

**STUDY ON THE DISPROPORTIONATE IDENTIFICATION OF AFRICAN-AMERICAN  
STUDENTS AS ED IN LAUSD – YEAR FOUR**

*Office of the Independent Monitor*  
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## **Introduction**

This report presents the fourth year findings of the study on the disproportionate identification of African-American students as emotionally disturbed (ED) in the Los Angeles Unified School District (District). The study measures the District's performance on Outcome 18: Disproportionality. The results of the 2006-2007 school year study will be used by the Independent Monitor (IM) as the basis for determining whether the District has met the performance levels of Outcome 18 as mandated by the Modified Consent Decree (MCD).

The report will also highlight some areas of progress from the 2005-2006 year three study to highlight the strengths and weaknesses of the District's performance from year three and four. Finally, recommendations are provided.

*Outcome 18: To reduce overrepresentation of African-American students as emotionally disturbed, the District must demonstrate evidence that 90% of students identified as emotionally disturbed had a comprehensive evaluation as defined by the Independent Monitor and consideration for placement in the least restrictive environment as determined by the Independent Monitor during an initial or triennial evaluation.*

Extensive discussion on the background of Outcome 18, the development of the criteria for determining a comprehensive evaluation, and the methodology used to monitor the District's progress has been well documented.

## **Study on the Disproportionate Identification of African-Americans as Emotionally Disturbed In LAUSD – Year Four (2006-2007)**

This study was a continuation of the year three study. The results of the year four study are to be used by the IM to determine whether the District has met the performance levels of Outcome 18, as outlined in the MCD. In order to meet the outcome, the District must demonstrate evidence that 90% of African American students identified as emotionally disturbed had a comprehensive evaluation during an initial or comprehensive re-evaluation as defined by the IM. Although this outcome focuses primarily on the provision of comprehensive evaluations for African American students, the nature of disproportionality and the outcome requires that data also be collected and included in the analyses for students in the White and Latino race/ethnicity groups. This ensures that the procedural due process rights of all students identified as ED are protected as well as limiting any unintended consequences<sup>1</sup>.

To reduce errors in the district's database, multiple modes of communication were employed with District representatives to clarify the three categories for students that had received a comprehensive evaluation. Data collection for year three began July 15, 2006 and concluded June 30, 2007 and yielded a total of 597 valid observations.

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<sup>1</sup> Disproportionality could be reduced by the increase in identification rates of students in other ethnic/racial categories.

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## Methodology

- Sample Design
  - All initial evaluations and a sample of all comprehensive re-evaluations for ED of African-American students
  - All initial evaluations for ED of White students
  - Sample of all re-evaluations for White students
  - Sample of all initial evaluations and re-evaluations for all other racial/ethnic groups: Latino, and Other
  - Sample was drawn by the American Institutes of Research (AIR) on a monthly basis from a database provided by the District
- Elements of the file review
  - Pre-referral and referral interventions: Evidence of a pre-referral intervention meeting and follow-up meeting with parent participation, evidence of participation in a behavior support program, documentation of behavioral and academic concerns
  - Assessment: Health, Cognitive/General abilities, Social-Emotional, Academic, Behavioral
  - Eligibility determination: Eligibility statement as per IDEA regulations, considerations of exclusionary criteria, and justification of co-morbid disabilities
  - IEP Team considerations of supports upon ED identification: Consideration of a behavior support plan, consideration of placement in the least restrictive environment, and consideration for counseling and/or referral to mental health agencies
- Data Collection and Analysis
  - Demographic and IEP information for all students identified as ED were uploaded from the District database and verified for accuracy on a monthly basis
  - Comprehensive reviews of cumulative files and IEPs were conducted at schools by trained research assistants. Inter-rater reliability established through multiple reviews by different raters
  - Data was entered into a database and sent to AIR for statistical analysis

### *Sample Design*

The study included all initial evaluations and a sample of re-evaluations of African American students identified as ED. In addition, a change in sampling methodology was made during the 2005-2006 study to include all initial evaluations of White students to ensure sufficient sample size for comparisons. The sample was drawn from a database provided by the District of all students that received a comprehensive evaluation for an ED identification. This database was provided on a monthly basis and sent to AIR for sample selection. During the 2006-2007 school

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year, the drawn sample included a total of 623 students. However, due to errors in the database such as duplicates the sample consisted of 612 students. Tables 1, 2 and 3 present the descriptions of the sample by race/ethnicity, local district and school level.

