

IDEA 2019-20 Racial Equity in Special Education

Sample Report

The Department of Public Instruction (DPI), Division for Learning Support, is responsible for ensuring Local Education Agency (LEA) compliance with state and federal special education requirements. The department's oversight responsibility is explicitly established in 20 USC. sec. 1412(a)(11)(A)(i) and Wis. Stat. sec.115.762(3)(g). The Individuals with Disabilities Act (IDEA) requires the Department of Public Instruction to annually apply criteria to LEA-submitted data and identify LEAs with racial disproportionality in special education identification, placement, and/or discipline (20 USC. sec.1416(a)(3), 20 USC. sec.1418(d), 34 CFR sec.300.646 and 34 CFR sec.300.600(d)(3)).

Children of color are identified as students with disabilities at substantially higher rates than their peers. All children who require special education services should be appropriately identified and supported. At the same time, no child should be inappropriately identified for special education services, segregated from his or her peers, or disciplined more frequently or harshly simply because they are a student of color with a disability (U.S. Department of Education, 2016).

The purpose of this notification is to inform LEAs of racial disproportionality in special education based on the data they submitted to DPI, and in doing so provide them with information and resources to guide their improvement planning. The data used for these notifications are certified; it is not subject to change, as it comes from data snapshots.

Please note that, due to the inclusion of unredacted data, this report is considered sensitive and confidential. Therefore, this document should not be shared with the public and is not subject to open records requests.

Your LEA at a Glance

Table 1: Significant Disproportionality / Discrepancy Summary

Category	Disproportionality / Discrepancy	
	Yes	No
Identification	X	
Placement		X
Discipline	X	

Required Actions

(34 CFR secs.300.600(d)(3) and 300.646(c) and (d))

- None

- Engage in continuous improvement:

- **By October 31 (or the next business day)**, submit evidence of continuous improvement activities (needs assessment, root cause analysis, evidence-based improvement strategies, and plan) that meets the "Accomplished" criteria standard as described in the [Continuous Improvement Process Criteria and Rubric](#). Evidence must be submitted through [WISEgrants](#).

- - Budget 15% of IDEA Part B funds for comprehensive coordinated early intervening services (CCEIS) to address the root cause of racial disproportionality, as identified through continuous improvement activities.
- - Your LEA is also identified as “Needs Assistance Year 2” or “Needs Intervention” for IDEA LEA Determinations. Please submit **one** improvement plan to WISEgrants to address areas of need for both identifications under IDEA.
- - LEAs with **continuing** identification of racial disproportionality in special education should provide evidence of practice data collected and used to determine: (1) if the evidence-based improvement strategy is being implemented as intended (2) unintended consequences to equity (if any) and (3) ongoing supports (i.e. training) (Wisconsin Department of Public Instruction, 2019).
- - Required continuous improvement activities are met through approved collaboration activities and district submission through WISEgrants is not required.

- **Complete Disproportionality Procedural Compliance Self-Assessment:**

- **By November 15 (or the next business day)**, conduct the Disproportionality: Procedural Compliance Self-Assessment (PCSA) and submit results through the Special Education Web Portal (department staff will email your special education director when the portal is open). Technical assistance and information related to the Disproportionality: PCSA is online at dpi.wi.gov/sped/educators/disproportionality-procedural-compliance-self-assessment.
- Publicly report on the revision of noncompliant policies, practices, and procedures found through the Disproportionality Procedural Compliance Self-Assessment.

The Department of Public Instruction (DPI), the Wisconsin Association of School District Administrators (WASDA), the Association of Wisconsin School Administrators (AWSA), and the Cooperative Educational Service Agencies (CESAs) are partnering to create learning opportunities for the field that are more coherent, streamlined, and effective. Leading for Learning covering topics such as continuous improvement, equity, and educator development. Events will build on each other to deepen understanding of key concepts and provide specific strategies to inform local continuous improvement efforts. Leading for Learning braids together the aims and audiences of several statewide professional conferences: AWSA’s Quality Educator Conference, WASDA’s Data Summit, and DPI’s Innovations in Equity. **All local education agencies are invited to attend June 22-24, 2020 - for more information, visit leadingforlearningsummit.com.**

Racial Disproportionality in Special Education - Generally

To meet federal requirements under 20 USC sec.1416(a)(3)(C), 34 CFR sec.300.600(d)(3) 20, USC sec.1418(d), and 34 CFR sec.300.646-647, Wisconsin developed the following criteria for determining significant disproportionality in special education identification. For three consecutive years, LEA data meet these criteria:

- Minimum of 10 students within special education for a given race/ethnicity; minimum of 30 students (total enrollment) for given race/ethnicity;
- Risk ratio of 2.0 or greater for racial/ethnic group for special education (compared to all other students within the LEA);

- Failed to demonstrate reasonable progress (>0.25/yr for the two prior consecutive years), in lowering the risk ratio for the group and category of analysis in each of the two prior consecutive years.

