

# **ADDRESSING DISPROPORTIONALITY IN ALABAMA SCHOOLS**

Alabama Department of Education  
Division of Instructional Services  
Special Education Services  
Post Office Box 302101  
Montgomery, AL 36130-2101

# **This Professional Development Module Will...**

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- **Define disproportionality.**
- **Discuss the implications of significant disproportionality.**
- **Identify why disproportionality is on the “front burner”.**
- **Identify IDEA 2004’s provisions to address disproportionality.**

# What is Disproportionate Representation?

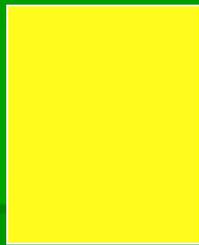
**Disproportionate representation is defined as “the extent to which membership in a given group affects the probability of being placed in a specific special education disability category.” (Oswald, et.al.1999)**

# What is Disproportionate Representation?

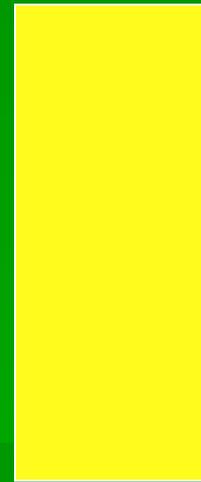
Disproportionate representation encompasses both “overrepresentation” in high incidence disabilities and “underrepresentation” in programs for gifted and talented.

# Disproportionate Representation Looks Like This

## Overrepresentation



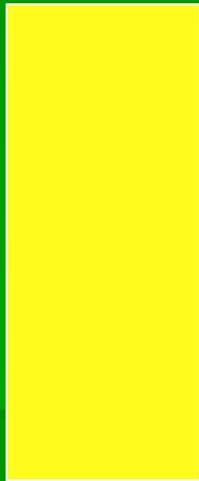
Percentage of students in school population  
education programs



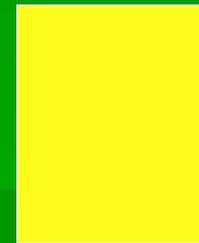
Percentage of students in special  
education programs

# Disproportionate Representation Looks Like This

## Underrepresentation



Percentage of students in school population  
education programs



Percentage of students in special  
education programs

# **Disproportionality**

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## **Why is it a problem?**

# Disproportionality: Why is it a problem?

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“Among the conceptual factors that can influence disproportionate representation are issues of race and its definition and significance.” (Hilliard, 2001)

# EXCERPTS FROM FINDINGS IN IDEA 2004' S STATUE

- “(10)(a) The Federal Government must be responsive to the growing needs of an increasingly diverse society.
- “(B) America’s ethnic profile is rapidly changing. In 2000, 1 of every 3 persons in the United States was a member of a minority group or was limited English proficient.

# **EXCERPTS FROM FINDINGS IN IDEA 2004' S STATUE**

- **“(C) Minority children comprise an increasing percentage of public school students.**
- **“(D) With such changing demographics, recruitment efforts for special education personnel should focus on increasing the participation of minorities in the teaching profession in order to provide appropriate role models with sufficient knowledge to address the special education needs of these students.**

# **EXCERPTS FROM FINDINGS IN IDEA 2004' S STATUE**

- **“(B) Studies have documented apparent discrepancies in the levels of referral and placement of limited English proficient children in special education.**
- **“(C) Such discrepancies pose a special challenge for special education the referral of, assessment of, and provision of services for, our nation’ s students from non-English language backgrounds.**

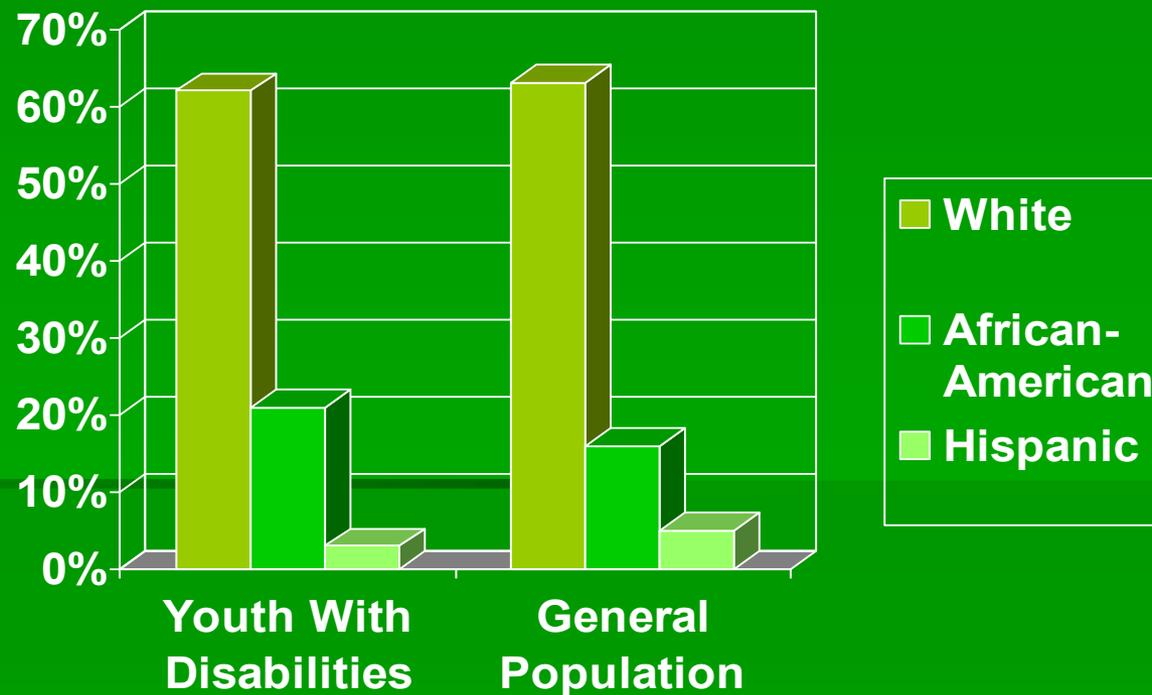
# EXCERPTS FROM FINDINGS IN IDEA 2004' S STATUE