Table 1: ED Sample by Race/Ethnicity

<b>Race/Ethnicity</b>	<b>Number</b>	<b>Percent</b>
African American	196	31.5%
Latino	268	43.0%
White	145	23.3%
Other	14	2.2%
<b>Total</b>	<b>623</b>	<b>100%</b>

Table 2: ED Sample by Local District

<b>District</b>	<b>Number</b>	<b>Percent</b>
1	56	9.0%
2	36	5.8%
3	48	7.7%
4	40	6.4%
5	42	6.7%
6	12	1.9%
7	32	5.1%
8	28	4.5%
NPS	304	48.8%
Other*	11	1.8%
Charter	14	2.2%
<b>Total</b>	<b>623</b>	<b>100%</b>

\* Includes support units or continuation schools

Table 3: ED Sample by School Level

<b>School Level</b>	<b>Number</b>	<b>Percent</b>
Elementary/ preschool/early ed	91	14.6%
Middle School	115	18.5%
High School	95	15.2%
Special Centers	7	1.1%
NPS	306	49.1%
Other	9	1.4%
<b>Total</b>	<b>623</b>	<b>100%</b>

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### *Elements of the File Review*

The elements specified for determining a comprehensive evaluation remained the same from year three. For initials, information was collected on the referring party, or if there was evidence of a parent or agency (License Children’s Institution, DCFS) requesting the evaluation. This was done to ensure that parent and student rights’ were protected and considered the limitations schools may be under to fulfill the pre-requisite requirements. If evidence of a parent or agency request was found within the IEP or student documentation, all elements of the pre-referral section were considered met. For re-evaluations, information was collected from the previous IEP to determine if IEP teams had determined that a comprehensive re-evaluation was necessary for establishing eligibility. If a team determined that a comprehensive re-evaluation was not necessary, the elements within the assessment section were considered met.

### *Data Collection and Entry*

The procedures for data collection were similar to those of the year three study and consisted of a file review of cumulative records and IEP files, and sought to determine if the identification and placement process was appropriate for African American students identified as ED. Using the criteria defined above, an instrument (see Attachment A) was developed to capture the four areas within the identification process: pre-referral and referral interventions, assessment, determination of ED eligibility, and IEP team recommendations upon eligibility. The instrument was modified to facilitate data collection for the three assessment types: students newly identified as ED; students newly identified as ED that were previously receiving services under another eligibility; and, students currently receiving services as ED that had received a comprehensive re-evaluation.

Data collection was conducted by the OIM and a group of graduate research assistants. The research assistants participated in 16 hours of training, including conducting full cumulative file and IEP folder reviews. In addition, research assistants were supervised by the OIM. To ensure reliable data, copies of the IEPs were obtained and all reviews were subject to a second review. This means that all files were selected to be reviewed by two different reviewers and checked for accuracy by comparing for discrepancies.

To verify the accuracy of the District’s database, a data cover sheet (see Attachment B) was developed by uploading information from the District’s database regarding demographic and IEP information such as: race/ethnicity; gender, birth date, IEP type (initial, eligibility change, and re-evaluation), IEP date, and the location of the cumulative and IEP folder. Discrepancies found were recorded on the data cover sheet.

A total of 623 file reviews were completed and entered into a database developed by the OIM. The data was separated into three categories for analyses:

1. Students with valid data
2. Students with no valid data
3. Students found not eligible as emotionally disturbed or exited from special education

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*Data Analysis*

The database was provided to AIR for analyses to measure levels of compliance with the outcome and to determine if any statistical differences occurred between racial/ethnic groups. The sample used for analyses removed those students whose data could not be obtained, students that had been found not eligible as ED or exited from special education, and those students from “other”<sup>2</sup> racial/ethnic groups. Tables 4, 5, and 6 describe the sample of students with valid data included in the analyses by race/ethnicity, local district and school level.

Eleven students were considered invalid due to student mobility, student no longer eligible as ED, inability to find student records, and errors in the database of IEP type as students had a different IEP type such as annual reviews. The sample of valid observations consisted of 191 African American, 262 Latino, 145 White, and 14 other race/ethnicity students throughout LAUSD. Tables 4, 5, and 6 demonstrate the sample descriptions by race/ethnicity, local district, and school level. As mentioned above, for the purpose of reporting and comparisons between groups, students in the other race/ethnicity group were removed from the final analysis.

