The Essential Oasis: Disabling Disproportionality in Special Education

Association of California School Administrators
Every Child Counts Symposium
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OBJECTIVES:

At the end of this session, participants will be able to...

IDENTIFY the services and supports available to LEAs to eradicate inequity in California’s schools

RECOGNIZE the four forms of disproportionality and significant disproportionality

DESCRIBE the negative effects disproportionality has on California’s students and their families

BIG PICTURE OVERVIEW

[Text continues on the next page]
IDEA
INDIVIDUALS WITH DISABILITIES EDUCATION ACT, Part B
CFR § 300.646(a)
“Each state must...must provide for the collection and examination of data to determine if significant disproportionality based on race and ethnicity...with respect to..."

- Identification of children as children with disabilities, including the identification of children as children with disabilities...
- Placement in particular educational settings of these children...and the incidence, duration, and type of...
- Disciplinary removals from placement, including suspensions and expulsions.”

Role of the California Department of Education

STATES monitor disproportionality and significant disproportionality

Disproportionality Monitoring Authority
34 CFR 300.600(d)(3)
The State must monitor the LEAs located in the State, using quantifiable indicators ... to adequately measure performance in [three areas, including]...Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification.
Determining SIGNIFICANT Disproportionality
34 CFR § 300.647

California’s Definition: LEAs identified with overrepresentation in one or more of the three areas of disproportionality in the same area and within the same population for three consecutive years.

IMPLEMENTATION of new IDEA regulations
34 CFR § 300.646(d)(1)(ii) & 34 CFR § 300.647(b)

ROOT CAUSE ANALYSIS required
METHODOLOGY changed

STAKEHOLDER GROUP added
PRESCHOOL included in 2020

SIGNIFICANT Disproportionality Funding
Monitoring and 15% set-aside of IDEA funds

34 CFR § 300.646(d)
California System of Support Goal

To assist LEAs and their schools to meet the needs of each student served, with a focus on building capacity to sustain improvement and effectively address inequities in student opportunities and outcomes.
IMPACT ON STUDENTS
interferes with a school’s ability to provide children with appropriate educational services.

MISIDENTIFICATION
interferes with a school’s ability to provide children with appropriate educational services.

OVERIDENTIFICATION
RESULTS IN inequities:
outcomes & opportunities
SCHOOL to PRISON PIPELINE

Suspended or expelled students
3x more likely
to be in contact with juvenile justice.

Source: Source: Harris, Wood, Howard. Get Out! Black Male Suspensions in California Public Schools, 2018

Misidentifying Students as Needing Special Education

Limits access to rigorous curricula
(Harry & Klingner, 2006)

Limits access to more academically-abled peers
(Donovan & Cross, 2002)

Results in socially stigmatizing students with disabilities
(National Research Council, 2002)

Contributes to disproportionality causing significant social and racial separation
(Harry & Klingner, 2006; Losen & Orfield, 2002)

NATIONAL DATA
What the Data Show: Discipline

Students with disabilities are approximately twice as likely to be suspended throughout each school level compared to students without disabilities.

Students of color as a whole, as well as by individual racial group, do not commit more disciplinable offenses than their white peers – but black, Latinx, and Native American students in the aggregate receive substantially more school discipline than their white peers, and receive harsher and longer punishments than their white peers receive for like offenses.


Source: 2016 National Survey of Children’s Health

In the United States
250 preschoolers are expelled every day

CALIFORNIA DATA
Suspension

Source: The Unequal Impact of Suspension on the Opportunity to Learn in California, 2018

<table>
<thead>
<tr>
<th>Student Group</th>
<th>English Language Arts Points below standard</th>
<th>Mathematics Points below standard</th>
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</thead>
<tbody>
<tr>
<td>Students with Disabilities</td>
<td>88.3</td>
<td>119.4</td>
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<tr>
<td>Foster Youth</td>
<td>72.2</td>
<td>107.2</td>
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<tr>
<td>African American</td>
<td>48</td>
<td>87.9</td>
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<tr>
<td>Homeless</td>
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<tr>
<td>English Learners</td>
<td>45.6</td>
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<tr>
<td>American Indian</td>
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<td>69.6</td>
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<tr>
<td>Socially Economic Disadvantaged</td>
<td>30.5</td>
<td>63.7</td>
</tr>
</tbody>
</table>

Source: California School Dashboard
TECHNICAL ASSISTANCE

SPP-TAP: GENERAL SUPPORTS

- Archived Webinars
- Online Learning
- Website

SPP-TAP: SUPPORT for SIGNIFICANTLY DISPROPORTIONATE DISTRICTS

- Individualized TA
- Community of Practice
- CCEIS Workshops
Disproportionality is a result of the interactions between policies, practices, and beliefs.

Common Root Causes

CAUSE 1
Gaps in Curriculum and Instructional Implementation Disproportionately Affect Struggling Learners

CAUSE 2
Inconsistent Referral Process

CAUSE 3
Limited Beliefs of Ability


Mildred Browne: What’s Working & Ongoing Challenges

• Unique challenges and opportunities for rural and small LEAs
• Family Engagement
• Outcomes for Students
• Stakeholder involvement
• Reviewing Processes and Procedures to address Disproportionality

Dr. Mildred Browne, SPP-TAP TA Facilitator

Jon Eyler: What’s Working & Ongoing Challenges

• Personal and Structural Considerations within Equity Work
• Triangulating Data
• Importance of Leadership Commitment
• Accountability for and Sustainability of CCEIS Plans

Dr. Jon Eyler, SPP-TAP TA Facilitator
Discussion & Questions

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