



Districts At-Risk for Significant Disproportionality

Information for Districts at-risk during the 2025-2026 School Year

March 18, 2026

Agenda



What is Significant Disproportionality

District and ODE Activities and Timelines

Policy, Procedure, Practice Review and Root Cause Analysis

Planning for Comprehensive Coordinating Early Intervening Services

Questions

Equity

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.



Salem-Keizer, 2022

What is Significant Disproportionality?

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.

Significant Disproportionality At-Risk Status

Is



- An alert of a data trend.
- A forecast that the district might be identified as having a significant disproportionality in the next school year.
- An opportunity to review data and possible contributing factors.
- An opportunity to plan for future use of IDEA funds.

Is Not



- A requirement to reserve IDEA funds for use in the 2026-27 school year.
- A notification of noncompliance.
- A notification of discrepancy or disproportionality for APR indicators.

Discrepancy and Disproportionality Indicators

There are four indicators related to disproportionality and equity in IDEA:

- B4 Discipline incidents
- B5 Placements across the LRE continuum
- B9 Disproportionate representation in special education
- B10 Disproportionate representation in specific disability categories

Annually, these indicators:

- Are Identified in SPR&I.
- Require follow up activities by the district and ODE to determine if the identification represents noncompliance with IDEA.
- May result in findings of noncompliance and initiation of corrective action process.

Calculating Significant Disproportionality



A risk ratio is used to answer these questions:

- What is the risk of a particular outcome for students in this group compared to all other students in the district (or state)?
- Are students from any one particular group more likely to experience this particular outcome than are all other students?

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

States are required to examine each of the 14 categories of analysis for each of these student groups.

American Indian/Alaska Native

Asian

Black/African American

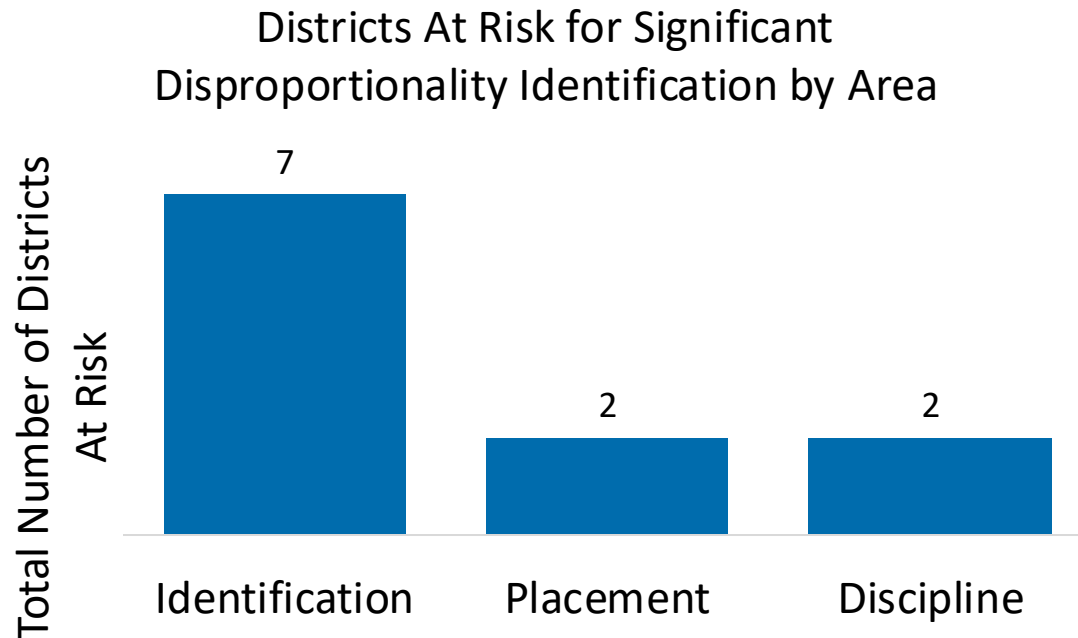
Hispanic/Latino

Native Hawaiian or Other Pacific Islander

Two or more races

White

2025-2026 At-Risk Districts by Area



Identification

- 1 district at risk for identification overall
- 2 districts at risk for students with SLD
- 2 districts at risk for students with OHI
- 1 district at risk for students with AUT
- 1 district at risk for students with EBD

Placement

- 1 district at risk for students placed in regular setting <40% of the time
- 1 district at risk for students placed in separate schools/residential facilities

Discipline

- 1 district at risk for Out of School Suspensions > 10 days
- 1 district at risk for In School Suspensions > 10 days

Risk Ratios as Comparisons



- What is the risk of being identified as having a specific learning disability for American Indian/Alaska Native students in a specific district compared to other students in the same district?
- Are Hispanic students in a specific district more likely to be placed in the regular setting less than 40% of the time, compared to other students? If so, how much more?

