

# Using Data to Promote Equity

Data plays a starring role in promoting educational equity, and data-driven decision making begins with good state policies. With the recent passage of the Every Student Succeeds Act (ESSA) and a proposed federal rule to address racial disproportionality in special education, states will shoulder increased responsibility for eliminating educational inequities.

## Accountability under ESSA

With ESSA, Congress signaled a fundamental shift in the federal government's role in public education. Moving forward, states will have more flexibility than they experienced in the No Child Left Behind (NCLB) era on issues related to accountability, resource allocation, and teacher evaluation. States will be responsible for establishing their own accountability systems, though these must be submitted to and approved by the US Department of Education.

State accountability indicators must include proficiency in reading and math; high school graduation rates; English language proficiency; valid, reliable, and statewide student growth indicators for elementary and middle school students; and at least one other indicator of school quality, which might include safety or school climate, student engagement, or postsecondary readiness (see box on types of data states collect). Although ESSA reduces the exclusive reliance on tests as a measure of success, academic indicators must still be weighted more heavily than nonacademic indicators.

However, ESSA did not abandon NCLB's commitment to using accurate, transparent data to measure equity. Annual statewide assessments are still required in order to provide objective, comparable data on how students are performing. Indeed, schools are now required to disaggregate data for homeless students, military-connected students, and

foster children in addition to subgroups NCLB already identified.

ESSA contemplates reliance on academic and nonacademic indicators of performance, and it requires comprehensive public reporting on outcomes and opportunities to learn, including per-pupil expenditures and access to curriculum. District and state leaders must act if any subgroup is consistently underperforming by identifying interventions for the lowest performing 5 percent of its schools and those with the highest achievement gaps. But states and not the federal government will determine what those interventions will be.

Data that reveal state trends and patterns offer the means through which school boards and districts can take advantage of new opportunities ESSA offers to ensure that all students are meeting learning standards. States can use this information in several transformative ways:

- They can use the new accountability systems they devise under ESSA to incentivize best practices, not just penalize school failure.
- They can use data to inform strategies targeted to the needs of specific subgroups. ESSA expects subgroups that are further behind to make more rapid progress in order to close proficiency and graduation gaps.<sup>1</sup>
- In order to do so, states can adopt a set of principles to inform the accountability system they propose under ESSA. These should incorporate feedback from parents as well as educators and administrators: Greater data transparency will build trust within the community.
- They can make sure that data collection aligns with the state curriculum so that instruction matches student learning objectives. Test results and other data must be reported and analyzed in a timely manner and accessible format.

*Good data will be central to whatever course states choose in addressing gaps in achievement and disparities in assignment to special education.*

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by **Brenda Shum**

## Disproportionality in Special Education

In 2013, the Government Accountability Office reported that inconsistent state definitions of disproportionality and limited oversight were hindering states from identifying racial and ethnic groups that were overrepresented in special education classes.<sup>2</sup> Students of color with disabilities are more likely to be suspended and expelled than white students with disabilities. Exclusionary school discipline is associated with lower academic performance, higher dropout rates, lower graduation rates, and future disciplinary exclusion and involvement with the juvenile justice system.

Accordingly, the US Department of Education issued a proposed rule in late February to ensure equity under the Individuals with Disabilities Education Act (IDEA). States must determine whether significant disproportionality on the basis of race or ethnicity is occurring within the state or its school districts. The proposed rule, which is open for public comment, requires states to adopt a standard methodology to identify significant racial or ethnic disproportionality in the identification, placement, and discipline of students with disabilities.

Under the rule, states would use a risk ratio and select a threshold to determine significant disparities. Disproportionality in special education exists when a subgroup of students is over- or underrepresented in a specific category or area. This ratio must be determined with stakeholder input. Moreover, significant disproportionality will be analyzed by the incidence, duration, and type of disciplinary practices for students with disabilities, including suspensions and expulsions. When significant

disproportionality is identified, states must review and revise district policies. States must also communicate that districts can use IDEA funds to create comprehensive, coordinated early intervening services for students receiving special education as well as for students who have not yet been deemed eligible.

What does this mean for states? In order to comply, states would need to collect and analyze the relevant data. But while the risk ratio analysis will show states how much more or less likely a student in a specific subgroup is to be identified for special education or subjected to discipline, it will not necessarily reveal why. States will need to work with districts to decide how best to intervene based on this analysis.

## Role for State Boards

States boards and their members are uniquely situated to facilitate long-term, sustained improvements in student achievement by setting clear expectations for how local schools and districts will be evaluated and what data will be relevant to that process. State boards can engage multiple stakeholders in identifying the metrics for student achievement.

