

# Centering Equity & Disrupting Disproportionality in Washington State

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## Vision

*All students prepared for post-secondary pathways, careers, and civic engagement.*

## Mission

Transform K–12 education to a system that is centered on closing opportunity gaps and is characterized by high expectations for all students and educators. We achieve this by developing equity-based policies and supports that empower educators, families, and communities.

## Values

- Ensuring Equity
- Collaboration and Service
- Achieving Excellence through Continuous Improvement
- Focus on the Whole Child



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# Equity Statement

Each student, family, and community possesses strengths and cultural knowledge that benefits their peers, educators, and schools.

Ensuring educational equity:

- Goes beyond equality; it requires education leaders to examine the ways current policies and practices result in disparate outcomes for our students of color, students living in poverty, students receiving special education and English Learner services, students who identify as LGBTQ+, and highly mobile student populations.
- Requires education leaders to develop an understanding of historical contexts; engage students, families, and community representatives as partners in decision-making; and actively dismantle systemic barriers, replacing them with policies and practices that ensure all students have access to the instruction and support they need to succeed in our schools.



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# OSPI Strategic Goals

Goal  
1

## Equitable Access to Strong Foundations

Increase student access to and participation in high-quality early learning and elementary by amplifying and building on inclusive, asset-based policies and practices.



Goal  
2

## Rigorous Learner Centered Options in Every Community

Provide all students with access to challenging coursework, culturally responsive and anti-racist curriculum, and pathways to graduation and beyond that meet their unique interests.



Goal  
3

## A Diverse, Inclusive, and Highly Skilled Workforce

Prepare all students with educators who are reflective of our global society by increasing access to a workforce that is diverse, culturally responsive, and racially literate.



Goal  
4

## A Committed, Unified, and Customer-Focused OSPI

Support school districts through consistent, timely, and meaningful funding and supports that center the needs of students. Agency operations unified in facilitating services and resources.



# EOGOAC Request

- Efforts to close opportunity gaps for students of color with disabilities.
- Impact on students of color with intensive support needs who are served by non-public agencies (NPAs).



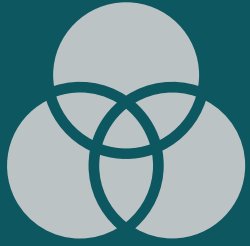
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# Today's Discussion

- **Closing Opportunity Gaps for Students of Color with Disabilities**
  - Measuring & Disrupting Disproportionality
  - Inclusionary Practices Data
- **Impact of NPA placement on Student of Color with Disabilities**
  - In-State & Out-of-State NPA Data
  - Implementation Updates for SB 5315
- **Ongoing Improvement Efforts**
  - Systemic Equity Review of Special Education
  - Individuals with Disabilities Education Act (IDEA) Determinations



# Unpacking Disproportionality in Special Education



Which student groups experienced increasing risk for overidentification? Underidentification?



Which student groups have experienced increasing risk for two (and/or three) consecutive years?



Over a three-year span, which group(s) experienced an increasing risk? Which group(s) experienced a decreasing risk?



**So, here's why this is...**

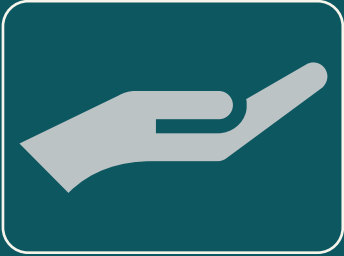
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*Important*

- Students are referred for special education to receive additional supports and accommodations.
- OSPI monitors disproportionality to measure and analyze adult decisions about students, across shared student identities – race and ability.
- Adult decisions can harm students when actions are not culturally affirming and do not address the root cause(s) of student need.





# Unpacking Opportunity Gaps



What types of interventions were provided before students were referred for special education? For how long? By whom?



What types of progress data were collected & analyzed before referral? What rate of progress did students experience?



How are potential biases being disrupted through engagement with families and interactions with students that affirm racial, linguistic, and cultural identities?