Understanding Risk Ratios

The percentage of students from a specific group of students experiencing a certain outcome.



The percentage of students in the comparison group experiencing the same outcome.

The risk ratio of this outcome being experienced by the specific group compared to the comparison group.

Example

District A has been identified as having a significant disproportionality for Hispanic students identified with a Specific Learning Disability (SLD).

1. Target group: Calculate the rate of SLD identification among Hispanic students in District A.

Number of Hispanic students identified with SLD in the district

Number of all Hispanic students in the district

2. Comparison group: Calculate the rate of SLD identification among all other students.

Number of all other students identified with SLD in the district

Number of all other students enrolled in the district

3. Calculate the risk ratio by dividing the risk for the target group by the risk for the comparison group.

[ODE Significant Disproportionality Technical Manual](#)

Risk Ratios and Alternate Risk Ratios

Minimum cell size of 10

Number of students experiencing a particular outcome

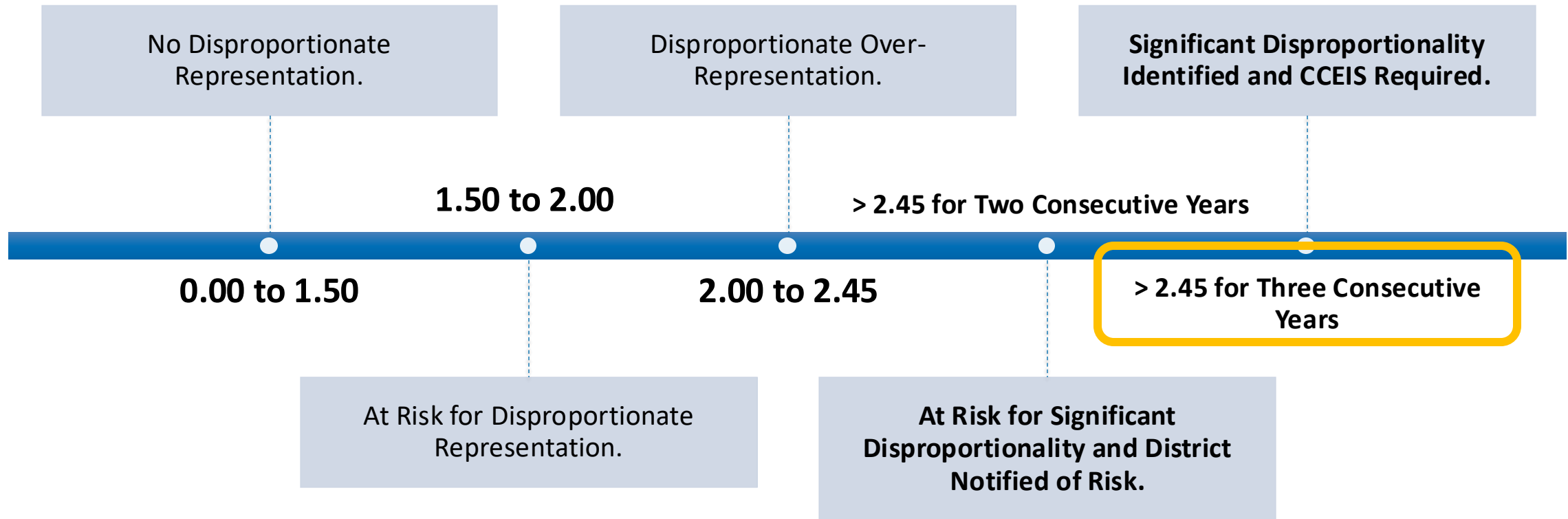
Minimum N Size of 30

Identification uses total number of students enrolled in a district*

Placement and discipline use number of students with disabilities in the district*

*Alternate Risk Ratio: Comparisons using statewide instead of district wide numbers

Risk Ratio Thresholds



A district may avoid identification if reasonable progress is made year over year.

Questions



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District and ODE Activities and Timelines

Policy, Procedure, and Practice Review and Root Cause Analysis

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Districts At Risk for Significant Disproportionality Identification

If Identified in 2026-2027:

