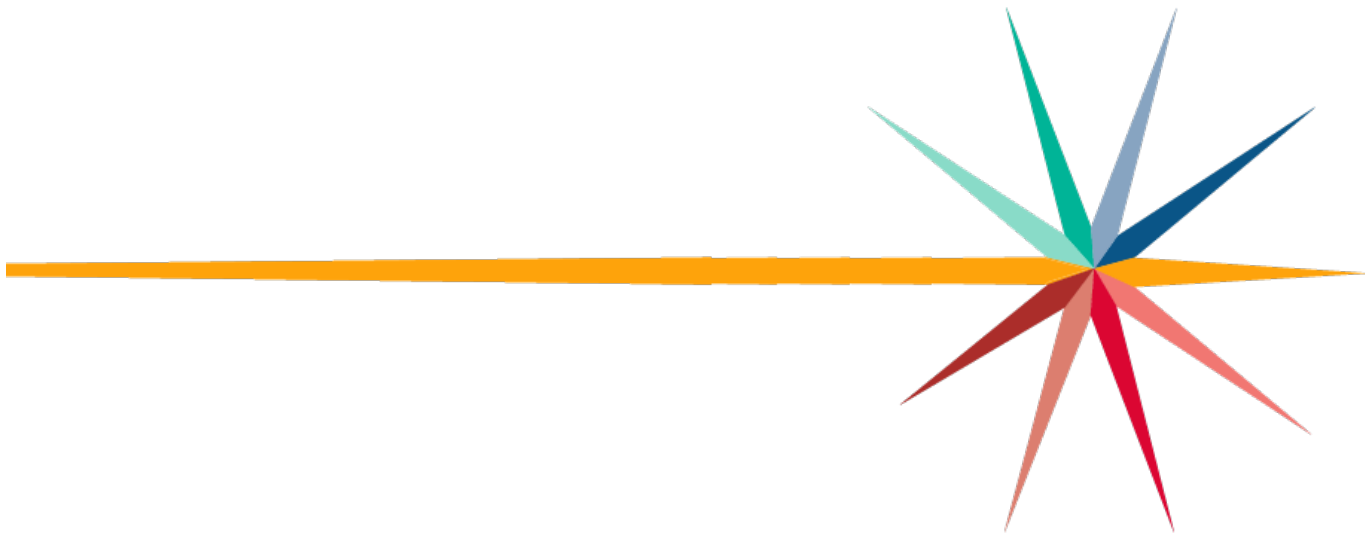




Significant Disproportionality A Deeper Look



What is Significant Disproportionality?

Per 34 C.F.R. § 300.646 of the regulations implementing the Individuals with Disabilities Education Act (IDEA), states must annually collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and each local education agency (LEA) with respect to:

- the identification of children as children with disabilities (ages 3-21), including the identification of children as children with a particular disability;
- the placement of children with disabilities in particular educational settings (5-year-old kindergarteners through age 21); and
- the incidence, duration, and type of disciplinary actions, including suspensions and expulsions (ages 3–21).



Methodology

How Significant Disproportionality is Calculated

The Kansas State Department of Education (KSDE) uses a risk ratio calculation to determine whether an LEA has significant disproportionality, consistent with 34 C.F.R. § 300.647. This identification of a LEA with significant disproportionality is based on an analysis of numerical information only and may not include consideration of the State's or LEA's policies, practices, or procedures.

Unpacking Key Terms

Risk

Likelihood that a particular outcome will occur (e.g., identification, placement, discipline).

Risk Ratio

Within an LEA, the risk ratio answers the question “What is the risk of children from a target racial/ethnic group found within a subcategory as compared to the risk of children from all the Comparison racial/ethnic group found within a subcategory within the LEA or USD?”

Risk Ratio Calculation

Target Group Risk

Number of students from the target racial/ethnic group within the subcategory ÷ Total number of students in the target group

Comparison Group Risk

Number of students from all other racial/ethnic groups within the subcategory ÷ Total number of students in all other racial/ethnic groups

Risk Ratio

Target Group Risk ÷ Comparison Group Risk

Example – LEA Utopia

What is the likelihood, or risk, of a white student being identified as ID in LEA Utopia?