Based on data reported by your local education agency (LEA) through WISEdata for the three most recent years of child count and enrollment data, there is a significantly disproportionate frequency among students in one or more racial/ethnic groups identified as having a disability. Please consult the accompanying data visualizations and data table below for further details.

Table 2: Racial Disproportionality in Special Ed.

Group	Race	Years (Count)		Risk Ratio		
		Met Cell Size	Made Progress	2018	2019	2020
	Asian	3	0	0.944	0.9263	0.9207
	Black	3	0	1.8722	1.7043	1.5063
	Hispanic	3	0	1.2083	1.1732	1.2568
Students w/ IEPs	American Indian	3	0	2.2625	2.3516	2.2934
	Pacific Islander	0	0	NA	NA	NA
	Multi Race	3	0	1.0014	1.1235	1.2822

Note:

Where applicable, records that meet the criteria for disproportionality are highlighted green. Bold but unhighlighted records are not yet disproportionate, but may meet the criteria for disproportionality next year.

Racial Disproportionality in Special Education - Specific Disability Categories

To meet federal requirements under 20 USC sec.1416(a)(3)(C), 34 CFR sec.300.600(d)(3), 20 USC sec.1418(d), and 34 CFR sec.300.646-647, Wisconsin developed the following criteria for determining significant disproportionality in specific disability categories. For three consecutive years, LEA data meet these criteria:

- Minimum of 10 students within disability category for a given race/ethnicity; minimum of 30 students (total enrollment) for given race/ethnicity;
- Risk ratio of 2.0 or greater for racial/ethnic group for disability category (compared to all other students within the LEA);
- Failed to demonstrate reasonable progress (>0.25/yr for the two prior consecutive years), in lowering the risk ratio for the group and category of analysis in each of the two prior consecutive years.

Based on data reported by your local education agency (LEA) through WISEdata for the three most recent years of child count and enrollment data, there is a significantly disproportionate frequency among students in one or more racial/ethnic groups identified in one or more disability reporting categories. Please consult the accompanying data table below for further details.

Table 3: Racial Disproportionality in Specific Disability Categories

Group	Race	Years (Count)		Risk Ratio		
		Met Cell Size	Made Progress	2018	2019	2020
Autism	Asian	3	0	0.4284	0.4092	0.481
	Black	0	0	0.4189	0.4836	0.4031
	Hispanic	3	0	1.1028	0.9477	1.0494
	American Indian	0	1	2.2897	2.5619	2.2688
	Pacific Islander	0	0	NA	NA	NA
	Multi Race	0	0	0.5609	0.5424	0.6699
Emotional Behavioral	Asian	0	0	0.0517	0	0.0275
	Black	3	2	4.5763	3.5838	2.9521
	Hispanic	3	0	0.9854	0.9773	0.9196
	American Indian	0	1	3.6789	3.7111	2.8905
	Pacific Islander	0	0	0	0	0
	Multi Race	3	0	2.4779	3.0508	3.4054
Intellectual Disability	Asian	3	0	1.2194	1.2527	1.0216
	Black	2	1	2.2431	2.4699	1.5248
	Hispanic	3	0	0.8845	0.7943	1.0227
	American Indian	0	1	1.1187	2.5468	1.2593
	Pacific Islander	0	1	NA	NA	NA
	Multi Race	0	0	0.4586	0.9787	0.9459
Specific Learning Disability	Asian	3	0	1.465	1.3188	1.5978
	Black	3	0	2.2126	2.0293	2.2639
	Hispanic	3	0	1.7602	1.8122	1.9128
	American Indian	1	0	1.9438	2.2367	3.3589
	Pacific Islander	0	1	1.5555	1.2315	1.2924
	Multi Race	3	0	0.7426	0.5818	0.7643
Other Health Impairment	Asian	3	0	0.3183	0.2906	0.345
	Black	3	1	2.7693	2.7992	1.9931
	Hispanic	3	0	0.9287	1.0761	1.1353
	American Indian	0	1	2.486	2.5099	1.7318
	Pacific Islander	0	0	0	0	0
	Multi Race	2	0	0.506	1.0982	1.3167
	Asian	3	0	1.6995	1.7566	1.5396
	Black	3	0	0.6234	0.5063	0.5623