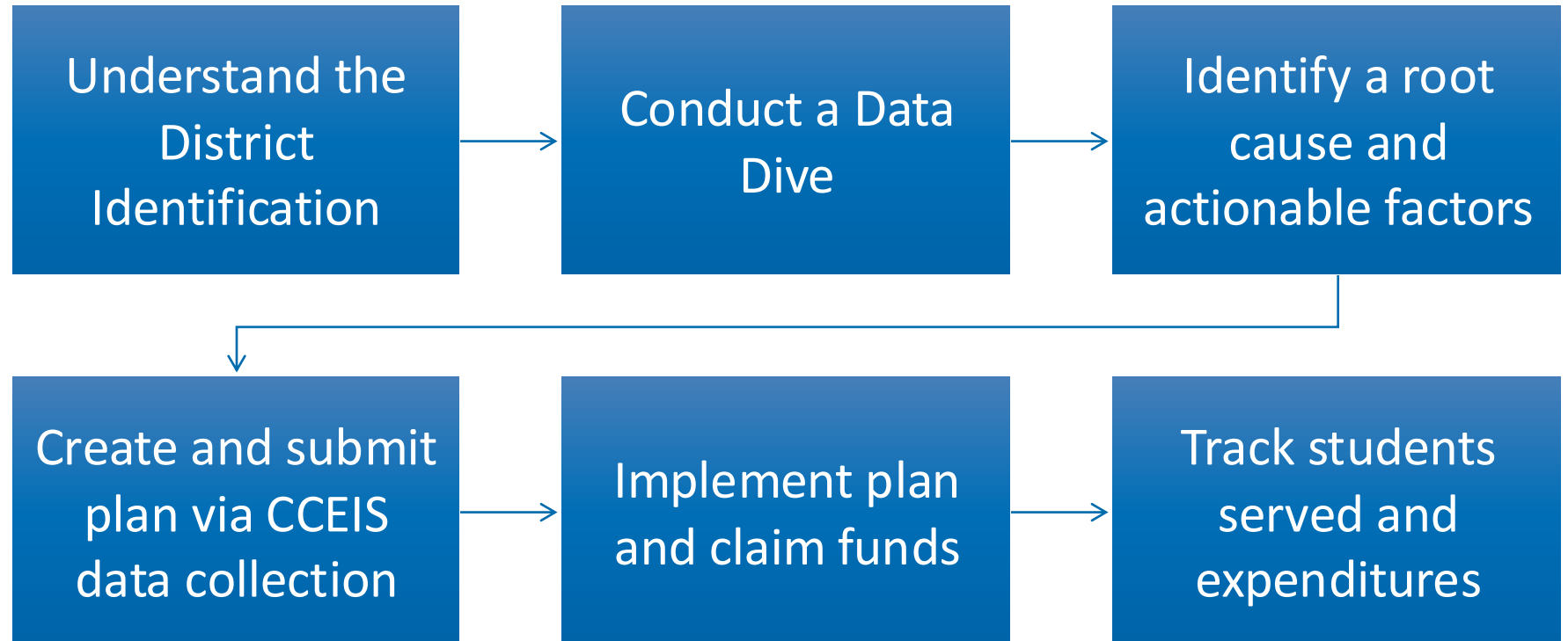
- District will conduct a policy, procedure, and practice review and root cause analysis in the area of identification.
- District will develop a plan to address the causes of the disproportionality.
- Districts will be required to use 15% of IDEA funds from the SY '26-'27 or SY '27-28 combined 611 and 619 allocations.



Process Overview

ODE Supports Districts from March through June in the school year of identification to:

In September of the following school year, ODE will support districts to:



Teaming for Significant Disproportionality



Planning and implementing activities requires team members who:

- Allocate resources including general and special education staff and funding.
- Influence policy and communication between the district office and schools.
- Make decisions regarding curriculum, instruction, and teacher practice.
- Represent and direct general education.
- Hold specialized knowledge and are involved in practice in the district's significant disproportionality identification.

Poll

How would you self-rate your district's teaming infrastructure to address significant disproportionality?

- A. You are exploring roles and possible structures. Your district does not yet have an implementation or leadership team in place.
- B. A team may be in place but will require changes. There might be multiple teams or separate general and special education leadership structures to consider.
- C. Your district has an active implementation or leadership team working on the same or similar equity issue and can address significant disproportionality through this team.

Agenda



What is Significant Disproportionality

District and ODE Activities and Timelines

**Policy, Procedure, and Practice Review and
Root Cause Analysis**

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Intervening Services

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Required: Policy, Procedure, Practice Review



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

Overarching principles, rules, or guidelines established by federal, state, local, or other governing bodies to ensure compliance with the requirements of a law.



Jump Start Kindergarten, 2023

Area of Significant Disproportionality	Policy Example
Identification	District child find policy is in alignment with 34 C.F.R. §300.111(a)(1)(i).
Placement	District policy regarding student placement aligns to the requirement for the Least Restrictive Environment in OAR 581-015-2240.
Discipline	District policy regarding student discipline is consistent with 34 C.F.R. § 300.530.

Procedure

Detailed steps on how to implement a policy.



Beaumont Middle School, 2023

Area of Significant Disproportionality	Procedure Example
Identification	<p>Procedure for how team makes determination of specific learning disability eligibility criteria aligns to OAR 581-015-2170.</p> <p>Procedures for how team determines exclusionary factors aligns to 34 CFR 300.306(b)(1)(i).</p>
Placement	<p>Procedures for placement of students moving into district with existing IEPs are consistent with OAR 581-015-2240.</p>
Discipline	<p>School discipline procedures include process and responsibilities for conducting a manifestation determination in accordance with 34 CFR 300.530(e).</p>

Practice

Practices are the activities, interactions, interventions, and strategies that the service providers and educators use to serve students.



