



COMPREHENSIVE SPECIAL EDUCATION EVALUATION

Using Vulnerable Decision Points to Address Bias in the Evaluation Process

What is Implicit Bias?

Implicit bias refers to unconscious attitudes or stereotypes held about people of different identity groups (e.g., race, gender, sexual orientation, income, religion, etc.) (Greenwald & Banaji 1995). We all develop implicit biases through our daily lived experiences (family, relationships, media) whether we want to learn them or not (Rudman 2004). Therefore, all participants of IEP teams hold implicit biases about different identity groups (Staats 2014). Examples of implicit biases that educators can hold include: students who live in poverty do not value education or are predisposed to intellectual disabilities; Black students do not work as hard as students of other races; parents who do not come to school events do not care about their child's education; and so forth (see [Learning for Justice](#) delineated 13 Common Beliefs for more examples).

It is important to note that often, educators might hold these biases and have good intentions. That is, educators believe these biases are true and they make decisions with the intent of helping the students based on these biases (e.g., I think this Black student needs special education because no one else will help them). It is such beliefs based on biases that can be so harmful to students in the special education decision-making process.

The Wisconsin Department of Public Instruction (DPI) has recognized the role of bias in educational systems. For example, [Wisconsin's Framework for Equitable Multi-Level Systems of Support \(MLSS\)](#) aims to reduce bias and improve outcomes for students who are marginalized in Wisconsin schools. According to the Wisconsin Equitable MLSS framework, equity means all students having access to high quality education, including the supports they need to be successful. To create equity, educators must engage in critical self-reflection to identify any biases, stereotypes, or prejudices they might hold about the identities, beliefs, or values of

students and families that can interfere with their ability to provide high-quality services and result in marginalizing certain student groups.

Although it is easy to understand the need to examine personal and professional biases, the actionable decisions and steps that educators can use to reduce bias and maximize student success can seem too abstract to implement in practice. Therefore, the purpose of this guidance is to provide research-based actions IEP teams can take on how to identify, address, and reduce the negative impact of bias in the special education evaluation process, as well as provide strategies on how to recognize and harness the strengths, assets, and competence of all students to maximize their college and career readiness.

Vulnerable Decision Points as a Means to Address Bias

The Individuals with Disabilities Education Act (IDEA) requires that special education evaluations be sufficiently comprehensive to make eligibility decisions and identify the student's educational needs, whether or not commonly linked to the disability category in which the student has been classified (34 CFR 300.304). Comprehensive evaluations are conducted in a culturally and linguistically responsive manner; non-discriminatory for students of all cultural, racial, ethnic, socioeconomic, and other backgrounds. IDEA outlines two purpose of special education evaluations:

- (i) Whether the child is a child with a disability; and
- (ii) The content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).

The process of determining whether a student is eligible for special education is a vulnerable decision point in a student's educational career. As explained in the *Culturally Responsive Problem Solving Guide*,

"vulnerable decision points (VDP) are contextual events or elements that increase the likelihood of implicit bias affecting decision-making in schools (Smolkowski, Girvan, McIntosh, Nese, and Horner, 2016). To explain, there are certain contexts (e.g., classrooms with less engaging instruction), factors (e.g., student behavior that is judged subjectively, such as disrespect), and internal states of educators (e.g., hunger, fatigue) that increase the likelihood of educators making decisions based on implicit bias rather than objective information. By identifying these vulnerable decision points or times or contexts when and where decisions are more likely to be based on bias—educators can take steps to interrupt this process and make decisions

based on objective information that is fair and appropriate for all students.”
(Newell, 2017)

The special education eligibility determination process has several vulnerable decision points because educator bias might influence how a student’s academic and functional performance is assessed when conducting special education evaluations. For this reason, it is important that educators understand when they are more likely to make assessment and evaluation decisions based on bias and use high-impact strategies to reduce that bias in order to make more accurate eligibility decisions.

Four key vulnerable decision points are described to identify, address, and reduce the negative impact of bias in the special education evaluation process. These key vulnerable decision points are:

- [Vulnerable Decision Point 1: Forming IEP Team Communication Norms](#)
- [Vulnerable Decision Point 2: Identifying Potential Areas of Need During Referral and Review of Existing Data](#)
- [Vulnerable Decision Point 3: Collecting Additional Information](#)
- [Vulnerable Decision Point 4: Interpreting Information](#)

In addition to explaining these vulnerable decision points, the following section delineates essential high-impact strategies that IEP teams can use to reduce bias during each of these points.

Reflection and Application Activities

The following reflection and application activities were developed to build the knowledge, skills, and systems of adults so they can develop better systems for conducting comprehensive special education evaluations.

1. Critical self-reflection is an important component of culturally-responsive problem-solving. It is important because it forces us to think about our own thoughts, beliefs, and feelings and how they impact our decisions. Therefore, you should continually reflect on your beliefs and feelings and how they drive your decisions. Please take some time to reflect on your beliefs about a historically marginalized group (students of color, LGBTQ+, students living in poverty) and identify one belief that you hold about this group. If you are comfortable, share this belief and one example of how this belief impacts your educational decision-making.
2. Bias has an impact on all of the decisions we make. It is important that we are able to recognize when a bias may be adversely impacting our decisions in a way that can result in harm to students, parents, or colleagues. Reflect on when you might be most vulnerable to make a decision based on bias, and identify a strategy that you can use to reflect and interrupt that bias from affecting your decisions. What strategies can you put in place as a team to help support each other in this process during team meetings?
3. Additional resources, guidance, and reflection and application questions on addressing individual bias in relation to how adults view “behavior” of students can be found in the Behavior, Bias, and Adult Practice section of Wisconsin DPI’s Inclusive Strategies to Address Behavioral Needs for Students with IEPs.



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