

FACT SHEET



Kansas State Performance Plan: Indicators 9 and 10: Disproportionate Representation

What are Indicators 9 and 10?

Percent of Local Education Agencies (LEAs) with disproportionate representation of racial and ethnic groups in special education and related services (Indicator 9) and of racial and ethnic groups in specific disability categories (Indicator 10) that is the result of inappropriate identification.

Important note: This is a different measurement than is used for significant disproportionality (<https://www.ksde.gov/Default.aspx?tabid=572#sigdis>), but it is very similar and intended to act as an “early warning system” for significant disproportionality. The same data source is used for the identification measurements of significant disproportionality, but the data is looked at in a different way.

What is the data source for Indicators 9 and 10?

Data is collected from the September 20th Headcount Enrollment (total enrollment of all students), and the Final December 1st Report (total enrollment of students with a disability and an IEP), located after login in the SPEDPro web application. This data is used to ensure no identified racial or ethnic group is over represented in special education, or for any specific disability. Included in this count are public school students, from 5-year-old kindergarteners through age 21, and their primary disability. This excludes students with gifted only exceptionalities. Not included in this count are students within the LEA boundaries who are placed there by a court, Department of Corrections, Department for Children and Families, or in a private facility located within the LEA boundaries by their parents.

The Kansas State Department of Education (KSDE) uses a final risk ratio calculation to determine whether a LEA has disproportionate representation. A LEA is identified as having disproportionate representation if that LEA meets the following two-year criteria for racial and ethnic groups in special education and related services.

- Year One Overrepresentation –The LEA must have:
At least 30 students of a racial and ethnic group in the LEA; At least 10 students of a racial and ethnic group in special education and related services; At least 10 students in the comparison group in special education and related services; and A final risk ratio >3.00 except for speech & language (> 4.50).
- Year Two Overrepresentation -The LEA must have:
At least 30 students of a racial and ethnic group in the LEA; At least 10 students of a racial and ethnic group in special education and related services; At least 10 students in the comparison group in special education and related services; and A final risk ratio >3.00 except for speech & language (> 4.50).

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Indicators 9 and 10

Non-compliance can result if LEA policies, practices or procedures have a discriminatory effect. KSDE responds to final risk ratios that indicate overrepresentation with the following:

- Year One: KSDE will send written notification to LEAs not meeting the final risk ratio threshold. This alerts LEAs to potential non-compliance, and provides LEAs an opportunity to review LEA data, conduct a root cause analysis, and review local policies, practices, and procedures.
- Year Two: LEA not meeting the expected final risk ratio threshold for the same calculation for two consecutive years will receive written notification from KSDE. LEAs will be required to complete a root cause analysis and the Kansas Review Tool which verifies LEA practices related to Child Find, screening and general education intervention practices.

KSDE will review the LEA's findings from the root cause analysis and the Kansas Review Tool. If there is concern about potential non-compliance, KSDE will notify the LEA and allow the opportunity for additional information to be provided. A final determination on compliance will be made by KSDE. If KSDE finds noncompliance, the LEA is required to create a corrective action plan to address the noncompliance within one year.

Where can I find the Indicator 9 and 10 data that KSDE collects and reports to the U.S. Department of Education?

The data for all Kansas State Performance Plan indicators, including data for Indicators 9 and 10, are published on the Kansas State Performance Plan-Annual Performance Report (<https://www.ksde.gov/Default.aspx?tabid=520>). State and LEA reports are located on KSDE's Data Central (https://datacentral.ksde.org/sped_rpts.aspx) (in the Equity tab of the exported spreadsheet) as well as, after login, on the Kansas APR Reports (<https://www.ksapr.org/KansasAPR/Login.aspx>).

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