



# QUARTERLY UPDATE

Ohio Coalition for the Education of Children with Disabilities

APRIL—JUNE 2021

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## THE ROAD TO EQUITY

### ADDRESSING DISPROPORTIONALITY TOGETHER

Disproportionality occurs when the percentage of students from a specific racial or ethnic group in special education programs or specific special education categories is noticeably greater than, or markedly less than, the percentage of their enrollment in a school's general student population or in comparison with other racial or ethnic groups in the school. Overrepresentation occurs when the percentage of students from a specific racial or ethnic group is greater in special education than in the school's general population. Underrepresentation of a particular racial/ethnic group also is a disproportionate representation and therefore a cause for concern. Several studies of disproportionality have also revealed the underrepresentation of children from specific racial or ethnic groups in programs for the gifted and talented.



This document contains links to other resources. Clicking on resources will direct you to more information from the source.

The information in this newsletter is not a substitute for legal advice

## What is significant disproportionality

In December 2016, the United States Department of Education announced new regulations to further address equity in the Individuals with Disabilities Education Act.

Changes require states to identify significant disproportionality in 14 categories for each of the seven racial groups identified in the Individuals with Disabilities Education Act: American Indian, Asian, Black, Hispanic, Multiracial, Pacific Islander, and White. Significant disproportionality in special education occurs when there is an over representation in identification, in placement in more restrictive settings, or in discipline, for 3 consecutive years.



### Resources

**FACT SHEET:** *Equity in IDEA*

*Dear Colleague Letter: Preventing Racial Discrimination in Special Education*



### Why is it important, and what are the negative impacts?

Research and data support that equity in our schools is a win for ALL students. Stronger social, civic, academic, and cognitive outcomes can be achieved when disproportionality is addressed. The effects of disproportionality can be seen in significantly higher rates of office referrals, suspensions, and expulsions. Students who are suspended and expelled lose time in the classroom which may lead to academic failure and retention. In addition, the long-term impacts of significant disproportionality can range from social and emotional issues to lower graduation rates. Students also may become disconnected and isolated from school, which could ultimately land them in the juvenile justice system.

When districts take the steps to address disproportionality, it may be revealed that they

find patterns of disproportionality in the system as a whole, not just in special education. They may reveal significant disproportionality issues between suspensions of students with disabilities, as well as students without disabilities. This can lead to significant improvement for ALL students.

For example, educators in Ohio are more than 2 times as likely to identify black students with intellectual disabilities, place black students in more restrictive settings, and remove black students for discipline. They are 3 times as likely to identify black students with an emotional disturbance or expel them. (Source: [Addressing equity in Ohio: How disproportionality impacts Ohio students.](#)) It is important to note that this is only one measure of educational inequity and that it occurs in any of the racial subgroups noted above.



## Early Childhood and Disproportionality

**E**arly childhood programs and preschool education play a significant role in providing an equitable foundation. Demonstrating high expectations and promoting multilingualism in early childhood settings can provide advantages to all students. Early childhood settings have historically been segregated by socio economic status, race, and language.

In a recent analysis in the United States, of preschool through elementary school systems, it was reported that there were 1.27 million cases of young children enrolled in public schools being suspended or expelled in a single school year. Data also shows that preschool children are expelled at rates more than three times higher than children in K-12 settings. Ohio is addressing this issue with [HB 318](#). (More details on this in our conversation with the Ohio Department of Education, Office for Exceptional Children.)

## What can parents do?

Disproportionality in special education based on race or ethnicity is of obvious concern to anyone who cares about education and the welfare of children. We are all stakeholders in what our children learn, their behavior at school and the treatment they receive, and their achievements, both now and in the future. Yet, far too often, children with disabilities experience different treatment in school and achieve disproportionately lower outcomes. This is especially true for those from racial or ethnic minority groups.

What can stakeholders—especially minority

parents of children with disabilities—do to help address, reduce, and (best case!) eliminate this decades-old problem? Following are some suggestions and possible action steps that parents, as stakeholders, can take.

