

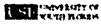


**DISPROPORTIONALITY:  
EFFECTIVE INTERVENTIONS  
WITHIN A MULTI-TIERED  
SYSTEM OF SUPPORTS**


Annual FASFEPA Conference  
Chene Eplin  
George Batsche  
May 7, 2013

## Disproportionality




- Disproportionate representation...exists when one or more groups participate in special education (suspension/expulsion, etc) at levels significantly above or below their actual representation in the general population.
- Disproportional representation is NOT synonymous with overrepresentation. Underrepresentation is included as well
- No SEA or LEA has been cited by OSEP nor sued in courts for underrepresentation

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**DISPROPORTIONALITY IS  
THE CULMINATION OF  
DECISIONS MADE ABOUT  
INDIVIDUAL STUDENTS,  
NOT GROUPS OF STUDENTS**

(RESCHLY, 2007)

## Social Consequence of Disproportionate Representation

- Disproportionate representation is a problem if individuals in a group....
  - Experience misidentification of education performance as a disability
  - Stigma from special educational categorical designations
  - Limited educational opportunities due to restricted curricular offerings
  - Limited career opportunities as a result of special education identification and placement
  - Exclusion from general education instruction due to suspension, expulsion, classroom removal
  - Exclusion or restriction from high quality educational programs such as gifted, AP, honors, extracurricular activities

### What Has NOT Worked to Reduce Disproportionality

- More stringent special education (or program specific) eligibility criteria
- “Nonbiased” assessments
- Admonishments to teachers to adopt more culturally sensitive curricula and instructional practices
- Scrutiny of the characteristics of minority children in special education
- *Special education disproportionality has only improved slightly since 1970* (Minority Special Education Disproportionality, 2007)

### Disproportionality Statistics

- **Composition:** % of students in a given category compared to total students in that category (e.g., % white students in EBD compared to total number of students in EBD)
- **Risk:** % of students in a given category divided by the total number of those students in a district
- **Relative Risk:** Comparing risk of one group to the risk of all other groups. *Relative risk is the best indicator of disproportionate representation*

### Population Statistics

**Table 1: 2006 Estimated Population  
Population Age 6-21 By Group**

Group	N	%
Am Ind	637,687	0.97
A-PI	2,766,281	4.2
Black	9,828,925	14.91
Hispanic	12,196,634	18.51
White	40,473,449	61.41
Total	65,902,976	100

### Some Statistics

**Table 4: Emotional Disturbance  
2006 Age 6-21 By Group**

Group	N	Risk	Rel Risk	Comp
Am/Ind	7,159	1.12%	1.62	1.56%
A-PI	5,128	0.19%	0.26	1.12%
Black	131,773	1.34%	2.31	28.79%
Hispanic	50,756	0.42%	0.55	11.09%
White	262,917	0.65%	0.85	57.44%
Total	457,733	0.70%		100.00%

### What Constitutes Disproportionality?

- Federal law does not require exactly equal representation
- All groups recognized in the US are differentially represented across a wide range of categories (e.g., diagnoses, occupations)
- The language of IDEIA (2004) indicates *significant disproportionality*.

### Example

- 24% of the 9<sup>th</sup> grade population in Florida is Black
- 39% of the 9<sup>th</sup> grade students suspended are Black

### Some Factors to Consider


- The level of failure in general education to prompt a teacher referral appears to be greater, not less, for minority than majority students
- Students referred have greater needs and therefore require greater attention
- Disproportionate representation occurs most frequently in the high incident special education categories (IND, EBD, SLD) and in behavior consequences

### Strategies to Reduce Disproportionate Representation

- *Prevention in early grades is essential.*
  - Students below proficiency in reading leaving 3<sup>rd</sup> grade are unlikely to read well by age 18, successfully complete challenging course work in high school, access and successfully complete postsecondary education and acquire employment that will support a family (Dunn and Oates, 2002)
  - Reading failure in 3<sup>rd</sup> grade presents a greater risk to successful high school completion than living in poverty (Hernandez, 2011)
  - Substantial evidence exists with regard to BOTH behavior and achievement that early identification and intervention is more effective than later identification and intervention (NRC Panel)

