



# Significant Disproportionality

District and State Process Overview

February 27, 2023

March 21, 2023

# Overview

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Ground in the What and Why of  
Significant Disproportionality

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District and ODE activities and timelines

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Comprehensive Coordinating Early  
Intervening Services

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Questions

# Equity

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- Education equity is the equitable implementation of policy, practices, procedures, and legislation that translates into resource allocation, education rigor, and opportunities for historically and currently marginalized youth, students, and families including civil rights protected classes. This means the restructuring and dismantling of systems and institutions that create the dichotomy of beneficiaries and the oppressed and marginalized.

# What is Significant Disproportionality?

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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 with respect to:

(A) the identification of children as children with disabilities, including the identification of children as children with disabilities in accordance with a particular impairment;

(B) the placement in particular educational settings of such children; and

(C) the incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

# 14 Categories of Analysis

## Identification

Children with disabilities

Children with intellectual disabilities

Children with specific learning disabilities

Children with emotional disturbance

Children with speech or language impairments

Children with other health impairments

Children with autism

## Placement (ages 6-21)

Placements inside a regular class less than 40 percent of the day

Placements inside separate schools and residential facilities

## Discipline

Out of school suspensions and expulsions of 10 days or fewer

Out of school suspensions and expulsions of more than 10 days

In school suspensions of 10 days or fewer

In school suspensions of more than 10 days

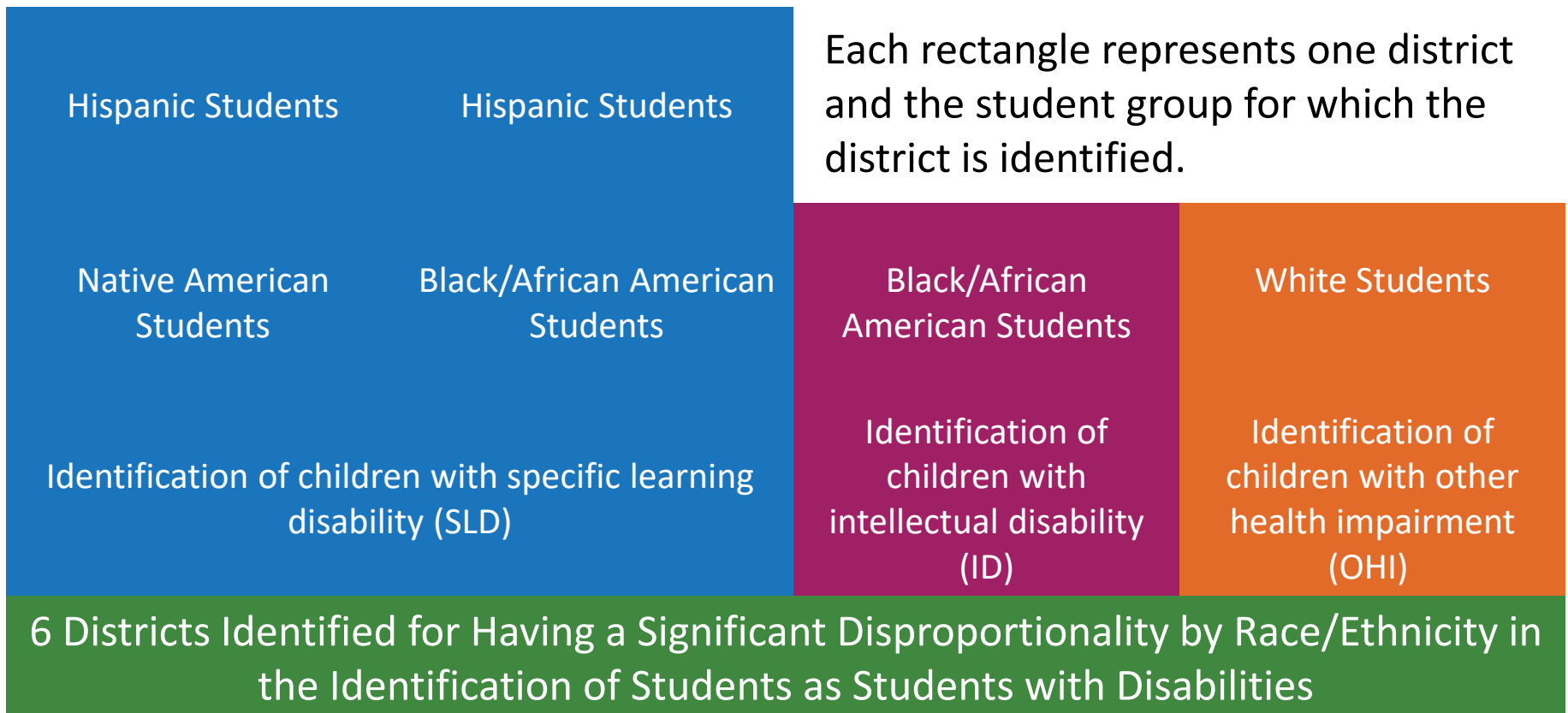
Disciplinary removals in total (ISS, OSS, expulsions, removals to interim alternative education setting, and removals by a hearing officer)

