



New Jersey  
Special Education  

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ANNUAL SUMMIT

# Los Angeles Unified School District: A Case Study

November 2, 2017



# Agenda

- Define disproportionality in special education
- Leverage significant disproportionality findings to improve educational programs for all students
- Collaborate with colleagues to determine those processes and strategies that can be implemented in school districts to ensure equity in identification, placement, and supports in special education for diverse populations of students
- Collaborate with colleagues to determine strategies to effectively utilize resources if disproportionality has been identified within a school district

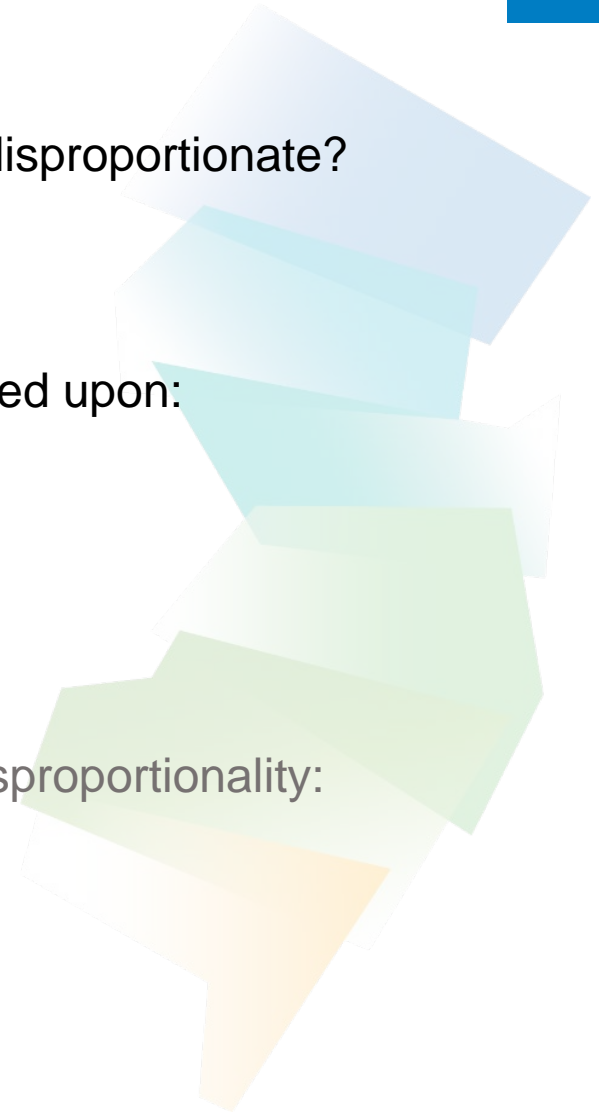
# About the Presenter

- Former Associate Superintendent, Special Education, Los Angeles Unified School District (LAUSD)
- Experienced teacher and administrator in rural, suburban, and urban school districts
- Experienced in leading change in a large, urban school district towards more inclusive philosophy for educating diverse learners through implementation of MTSS, UTL, culturally and linguistically responsive curriculum and instruction, and effective professional development for both general and special education personnel
- Currently a special education consultant



# Poll Question

- Has your school or district been determined to be disproportionate?
  - Yes
  - No
  - Not Sure
- If yes, the disproportionality determination was based upon:
  - Racial/ethnic data
  - Gender data
  - Eligibility data
  - Discipline
  - Placement determinations
  - Other
- Your schools/districts biggest concern regarding disproportionality:
  - Funding
  - Program Development
  - Developing plans to remedy disproportionality
  - Other



# What is Disproportionality?

- Turn to a partner and discuss for 2 minutes your definition of disproportionality
- Formulate a one sentence definition to share which includes your key terminology



