

2012 Significant Disproportionality Methodology

States have separate obligations, under 20 U.S.C 1418(d) and 34 Code of Federal Regulations (CFR) §300.646, to collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and the local educational agencies (LEAs) of the state with respect to the **identification** of students as students with disabilities, ages 6-21, including identification as students with particular impairments; the **placement** of students in particular educational settings; and the incidence, duration, and type of **disciplinary actions** occurring for students, including suspensions and expulsions. States must conduct this analysis on the three elements of identification, placement, and disciplinary actions on an annual basis.

General Procedures

Critical values are determined from statewide data distributions based on LEAs that are included in the analyses. Only LEAs with a sufficient number of students receiving special education services are included in the distribution. Critical values are updated on a three-year cycle based on current statewide values and a requirement for standards compatible with continuous improvement. Means and standard deviations were calculated for each student group and eligibility category from the 2010-11 school year. Critical values were set at two standard deviations from the mean. Data were analyzed for the 2010–11 and 2011–12 school years for the identification of students as students with disabilities, including identification as students with particular impairments; and the placement of students in particular educational settings. Data from the 2010-11 and 2011-12 school years were analyzed for the incidence, duration, and type of disciplinary actions, including suspension and expulsions. LEAs that exceeded the critical values (separately calculated by element, student group, and specific eligibility category) for **two consecutive years** in respect to identification or disciplinary actions are identified as having significant disproportionality.

System Safeguards

Only LEAs with at least 30 students receiving special education services are included in the computation of critical values and determination of disproportionality. LEAs smaller than 100 students overall and districts with more than 40 percent of students receiving special education services are excluded. Given that critical value percentages might result in LEAs being a fraction of a student over the limit, an additional safeguard exists that requires that LEAs must be at least one student (percentage-wise) over the established critical value to be identified as disproportionate.

Identification

Critical Values

In order to identify LEAs with a significant discrepancy, a critical value must be determined based on data. A distribution analysis of all the ratios was done using SAS PROC UNIVARIATE. Based on the distribution analysis, LEAs that have ratios within the 99 percentile area are considered to have statistically proportional populations of students with disabilities. The LEAs with ratios that are over the 99 percentile area (remaining 1%) may be considered to have a disproportionate population of students with disabilities by certain race or ethnicity. LEAs that exceed the critical values below are considered for reporting purposes to have disproportionate representation of students with disabilities by a specific race or ethnicity in a specific disability category. These critical values will be used through the FFY 2012 APR reporting year (due February 2014).

Table 1
Critical Value Percentages

Autism	25.4%	Learning Disability	81.8%
Emotional Disturbance	36.0%	Other Health Impairment	30.8%
Intellectual Disability (MR)	20.3%	Speech Impairment	33.9%

Calculation

$$\frac{\text{Number of students with disabilities of a specific race or ethnicity with a specific disability category receiving special education services}}{\text{Total number of students of a specific race or ethnicity receiving special education services}} \times 100 = \text{Calculated \%}$$

Example

Sample ISD has 108 white students receiving special education services. 38 white students have been identified as having Other Health Impairment (OHI). The district's percentage (number of white students receiving special education who have been identified as OHI divided by total number of white students receiving special education in Sample ISD) was 35.2% which exceeded the critical value 30.8%.

$$\frac{38}{108} \times 100 = 35.2\% \quad \text{35.2\% exceeds the critical value of 30.8\%}$$

Placement

Critical values are determined from statewide data distributions based on LEAs that are included in the analyses of students ages 6-21.

Table 1
Critical Value Percentages

OHI1	MR2	ED1	LD1	AU3
33.3%	91.9%	31.9%	39.6%	32.0%

1 Critical values are used to determine when a lower percentage is found

2 Critical values are used to determine when a higher percentage is found

3 Critical values are compared to a combined percentage in the highest two categories for inclusion in the regular classroom

4 Actual critical value is tabled, a value of 95 percent is applied in the analyses

District values were calculated to compare to the critical values (Table 2) to each of the five eligibility categories by three race and ethnicities. Due to small numbers, Asian and Native American populations were excluded from the analysis as well as students who are speech impaired.

Calculation:

$$\frac{\text{Number of students of a certain race/ ethnicity and eligibility category in an educational environment}}{\text{total number of students of a certain race/ethnicity in an eligibility category}} \times 100 = \text{Calculated \%}$$

Example:

In 2008-09, Sample ISD has 41 Hispanic students, ages 6-21, with an eligibility category of LD. 15 students were coded in the inside the regular class 80 percent or more of the school day (PEIMS codes: 00, 40, 41, 81, 82, 91, 92). The district's percentage of 36.6% (number of Hispanic students who are LD inside the regular class 80% or more of the school day divided by total number of Hispanic students are LD) did not exceed the critical value established which was 39.63%. More Hispanic students who are LD are in more restrictive environments in Sample ISD compared to the state.

$$\frac{15}{41} \times 100 = 36.6\% \quad \mathbf{36.6\% \text{ does not exceed the critical value of } 39.6\%}$$

Disciplinary Action

Critical Value

In order to identify LEAs with a significant discrepancy, a critical value must be determined based on data. A distribution analysis of all the ratios was done using SAS PROC UNIVARIATE. Based on the distribution analysis, LEAs that have ratios within the 95 percentile area are considered not to have a significant discrepancy in the discipline of students with disabilities by a specific race or ethnicity. The LEAs with ratios that are over the 95 percentile area (remaining 5%) may be considered to have a significant discrepancy in the discipline of students with disabilities by a specific race or ethnicity. LEAs that exceed the critical value of 11.7% are identified for reporting purposes to have a significant discrepancy in the discipline of students with disabilities by a specific race or ethnicity. This critical value will be used through the FFY 2012 APR reporting year (due February 2014).

Calculation:

$$\frac{\text{Number of students with disabilities of a specific race or ethnicity receiving a serious disciplinary action which resulted in removal of greater than 10 days*}}{\text{Total number of students of a specific race or ethnicity receiving special education services}} \times 100 = \text{Calculated \%}$$

*PEIMS 425 Disciplinary Action – Student; Disciplinary Action Codes (C164) 01, 02, 03, 04, 05, 07, 13, 14, 50, 51, 52, 53, 54, 60
A complete description of the PEIMS 425 Disciplinary Action – Student record can be found on the TEA website at <http://www.tea.state.tx.us/peims>

Example:

Sample ISD has 108 white students receiving special education services. 18 white students received disciplinary actions which resulted in removals for more than 10 days. The district's percentage (number of white students receiving a disciplinary action divided by total number of white students receiving special education services) was 16.6% which exceeded the critical value of 11.7%.

$$\frac{18}{108} \times 100 = 16.6\% \quad \mathbf{16.6\% \text{ exceeds the critical value of } 11.7\%}$$