# Seven Racial/Ethnic Groups

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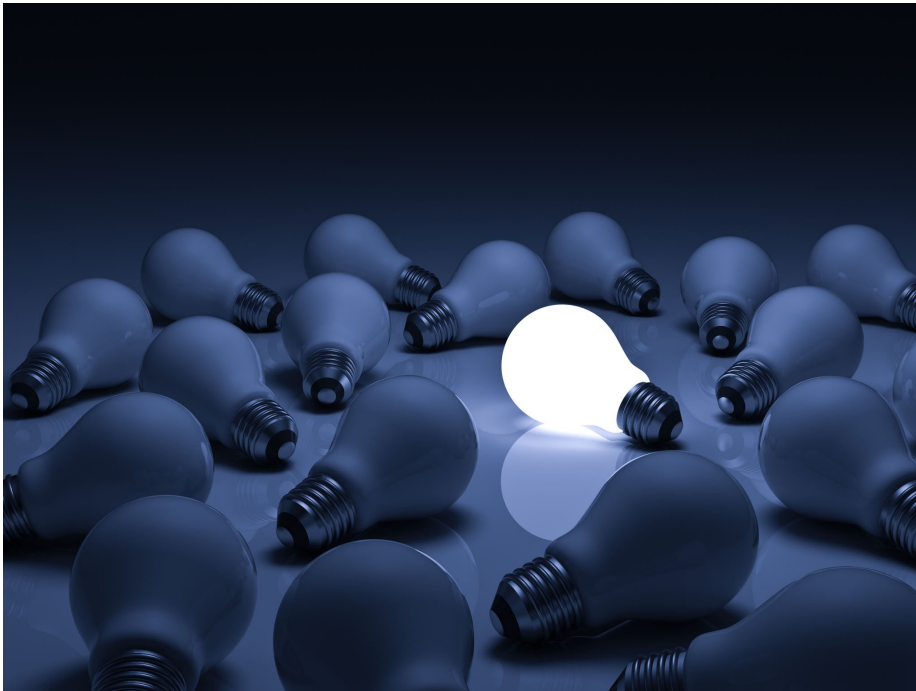
- American Indian or Alaska Native
- Asian
- Black or African American
- Hispanic/Latino of any Race
- Native Hawaiian or Other Pacific Islander
- Two or more races
- White

# Significant Disproportionality in 2022-23 in Oregon



# Each Identification is Unique

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- Data represents comparisons within the district
- Data represents a story unfolding over years and embedded in communities and systems
- We ask, why are students from this group  $x$  times more likely to be identified (within whichever eligibility category) than other students in the district?



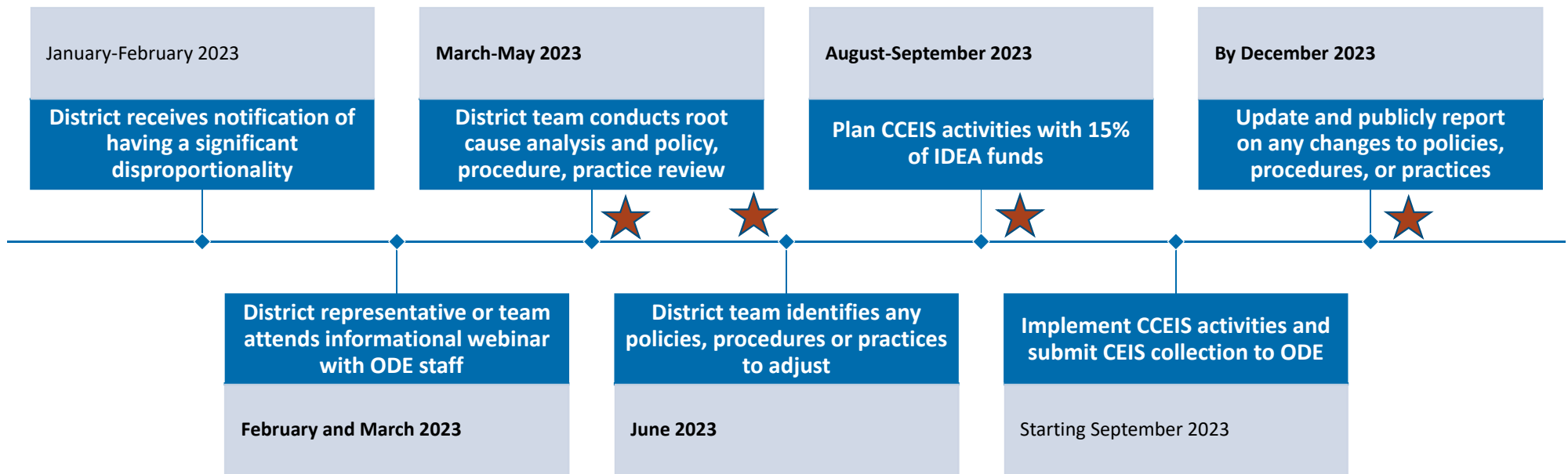
## Significant Disproportionality may be Emotionally Charged

