Significant Disproportionality: For SEAs and LEAs

"Significant disproportionality" describes a pattern where students from one or more racial and ethnic groups are identified for special education, placed in more restrictive educational settings, and disciplined at higher rates than their peers.[1]

Why is significant disproportionality important?

Studies show that students from racially and ethnically diverse backgrounds are over identified for special education, suggesting bias in referral, assessment, and placement practices.[2]

Students who are misidentified as students with disabilities may have higher rates of office referrals, suspensions, and expulsions from school. These misidentified students also face limited, less rigorous curriculum and diminished opportunities before and after graduation.[3]

Students who are suspended or expelled are more likely to be held back, drop out, or enter the juvenile/criminal justice system when compared to their peers.[4]

Key Data Points

American Indian or Alaska Native school-aged students are 1.5 times as likely to be identified as a student with a disability as all other racial/ethnic groups combined and are almost twice as likely to be identified as having a *specific learning disability*.[5]

Asian and Black or African American students with disabilities are more likely than other students with disabilities to spend less than 40% of their day in the regular classroom.[6]

Black or African American students with disabilities were 2.3 times more likely than all children with disabilities to have a disciplinary removal of greater than 10 days.[7]

What is significant disproportionality?

IDEA Section 618 requires states to collect and examine data to determine if significant disproportionality based on the seven federally identified race and ethnicity categories is occurring in the state and the LEAs of the state with respect to

- **identification** of children as children with disabilities;
- **placement** in less inclusive educational settings; and
- incidence, duration, and type of **disciplinary actions**, including suspensions and expulsions.

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How do states determine if significant disproportionality exists?

Altogether, there are 98 separate calculations states use for each LEA that determine whether significant disproportionality exists in that LEA. States must use a standard methodology for these calculations and analyze the results for disparities based on race/ethnicity in the categories of identification, placement, and discipline.

What are the requirements and processes for addressing significant disproportionality?

When a state identifies an LEA with significant disproportionality, states must ensure that LEA

- conducts a root cause analysis that includes a review of their policies, practices, and procedures in the area identified. This is a process of determining why an LEA has significant disproportionality in order to effectively address it;
- identifies action steps to address the root cause(s) identified, including any necessary adjustments to policies, practices and procedures; and
- uses 15 percent of their federal special education funds to support and implement these action steps.

Additional Resources

- *Child Trends* article: "5 Things to Know About Racial and Ethnic Disparities in Special Education"
- Data Center for Addressing Significant Disproportionality website
- IDEA Data Center (IDC) tool: *Significant Disproportionality Calculator and User's Guide*
- IDC webpage: *Significant Disproportionality Resources*
- National Center for Learning Disabilities report: *Significant Disproportionality in Special Education: Current Trends and Actions for Impact*

References

[1] National Education Association. (2020). *Significant Disproportionality in Special Education: Current Trends and Actions for Impact*. https://ncld.org/wp-content/uploads/2023/07/2020-NCLD-Disproportionality_Trends-and-Actions-for-Impact_FINAL-1.pdf

[2] Cruz, R. A., & Rodl, J. E. (2018). An integrative synthesis of literature on disproportionality in special education. *The Journal of Special Education*, 52(1), 50-63. https://doi.org/10.1177/0022466918758707

[3] National Education Association. (2007). *Truth in labeling: Disproportionality in special education.*

[4] United States Department of Education Office for Civil Rights. (2014). Data snapshot: School discipline. *Civil Rights Data Collection*. https://civilrightsdata.ed.gov/assets/downloads/2011-12_CRDC-School-Discipline-Snapshot.pdf

[5] U.S. Department of Education. (2024, March). *45th annual report to Congress on the implementation of the Individuals with Disabilities Education Act, 2023*. https://sites.ed.gov/idea/files/45th-arc-for-idea.pdf

[6] Ibid.

[7] Source for raw data: Losen, D.J., Martinez, P., & Shin, G.H.R. (2021). *Disabling inequity: The urgent need for race-conscious resource remedies*. Los Angeles: The Center for Civil Rights Remedies. https://www.civilrightsproject.ucla.edu/research/k-12-education/special-education/disabling-inequity-the-urgent-need-for-race-conscious-resource-remedies/final-Report-03-22-21-v5-corrected.pdf