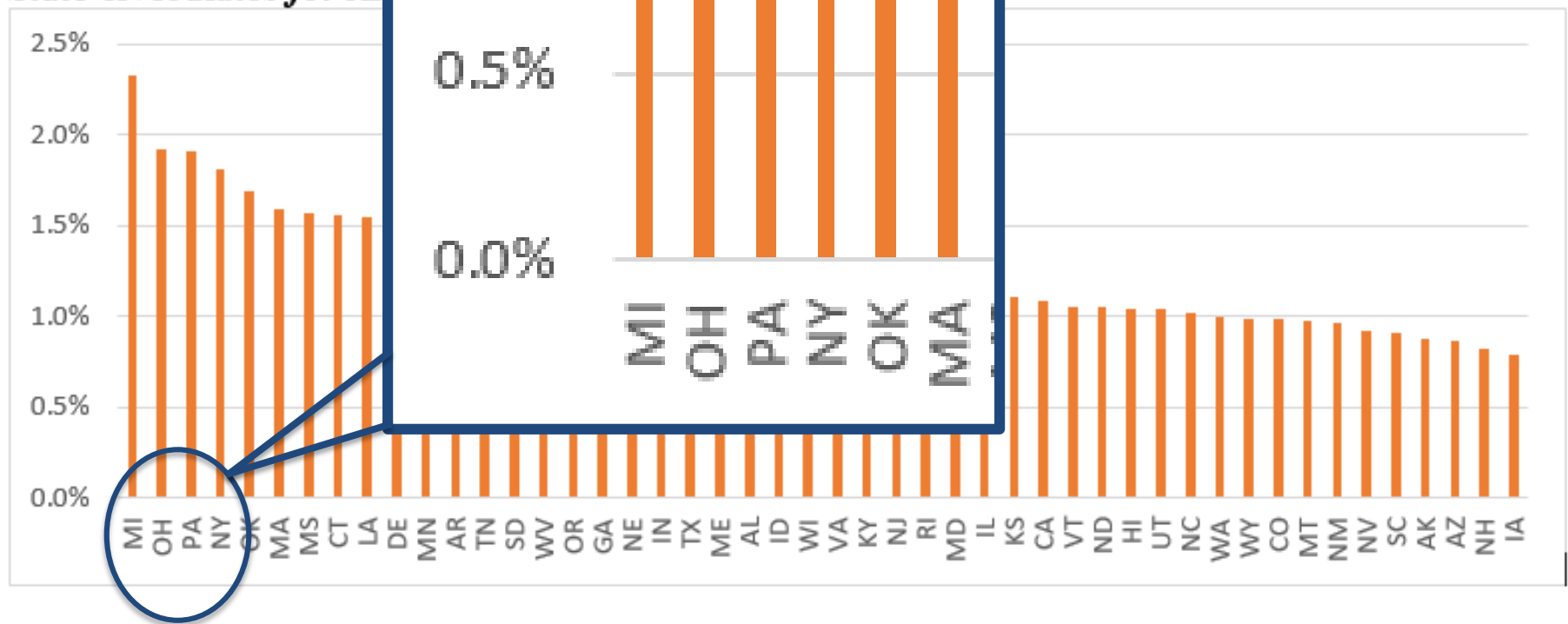
AASCD 2.0

State AASCD Participation

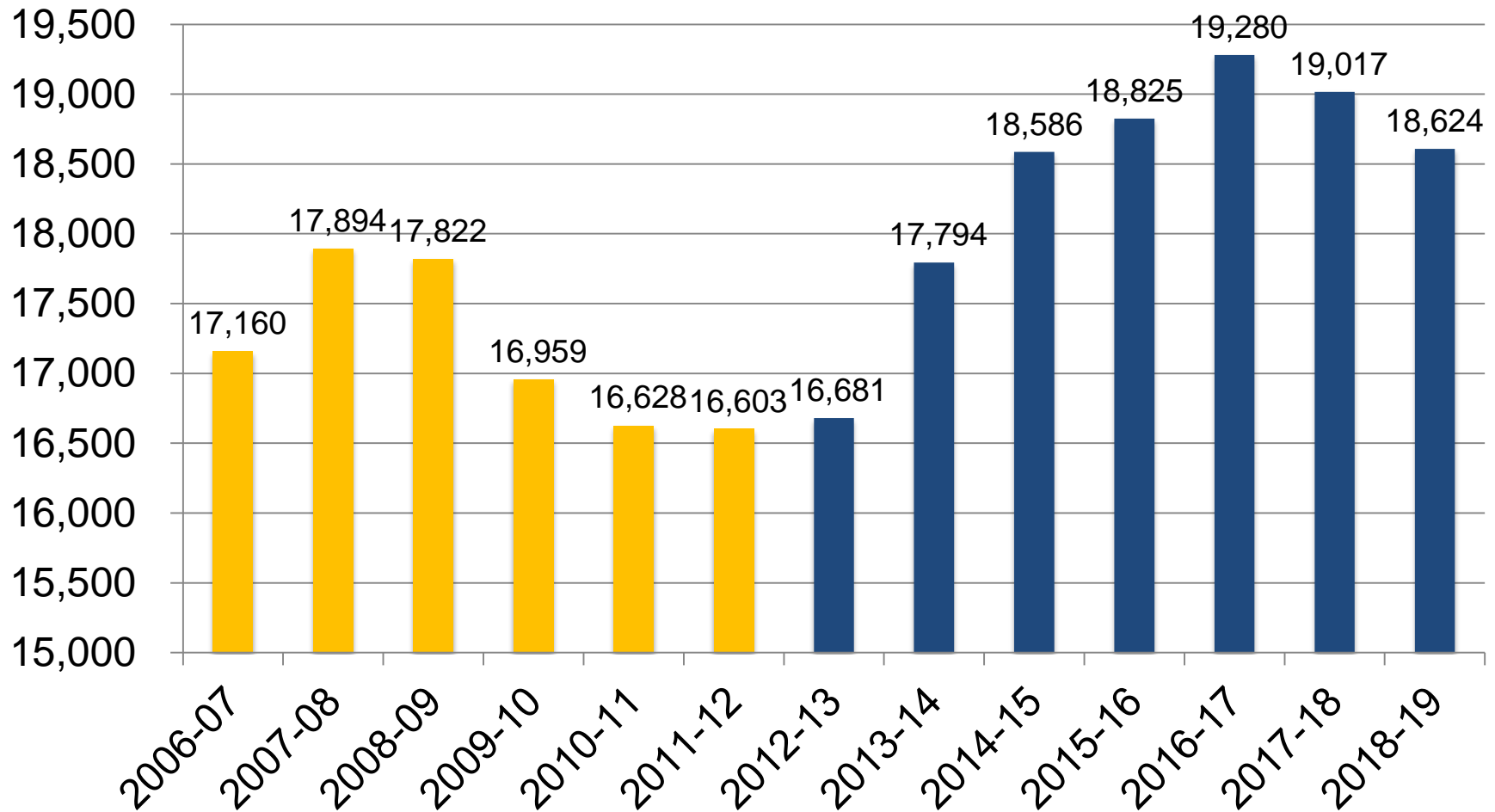
Content Area	2016-2017	2017-2018	2018-2019	Change
Reading	1.75%	1.72%	1.70%	- 0.05%
