



**IDEA STATE  
PERFORMANCE  
PLAN  
STAKEHOLDER  
ENGAGEMENT**

**State Performance Plan  
(SPP)/Annual Performance  
Report (APR)  
2020-2025**

Individuals with Disabilities  
Education Act (IDEA)



**Indicator 9:**

Disproportionality in Special  
Education by Race and Ethnicity

**&**

**Indicator 10:**

Disproportionality in Classification by  
Race and Ethnicity



# Agenda for Indicators 9 and 10

- Frequently Used Terms
- Indicator 9 How the Measurement Works
- Indicator 9 Data in New York State Trends and Comparisons
- Indicator 10 How the Measurement Works
- Indicator 10 Data in New York State Trends and Comparisons
- Indicator 9 and 10 Improvement Activities
- Next Steps and Closing



# Frequently Used Terms in the Presentation

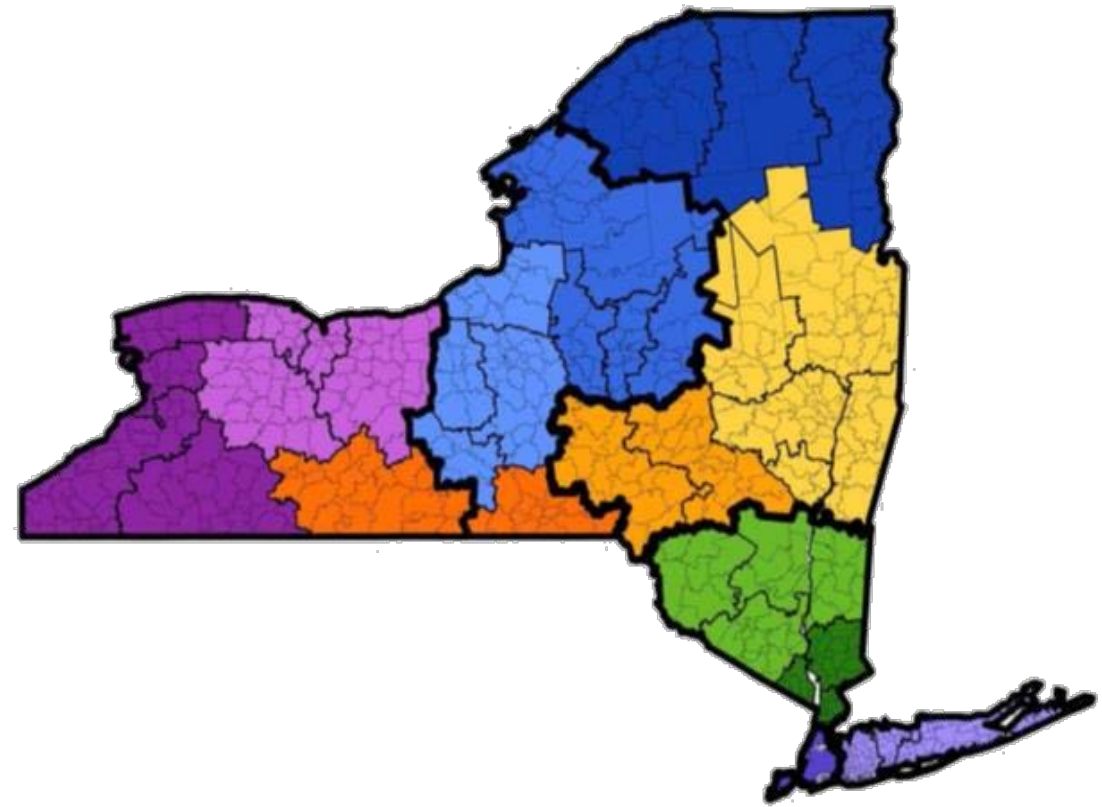


Term	Description
Annual Performance Report (APR)	Data reported to the United States Department of Education Office of Special Education Programs (OSEP) against the state's targets
Baseline	Data starting point to measure improvement over time
Comparison Group	Students of all other race and ethnicities or all other race and ethnicity/disability combinations than the focus group
Federal Fiscal Year (FFY)	Federal Fiscal Year (October 1- September 30)
Focus Group	Students of a specific race and ethnicity or race and ethnicity/disability combination being evaluated
OSEP	United States Department of Education Office of Special Education Programs
Risk Ratio	Comparison of the risk of each race to be identified by specific disabilities compared to the risk of all other races combined to be identified by specific disabilities
State Performance Plan (SPP)	Evaluates the state's efforts to implement the requirements and purposes of the IDEA and describes how the state will improve its implementation
Target	Performance Objective set for the SPP Measurement



## Indicator 9: Disproportionality in Special Education by Race and Ethnicity

Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.



# Students Included in Indicator 9

- **Students aged 5 enrolled in kindergarten through age 21 identified for special education and related services.**



- **Seven racial and ethnic categories**
  - American Indian or Alaska Native
  - Hispanic/Latino
  - Asian
  - Black or African American
  - Native Hawaiian or Other Pacific Islander
  - White
  - Two or more races



## Indicator 9 District Notification Criteria

### N Size

Have at least 30 students with and without disabilities of the particular race and ethnicity

### Cell Size

Have at least 10 students with disabilities of a particular race and ethnicity

Relative risk ratio threshold for NYS is 2.5 or higher





# Indicator 9 Calculation of Relative Risk Ratio

## Focus Group Risk Ratio

# of students with disabilities  
of a specific race and ethnicity (minimum of 10)

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# of students with and without disabilities of a  
specific race and ethnicity (minimum of 30)

## Comparison Group Risk Ratio

# of students with disabilities of all other  
races and ethnicities (minimum of 10)

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# of students with and without disabilities  
of all other races and ethnicities (minimum of 30)

Focus Group Risk Ratio

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Comparison Group Risk Ratio

= Relative Risk Ratio

Any district with a relative risk ratio of 2.5 or higher receives a notification for disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.





