



New Jersey  
Special Education  

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ANNUAL SUMMIT

## Systemic Use of Data and Support to Address Significant Disproportionality

# Agenda

- What is significant disproportionality?
- Why does significant disproportionality exist?
- What can be done about significant disproportionality?
- How can significant disproportionality be addressed systemically?

# Significant Disproportionality

- Equity in IDEA final regulations effective January 18, 2017
- 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) 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.

# Methodology

- The standard methodology uses risk ratios to analyze disparities for **seven racial or ethnic groups**, comparing each to all other children within the LEA in **14 different categories** of analysis.
- **States determine the thresholds** above which the risk ratio in each category of analysis indicates significant disproportionality.
- States have flexibility to identify an LEA with significant disproportionality only after it **exceeds a risk ratio threshold for up to three prior consecutive years**
- Exclude small populations from analysis and exclude from determinations of significant disproportionality LEAs that have made reasonable **progress** in reducing their risk ratios.

# Risk Ratio

- If 40 out of 200 Hispanic children in an LEA are identified as children with disabilities, the risk of a Hispanic child being identified as a child with a disability in that LEA is  $40/200$  or 20%.
- If 200 out of all 2,000 children in the LEA are identified as children with disabilities, then the risk of all other children being identified as children with disabilities is  $200/2,000$  or 10%.
- The risk ratio for Hispanic children in the LEA being identified as children with disabilities is  $20/10$ , 2:1, or 2.0.

# Risk Ratio Threshold

- Risk ratio threshold is determined by the State, over which disproportionality based on race or ethnicity is significant.
- States must set 14 risk ratio thresholds-one per category of analysis.
- LEAs that exceed the threshold have significant disproportionality in that area of analysis.
- LEAs may use coordinated early intervening services to address significant disproportionality.

# Causes

- Policies, procedures, and practices may contribute to over/under identification, placement in more restrictive settings, excessive disciplinary actions of certain racial/ethnic groups, or students with certain disability conditions.
- The LEA may not have access to district and school level dynamic and trend data for the 14 areas.
- The LEA may not have consistent, uniform district-wide procedures for identification, placement and discipline of students with disabilities.

# Proactive Measures

- Be aware of external inputs and expected outcomes, and focus on improving processes that are within your control.
- Collaborate with other departments to address significant disproportionality. Identification, placement and discipline can be positively impacted by everyone who works in the school and the district.
- Ensure proactive measures that include a strong problem solving team; multi-tiered system of supports for academics and behavior; and universal design for learning in curriculum, instruction, and assessment.



# Aligned Resources

- Ensure personnel and fiscal resources are allocated and provided in alignment with areas of need.
- Assign support personnel in alignment with the district's organizational structure.
- Focus on student outcomes and not just on compliance.
- Respond to school needs with a customer service mindset so that issues are addressed promptly and with a sense of urgency.

# Operating Guidelines

- Provide **clear, easily accessible, web-based** districtwide operating guidelines that include consistent procedures, forms and resources.
- Update the resources regularly so that they are current and relevant.
- Require all in the district to use the resources so that there is a uniform understanding of the special education process.

- 🏠 Wiki Home
- 🔄 Recent Changes
- 📄 Pages and Files +
- 👤 Members
- 💬 Discussion
- 🔍 Search

- **A**
- Accessible Instructional Materials
- Accommodations, Modifications, Supplementary Aids, and Services
- Adaptive Equipment
- Adapted Physical Education
- Alternate Curriculum and Assessment
- ARD/IEP Process
- Assistive Technology
- Attention Deficit Hyperactivity Disorder (ADHD)
- Auditory Impairment
- Auditory Processing
- Autism
- **B**
- Behavior Support
- **C**
- Cameras in the Classroom
- Child Find (Initial Referral)
- Commensurate School Day
- Counseling and Psychological Services
- **D**
- Determination of FAPE and Compensatory Services
- Disability Categories
- Discontinuing Special Education Services
- Documentation of Supports and Services Provided for Transfer Students

## ☆ Operating Guidelines

✎ Edit 187 ...