### Strategies to Reduce Disproportionate Representation

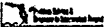

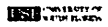
- *Academic and Behavior problems can be identified in early grades when they are less severe and more amenable to successful intervention*
  - Universal screening
  - Early intervention
- *Application of evidence-based practices in a multi-tiered system of supports that emphasizes prevention and early identification*
- *Use of Early Warning Systems at Middle and High School Levels are essential*



Florida's  
**MTSS**

*A Multi-Tiered  
System of Supports*

## MULTI-TIERED SYSTEM OF SUPPORTS

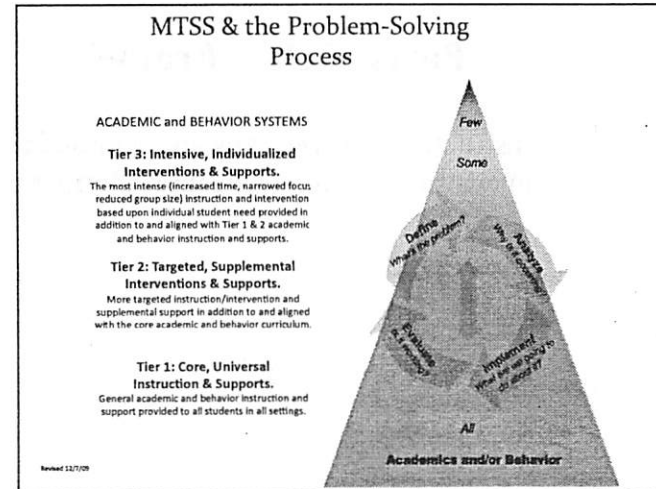
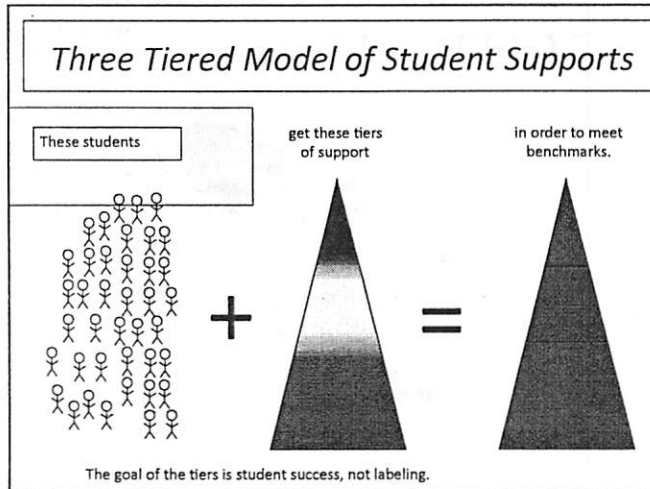





### Response to Intervention

- **RtI is the practice of (1) providing high-quality instruction/intervention matched to student needs and (2) using learning rate over time and level of performance to (3) make important educational decisions.**  
(Batsche, et al., 2005)
- **Problem-solving is the process that is used to develop effective instruction/interventions.**




### MTSS

- **A Multi-Tiered System of Supports (MTSS) is a term used to describe an evidence-based model of schooling that uses data-based problem-solving to integrate academic and behavioral instruction and intervention.**
- **The integrated instruction and intervention is delivered to students in varying intensities (multiple tiers) based on student need.**
- **"Need-driven" decision-making seeks to ensure that district resources reach the appropriate students (schools) at the appropriate levels to accelerate the performance of ALL students to achieve and/or exceed proficiency .**



