

Attachment
Disproportionate Representation and Significant Disproportionality:
Requirements in IDEA 2004

Disproportionate Representation	Significant Disproportionality
<p>300.173: State must have policies and procedures designed to prevent inappropriate overidentification and disproportionate representation by race and ethnicity of children with disabilities including children with disabilities with particular impairments.</p>	
<p>300.600: State must monitor LEAs in the priority areas: Disproportionate representation of racial and ethnic groups in special education and related services to the extent the representation is the result of inappropriate identification.</p>	<p>300.646: Collect and examine data to determine if significant disproportionality based on race and ethnicity is occurring in the State and LEAs with respect to identification of children with disabilities, including children with disabilities in accordance with particular impairments, placement in particular educational settings and incidence, duration and type of disciplinary actions, including suspensions and expulsions.</p>
<p>Collect and examine data</p>	
<p>Identify LEAs with disproportionate representation, and of those, the number where the disproportionate representation is the result of inappropriate identification of children with disabilities (Indicator 9), including children with disabilities with particular impairments (Indicator 10).</p>	<p>Require LEAs with significant disproportionality to reserve 15% for EIS.</p>
<p>Identifying inappropriate identification could include a review of policies, procedures and practices related to identification of children with disabilities (Indicator 9), including children with disabilities with particular impairments (Indicator 10).</p>	<p>Review policies, procedures and practices related to: Identification of children with disabilities, including children with disabilities with particular impairments, placement in education settings and incidence and duration of disciplinary actions.</p>
<p>If disproportionality is due to inappropriate identification, require the LEA to correct the noncompliance, including revising deficient policies, procedures and practices.</p>	<p>If policies, procedures or practices are deficient, require the LEA to revise to comply with the requirements.</p>
<p>SEA must report in APR as follows: (# due to inappropriate identification)/all LEAs) and in next APR report on correction.</p>	<p>Require the LEA to publicly report on the revision of policies, procedures and practices.</p>