Da Vinci Arts Middle School, 2023

Area of Significant Disproportionality	Practice Example
Identification	Review of evaluations conducted and decisions made from evaluation data for students in identified population. Review of student intervention data and intervention fidelity of implementation data.
Placement	Review of placement decisions for students moving into district with existing IEPs. Review of placement decisions for students in most restrictive settings.
Discipline	Review of documentation of participants, conversation, and decisions for a manifestation determination.

Policy, Procedure, Practice Review Considerations: Identification

Does the district have a written policy on child find and evaluation reflective of federal and state regulations?

Are there written procedures for each step of the pre-referral process, evaluation, eligibility, and re-evaluation process?

Does the district have a way to determine if the child has received appropriate instruction prior to determining the child experiences a disability?

Does the district make attempts to provide assessments to students in the language and form most likely to yield accurate information on what the child knows and is able to do academically?

Does the district provide professional learning and support in areas of differentiated instruction and general education supports to increase access to the general curriculum for all students?

Policy, Procedure, Practice Review Considerations: Identification

Does the district provide training and coaching on administering and interpreting assessment data?

How does the district ensure evaluation data draws upon information from a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations, information about the child's physical condition, social or cultural background, and adaptive behavior?

Are these procedures written and implemented in ways to serve culturally and linguistically diverse students?

To what extent do student records and artifacts reflect an equitable implementation of these policies and procedures, especially for the identified student group?

Policy, Procedure, Practice Review Considerations: Placement

Does the district have a written policy on placement, including a continuum of supports, reflective of federal and state regulations?

Are there written procedures for IEP teams to use during initial placement, re-evaluation, and when students with IEPs move in?

To what extent are student placements determined by the student IEP rather than by the student's eligibility category?

Does the district have a procedure to determine if the nature or severity of a student's disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily?

Policy, Procedure, Practice Review Considerations: Placement

Do the LEA's policies, practices, and procedures support the return of students placed in the separate facility to a general education environment?

How does the district ensure that students are not removed solely because of modifications needed to the general education curriculum?

Are these procedures written and implemented consistently and in ways to serve culturally and linguistically diverse students?

To what extent do student records and artifacts reflect an equitable implementation of these policies and procedures, especially for the identified student group?

Policy, Procedure, and Practice Review

Considerations: Discipline

Do all schools in the district implement school-wide systems of positive behavioral support?

How are staff provided training and ongoing support in the use of proactive behavioral support strategies, and on student specific interventions?

How does the district know schools are using proactive and restorative approaches across all settings?

How is discipline data regularly reviewed?

Policy, Procedure, and Practice Review

Considerations: Discipline

What systems are in place for tier 2 interventions?

How do staff collect and use behavior data to make adjustments to interventions?

Does the district or each school have written procedures for the use of in-school suspension?

Do children with disabilities receive academic or behavioral support during in-school suspension?

What internal district processes support the timely transfer of information between administrators, IEP team, and families when a student with a disability is suspended?

Resource Highlight: IDEA Data Center Success Gaps Rubric

Success Gaps Rubric: Addressing Equity, Inclusion, and Opportunity

- Questions for team reflection
- Topics include inclusive practices, instruction, and student supports
- Evaluative questions based on stages of implementation
- May support policy, procedure, and practice review to elevate areas for root cause analysis

[Success Gaps Rubric PDF](#)



Required: Root Cause Analysis

Purpose is to identify reasons for the differences in outcomes between student groups in the identified area of disproportionality.

Districts use an inquiry process to review data, generate hypotheses, and develop improvement recommendations.

Data reviewed should include insights from the Policy, Procedure, and Practice review and specific student group data.