Table 4: ED Analyzed Sample by Race/Ethnicity

<b>Race/Ethnicity</b>	<b>Number</b>	<b>Percent</b>
African American	191	31.2%
Latino	262	42.8%
White	145	23.7%
Other	14	2.3%
<b>Total</b>	<b>612</b>	<b>100%</b>

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<sup>2</sup> “Other” students were removed from the analysis due to the small size of the sample

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Table 5: ED Analyzed Sample by Local District

<b>District</b>	<b>Number</b>	<b>Percent</b>
1	54	8.8%
2	36	5.9%
3	47	7.7%
4	38	6.2%
5	42	6.9%
6	12	2.0%
7	31	5.1%
8	27	4.4%
NPS	301	49.2%
Other	10	1.6%
Charter	14	2.3%
<b>Total</b>	<b>612</b>	<b>100%</b>

Table 6: ED Analyzed Sample by School Level

<b>School Level</b>	<b>Number</b>	<b>Percent</b>
Elementary/ Preschool/Early Ed	89	14.5%
Middle School	112	18.3%
High School	93	15.2%
Special Centers	7	1.1%
NPS	303	49.5%
Missing	8	1.3%
<b>Total</b>	<b>612</b>	<b>100%</b>

**Findings**

The findings are disaggregated by race/ethnicity. For the purpose of the year four analysis, findings are presented for all students identified as ED, regardless of the IEP type with one exception. Pre-referral and referral interventions findings are disaggregated by IEP type due to the differences of individual requirements, however, the findings are combined to present overall findings to determine compliance with the criteria.

*Met all of the Criteria – All Students*

The basis of the outcome is that 90% of African-American students identified as ED shall meet all of the requirements of a comprehensive evaluation as defined by the Independent Monitor. During the 2006-2007 school year 50.5% of African American students met this criteria. This

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continues to fall short of the 90% criteria established by Outcome 18. The results indicate that for all students identified as ED, approximately 53% met the criteria. Although the number of students meeting the entire criteria continues to be below the target, improvements are noted from year three where only 25% of African American students and 30% of all other students met the criteria. Table 7 demonstrates the overall number of students that met all of the criteria, by race/ethnicity.

Table 7: Number and Percent of Students that Met Criteria, by Race/Ethnicity

<b>Number and Percent Met Criteria</b>	<b>African American</b>	<b>Latino</b>	<b>White</b>	<b>Total</b>
Total Observations	190	262	145	597
Number of students meeting criteria	96	145	75	316
<b>Percentage meeting criteria</b>	<b>50.5%</b>	<b>55.3%</b>	<b>51.7%</b>	<b>52.9%</b>

*Pre-referral and Referral Interventions – Initials and Change of Eligibility*

Overall, the study found low rates of occurrence for elements within the pre-referral and referral interventions, as only 57% of all students met all of the requirements of this criteria (Table 8). For African American students, approximately 64% met the criteria. In addition, African American students demonstrated higher rates of compliance for all pre-referral and referral interventions than Latino and White students.

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Table 8: Pre-referral and Referral Interventions – Initials

<b>Number of students with Initial IEPs in analysis, by Race/Ethnicity</b>	<b>African American N=36</b>		<b>Latino N=62</b>		<b>White N=32</b>		<b>Total N=130</b>	
	n	%	n	%	n	%	n	%
Initial pre-referral intervention meeting.	31	86.1%	49	79.0%	23	71.9%	103	79.2%
Follow-up pre-referral intervention meeting.	23	63.9%	39	62.9%	17	53.1%	79	60.8%
Parent participation at the pre-referral intervention meeting.	31	86.1%	45	72.6%	18	56.3%	94	72.3%
Documentation of other factors	28	77.8%	40	64.5%	20	62.5%	88	67.7%
Documentation of behavioral/academic concerns	31	86.1%	48	77.4%	22	68.8%	101	77.7%
Supports such as: non-DIS counseling, behavior plan, and/or school-wide discipline program.	33	91.7%	54	87.1%	29	90.6%	116	89.2%
Assessment plan	30	83.3%	44	71.0%	23	71.9%	97	74.6%
<b>Number and percentage of students meeting criteria</b>	<b>23</b>	<b>63.9%</b>	<b>35</b>	<b>56.5%</b>	<b>17</b>	<b>53.1%</b>	<b>75</b>	<b>57.7%</b>

*Pre-referral and Referral Interventions – Change of Eligibility*

The results (Table 9) indicate that IEP teams are not providing the appropriate supports available within the child’s pre-existing IEP before determining a change in eligibility to ED. For instance, one may expect that if a child already receiving special education services begins to experience behavioral difficulties, IEP teams would first attempt to intervene by providing a behavior support plan, counseling and classroom accommodations and modifications. The results indicate that only 66% of all students received the appropriate interventions prior to being identified as ED. For African American students, 75% demonstrated evidence of supports and interventions prior to a change of eligibility to ED.