### HISD POSITIONING STATEMENT

*Consistently safe and rigorous education for all students.*

### HISD OFFICE OF SPECIAL EDUCATION SERVICES (OSSES) MISSION STATEMENT

*To support students with disabilities in gaining college, career readiness, and independent living skills through active engagement in grade level curriculum.*

**This site supports the Houston Independent School District (HISD) team to navigate the district's special education process. It is updated frequently to reflect changes in local, state, federal policies and practices regarding students with disabilities. The special education team is available for further clarification and assistance.**

#### *New Items*

- [Staffing Recommendations 2016-2017](#)
- [Alternate Curriculum and Assessment](#)
- [DOJ Guidance Document on Testing Accommodations](#) ↗
- [Inclusive Services](#)
- [Individualized Education Program Facilitation \(TEA\)](#) ↗

## What's Required

State and federal special education guidelines are changing the way schools are expected to support students with behavior challenges. The [Texas Behavior Support Initiative \(TBSI\)](#) is the [Texas Education Agency's \(TEA\)](#) response to federal regulations such as the [Individual with Disabilities Improvement Act](#) and [No Child Left Behind](#) and state regulations, including [Senate Bill 1196](#), [TAC 89.1053](#) and the [TEC Chapter 37](#), regarding research-based practices and standards school districts may employ when addressing challenging student behaviors.

[HISD Board Policy](#)

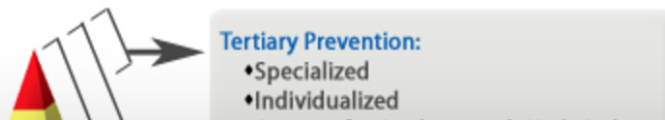
## What We Do

Traditional methods of addressing inappropriate student behavior include: parent conferences, a variety of consequences based on the school district's student code of conduct, peer-buddy supports and suspension of privileges. However, the [Texas Behavior Support Initiative \(TBSI\)](#) requires the use of positive behavior supports which are:

- systemic and individualized strategies based on research-based practices
- focused on teaching social and behavioral expectations
- culturally appropriate and
- designed to prevent recurring inappropriate behaviors of students with disabilities


The use of positive behavior supports required by the TBSI are incorporated in HISD's School-Wide Positive Behavioral Interventions and Supports (SWPBS) program. SWPBS works to improve student academic **and** behavior outcomes by ensuring all students have access to the most effective and accurately implemented instructional and behavioral practices and interventions possible. SWPBS provides an operational framework for achieving these outcomes. More importantly, SWPBS is NOT a curriculum, intervention, or practice, but IS a decision making framework that guides selection, integration, and implementation of the best evidence-based academic and behavioral practices for improving important academic and behavior outcomes for all students.

### Continuum of School-Wide Instructional & Positive Behavior Support



however, special rules and limitations that may apply to a student with a disability if the school proposes to:

- change the student's placement
- remove the student from his or her current placement for more than ten collective school days during the school year

School officials will report to law enforcement authorities that a student, including a student with a disability, is suspected of committing a crime. In some instances state law requires school officials to make a report to law enforcement. Schools that report a suspected crime to law enforcement officials must ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities, provided that the transmission is permitted by the [Family Educational Rights and Privacy Act \(FERPA\)](#).  FERPA assures the confidentiality of personally identifiable information contained in educational records. Under FERPA, personally identifiable information (such as the student's status as special education student) can only be released with parental consent, except in certain very limited circumstances. Therefore, in most instances, in order to transmit such records to law enforcement authorities, parental consent will be required.