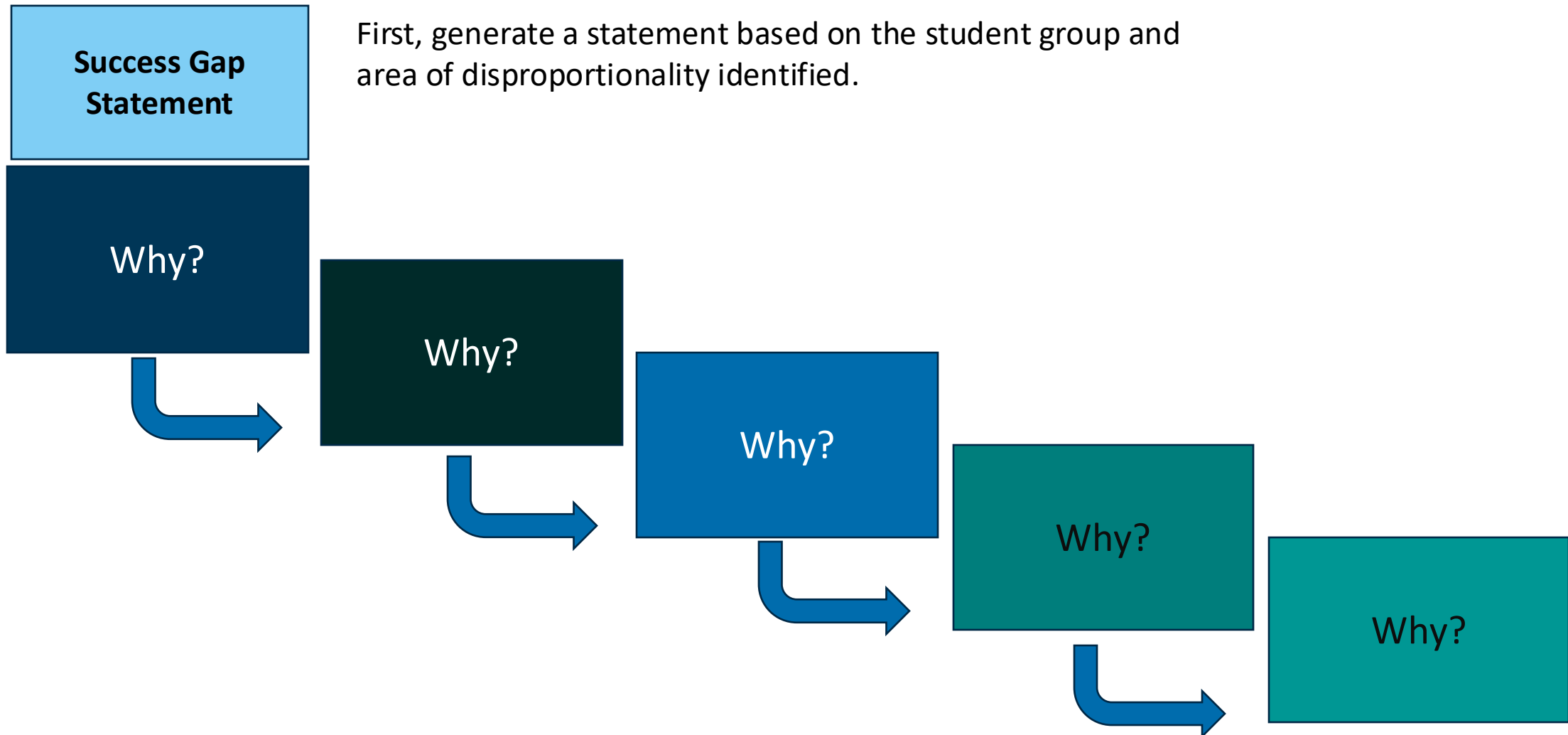
Select a Root Cause Method



Districts may use one of the following methods or select another method to conduct a root cause analysis.

