State Performance Plan
Indicator 9: Disproportionality in Special Education by Race and Ethnicity

Description of Stakeholder Engagement Activities & Results:

The New York State Education Department (NYSED) is currently developing the State Performance Plan/Annual Performance Report (SPP/APR) for the new six-year cycle for federal fiscal year (FFY) 2020-2025. NYSED obtained stakeholder input using two central approaches:

- broad public engagement and input through online surveys between October and November 2021; and
- virtual meetings with stakeholder groups in November 2021.

The Office of Special Education (OSE) created a Stakeholder Involvement webpage with SPP/APR resources to promote feedback and engagement. This included a message from New York State Board of Regent member, Regent Cea, about the SPP Stakeholder Meetings, an SPP Stakeholder Invitation Letter, At-a-Glance State Performance Plan Summary of Indicators 1-17, Getting to Know New York's SPP/APR Handout, and SPP/APR FFY 2020-2025: General Overview Presentation.

For Indicator 9, the OSE created the following resources designed to engage stakeholders and build capacity in data analysis, evaluating progress in meeting New York State targets, the consideration of existing improvement activities, and the development of potential new improvement activities:

Resource Links
Indicator 9: Disproportionality in Special Education by Race/Ethnicity Handout *A summary of the data used to measure this Indicator and existing improvement activities.*
Introduction Measurement Description *An overview of frequently used terms and explanation of the Indicator 9 measurement.*
New York State Data Trends and Comparisons *Past trend data of reported performance from New York State and comparable states to evaluate New York State's progress in this Indicator.*
Improvement Strategies *An explanation of existing improvement activities and presentation of potential new activities to promote outcomes in this Indicator.*
Closing *Additional resources to provide feedback and to evaluate school district performance on this Indicator.*

Soliciting Public Input

Virtual Stakeholder Meetings

Five virtual stakeholder meetings were held for Indicator 9. Meetings occurred both during the day and in the evening to accommodate different schedules. A total of 90 stakeholders participated in the meeting, including 22 parents. The meetings included an overview of the SPP/APR and viewing of the pre-recorded webinar modules. Each session sought stakeholder feedback on what stood out to them about the trend data and how to use this data to evaluate New York State's progress with consideration of improvement activities, what activities could be installed, maintained, or strengthened to address improvements in disproportionality in special education by race/ethnicity and any other feedback participants had regarding Indicator 9.

Online Survey

Between October to November 2021, a total of 38 stakeholders completed the online survey for Indicator 9. The Indicator 9 online survey sought stakeholder feedback to evaluate the effectiveness of existing improvement activities in making progress towards disproportionality in special education by race/ethnicity and whether participants supported potential new improvement activities for Indicator 9.

Themes of the stakeholder feedback received in the virtual meetings and online surveys on Indicator 9 included:

- The importance of professional development for all district staff in multi-tiered systems of support-integrated (MTSS-I) framework.
- The need for culturally responsiveness training for all District staff.
- The necessity of strengthening ongoing collaboration and involvement with families using a culturally responsive framework.
- The analysis of what other comparable states are doing to reduce disproportionality based on inappropriate identification.
- Discrepancies in the evaluation process for students with disabilities using unbiased evaluations in the student's native language with a focus on root causes for a lack of progress in the general education curriculum.

Following the collection of stakeholder feedback from the online survey and virtual meetings, internal workgroups comprised of NYSED OSE and Information and Reporting Services reviewed stakeholder responses to identify where recommendations for improvement strategies could be amended to better align with the input received from parents, school administrators, educators, advocacy organizations, community members and other interested parties. The results of the OSE's incorporation of stakeholder feedback and evaluation of Indicator 9 progress with stakeholders is reflected in NYSED's 2020-2025 SPP/APR targets and OSE's development of improvement strategies as summarized further in this report.

Stakeholder Meetings & Online Survey

Five virtual stakeholder meetings were held to discuss Indicator 9

Nov. 8th 1:00 – 3:30 PM

Nov. 8th 6:00 – 8:30 PM

Nov. 10th 1:00 – 3:30 PM

Nov. 16th 6:00 – 8:30 PM

Nov. 19th 9:00 – 11:30 AM

A total of 90 stakeholders participated in the meeting, including 22 parents.

An online survey was published to collect stakeholder feedback over a six-week period.

A total of 38 stakeholders completed an online survey, including 17 parents.

NYSED values its partnership with parents and other key stakeholders in our ongoing efforts to improve outcomes for students with disabilities throughout New York State. Thank you to all who participated in a meeting or survey.

Feedback on Improvement Strategies

Following the evaluation of Indicator 9 trend data (past performance), stakeholder presentations included a description of improvement strategies with requested feedback on what activities should be considered, maintained, or strengthened to address improvements in disproportionality in special education by race/ethnicity. The presented information and solicited feedback from a variety of stakeholders, including parents and educators, is intended to increase capacity to support activities around improving student outcomes and meeting the objectives of Indicator 9.

Improvement Strategies Presented:

Existing Improvement Activities to Improve Indicator 9 Outcomes: the OSE presentation included a summary of the current improvement strategies. NYSED's Special Education Quality Assurance (SEQA) provides ongoing technical assistance to parents, school personnel and others. SEQA assists in providing State and federal resources and updates in education to ensure the State's laws and regulations related to the education of students with disabilities are being implemented. SEQA is responsible for ensuring districts notified for disproportionality in identification by race and ethnicity complete the monitoring process and receive professional development through the State's Office of Special Education Educational Partnership, referred to as the OSE Educational Partnership.

Potential New Improvement Strategies to Improve Indicator Outcomes: the OSE presented five potential new improvement activities for stakeholder consideration. This includes offering enhanced trainings on the referral, evaluation and eligibility processes for special education, supporting district understanding and analysis of State data reporting and verification processes, strengthening district understanding and implementation of the Culturally-Responsive and Sustaining Education Framework, Response to Intervention (RtI), and MTSS-I, evaluating monitoring activities and protocols to align with regulations and federal reporting requirements, and collaboration among regional information centers (RICs), general and special education stakeholders, and parents to ensure understanding and implementation of culturally responsive district practices, policies and procedures.

Stakeholder Feedback on Improvement Strategies:

Participants of the online survey were asked to rate the effectiveness of the existing improvement activities to improve Indicator 9 outcomes. When asked to rank the effectiveness on a scale of 1-5, the existing improvement activities rated "3" most frequently for moderate effectiveness.

Both online survey participants and virtual meeting participants were asked whether they support the OSE potential new improvement activities for disproportionality in identification by race/ethnicity and to rank them in order of importance. Stakeholders supported all potential new improvement activities with the greatest support from stakeholders for:

1. strengthening district understanding and implementation of the Culturally Responsive and Sustaining Education Framework, RtI, and MTSS-I;
2. collaboration among RICs, general and special education stakeholders and parents to ensure understanding and implementation of culturally responsive district practices, policies, and procedures, and
3. offering enhanced trainings on the referral, evaluation, and eligibility processes for special education.

In addition to the improvement activities presented, stakeholders provided the following for considerations:

- strengthening the understanding of English Language Learners (ELL);
- strengthen teacher training programs; and
- research how the PAK states meet the target for Indicator 9.

Stakeholder responses will be considered by the OSE to identify priority areas for improvement and assist in the development of the strategies that will be implemented to improve outcomes in disproportionality in identification by race/ethnicity and meet performance objectives for Indicator 9 in the 2020-2025 SPP/APR.