# Barriers to equity for students with disabilities

- Low expectations.
- Disproportionate identification, segregation & discipline of students of color.
- Lack of access and opportunity to core instruction from content experts.
- School schedules lead to removals from core instruction in general education.
- Teacher and staff shortages.
- Training needs for school staff & educators who support them.
- Staffing models that encourage segregation.

# OSPI Strategic Planning 2021-2025

Co-design special education priorities with students, families, and educators to shape equitable outcomes for students with disabilities by leveraging inclusive learning environments and celebrating models of excellence.

## Partner for Equity

- Center students, families & involve community partners.
- Anti-racist, accessible, culturally responsive communications.
- Recruit, retain, and support staff of color & with disabilities.

## Shape Inclusionary Outcomes

- Resources & training to eliminate use of restraint and isolation.
- Support students served in district, in neighborhood schools.
- Inclusive early learning opportunities.

## Lead with Intention

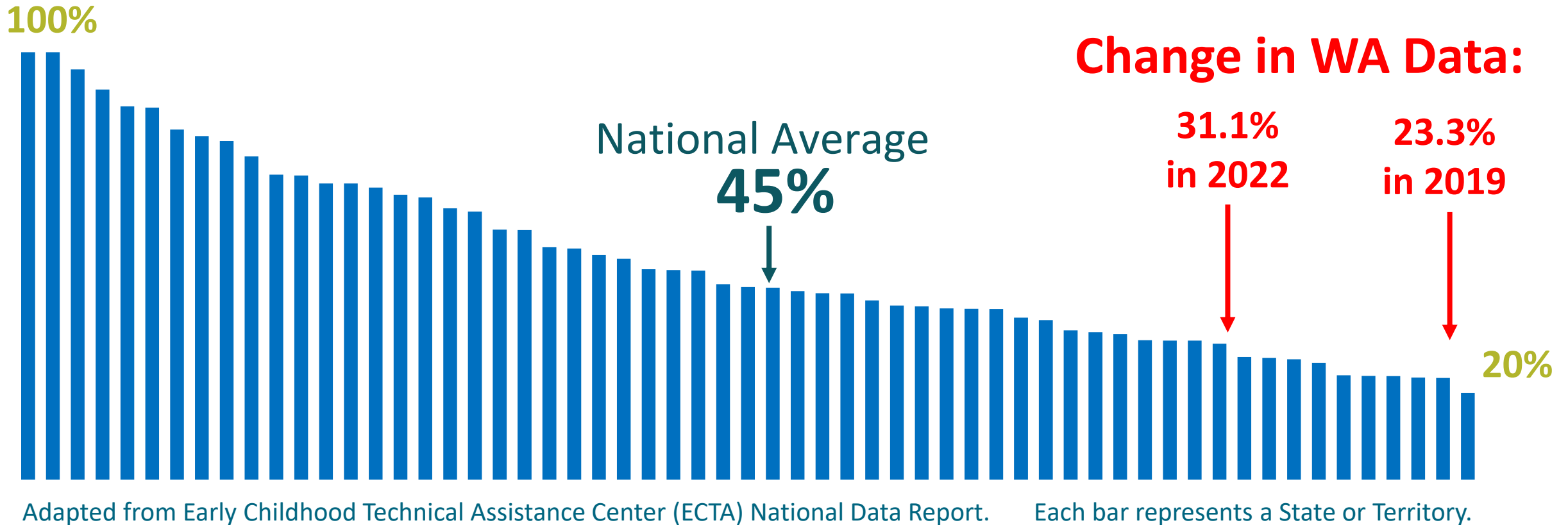
- Model alignment of fiscal, data, program, and dispute resolution.
- Model collaboration across content areas.
- Fiscal guidance to support staffing & funding innovations.

## Foster Excellence

- Explore models of excellence in IPP & WISSP/MTSS.
- Cross-collaboration, including ECSE and Tribal partners.
- Explore diversity in “grow your own” educator routes.



