Disproportionate Representation in Racial/Ethnic Groups Identified with Disabilities

Special Education Indicators 9 and 10 Fact Book

October 2024

Ohio Department of Education & Workforce

What is Disproportionate Representation (Indicators 9 & 10)?

Individuals with Disabilities Education Act (IDEA) Indicators 9 and 10 are part of a set of equity measures that assess disproportionate representation of racial and ethnic groups in special education and by specific disability categories that is the result of inappropriate identification. Each indicator analyzes identification data for the following racial groups: American Indian or Alaska Native, Asian, Black or African American, Hispanic/Latino, two or more races, Native Hawaiian or Other Pacific Islander, and White. Indicator 9 assesses disproportionate representation of racial and ethnic groups in special education and related services across all disability categories. Indicator 10 assesses disproportionate representation of racial and ethnic groups in the following disability categories: Intellectual Disabilities, Specific Learning Disabilities, Emotional Disturbance, Speech or Language Impairments, Other Health Impairment-Minor, and Autism. Once analyses reveal that a district or community school has disproportionate representation, there must be a review of policies, procedures, and practices surrounding the district or community school's identification process to ensure there are not practices in place that are barriers to identification. Both indicators are compliance measures with federally required targets of 0.00 percent each year, which means the goal is that no district or community school have disproportionate representation that is the result of inappropriate identification.

Why is Disproportionate Representation Important?

Disproportionate representation (Indicators 9 and 10) aims to understand whether:
- Students are equally likely to be identified with a disability or specific disability, regardless of their race or ethnicity.
- Evaluation activities are being conducted in a nondiscriminatory manner.
- Evaluation data are carefully considered and thoroughly documented, drawing upon testing, parent input, teacher recommendations, the child's physical condition, social or culture background, adaptive behavior, and other relevant documentation.

To promote the most equitable environment for students with disabilities, it is important for districts and schools to consistently review their identification practices.

How is Disproportionate Representation Calculated?

Ohio sought stakeholder input on the number of years considered in the calculation for Indicators 9 and 10 in fall 2024. See Ohio's Special Education Methodology and Target Setting webpage for more information about the stakeholder engagement process. Table 1 summarizes each methodological component of Indicators 9 and 10, including both the previous and new methodologies, and highlights the changes in blue cells and bold font. The new methodology for Indicators 9 and 10 will be implemented for the first time with the 2024-25 Special Education Profile based on data from the two most recent consecutive years, including the 2022-23 and 2023-24 school years.

Table 1. Comparison of Ohio's new methodology for Indicators 9 and 10 to Ohio's previous methodology

Methodological Component	Ohio's Previous Methodology	Ohio's New Methodology	Ohio's Definition
Threshold	2.50	2.50	Ohio has set the state's risk ratio threshold for both indicators to 2.50. This means that districts and community schools will be identified with disproportionate representation when students in a specific racial/ethnic group are more than two and a half times as likely as their peers to be identified for special education (Indicator 9) or a specific disability (Indicator 10) for two consecutive years. A risk ratio of 1.00 means that students with disabilities within a racial/ethnic group are no more or less likely to be identified with disabilities than students of all other races.
Minimum Cell Size	10	10	Ohio uses a minimum cell size of 10. **Indicator 9** This means that for a district to be included in the analyses for Indicator 9, there must be: • At least 10 children with disabilities within the racial/ethnic group; and