## Indicator 9 Calculation Example 1

Focus Group: A count of 20 Hispanic students with disabilities is divided by a count of 75 Hispanic students with and without disabilities = 0.2666

Comparison Group: A count of 59 non-Hispanic students with disabilities is divided by a count of 400 non-Hispanic students with and without disabilities = 0.1475.

**Relative Risk Ratio: 0.2666 divided by 0.1475 = 1.807**

This district would not be identified for disproportionate representation of Hispanic students with disabilities because the relative risk ratio is less than the state threshold of 2.5.





## Indicator 9 Calculation Example 2

Focus Group: A count of 20 black students with disabilities is divided by a count of 45 black students with and without disabilities = 0.444

Comparison Group: A count of 35 non-black students with disabilities is divided by a count of 200 non-black students with and without disabilities = 0.175

**Relative Risk Ratio: 0.444 divided by 0.175 = 2.537**

This district would be identified for disproportionate representation of black students with disabilities because the relative risk ratio is at the state threshold of 2.5.



## Indicator 9 District Monitoring



Districts receive a notification informing them of the disproportionate identification



District must complete a monitoring protocol within a specified time period



Districts that report noncompliance are determined to have disproportionate representation due to inappropriate identification.



# Indicator 9 Inappropriate Identification Examples

It is an inappropriate identification if the assessments and other evaluation materials used to assess a student are not:

- provided and administered in the student's native language or other mode of communication and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally and functionally,
- administered by trained and knowledgeable personnel in accordance with the instruction provided by those who developed such assessments; and
- selected and administered so as not to be discriminatory on a racial or cultural basis.

Another inappropriate identification would be to determine a student eligible for special education if the determinant factor is:

- lack of appropriate instruction in reading, including explicit and systematic instruction in phonemic awareness, phonics, vocabulary development, reading fluency (including oral reading skills) and reading comprehension strategies;
- lack of appropriate instruction in math;
- or limited English proficiency.





# Indicator 9 Measurement

# of districts that meet the state established n and/or cell size with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification

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$\times 100 =$

% of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification

# of districts in the state that meet the state established n and/or cell size for one or more racial and ethnic groups





# IDEA STATE PERFORMANCE PLAN STAKEHOLDER ENGAGEMENT

Are there any questions about the SPP measurement or how the data is used to measure results or outcomes?

Indicator 9



## Indicator 9 Data Source

The number of students with disabilities receiving special education by race and ethnicity as reported through the Student Information Repository System (SIRS)

The number of students with and without disabilities in the district by race and ethnicity as reported in SIRS

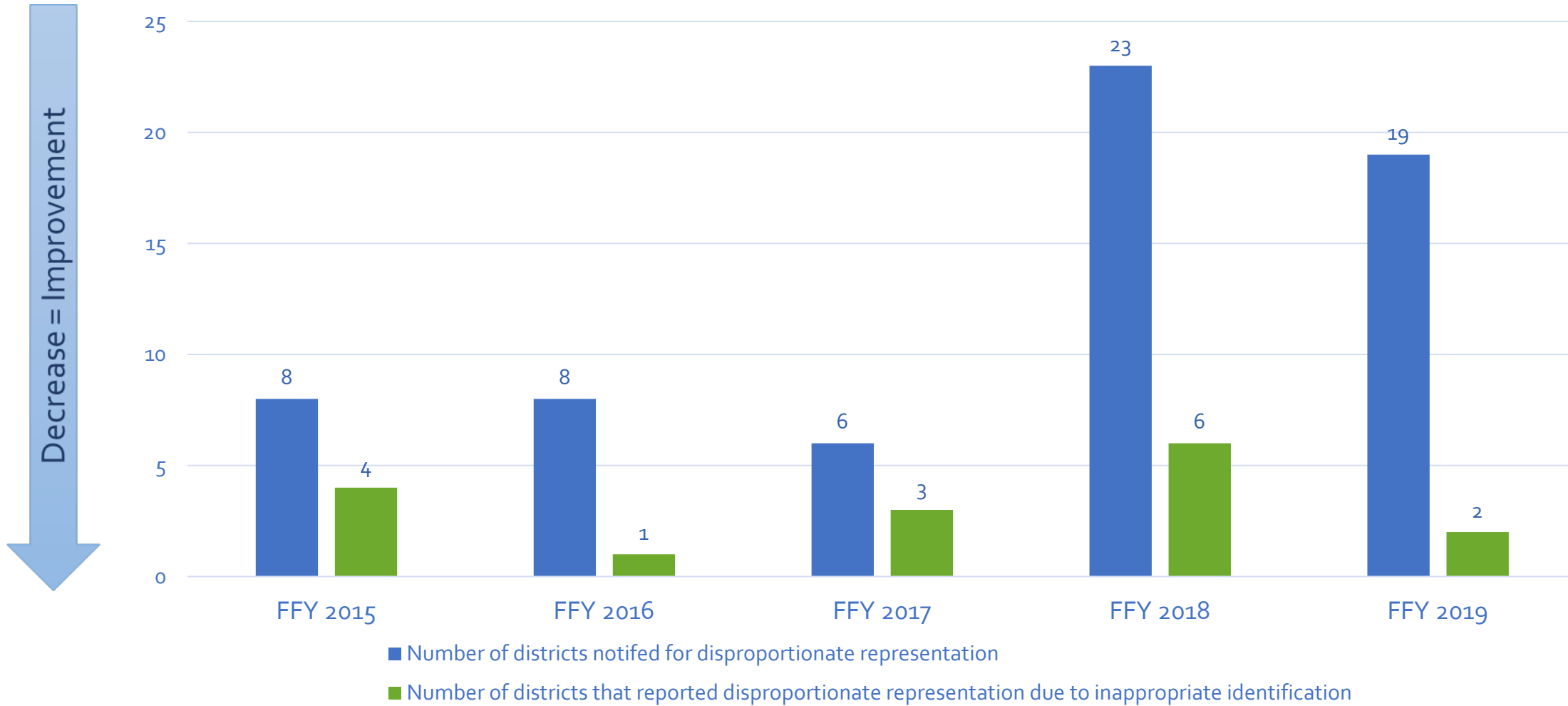
Collected on the first Wednesday of October each year