Table 3: Racial Disproportionality in Specific Disability Categories
(continued)

Group	Race	Years (Count)		Risk Ratio		
		Met Cell Size	Made Progress	2018	2019	2020
Speech & Language	Hispanic	3	0	0.8974	0.9225	0.8416
	American Indian	0	0	2.0209	2.1381	2.369
	Pacific Islander	0	0	0	0	0
	Multi Race	2	0	0.6914	0.8751	1.2258

Note:

Where applicable, records that meet the criteria for disproportionality are highlighted green. Bold but unhighlighted records are not yet disproportionate, but may meet the criteria for disproportionality next year.

Racial Disproportionality in Special Education - Placement

To meet federal requirements under 20 USC sec.1416(a)(3)(C), 34 CFR sec.300.600(d)(3), 20 USC sec.1418(d), and 34 CFR sec.300.646-647, Wisconsin developed the following criteria for determining significant disproportionality in special education placement. For three consecutive years, LEA data meet these criteria:

- Minimum of 10 students within environment code for a given race/ethnicity; minimum of 30 students with IEPs for given race/ethnicity;
- Risk ratio of 2.0 or greater for racial/ethnic group within environment code (compared to all other students with IEPs in the LEA/state);
- Failed to demonstrate reasonable progress (>0.25/yr for the two prior consecutive years), in lowering the risk ratio for the group and category of analysis in each of the two prior consecutive years.

Your LEA is not identified in this area. The accompanying data table below is for information and improvement planning only.

Table 4: Racial Disproportionality in Special Ed. - Placement

Group	Race	Years (Count)		Risk Ratio		
		Met Cell Size	Made Progress	2018	2019	2020
Less Than 40% Regular Class	Asian	3	0	0.6424	0.5839	0.6034
	Black	3	0	1.3068	1.5052	1.5576
	Hispanic	3	1	0.8565	0.5996	0.4861
	American Indian	0	1	1.6375	2.0734	1.1634
	Pacific Islander	0	2	NA	NA	0
	Multi Race	0	0	0.698	1.0593	1.1271
Separate School (ages 6-21)	Asian	0	0	0.2284	0	0
	Black	0	1	0.8792	0	0.7714
	Hispanic	0	1	0.6355	0	0.2008
	American Indian	0	1	1.8377	0	0
	Pacific Islander	0	0	0	0	0
	Multi Race	0	1	0	0.7176	0

Note:

Where applicable, records that meet the criteria for disproportionality are highlighted green. Bold but unhighlighted records are not yet disproportionate, but may meet the criteria for disproportionality next year.

Racial Disproportionality in Special Education - Discipline

To meet federal requirements under 20 USC sec.1416(a)(3)(C), 34 CFR sec.300.600(d)(3), 20 USC sec.1418(d), and 34 CFR sec.300.646-647, Wisconsin developed the following criteria for determining significant disproportionality in special education discipline. For three consecutive years, LEA data meet these criteria:

- Minimum of 10 students within discipline category for a given race/ethnicity; minimum of 30 students with IEPs for given race/ethnicity;
- Risk ratio of 2.0 or greater for racial/ethnic group for special education (compared to all other students within the LEA);
- Failed to demonstrate reasonable progress (>0.25/yr for the two prior consecutive years), in lowering the risk ratio for the group and category of analysis in each of the two prior consecutive years.

Based on data reported by your local education agency (LEA) through WISEdata for the three most recent years of child count and enrollment data, there is a significantly disproportionate frequency among students in one or more racial/ethnic groups with IEPs experiencing disciplinary removals. Please consult the accompanying data visualizations and data table below for further details.

