

## Part B State Performance Plan (SPP) for 2005-2012

### Overview of the State Performance Plan Development:

#### Monitoring Priority: Disproportionality

**Indicator 9:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

#### Measurement:

Percent = [(# of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.

#### State's definition of "disproportionate representation":

Massachusetts defines "disproportionate representation" using a calculation of weighted or alternate risk ratio and a review of the appropriateness of a district's policies and procedures for identifying students as disabled.

MASSDE calculates a weighted or alternate risk ratio for each school district using the techniques described in Westat's *Methods for Assessing Racial/Ethnic Disproportionality in Special Education* (<http://www.ideadata.org/docs/Disproportionality%20Technical%20Assistance%20Guide.pdf>). The state uses a minimum cell size of 20 for each race/ethnic group in every district. Cells less than 20 are individually reviewed to see if data irregularities for specific racial and ethnic groups in these districts would suggest disproportionate representation due to inappropriate identification. Once the calculation is made for each district, the weighted risk ratios are compared to the two previous years' weighted risk ratios. Districts are flagged if for 3 consecutive years, they exhibit a weighted risk ratio of 3.0 or greater for possible over-representation, and of .25 or less for possible under-representation.

All districts identified by way of this quantitative analysis are then subject to a review of the appropriateness of their policies, practices, and procedures (PPPs) for special education eligibility determination and disability identification.

#### Description of determination that disproportionate representation is due to inappropriate identification:

A district identified using the measurement techniques described above submits its current PPPs to MASSDE and they are reviewed by a committee of policy analysts and compliance specialists. If the committee concludes that the PPPs were inappropriate or otherwise inconsistent with federal and state regulations, and concludes that the PPPs likely caused the disproportionate representation at least to some degree, then a district is identified as having disproportionate representation due to inappropriate identification.

### Overview of Issue/Description of System or Process:

#### Past Monitoring for Disproportionality Through the CPR System

Program Quality Assurance (PQA) in MASSDE has used Coordinated Program Reviews (CPRs) to monitor for disproportionality in the representation of racial/ethnic minority students in special education since at least 1998. Originally, this monitoring was done through interview questions and the examination of lists of special education students provided by the district or charter school, with race and ethnicity (as well as gender and linguistic minority status) designated. Gradually, MASSDE has developed a more

data-oriented approach. In 2004, for the first time, the MASSDE Data Collection, Processing, and Reporting unit developed the ability to use student-level data collected through the Student Information Management System (SIMS) to report on disproportionality on a number of bases (including race/ethnicity as well as gender, primary language, LEP status, and IEP status) in a variety of categories (including special education enrollment, disability categories, and special education educational environments).

Through FFY 2005, this data-oriented approach to monitoring disproportionality has continued to be used in the context of the CPR system. In the CPR system, PQA monitors more than 350 public school districts and charter schools in the Commonwealth for compliance with laws and regulations in the areas of special education, English learner education, civil rights, and some other areas of general education, as well as, in certain districts, career/vocational technical education. It has a six-year cycle for this monitoring, meaning that it monitors each of those districts and charter schools in all those areas once during that six-year cycle. During every CPR, PQA sends a team to spend from several days to over a week in the district or charter school being reviewed, interviewing its personnel and observing classes. Before the onsite visit, the team surveys parents and scrutinizes selected student records and extensive documentation provided by the school or district. In addition, PQA sends a team midway through the six-year cycle to complete an onsite special education follow-up Mid-cycle Review (MCR), again consisting of onsite interviews and observations as well as examination of documentation and records. After both CPRs and MCRs PQA issues a public report of the team's findings in the school or district. The CPR process is described in more detail in the Massachusetts Part B State Performance Plan (SPP) for FFY 2008 - FFY 2012 for Indicator 15.

#### Future Monitoring for Disproportionality

MASSDE has recently made the decision to take the monitoring of disproportionality out of the CPR/MCR system. Since under this system only one-sixth of the Commonwealth's districts and charter schools are monitored *de novo* each year, it does not allow MASSDE to calculate each year the "percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification." Instead, MASSDE will examine disproportionality data for every school district and charter school every year starting with the FFY 2005 submission.

Starting in FFY 2005, MASSDE will examine the data on the distribution of racial/ethnic groups in special education for every district and charter school in the Commonwealth, not just those slated for review under the CPR system. It will use the definition of "disproportionate representation" given above, and a multi-tiered approach to determine whether disproportionate representation of racial and ethnic groups in special education and related services is the result of inappropriate identification.

#### Target Setting and Improvement Activity Development

Although Indicator 10 is a compliance indicator and targets are therefore set by OSEP for all states, MASSDE reviewed with the Statewide Special Education Steering Committee and Advisory Group, and other interested parties, its Indicator 9 targets for the extended State Performance Plan (MA SPP) period and proposed revisions to the MA SPP to obtain broad input from stakeholders. The MA SPP is available to the public at <http://www.doe.mass.edu/sped/spp/maspp.html>, and upon request.