## First Steps: What Parents of Children with Disabilities Can Do

If you are new to the world of special education, you first will need to learn about that world, its special vocabulary and processes, how it supports educating students with disabilities, and how it can support your own child's education.

- Learn about special education.
- Learn about IDEA, the Individuals with Disabilities Education Act
- Be involved in your child's special education.
- Learn about what is needed to support your child's education in the regular classroom.



## What Can educators do?

In Ohio's strategic plan for education, "Each Child, Our Future," equity is one of the core principles to improve learning experiences and outcomes for students with disabilities. Supports for districts can include:

- Tiered supports, including awareness and prevention, targeted and comprehensive interventions, incorporating trainings and technical assistance from state support teams (SST's)
- Ohio's whole child framework
- Office for Exceptional Children: Departments of Supports & Monitoring, Urban Support, and Resource Management teams
- Social Emotional Learning standards, Trauma Informed Practices, Positive Behavioral Interventions and Support [PBIS].
- Trainings on Culturally Responsive Practices and resources

## TIPS/Best Practices for Districts:

- **Become Informed about Disproportionality**
- **Learn about Disproportionality in Your State, District, or School**
- **Raise Your Own Cultural Awareness and Responsiveness**
- **Be Culturally Aware and Responsive When Engaging with Students and Parents**
- **Actively See Out Culturally and Linguistically Diverse Parents**
- **Develop School Staff's Knowledge of UDL**
- **Form District or School Teams to Address Disproportionality**
- **Infuse Your School System with Learner-Centered Supports**
- **Build Strategic Partnerships**

*Center for Parent Information & Resources Disproportionality in Special Education Action Steps for Educators and School Administrators*



## Step 2: Learn More about Disproportionality in Special Education

Now that you have the basics of the special education process under your belt, you are prepared to participate *meaningfully* in how your state, district, and school address disproportionality. Try the suggestions below as steppingstones to becoming involved in addressing disproportionality in your state.

Become informed about disproportionality in general.

- Learn about disproportionality issues in your area and your school district.

## Step 3: Take Action about Disproportionality in Special Education

- Become active in committees and advisory councils in special education. Do not be shy about bringing up disproportionality to school leaders and administrators.
- Offer to organize/host/be involved in school cultural events.
- Connect with advocacy groups.
- Contact and meet with local officials, state-level administrators, and state legislators.

For more information on these action steps click on the link below:

*Center for Parent Information & Resources Disproportionality in Special Education Action Steps for Parents*



## A conversation with the Ohio Department of Education, Office for Exceptional Children:

### What is significant disproportionality and why is it important?

Disproportionality is one measure of educational equity. It occurs when students from a racial group are identified for special education, placed in more restrictive settings, or disciplined at markedly higher rates than their peers. The federal government considers disproportionality “significant” when the overrepresentation exceeds a threshold defined by each state. In Ohio, the threshold for significant disproportionality is 2.50.

Disproportionate representation may deprive students of needed services that are invaluable to their educational development. Misidentification has a lasting impact on children, including being taught in classrooms separate from their peers and subjected to inappropriate

disciplinary action. It is critical to ensure that overrepresentation is not the result of misidentification, including both over- and under-identification, which can interfere with a school’s ability to provide children with the appropriate educational services required by law. Addressing racial and ethnic disparities in special education is an important step in ensuring the right services get to the right students in the right way.

**There has been a lot of work done by the Ohio Department of Education, Office of Exceptional Children to involve stakeholder groups that include parents and professionals to engage them to meet the federal requirements on disproportionality. How would you recommend to districts to continue to engage parents at the local level?**

Be transparent about the data and talk about what it means for kids. Talk with families about how they are affected by identification, placement, and disciplinary practices. Include families in policy decisions.

Seek input from families on strategies to address or prevent disproportionality. Ensure family representation on committee that reflect the student population. Integrate efforts to address special education disproportionality into the district’s overall equity plan/framework, with parents and families as key partners.