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Table 9: Pre-referral and Referral Interventions – Change of Eligibility

<b>Number of students with Eligibility Change in analysis, by Race/Ethnicity</b>	<b>African American N=36</b>		<b>Latino N=44</b>		<b>White N=35</b>		<b>Total N=115</b>	
	n	%	n	%	n	%	n	%
Behavior Support Plan	33	91.7%	28	63.6%	27	77.1%	88	76.5%
Academic modifications and accommodations	33	91.7%	39	88.6%	33	94.3%	105	91.3%
Consideration for counseling services and/or referrals to school-wide discipline programs	28	77.8%	32	72.7%	28	80.0%	88	76.5%
Assessment plan	32	88.9%	37	84.1%	34	97.1%	103	89.6%
<b>Number and percentage of students meeting criteria</b>	<b>27</b>	<b>75.0%</b>	<b>26</b>	<b>59.1%</b>	<b>23</b>	<b>65.7%</b>	<b>76</b>	<b>66.1%</b>

*Assessment – All Students*

The results indicate that the majority of students received formal academic (98.5%), social emotional (98.3%) and behavioral (99.0%) evaluations; while health evaluations (92.1%) occurred with less frequency (see Table 10). Overall, it is noted that 89.4% of all students in the sample met the criteria for a complete multidisciplinary assessment. This is an improvement from year three which found approximately 75% of all students received a comprehensive multidisciplinary assessment.

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Table 10: Assessment – All Students

	<b>African American N=190</b>		<b>Hispanic N=262</b>		<b>White N=145</b>		<b>Total N=597</b>	
	n	%	n	%	n	%	n	%
Health assessment	175	92.1%	245	93.5%	130	89.7%	550	92.1%
Formal academic assessment	186	97.9%	260	99.2%	142	97.9%	588	98.5%
Cognitive or general ability assessment	182	95.8%	254	96.9%	133	91.7%	569	95.3%
Multi-disciplinary social-emotional evaluation	188	98.9%	256	97.7%	143	98.6%	587	98.3%
Comprehensive behavioral evaluation.	188	98.9%	261	99.6%	142	97.9%	591	99.0%
<b>Number and percentage of students meeting criteria</b>	<b>172</b>	<b>90.5%</b>	<b>239</b>	<b>91.2%</b>	<b>123</b>	<b>84.8%</b>	<b>534</b>	<b>89.4%</b>

*Determination of ED Eligibility – All Students*

The results indicate that approximately 97.7% of all students demonstrated evidence of an eligibility (Table 11). Additionally, about 97.5% of students had evidence of a statement considering exclusionary factors that may exclude a child from being ED, such as whether behaviors were a result of environmental stress or due to a social maladjustment. The study found 94.3% of all students met the criteria for this section. This is an improvement from year three which found approximately 58.0% of all students met this criteria.

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Table 11: Determination of ED Eligibility – All students

<b>Determination of ED Eligibility</b>	<b>African American N=190</b>		<b>Latino N=262</b>		<b>White N=145</b>		<b>Total N=597</b>	
	n	%	n	%	n	%	n	%
Comprehensive ED eligibility statement	185	97.4%	258	98.5%	140	96.6%	583	97.7%
Consideration of exclusionary criteria and other relevant factors	184	96.8%	259	98.9%	139	95.9%	582	97.5%
Justification of co-morbid disabilities	184	96.8%	257	98.1%	136	93.8%	577	96.6%
<b>Number and percentage of students meeting criteria</b>	<b>179</b>	<b>94.2%</b>	<b>253</b>	<b>96.6%</b>	<b>131</b>	<b>90.3%</b>	<b>563</b>	<b>94.3%</b>

*IEP Team Recommendations – All Students*

The results indicate that IEP teams were considering supports upon identification such as behavior support plans (98.3%) and counseling (97.5%) with high frequency for all students identified as ED (Table 12). Parent attendance at the IEP meeting where the identification and placement of their child was discussed occurred with the least frequency (79.9%) and appears to be a primary reason for the overall low compliance within this section for all students.

The outcome requires that IEP teams demonstrate consideration of placement in the LRE. Consideration of placement in the LRE is not synonymous to placement in the LRE such as a general education setting. This item is considered met if IEP teams document that different placement options were considered, regardless of the final placement decision. Overall, IEP teams were considering placement in the LRE for the majority of students (96.3%).

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Table 12: IEP Team Recommendations – All Students

IEP Team Recommendations	African American N=190		Latino N=262		White N=145		Total N=597	
	n	%	n	%	n	%	n	%
Consideration of a behavior support plan (BSP)	186	97.9%	260	99.2%	141	97.2%	587	98.3%
IEP team considerations for placement in the LRE	183	96.3%	254	96.9%	138	95.2%	575	96.3%
Consideration of DIS counseling services, and/or referral to mental health agency	189	99.5%	254	96.9%	141	97.2%	584	97.8%
Counseling goals, if appropriate	187	98.4%	254	96.9%	141	97.2%	582	97.5%
Parent participation at the IEP meeting determining eligibility and placement	135	71.1%	212	80.9%	130	89.7%	477	79.9%
<b>Number and percentage of students meeting criteria</b>	<b>128</b>	<b>67.4%</b>	<b>196</b>	<b>74.8%</b>	<b>115</b>	<b>79.3%</b>	<b>439</b>	<b>73.5%</b>

*Placement Recommendations – Prior placement General Education*

Due to the disproportionate number of African-American students attending NPS, the study collected data on placement recommendations made by IEP teams upon the initial identification of a student as ED. For all students newly identified with prior placement in the general education setting, approximately 51% were recommended for NPS placement. The findings indicate that African American students were recommended for NPS placements with more frequency (53.8%) than Latino (50.0%) and White (48.6%) students. The study also found that IEP teams recommended school of residence placements for African Americans (28.2%) and Latino (28.6%) students with less frequency (26.8%) than White (35.1%) students.