# Definitions of Disproportionality

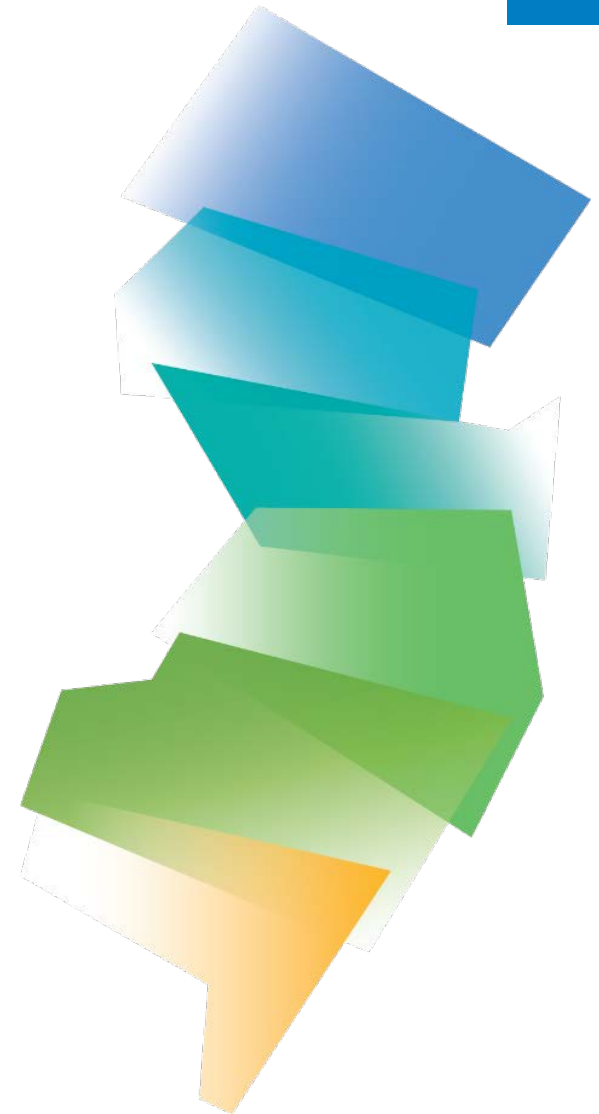
- “Disproportionality is over-representation of minority students identified with a learning disability or other type of disability under the IDEA. When a minority group’s numbers in special education are statistically higher than they should be, they are considered disproportionate.”  
Ann Logsdon, Kentucky State University
- “In general, disproportionate representation, or disproportionality, refers to the over- or- under representation of a given population, often defined by racial and ethnic backgrounds, but also defined by socio-economic status, national origin, English proficiency, gender, and sexual orientation, in a specific population category. A child’s race and ethnicity significantly influence the child’s probability of being misidentified, misclassified, and inappropriately placed in special education programs...” Elementary & Middle Schools Technical Assistance Center (EMSTAC)

# Disproportionality Research

- Special education has been characterized as “discriminatory” (Skiba, Poloni-Staudinger, et al), having “systemic bias” against black children (Oswald, Coutinho, et al) and fostering “institutionalized racism” (Oswald, Coutinho, et al).
- Black children are disproportionately overrepresented in special education (Skiba et al)
- There have been studies related to disproportionate representation of minorities in special education for at least 35 years
- “The disproportionate representation of African-Americans in special education continues to be a prevalent, disturbing, and heavily debated problem, and possibly the most long-standing issue in the special education field. African American students are overrepresented in three disability categories (emotional behavioral disorder, intellectual disability, and specific learning disability), all of which are prone to subjective judgment.” *Disproportionality in Special Education: A Persistent Reality for African American Students.* Denise Reid

# Disproportionality Research: Different Perspectives

- “The lack of evidence of overrepresentation attributable to children’s race or ethnicity, as well as growing evidence of underrepresentation from the best-evidence studies, suggests the need to intensify the use of culturally sensitive disability screening and evaluation practices...Practices that constrain equitable access to special education services may only exacerbate educational inequalities, including achievement gaps and school dropout...” *Are Black Children Disproportionately Overrepresented in Special Education? A Best-Evidence Synthesis*, Paul L. Morgan et al., *Exceptional Children*. November 2016