**A conversation with OEC continued** .....

**Ohio recently enacted the SAFE (Supporting Alternatives for Fair Education Act) to help reduce disciplinary referrals, especially for pre-k through grade 3. How will this recent legislation help to address significant disproportionality across the state?**

Supporting Alternatives for Fair Education Act (SAFE), or House Bill 318, addresses multi-tiered behavioral supports and strengthens requirements for school districts to implement Positive Behavioral Interventions and Supports (PBIS), social-emotional learning supports, and trauma-informed practices.

PBIS is a framework that guides districts and schools in developing policies and practices that proactively define, teach, and support appropriate behavior. PBIS suggests a shift in thinking about behavior and discipline. Rather than telling students what NOT to do, emphasis is placed on teaching students what TO do. Schools implementing PBIS actively teach behavioral expectations across all environments, promote positive behavior through encouragement and reinforcement, and provide correction of inappropriate behavior through prompting, re-teaching and opportunities to correct behavior. PBIS creates consistent, predictable learning environments that increase positive behavior and academic outcomes for each student.

The results of these measures are evident. Ohio schools implementing PBIS with fidelity have demonstrated noteworthy reductions in their rates of office discipline referrals, suspensions, and expulsions. With these reductions, administrators and teachers have more time to focus on academic progress, students who previously were removed from the academic environment now spend more time receiving direct instruction, and decreased behavior distractions in the classroom increases academic instruction time for other students in the classroom. Even though this legislation and implementation of PBIS are contributing to an overall reduction in disciplinary actions, additional strategies, such as culturally-responsive practices and/or trauma-informed practices, can be important components to address ongoing racial disparities in discipline rates at the district level.

 **Resources**

- [The Benefits of Socioeconomically and Racially Integrated Schools and Classrooms](#)
- [Disproportionality in Special Education](#)
- [What is Disproportionality in Special Education?](#)
- [Significant Disproportionality in Special Education: The Role of Income](#)



**If a district has been identified to have significant disproportionality, there are specific action steps that they must take according to IDEA. Can you tell us what those action steps are?**

According to the Individuals with Disabilities Education Act, districts with significant disproportionality must:

- 1) Review their policies, procedures and practices related to identification, placement, and/or discipline of students with disabilities.
- 2) Undergo a review of student records with the Ohio Department of Education.
- 3) Identify the factors that may be contributing to the significant disproportionality.
- 4) Redirect 15 percent of their federal special education funds toward Comprehensive Coordinated Early Intervening Services designed to address the contributing factors, including professional development, educational and behavioral evaluations, services and supports.

**Will part of the plan be to utilize the SSTs to provide technical assistance to the districts (that have been identified with significant disproportionality rates)? What types/kinds of Professional Development will be offered, if any? Finally, how will the plan measure improvements or need for modifications?**

The Office for Exceptional Children has worked extensively with Ohio's State Support Teams to build capacity, processes, and resources for supporting districts and schools with significant disproportionality. Supports are designed to help districts and schools more deeply understand their data, review their policies, procedures, and practices, complete root cause analyses to identify factors contributing to disproportionality, develop improvement plans to address contributing factors, and target funds accordingly. Support from a State Support Team (SST) includes:

**Needs Analysis:** Upon identification by the Department, districts and schools with significant disproportionality findings complete a self-review of local data, policies, and practices to pinpoint potential root causes of disproportionality. Conducting a comprehensive root cause analysis is an essential first step to ensure that the school or district identifies

improvement strategies that can meaningfully increase educational equity. SSTs can assist with the root cause analysis process by answering technical questions, supporting data reviews, and coaching teams through meaningful conversations about policy and practice to uncover where change is needed.