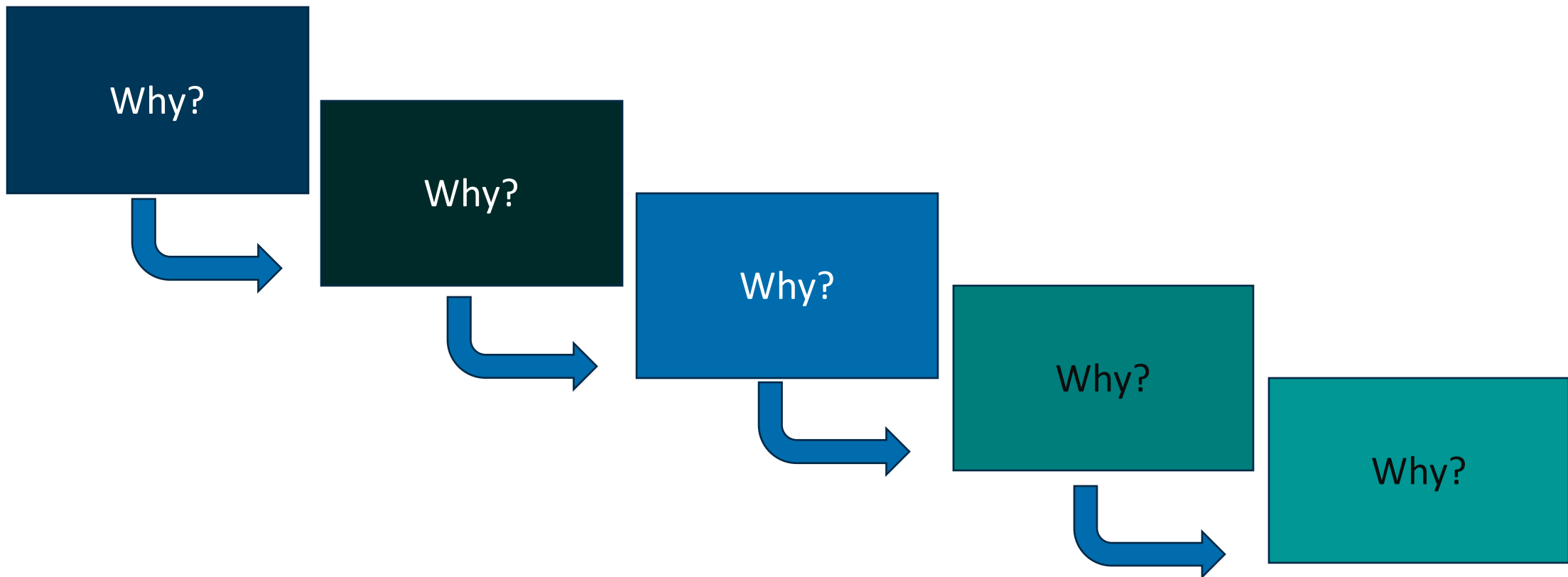
- Five Whys
- Fishbone

The Five Whys



The Five Whys

Hispanic Students are at a high risk for being identified as having a specific learning disability in our district.



The Five Whys

Hispanic Students are at a high risk for being identified as having a specific learning disability in our district.

Why?

Students are referred for special education evaluation.

Why?

Why?

Why?

Why?

The Five Whys

Hispanic Students are at a high risk for being identified as having a specific learning disability in our district.

Why?

Students are referred for evaluation for special education.

Why?

Students are performing below grade level academically.

Why?

Why?

Why?

The Five Whys

Hispanic Students are at a high risk for being identified as having a specific learning disability in our district.

Why?

Students are referred for special education evaluation.

Why?

Students are performing below grade level academically.

Why?

Students are not making progress in math and reading interventions.

Why?

Why?

The Five Whys

Hispanic Students are at a high risk for being identified as having a specific learning disability in our district.

Why?

Students are referred for special education evaluation.

Why?

Students are performing below grade level academically.

Why?

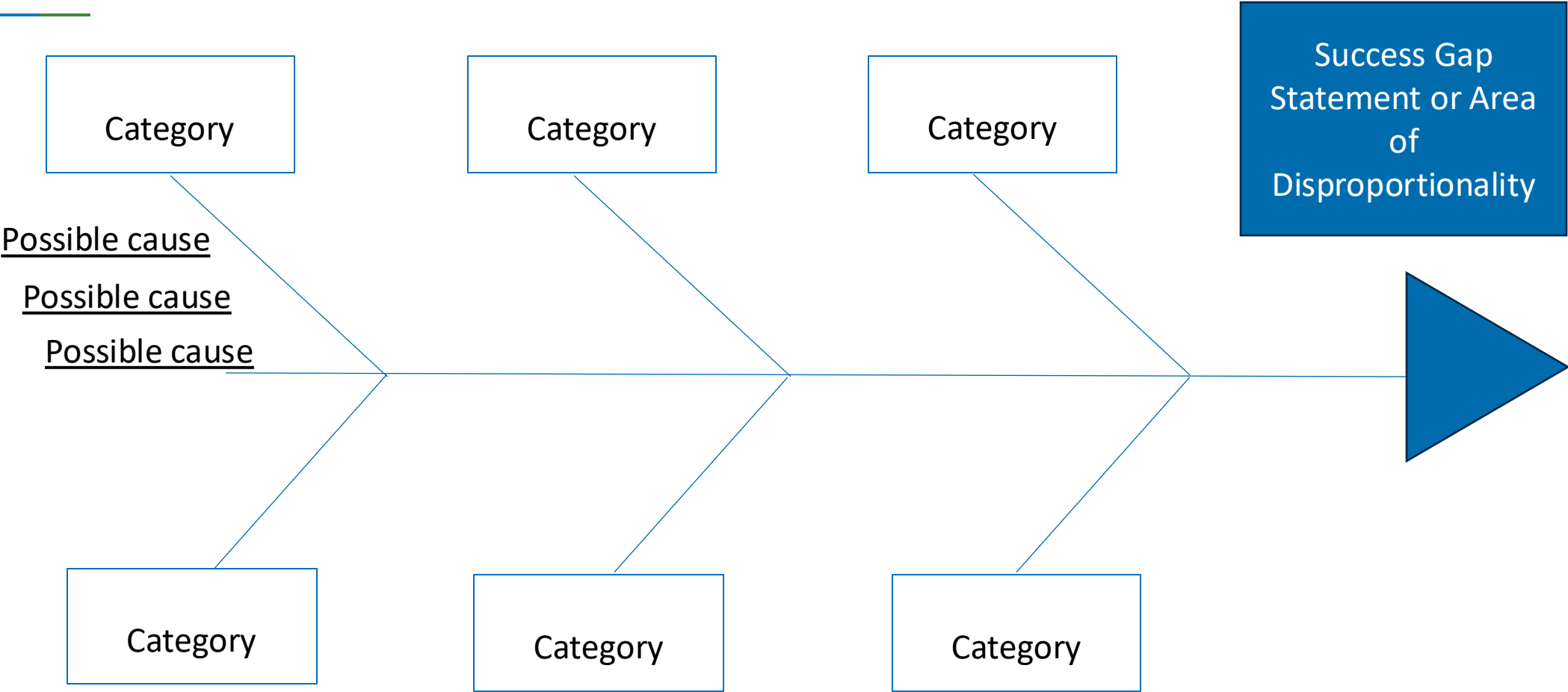
Students are not making progress in reading interventions.