Mathematics	1.84%	1.81%	1.78%	- 0.03%
Science	1.96%	2.00%	1.93%	- 0.03%

National Alternate Assessment

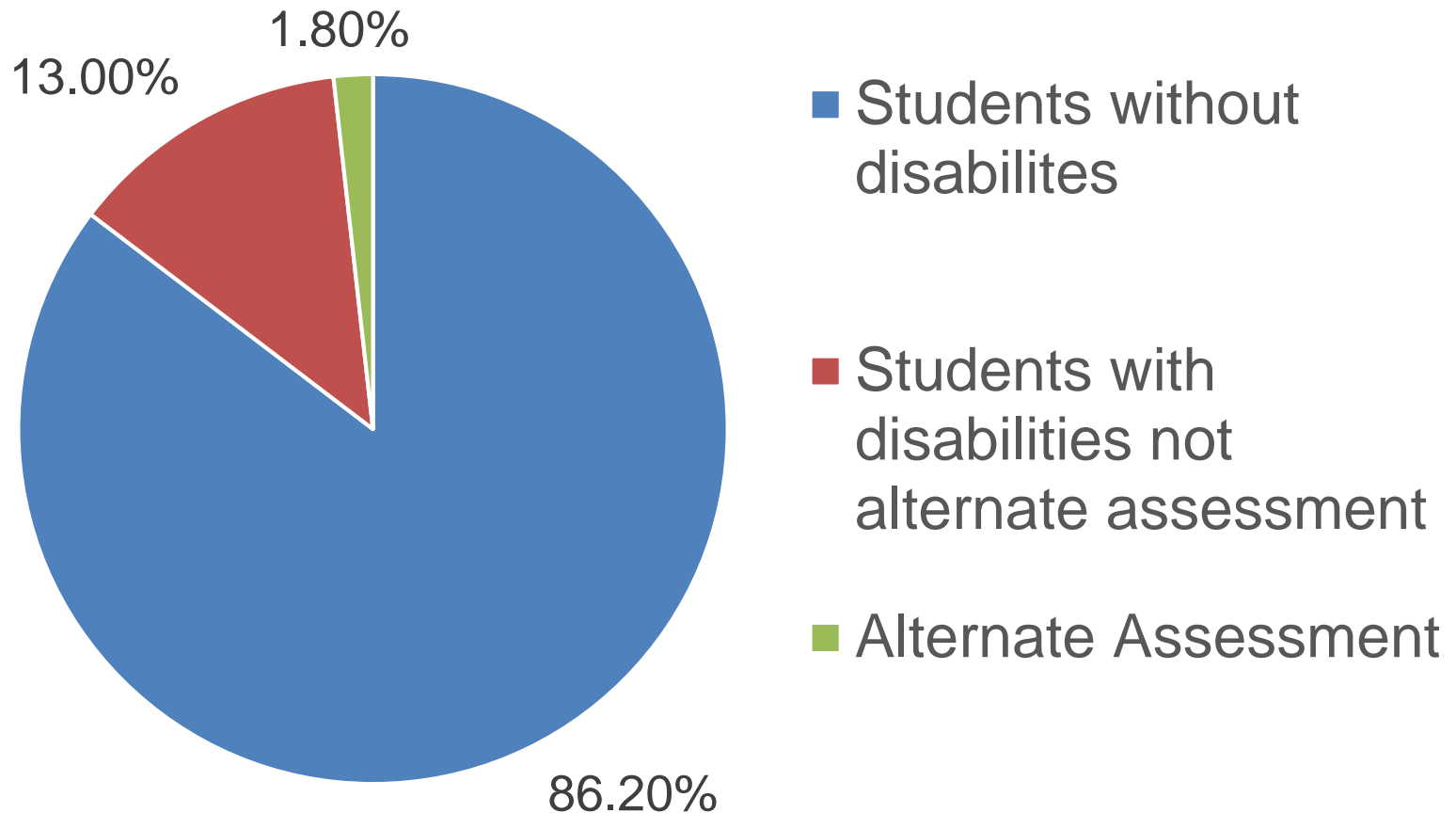
State-level Rates for Alternate Assessment