# New York State Indicator 9 Data

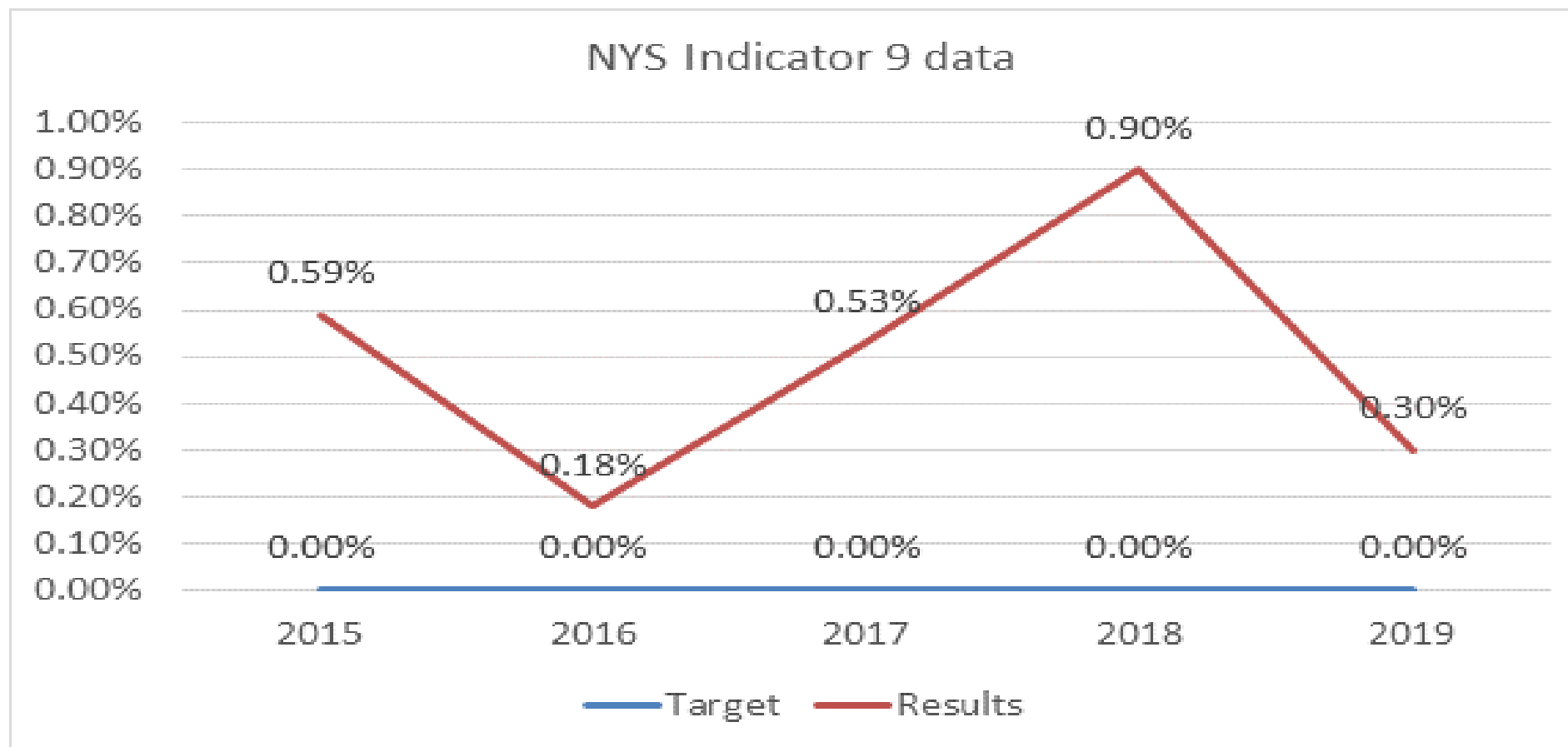
## Data Reported in the APRs for FFY 2015-2019



# New York State Indicator 9 Trend Data

Percentage of Districts with disproportionate representation through inappropriate identification