Florida's **MTSS**  | A Multi-Tiered System of Supports

## IT'S A FRAME, NOT A BOX

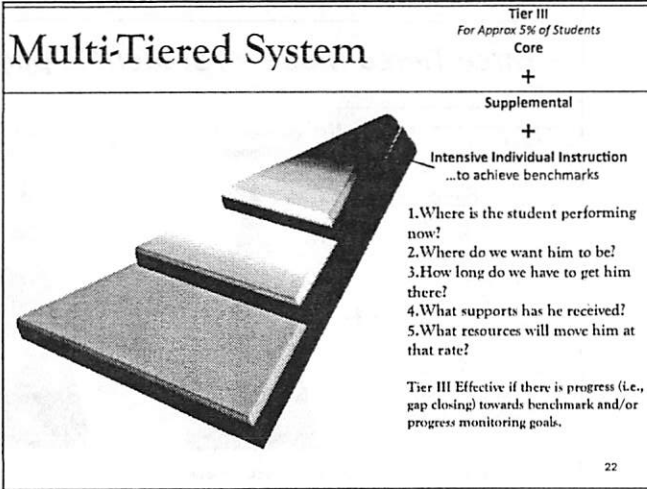
  

- ### Parts of the “Frame”
- 3 Tiers of service delivery into which all academic and behavioral instruction/intervention “fit.”
    - Content is not been defined by the model
  - Use and regular review of data to ensure students are responding to the tiered instructional delivery.

## Parts of the “Frame”

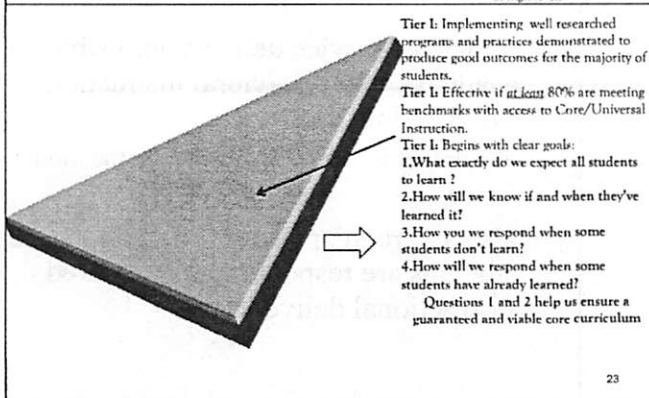
- Instruction/interventions are modified and intensified based on student performance data
- Instruction is integrated and systematically planned across the tiers

## Multi-Tiered System



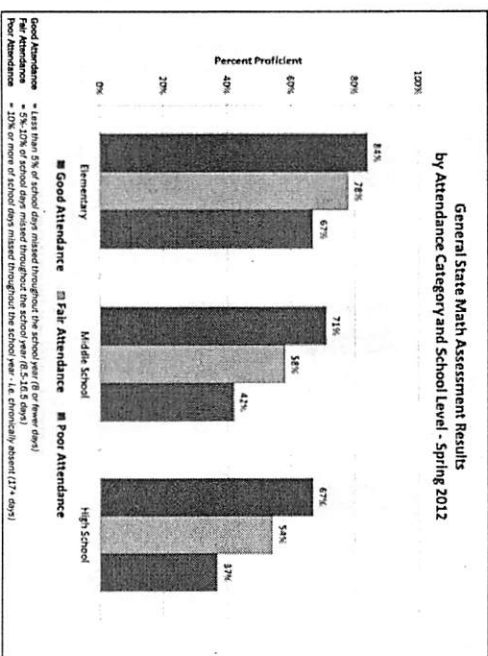
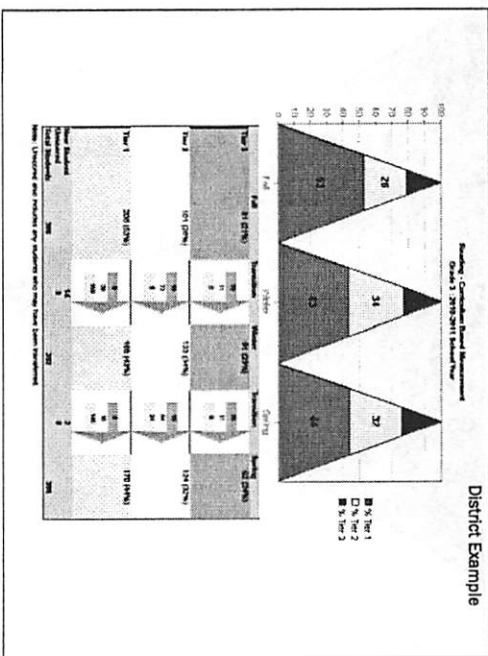
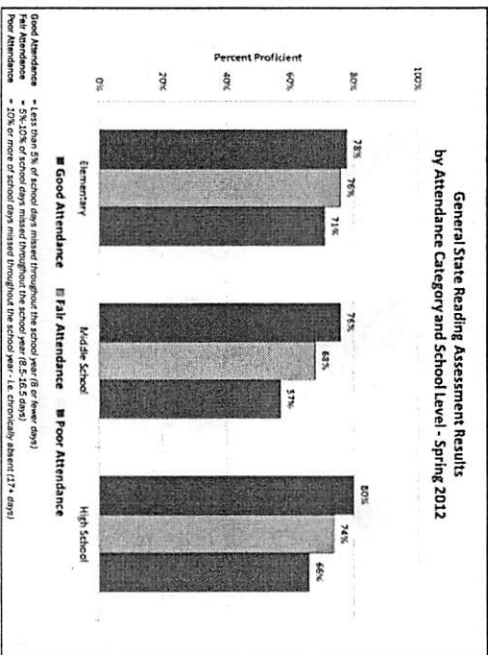
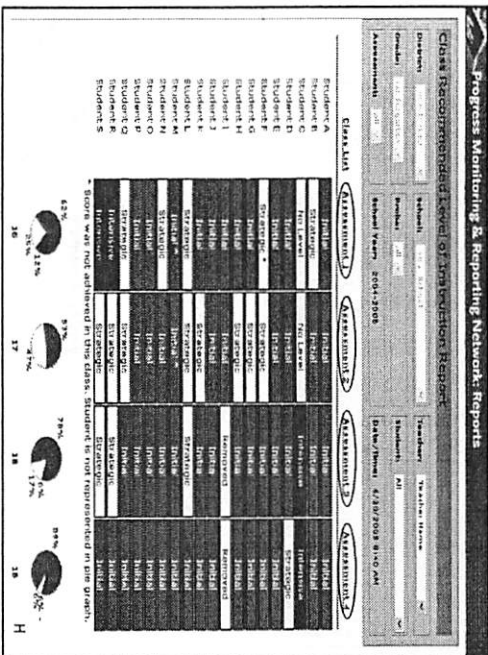
## TIER I: Core, Universal Academic and Behavior