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Table 13: Type of Placement Recommended by Race/Ethnicity Whose Prior Placement was General Education

Placement recommendation	African American		Latino		White		Total	
	n	%	n	%	n	%	n	%
NPS	21	53.8%	35	50.0%	18	48.6%	74	50.7%
Non Residence School	7	17.9%	15	21.4%	6	16.2%	28	19.2%
School of Residence	11	28.2%	20	28.6%	13	35.1%	44	30.1%
<b>Total</b>	<b>39</b>	<b>100%</b>	<b>70</b>	<b>100%</b>	<b>37</b>	<b>100%</b>	<b>146</b>	<b>100%</b>

*Placement Recommendations – Instructional Setting Recommendations for Students Attending Schools other than Non-public Schools and Special Education Centers*

Overall placement trends were captured to understand the restrictiveness of placement decisions by IEP teams for students identified as ED attending schools other than non-public schools or special education centers. This was done to examine the placement decisions made by IEP teams for students attending schools with the general education population and included all students regardless of IEP type and previous placement. Table 14 shows that IEP teams recommended special day programs specifically for students with ED, with more frequency for African American (41.8%) and Latino (30.9%) students than White (16.7%) students.

Table 14: Instructional Setting Recommended by Race/Ethnicity for Students attending Schools other than Non-Public Schools or Special Education Centers

Instructional setting recommendation	African American		Latino		White		Total	
	n	%	n	%	n	%	n	%
DIS Only	1	1.5%	0	0.0%	1	2.8%	2	0.9%
Gen Ed	3	4.5%	3	2.7%	3	8.3%	9	4.2%
RSP	9	13.4%	21	19.1%	8	22.2%	38	17.8%
SDP	26	38.8%	52	47.3%	18	50.0%	96	45.1%
SDP ED	28	41.8%	34	30.9%	6	16.7%	68	31.9%
<b>Total</b>	<b>67</b>	<b>100%</b>	<b>110</b>	<b>100%</b>	<b>36</b>	<b>100%</b>	<b>213</b>	<b>100%</b>

**Additional Findings**

The nature of Outcome 18 addresses the issue of disproportionality in African American students identified as ED in the LAUSD by establishing a process that ensures a student’s procedural due process rights. This was done by the development of a “basic” criteria defining a comprehensive evaluation and setting a target to determine compliance. The rationale behind this approach was that if a process is set in place that ensures students receive appropriate pre-referral and referral

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supports, a multidisciplinary evaluation, justification of eligibility as defined by state law and IDEA, and supports upon identification including consideration for placement in the least restrictive environment, disproportionality would decrease. To avoid any unintended consequences such as the cessation of ED identification of African American students or the increase of ED identification of students from other racial/ethnic groups, the outcome did not include targets to decrease the risk of identification for African American students or a comparison of risk between groups (risk ratio).

Having stated this rationale it is important to examine the effects of the efforts and policy on disproportionality in LAUSD. Two indicators for examining this effect are to look at the risk and risk ratios by year from the initial 2003-2004 study to 2006-2007. In addition, the identification rates of African American students may be examined as an indicator for examining any unintended consequences.

Overall, there has been a continued and consistent decrease in the number of all students identified as ED and in students placed in the most restrictive environment of NPS since 2003-2004. These decreases are observed across the three racial/ethnic groups and may be considered reasonably incremental.

Table 15 shows the number and percentage of students identified as ED by race/ethnicity and school year. Since the 2003-2004, the number of African American students identified as ED has decreased by 30.4%. It is also noted that similar decreases have occurred for students in all racial/ethnic groups, with the overall composition of ED students remaining constant. For example, in the 2003-2004 school year, African American students made up 35.97% compared to 35.8% in the 2006-2007 school.