There are **30** white students who are identified with an Intellectual Disability (ID).

The total number of white students enrolled in LEA Utopia is **1,000**.

$$30 \div 1,000 = 0.03 (3.00\%)$$

What is the likelihood, or risk, of a non-white student being identified as ID in LEA Utopia?

There are **15** non-white students who are identified as ID.

The total number of non-white students enrolled for LEA Utopia is **1,500**.

$$15 \div 1,500 = 0.01 (1.00\%)$$

Risk Ratio: How does the risk of white students identified as ID compare to the risk of all non-white students identified as ID in LEA Utopia?

$$3\% (\text{target risk}) \div 1\% (\text{comparison risk}) = 3\%$$

This meets the threshold for Significant Disproportionality

White students are 3 times as likely as non-white students to be identified as ID in LEA Utopia

Minimum cell and N-sizes

- Cell size – minimum number experiencing particular outcome (numerator)
 - Example = **30 white students** identified as ID in LEA Utopia
 - In Kansas, the minimum cell size is **10 students**
- N-size – minimum number who could experience a particular outcome (denominator)
 - Example = **1,000 white students** in LEA Utopia
 - In Kansas, the minimum n-size is **30 students**

Alternate Risk Ratio

Comparison of two risks used when the minimum cell or n-size requirements are not met. Within an LEA, the alternate risk ratio answers the question *“What is the risk of children from a target racial/ethnic group found within a subcategory in an LEA as compared to the risk of children from all the Comparison racial/ethnic group found within a subcategory within the state?”*

Target Group Risk

Number of students from the target racial/ethnic group within the subcategory for the LEA
 $\div$ Total number of students in the target group for the LEA.

Comparison Group Risk

Number of students from all other racial/ethnic groups within the subcategory for the entire state $\div$ Total number of students in all other racial/ethnic groups for the entire state.

Alternate Risk Ratio

Target Group Risk $\div$ Comparison Group Risk

Example –

Question: How does the risk of white students identified as LD compare to the risk of all non-white students identified as LD in the state?

In LEA Billville

There are **5** white students who are identified as LD in LEA Billville.

There are **150** white students in LEA Billville.

- Cell size = 5, which is less than the minimum cell size of 10
- The comparison group becomes state data.
- The target risk is **5** divided by **150** = **.0333** or **3.33%** for LEA Utopia

In the state

There are **500** non-white students who are identified as LD in the state.

There are **50,000** total non-white students in the state.

- The state risk (comparison risk) is **500** divided by **50,000** = **0.01** or **1.00%**

3.33% (target risk) $\div$ **1.00%** (comparison risk) = **3.33%** Exceeds the threshold of 3.00

White students in LEA Billville are 3.33 times as likely as non-white students in the state to be identified as LD.

Final Risk Ratio

If the minimum sizes are met, then the Risk Ratio is the Final Risk Ratio. If the minimum sizes are not met, then the Alternate Risk Ratio is the Final Risk Ratio. The Final Risk Ratio is used for Significant Disproportionality identification.

When is significant disproportionality identified?

KSDE established the following final risk ratio thresholds for significant disproportionality calculations:

Identification Thresholds		Discipline Thresholds		Placement Thresholds	
All Disabilities	≥ 3.0	In-School Suspensions or Expulsions ≤ 10 days	≥ 3.0	In Regular Education Setting < 40% of the Day	≥ 3.0
Emotional Disturbance	≥ 3.0	In-School Suspensions or Expulsions > 10 days	≥ 3.0	In separate schools and residential facilities	≥ 3.0
Intellectual Disability	≥ 3.0	Out-of-School Suspensions or Expulsions ≤ 10 days	≥ 3.0		
Other Health Impairment	≥ 3.0	Out-of-School Suspensions or Expulsions > 10 days	≥ 3.0		
Specific Learning Disability	≥ 3.0	Disciplinary removals in total	≥ 3.0		
Speech/Language Impairment	≥ 4.5				
Autism	≥ 3.0				

How many years of data are considered for significant disproportionality?