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- Equity conversations will inherently disrupt the status quo
- ODE recognizes that districts are already working to address the inequities that are elevated in the significant disproportionality process
- We are collectively installing a new process during this first year of implementation with a new methodology

# What Happens When a District is Identified as Having a Significant Disproportionality?



# Activity Checklist

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## District and ODE Activity Checklist

- District leads root cause analysis and all policy, procedure and practice reviews
- ODE District Support Specialist and significant disproportionality team provides at least four check ins with the district tied to timing of key activities
- ODE recommends using the IDC Success Gaps Toolkit and root cause analysis tool
- ODE will collect spending and plan information in the CEIS collection
- ODE will offer professional learning and support opportunities to these districts

# Progress Check Ins

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Conversations to provide documentation



Targeted questions based on activities and timeline



Not an additional written plan for ODE

# Progress Check Ins

Dates	Significant Disproportionality Activities	B4, B9, B10 Activities
<b>March - April 2023</b>	After district attends training, as district prepares to conduct root cause analysis and PPP review	Review data in SPR&I and for any flagging in B4b, B9, or B10 identify student files and policies/procedures for review
<b>March - May 2023</b>	After district conducts root cause analysis	As district completes tasks associated with B4b, B9, B10
<b>August - September 2023</b>	As district develops plans and strategies, before CCEIS submission	If a flagging was the result of inappropriate identification, DSS provides support
<b>December 2023</b>	As district is implementing CCEIS and before next year's notification	

# Required: Root Cause Analysis

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ODE is encouraging but not requiring districts to use the IDC Success Gaps Rubric, a part of the Success Gaps Toolkit



District starts with a success gaps statement about the area in which they were identified as having a significant disproportionality

# Resource Highlight: IDC Success Gaps Toolkit

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## [Success Gaps Toolkit](#)

Includes meeting agendas, slide decks, other resources for districts to facilitate each of the following stages:

- Assemble an appropriate team
- Prepare and share about the success gaps
- Determine actionable root causes ([Success Gaps Rubric](#))
- Create an action plan
- Implement plan and monitor progress

# Required: Policy, Procedure, Practice Review

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In an LEA identified with significant disproportionality with respect to identification, the State must provide for the review of policies, practices, and procedures used in identification. This should include a review of child find and evaluation policies, practices, and procedures to ensure they comply with IDEA.



[OSEP Q&A on Significant Disproportionality](#)



# Policy, Procedure, Practice Review

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DSS and ODE Staff Will Support the District to:

- Review written documentation of policies, procedures, practices related to specific area flagged
- This review may include tasks such as:
  - Observing practices related to child find and identification criteria for eligibility area flagged
  - Reviewing individual student records as artifacts of practice and for use of policies
  - Reviewing any fidelity data collected related to schoolwide or program wide practices
- Remember to include all policies, practices, and procedures used with children ages 3-5 with school age review

# Identification

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Of children as children  
with disabilities

Of children within specific  
disability categories

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Referrals for evaluation due to suspected disability can come from schools or families

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Schools must gather relevant functional, developmental, academic information

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Schools must use more than a single measure to determine if the student experiences disability or in determining appropriate supports

# Factors Contributing to Accurate Identification

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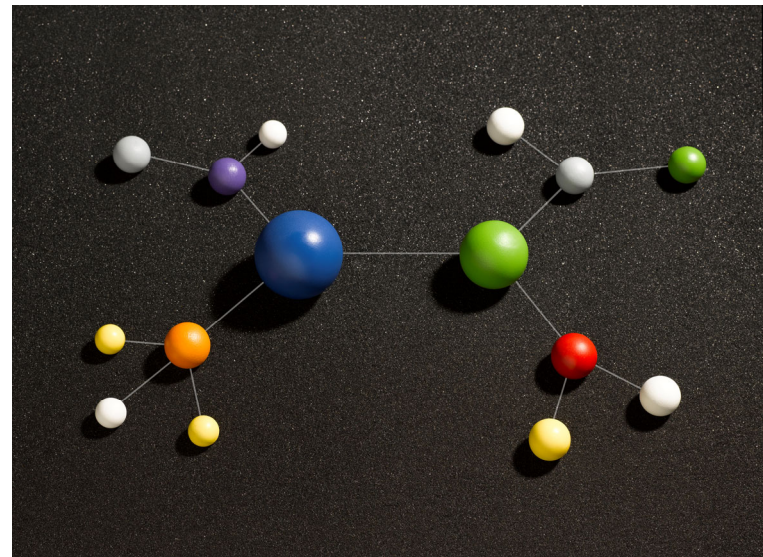
- Instruction and assessment practices
- Interventions and referrals
- Culturally relevant and responsive practices
- Adult expectations and biases