# PreK Inclusion: Children Ages 3-5 Attending & Receiving the Majority of Services in a Regular Early Childhood Program



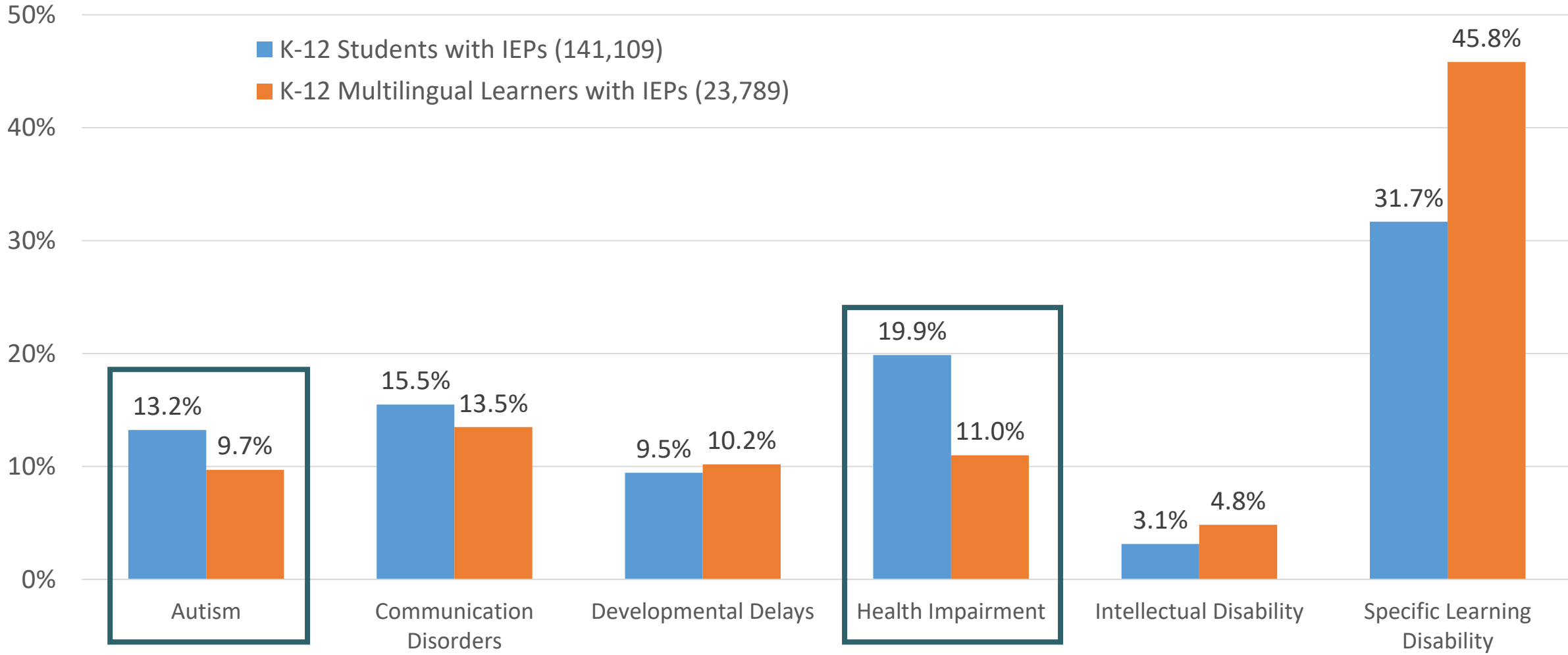
# Placeholder: Disaggregated Equity Data

	80-100% in general education	40-79% in general education	0-39% in general education	All Other Placements
All Students with Disabilities	63.4%	23.7%	11.4%	1.5%
Student of Color with Disabilities	60.1%	26.1%	12.8%	1.1%
Black Students with Disabilities	51.7%	29.3%	17.5%	1.6%

# Inclusionary Practices Project (IPP) Impact

Least Restrictive Environment (LRE)	Data Group	2018 Baseline	2022 Data	Change from Baseline
LRE 1: Placed in general ed for 80-100% of the school day	All Students with Disabilities	57%	<b>63%</b>	<b>6.8</b>
	Inclusionary Practices Pilot Districts (n=100)	44%	<b>62%</b>	<b>18</b>
	Black Students with Disabilities	49%	<b>52%</b>	<b>1.8</b>