- “(11)(A) The limited English proficient population is the fastest growing in our nation, and the growth is occurring in many parts of our nation.
- “(B) Studies have documented apparent discrepancies in the levels of referral and placement of limited English proficient children in special education.

# IMPLICATIONS OF OVERREPRESENTATION

- Students may be denied access to the general curriculum.
- Students may receive services that do not meet their needs.
- Students may be misclassified or inappropriately identified.

# RACIAL/ETHNIC BACKGROUNDS OF YOUTH WITH DISABILITIES AND YOUTH IN THE GENERAL POPULATION



Wagoner, Cameto, & Guzman  
(2003)

# MAJOR FACTORS THAT CONTRIBUTE TO DISPROPORTIONALITY

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- Socio-demographic issues associated with poverty.
- Unequal educational opportunities for students of color, English language learners, and disadvantaged students.
- The special education referral and placement processes.

# **“African-American Youth Placed in Special Education Programs”**

- Have fewer positive outcomes than their White counterparts.
- Are more likely to be assigned to segregated classrooms or placements.
- Have limited access to inclusive and general educational environments.
- Experience higher dropout rates and lower academic performance.”

# **“African-American Youth Placed in Special Education Programs”**

- Are exposed to substandard and less rigorous curricula (Ferri & Connor, 2005)
- May be misclassified or inappropriately labeled;
- May receive services that do not meet their needs.
- Are less likely than their White counterparts to return to general education classrooms”.

# Other Causal Factors for Disproportionality

- Failure of general education to educate children from diverse backgrounds.
- Misidentification and the misuse of test.
- Lack of access to effective instruction in general education programs.
- Insufficient resources and less well-prepared teachers.
- Poverty.

# WHAT STATES MUST DO

## §300.173 Overidentification and Disproportionality .

The state must have in effect, consistent with the purposes of this part and with section 618(d) of the Act, policies and procedures designed to prevent the inappropriate overidentification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment described in 300.8.

# What States Must Do

§300.646 Disproportionality.

(a) General. **Each State** that receives assistance under Part B of the Act, and the Secretary of the Interior, **must provide for the collection and examination of data to determine if significant disproportionality based on race and ethnicity is occurring in the State and the LEAs of the State with respect to -**

# What States Must Do

- (1) The identification of children as children with disabilities**, including the identification of children as children with disabilities in accordance with a particular impairment described in section 602(3) of the Act.
- (2) The placement in particular education setting** of these children; and
- (3) The incidence, duration, and type of disciplinary actions** including suspensions and expulsions.

# **What is Significant Disproportionality?**

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Each State has the discretion to define the term for the LEAs and for the State in general. Therefore in identifying significant disproportionality, a State may determine statistically significant levels.

# Significant Disproportionality

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Section 618(d)(1) of the Act is clear that the determination of significant disproportionality by race or ethnicity is based on a collection and examination of data, and not on a district's policies, procedures, or practices. §300.646

# Measuring Disproportionality

Technical Assistance Guide from  
U.S. Department of Education:

[www.ideadata.org/docs/Disproportionality  
%20Technical%20 Assistance  
%Guide.pdf](http://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf)

**WHAT HAPPENS IF  
THERE'S A  
DETERMINATION OF  
SIGNIFICANT  
DISPROPORTIONALITY?**

# WHEN THERE IS A FINDING OF SIGNIFICANT DISPROPORTIONALITY

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## LEAs Must

- provide for the review and revision (if appropriate) of policies, practices, and procedures to ensure compliance with requirements of IDEA;
- reserve funds to be used for early intervening services (EIS);
- publicly report on the revisions of policies, procedures, and practices

# WHEN THERE IS A FINDING OF SIGNIFICANT DISPROPORTIONALITY

States must:

Require LEAs to use 15% of Part B funds  
for early intervening services



...particularly, but not only for children in  
those groups significantly overidentified.

# EIS FUNDS

- Professional Development
- Educational and Behavioral Evaluation, Services, and Supports

# REPORTING DISPROPORTIONALITY

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States must annually report under the 6-year State Performance Plan (SPP) the percentage of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that result from inappropriate identification.

# ZEROING IN ON SPECIFIC DISABILITY CATEGORIES

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- Mental Retardation
- Specific Learning Disabilities
- Emotional Disturbance
- Speech or Language Impairments
- Other Health Impairments
- Autism

**THE END**

# Bibliography and Recommended References

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National Center for Culturally Responsive Educational Systems. (NCCREST). [www.nccrest.org](http://www.nccrest.org).