**Improvement Plan:** Once one or more root causes of disproportionality are identified, the district creates a systemic improvement plan to strategically address areas of need. The plan also explains how redirected funds will be used to support the improvement plan. SSTs have extensive expertise in supporting continuous improvement planning and work closely with districts and schools to develop action plans, revise, or create policies, and deliver professional learning for teachers and administrators. In addition, Ohio's entire State System of Support, including Educational Service Centers (ESCs), Information Technology Centers (ITCs), and the Department's online Learning Management System offer a wide array of learning opportunities that may be aligned to district needs identified through the root cause analysis. Community agencies and organizations can also be excellent partners by offering additional support services to districts and schools.

**Monitoring:** Most importantly, training and new policies must result in changes in practice to improve equitable educational outcomes for students with disabilities. SSTs continue to be partners by assisting districts and schools with the process of monitoring the application of new strategies, evaluating whether they are having the intended impact on adult practices and student outcomes, and making midcourse adjustments as needed. SSTs serve districts and schools in a capacity building function, meaning they work to build the knowledge and skills of educators to use new evidence-based practices successfully and independently over time. Additionally, SSTs help district teams integrate their disproportionality improvement plan with the district's overall improvement planning efforts, in recognition that disproportionality is most effectively addressed through partnerships between general and special educators and support from district and building leaders.



### Lessons learned from an Ohio school district

- Look at the data
- Do not make assumptions without seeing the data
- Be open

**QUOTE**

“With something as uncomfortable as talking about race, until you put it on the table, you’re not going to move the dial.”



Elizabeth Kimmel  
Shaker Heights  
Director of  
Exceptional  
Children.

**QUOTE**

“As we work together as parents & professionals let us meet each other on this road to equity to provide our students a clear path and an equal opportunity to prosper.”



Tammie Sebastian,  
OCECD Statewide  
Program  
Coordinator



## Webinars on disproportionality

*Addressing Equity in Ohio: How Disproportionality Impacts Ohio Students*

*Early Childhood Suspensions & Disproportionality: An Issue that Impacts Everyone!* | Video | (2017, July), Keynote presentations at the 2017 OSEP Leadership Conference.

Dr. Rosemarie Allen from the Metropolitan State University of Denver presents this dynamic keynote presentation.



## Early Childhood and disproportionality Citation

1. Anyon, Y., Jenson, J. M., Altschul, I., Farrar, et al. (2014). The persistent effect of race and the promise of alternatives to suspension in school discipline outcomes. *Children and Youth Services Review, 44*, 379-386 [ii]
- Skiba, R. J., Arredondo, M. I., & Williams, N. T. (2014).
2. Skiba, R. J., Chung, C. G., Trachok, M., Baker, T. L., Sheya, A., & Hughes, R. L. (2014). Parsing disciplinary disproportionality: Contributions of infraction, student, and school characteristics to out-of-school suspension and expulsion. *American Educational Research Journal, 51*(4), 640-670.



# OCECD

## OHIO COALITION FOR THE EDUCATION OF CHILDREN WITH DISABILITIES

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To remove your name from our mailing list, or if you have questions, please contact [kellyb@ocecd.org](mailto:kellyb@ocecd.org) or call 1-844-382-5452.

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## OHIO COALITION FOR THE EDUCATION OF CHILDREN WITH DISABILITIES

The Ohio Coalition for the Education of Children with Disabilities (OCECD) is a statewide nonprofit organization that serves families of infants, toddlers, children and youth with disabilities in Ohio, educators and agencies who provide services to them. OCECD works through the coalition efforts of over 35 parent and professional disability organizations and over 70 individual members which comprise the Coalition. OCECD has also been funded since 1984 to serve as the Parent Training and Information Center (PTI) for the state of Ohio from the federal government, U.S. Dept of Education, Office for Special Education Programs.

Established in 1972, currently employing 28 staff in 15 offices who are primarily parents or family members of children or adults with disabilities or persons with disabilities, the Coalition's mission is to ensure that every Ohio child with special needs receives a free, appropriate, public education in the least restrictive environment to enable that child to reach his/her highest potential. Throughout Ohio, the Coalition's services reach families of children and youth, birth through 26 years of age, with all disabilities.



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