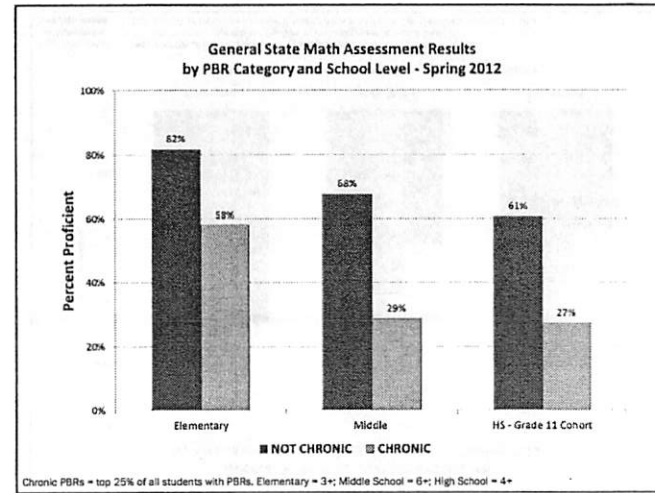
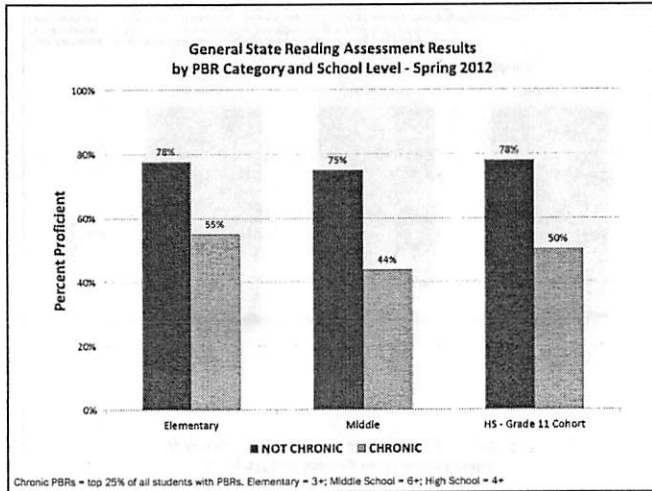
GOAL: 100% of students achieve at high levels