# Policies and Practices Fostering Disproportionality

- Take one minute to brainstorm for the 3-5 main policies or practices in your district that may foster disproportionality in special education
- Share your list with an elbow partner

# Policies and Practices that Foster Disproportionality

- Failure of general education system to implement processes and practices that promote effective instruction for all students
  - Lack of access to effective instruction
  - Inadequacy, unavailability of strong intervention programs for struggling students
- Inequities in the referral and identification process for special education
- Test bias and inadequate examiner preparation particularly of culturally and linguistically diverse students
- Professional development for administrators and teachers that does provide for the instruction of diverse learners

# Policies and Practices that Foster Disproportionality (cont'd)

- Disciplinary policies and practices that are more punitive than instructional
  - Zero tolerance policies
  - Lack of implementation of alternatives to suspension
  - Ineffective professional development regarding classroom management and positive behavior supports
- Lack of culturally relevant pedagogy and relevant materials
- Funding practices that create large general education classrooms which impede educator capacity to give personalized instruction
- Lack of quality preschool programs for students from lower socioeconomic households

# Disproportionality Data Slice

- United States Department of Education 2005
  - Native American/Alaska Native children have a risk ratio of 1.35 percent of receiving special education services
  - Asian/Pacific Islanders are overrepresented in gifted and talented programs
  - Hispanics are under-identified within certain disability categories compared to their White peers
  - Black males are labeled emotionally disturbed at almost twice the rate of their White peers
  - Black males are twice as likely to receive special education services for serious emotional disturbance as other minority groups
  - Black males are three times as likely to receive services for mental retardation as White students
  - Approximately 75% of students with specific learning disabilities are male

# Disproportionality Data Slice (cont'd)

- United States Department of Education 2005
  - Seventy six (76) percent of students receiving special education services under the category of emotionally disturbed are males
  - Fifty-five (55) percent of White students with disabilities spend 80% of their school day in general education
  - Thirty-three (33) percent of Black students with disabilities spend 80% of their school day in general education
  - Low income Black males receiving special education services have the highest suspension rates of any subgroup
  - Black males are more likely to receive more severe disciplinary actions than their White peers for the same type of behavior
  - Students with disabilities who were of Black, Hispanic or American Indian backgrounds were 67% more likely than their White peers to be removed from schools on the grounds that they were dangerous during the 1999-2000 school year

# Why is Disproportionality a Concern?

- A student found eligible for special education services generally remains in special education classes for the duration of their schooling
- Students in special education classes often experience less rigorous curriculum
- Lower expectations often lead to diminished performance and fewer post-secondary opportunities
- Students in special education classes often have less access to academically able and challenging peers
- Students with disabilities frequently have limited social engagement with their nondisabled peers
- Disproportionality can lead to racial segregation

# LAUSD: Disproportionality



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# LAUSD Data

Data 2017-2018	
Student Enrollment	701,734
Languages Other than English	94
English Learners	157,619
Students with Disabilities	83,914
Free /Reduced Lunch	75.7%
Total Number of Schools	1,306
Employees	60,191
Total Size of District (square miles)	710

L.A. Unified Fingertip Facts 2017-2018, August 2017



# Disproportionality in LAUSD Special Education

- In 2009-2010, the Division of Special Education recognized that although the District had not been found to be significantly disproportionate at that time, there were indications that disproportionality did exist in the District
- The special education population continued to increase while the general education population in the District was declining
  - Inherent concern that there may be inappropriate identification of students for special education services particularly among **specific racial/ethnic groups**