Table 5: Racial Disproportionality in Special Ed. - Discipline

Group	Race	Years (Count)		Risk Ratio		
		Met Cell Size	Made Progress	2017	2018	2019
All Disciplinary Removals	Asian	0	0	0.2349	0.1818	0.1526
	Black	3	0	3.0866	2.8737	2.8729
	Hispanic	3	0	0.9616	0.9392	1.2011
	American Indian	1	1	1.6478	2.301	1.78
	Pacific Islander	0	0	0	0	NA
	Multi Race	3	1	2.5302	1.899	2.1676
In-School > 10 Days	Asian	0	1	0.8587	32.879	0
	Black	0	2	192.3295	72.3761	46.094
	Hispanic	0	0	0	0	11.8996
	American Indian	0	0	0	0	0
	Pacific Islander	0	0	0	0	0
	Multi Race	0	0	0	0	0
In-School <= 10 Days	Asian	0	0	0.3051	0.1984	0.2036
	Black	3	0	2.9765	2.813	3.183
	Hispanic	3	0	0.9647	1.1752	1.3978
	American Indian	0	0	1.7078	1.9968	2.1347
	Pacific Islander	0	0	0	0	0
	Multi Race	2	1	2.5637	1.3975	1.7554
Out-of-School > 10 Days	Asian	0	1	0.5725	0	0
	Black	0	2	3.6079	2.9641	2.3507
	Hispanic	0	0	0.5061	0.5544	0.3289
	American Indian	0	1	0	5.3248	0
	Pacific Islander	0	0	0	0	0
	Multi Race	0	2	6.4259	2.4486	0
Out-of-School <= 10 Days	Asian	0	0	0.0818	0.1121	0.0421
	Black	3	1	3.5177	3.0259	2.9341
	Hispanic	3	0	1.0149	0.901	1.0968
	American Indian	0	0	1.6418	1.8965	1.8692
	Pacific Islander	0	0	0	0	NA
	Multi Race	2	0	1.9943	2.112	2.6884

Note:

Where applicable, records that meet the criteria for disproportionality are highlighted green. Bold but unhighlighted records are not yet disproportionate, but may meet the criteria for disproportionality next year.

Significant Discrepancy in Discipline

In addition to the calculations for racial disproportionality in discipline detailed above, DPI is also required to determine if there is a significant discrepancy in the rate of suspensions and expulsions greater than 10 days among children of color with disabilities. This calculation uses a much smaller minimum cell size (two), and the criteria is a risk for each racial/ethnic group that is two standard deviations above the statewide mean.

Based on data reported by your local education agency (LEA) and the criteria for racial discrepancies in discipline described above, there is a significant discrepancy among one or more racial ethnic groups in their rate of out of school removals in excess of 10 days.

Table 6: Racial Discrepancy in Special Ed. - Discipline

Race	Group Count	Base Count	Group Risk
Black	19	238	0.0798319
Multi Race	4	54	0.0740741

Note:

For the 2018-19 school year, two standard deviations above the mean statewide risk for out of school removals in excess of 10 days was 0.0167

Resources

Federal notifications under IDEA and ESSA provide an opportunity to better understand your LEAs performance and continue to improve outcomes for each and every student. We recommend taking this opportunity to use or build on successful efforts you are already engaged in. Below are listed organizations that provide free or low-cost supports related to racial disproportionality in special education identification, discipline, and/or placement as well as resources for continuous improvement:

- Disproportionality Technical Assistance Network (DTAN): <http://www.thenetworkwi.com/>;
- Wisconsin RTI Center/Wisconsin PBIS Network: <https://www.wisconsinrticenter.org/>;
- Technical Assistance Network (TA Network): <https://dpi.wi.gov/continuous-improvement/resources-supports/ta-network>.
- Department of Public Instruction’s [Continuous Improvement Resources and Supports](#) and [Federal Identifications](#) webpages.

For questions related to your Racial Equity in Special Education report, you may schedule a phone conference with Jessica Moe, School Administration Consultant, Special Education Team:

- email: jessica.moe@dpi.wi.gov
- phone: 608-267-9160
- online booking: bit.ly/dpiequity

References

U.S. Department of Education, 2016. "FACT SHEET: Equity in IDEA." Accessed February 20, 2020. <https://www.ed.gov/news/press-releases/fact-sheet-equity-idea>.

Wisconsin Department of Public Instruction, 2019. "Continuous Improvement Process Criteria and Rubric." Last Accessed January 24, 2020. https://dpi.wi.gov/sites/default/files/imce/continuous-improvement/pdf/CIP_rubric_draft.pdf