In Kansas, LEAs must exceed thresholds in the same categories and racial/ethnic groups for three consecutive years to be identified with significant disproportionality.

Example 1: LEA Toontown

School Year	Category	Racial/Ethnic Group	Final Risk Ratio
2020-21	Identification of ID	White	4.5
2021-22	Identification of ID	White	3.8
2022-23	Identification of ID	White	4
LEA Toontown meets criteria for significant disproportionality			

Example 2: LEA Utopia

School Year	Category	Racial/Ethnic Group	Final Risk Ratio
2020-21	Identification of ED	Asian	3.4
2021-22	Identification of ED	Asian	2.9
2022-23	Identification of ED	Asian	3.1
LEA Utopia does not meet criteria for significant disproportionality			

Reasonable Progress

In Kansas, an LEA that exceeds the risk threshold for three consecutive years but demonstrates reasonable progress may be reviewed by KSDE and may not be identified with significant disproportionality.

Reasonable progress is defined as a decrease of at least 0.5 in the final risk ratio in each of the two most recent consecutive years.

Example 1: LEA Utopia

School Year	Category	Racial/Ethnic Group	Risk Ratio	Improvement
2020-21	Identification of LD	Pacific Islander	5	
2021-22	Identification of LD	Pacific Islander	4.25	.75 improvement
2022-23	Identification of LD	Pacific Islander	3.4	.85 improvement

LEA Utopia shows reasonable progress,
KSDE may not identify significant disproportionality

Example 2: LEA Toontown

School Year	Category	Racial/Ethnic Group	Risk Ratio	Improvement
2020-21	Identification of AM	Native American	4.2	
2021-22	Identification of AM	Native American	3.9	.30 Improvement
2022-23	Identification of AM	Native American	3.3	.60 Improvement

LEA Toontown does not show reasonable progress

Cooperatives and Interlocals

KSDE calculates significant disproportionality, as required, at the local education agency level, adding together all member district data to conduct the analysis.

For cooperatives and interlocals, KSDE provides district-level analysis to assist with data drilldown. Significant disproportionality determinations are made at the LEA- level for cooperatives and interlocals, meaning all data from all member districts is added together to conduct the analysis.

Where can I find my LEA's Significant Disproportionality reports?

LEA Significant Disproportionality data reports are available on the Kansas APR Reports under the Sig Dis tab. KSDE strongly encourages all LEAs to review this data whether the LEA has been identified for significant disproportionality or not.

Link to Kansas APR Reports: <http://ks-apr.org/KansasAPR/Login.aspx?timeout=true>

The KS APR Report Sig Dis User Guide is located under the Sig Dis tab on the Kansas APR Reports website and was created to assist LEAs in accessing this data and utilizing specific report features and is available under the Sig Dis reports tab.



Implications of Significant Disproportionality

Required Actions Following Identification

- Review and, if appropriate, revise its policies, practices, and procedures used in identification or placement in particular education settings, and/or disciplinary removals, to ensure that the policies, practices, and procedures comply with the requirements of the IDEA;
- Complete a root cause analysis to identify contributing factors to significant disproportionality;
- Publicly report on the revision of those policies, practices, and procedures consistent with the requirements of the Family Educational Rights and Privacy Act, its implementing regulations in 34 C.F.R. part 99, and Section 618(b)(1) of IDEA; and
- Reserve 15% of its IDEA Part B Section 611 and 619 allocations for comprehensive coordinated early intervening services (CCEIS) to address factors contributing to the significant disproportionality.

What is meant by policies, procedures, and practices?

