

# Disproportionality

Summer Administrator Conference

Dr. Shanise Terrell - Director for Ferguson-Florissant  
Ms. Chaketa Mack-Riddle - Executive Director Partner Districts  
Dr. Jeff Haug - Chief Operating Officer



# Purpose

This presentation will explain the purpose, definition, budget, and processes, and partner district collaboration for Disproportionality planning and spending. This will also provide transparency for stakeholders, taxpayers, and DESE requirements.

# Disproportionality

## **A. OVERIDENTIFICATION AND DISPROPORTIONALITY (34 CFR 300.173)**

The State has in effect policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of students as students with disabilities.

# Disproportionality

## **B. SUSPENSION AND EXPULSION RATES (34 CFR 300.170)**

The State of Missouri shall examine data including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities among public agencies in the State or compared to the rates for nondisabled children within the agencies.

If the discrepancies are occurring, DESE shall review and, if appropriate, revise (or require the affected State agency or local education agency to revise) its policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards, to ensure these policies, procedures, and practices comply with IDEA.

# Disproportionality

## **C. SIGNIFICANT DISPROPORTIONALITY 34 CFR 300.646**

The State ensures the collection and examination of data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the public agencies with respect to:

- (1) The identification of students as students with disabilities, including the identification of students as students with disabilities in accordance with a particular impairment;
- (2) The placement in particular educational settings of these students; and,
- (3) The incidence, duration, and type of disciplinary actions, including suspensions and expulsions.



# Disproportionality

In the case of a determination of significant disproportionality with respect to the identification of students as students with disabilities, or the placement in particular educational settings of these students, including disciplinary action resulting in suspension or expulsion, the State shall:

- (1) Provide for the review and, if appropriate, revision of the policies, procedures, and practices used in the identification or placement to ensure that the policies, procedures, and practices comply with the requirements of the IDEA.
- (2) Require any public agency identified with significant disproportionality to reserve the maximum amount of funds specified under the IDEA to provide comprehensive coordinated early intervening services to serve students in the public agency, particularly, but not exclusively, students in those groups that were significantly over identified; and,
- (3) Require the public agency to publicly report on a revision of policies, practices, and procedures described in these regulations.

# Disproportionality

Disproportionality exists when students in a racial or ethnic group are more likely to be

- identified as a student with a disability
- identified as a student with a particular disability
- placed in more restrictive settings
- suspended or expelled

than students in other or ethnic groups

Per DESE PowerPoint 5/5/2017

# Disproportionality Data

Disproportionate Representation	Significant Discrepancies in Discipline	Significant Disproportionality (current)
SPP Indicators 9 & 10 Annual review process	SPP Indicator 48 Annual review process	Not an SPP Indicator Annual required 15% for CEIS and review process
All IEP and 6 disability categories	OSS > 10 days consecutively or cumulatively	Identification Placements Discipline Removals
2 years	2 years	3 years
Minimum cell size of 20 for group and comparison group	Minimum cell size of 10 OSS	Higher
Risk ratio > 2.5	Risk Ratio > 4.0	Higher

Per DESE PowerPoint 5/5/2017



# Summary of new regulations

- 1) establish a standard methodology States must use
- 2) clarify that States must address significant disproportionality in disciplinary actions
- 3) clarify requirements for the review and revision of policies, practices, and procedures when significant disproportionality is found; and
- 4) require that LEAs identify and address the factors contributing to significant disproportionality as part of comprehensive coordinated early intervening services (comprehensive CEIS) and allow these services for children from age 3 through grade 12, with and without disabilities.

Per DESE PowerPoint 5/5/2017

# Comprehensive Coordinated Early Intervening Services (Comprehensive CEIS)

LEAs identified with significant disproportionality:

- Must use 15% of federal IDEA funds
- Are required to identify and address the factors that may contribute to the significant disproportionality
- Are allowed to use comprehensive CEIS to serve students, ages 3 through grade 12, with and without disabilities
- May not serve only children with disabilities

Per DESE PowerPoint 5/5/2017

# Comprehensive CEIS

- A broad range of activities that include professional development and educational and behavioral evaluations, services, and supports, e.g. functional behavioral assessments, behavioral intervention plans, and positive behavioral interventions and supports
- Examples of contributing factors: lack of access to quality instruction; economic, cultural or linguistic barriers to appropriate identification or placement; lack of access to screenings; discipline practices