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## Forms

- [DAEP Referral Form](#)
- Student Code of Conduct ([English](#), [Spanish](#), [Vietnamese](#))

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## Resources

- [Central Case Review](#)
- [Section 504 Expulsion](#)
- [Removals Less than 10 Days at a Time](#)
- [Manifestation Determination Review \(MDR\)](#)
- [Expedited Expulsion Hearing](#)
- [Confinement, Restraint and Time-Out](#)
- [Tools for Managing Problem Behaviors](#)
- [The Bully Project](#).  This site provides great resources for educators to address issues related to bullying.
- [Positive Behavioral Interventions and Supports \(PBIS.ORG\)](#) 

# Data-Driven Process

- Make available district and school level data to **all** through a dashboard or report.
- Collect and analyze data at the school and district level for **each** of the areas to understand trends and patterns over time.
- Conduct a deep root cause analysis of **why** the significant disproportionality exists at the school and district level.

## Indicators

### Demographics

[SPED Representation](#)

### Discipline

[SPED Discretionary ISS Placements](#)

[SPED Discretionary OSS Placements](#)

### Graduation & Dropout

[SPED Annual Dropout Rate \(Grades 7 - 12\)](#)

[SPED Graduation Rate](#)

### Participation in State Assessments

[SPED STAAR ALT 2 Participation Rate](#)

### Performance in State Assessments

[SPED STAAR EOC Passing Rate](#)

### Placements

[SPED Regular Class  \$\geq\$  80% Rate \(Ages 12 - 21\)](#)

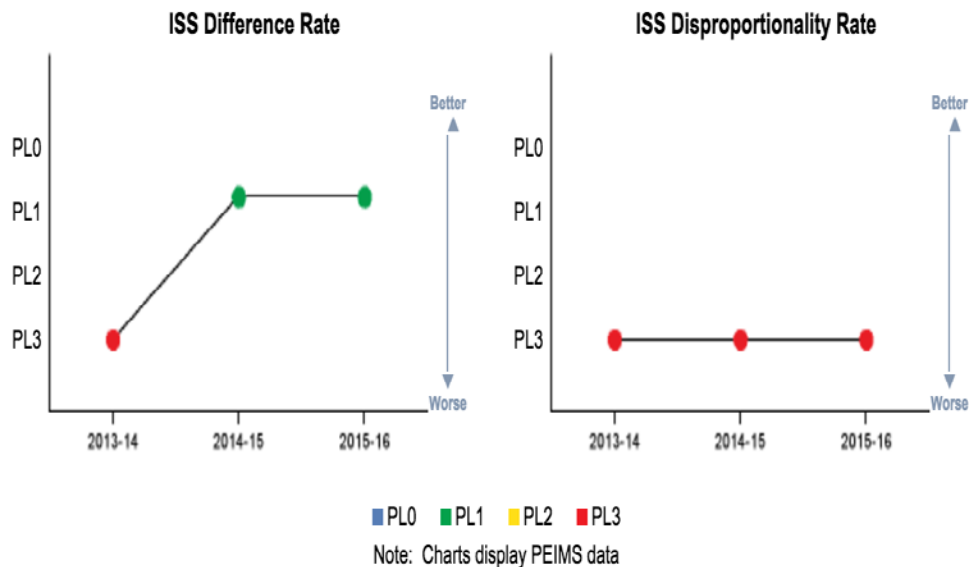
[SPED Regular Class  \$<\$  40% Rate \(Ages 12 - 21\)](#)

Filter your list of students by choosing from the options below:

**Ethnicity**

- All
- African American
- Hispanic
- White
- Asian
- Amr Indian/Alaska
- Hawaiian/ Pacific
- Multi-Race
- Not Available

Apply



School Year	Data Source	Ethnicity	All Student Enrollment	All Student ISS Events	All Students ISS Rate	SPED Enrollment	SPED ISS Events	SPED ISS Rate	Difference Rate	Difference Performance Level	Difference PL0 Standard	Disproportionality Rate
2016-2017	SIS	All	3,472	352	10.1%	258	42	16.2%	6.1%	PL0	Min - 10%	60.4%
2015-2016	PEIMS	All	3,701	1,015	27.4%	273	144	52.7%	25.3%	PL1	Min - 10%	92.3%
2014-2015	PEIMS	All	3,794	1,121	29.5%	260	140	53.8%	24.3%	PL1	Min - 10%	82.4%
2013-2014	PEIMS	All	3,693	1,340	36.2%	268	350	130.5%	94.3%	PL3	Min - 10%	260.5%



# Coordinated Support Plan

- Develop a support plan for each school with the school leaders that includes goals, targets, benchmarks, and progress.
- Build capacity through professional development, coaching, and modeling for targeted areas.
- Monitor the plan and hold all stakeholders accountable for progress.