Policies – Standard or mandate by governing body (e.g., local board)

- Example – approved local board discipline policies
- Non-example – Kansas Special Education Process Handbook

Procedures – Written documentation of how policies should be implemented

- Example – written manifestation determination procedures
- Non-example – Kansas Special Education Process Handbook

Practices – Evidence of implementation of policies and procedures

- Example – review of documentation from a student's manifestation determination meeting

Significant Disproportionality Self-Assessment Tool

To review policies, procedures, and practices, KSDE requires LEAs to complete a significant disproportionality self-assessment tool



Significant Disproportionality Self-Assessment Tool

A review of policies, practices, and procedures in the area of incidence, duration, and type of disciplinary actions, including suspensions and expulsions

A local educational agency (LEA) identified by the state as having significant disproportionality is required to review and, if appropriate, revise its policies, practices, and procedures used in identification or placement in particular education settings, and/or disciplinary removals, to ensure that the policies, practices, and procedures comply with the requirements of the Individuals with Disabilities Education Act (IDEA); and publicly report on the revision of those policies, practices, and procedures consistent with the requirements of the Family Educational Rights and Privacy Act, its implementing regulations in 34 C.F.R. part 99, and Section 618(b)(1) of the IDEA. 20 U.S.C. § 1418(d)(1); 34 C.F.R. § 300.646(a).

LEA # and Name:	
Contact Name:	
Contact Email:	
Contact Phone:	

This tool is designed to facilitate and document an LEA's focused review of its policies, practices, and procedures that most closely relate to disciplinary removals. LEA policies are generally considered to be those policies written and adopted by local board authority; procedures are generally written and formally approved or adopted by administration or board in some manner, and practices are the actual implementation of those policies and procedures through the behavior and actions of staff and administration within the LEA. If a regulation specifically requires a board-adopted policy, it will be so stated in the regulatory requirement column; otherwise the LEA should have policies and/or procedures related to a particular requirement to explain how that regulatory requirement will be implemented in the LEA.

Determining Contributing Factors

The results from the self-assessment should be part of the data used in root cause analysis (more to come!)

The contributing factors identified through the self-assessment and root cause analysis are the areas the LEA should focus on and allocate CCEIS funds toward in order to address and resolve issues resulting in significant disproportionality.



Root Cause Analysis

Understanding and Conducting Root Cause Analysis

What is root cause analysis?

Root cause analysis is a structured problem-solving process used to discover the underlying causes of an issue so that effective, lasting solutions can be implemented.

Why conduct a root cause analysis?

- Identifies a lever of change – “if I correct this thing/these things, I will address the contributing causes to the issue”
- Supports systemic thinking rather than reactive behavior
- Prevents wasted time and resources to address an issue or perceived contributing factor that may not actually be the root of the problem
- Part of a continuous improvement process
- Leads to a concrete, thoughtful, data-based rationale for selecting strategies that address and resolve contributing factors

Considerations for Root Cause Analysis

- Ensure there is a diverse team at the table who can meaningfully contribute to the area of concern
 - Special education and regular education teachers
 - Support staff (e.g., school psychologists, speech-language pathologists, counselors)
 - Families and/or students of the impacted group(s)
 - Community members representing the impacted group(s)
 - Leaders with the ability to influence change
- Prepare in advance for meetings and discussions to ensure data is readily available and accessible
- Have data disaggregated in ways that will help further investigate areas of concern and unearth contributing factors (e.g., data at the school level, teacher level, grade level, for racial/ethnic groups, etc.)
- Identify most effective ways to provide data (e.g., charts, graphs, other data visualizations)

What are some root cause analysis methods?

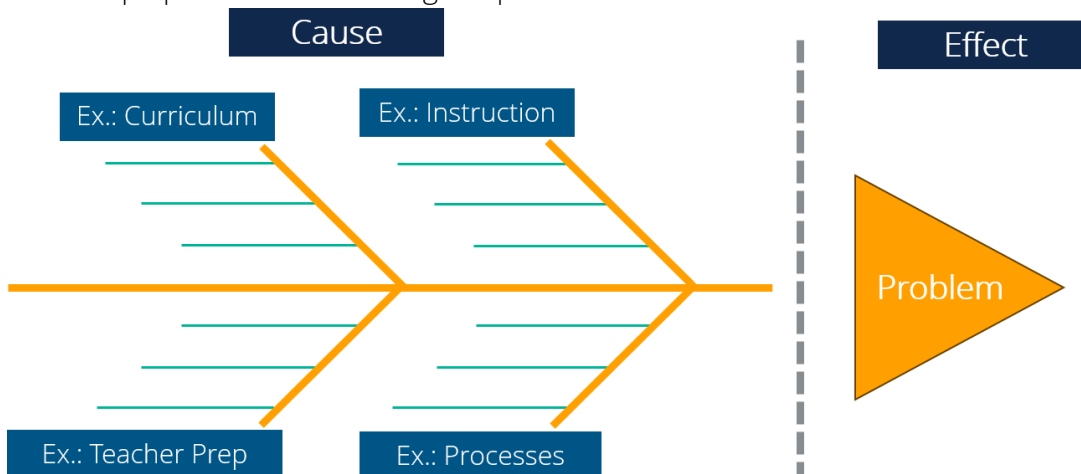
Methods can be modified, combined, or restructured in any way that is best for the team to truly discover the root causes and factors contributing to issues.

