Addressing Racial Disproportionality in Special Education

IDEAs that Work

Louisiana SPDG STATE PERSONNEL DEVELOPMENT GRANT

LSU College of Human Sciences & Education

DEPARTMENT of EDUCATION Louisiana Believes

Addressing Racial Disproportionality in Special Education: Data, Policy, Practice & Family Partnerships

About the Grant:

The Louisiana State Personnel Development Grant (LaSPDG) is a Louisiana Department of Education Grant (LDOE) funded by the Office of Special Education (OSEP). LaSPDG Staff are housed at Louisiana State University. The purpose of the grant is to develop a system of professional development and support based on state, district, and school needs to improve outcomes for students with disabilities. The SPDG four focus areas relate to the use and effectiveness of (1) Data Based Decision-Making, (2) Inclusive Practices, (3) Family Engagement, and (4) Culturally Responsive Practices. For more information regarding the grant, visit www.laspdg.org

Overview:

Disproportionality is defined as the "**overrepresentation**" and "**under-representation**" of a particular population or demographic group in special or gifted education programs relative to the existence of that group in the overall student population (Gamm, 2010). Disproportionality has been a national concern for students who are culturally and linguistically diverse in special education programs for four decades. OSEP requires state education agencies to address disproportionality in conjunction with Indicators 9 and 10 of the State Performance Plan (SPP) for Special Education. Indicator 9 involves the percentage of districts with disproportionate representation of racial and ethnic groups in special education and related services overall that is the result of inappropriate identification. Indicator 10 involves the percentage of districts identified with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

A variety of policies, procedures, and practices continue to exist at the district, school, and/or classroom levels that can lead to overrepresentation of students who are culturally and linguistically diverse in special education programs. To ensure that all children learn and succeed, Local Education Agencies (LEA) need to know how they can help decrease inappropriate identification of students in special education. Research indicates that racial disparities in special education are reflective of problems in general education that begin at the classroom level (Abramovitz & Blitz, 2015). Due to this, OSEP encourages schools to review policies, procedures and practices. For that reason, it is important for schools to analyze data to determine inequalities.

Purpose:
This resource is designed to assist school staff in thinking more deeply about issues and practices that may contribute to the overrepresentation of students in special education. The purpose of the checklist is to guide schools in eliminating the misidentification of students who are culturally and linguistically diverse in special education and to ensure that only students with disabilities (an impairment(s) and a need for special education) are placed into special education programs based upon a comprehensive evaluation process. This checklist is not intended to be used for teacher or program evaluation.

Directions:
This resource is designed as a checklist. The checklist has four sections: data, policies, practices, and families. The tool begins with data to disaggregate; refer to the data elements in the box below prior to starting the checklist. Next, there are questions that focus on policies, practices, and families. After identifying responses to the questions, stakeholders will be able to develop an action plan of their critical issues to guide and help formulate productive policies, practices, and family initiatives.

Who Should Complete:
School personnel such as School Building Level Teams, Student Assistant Teams, administrators and teachers can complete the checklist individually or as team.

When to Complete:
It is important to regularly assess efforts regarding overrepresentation and misidentification of students in special education. Ideally, this resource could be utilized at the beginning of the school year and then at the end of the school year to provide a better understanding of the factors that contribute to disproportionality.

What data is needed to assist the school in completing the checklist?

Before you complete the checklist, use your district/school data system to determine:

-# of special education referrals for current and past school years

-# of special education referrals by race of teacher

-# of special education referrals by race of student

-# of special education referrals by grade level

-# of years teaching experience by referring teacher

Data

	Yes	No
1. Is there a racial disparity pattern among:		
a. Teacher referrals?	○	○
b. By race of teacher?	○	○
d. By experience of teacher (# of teaching years)?	○	○
2. Are large numbers of students referred by certain grade levels?	○	○
3. Are racially disproportionate numbers of students being identified as special education eligible in more than one category?	○	○
4. If you compared data from the previous school year, are student referrals for special education services increasing?	○	○
5. Is the district supporting the school with analyzing data?	○	○
6. Is the disaggregated data routinely shared and analyzed among both general and special educators within the school?	○	○
7. Has the district fulfilled the IDEA's requirement to collect and report data to the school disaggregated by race and ethnicity on identification, placement, and discipline?	○	○