## Sources of Data

- Academic performance
  - Discipline data- Office discipline referrals (ODR)
  - Records
  - Referral history
  - Observation-Student Engagement Behaviors
  - PBS benchmark assessment
  - School climate surveys
  - Attendance data
- 24









 A Multi-Tiered System of Supports

## EARLY WARNING SYSTEMS

[WWW.BETTERHIGHSCHOOLS.ORG](http://WWW.BETTERHIGHSCHOOLS.ORG)

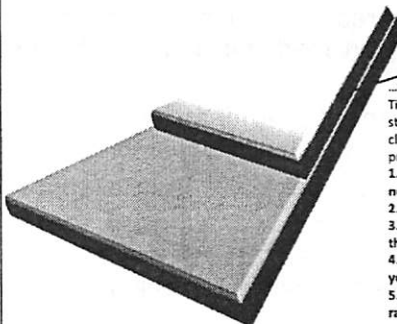




<b>Example: Credits Earned</b> 1 <sup>st</sup> Semester 09-10 < 3 Credits 08-09 < 9 Credits 07-08 < 15 Credits 06-07 < 21 Credits	<p><b>Extreme Off Track</b>                  6+ Years Behind                  No chance for graduation in a traditional school setting                  Disengagement</p> <p><b>High Off Track</b>                  Lacking 2 or more graduation requirements                  Behind 4 or more Credits                  Currently failing 3 or more classes                  Excessive Referrals and/or Absences</p> <p><b>Off Track</b>                  Lacking 2 graduation requirements                  Behind 1-3 Credits                  10% Absences                  3 or less Level 2 referrals or 2 Level 3 Referrals                  9<sup>th</sup> graders identified "at high risk" (3 F's in 8<sup>th</sup> grade)</p> <p><b>At Risk for Off Track</b>                  Lacking 1 of 3 Graduation requirements                  &lt; 5% Absences                  3 or less Level 1 or 2 referrals</p> <p><b>On Track</b>                  Exceeding or Meeting all graduation requirements (Credits, FEAT Score, GPA)                  6 or less Absences                  No referrals</p> <p style="text-align: right;">Pasco County Schools</p>
--	---



**TIER II: Supplemental, Targeted**

Tier II  
For approx. 20% of students  
Core  
+  
Supplemental  
...to achieve benchmarks



Tier II Effective if at least 70-80% of students improve performance (i.e., gap is closing towards benchmark and/or progress monitoring standards).

1. Where are the students performing now?
2. Where do we want them to be?
3. How long do we have to get them there?
4. How much do they have to grow per year/monthly to get there?
5. What resources will move them at that rate?

33

**Critical Questions/Issues  
Tier 2**

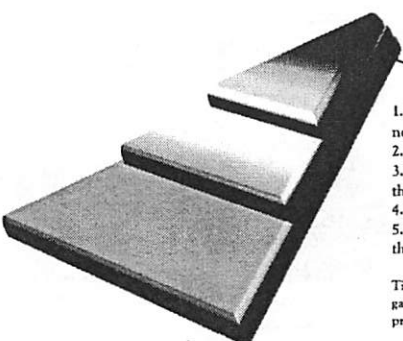
- Purpose and expectation of Tier 2 services should be explicit and understood by providers:
  - Increase performance of students relative to Tier 1 standards
  - Link curriculum content and strategies with Tier 1
  - Assess against Tier 1 expectations
  - 70% of students receiving Tier 2 should attain proficiency.

**3 Fs + 1 S + Data + PD = Effective & Powerful Instruction**

- Frequency and duration of meeting in small groups – every day, etc.
- Focus of instruction (*the What*) – work in vocabulary, phonics, comprehension, etc.
- Format of lesson (*the How*) – determining the lesson structure and the level of scaffolding, modeling, explicitness, etc.
- Size of instructional group – 3, 6, or 8 students, etc.
- Use data to help determine the 3 Fs and 1 S (*the Why*)
- Provide professional development in the use of data and in the 3 Fs and 1 S

**TIER III:  
Intensive, Individualized**

Tier III  
For Approx 5% of Students  
Core  
+  
Supplemental  
+  
Intensive Individual Instruction  
...to achieve benchmarks



1. Where is the student performing now?
2. Where do we want him to be?
3. How long do we have to get him there?
4. What supports has he received?
5. What resources will move him at that rate?