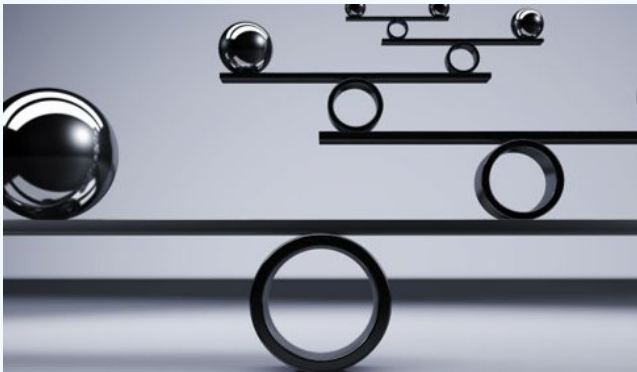
# Policy, Procedure, and Practice Revisions

The LEA has discretion as to how best to address the policy, practice, or procedure, including by eliminating, revising or changing how it is implemented, as long as it does so in a manner consistent with the requirements of the IDEA and its implementing regulations.

[OSEP Q&A on Significant Disproportionality](#)



# Comprehensive Coordinated Early Intervening Services (CCEIS)



15% of IDEA Funds (611 and 619) reserved for  
Coordinated Early Intervening Services

Age 3 - Grade 12

Activities targeting the student groups and areas of  
identification

Activities target children who are *and* are not  
currently identified as needing special education or  
related services

# CCEIS Funding

- Must use 15% of IDEA Part B funds (611 and 619)
- Districts may use available funds from one of three available grant years
- Selecting funding from 2021-22 or 2022-23 will result in the district needing to amend their budget and follow required processes
- Districts report grant year to DSS in fall check in before CCEIS collection
- ODE confirms this year is available for district to use
- [ODE CEIS Webpage](#)

Identification year	Subgrant Year In EGMS	Funds must be obligated by and funded activities must be completed by
2022-23	2021-22	September 30, 2023
	2022-23	September 30, 2024
	2023-24	September 30, 2025

# CCEIS and MOE Impacts

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- When an LEA is identified as having a significant disproportionality, the LEA cannot take a reduction in MOE if the following year's IDEA 611 allocation exceeds the prior year's allocation
- LEAs identified as having a significant disproportionality can still use any of the approved methods to calculate MOE
- MOE may be impacted for districts when the reduction in the amount of IDEA funds available necessitates using state, local, or a combination of state and local funds to provide special education and related services
  - If an additional amount is needed from state and local funds, then this becomes the new level of spending required to meet MOE

# CCEIS Reporting



Data collection for all districts will be open from September 28, 2023 – November 10, 2023



CEIS carries different parameters and also is reported to ODE in this collection



Districts must prepare to be able to report the dollar amounts and number of children who received CCEIS services



# Examples of CCEIS Activities

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A district has been identified with significant disproportionality for Hispanic students identified with a specific learning disability.

- Schoolwide training for all staff on culturally responsive practices
- Purchase of screening assessments in reading and math to use with all students K-3, three times a year
- Professional learning for teaching staff and assistants on explicit instructional practices
- Use of coaching services to support staff in creating culturally responsive classroom communities and in delivering explicit instruction

# Significant Disproportionality and CCEIS Resources

## To use with your team

### [IDC Success Gaps Toolkit](#)

- [Success gaps toolkit checklist](#)
- [Success Gaps Rubric PDF](#)
- [Priority setting tool](#)
- [IDC resource page](#): includes PPTs and facilitation tools

## To grow background knowledge

[Equity Requirements in IDEA](#): PDF comparing significant disproportionality requirements to indicators B4b, B9, B10

[OSEP Q&A on significant disproportionality](#)

[CIFR WestEd Significant Disproportionality Step By Step Guide](#): Steps with resources

[IDC/CIFR/WestEd CEIS Practice Guide](#): Examples of CCEIS scenarios

# Professional Learning Opportunities for Districts

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- April 2023 NWPBIS and ORTII joint statewide conference
- SWIFT Coaching (more information to come)
- National Center on Intensive Intervention: [Data Based Individualization Self-Paced Modules](#)

# Questions



Contact Sarah Soltz  
[Sarah.soltz@ode.oregon.gov](mailto:Sarah.soltz@ode.oregon.gov)  
(503) 881-2120

Or

Contact your district support  
specialist

# Thank You

