



Department of Education & Workforce

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Disproportionate Representation (Indicators 9 & 10) and Significant Disproportionality in Special Education Identification



IDEA Monitoring & Data Team
Office of Accountability, Department of Education and Workforce

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What are Disproportionate Representation (Indicators 9 and 10) and Significant Disproportionality?

Two distinct federal Individuals with Disabilities Education Act (IDEA) equity requirements

- Disproportionate representation (Indicators 9 & 10) (20 U.S.C. 1416(a)(3)(c))
- Significant disproportionality (20 U.S.C. 1418(d) and 34 §§ CFR 300.646-647)

Both occur when students from a racial group are identified for special education, including within specific disability categories, at a markedly higher rate than their peers of other races.



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How Did We Get Here?

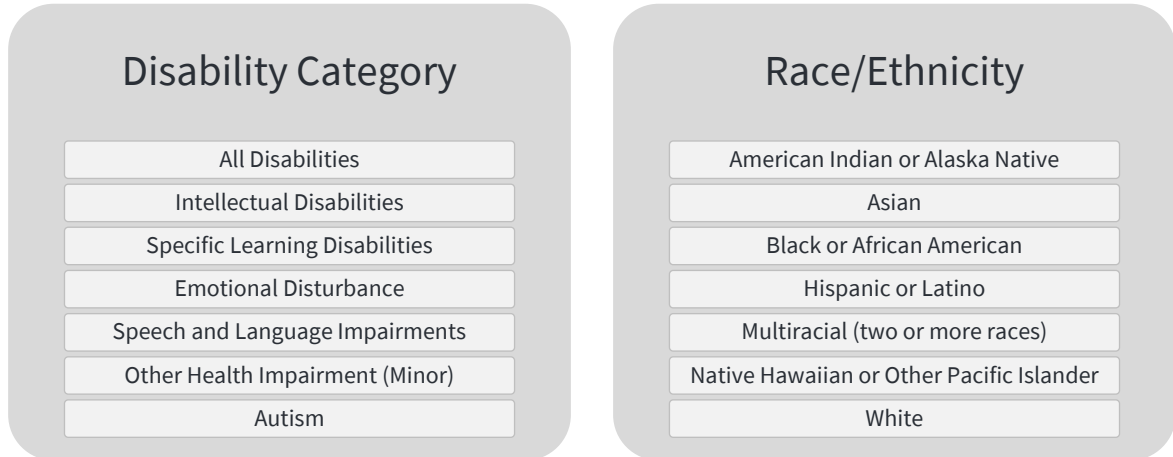
- The Department has used significant disproportionality data to report on disproportionate representation (Indicators 9 & 10) for several years.
- Through national technical assistance, it is now clear that states are not allowed to use significant disproportionality data to meet the requirements of disproportionate representation.
- The state must now develop separate methodology to report on disproportionate representation.
- To come into compliance with IDEA, the state will align disproportionate representation to significant disproportionality to the extent possible.



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In What Categories is Significant Disproportionality Calculated?



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How is Significant Disproportionality Calculated?

Must set a risk ratio threshold

Must set a reasonable minimum cell size and n-size

Must use alternate risk ratios

May use up to three years of data

May apply reasonable progress calculation



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What Does a Risk Ratio Really Mean?

Risk Ratio	What Does it Mean?
1.00	Equal or proportionate representation
>1.00	Overrepresentation (greater risk of...)
<1.00	Underrepresentation (lower risk of...)

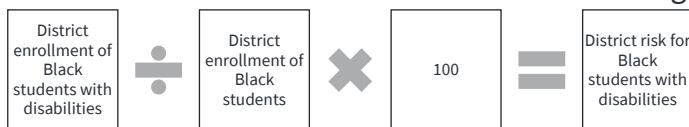


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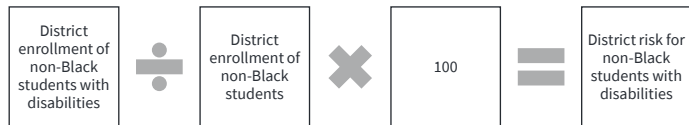
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How is a Risk Ratio Calculated?