States can also support schools and districts as they seek to report their data in a more meaningful way. For example, dashboard systems and early warning indicators allow all stakeholders to understand and use performance data to identify appropriate and timely interventions, encouraging transparency and accountability.

Data analysis can be overwhelming and intimidating. Schools and districts may resist what they perceive to be the increasing burdens associated with rigorous, comprehensive data

### Three Types of Data

States typically seek three types of data that influence student achievement: inputs, educational processes, and outputs. Educational inputs may include variables such as student background and socioeconomic status, or teacher experience or level of training. Educational processes involve curriculum, instruction, materials available to a student, or the level of teacher and parent involvement in decisions. Outcomes measure the results of both the input and process variables and typically rely on student tests, observations, or survey results. Different data may be gathered in different ways and offer specific insights into which students are achieving and why. Accordingly, a state will likely use multiple means of assessing student performance and school quality.

## More on Discipline Disparities and Data

Based on data collected through 2012 on up to 49 million students, the US Department of Education's Civil Rights Data Collection (CRDC) exposed the extent to which zero-tolerance discipline policies were disproportionately affecting minority students. Across all age groups, black students were suspended and expelled at a rate three times greater than white students.

CRDC data also showed a striking disparity in preschool suspension: While black children make up 18 percent of preschoolers, they account for more than 40 percent of out-of-school suspensions. The pattern continues throughout primary and secondary education, with 16 percent of black students being suspended compared with 5 percent of white students. This information prompted the US secretary of education and attorney general to issue formal recommendations for changing discipline practices, which districts have been implementing.

*Source: US Department of Education, Office for Civil Rights, "Data Snapshot: School Discipline, Civil Rights Data Collection," Issue Brief No. 1 (March 2014), available at <http://ocrdata.ed.gov/Downloads/CRDC-School-Discipline-Snapshot.pdf>.*

collection. States should be prepared to offer guidance so that the data collected are actually needed, and that they are disaggregated and analyzed properly. Basic guidelines may include using data from the same sources from year to year; collecting data from multiple measures; understanding the significance of the sample size of the student subgroup assessed and how that might affect outcomes; comparing subgroup performance; and ensuring that schools and districts understand what is being measured, how, and for what purpose.<sup>3</sup>

## Making Data Matter

Data can be used to sustain best practices in curriculum and instruction, identify factors that contribute to inequities, identify effective strategies, allocate resources effectively, and design modifications in the education environment. Data-driven decision making may be framed by smart state policies, but the efforts to adopt policies and build data systems will be for naught unless there is also a commitment to actually use available data to improve schools.

ESSA and the proposed federal rule implementing IDEA raise the profile of education data. These changes present new opportunities to improve how schools serve the most vulnerable and disadvantaged students. State leaders must be prepared to devise and implement accountability systems, academic standards, and assessments, which data will fuel. With accurate data, states and districts can focus time

and resources on interventions with the highest likely impact on student success.

State boards can adopt robust measures of student performance and school quality that go beyond test scores, including student and parent surveys, college readiness benchmarks, teacher satisfaction, and community engagement. Making sure there are clear, accurate, and accessible data represents the first step in addressing the complex issues related to student performance and in creating more equitable school systems. ■

<sup>1</sup>Education Trust – West, "The Every Student Succeeds Act of 2015: What It Means for Equity and Accountability in California," (December 2015), [222.west.edtrust.org/wp-content/uploads/sites/3/2015/11/Every-Student-Succeeds-Act-Implications-for-CA.pdf](http://222.west.edtrust.org/wp-content/uploads/sites/3/2015/11/Every-Student-Succeeds-Act-Implications-for-CA.pdf).

<sup>2</sup>US Senate, Report to the Chairman, Committee on Health, Education, Labor and Pensions, "Individuals with Disabilities Act, Standards Needed to Improve Identification of Racial and Ethnic Overrepresentation in Special Education," (Washington, DC: US Government Accountability Office, 2013), [www.gao.gov/assets/660/652437.pdf](http://www.gao.gov/assets/660/652437.pdf).

<sup>3</sup>American Association of School Administrators, "Using Data to Improve Schools: What's Working," (Arlington, VA: ERIC Clearinghouse, 2002), p. 18–19, available at [http://aasa.org/uploadedfiles/policy\\_and\\_advocacy/files/usingdataimprove schools.pdf](http://aasa.org/uploadedfiles/policy_and_advocacy/files/usingdataimprove schools.pdf).

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