

# Vermont's Policy and Procedures: Significant Disproportionality in Special Education

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# What Is Significant Disproportionality?

- What does “significant disproportionality” mean?
- What categories are measured?

# What Is Significant Disproportionality?

- One of three equity requirements of the IDEA:
  - Disproportionate Representation
  - Significant Discrepancy
  - Significant Disproportionality

# What Is Significant Disproportionality?

- Measurement of racial and ethnic disparity in special education outcomes
  - Overrepresentation of a racial or ethnic group in a category
- Disproportionality becomes *significant* when the overrepresentation exceeds a defined threshold

# What Is Significant Disproportionality?

- Federal law requires states to annually examine data by race or ethnicity in the state and all districts with respect to:
  - Identification of children as having a disability or one of six particular impairments
  - Placement of children in restrictive educational settings
  - Incidence, duration, and type of disciplinary removals

# Categories of Analysis: Identification

For children ages 3 through 21:

- Identification as children with disabilities
- Identification as children with the following impairments:
  - Intellectual disabilities
  - Specific learning disabilities
  - Emotional disturbance
  - Speech or language impairments
  - Other health impairments
  - Autism

# Categories of Analysis: Educational Environment

For children with disabilities ages 6 through 21:

- Placement inside a regular class less than 40 percent of the day
- Placement inside separate schools and residential facilities, **not** including:
  - Homebound or hospital settings
  - Correctional facilities

# Categories of Analysis: Discipline

For children with disabilities ages 3 through 21:

- Out-of-school suspensions and expulsions of 10 days or fewer
- Out-of-school suspensions and expulsions of more than 10 days
- In-school suspensions of 10 days or fewer
- In-school suspensions of more than 10 days
- Disciplinary removals in total, including:
  - In-school and out-of-school suspensions
  - Expulsions
  - Removals by school personnel to an interim alternative education setting
  - Removals by a hearing officer

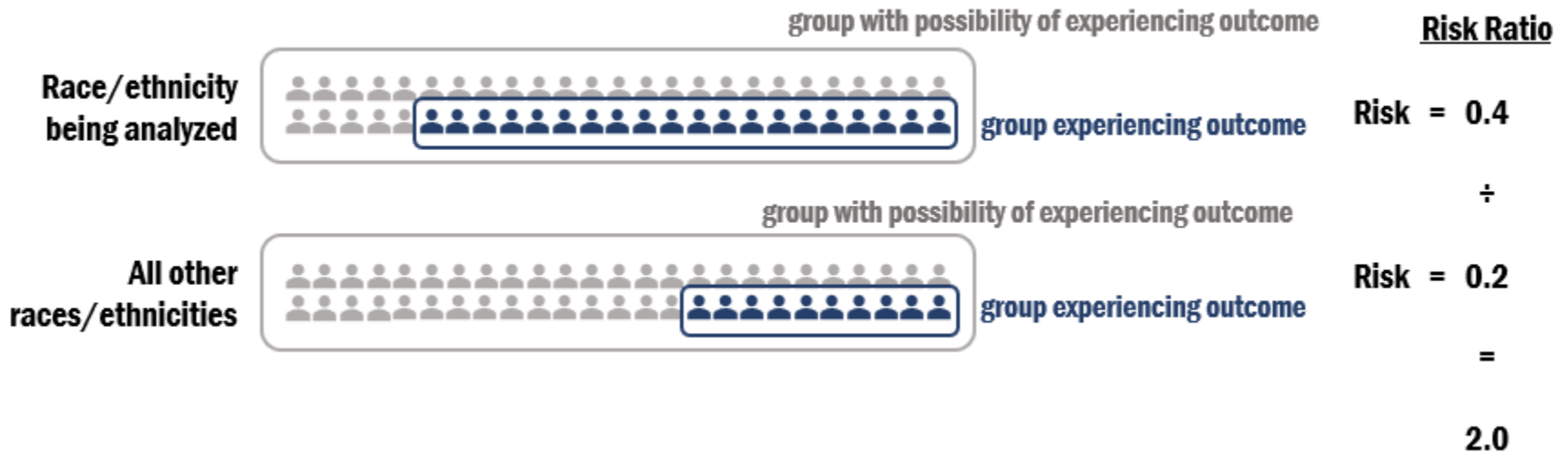


# The Final Rule

- Enforces a standard methodology for all states with some flexibility
- Flexible elements are set with stakeholder input

# Standard Methodology: Risk Ratios

- Risk: portion of a racial/ethnic group experiencing an outcome
- Risk Ratio: A racial/ethnic group's risk of an outcome vs everyone else's risk of the same outcome



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Risk Ratio	What does it mean?
1	Equal or proportionate representation
> 1	Overrepresentation (greater risk of ...)
< 1	Underrepresentation (less risk of ...)