Office of Special Education Services  
**Coordinated Support Plan**  
**2016-2017**

School	Austin High School
Program Specialist	Bertha Johnson
Principal	Steve Guerrero
Department Chairperson	Raul Asoy
Senior Manager	Toni Pompa Rodriguez
SSO	Hilarion Martinez
Date	September 22, 2016

RF  Priority  Power-Up  Linked Learning  BSC  Explore  Navigate  PSI  PALS  SLL  SLC  SAFE  TREK

18+

Goal	Where are we now/ Where do we want to be (measurable, attainable, and specific)?	How will we get to where we want to be (tools, strategies, and staff)?	By when? (date, month, year)	How did we improve? (quantifiable progress)	Next Steps
<p><b>Achievement</b></p> <p>Increase student achievement in all core content areas</p> <p><b>Data Sources:</b> STAAR, NAEP, AP, IB, SAT, PSAT</p>	<p>Increase the total number of SWD passing the STAAR Reading assessment from 23% to 33%</p> <p>Increase the total number of SWD passing the STAAR Math assessment from 28% to 38%</p>	<ul style="list-style-type: none"> <li>Ensure students receive targeted accommodations for instruction and assessment regularly.</li> <li>Ensure teachers use UDL strategies available in Goalbook to engage students in multiple ways, to represent concepts in multiple ways, and to assess their learning in multiple ways.</li> </ul>	<p>September 2016</p> <p>October 2016</p> <p>May 2017/2017</p>		

