

Disproportionate Representation Identification and Self-Assessment (Process Description)

Purpose

Process Description for reviewing policies, procedures, and practices to determine if Disproportionate Representation is the result of inappropriate identification

Federal Requirements

34 CFR §300.600(d)(3) requires States to identify disproportionate representation of racial and ethnic groups in special education and related services to the extent the representation is the result of inappropriate identification. The Department has determined that a reasonable interpretation of disproportionate representation includes both overrepresentation and underrepresentation; both conditions may constitute disproportionate representation. Disproportionate representation in this context relies on a comparison of groups of students by race and ethnicity that are identified for special education and related services, generally, and for specific disability categories. Disproportionate representation occurs when students from a particular racial or ethnic group are identified for special education and related services or for a specific disability category (Autism, Emotional Disturbance, Intellectual Disabilities, Other Health Impairments, Specific Learning Disabilities, and Speech and Language Impairments) either at a *greater* or *lesser* rate than all other students.

Identification Criteria

1. Seven federal-reporting race/ethnicity student sub-group populations (Hispanic/Latino, American Indian/Alaskan Native, Asian, Black, Hawaiian/Pacific Islander, White and 2 or more race/ethnicities) are examined to determine the existence of disproportionate representation. Each racial/ethnic subgroup examined must represent at least 5% of the LEA's total student enrollment.
2. At least 45 total students must be identified in the district's census child count for all students identified with disabilities and 20 total students must be identified for each disability category examined.
3. The cut score for Disproportionate Overrepresentation is 3.00 or more and the cut score for Disproportionate Underrepresentation is 0.30 or less. This cut-score must be met through examination of both the relative risk ratio (RRR) and the weighted risk ratio (WRR). Districts with a RRR of ≥ 3.00 and a WRR of ≥ 3.00 meet both cut-off points for overrepresentation. Districts with a RRR of $\leq .30$ and a WRR of $\leq .30$ meet both cut-off points for underrepresentation.

—The RRR compares the district's identified subgroup to the district's total student population for the disability examined.

—The WRR compares the district's identified subgroup to the total Tennessee student population for the disability examined.

Note: Districts that meet the RRR and WRR criteria for underrepresentation ($\leq .30$) or overrepresentation (≥ 3.00) where the total N Count is ≥ 45 for All Disabilities or ≥ 20 for a Target Disability **AND** the student sub-group enrollment is between 3.00% and 4.99% **AND** the N Count for that sub-group is at least 350 will be reviewed through a Compliance Desk Audit Questionnaire. If indicated, the Department will conduct a focused monitoring to determine if the disproportionate representation was the result of inappropriate identification.

TnREppp Self-Assessment

Disproportionate Representation is reported to the Office of Special Education Programs (OSEP) in the State's Annual Performance Report (Indicators 9 and 10). Indicators 9 and 10 are compliance indicators and the federal targets for the percent of districts with disproportionate representation for these indicators are predetermined at 0%. The targets encompass both over and underrepresentation of racial and ethnic groups in special education and related services and in specific disability categories that are the result of inappropriate identification.

All districts identified with disproportionate representation (overrepresentation and underrepresentation) are required to conduct a self-assessment of district policies, practices and procedures in order to determine if the district's disproportionate representation is the result of inappropriate identification.

This self-assessment is conducted through use of the Tennessee Rubric Examination of practices, policies and procedures Self-Assessment (TnREpppSA). The TnREpppSA examines six focus educational areas which underscore the importance of examining educational policies and practices as they relate to opportunities to learn and educational outcomes for all students. Each of the six focus areas are rated separately.

TnREpppSA Ratings

Based on the district's self-assessment and the TnREpppSA Reviewer Scoring Guidelines, the district's policies, practices and procedures are reviewed and rated by the State for each of the six focus areas as well as for the total rubric. For each of these areas, districts are awarded ratings of Exemplary, Adequate, Partially Adequate or Inadequate.

Plan of Improvement

When the district's Total TnREpppSA Rating is either Partially Adequate or Inadequate, the district is required to develop a Disproportionality Plan of Improvement (DispPI) and include this plan in the district's Tennessee Comprehensive Systemwide Planning Process (TCSPP). Districts with a rating of Partially Adequate or Inadequate for *any of the TnREpppSA focus areas* are *highly encouraged* by the State to develop a plan of improvement in that area¹. The TnREppp Self-Assessment is aligned with the Tennessee Comprehensive Systemwide Planning Process (TCSPP). Tennessee's LEAs are required by the State to develop and maintain the TCSPP through professional systemwide collaboration and are required to update periodically the district's goals and activities in the TCSPP.

¹ Tennessee Comprehensive Systemwide Planning Process (TCSPP) – Component 5 – Compliance Matrix 5.1 Page 69