# Special Education Data for Ethnicity

Students with Disabilities by Race & Gender			
Primary Ethnicity	# in Special Education	% in Special Education	% in LAUSD
Latino	61,011	72.7%	74.0%
<b>Black</b>	<b>9,750</b>	<b>11.6%</b>	<b>8.4%</b>
<b>White</b>	<b>9,301</b>	<b>11.1%</b>	<b>9.8%</b>
Asian	1,815	2.2%	6.0%
Filipino	970	1.2%	<1.0%
Unknown	661	0.8%	<1.0%
Native American	252	1.3%	0.2%
Pacific Islander	154	0.2%	0.4%
<b>Total</b>	<b>83,914</b>	<b>100%</b>	<b>100%</b>

L.A. Unified Fingertip Facts 2017-2018

# Disproportionality in LAUSD Special Education (cont'd)

19

- High suspension rates particularly among students with disabilities
  - Data reflecting **disproportionality in the discipline practices** between students with disabilities and their general education peers

# Disproportionality in Discipline

Number and Percentage of Suspensions for All Students						
Year	# GE Students	# GE Students Suspended	% GE Suspended	# Sp Ed Students	# Sp Ed Students Suspended	% Sp Ed Students Suspended
2008-09	627,668	28,419	4.53%	72,172	5,463	7.57%
2007-08	614,630	30,083	4.89%	71,965	6,428	8.93%
2006-07	623,026	36,224	5.81%	74,346	7,638	10.28%
2005-06	634,890	41,216	6.49%	75,380	8,644	11.47%
2004-05	662,538	42,332	6.39%	76,059	10,741	14.12%
2003-04	673,443	38,777	5.76%	75,943	9,671	12.73%

Report on the Progress & Effectiveness of the LAUSD's Implementation of the Modified Consent Decree During the 2008-09 School Year-Part I , October 5, 2009

# LAUSD Disproportionality in Discipline 2015-2016

Single Student Suspension Rate		Instructional Days Lost to Suspension	
All Students	0.6%	All Students	6,574
Low-Income Students	0.6%	Low-Income Students	5,703
English Learners	0.5%	English Learners	1,290
Foster Youth	1.5%	Foster Youth	148
<b>African American</b>	<b>2.3%</b>	African American	2,304
<b>Students with Disabilities</b>	<b>1.4%</b>	Students with Disabilities	2,282

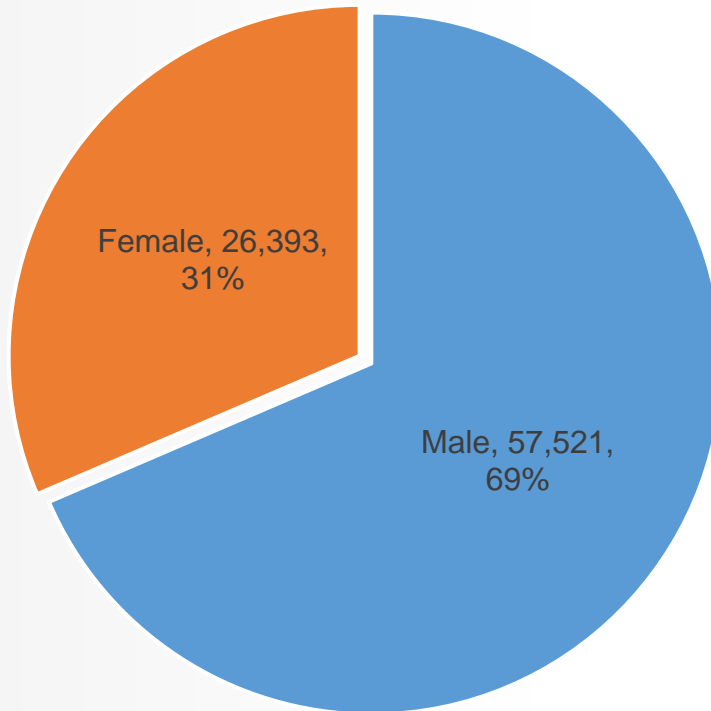
LAUSD Draft LCAP 2017-2020

# Disproportionality in LAUSD Special Education (cont'd)

- Disproportionately **high % of students identified with disabilities are male**
- Males make up 50% of LAUSD enrollment, yet account for more than 2/3 of Special Education students