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			• at least 10 children with disabilities in all other racial/ethnic groups. **Indicator 10** This means that for a district to be included in the analyses for Indicator 10, there must be: • at least 10 children with the specific disability within the racial/ethnic group; and • at least 10 children with the specific disability in all other racial/ethnic groups.
Minimum N Size	30	30	Ohio uses a minimum n-size size of 30. **Indicator 9** This means that for a district to be included in the analyses for Indicator 9, there must be: • at least 30 children within the racial/ethnic group; and • at least 30 children in all other racial/ethnic groups. **Indicator 10** This means that for a district to be included in the analyses for Indicator 10, there must be: • at least 30 children with disabilities within the racial/ethnic group; and • at least 30 children with disabilities in all other racial/ethnic groups
Alternate Risk Ratio	Yes	Yes	If the minimum cell and n sizes are not met, an alternate risk ratio is calculated. An alternate risk ratio compares the district or community school to the whole state. For example, if a district or community school's predominant racial group is White students, such that they do not enroll enough non-White students to form a comparison group, the risk for their White students is compared to the risk for all non-White students in the state.
Multiple Years of Data	3	**2**	Ohio uses two years of data to determine whether "disproportionate representation" is occurring in a district or community school. A district or community school must have a risk ratio that exceeds 2.50 for each of the years considered to have disproportionate representation as defined by Ohio.

Disproportionate representation is calculated based on the data reported by each district and community school in the Education Management Information System (EMIS). Across all categories, enrollment data are calculated based on full-time equivalency, or FTE. FTE provides a precise risk ratio calculation based on the amount of time each student was enrolled in the district during the school year. All students, ages 5 and in kindergarten through age 21, are included in the calculations for disproportionate representation. Prior to the 2022-2023 school year, all students ages 3 through 21 were included in the calculations for disproportionate representation.

Ohio calculates disproportionate representation using a risk ratio (see Figures 1-3 and Table 1). The graphics below show how to calculate the risk ratio for Black or African American students with disabilities (Indicator 9). To calculate Indicator 10, replace "disabilities" in the first and third boxes of each figure with the specific disability category, and replace "students" with "students with disabilities" in the second box of each figure.

Figure 1. Calculation step 1: The district enrollment of Black students with disabilities divided by the total district enrollment of Black students equals the district risk for Black students with disabilities.

District enrollment of Black students with disabilities (Must have at least 10 SWD) ÷ Total district enrollment of Black students (Must have at least 30 students) = District risk for Black students with disabilities

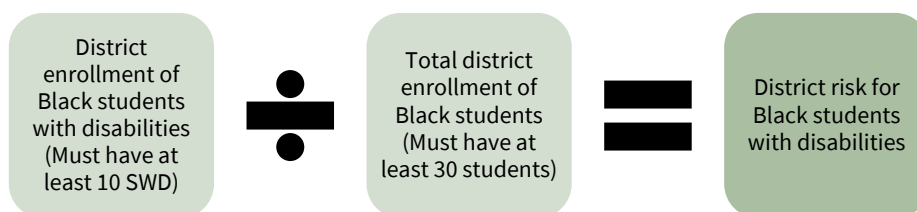Ohio Department of Education & Workforce

Figure 2. Calculation step 2: The district enrollment of non-Black students with disabilities divided by the total district enrollment of non-Black students equals the district risk for non-Black students with disabilities.
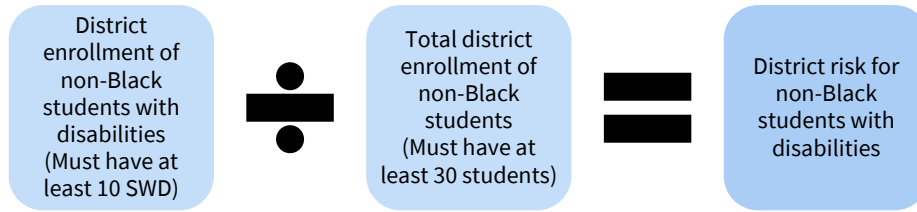

Figure 3. Calculation step 3: The district risk for Black students with disabilities divided by the district risk for non-Black students with disabilities equals the risk ratio for Black students with disabilities.
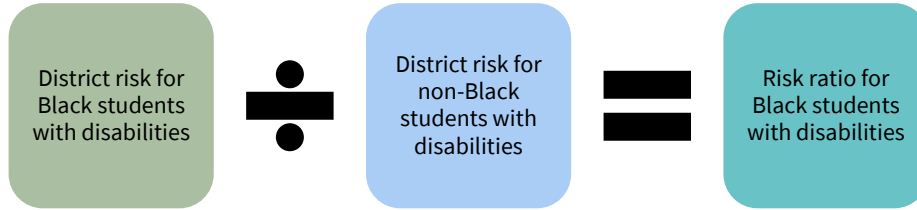

Table 2. Example of a step-by-step calculation for disproportionate representation for White students with all disabilities (Indicator 9).