Tier III Effective if there is progress (i.e., gap closing) towards benchmark and/or progress monitoring goals.

36

### Characteristics of Intensive Interventions:

#### Tier 3

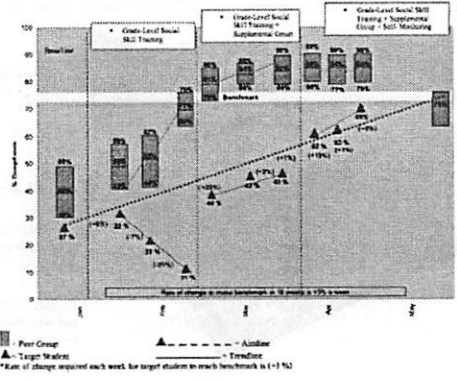
More powerful instruction involves:

- More instructional time
  - Smaller instructional groups
  - More precisely targeted at right level
  - Clearer and more detailed explanations
  - More systematic instructional sequences
  - More extensive opportunities for guided practice
  - More opportunities for error correction and feedback
- } resources
- } skill

### Characteristics of Specially Designed Instruction

- Focus is to reduce or eliminate the impact of a disability on academic and/or behavioral progress
- Designed specifically for an individual student following individual problem-solving
- Could be implemented in Tiers 1, 2 and/or 3
- Examples include: text to speech, unique teaching strategies to teach a skill or alternatives to a skill, feedback protocols


Tier I (Universal) and Tier II (Supplemental) Interventions



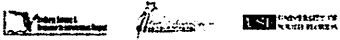
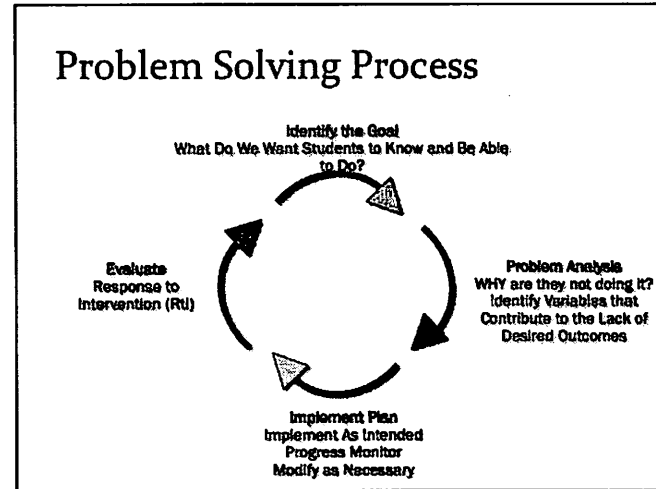
Intervention Effectiveness

Race/Ethnicity	Number of Students	Number Referred for Intervention	Number Referred for Evaluation	Intervention Effectiveness	Risk of Intervention
White	430	60	15	75%	13.05%
Black	250	48	32	33%	19.20%
Hispanic	210	10	5	50%	4.76%
Multiracial				#DIV/0!	
Asian/Pacific Islander				#DIV/0!	
American Indian/Alaskan Native				#DIV/0!	
<b>TOTAL</b>	<b>890</b>	<b>118</b>	<b>52</b>	<b>56%</b>	<b>13.26%</b>

District/School:


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## DATA-BASED PROBLEM-SOLVING PROCESS

- ### Steps in the Problem-Solving Process
1. **Problem Identification**
    - Identify replacement behavior
    - Data- current level of performance
    - Data- benchmark level(s)
    - Data- peer performance
    - Data- GAP analysis
  2. **Problem Analysis**
    - Develop hypotheses (brainstorming)
    - Develop predictions/assessment
  3. **Intervention Development**
    - Develop interventions in those areas for which data are available and hypotheses verified
    - Proximal/Distal
    - Implementation support
  4. **Response to Intervention (RTI)**
    - Frequently collected data
    - Type of Response- good, questionable, poor