# 2022 Multilingual Learners with Disabilities by Eligibility



# Defining Disproportionality in Special Education

- Students with disabilities in Washington are more likely to be male, from communities of color, and experiencing poverty.<sup>1</sup>
- States are federally required to evaluate and address district-level disproportionality in special education related to the **identification**, **placement**, and **discipline** of students with IEPs, by race/ethnicity.
- Disproportionality is a risk ratio - a measure of how likely students from a specific racial/ethnic group will be identified, segregated, or disciplined, compared with all other students.

<sup>1</sup>Theobald, R. J., Goldhaber, D. D., Gratz, T. M., & Holden, K. L. (2019). Career and Technical Education, Inclusion, and Postsecondary Outcomes for Students With Learning Disabilities. *Journal of Learning Disabilities*, 52(2), 109–119. <https://doi.org/10.1177/0022219418775121>





# Measuring Disproportionality in Special Education

- A risk ratio of 1.0 is neutral, meaning students from that group are as likely as all other students to be identified or placed in that category.
- A risk ratio **over** 1.0 represents potential overrepresentation.
  - For example: A risk ratio of 4.0 means students from that group are 4 times as likely as all other students to be identified or placed in that category.
- A risk ratio **under** 1.0 represents potential underrepresentation.
  - For example: A risk ratio of 0.5 means students from that group are half as likely as all other students to be identified or placed in that category.



# 2021 PK-12 Least Restrictive Environment (LRE) Data Platform

## Purpose

- Designed to provide district and building staff access to unsuppressed, building-level special education demographic and placement data.

## Platform features include:



# Sample Data: Disproportionality in Elementary

	2021-22 School Year	American Indian	Asian	Black	Hispanic	Pacific Islander	White	Two or More	TOTAL
1	The total number of students from each ethnic or racial background in my building.	4	5	40	37	9	76	54	225
2	The percentages of these students in comparison to the total building population.	1.8%	2.2%	17.8%	16.4%	4.0%	33.8%	24.0%	100%
3	Of the total number of students in my building, the number receiving special education services.	0	1	8	16	5	14	9	53
4	<b>RISK INDEX</b> - Of the number of students from each ethnic or racial group, the percent receiving special education services.	0.0%	20.0%	20.0%	43.2%	55.6%	18.4%	16.7%	23.6%
5	<b>2021-22 RISK RATIO</b>	<b>0.00</b>	<b>0.85</b>	<b>0.82</b>	<b>2.20</b>	<b>2.50</b>	<b>0.70</b>	<b>0.65</b>	
	<b>2020-21 RISK RATIO</b>	<b>0.00</b>	<b>0.90</b>	<b>0.86</b>	<b>1.75</b>	<b>2.06</b>	<b>0.77</b>	<b>0.85</b>	
	<b>2019-20 RISK RATIO</b>	<b>0.00</b>	<b>0.92</b>	<b>0.84</b>	<b>1.52</b>	<b>0.71</b>	<b>0.94</b>	<b>1.01</b>	

# Sample Data: Disproportionality in Secondary

2021-22 School Year	American Indian	Asian	Black	Hispanic	Pacific Islander	White	Two or More	TOTAL
The total number of students from each ethnic or racial background in my building.	12	178	41	195	9	1248	186	1863
The percentages of these students in comparison to the total building population.	0.3%	9.6%	2.2%	10.5%	0.5%	67.0%	10.0%	100%
Of the total number of students in my building, the number receiving special education services.	4	7	11	20	1	129	20	190
<b>RISK INDEX</b> - Of the number of students from each ethnic or racial group, the percent receiving special education services.	33.3%	3.9%	26.8%	10.3%	11.1%	10.3%	10.8%	10.2%
<b>2021-22 RISK RATIO</b>	<b>3.29</b>	<b>0.36</b>	<b>2.73</b>	<b>1.01</b>	<b>1.09</b>	<b>1.04</b>	<b>1.06</b>	
<b>2020-21 RISK RATIO</b>	<b>2.73</b>	<b>0.30</b>	<b>2.49</b>	<b>0.96</b>	<b>2.74</b>	<b>1.01</b>	<b>1.30</b>	
<b>2019-20 RISK RATIO</b>	<b>0.00</b>	<b>0.42</b>	<b>2.48</b>	<b>1.25</b>	<b>3.15</b>	<b>1.00</b>	<b>0.87</b>	