COMMENTS:

Pre-Referral Questions

	Yes	No
1. Does the school use universal screening to identify students with academic issues?	○	○
2. Do students receive universal screenings and early intervening supports prior to a referral for a special education evaluation?	○	○
a. Are they available to all students who need them?	○	○
b. Are they research-based interventions?	○	○
3. Are pre-referral interventions rigorously designed to help the teacher and school meet the educational needs of the student?	○	○
4. Does the pre-referral package include documentation of differentiated instruction, appropriate interventions, and progress monitoring?	○	○
5. Has the school established intensive interventions that differ by grade level?	○	○
a. Behavior interventions?	○	○
b. Speech interventions?	○	○
c. Academic interventions?	○	○
6. Has the school established written fidelity measures for each of the various interventions used in the following areas?		
a. Minimum session length	○	○
b. Minimum number sessions per week	○	○
c. Maximum time used for intervention to show progress	○	○
d. Review and modifying intervention based on data	○	○
e. Staff responsible for reviewing progress monitoring data	○	○
7. If the school is required to use IDEA funds for early intervening services, are students who are culturally and linguistically diverse targeted?	○	○
8. Do all students with apparent, but mild, behavioral issues receive the supports or services they need from school counselors ***prior*** to referral for evaluation?	○	○

COMMENTS:

Evaluation Questions

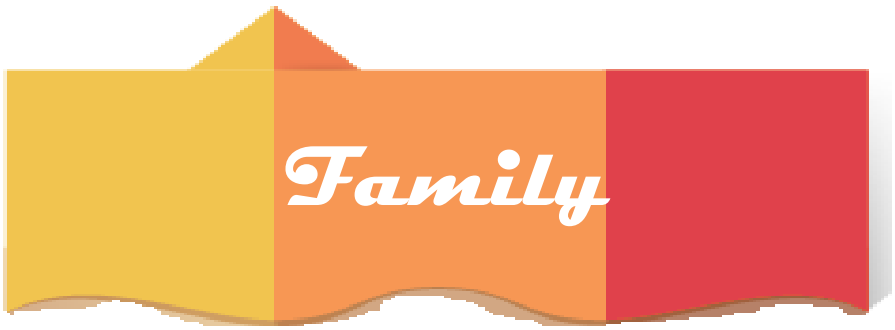
	Yes	No
1. Has the school identified the primary language of the child's home, general cultural identification, and mode of communication?	○	○
2. Has the school determined the need for conducting dual language assessments as an essential steps in an evaluation process? This includes:	○	○
a. language history (i.e., ages that the student spoke and heard various languages)	○	○
b. dominance (i.e., greatest language proficiency)	○	○
c. preference (i.e., the language the student prefers to speak)	○	○
3. When assessing student backgrounds who are culturally and linguistically diverse, did the evaluation team use	○	○
a. standardized nonverbal cognitive and translated tests	○	○
b. additional assessment techniques, such as curriculum-based assessments		
c. indirect sources of data, such as teacher and parent reports, portfolios, work samples, teacher/student checklists, informal interviews and observations.	○	○
4. Were a variety of assessment tools used as the sole criterion for determining if a child has a disability?	○	○
5. Were the assessments		
a. selected and administered so as to be nondiscriminatory with respect to language, culture, race and gender?	○	○
b. administered in the child's native language or other mode of communication and in a form most likely to yield accurate information on what the child knows and can do?	○	○
c. administered by trained, knowledgeable and qualified personnel and include those qualified to assess specific areas of educational need?	○	○
6. Did the evaluation team review existing data and input from the child's parents to determine what additional data, if any, are needed?	○	○

COMMENTS:

Practice

	Yes	No
1. Are members of the Pupil Appraisal team that administered the evaluations knowledgeable about cultural differences and culturally appropriate assessments?	○	○
2. Does the Pupil Appraisal team and/or School Building Level Committee support teachers in using pedagogy that addresses diverse student needs?	○	○
3. Does the Pupil Appraisal and IEP team vary dramatically in their understanding and use of data to identify issues, discuss remedies with staff, and evaluate interventions?	○	○
4. Are there educators and supports in place to identify and meet the needs of students who have experienced trauma?	○	○
5. Is either IQ disparity, or low IQ, used as the primary tool in diagnosing any disability category or for limiting certain educational opportunities?	○	○
6. Are students who are deemed eligible for a particular disability category removed to a more restrictive environment because that environment has become the place where students with that disability are sent?	○	○
7. Are evaluators skilled in presenting evaluation information and data in a clear and understandable manner to parents with varying educational backgrounds or limited language proficiency?	○	○
8. Are professional development programs available to help all educators make appropriate special and gifted and/or talented education referrals?	○	○
9. Are professional development programs available to assist teachers with developing culturally responsive classroom management skills?	○	○

COMMENTS:



	Yes	No
1. Prior to referral or short term suspension, do teachers and administrators make serious efforts to reach out to parents of minority children who are displaying poor behavior in the classroom?	○	○
2. Do teachers or other school personnel meet with families in the home?	○	○
3. Is the information on parental rights provided according to the requirements of IDEA?	○	○
a. Is it presented in the parent's language of origin?	○	○
4. Are families who use English as a second language provided with the same quality and quantity of information as English speaking families?	○	○
5. Does the school make efforts to recruit staff and volunteers that reflect the diversity of the cultures in the school, particularly in the group that is disproportionate?	○	○
6. Does the school schedule opportunities throughout the school year for teachers to work together with parents/families?	○	○
7. Does the school have a structure in place to obtain specific feedback from families of students in disproportionate area/group?	○	○
8. Is the school's racial and cultural diversity openly discussed at school meetings and includes the staff, families and community?	○	○
9. Are books and materials about families' cultures in each classroom, library and media center?	○	○
10. Are families, educators, and community leaders able to become productively engaged in your school's or school's plan to address disproportionality?	○	○

COMMENTS:

Addressing Disproportionality

Instructions: Based on the answers indicated on the self-assessment, list the next steps your team will take to address disproportionality in your schools, including any revisions to policies, procedures and practices that may be necessary as a result of the self-assessment. Please keep in mind that there should be clear connections among the self-assessment results with the school's action plan.

List at least three activities along with a brief narrative explaining how the school plans to implement each activity to address disproportionality. For each activity, indicate the required resources, timelines and persons responsible. These activities should include accessing and utilizing technical assistance and training resources.

Activity (with brief narrative)	Required Resources	Timelines	Persons Responsible
1.			
2.			
3.			
4.			
5.			

References

Abramovitz, M., & Blitz, L. V. (2015). Moving toward racial equality: The Undoing Racism workshop and organizational change. Race & Social Problems [published online March 1, 2015]

Gamm, S. (2010). Disproportionality in special education: Identifying were and why over identification of minority students occur. Bethesda, Md.: LRP Publications, in press.

Losen, D. (2010). Checklist for addressing racial disproportionality in special education. Wisconsin Department of Public Instruction. [published online April 1, 2010]

Web Resources

100 Black Men, http://www.100blackmen.org

Access Center: Improving Outcomes for All Students K–8, http://www.k8accesscenter.org

America Speech-Language-Hearing Association, http://www.asha.org

Center for Evaluation and Education Policy, Indiana Disproportionality Project, http://www.ceep.indiana.edu

IDEA Partnership, http://www.ideapartnership.org

IRIS Center for Faculty Enhancement, http://iris.peabody.vanderbilt.edu

LD Online, Glossary of Education Terms, http://www.ldonline.org/glossary

National Association for Bilingual Education (NABE), http://www.nabe.org/

National Association of School Psychologists, http://www.nasponline.org

National Association of State Directors of Special Education, http://www.nasdse.org/

National Center for Culturally Responsive Educational Systems, http://www.nccrest.org

National Center on Student Progress Monitoring, http://www.studentprogress.org

National Dissemination Center for Children with Disabilities, http://nichcy.org

National Technical Assistance Center on Positive Behavioral Interventions and Supports (PBIS), http://www.pbis.org

Project Achieve and the Stop and Think Social Skills Programs, http://www.projectachieve.info

Wrights Law, Glossary of Special Education and Legal Terms http://www.fetaweb.com/06/glossary.sped.legal.htm

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