Why?

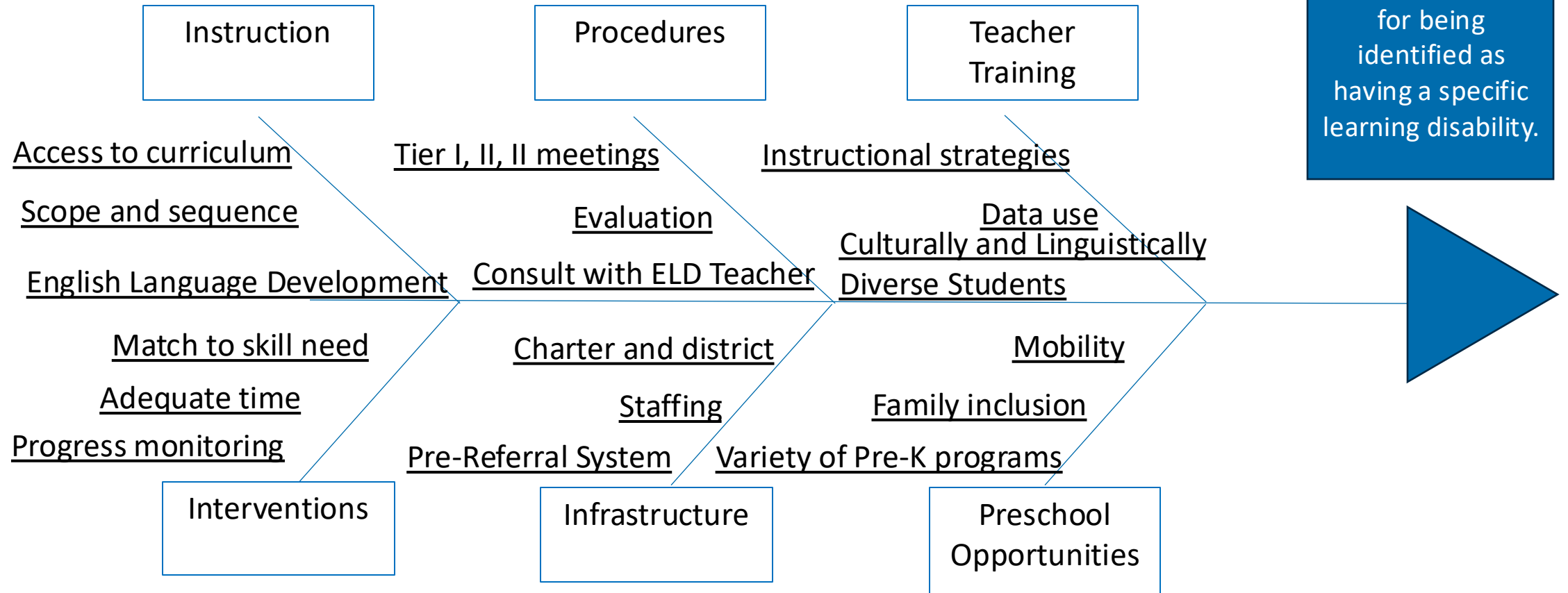
Students are not placed in interventions by skill area.

Why?