Decrease = Improvement

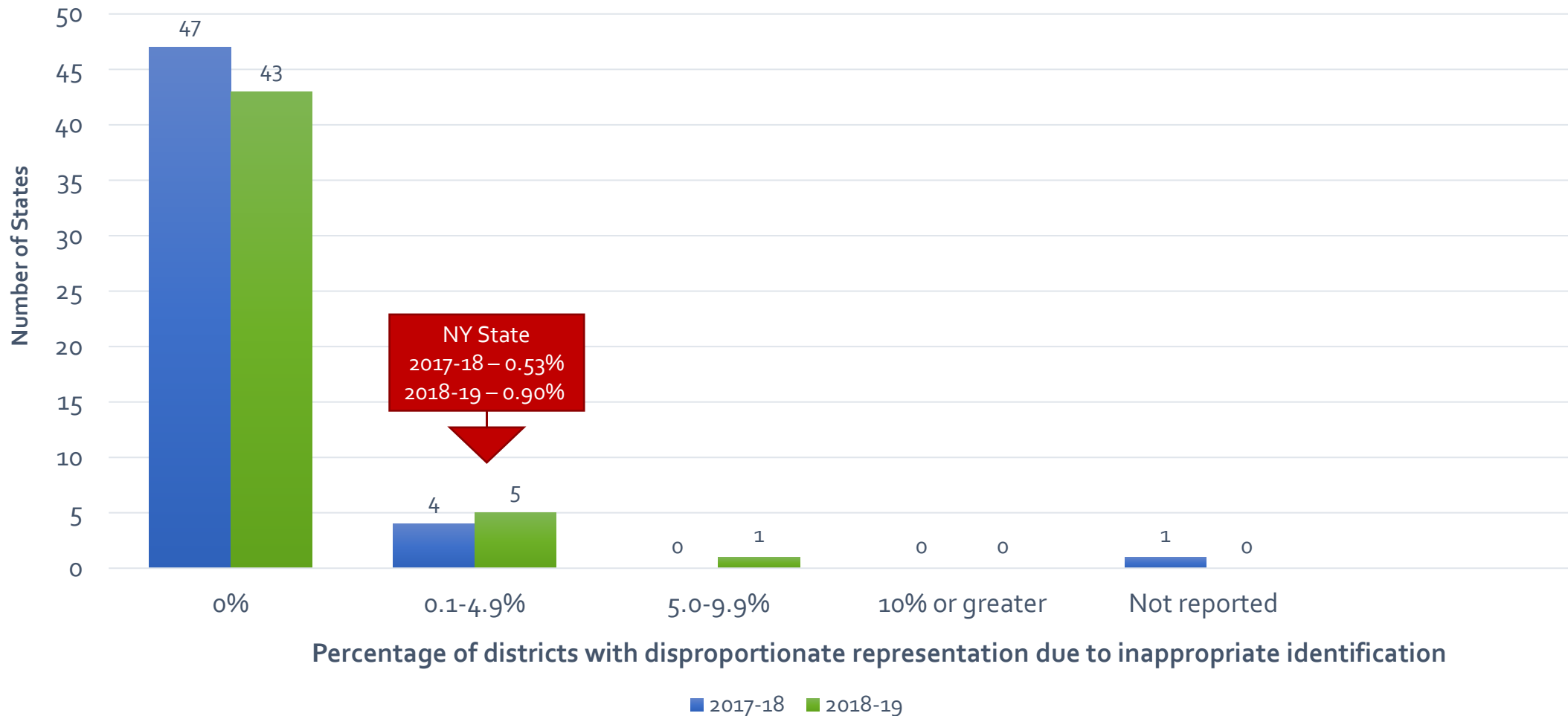





# Indicator 9 National Data

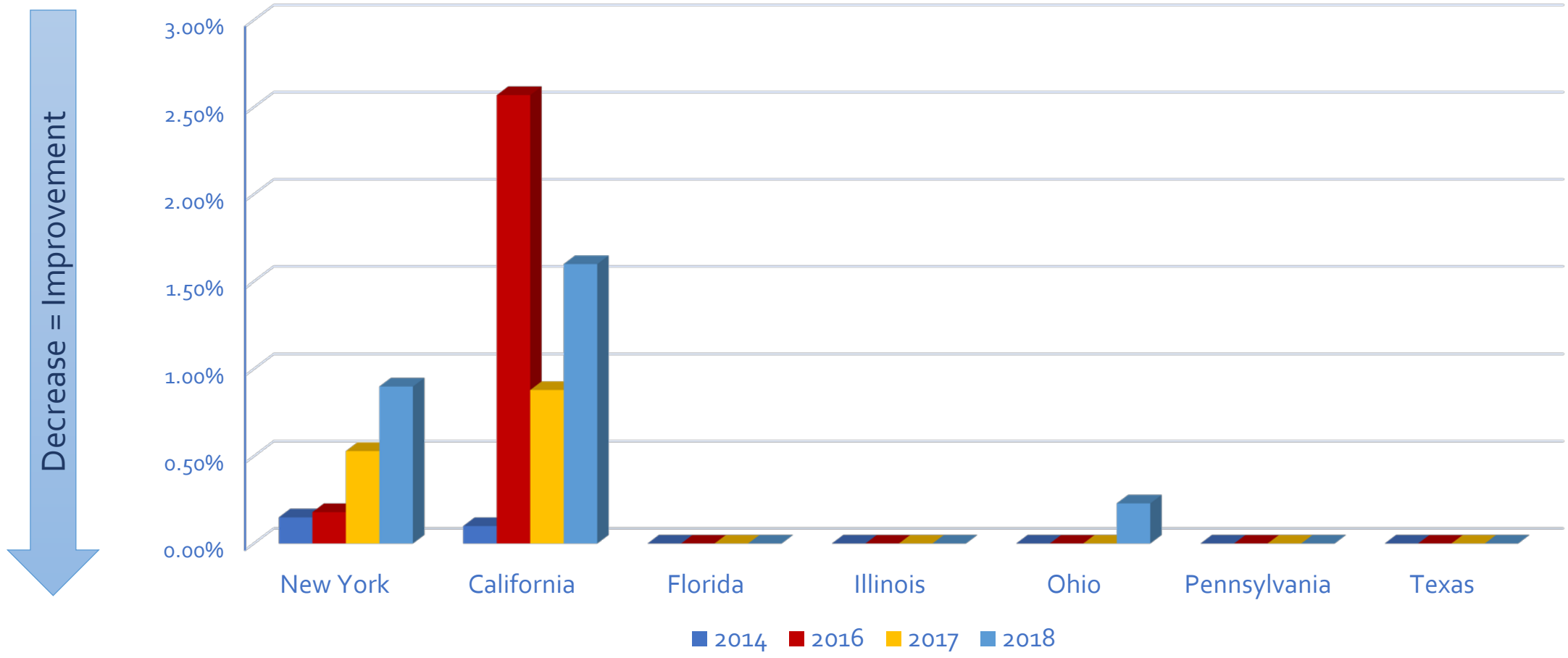


Number of States Reporting Percentages of Districts with Disproportionate Representation That Was the Result of Inappropriate Identification for 2017–18 & 2018–19