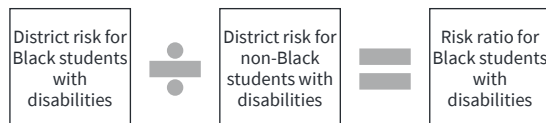
- 1) Calculate the risk for students with disabilities in a racial group



- 2) Calculate the risk for students with disabilities in all other racial groups



- 3) Calculate the risk ratio for students with disabilities in a racial group

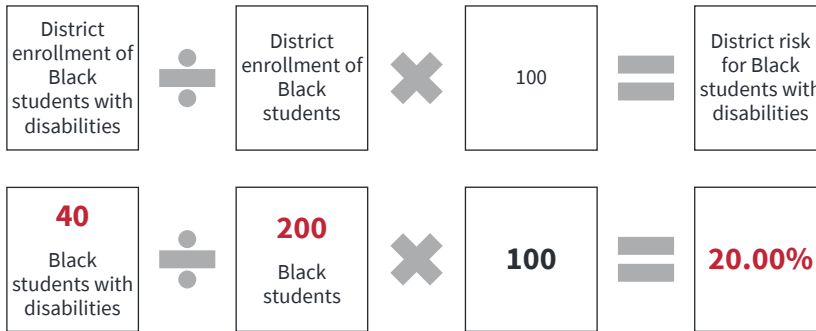


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How is a Risk Ratio Calculated?

1) Calculate the risk for Black students with disabilities

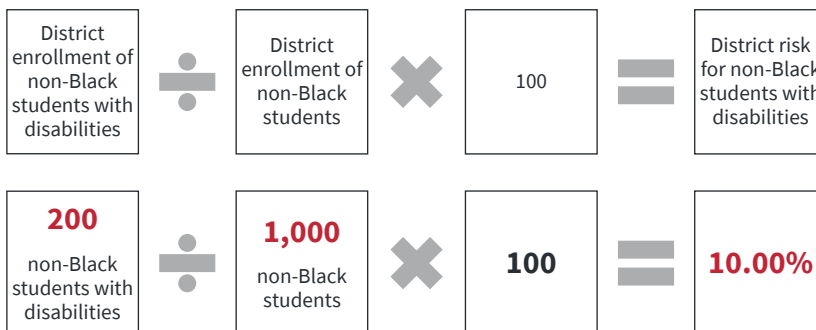


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How is a Risk Ratio Calculated?

2) Calculate the risk for non-Black students with disabilities

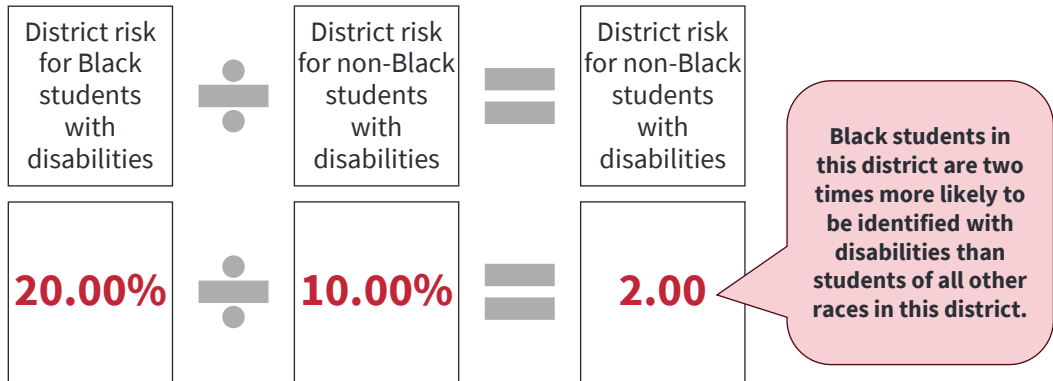


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How is a Risk Ratio Calculated?