Table 15: Number and Percentage of ED students by Race/Ethnicity and School Year

Number and Percentage of ED Students by Race/Ethnicity and School Year	2003-2004		2004-2005		2005-2006		2006-07		Total	
	n	%	N	%	n	%	n	%	N	%
African American	1,477	35.97%	1,312	35.03%	1,129	33.01%	947	33.14%	-530	-35.8%
White	855	20.82%	747	19.95%	723	21.14%	635	22.22%	-220	-25.7%
Latino	1,666	40.57%	1,589	42.43%	1,489	43.54%	1,218	42.62%	-448	-26.8%
Other	108	2.63%	97	2.59%	79	2.31%	58	2.13%	-50	-46.2%
<b>Total</b>	<b>4,106</b>	<b>100%</b>	<b>3,745</b>	<b>100%</b>	<b>3,420</b>	<b>100%</b>	<b>2,858</b>	<b>100%</b>	<b>-1248</b>	<b>-30.4%</b>

Table 16 shows the number and percentage of students in NPS by race/ethnicity and school year. Since the 2003-2004 school year, there has been a 19.9% decrease in the number of African American students placed in NPS. The decrease in NPS placements has occurred across the three main racial/ethnic groups, with the composition of students remaining constant for all racial/ethnic groups. However, as was noted in Table 13, approximately 50% of all students

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whose prior placement was the general education setting and newly identified as ED continue to have NPS placement recommended upon identification.

Table 16: Number and Percentage of students in NPS, by Race/Ethnicity and School Year

Number and Percentage of ED Students in NPS by Race/Ethnicity and School Year	2003-2004		2004-2005		2005-2006		2006-07		Total	
	n	%	n	%	n	%			n	%
	African American	823	38.8%	787	38.13%	678	35.26%	581	34.22%	-242
White	496	23.39%	473	22.92%	472	21.14%	440	25.91%	-56	-11.2%
Latino	757	35.69%	752	36.43%	728	37.86%	642	37.81%	-115	-15.2%
Other	45	2.12%	52	2.52%	45	2.34%	35	2.06%	-10	-22.2%
<b>Total</b>	<b>2,121</b>	<b>100%</b>	<b>2,064</b>	<b>100%</b>	<b>1,923</b>	<b>100%</b>	<b>1,698</b>	<b>100%</b>	<b>423</b>	<b>19.9%</b>

The risk of being identified as ED has decreased for African American students from 1.36 to 1.20 (Table 17). Although the risk of African American students decreased during the 2006-2007 school year, the risk ratio increased slightly. This may be a result of the overall declining enrollment in population which has a direct impact in the calculation of relative risk ratio.

Table 17: Risk and Risk Ratio of African American Students Identified as ED, by School Year

Risk and Risk Ratio by School Year	2003-2004		2004-2005		2005-2006		2006-2007	
	Risk	Risk Ratio	Risk	Risk Ratio	Risk	Risk Ratio	Risk	Risk Ratio
African American	1.67	4.28	1.51	4.05	1.36	3.88	1.20	3.93

**Conclusion and Implications**

Overall, the study found improvements in the levels of compliance with the outcome that mandates that 90% of African American students identified as ED meet the elements of a standard evaluation as defined by the Independent Monitor. The findings indicate that only 50.5% of African-American students identified as ED met the criteria. This is an improvement from the 25% of African American students that met the criteria in the 2005-2006 school year. Furthermore, compliance with many of the areas has improved considerably closer to the target levels necessary to meet compliance. However, several areas continue to impede the District’s performance for meeting Outcome 18. First, levels of compliance with parent participation at the IEP meeting are at 71.1% for African American students. This means that even if all other requirements are met, the lack of parent participation at the IEP meeting will result in non-compliance with the overall outcome. It is important to emphasize that for the purpose of compliance with Outcome 18, parent attendance at the IEP meeting is required. Another area that requires improvement is the areas within the pre-referral and referral intervention for newly

**STUDY ON THE DISPROPORTIONATE IDENTIFICATION OF AFRICAN-AMERICAN  
STUDENTS AS ED IN LAUSD – YEAR FOUR**

identified students. Although compliance levels continue to improve, it is important to emphasize that the pre-referral and referral interventions must be evidenced in the student's IEP and/or cumulative file records.

Although the study found high rates of evidence that IEP teams considered the LRE upon identification, it was also found that IEP teams continued to rely on placements outside of a child's residence school with high frequency for newly identified students. This finding has been consistent and may continue to suggest a lack of available programs and supports to educate students at their home schools and in less segregated settings.

Lastly, the study continues to find discrepancies in the accuracy of data contained within the database provided by the District. The District needs to continue to verify the accuracy of the data submitted monthly.