# Districts with Disproportionate Data for 2022-23 (based on data from 2021-22)

	# Districts: Disproportionality	# Districts: Significant Disproportionality	Most common areas
Identification (All disabilities)	8	0	Hispanic (3), American Indian (3)
Identification (Specific categories)	64	8	Hispanic/SLD (31), American Indian/SLD (14)
<b>Total Districts Identified</b>	<b>66</b>	<b>8</b>	<b>Hispanic/SLD (31)</b>

Source: OSPI. November 2021 Federal Child Count and LRE Report, October 2021 Total Enrollment Report, August 2021 Behavior and Weapons Report.

# Analyzing Root Cause & District Actions

- Based on your data, provide a description of factors within your educational program that may be impacting the LEA's data.
- Describe your plan/activities for improving performance over the coming school year. If your district engaged in this process last year, include a description of all activities to address disproportionality, and the impact of those activities.
- Identify team members included in this process. The team should include, at a minimum, representatives from general and special education administration and finance. Teams should represent a diverse group of staff, parents, and community members, including representatives of the identified disproportionate racial/ethnic group(s).



# OSPI Priorities for Disrupting Disproportionality

- Center the individualized needs of students, resulting from their disability.
- Scale and sustain inclusionary practices – with a focus on access to preventive interventions and supports before special education referral.
- Continued focus on the needs and patterns across the entire educational system, including OSPI – how is the supervisory system designed to disrupt patterns of overidentification?
- Pair high expectations with high supports for our school and district partners: data, professional development, and technical assistance.





# Authorized Entities / Non-Public Agencies



# Students Served in Non-Public Agencies

<b>IDEA Requires a Continuum of Service Placements</b>	<b>Placed by IEP Team, including family &amp; teachers</b>	<b>School District Remains Responsible for Providing a Free Appropriate Public Education (FAPE)</b>
<b>No Cost to Parents/Guardians</b>	<b>Education Provided Must Meet State Standards</b>	<b>Student Retains All Right Served By a School District in WA</b>



# Authorized Entities / Non-Public Agencies

Federal Race Category	In-State Day School (45)				Out-of-State Facility (51)			
	2020	2021	2022	Disaggregated %s for 2022	2020	2021	2022	Disaggregated %s for 2022
All Students with Disabilities	362	457	514	0.36%	37	59	60	0.04%
American Indian/Alaskan Native	5	6	6	0.25%	0	1	2	0.08%
Asian	13	22	31	0.51%	5	3	3	0.05%
Black/African American	34	44	44	0.54%	2	7	8	0.10%
Hispanic/Latino of any race(s)	56	52	68	0.17%	2	3	3	0.01%
Native Hawaiian/Other Pacific Islander	1	3	3	0.22%	0	0	0	0.00%
Two or More Races	37	47	45	0.35%	2	6	2	0.02%
White	216	279	317	0.45%	26	40	42	0.06%

# Implementation Updates on NPAs/SB 5315

- **In Progress:**

- Revise application and approval documentation and processes.
- Develop and publish complaint process for NPAs.
- Expand/revise monitoring & oversight procedures and protocols.
- OSPI issued provisional status for NW SOIL for 2023-24, pending completion of a Corrective Action Plan (CAP).

- **Next Steps:**

- Clarify school district contract requirements
- Implement updated on-site visit processes.
- Prepare and submit the first annual Legislative Report by December 2023.