Total Reported Participants by School Year



Students Participating in Ohio's Assessments



Goal

To ensure the right
students are
receiving the right
services and
taking the right
assessments in the
right environments



District Justifications

- Districts expecting to exceed 1 percent must submit a justification to the Department.
- The Department must provide oversight and support to districts exceeding 1 percent participation.
- The Department must make district justifications available to the public.

District Justifications

559 districts and community schools exceeded the 1 percent threshold. That's almost two-thirds of all Ohio districts and community schools.

31 traditional districts had participation rates over 3 percent.

631 districts and community schools submitted justifications.

Submitting District Justifications

- Submit a justification if you anticipate exceeding the 1.0 percent threshold
- Sample form is available on the Department's website
- Submission will be done through the K-12 Help Desk
 - Superintendents will receive the link through email
 - K-12 Help Desk at support@ohio-k12.help
- Deadline: **TBD (Late January?)**

Submitting District Justifications



- Now includes Science
- New requirement for disability type
- More streamlined

Completing Participation

School Year	Reading			Mathematics		
	Count of students taking English language arts alternate assessment	Count of all students tested in English language arts	Percentage of all students taking English language arts alternate assessment	Count of students taking mathematics alternate assessment	Count of all students tested in mathematics	Percentage of all students taking mathematics alternate assessment
State Average 2018-2019	17,591	1,035,077	1.70%	17,608	990,747	1.78%
Actual 2016-2017	11	278	3.96%	11	255	4.31%
Actual 2017-2018	7	265	2.64%	7	260	2.69%
Actual 2018-2019	3	255	1.2%	3	259	1.2%
Projected 2019-2020						

Science Calculation

School Year	Science		
	Count of students taking science alternate assessment	Count of all students tested in science	Percentage of all students taking Science alternate assessment
State Average 2018-2019	7,614	393,756	1.93%
Projected 2019-2020			