3) Calculate the risk for non-Black students with disabilities



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What is a Risk Ratio Threshold?

- The level above which disproportionality is considered significant
- Determined by each state, with input from stakeholders

**Ohio's risk ratio threshold:
>2.50 for three consecutive years**

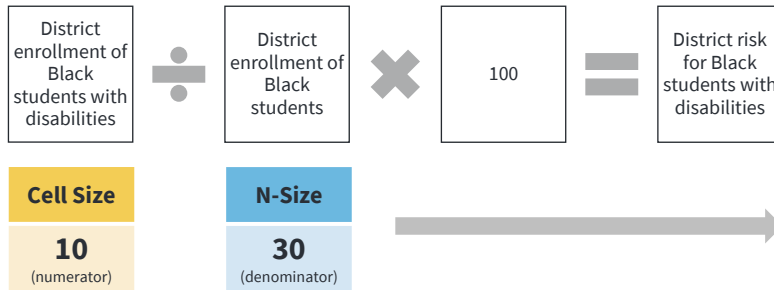


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Minimum Cell and N-size

- To calculate a risk ratio, districts and community schools must meet the minimum group sizes for the racial group being measured.



If either the cell size OR the n-size is not met, the risk ratio is not calculated.

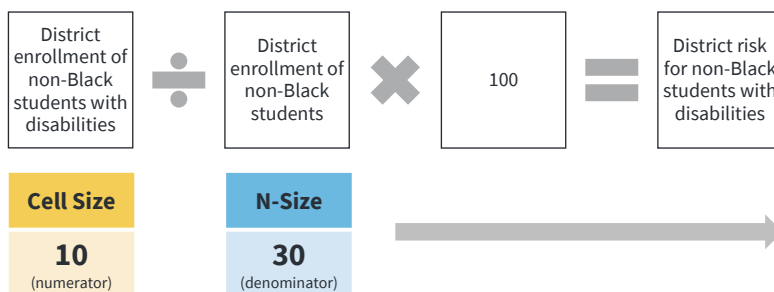


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Minimum Cell and N-size

- To calculate a **regular risk ratio**, districts and community schools must also meet the minimum group sizes for the comparison group.



If either the cell size OR the n-size is not met, an alternate risk ratio is calculated.



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Alternate Risk Ratios

Regular Risk Ratio

What is the risk that educators will identify Black students with disabilities in this district compared to the risk that educators will identify non-Black students with disabilities in this **district**?

Alternate Risk Ratio

What is the risk that educators will identify Black students with disabilities in this district compared to the risk that educators will identify non-Black students with disabilities in the **state**?

Alternate risk ratios apply to districts and community schools that do not enroll enough students of other races to form a comparison group.



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Three Consecutive Years of Data

- Districts with risk ratios greater than 2.50 for three consecutive years in the same category are identified with significant disproportionality.

2020-2021

2021-2022

2022-2023

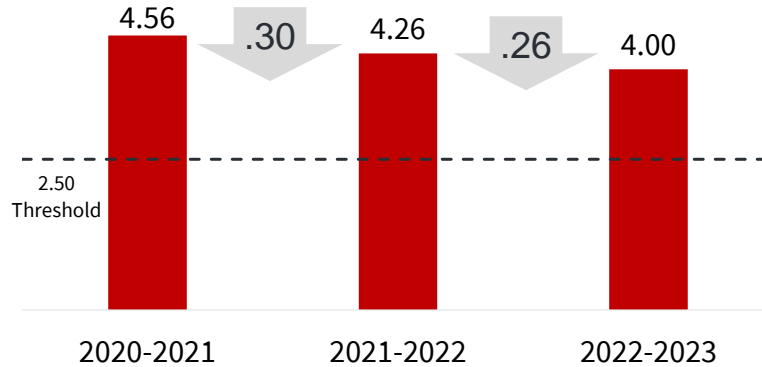


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Reasonable Progress

- States need not identify a district or community school with significant disproportionality if they are making reasonable progress in lowering risk ratios.