# State-Selected Variables

- Thresholds
- Minimum cell and n sizes
- Number of years of data
- Reasonable progress

# Thresholds

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- States **must** determine the threshold for risk ratios over which disproportionality is considered significant

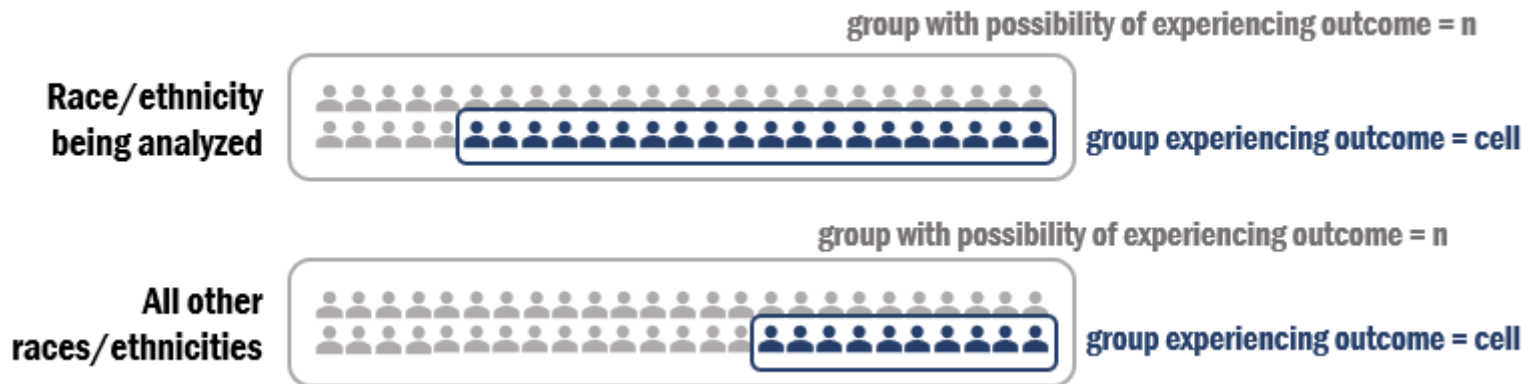
$$\text{Risk Ratio} > \text{Threshold} = \text{Significant Disproportionality}$$

- A threshold must be determined for each category of analysis
  - Thresholds can be the same or different across categories of analysis
  - Thresholds must be the same across racial and ethnic groups
- Thresholds must be reasonable

# Minimum Cell and N Sizes

# What Are Cell and N?

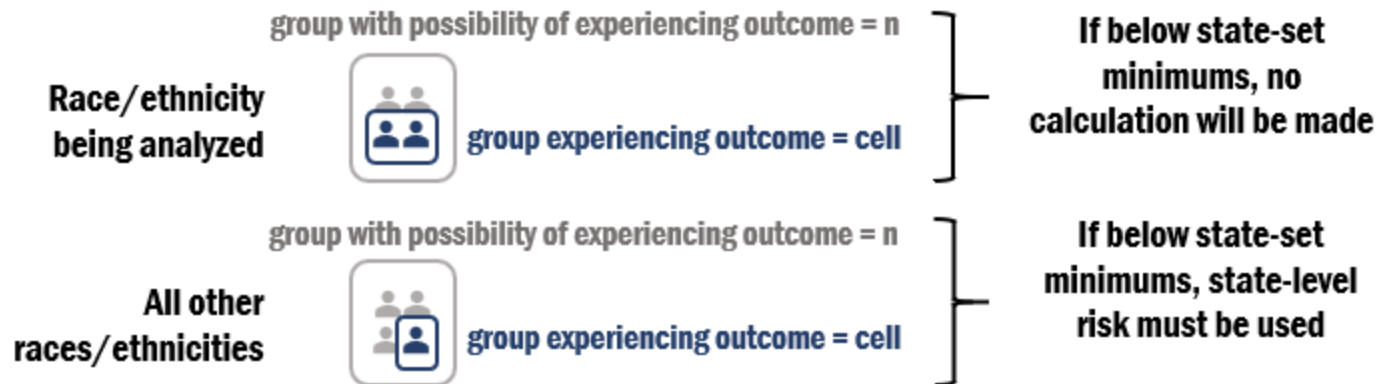
- Cell size: number of students experiencing a certain outcome
- N size: number of students in the group that *could* experience that outcome





# Minimum Cell and N Sizes

- Small populations result in large swings in risk calculations with the entrance or exit of just 1 student



# Minimum Cell and N Sizes

- States **must** determine minimum sizes for analysis groups
- Minimum cell and n sizes must be determined for each category of analysis
  - Minimums can be the same or different across categories of analysis
  - Minimums must be the same across racial and ethnic groups

# Minimum Cell and N Sizes

- Minimum cell and n sizes must be reasonable
- Range of values considered presumptively reasonable:
  - Cell size: 1 through 10
  - N size: 1 through 30

# Number of Years of Data

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- States **may** use multiple years of data to perform significant disproportionality analysis
- Only risk ratios above the threshold for the selected number of years would be identified as significantly disproportionate

# Reasonable Progress

# Reasonable Progress

- If using multiple years of data to perform significant disproportionality analysis, states **may** set criteria for reasonable progress
- Only risk ratios above the threshold for the selected number of years *and* failing to improve by the state-designated reasonable progress standard each year would be identified as significantly disproportionate