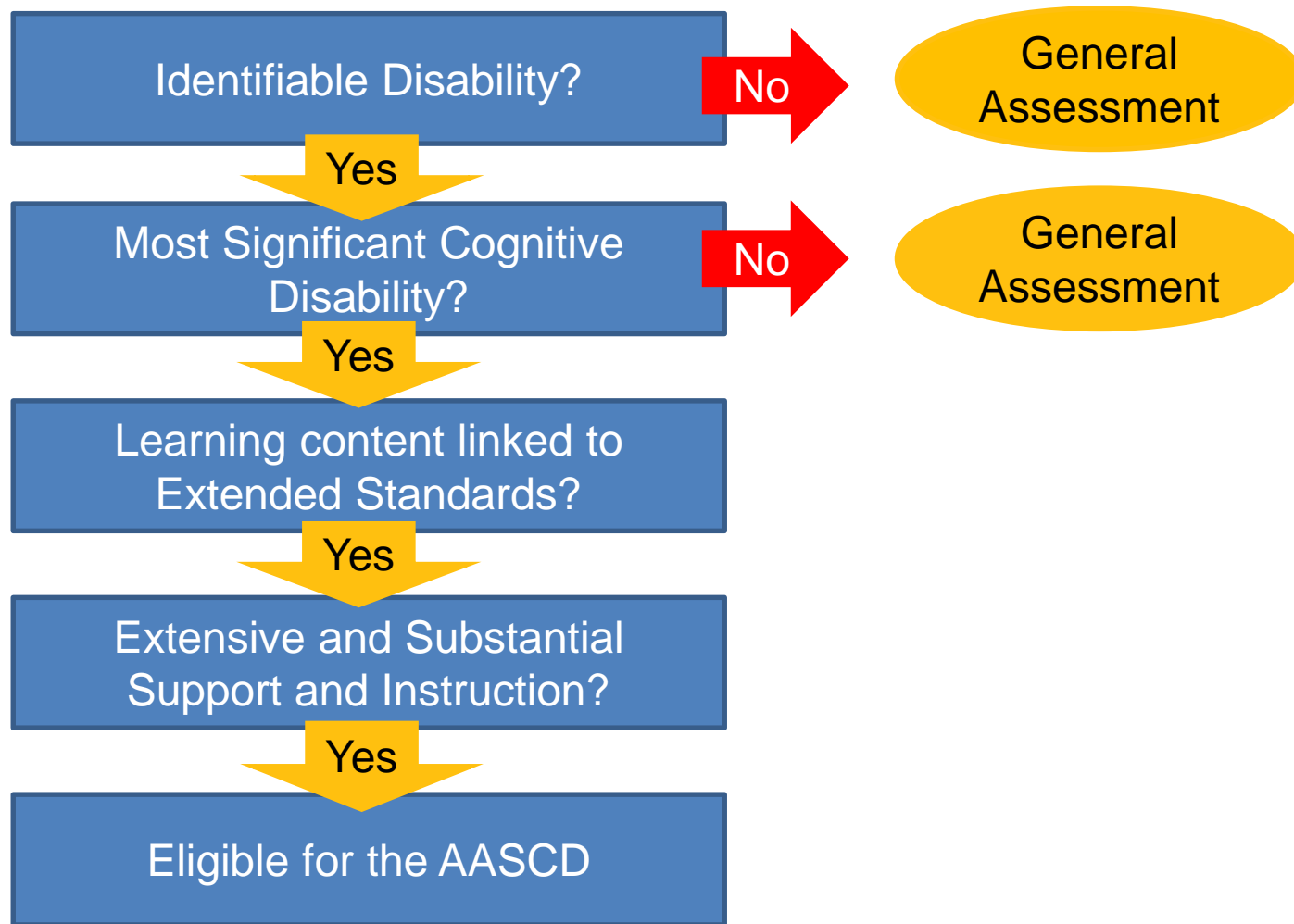
Calculating Percent Participation

- When calculating participation in a content area, use participation data from Ohio's State Tests in grades 3-8 and the end-of-course exams students take this year, plus any grade-level AASCD in the content area.
- Include ALL students counted within the district, even if they are served outside of the district.
- Do not include any student retaking a high school test. Do not count third grade students twice.
- Alternate Assessment / ALL students X 100 = % participation

Determining Eligibility



Determining Eligibility



Most Significant Cognitive Disability

- Disability or multiple disabilities
- Significantly impacts intellectual functioning and adaptive behavior
- Individualized instruction and substantial supports



Most Significant Cognitive Disability

- Skills learned in one setting may not be demonstrated across other settings.
- Layers of adapted tools, scaffolds, prompts and cues are required to practice, learn and demonstrate skills.
- Prior AASCD data shows results across all content areas below the proficient range.

Most Significant Cognitive Disability

- Skills demonstrated at one time may not be demonstrated consistently over time – as if the skills were lost.
- Formative measures show consistent achievement within the *Engagement* range of skills and grade-level extended standards and learning progressions across all content areas.