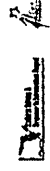
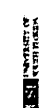
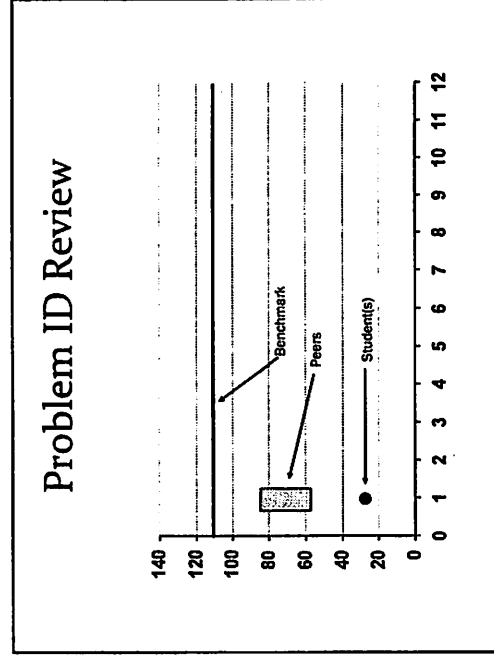
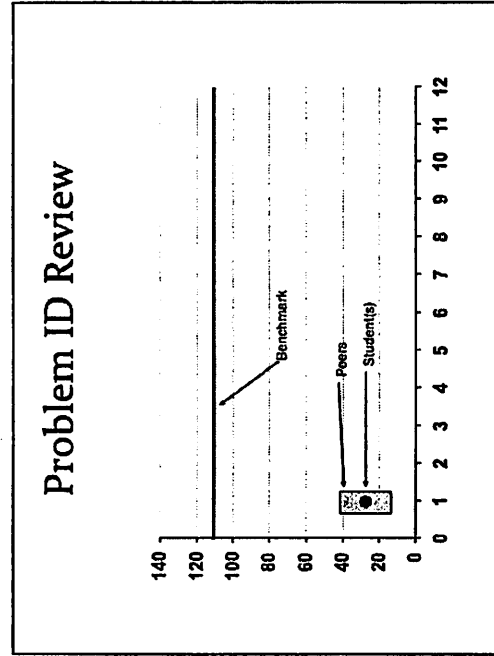
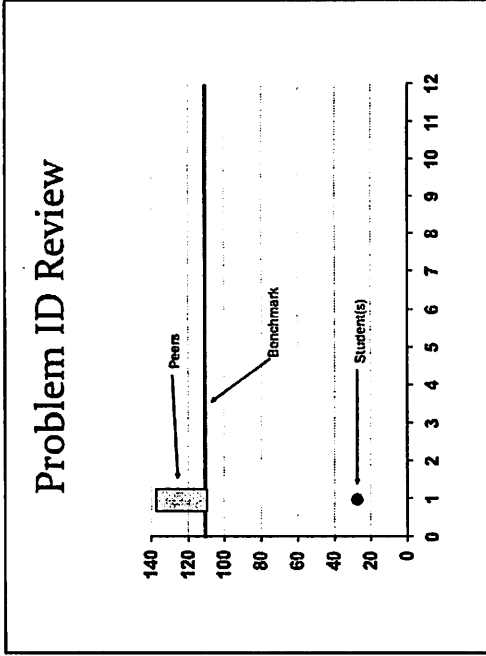
- ### REPLACEMENT BEHAVIORS
- State your goal and/or *desired* behaviors
    - Academics
      - State approved grade-level benchmarks
      - Desired engagement behaviors
    - Entire school (e.g., % students at proficiency)
    - Groups of students (e.g., reading fluency)
    - Individual students (e.g., attendance, work productivity).
  - Behavior should reflect competencies to improve *adaptation*
  - Behavior must be measurable, observable or reportable




Florida's  
**MTSS**




A Multi-Tiered  
System of Supports

**REPLACEMENT BEHAVIORS  
ARE THOSE BEHAVIORS THAT,  
WHEN PRESENT, REDUCE RISK  
FOR NEGATIVE OUTCOMES**

 *A Multi-Tiered System of Supports*

**PROBLEM ANALYSIS:  
WHY THE DESIRED  
REPLACEMENT BEHAVIORS  
ARE NOT OCCURRING**

**Hypothesis / Prediction Statement**

Students are being suspended disproportionately for basic “inappropriate” behaviors such as tardiness, attendance, disrespect, poor productivity because.....