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How is Significant Disproportionality Calculated?

Includes students aged 3 through 21

Risk ratio threshold of 2.50

Minimum cell size of 10

Minimum n-size of 30

Use of alternate risk ratios

Uses up to three years of data

Considers reasonable progress

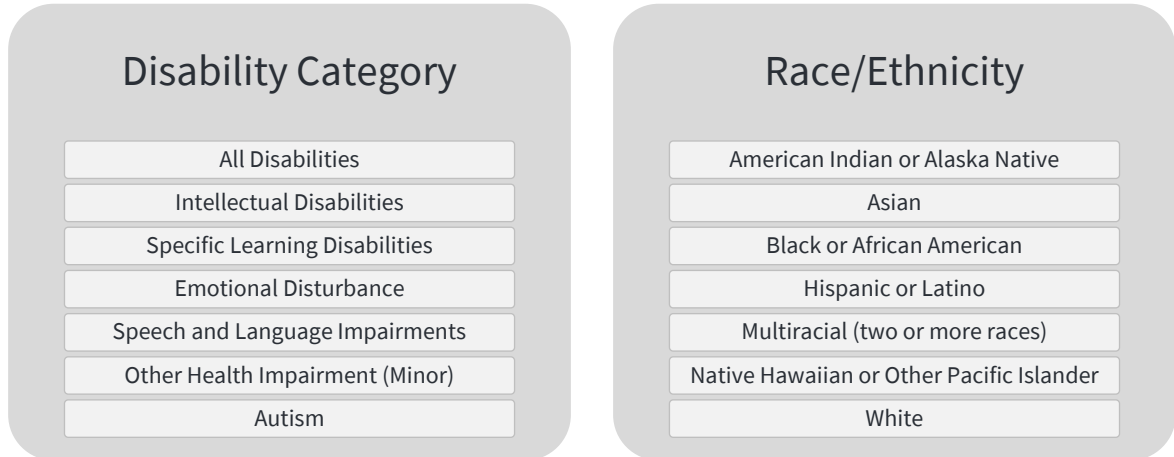
Requires redirection of 15% of IDEA funds to Comprehensive Coordinated Early Intervening Services



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In What Categories is Disproportionate Representation Calculated?



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How is Disproportionate Representation Calculated?