# Indicator 9 State Comparisons: APR Results

Comparison of New York to PAK 7 States





As we look at the data, consider:

1. What does the indicator data tell us?
2. How should we use the data to inform our improvement activities?



## Stakeholder Considerations



# Indicator 10

Disproportionality  
in Classification  
by Race and  
Ethnicity

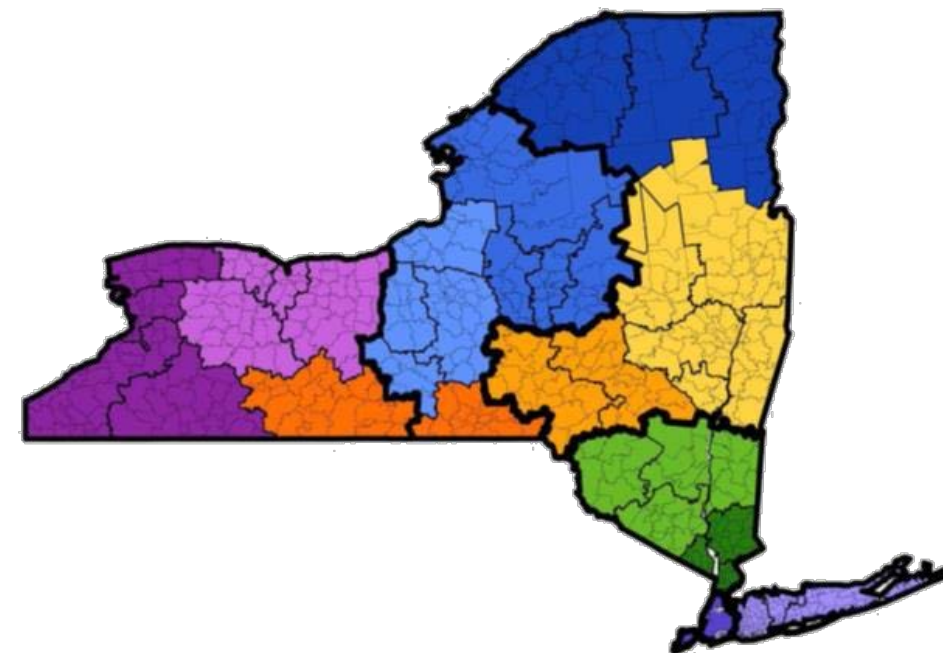


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## Indicator 10: Disproportionality in Classification by Race and Ethnicity

Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification (20 U.S.C. 1416(a)(3)(C))



# Students Included in Indicator 10

- Students with disabilities age 5 enrolled in kindergarten through age 21 of various race and ethnicities who have individualized education programs (IEPs) and are identified as having a disability in any of the following categories:

Autism

Emotional  
Disturbance

Intellectual  
Disability

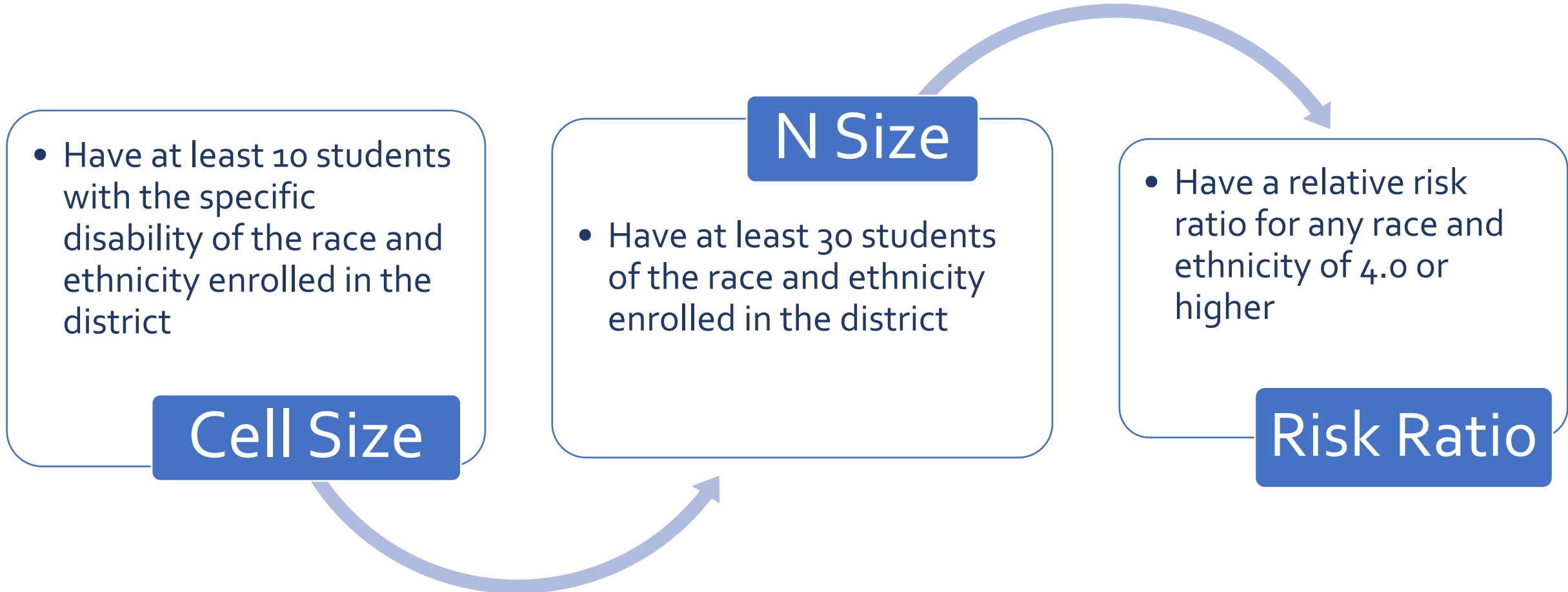
Learning  
Disability

Other Health  
Impairment

Speech or  
Language  
Impairment



# Indicator 10 District Notification Criteria



## Indicator 10 Risk Ratio

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The risk ratio is the comparison of the risk of each race to be identified by specific disabilities compared to the risk of all other races combined to be identified by specific disabilities.