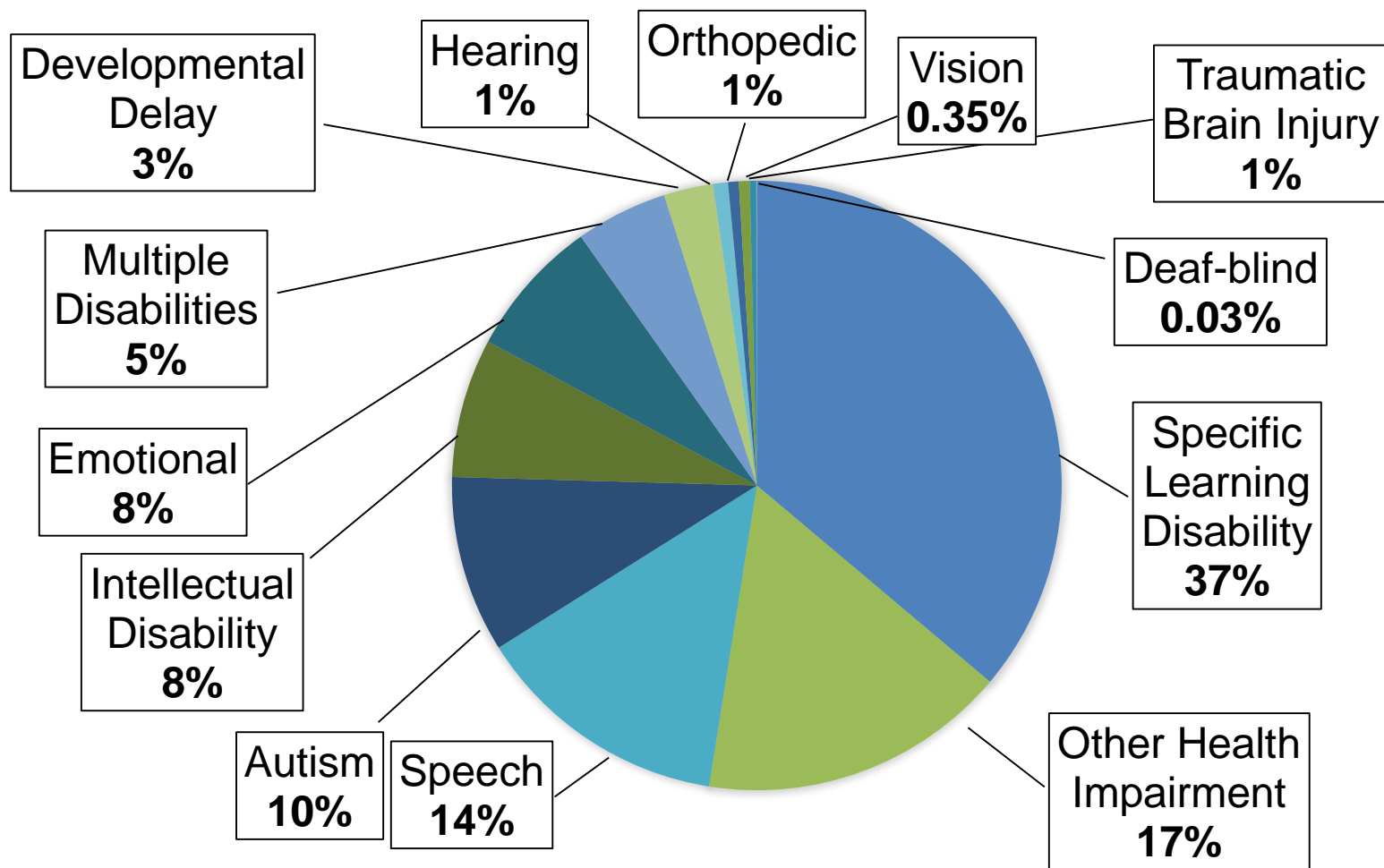
Adaptive Behavior

Explicit, sequential, direct instruction needed across all adaptive behavior skills **within all domains** that are integrated into the IEP and the general curriculum.

Adaptive behavior domains include:

- conceptual skills/communication,
- social skills,
- practical/daily living skills.

Disability Categories



IDEA Disability Categories: Does not Qualify

- Specific Learning Disability
- Speech/Language Impairment
- Other Health Impairment - Minor
- Emotional Disturbance

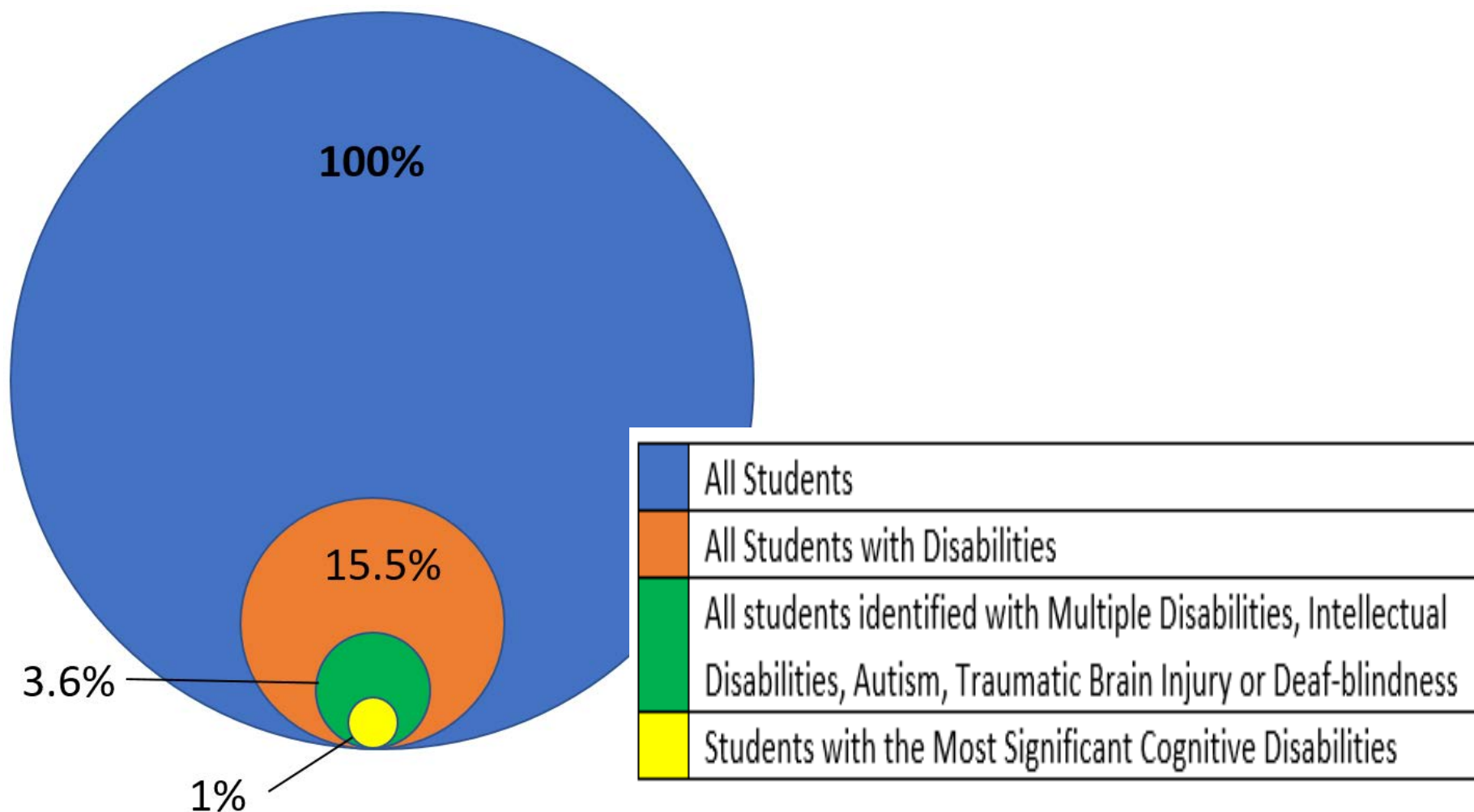
IDEA Disability Categories: Rarely Qualify