# Disproportionality in LAUSD Special Education

- Disproportionality in gender represented in special education identification, discipline, and placement



Division of Special Education Fingertip Facts 2016-2017, June 2016

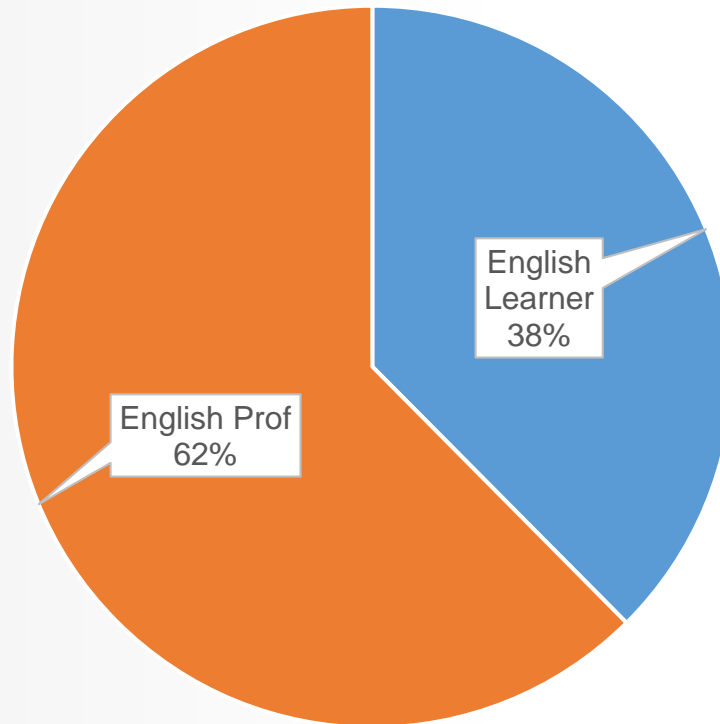
# Disproportionality in Language Proficiency

- 25% of LAUSD students are English learners
- 38% of LAUSD students with disabilities are English learners



# Disproportionality in Language Proficiency

Language Proficiency in Special Education



Division of Special Education Fingertip Facts 2016-2017, June 2016

# Disproportionality in LAUSD Special Education (cont'd)

- Growing numbers of students served in segregated settings
  - Overrepresentation of **certain ethnic groups in certain settings or learning environments**

# Special Education Placements

Summary – Separate Schools (NPS, RTC, Special Ed Center)									
CASEMIS Report	Total Students with Disabilities	# NPS	# RTC	# Sp Ed Ctr	Total # Sep School	Total % Sep Schools	# Afr Amer/ Sep Schools	% Afr Amer/Sep Schools	% Afr Amer SWD
Dec 2011	82,257	3,452	178	3,218	6,848	8.33%	1,433	20.93%	13.3%
Dec 2012	82,756	3,219	158	2,939	6,316	7.63%	1,311	20.76%	12.8%
Dec 2013	82,364	2,881	144	2,421	5,446	6.61%	1,093	20.07%	12.3%
Dec 2014	82,759	2,869	83	2,083	5,035	6.08%	983	19.52%	11.9%
Dec 2015									
Dec 2016									

Data for Home/Hospital was reported beginning in CASEMIS Dec 2013; therefore this data is not included

# Special Education Placements (con't)

## CASEMIS Dec 1 Students with Disabilities (Moderate to Severe – excludes SLD, SLI, OHI)

Year	Total Moderate to Severe in GE Location	Total Moderate to Severe	% in GE Locations
2008	12,507	17,998	69.49%
2009	13,240	18,775	70.52%
2010	14,109	19,450	72.54%
2011	14,554	20,016	72.71%
2012	15,432	20,618	74.85%
2013	16,3313	21,066	77.44%
2014	16,972	21,485	78.99%