Includes students aged 5 and in kindergarten through age 21

Risk ratio threshold of 2.50

Minimum cell size of 10

Minimum n-size of 30

Use of alternate risk ratios

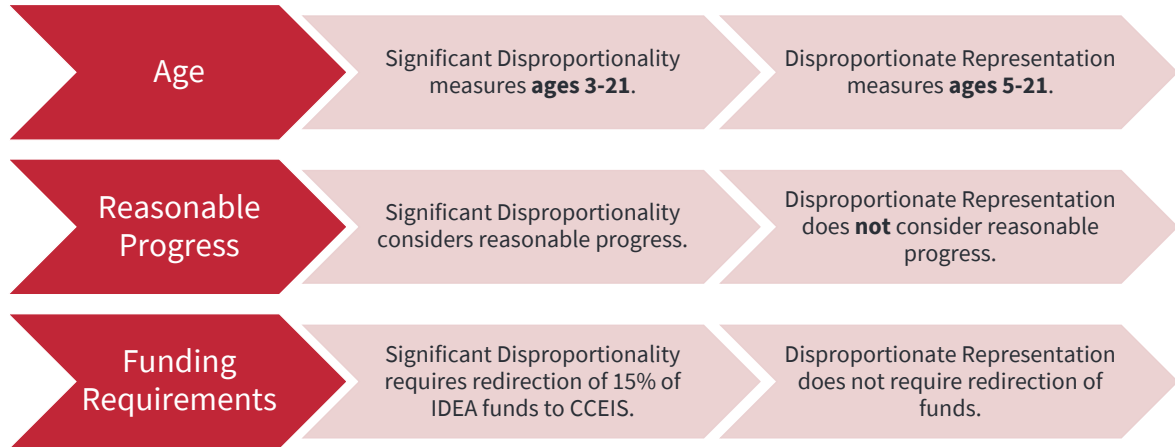
Uses up to three years of data



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How is Disproportionate Representation Different than Significant Disproportionality?



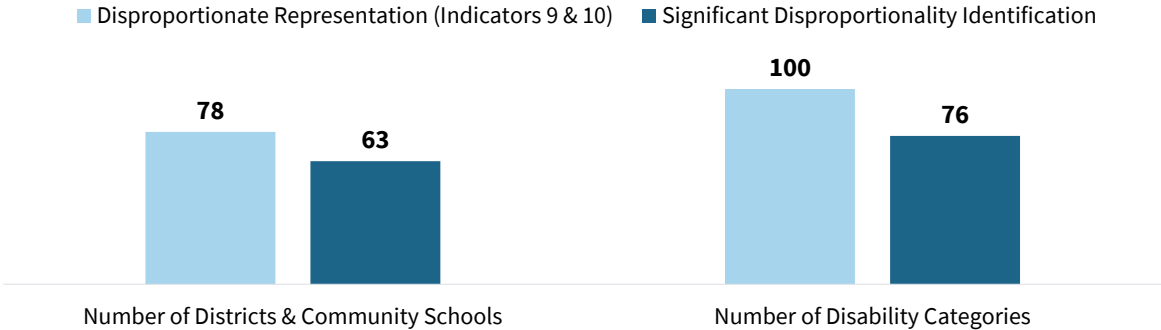
Summary of IDEA Requirements

Elements	Disproportionate Representation (Indicators 9 & 10)	Significant Disproportionality in Special Education Identification
Regulation	20 U.S.C. 1416(a)(3)(c)	20 U.S.C. 1418(d) and 34 §§ CFR 300.646-647
Age	Ages 5 and in kindergarten through age 21	Ages 3 through 21
Calculation Method	Risk Ratio and Alternate Risk Ratio	Risk Ratio and Alternate Risk Ratio
Minimum cell size	10	10
Minimum n size	30	30
Multiple Years of Data	3	3
Reasonable Progress	Does not exist	Risk ratio reduction of at least .25 in two most recent years
Actions for Districts and Community Schools	<ul style="list-style-type: none"> Complete a review of student records with the Department of Education and Workforce. Review their policies, procedures, and practices related to identification, placement, and discipline of students with disabilities. Identify and address the factors that may be contributing to the disproportionate representation. 	<ul style="list-style-type: none"> Complete a review of student records with the Department of Education and Workforce. Review their policies, procedures, and practices related to identification, placement, and discipline of students with disabilities. Identify the factors that may be contributing to the significant disproportionality. Redirect 15 percent of their federal special education funds toward Comprehensive Coordinated Early Intervening Services designed to address the contributing factors, including professional development, educational and behavioral evaluations, services and supports.



How Many Districts and Community Schools Have Disproportionality with Each Required Measurement?