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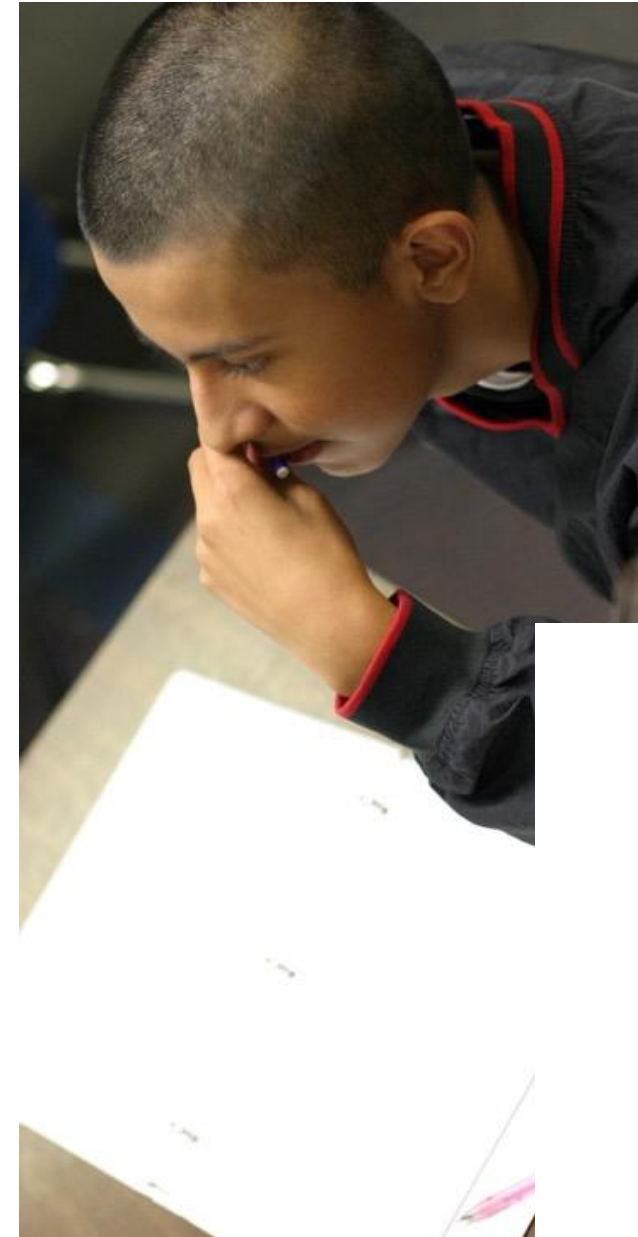
# The Systemic Equity Review

A Collaborative Effort



# The Purpose

Co-construct a systemic equity review process in partnership with the Washington state special education team, facilitate the team's use of this process, and generate recommendations based on the outcomes of the review that support the development and adoption of state-level equity-driven beliefs, policies, procedures, and practices.