# Improvement Planning

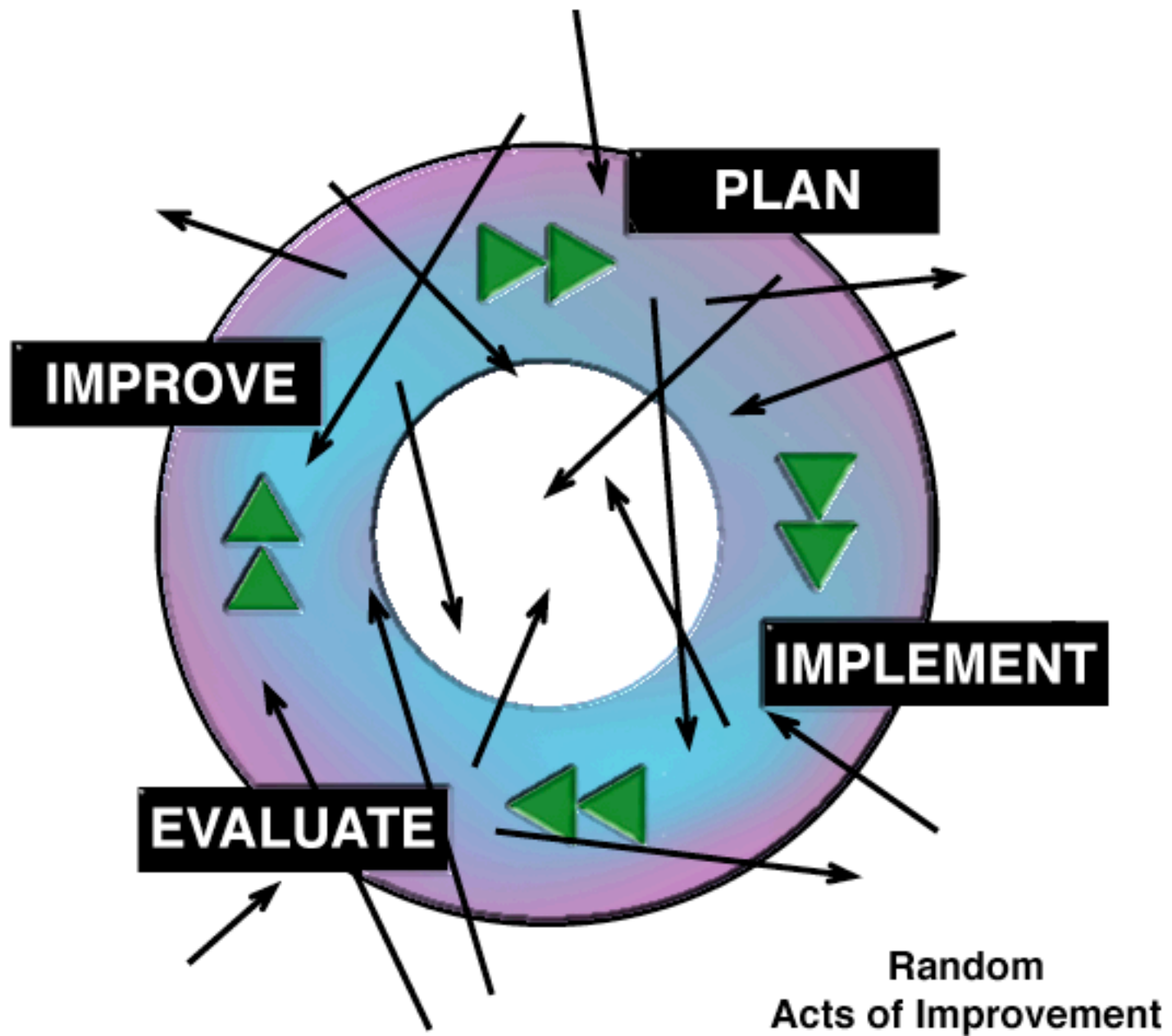
- Develop a comprehensive improvement plan that includes areas of focus, goals, strategies, benchmarks, and progress.
- Appoint goal champions and hold them accountable for reporting on the status.
- Monitor the plan's progress regularly at leadership meetings and update the plan with results.
- Post the plan on the department's website for transparency and accountability.