# LAUSD Special Education Indicators of Disproportionality Outside IDEA Findings

- *Chanda Smith* Consent Decree, 1996 based on failure of District to provide services for students with disabilities
  - Major finding was inadequacy of District data systems to identify & monitor students
- Modified Consent Decree, 2003
  - Outcome 18: Reducing percent of African American students identified as students with Emotional Disturbance
  - Outcome 8: Increasing percent of students educated in their home schools
  - Outcome 7: Reducing percent of students educated in segregated settings and increasing percent of time in general education classes
  - Outcome 5: Reduce suspensions of students with disabilities
  - Implementation of an Integrated Student Information System (eventually named My Integrated Student Information Student) that would effectively and efficiently track data for all students
- 2011-2012 Office of Civil Rights (OCR) agreement with LAUSD to improve the academic performance and graduation rates of English Learners and African American students and to close longstanding achievement gaps for minority students.

# Findings of Significant Disproportionality

- 2010-2011 School Year: Significant disproportionality for **Caucasian students identified as students with Autism**
- 2012-2013 School Year: Significant disproportionality in **identification and placement of African-American students in segregated settings** including special education centers, nonpublic schools, home & hospital programs, and residential placements

# Response to 2010-11 Significant Disproportionality

- Caucasian students identified with Autism was a small segment of the LAUSD special education population
- Number of students that led to designation of over-identification of Caucasian students with disabilities was small
- National trend that more Caucasian students from higher socio-economic backgrounds are identified with disability of Autism than children from lower socio-economic backgrounds

# Disproportionality in LAUSD Special Education by Ethnicity

Disability	Ethnicity	Alternate Risk Ratio	% Over E-formula Max
Autism	White	3.73	8.72%
Emotional Disturbance	African American	3.80	21.21%
Other Health Impairments	African American	3.93	13.22%
Other Health Impairments	White	3.19	7.27%



# Caucasian Students with Autism

Comparison % Caucasian Students with Disabilities			
Year	District	County	State
Dec 2010	21.6%	10.6%	3.47%
Dec 2016	15.1%	8.38%	2.48%

CASEMIS Report Dec. 2016

# Response to Significant Disproportionality (Funding)

- Disproportionality is not a special education issue – it is an education issue; therefore, funding to support early intervening must be a general education ongoing function
- Use as an opportunity to re-evaluate use of resources and the effectiveness of past practices in meeting needs of all students in every department
- Leverage funding crisis (CEIS) to encourage all employees to become involved in initiating innovative and effective programs to educate all children in their community schools. Don't hold this as a special education initiative
- Threat of ongoing identification of significant disproportionality and subsequent consequences of CEIS funds encourages general education programs to focus on improving academic, behavioral, emotional, social programming for all students.

# Response to Significant Disproportionality (Data)

- Ensure that all stakeholders have access accurate, targeted data that allows them to monitor the effectiveness of the educational system for each student on a regular basis.
- Ensure that your IEP system and resulting data accurately reflect the status of compliance in your school/district
- Have visual, easy to use reports for all stakeholders that will provide status updates at a glance
- Provide professional development at all levels in district to provide ease in monitoring special education data
- Make data public to encourage parent and community engagement in improving educational outcomes

# Response to Significant Disproportionality (Identification)

- Data monitoring for every African-American student referred for special education
- Peer review of assessment, identification, and placement IEP team decisions
- Implemented additional requirements for assessments of every student being considered for an eligibility of ED, ID or OHI and peer monitoring
- Revised the Student Success and Progress Team process to include more emphasis on effective intervention programs

# Response to Significant Disproportionality (Placement)

- Implemented multiple new programs on general education campuses to ensure all placements were with general education peers and not segregated settings
- **Modified IEP electronic forms to include LRE placement forms for teams to justify placement recommendations and lead them through a continuum**
- Professional development for families to be aware of a child's right to be educated in an inclusive environment and of the options available in the District for all students
- All Schools
  - Equal Access Institutes: best teaching practices to successfully serve underserved/struggling students-culturally & linguistically responsive instructional methodologies
  - Schoolwide Positive Behavior & Intervention Support Institutes: implementation of effective alternatives to suspension and culturally responsive classroom management
- Elementary
  - Early Literacy Academies: best practices in Rtl models to support students in K-2