Calculation	Regular Risk Ratio	21-22	22-23	Alternate Risk Ratio	21-22	22-23
A	District enrollment of White students with disabilities	32	n/a	n/a	n/a	28
B	District enrollment of White students	47	n/a	n/a	n/a	40
C = A ÷ B	District risk for White students with disabilities	68.09%	n/a	n/a	n/a	70.00%
D	District enrollment of non-White students with disabilities	25	18	State enrollment of non-White students with disabilities	n/a	88,000
E	District enrollment of non-White students	36	29	State enrollment of non-White students	n/a	540,000
F = D ÷ E	District risk for non-White students with disabilities	69.44%	<30 non-White students with disabilities enrolled	State risk for non-White students with disabilities	n/a	16.30%
G = C ÷ F	Risk ratio for White students	0.98	Alternate	Risk ratio for White students	n/a	4.30

To have disproportionate representation in Ohio, the risk ratio must be greater than 2.50 for both years considered. Using the example in Table 2, this district does not have disproportionate representation, as defined by Ohio, because their risk ratio exceeds the 2.50 threshold for only the second of the two years considered. Notably, this district did not enroll enough non-White students with disabilities to calculate a regular risk ratio and thus an alternate risk ratio was used for the 2023-24 school year which compared the district to the state.

Rationale for New Methodology

Stakeholders in favor of using two years of data noted more than two years should not be necessary before addressing disproportionate representation. Stakeholders appreciated the option to use these indicators as an early warning system for significant disproportionality.

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Stakeholders who opposed using two years of data in favor of using three years noted it is necessary to gather as much data as possible to identify trends. Stakeholders also focused on the need to educate staff on comprehensive evaluations and address staff mindset.

Few stakeholders noted their belief in meritocracy suggesting race is not an issue, while others shared a preference for lowering the risk ratio threshold and for having consistent methodology across indicators where possible. Others mentioned continued challenges with staff shortages with student engagement.

Data for Disproportionate Representation

Disproportionate representation data for the 2023-24 school year will be added to this fact book in December 2024.

Required Actions for Disproportionate Representation

Districts and community schools identified with disproportionate representation for either Indicator 9 or 10 must:

1) Review their policies, procedures, and practices and submit documentation to the Department of Education and Workforce. If noncompliance is found during this review, correct the noncompliance according to IDEA.
2) Identify and address the factors that may be contributing to the disproportionate representation.

Resources for Addressing Systemic Improvement of Disproportionate Representation

Table 3. Resources for addressing systemic improvement of disproportionate representation

Resource	Resource Description
Understanding the Differences Between Medical Diagnoses and Educational Eligibility	How a child's healthcare provider, Early Intervention Program, and a district or community school may address a child's needs differently even when using the same terminology
Cultural Responsiveness resources from The American Speech-Language-Hearing Association (ASHA)	Information on key issues and resources within the scope of speech language pathology
Implicit Bias Modules from The Kirwan Institute for the Study of Race and Ethnicity	Activity addressing possible biases staff may have between students with disabilities and students without disabilities
Understanding the Evaluation Process	Resources for families about the evaluation process: definitions, expectations, and questions to consider for districts to meet compliance
The Department's System of Tiered E-Plans and Supports (EDSTEPS)	Best practices in improvement for all districts and community schools, including a comprehensive needs assessment
Universal Support Materials	Guidance for completing the Evaluation Team Report (ETR) and Individualized Education Program (IEP)
Learning Management System (LMS)	Professional learning opportunities including *Special Education Essentials* and *Culturally Responsive Practice Program*

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