If \_\_\_\_\_ would occur, the the desired behavior would occur.

**Intervention Development**

- Criteria for “Appropriate” and “Effective” Interventions:
  - Evidence-based
    - Type of Problem
    - Population
    - Setting
    - Levels of Support

**Intervention Development**

- Verified Hypothesis
  - Students who have attendance/tardy issues are performing significantly lower than students who attend regularly and are seldom tardy.
  - Intervention?

## Intervention Development

- Verified Hypothesis
  - Students who are completing less than 75% of their work are progressing below benchmark expectations and receive ½ of the teacher feedback as students completing 75% or more of their work.
  - Intervention?

## Intervention Support Meeting Activities

- Review student performance data
- Identify barriers to successful implementation of the instruction/intervention
  - Problem-solve barriers
- Review critical components of the instruction/intervention



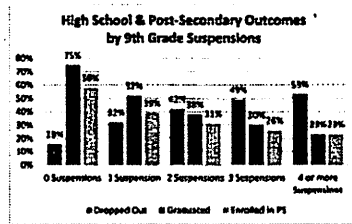
## EXAMPLES AND PRACTICE



## FIRST, LET'S LOOK AT SOME DATA



Figure 1 – High School and Post-Secondary Outcomes by Number of 9<sup>th</sup> Grade Suspensions

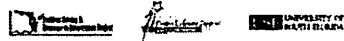


## Impact

- For students with at least 1 suspension, 40% of their absences were attributed to days suspended
- For 20% of students suspended, finding alternatives to suspension *alone* would make a significant improvement in graduation rates and post-secondary outcomes
- Academic engaged time should be preserved as a top priority



LET'S PROBLEM-SOLVE



## Steps in the Problem-Solving Process

1. **Problem Identification**
  - Identify replacement behavior
  - Data- current level of performance
  - Data- benchmark level(s)
  - Data- peer performance
  - Data- GAP analysis
2. **Problem Analysis**
  - Develop hypotheses (brainstorming)
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  - Proximal/Distal
  - Implementation support
4. **Response to Intervention (RtI)**
  - Frequently collected data
  - Type of Response- good, questionable, poor

## Problem Identification

- Replacement Behavior:
  - Increase percent of days attending on-time
- Current Level of Performance
  - 85% (39% drop out, 44% graduation rate)
- Desired Level of Performance
  - 95% (11% drop out, 81% graduation rate)
- Peer Performance
  - Same demographic
- Gap
  - 10% (18 days across year, 4.5 days/quarter or ½ day/week)

## Problem Analysis:

Student's attendance is not at 95% because....

- Think about the relationship between attendance, behavior, course success, family/community factors, etc.
- Domains:
  - Student
  - Teacher
  - Curriculum
  - Peers
  - School/classroom
  - Family/Community

## What Data Do We Need?

- Student is not attending 95% because.....
  - Student lacks academic skills to complete work successfully (DATA?)
  - Peer group give rejects students who are successful (DATA?)
  - Student lacks "caring/mentoring adult" to support school success (DATA?)

## Verifying Hypotheses

- Students who have good attendance have a connection with at least 1 adult in the school setting
- Students who have good attendance have greater work productivity than those with poor attendance
- Student who have good attendance have some peers who are successful in school



## Interventions

- **Adult Mentor**
  - Check and Connect (new SPDG emphasis)
- **Focus academic support on first period class or first class of the day where student is experiencing failure**
- **Interventions should be intensive**

# **Problem-Solving Worksheet**

- I. Problem Identification:**
  - a. Replacement Behavior**
  - b. Current Level of Performance**
  - c. Desired Level of Performance**
  - d. Peer Performance**
  - e. GAP**
  
- II. Problem Analysis**
  - a. Student**
  - b. Curriculum**
  - c. Peers**
  - d. Teacher**
  - e. School/Classroom**

**f. Home/Community**

**III. Intervention**

**a. Evidence-Based Strategy**

**b. How often?**

**c. By Whom?**

**d. Where?**

**e. Data to be Collected?**

**IV. Response to Intervention**

**a. Follow-up date?**

**b. Rate of Progress per (week, month, etc)**

**c. Target level of performance by follow-up date?**

**d. Intervention decision**