- Other Health Impairment - Major
- Hearing Impaired
- Orthopedic Impairment
- Visually Impaired

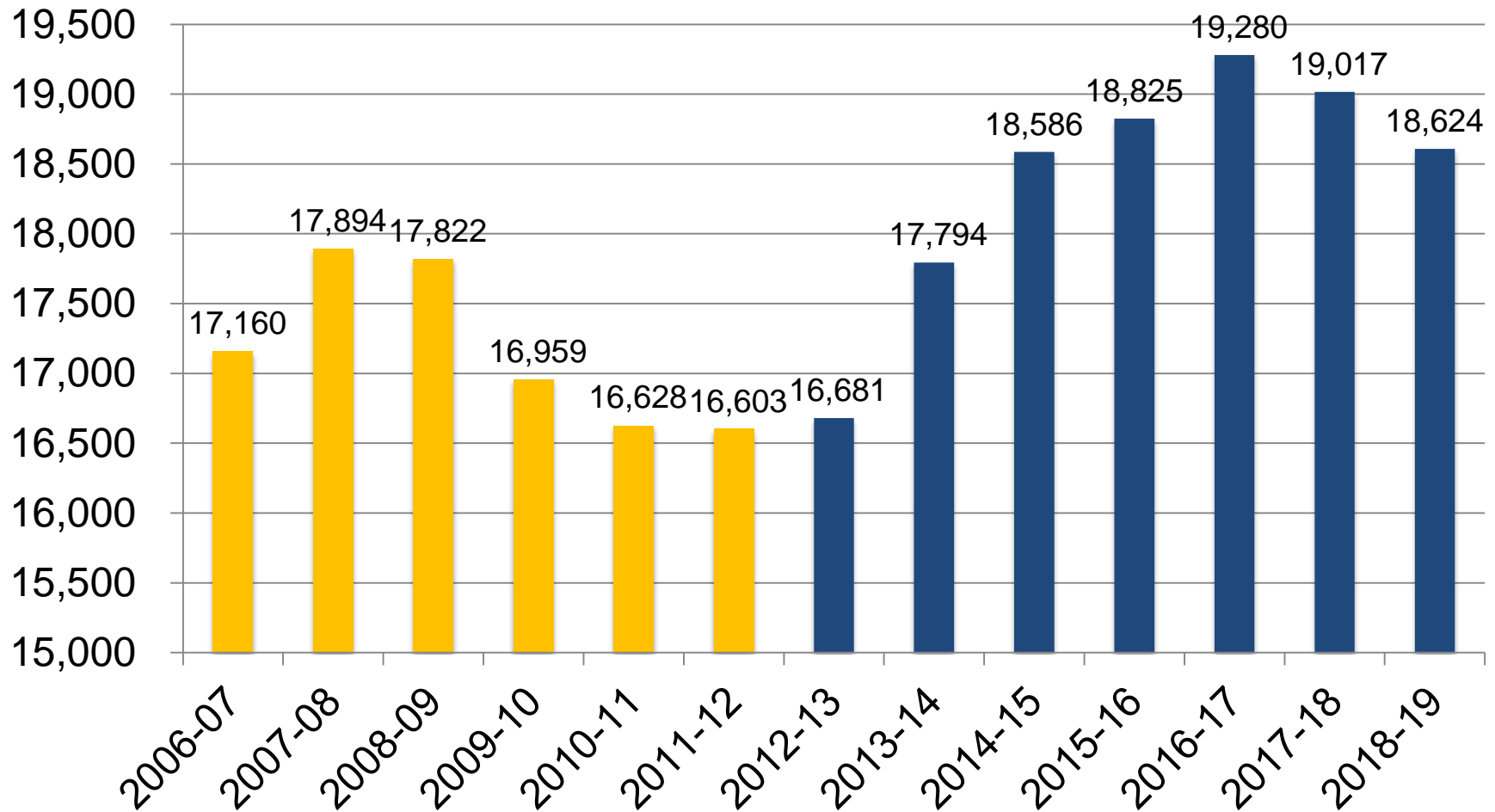
Disability Categories Consistent with Significant Cognitive Disability: Possibly Qualifies