## Attachment A: Instrument

STUDENT'S NAME: \_\_\_\_\_

DATE OF BIRTH: \_\_\_\_\_

REVIEWER: \_\_\_\_\_

DATE OF REVIEW: \_\_\_\_\_

- File review is complete
  - File review is not complete, child was exited from SPED (must make a copy of all relevant IEPs)
  - File review is not complete, child is no longer eligible as ED (must make a copy of all relevant IEPs)
  - File review is not complete due to the child's records being unavailable
- 

### 1. REVIEW OF PRE-REFERRAL AND REFERRAL INTERVENTION

- Request for assessment (PARENT) (AGENCY) if checked must circle one
- No information on request / teacher request

#### FOR STUDENTS INITIALLY REFERRED FOR SPECIAL EDUCATION

- | <u>Yes</u>               | <u>No</u>                |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Documentation of an initial pre-referral intervention meeting, such as an SST or 504 plan, that addresses the behavioral and/or academic concerns and actions to address these concerns.<br><input type="checkbox"/> Report Card <input type="checkbox"/> Cum Folder <input type="checkbox"/> SST Form <input type="checkbox"/> IEP p. 3, 4 or 12<br><input type="checkbox"/> Student Intervention Record Form (BUL-2075) <input type="checkbox"/> Other:                              |
| <input type="checkbox"/> | <input type="checkbox"/> | Documentation of a follow-up pre-referral intervention meeting, such as an SST or 504 plan (at least 3 months after the initial meeting) documenting the results of the interventions and the effect on the behavior.<br><input type="checkbox"/> Report Card <input type="checkbox"/> Cum Folder <input type="checkbox"/> SST Form <input type="checkbox"/> IEP p. 3, 4 or 12<br><input type="checkbox"/> Student Intervention Record Form (BUL-2075) <input type="checkbox"/> Other: |
| <input type="checkbox"/> | <input type="checkbox"/> | Evidence of parent participation at the pre-referral intervention meeting, such as an SST and/or parent conference.<br><input type="checkbox"/> Report Card <input type="checkbox"/> Cum Folder <input type="checkbox"/> SST Form <input type="checkbox"/> IEP p. 3, 4 or 12<br><input type="checkbox"/> Student Intervention Record Form (BUL-2075) <input type="checkbox"/> Other:   |
| <input type="checkbox"/> | <input type="checkbox"/> | Pre-referral teams documentation of the following considerations: <input type="checkbox"/> attendance history; <input type="checkbox"/> recent changes in student's home environment; <input type="checkbox"/> student's primary language (if applicable); and, <input type="checkbox"/> vision and hearing screening.   |
| <input type="checkbox"/> | <input type="checkbox"/> | Report card or cumulative file comments indicate behavioral and academic concerns for <b>more than</b> one semester (secondary) or one year, prior to the date of referral.  |
| <input type="checkbox"/> | <input type="checkbox"/> | Documentation of one of the following; non-DIS counseling, behavior modification plan, and/or participation in a school-wide discipline program.<br><input type="checkbox"/> Report Card <input type="checkbox"/> Cum Folder <input type="checkbox"/> SST Form <input type="checkbox"/> IEP p. 3, 4 or 12<br><input type="checkbox"/> Student Intervention Record Form (BUL-2075) <input type="checkbox"/> Other:  |
| <input type="checkbox"/> | <input type="checkbox"/> | Assessment plan and/or other documentation indicating behavioral concerns and consideration for ED as a suspected disability (such as Request for Assessment by parent).<br><input type="checkbox"/> Assessment plan <input type="checkbox"/> Student Intervention Record Form (BUL-2075)  |

## 1. REVIEW OF PRE-REFERRAL AND REFERRAL INTERVENTION (CONTINUED)

### FOR STUDENTS CURRENTLY RECEIVING SPECIAL EDUCATION SERVICES UNDER *ANOTHER* ELIGIBILITY (NOT ED)

- | <u>Yes</u>               | <u>No</u>                |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Behavior support plan (IEP Behavior Support Plan) <b><i>Need to look at previous IEP</i></b>  |
| <input type="checkbox"/> | <input type="checkbox"/> | Academic modifications and accommodations attempted to address the behavioral concerns <input type="checkbox"/> p. 3 <input type="checkbox"/> p.4 <input type="checkbox"/> p. 12 <b><i>(of current or previous IEP)</i></b> |
| <input type="checkbox"/> | <input type="checkbox"/> | Consideration for counseling services and/or referrals to school-wide discipline programs <input type="checkbox"/> p. 3 <input type="checkbox"/> p. 4 <input type="checkbox"/> p. 12 <b><i>(Previous IEP)</i></b>           |
| <input type="checkbox"/> | <input type="checkbox"/> | Assessment plan indicating behavioral concerns and consideration for ED as a suspected disability (or statement in <i>IEP p. 3 or 12</i> indicating a re-evaluation due to behavioral concerns)                             |

### **Begin here for students currently identified as emotionally disturbed (triennial or re-evaluation).**

**For triennials, review previous annual IEP to determine if the IEP team determined that a formal assessment would *not be required* at the triennial to re-establish eligibility.**