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The ratio indicates how much more likely each race and ethnicity is to be identified by specific disabilities compared to all other race and ethnicities combined.

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Six risk ratios are calculated for each race and ethnicity.





# Indicator 10 Calculation of Relative Risk Ratio

## Focus Group Risk Ratio

# of students with disabilities in a specific race and ethnicity group in a specific disability category

Total # of students (with and without disabilities) of a specific race and ethnicity

## Comparison Group Risk Ratio

# of students with disabilities of all other races and ethnicities in a specific disability category

Total # of students (with and without disabilities) of all other races and ethnicities

Focus Group Risk Ratio




Comparison Group Risk Ratio

= Relative Risk Ratio

Any district with a relative risk ratio of 4.0 or higher for any race and ethnicity of a specific disability category receives notification of disproportionality in classification by race and ethnicity.



# Indicator 10 District Monitoring

- Districts notified of having a disproportionate representation of a racial and ethnic group in a specific disability category are required by the State to participate in a monitoring activity to determine if the disproportionate overrepresentation of the racial and ethnic group by disability was a result of **inappropriate identification**.
- This includes a review of the district's:
  -  Policies
  -  Procedures
  -  Practices





# Indicator 10 Measurement

# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of **inappropriate identification**

# of districts in the State

$\times 100 =$

**% of districts** with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of **inappropriate identification**





# IDEA STATE PERFORMANCE PLAN STAKEHOLDER ENGAGEMENT

Facilitator check for understanding on the SPP measurement or how the data is used to measure results or outcomes.





As we look at the data, consider:

1. What does the indicator data tell us?
2. How should we use the data to inform our improvement activities?



## Stakeholder Considerations



## Indicator 10 Data Source

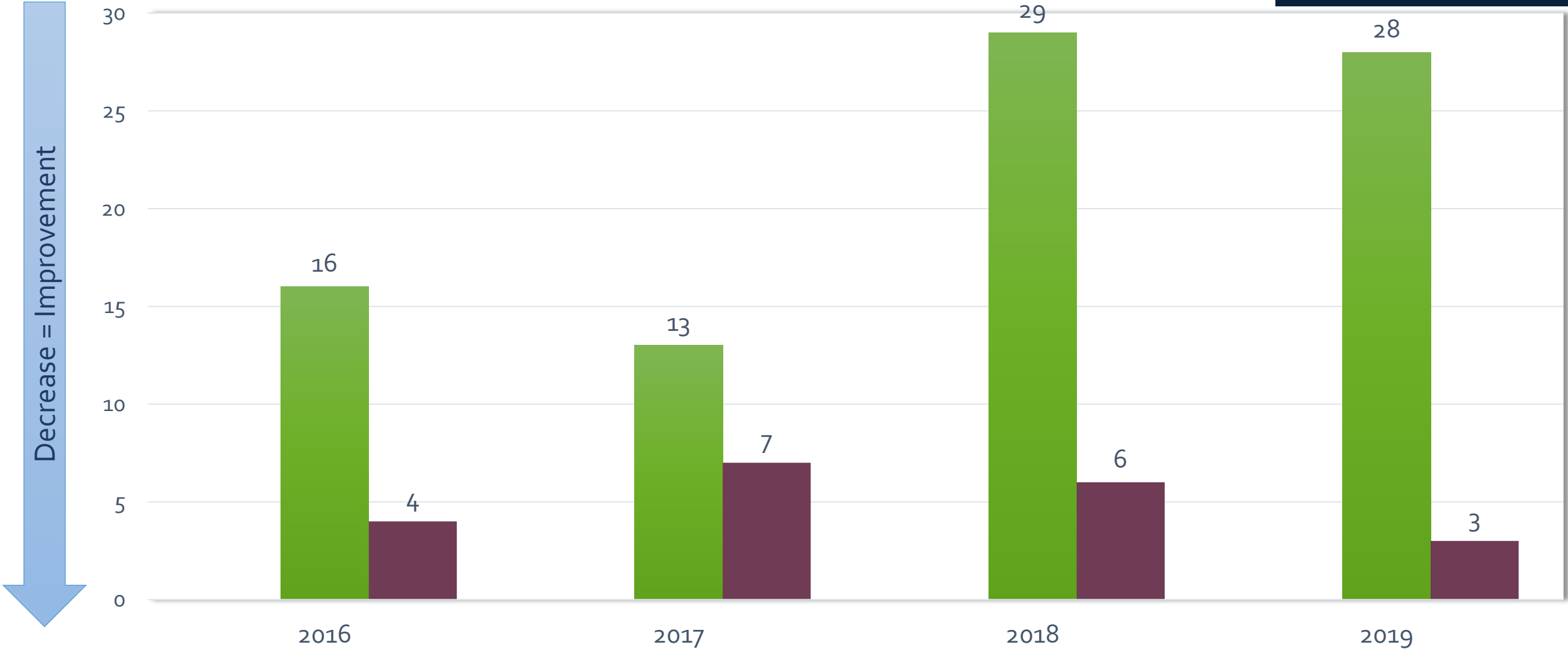
The number of students with disabilities receiving special education by race and ethnicity and specific disability as reported through the Student Information Repository System (SIRS)

The number of students with and without disabilities in the district by race and ethnicity as reported in SIRS