- Intellectual Disability
- Autism
- Multiple Disability
- Traumatic Brain Injury
- Deaf/Blind

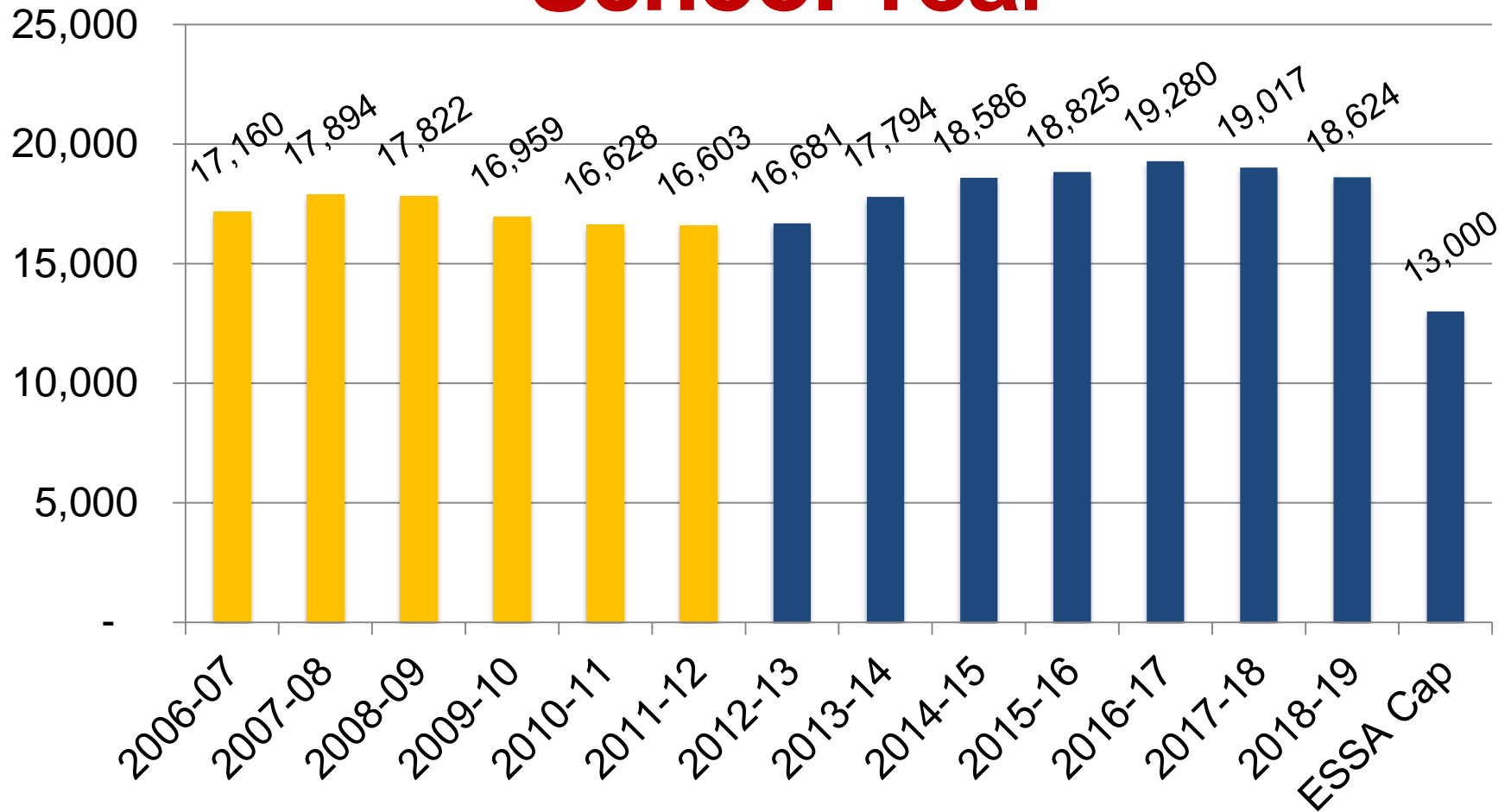
Students Participating in Ohio's Assessments



Total Reported Participants by School Year



Total Reported Participants by School Year



IEP Team Guidance

A smiling teacher with dark hair and a purple cardigan is leaning over a table, assisting three young students. The students are focused on their work, with one girl in a green shirt writing and two others looking on. The background shows a bright window with blinds.

**IEP
Documented**

**Supporting
Evidence**

**Difficult
Conversations**

Companion Document

Companion to Participation Guidelines and Decision-Making Flowchart

Directions: Review a student's IEP and related documents to answer each question. Mark the column that best answers the question.