*Preparation for Three Year Review p. 6: Section H (must mark one)*

- No Formal Assessment needed to re-establish eligibility  Formal Assessment needed  
 Previous IEP is unavailable or did not indicate either

## 2. ASSESSMENT

*Present Levels of Performance p. 3*

- | <u>Yes</u>               | <u>No</u>                |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Health assessment   |
| <input type="checkbox"/> | <input type="checkbox"/> | Formal academic assessment and consideration of assessments based on curriculum and classroom performance.  |
| <input type="checkbox"/> | <input type="checkbox"/> | Cognitive or general ability assessment identifying the student's strengths and weaknesses  |
| <input type="checkbox"/> | <input type="checkbox"/> | Multi-disciplinary social-emotional evaluation considering home and community behavior using the following measures: <input type="checkbox"/> observation in various settings (formal and informal); <input type="checkbox"/> ratings scales and/or other psychometric instruments; and, <input type="checkbox"/> interviews with at least one teacher and/or parent.   |
| <input type="checkbox"/> | <input type="checkbox"/> | Comprehensive behavioral evaluation such as a functional behavioral analysis, functional assessment analysis or other behavioral evaluation that identifies the function of the behavior, the frequency and duration of the behavior, and the identification of alternative behaviors that may serve to replace the undesired behavior.<br><input type="checkbox"/> Behavior Support Plan <input type="checkbox"/> p. 3 <input type="checkbox"/> other: _____ |

### 3. DETERMINATION OF ED ELIGIBILITY

Yes      No

- Comprehensive ED eligibility statement identifying specific areas of eligibility as per IDEA 1997 regulations (must have at least one within the context of explaining ED as disability)
- p.3 (psych)       p. 4       p. 12       Ed Certification Form       Other:
- an inability to learn that can not be explained by intellectual, sensory, or health factors  
 an inability to build or maintain satisfactory interpersonal relationships with peers/teachers  
 inappropriate types of behaviors or feelings under normal circumstances  
 a general pervasiveness mood of unhappiness or depression  
 a tendency to develop physical symptoms or fears associated with personal or school problems
- Consideration of exclusionary criteria and other relevant factors (must be in the context of explaining eligibility consideration)
- p.3 (psych)       p. 4       p. 12       Ed Certification Form       Other:
- are behaviors a result of intellectual, sensory or health factors?  
 are behaviors due to a specific environmental stress or situational trauma?  
 are behaviors a function of social maladjustment without evidence of an emotional disturbance?
- Justification of co-morbid disabilities (i.e. additional disabilities)  
 N/A      Statement providing an explanation or reason for more than one eligibility
- p. 3       p. 12       SLD certification form (at the back of IEP)

### 4. IEP TEAM RECOMMENDATIONS

Yes      No

- Consideration of a Behavior Support Plan (BSP)       p. 12
- IEP team considerations for placement in the least restrictive environment, including appropriate supports and modifications to ensure participation in the LRE, with responsible personnel
- p. 12       other:
- Placement recommendations p. 8 Section M: IEP team recommendations or p.12: Summary:*  
Location of Services:  School of residence  non-residence school  SPED center  
 nonpublic school (NPS) **no need to indicate instructional setting**  
Instructional Setting:  Gen. Ed.  RSP       SDC  SDC ED  DIS
- Identify placement prior to IEP: initial evaluations should be General Ed*  
 Gen. Ed.       RSP  SDC  DIS (ie. Speech and Language, Counseling, OT, PT)
- Consideration of DIS counseling services, and/or referral to mental health agency for such services (AB3632)
- p. 4       p. 12
- Counseling goals, if appropriate (If counseling not provided but there is evidence of consideration, mark N/A: not applicable)  
 N/A
- p. 5
- Parent participation at the IEP meeting determining eligibility and placement
- p. 10 Section Q (date must be the same as IEP date)       other: \_\_\_\_\_

**Attachment B: Data Cover Page**

Los Angeles Unified School District  
Office of the Independent Monitor

**Data Cover Page**

<b>DistrictID</b>	<b>Last Name</b>	<b>First Name</b>	<b>Birthday</b>
			8/31/1996

<b>Gender</b>	<b>Ethnicity</b>	<b>Eligibility</b>	<b>Grade</b>	<b>IEP Date</b>	<b>IEP Type</b>
M	H	ED	4	5/31/2006	Re-eval

School of Attendance		
Loc Code	School	Local District
NP0094	PARKHILL SCHOOL	NPS

Location of Cum Folder		
Loc Code	School	Local District
	PARKHILL	

Location of Psych Folder		
Loc Code	School/Office	Local District
	PARKHILL	

SampleDate: 8/31/2006