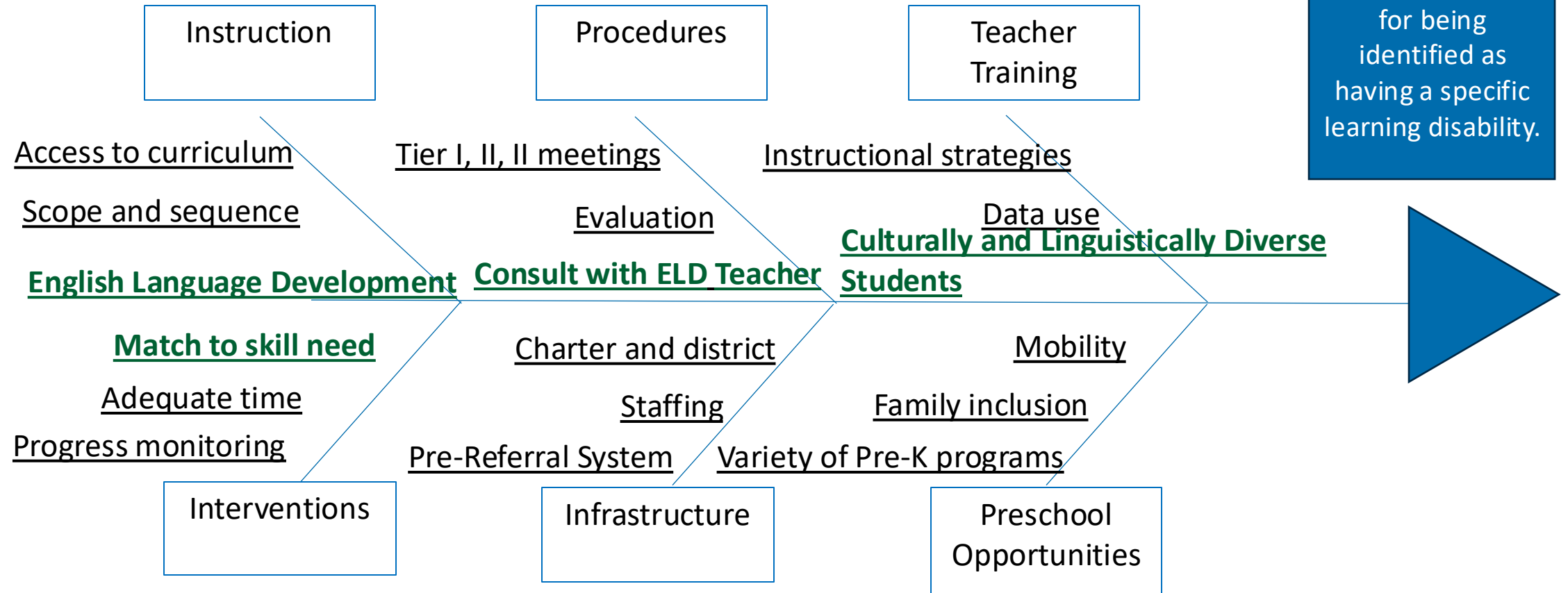
Fishbone Diagram



Fishbone Diagram



Fishbone Diagram



Poll

Which method of root cause analysis are you planning to use?

- A. Fishbone
- B. Five Whys
- C. Other
- D. Uncertain

Agenda



What is Significant Disproportionality

District and ODE Activities and Timelines

**Planning for Comprehensive
Coordinating Early Intervening Services**

Questions

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.

Planning Ahead for CCEIS Funding

- If Identified, the district 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 2025-26 or 2026-27 will result in the district needing to amend their budget and follow required processes.

[ODE CEIS Webpage](#)

Identification year	Subgrant Year In EGMS	Funds must be obligated by and funded activities must be completed by
2026-27	2025-26	September 30, 2027
	2026-27	September 30, 2028
	2027-28	September 30, 2029

Next Steps for Districts At Risk

Share information about this identification with district leadership.

Review resources provided and identify possible resources to use with team.

Prepare a team to conduct this work if identified.

Take stock of improvement initiatives, plans, and any other district priorities related to this area of risk.

Begin identifying data sources and questions for policy, procedure, practice review and root cause analysis.

Significant Disproportionality and CCEIS Resources

To Guide Activity Planning and Requirements for ODE

[ODE Significant Disproportionality Website](#)

To Support Districts in Teaming

[Serving on Groups: Leading by Convening, by IDEAs that Work](#)

To Grow Background Knowledge

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

[OSEP IDEA Significant Disproportionality Regulations](#)

Resources For District Use in Improvement Planning

National Center on PBIS

[Wise Use of Coordinated Early Intervening Services to Achieve Equity in School Discipline](#)

West Ed

[Research-Based Strategies for Addressing Disproportionality in Special Education](#)

Progress Center

[IDEA Disability Category Tip Sheet Series](#)

[Evidence-Based Instructional Practices Course Collection](#)

[Teaching Social Behaviors online self-paced course](#)

Oregon Department of Education

National Center on Intensive Intervention

[Introduction to Intensive Intervention](#)

[Tools chart overview](#)

TIES

[PBIS and Students with significant cognitive disabilities](#)

[Inclusive Instruction resources](#)

Questions and Reflections



Contact Information

ODE Staff are Available to Assist with the Different Aspects of Significant Disproportionality.

Data Questions

Cynthia Garton

Cynthia.garton@ode.oregon.gov

CCEIS or Financial Questions

Thea Donovan

Ode.IdeaFinance@ode.oregon.gov

Program and Planning Questions

Sarah Soltz

Sarah.soltz@ode.oregon.gov