Collected on the first Wednesday of October each year



# New York State Indicator 10 Data

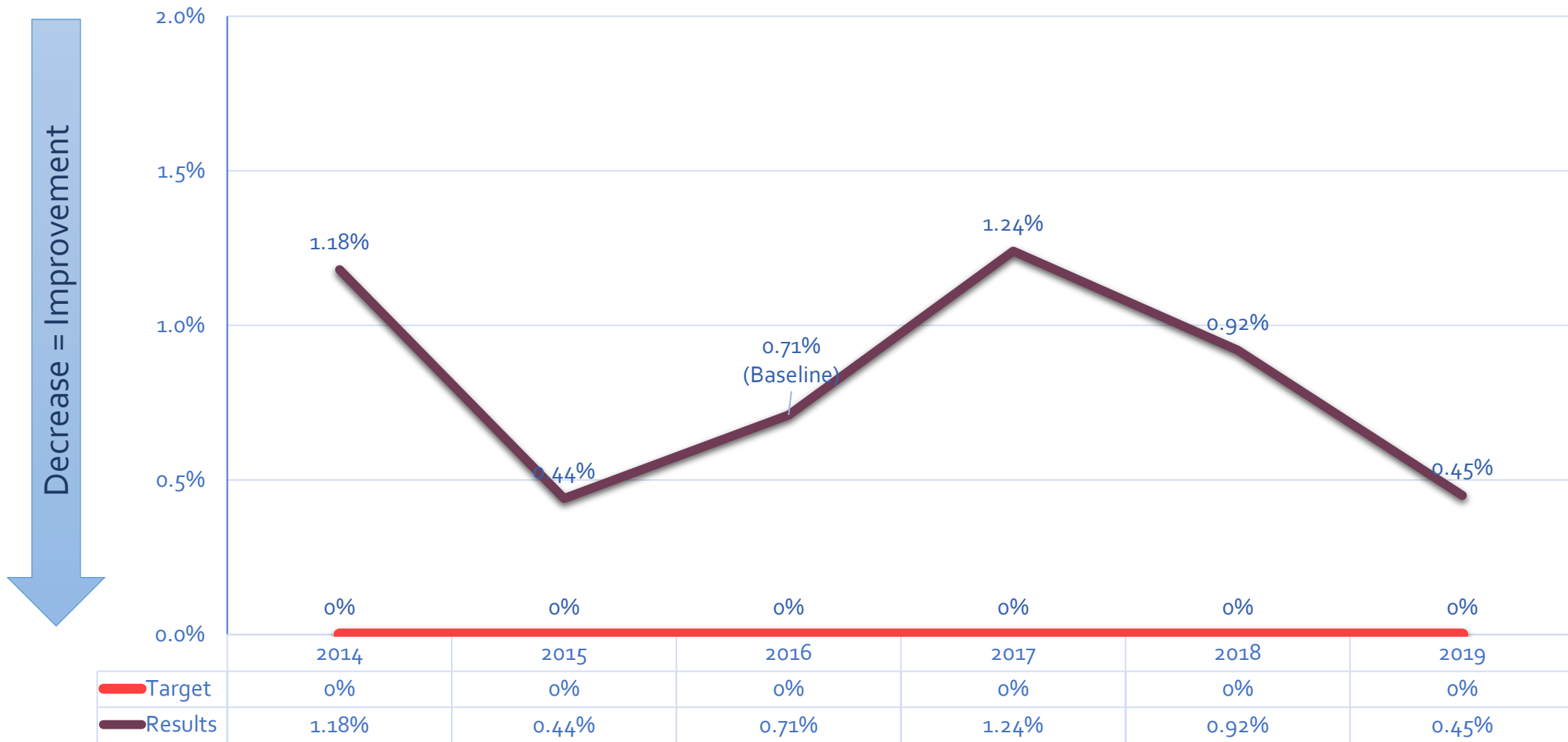


- # of Districts with disproportionate representation of racial and ethnic groups in specific disability categories
- # of Districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification



# New York State Indicator 10 Trend Data

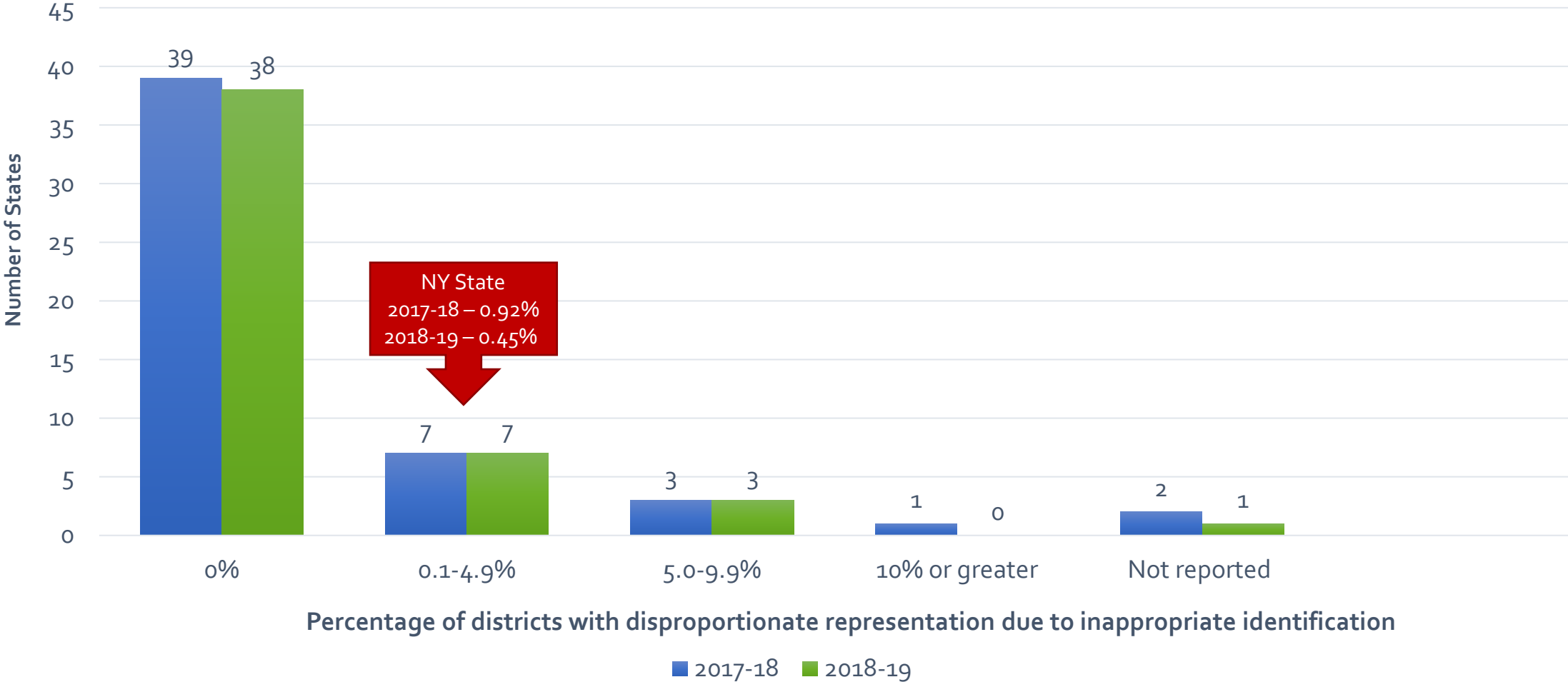
% of Districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification





# Indicator 10 National Data

Number of States Reporting Various Percentages of Districts with Disproportionate Representation That Was the Result of Inappropriate Identification for 2017–18 & 2018–19



# Indicator 10 State Comparisons: APR Results

FFY	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%
<b>New York</b>	<b>1.18%</b>	<b>0.44%</b>	<b>0.71%</b>	<b>1.24%</b>	<b>0.92%</b>
California	0.88%	0.73%	17.14%	27.76%	9.91%
Florida	0%	0%	0%	0%	0%
Illinois	0%	0%		0%	0%
Ohio	0.10%	0%	0%	0.68%	0.95%
Pennsylvania	0%	0%	0%	0%	0%
Texas	0%	0%	0%	0%	0%





1) What did the indicator data tell us?

2) How should we use the data to inform our improvement activities?



**Stakeholder  
Discussion**





# State Performance Plan (SPP)/ Annual Performance Report (APR) 2020-2025

Individuals with Disabilities  
Education Act (IDEA)



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# NYSED's Monitoring Activity



- Districts notified for Indicators 9 or 10 are required to complete a State developed monitoring protocol.

## District Notification



- If any noncompliance is identified, the district's disproportionality in identification or classification by race and ethnicity is a result of inappropriate identification.

## District Review



- Districts are required to correct all issues of noncompliance identified in their policies, practices and procedures.

## Resolution of Noncompliance





# Office of Special Education Educational Partnership Tiered Support & Professional Development



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12 Regional  
Partnership Centers

14 School-Age Family  
and Community  
Engagement Centers

14 Early Childhood  
Family and Community  
Engagement Centers

## Systems Change Work Providing a Variety of Supports to Educational Organizations in New York State

**1** Regional Learning

**2** Targeted Skills/Support Groups

**3** Support Plans





# OSE Educational Partnership Targeted Skills Group (TSG)



A TSG is professional development and technical assistance provided to a small group to build awareness, learn or develop new skills and problem solve to improve outcomes for students with disabilities.



Any district that receives a notification regarding disproportionality in classification by race and ethnicity is required to participate in a TSG.





# Educational Partnership Resources Targeted Professional Development Improvement Strategies



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## Regional Learnings

Committee on Preschool Special Education (CPSE)/Committee Special Education (CSE) Chairperson Training

Dimensions of Equity in Education

Family Engagement: Community Culture

Fundamentals in Equity: Exploring Equity and Cultural Responsiveness

Identifying and Intensifying Interventions: What To Do and How To Do It

Universal Screening: Best Practices in Screening for Academic Deficits

What Does It Mean to be Culturally Responsive







# Improvement Activities for Consideration

<b>Offer</b>	Enhanced Trainings on the Referral, Evaluation and Eligibility Processes for Special Education
<b>Support</b>	District understanding and analysis of State data reporting and the verification process
<b>Strengthen</b>	District understanding and implementation of the <a href="#">Culturally-Responsive and Sustaining Education Framework</a> , <a href="#">Response to Intervention</a> (RtI), and multi-tiered systems of supports
<b>Evaluate</b>	Monitoring activities and protocol to better align with regulations and federal reporting requirements
<b>Collaborate</b>	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





# IDEA STATE PERFORMANCE PLAN STAKEHOLDER ENGAGEMENT

What activities could be considered, maintained, or strengthened to address improvements in Indicator 9 Disproportionality in Special Education by Race and Ethnicity and Indicator 10 Disproportionality in Classification by Race and Ethnicity?

Stakeholder Discussion



# Share Your Voice in our Online Survey



Each SPP Indicator has an online survey to collect input on NYS's target-setting and/or improvement activities

The online surveys are intended to collect feedback from interested stakeholders. They are available for those who are not attending a virtual meeting or for those who have additional information to share beyond the virtual meetings

Please visit the [SPP/APR webpage](#) to submit your survey



# THANK YOU FOR YOUR CONTRIBUTION

Your Voice is Important to  
New York State's Efforts to  
Improve Outcomes for our  
Students with Disabilities