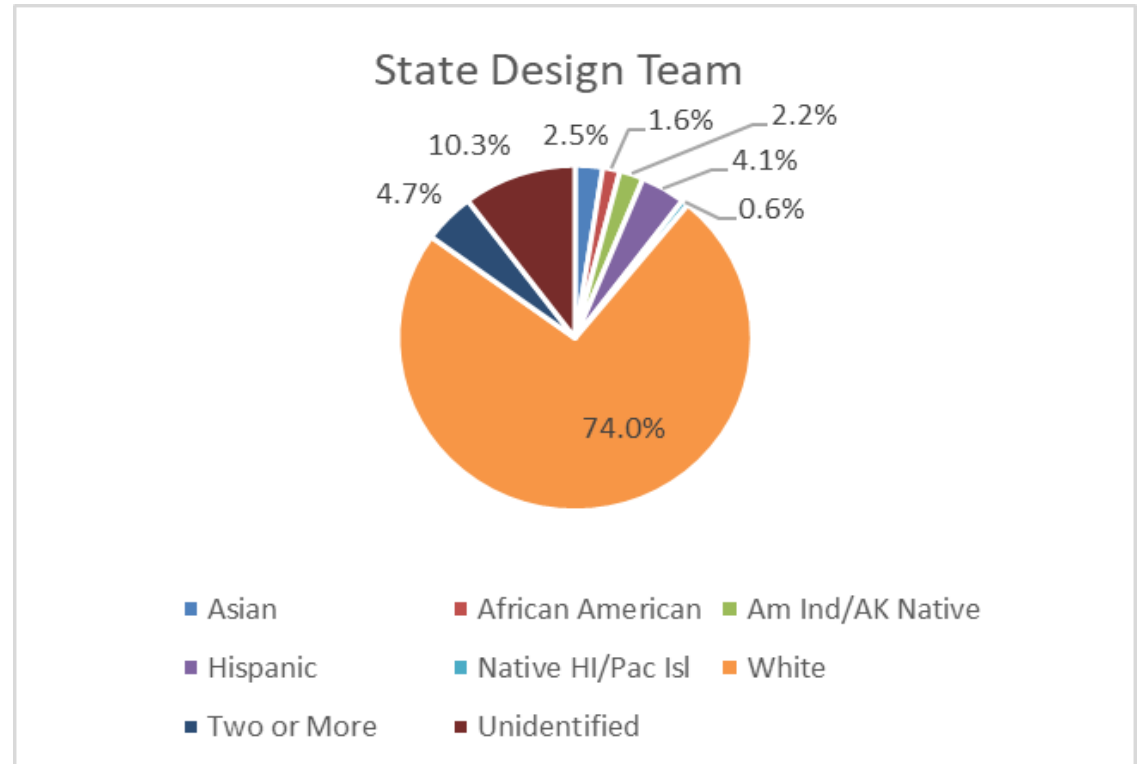
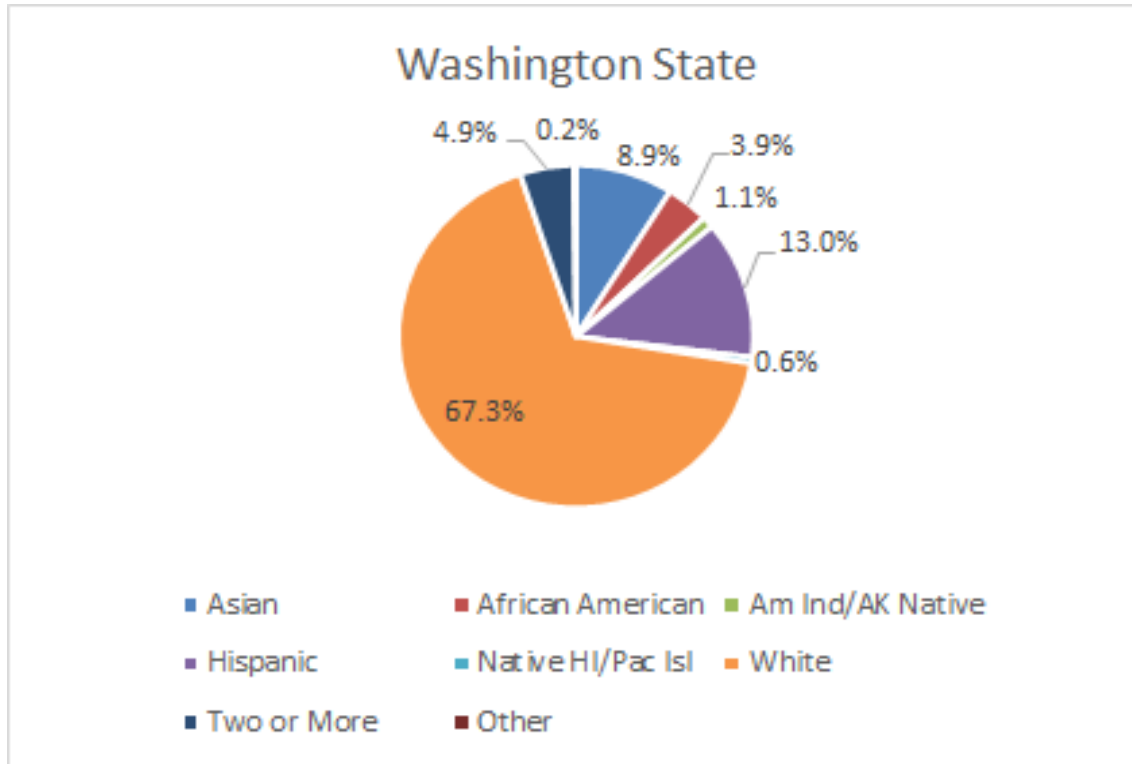