Per DESE PowerPoint 5/5/2017

# SD Regulation

Area	Regulation says...
Identification	All disabilities and six disability categories; ages 6-21 (ages 3-5 included by July 2020); uses the December 1 child count data
Placements	Inside Regular Class <40% Separate Placements; uses the December 1 child count data
Discipline	OSS > 10 days      ISS > 10 days      Total removals OSS ≤ 10 days      ISS ≤ 10 days
Calculation	Risk ratio and alternate risk ratio
Cell size and n-size	10 for numerator (cell size), 30 for denominator (n-size) of risk calculations
Years	Up to three consecutive years
Progress	Can evaluate

Per DESE PowerPoint 5/5/2017

# Definitions

- **Risk:** Risk tells us how likely a certain outcome is (i.e. being identified as having a disability)
- **Comparison group:** All other racial/ethnic groups
- **Risk ratio:** The risk ratio tells us how the risk for one racial/ethnic group compares to the risk for a comparison group of all other races/ethnicities
- **Minimum cell size:** Risk numerator
- **Minimum n-size:** Risk denominator
- **Alternate risk ratio:** Compares the *district level* risk for racial/ethnic group to the *state level* risk for the comparison group. Used if the comparison group does not meet the minimum cell or n-size.

Per DESE PowerPoint 5/5/2017

# Risk Ratio Calculation

A comparison of risks: likelihood of outcome for one group vs. outcome for all others in the LEA.

Example: 
$$\frac{\left( \frac{40 \text{ Hispanic children identified out of}}{160 \text{ total Hispanic children in LEA}} \right)}{\left( \frac{200 \text{ other (Non Hispanic) children identified out of}}{2,000 \text{ other (Non Hispanic) children in LEA}} \right)}$$

Risk ratio: 2.5

$$(40/160) / (200/2,000) = 0.25/0.1 = 2.5$$

Meaning that Hispanic children are 2.5 times as likely to be identified as all other children

Per DESE PowerPoint 5/5/2017



# Alternate Risk Ratio

A comparison of risks: likelihood of outcome for one group vs. outcome for all other in the **State**

Because sometimes the comparison group won't meet the minimum cell or n-size

Per DESE PowerPoint 5/5/2017

# Cell size (numerator) and n-size (denominator)

RISK RATIO (compares LEA to itself)  
vs. ALTERNATE RISK RATIO (compares LEA to State)

$$\begin{array}{l} \text{Group's risk:} \\ \text{Comparison} \\ \text{group's risk:} \end{array} \frac{\left( \frac{\text{If } \# < 10}{\text{or if } \# < 30, \text{ then do not evaluate LEA}} \right)}{\left( \frac{\text{If } \# < 10}{\text{or if } \# < 30, \text{ then use state comparison group}} \right)}$$

Per DESE PowerPoint 5/5/2017

# Risk Ratio Calculation

A comparison of risks: likelihood of outcome for one group vs. outcome for all others in the LEA.

Example:

$$\frac{\left( \frac{40 \text{ Hispanic children identified out of}}{160 \text{ total Hispanic children in LEA}} \right)}{\left( \frac{5 \text{ other (Non Hispanic) children identified out of}}{50 \text{ other (Non Hispanic) children in LEA}} \right)}$$

5 is less than the minimum cell size of 10, so replace LEA's comparison group's numbers with the state's

Per DESE PowerPoint 5/5/2017

# Alternate Risk Ratio Calculation

A comparison of risks: likelihood of outcome for one group in LEA vs. outcome for all others in the State.

Example: 
$$\frac{\left( \frac{40 \text{ Hispanic children identified out of}}{160 \text{ total Hispanic children in LEA}} \right)}{\left( \frac{4000 \text{ other (Non Hispanic) children identified out of}}{50,000 \text{ other (Non Hispanic) children in State}} \right)}$$

Risk ratio: 2.5

$$(40/160) / (4000/50,000) = 0.25/0.08 = 3.125$$

Meaning that Hispanic children in the LEA are more than 3 times as likely to be identified as all other children in the State

Per DESE PowerPoint 5/5/2017

# Reasonableness

- States required to set
  - reasonable risk ratio thresholds
  - number of years to consider
  - reasonable minimum cell sizes
  - reasonable minimum n-sizes
  - and standards for measuring reasonable progress
- All with input from stakeholders (including State Advisory Panels), subject to the US DOE's oversight

Per DESE PowerPoint 5/5/2017

# Significant Disproportionality Discipline

- Review five categories separately
  - OSS > 10 days
  - OSS ≤ 10 days
  - ISS > 10 days
  - ISS ≤ 10 days
  - All removals
- Comparison group
  - “All other races” for students with disabilities

Per DESE PowerPoint 5/5/2017



# Reasonable Progress

- If LEA is above risk ratio threshold, but has lowered risk ratio for the two prior consecutive years, State need not find significant disproportionality
- Specific details of how much risk ratio must be lowered is determined by State in consultation with stakeholders, including Special Education Advisory Panel

Per DESE PowerPoint 5/5/2017

# Coordinated Early Intervention Services

cEIS are services provided to students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral supports to succeed in a general education environment.