1. Does the student have a current IEP?			
NO. Stop here. The student is not eligible for alternate assessment		YES. Continue evaluation.	
2. Does the data review provide evidence of significant cognitive disability (a person's ability to reason, plan, solve problems, think abstractly, comprehend complex ideas, learn quickly and learn from experience)?			
____ Presence of disability documented no evidence that a cognitive disability interferes with	____ Documentation shows the learner may have benchmark and diagnostic data that show a wide skill gap in	____ Evidence that a cognitive disability interferes with learning grade-level skills and concepts. Goals and	____ Evidence that a cognitive disability significantly interferes with learning grade-level skills and concepts. Presence of

Participation is NOT based on:

- Percent of time receiving special education
- English Learner status
- Low reading/achievement level
- Disruptive behavior
- Student scores on accountability
- Administrator decision
- Emotional duress
- Need for accommodations to participate

Participation is NOT based on:

- Disability category or label
- Poor attendance
- Extended absences
- Native language
- Social/cultural/economic differences
- Academic/services received
- Educational/instructional setting or Least Restrictive Environment

AASCD 2.0

- Grade level
- Paper accommodations
- Training
- High school testing variable
- Text to speech
- Learning Characteristics Inventory

Questions?



Let's stay connected!

Questions about **calculating participation**:
accountability@education.ohio.gov

Questions about **completing the justification** and
the 1 percent participation threshold:
AAparticipation@education.ohio.gov

Questions about **disproportionality**:
ExceptionalChildren@education.ohio.gov

Resources

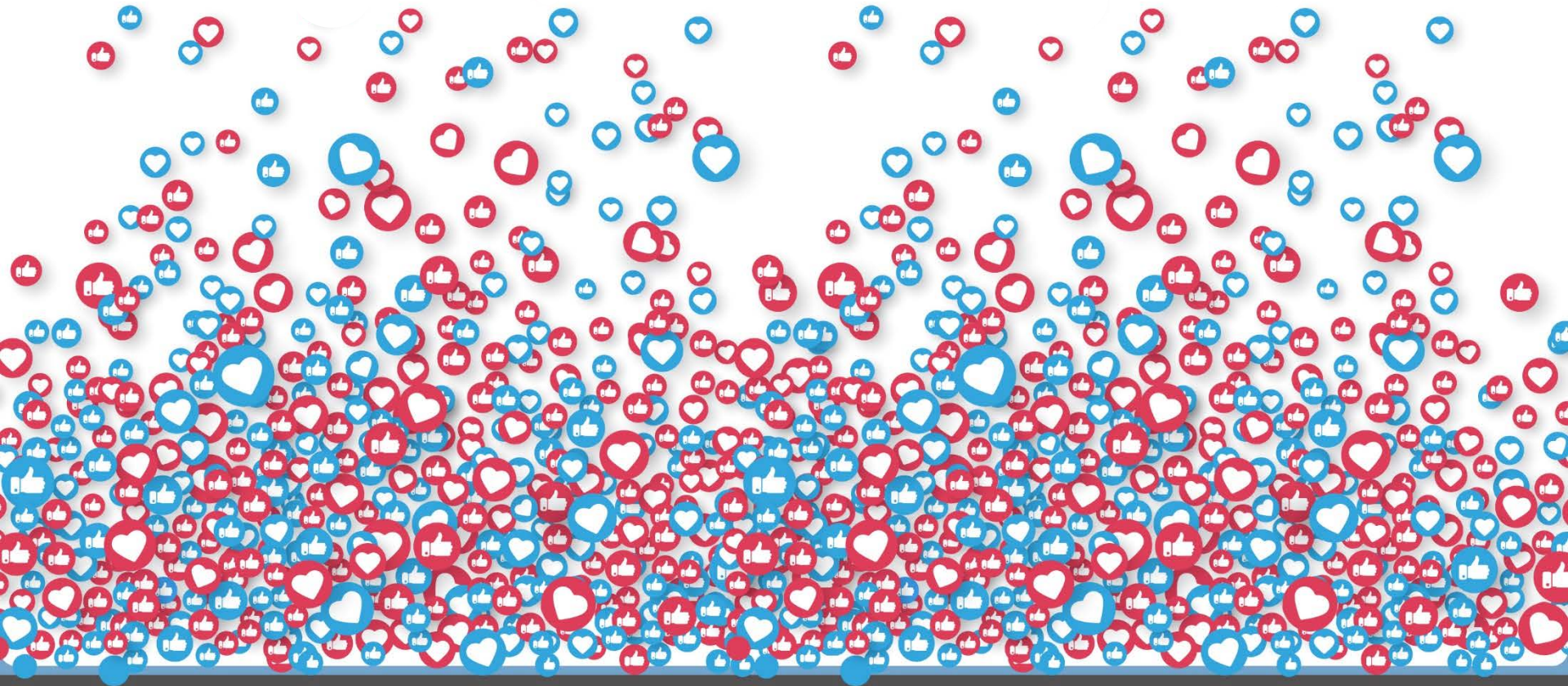


<http://education.ohio.gov>

Keyword search:
alternate assessment
disproportionality



@OHEducation



Ohio

Department
of Education

**Share your learning
community with us!**

#MyOhioClassroom



Celebrate educators!

#OhioLovesTeachers