# Factors that Influence Inequities



Source: Fergus (2017); Hernandez et. al (Forthcoming)

# OSPI Special Education State Design Team: Diversity Report



Source: <https://data.census.gov/cedsci/>

# Equity Data Checklist

PreK-12 Equity Goals	Data Sources (all disaggregated by race/ethnicity)	Readily Available	Public	Requires Data Request	Requires Collection	Not Accessible
<b>Equitable Student Outcomes</b>	Graduation pathways data					
	High School and Beyond Planning data					
	Post-school outcomes data					
	Early childhood data <ul style="list-style-type: none"> <li>• C-to-B transition</li> <li>• Child outcome summaries for Pre-K</li> <li>• Kindergarten readiness</li> </ul>					
	English Learners with disabilities (progress/participation)					
	Placement data (LRE)					
	MTSS data (tiered fidelity inventory)					
<b>Equitable Student Access, Inclusion, and Discipline</b>	Identification rates					
	Discipline data <ul style="list-style-type: none"> <li>• Discipline referrals</li> <li>• Suspension data</li> </ul>					
	IEP Educational Benefit Review data					
	Special Education Monitoring data					
	Dual credit (and early college) data					



# Research Questions Sample

## 1. Equitable Student Outcomes PreK-12

- How is the academic achievement of students with disabilities comparable to students without disabilities across different racial/ethnic backgrounds?

## 2. Equitable Student Access, Inclusion, and Discipline PreK-12

- How are students with disabilities of different racial/ethnic backgrounds ensured equitable access into their learning environment?

## 3. Accountability and Monitoring

- How has the state expressed and documented equity as a goal of its IDEA accountability system?

# Research Questions Sample

## 4. Support, Technical Assistance, and Professional Development

- How has the state expressed and documented equity as a goal of its IDEA support system?

## 5. Equitable Resources

- To what extent is equity a stated goal of the state's IDEA fiscal allocation practices?

## 6. Equitable Stakeholder and Family Engagement

- To what extent do state-level special education stakeholder groups and committees (e.g., the State Advisory Panel) reflect a diversity of identities and perspectives?



- The Systemic Equity Review of Special Education continues.
- The Special Education Equity Team is reviewing data, policies, procedures, and practices to develop a report with findings and recommendations.
- Washington state will engage in federal monitoring for special education over the next few years (first time in over 12 years!).

# Washington State's Determination Level

## Results-Driven Accountability Percentage and Determination

Determination Score	2021	2022	2023
Percentage (%)	75%	73.13%	85.42%
Determination	Needs Assistance	Needs Assistance	Meets Requirements

## Results and Compliance Overall Scoring

Results & Compliance Scoring	2021 Points & Score (%)	2022 Points & Score (%)	2023 Points & Score (%)
Results	8/16 (50%)	9/16 (56.25%)	17/24 (70.83%)
Compliance	20/20 (100%)	18/20 (80%)	20/20 (100%)

Source: Washington 2023 Part B Results Driven Accountability Matrix

# IDEA Determination Levels

- Meets the requirements of IDEA;
  - Needs assistance in implementing the requirements of IDEA;
  - Needs intervention in implementing the requirements of IDEA; or
  - Needs substantial intervention in implementing the requirements of IDEA.
- 
- IDEA requires the U.S. Department of Education to make annual “determinations” regarding the overall compliance of each State with the requirements of Part B of the IDEA.
  - States are required to make determinations regarding the level of overall compliance each year for every district within the State.

<https://www.k12.wa.us/sites/default/files/public/specialed/programreview/pubdocs/IDEA-Determinations.pdf>



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