#### **Baseline Data for FFY 2005 (2005-2006):**

Because zero districts met the criteria for the determination of over-representation and under-representation in FFY 2005, MASSDE met its measurable and rigorous target of 0%.

#### **Discussion of Baseline Data:**

Calculating the weighted risk ratios (WRR) for FFY 2005 over-representation produced zero districts that met the criteria of three consecutive years of a WRR of 3.0 or higher. In terms of FFY 2005 under-representation, the calculation yielded zero districts with a WRR of .25 or lower for three consecutive years.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	0%
2006 (2006-2007)	0%
2007 (2007-2008)	0%
2008 (2008-2009)	0%
2009 (2009-2010)	0%
2010 (2010-2011)	0%
2011 (2011-2012)	0%
2012 (2012-2013)	0%

**Improvement Activities/Timelines/Resources:**

Please note that many of the activities presented below affect multiple indicator areas. For these activities, a full description of the activity is available in Appendix A.

Timelines (FFY)	Improvement Activity	Resources
2005 - 2012	<b><u>Collaboration with Stakeholders</u></b> (All Indicators)  See Appendix A for a complete description.	MASSDE staff time
2005 - 2012	<b><u>Special Education Website</u></b> (All Indicators)  See Appendix A for a complete description.	MASSDE staff time

Timelines (FFY)	Improvement Activity	Resources
2007 - 2009	<p><b><u>Online Resources Relating to Disproportionality</u></b> (Indicators 4, 9, 10)</p> <p>MASSDE has published and posted a research on the state of disproportionality in Massachusetts. The research report examined national trends, examined Massachusetts' trends, and provided the MASSDE with a contextual framework through which it can improve its assistance to districts and students. The report can be found at <a href="http://www.doe.mass.edu/research/reports/Edbrief_final.pdf">http://www.doe.mass.edu/research/reports/Edbrief_final.pdf</a></p>	MASSDE staff time, national technical assistance providers
2007 - 2008	<p><b><u>Special Edition Online Newsletter</u></b> (All Indicators)</p> <p>See Appendix A for a complete description.</p>	MASSDE staff time
2008	<p><b><u>Technical Assistance Summer Institute Research</u></b> (Indicators 9, 10)</p> <p>MASSDE held a summer institute for Massachusetts charter schools and districts on the subject of disproportionality and understanding data relevant to it.</p>	MASSDE staff time, national technical assistance providers
2008 - 2012	<p><b><u>Procedures for Timely Verification of Correction of Noncompliance</u></b> (Indicators 9, 10, 11, 12, 13, 15, 16)</p> <p>See Appendix A for a complete description.</p>	MASSDE staff time
2008 - 2012	<p><b><u>Self-Assessment Disproportionality Tool for Districts</u></b> (Indicators 9, 10)</p> <p>See Appendix A for a complete description.</p>	MASSDE staff time, national technical assistance providers, district staff time
2009 - 2012	<p><b><u>Engage in Refining Methodology</u></b> (Indicators 9, 10)</p> <p>MASSDE will continue to develop and propose alternative methods of calculating disproportionality to better understand the data.</p>	MASSDE staff time, national technical assistance providers

Timelines (FFY)	Improvement Activity	Resources
2009 - 2012	<p><b><u>ELL Technical Assistance to Districts</u></b> (Indicators 4, 9, 10)</p> <p>The ELL Technical Assistance available to districts focuses on language and cultural diversity and understanding how these differences affect student and family relationships with authority figures, including teachers and school personnel. Also included are discussions of trauma-related concerns, especially among the refugee population, but also among other limited English students and their families who have experienced or witnessed trauma.</p>	MASSDE staff time, district staff time
2010 - 2012	<p><b><u>Input from Stakeholders</u></b> (Indicators 9, 10)</p> <p>MASSDE will hold annual conference calls with a variety of stakeholders to discuss the current disproportionality data and gain outside input.</p>	MASSDE staff time
2007 - 2008	<p><b><u>Massachusetts Online Resource Library</u></b> (Indicators 1, 2, 3, 4, 5, 6, 8, 9, 10, 13, 14)</p> <p>See Appendix A for a complete description.</p>	MASSDE staff time
2008 - 2009	<p><b><u>Revision of “Is Special Education the Right Service?”</u></b> (Indicators 3, 5, 6, 9, 10)</p> <p>See Appendix A for a complete description.</p>	MASSDE staff time
2008 - 2010	<p><b><u>ARRA Entitlement Grants</u></b> (Indicators 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14)</p> <p>See Appendix A for a complete description.</p>	MASSDE staff time