# Comprehensive Coordinated Early Intervention Services

In the case of a determination of significant disproportionality from the OSE, an LEA identified as having significant disproportionality must use exactly 15 percent of IDEA Part B funds for comprehensive CEIS (CCEIS).

LEAs required to use IDEA Part B funds for CCEIS may provide supports and services to students age three through grade twelve, and may serve students currently identified as needing special education or related services, as long as the funds are not used exclusively for students with disabilities.

The activities under CCEIS must address factors and policy, practice, or procedure contributing to significant disproportionality.

# District Budget Tiers

# Tiers

## 3 Tiers

- Tier I - All 22 Partner District
- Tier II - 11 partner districts that receive Disproportionality money from SSD
- Tier III - High need districts based on community data

# Tier II Districts

Ferguson-Florissant	Kirkwood	Parkway	Riverview
Hazelwood	Mehlville	Ritenour	University City
Jennings	Normandy	Rockwood	



# Tier II Districts

## Disproportionality

- Overidentification and Disproportionality
  - DESE has in effect policies and procedures designed to prevent inappropriate overidentification or disproportionate representation by race and ethnicity of students and students with disabilities
- Suspension and Expulsion rates
  - DESE in conjunction with the State of Missouri shall examine data including data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities among public agencies in the State or compared to the rates for nondisabled children within the agencies

# Tier II Districts

## Disproportionality

- Developed a framework to support partner districts across the county that are identified as disproportionate
- Providing additional supports that focus on the areas identified for each identified school and partner district schools
- Focus on supporting social emotional learning (SEL) and interventions for literacy and numeracy

# Tier II Districts

## Disproportionality Budget

- Required 15% of IDEA Part B revenue
- Approximately \$5 million annually
- Money is divided on a per pupil basis which is the number of special education students in each of the identified districts
- Expenditures have to meet guidelines set by the state in areas of professional development, supplies and staffing

# Budget

2023

Disproportionality (CCEIS) Allocation of Funds																
CCEIS Funds					7,063,199											
Dispro	C/D	District Name	Count to allocate d	% to allocate dispr	CCEIS Allocation	MTSS	Teach	Para	Interv	Inst Coach	SLP	Psyc	Behav	SW	Total	Remaining
Y	96089	Ferguson-Florissant	1,728	11.4%	\$ 664,892	1				1				2	4	\$ 484,892
Y	96088	Hazelwood	2,712	17.8%	\$ 1,043,511	1	2	2		1			2	2	10	\$ 683,511
Y	96104	Jennings	289	1.9%	\$ 111,200	\$ 100,000.00				2					2	\$ 211,200
Y	96092	Kirkwood	795	5.2%	\$ 305,896								1	1	2	\$ 215,896
Y	96094	Mehlville	1,532	10.1%	\$ 589,476				1						1	\$ 499,476
Y	96109	Normandy	400	2.6%	\$ 153,910									1	1	\$ 63,910
Y	96095	Parkway	2,633	17.3%	\$ 1,013,113		1				2	1	1	1	6	\$ 473,113
Y	96110	Ritenour	1,025	6.7%	\$ 394,395				1					2	3	\$ 214,395
Y	96091	Rockwood	2,905	19.1%	\$ 1,117,772		1		10						11	\$ 1,117,772
Y	96111	Riverview	844	5.6%	\$ 324,750	1				2					3	\$ 324,750
Y	96112	University City	336	2.2%	\$ 129,284	\$ 100,000.00								2	2	\$ 49,284
Y	96119	SSD	-	-		\$ 115,000.00	1		1		3	3		3	11	\$ 1,015,000
			15,199	1	\$ 5,848,199.40	\$ 315,000.00	4	4	2	13	6	5	4	4	14	56
			384.78		5,848,199.40											
			464.71		7,063,199.40											

# Questions?