Number of Districts and Community Schools with Disproportionality by Equity Requirement
(20-21, 21-22, & 22-23)

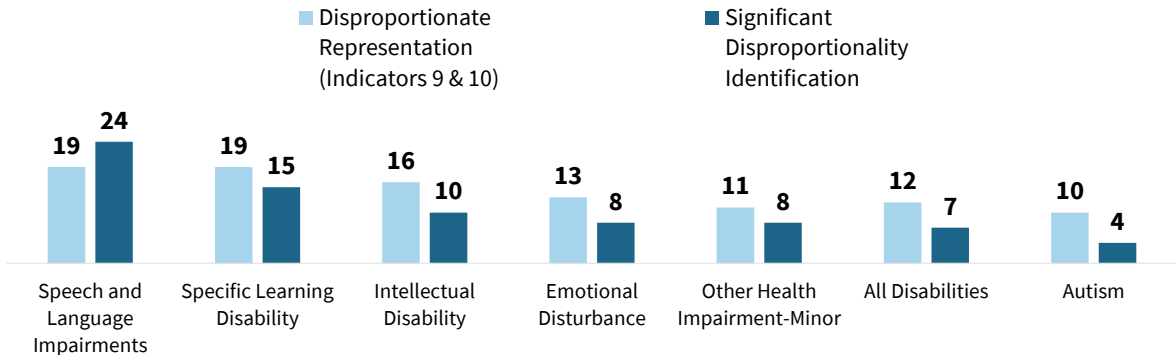


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In Which Disability Categories Do Districts and Community Schools Have Disproportionality?

Number of Districts and Community Schools with Disproportionality by Equity Requirement and Disability Category
(20-21, 21-22, & 22-23)



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Special Education Profile

ESSENTIAL QUESTION 6 - ARE CHILDREN RECEIVING EQUITABLE SERVICES AND SUPPORTS?

WHAT IS DISPROPORTIONATE REPRESENTATION? IN WHAT CATEGORIES IS DISPROPORTIONATE REPRESENTATION MEASURED? HOW IS DISPROPORTIONATE REPRESENTATION CALCULATED?
 HOW IS DISPROPORTIONATE REPRESENTATION DIFFERENT FROM SIGNIFICANT DISPROPORTIONALITY?

Disproportionate Representation (Indicators 9 & 10) Target: Risk ratio less than or equal to 2.50 Result: >2.50 **Not Met**

MORE INFORMATION

WHAT IS SIGNIFICANT DISPROPORTIONALITY? IN WHAT CATEGORIES IS SIGNIFICANT DISPROPORTIONALITY MEASURED? HOW IS SIGNIFICANT DISPROPORTIONALITY CALCULATED?

Disproportionality: Identification for Special Education Target: Risk ratio less than or equal to 2.50 Result: >2.50 **Not Met**

MORE INFORMATION



How will Ohio Monitor Districts and Community Schools for Disproportionate Representation and Significant Disproportionality?

Monitoring of disproportionate representation and significant disproportionality is similar, apart from redirection of funds.

Districts and community schools with disproportionate representation and/or significant disproportionality will submit student evaluations for review, complete a self-review summary report that includes a district review of policies, practices, and procedures as well as examining a root cause for any noncompliance or disproportionality. An improvement plan must be developed and implemented. All instances of noncompliance must be corrected.

Districts and community schools must work with the state support team and complete required actions within specified timelines.



Resources

- Ohio's Special Education Profiles
<https://education.ohio.gov/Topics/Special-Education/Special-Education-Data-and-Funding/Ohio-s-Special-Education-Profiles>
- Equity in Special Education: Disproportionality
<https://education.ohio.gov/Topics/Special-Education/Special-Education-Data-and-Funding/Equity-in-Special-Education-Disproportionali>
- Addressing Significant Disproportionality in Special Education Resources
<https://education.ohio.gov/Topics/Special-Education/Special-Education-Data-and-Funding/Equity-in-Special-Education-Disproportionali/Addressing-Disproportionality-Resources#equity>
- Annual Performance Report
<https://education.ohio.gov/Topics/Special-Education/State-Performance-Plan>



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Contact Information

- Direct questions about the Special Education Profile or specific methodology to:
OEC.Profile@education.ohio.gov
- Direct questions about stakeholder involvement to:
specialedtargets@education.ohio.gov



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QUESTIONS?

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