Some sample methods include

- Fishbone Diagram
- The Five Whys

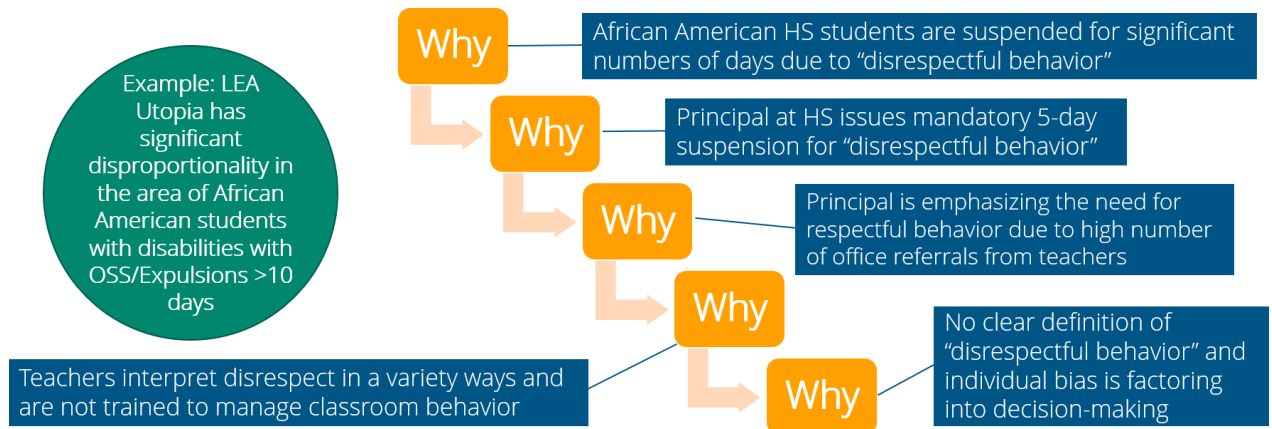
Fishbone Diagram

This process allows you to identify areas of analysis and detail different factors under these areas to pinpoint what is causing the problem.



The Five Whys

This is an iterative process of identifying a problem of practice and asking “why” five times to dig more deeply into why a problem exists.



Example: LEA Utopia has significant disproportionality in the area of African American students with disabilities with OSS/Expulsions >10 days

- Why - African American HS students are suspended for significant numbers of days due to “disrespectful behavior”
 - Why - Principal at HS issues mandatory 5-day suspension for “disrespectful behavior”
 - Why - Principal is emphasizing the need for respectful behavior due to high number of office referrals from teachers
 - Why - Teachers interpret disrespect in a variety of ways and are not trained to manage classroom behavior
 - Why - No clear definition of “disrespectful behavior” and individual bias is factoring into decision-making

Key Takeaways

Root cause analysis can be valuable whether or not an LEA has been identified with significant disproportionality.

LEAs approaching risk thresholds may benefit from conducting root cause analysis proactively.

Root cause analysis helps discover systemic issues and supports the development of targeted, sustainable solutions.



Resources & Supports

- [Significant Disproportionality FAQ](#)
- [Significant Disproportionality Police, Practice, and Procedures Self-Assessment \(Identification, Placement, Discipline\)](#)
- [Kansas APR reports](#) (information under *Sig Dis* tab)



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