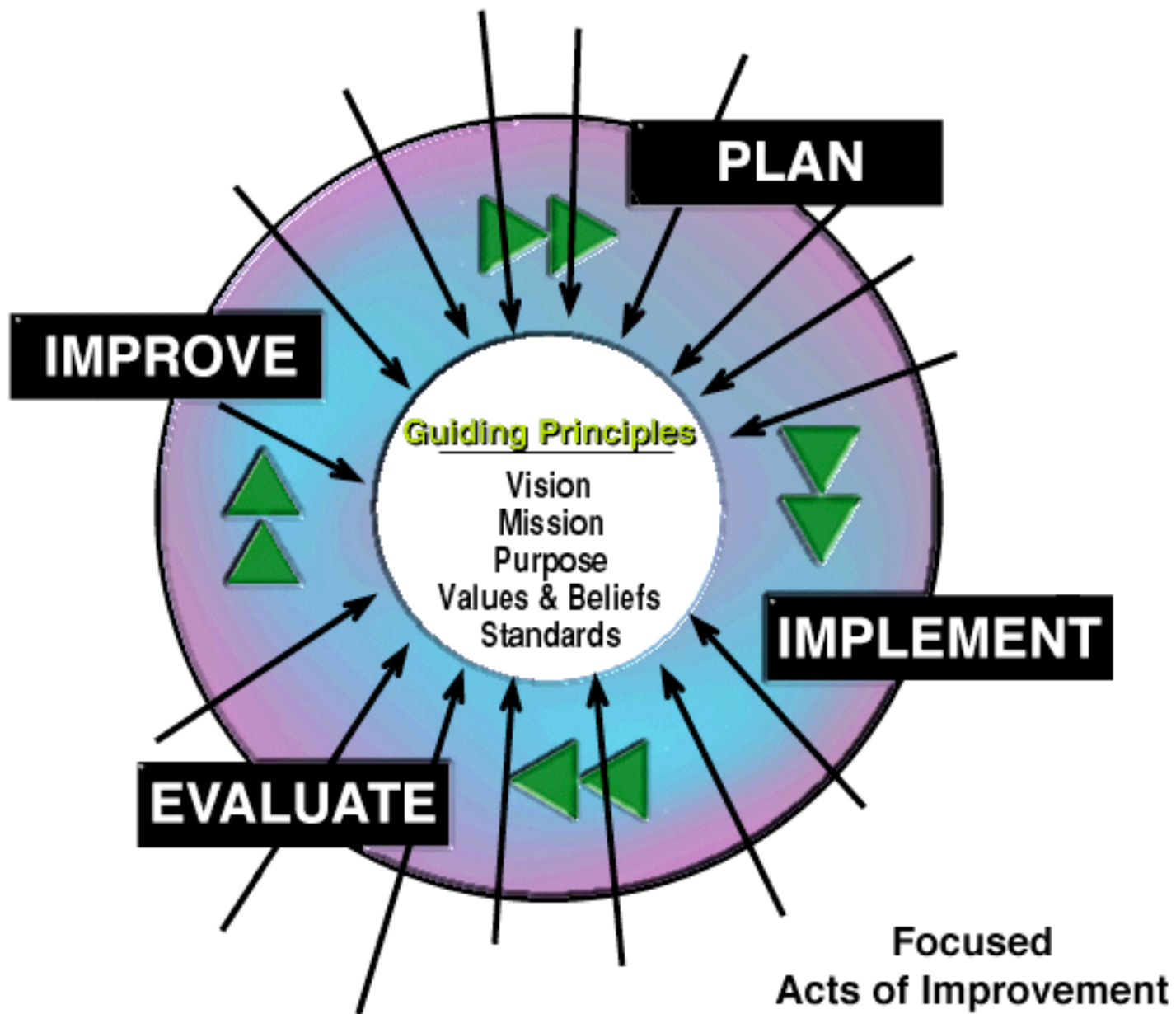
## Action Plan

### Goal 1: Increase inclusive program options for students with disabilities

- A) Increase the percent of students with disabilities placed in general education for 80% or more of the school day
  1. 34.0% to 39.0% for ages 3-5
  2. 68.4% to 73.4% for ages 6-11
  3. 65.3% to 70.3% for ages 12-21
- B) Decrease the percent of students with disabilities in general education for less than 40% of their school day
  1. 24.4% to 19.4% for ages 6-11
  2. 19.5% to 14.5% for ages 12-21
- C) Increase the number of students with cognitive disabilities that are included in work-based internships within the community from 26 to 48.

Action Item	Point of Contact	Progress Check Dates	Status
Add new EXPLORE units to 4 schools- Jefferson ES, Bell ES, Farias ECC, and Parker ES	Kelli Rodgers, Senior Manager	October	October: Complete
Increase inclusive settings for students with auditory impairments in PK-5th grade at Lantrip ES from 20 to 25 students.	Angela Terry, Manager for AI/VI Services	October January March	October: 23 students
Implement TREK Program at 16 schools: <b>HS:</b> Reagan, Westside <b>MS:</b> Black, Hamilton, Grady, Westbriar. Pershing, Henry, Pin Oak, <b>ES:</b> Oak Forest, Shadowbriar, River Oaks, Herod, Travis, Briar Meadow Charter	Lorraine Klim, Manager for Autism Services	October	October: Complete





# Contact Information

Sowmya Kumar

Systemic Special Education Support

[sowmya@systemicspecialsupport.com](mailto:sowmya@systemicspecialsupport.com)

713-302-1013