# Response to Significant Disproportionality (Placement)

- Leveraged Outcome 7 of MCD to expand inclusive education programming for students with disabilities and reduction of placements in segregated systems
- Programs for all preschool children moved to general education campuses to eliminate the regular feeder pattern in segregated settings
- Developed District programs that mimicked popular non-public school programs to bring students back to less segregated settings
- Assigned District personnel to regularly visit students at residential placements and participate in the assessments and IEPs at these placements
- Developed liaisons with each Juvenile Detention Center to ensure that students were receiving appropriate programs and were being transitioned back to District schools

# Response to Significant Disproportionality (Discipline)

- Focus on professional development for all staff about appropriate behavioral supports and academic interventions prior to referral for special education
- **Focus on accurate reporting and monitoring of all disciplinary actions**
- Leveraged Modified Consent Decree Outcome 5 & 7 and Local Control and Accountability Plan to reinforce Schoolwide Positive Behavior Intervention Supports and Alternatives to Suspensions for students with disabilities focusing on African-American and other minority students
- **By 2012-2013, professional development and monitoring of suspension data became a general education function** with Board of Education, Superintendent and all supervisory personnel closely involved in Restorative Justice (Reduction in suspensions in LAUSD from 8.1% in 2007-08 to 0.9% by 2014)

# Response to Significant Disproportionality (Early Intervention)

- Introduced early intervention programs for general education students K-3 who were already struggling readers – team taught by general and special education teachers for half school day with intensive reading and math intervention and reintegrated for remainder of school day
- Extensive outreach to District employees and families regarding CEIS and importance of early intervention vs. designation for special education
- Intervention programs implemented across elementary schools identified as having significant achievement gaps for sub-groups of students
  - Expanded to all elementary schools by 2016-17
- Focused professional development for all administrators and teachers on MTSS and culturally and linguistically relevant and responsive instruction



# Response to Significant Disproportionality (Early Intervention)

- Data indicated that many Caucasian students had been identified, unlike their peers, as students with Autism before school age
- LAUSD worked with CA Regional Centers regarding early intervention for infants/preschoolers prior to identification
- LAUSD developed early intervention programs for toddlers prior to referral for special education to provide intervention and referral to appropriate community services
- Division of Special Education worked with general education to ensure that young students were integrated with their non-disabled peers to improve exiting from special education services

# Biggest Learnings

- Focus on District data reflecting areas of overall disproportionality rather than single findings from State to prevent future compliance issues and improve programs for all students
- CEIS focus is on prevention – general education responsibility for pre-referral intervention for struggling students
- Leverage existing programs for CEIS funding (\$19.7M in LAUSD)
  - Core Waiver
  - OCR Complaint for ELs and African American students
  - LCAP (Local Control and Accountability Plan)
  - Common Core State Standards
  - Modified Consent Decree (MCD)

# Biggest Learnings

- **Transition some responsibilities to other departments** including instructional programs and professional development to ensure that students with disabilities and special education personnel become part of the general education program of the District
  - Core curriculum development, implementation, professional development, monitoring and reporting should be a general education function for all students and teachers
  - Reducing inappropriate referrals to special education due to behavioral issues or instruction that does not match the learning is a general education function
- Develop and encourage courageous leadership at the district and school level for special education to become everyone's responsibility. If special education leadership and responsibility belongs with a few, progress in advancing educational opportunities for students with disabilities will be very slow

# Biggest Learnings

- Turn findings of disproportionality into OPPORTUNITIES to leverage general education to provide improved programs and opportunities for all students
- Leverage existing initiatives in the District to include disproportionality and particularly culturally relevant pedagogy in the classroom rather than creating new special education initiatives

# Contact Information

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