



Educational Equity and Special Education

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Overview

- ▶ ESSA as the current driver of equity
- ▶ Defining equity
- ▶ Equity and IDEA



ESSA and Equity

▶ Purpose

- ▶ To provide all children with significant opportunity to receive a fair, **equitable**, and high quality education and to close educational achievement gaps.

20 USC §6301

- ▶ When a school is identified for comprehensive support and improvement or a subgroup is identified for additional targeted support, the LEA is to:

- ▶ **Identif[y] resource inequities**, which may include a review of [LEA] and school level budgeting, to be addressed through implementation of such comprehensive support and improvement plan.

20 USC §§6311(d)(1)(B)(4); (d)(2)(C)

ESSA Subgroups

- ▶ Students from major racial and ethnic groups
- ▶ Economically disadvantaged students
- ▶ Children with disabilities
- ▶ English learners
- ▶ Homeless students
- ▶ Students in foster care
- ▶ Students whose parents serve in the military

20 USC §6311(c)(2)

ESSA and Equity



- ▶ On the whole, ESSA looks to achieve educational equity through examination of:
 - ▶ School accountability for student achievement and growth
 - ▶ Use of funds
 - ▶ Personnel distribution
 - ▶ School climate and safety
 - ▶ Coordination of services for subgroups
 - ▶ Educational stability for special populations, e.g. foster care, homeless, migrant families
 - ▶ Parent and family engagement

See generally, 20 USC §6311(g)

Illinois and Equity

- ▶ The State Board of Education shall develop and maintain a continuing 5 year comprehensive strategic plan for elementary and secondary education...that includes...
 - ▶ **Equity**, adequacy and predictability of educational opportunities and resources for all schools...

105 ILCS 5/2-3.47a(a)(2)

- ▶ Equity in funding also is addressed via the Evidenced Based Funding formula.

105 ILCS 5/18-8.15€(1), (g)(9)

Illinois ESSA Plan

- ▶ Supporting students in achieving our state goals begins and ends with equity.
- ▶ The Illinois ESSA Plan represents the belief of ISBE and our stakeholders that the students with the greatest needs deserve the greatest share of our public education resources.
- ▶ Grounding our work in the practice of equity will ensure that we provide all students with the supports they need to succeed from pre-K through high school and onto purposeful lives.

Illinois ESSA Plan, Executive Summary, pp. 2-3
(March 12, 2018)

Illinois Student Groups

- ▶ Economically disadvantaged students
- ▶ Students with disabilities
- ▶ Students formerly with a disability
- ▶ English Learners
- ▶ Former English Learners
- ▶ Racial and ethnic groups

Illinois ESSA Plan, Executive Summary, pp. 2-3
(ISBE March 12, 2018)



What is Educational Equity?

- ▶ Race equity
 - ▶ Gender equity
 - ▶ Digital equity
 - ▶ Fiscal equity

 - ▶ Excellence and equity
 - ▶ Efficiency and equity
- ▶ Equity in:
 - ▶ Educational Opportunity
 - ▶ Educational Process
 - ▶ Educational Opportunity

 - ▶ Fairness and inclusion
 - ▶ Differentiated instruction
 - ▶ Disproportionate representation



What is Educational Equity

- ▶ Educational equity is achieved when all students receive the resources, opportunities, skills, and knowledge they need to succeed in our democratic society.

American Institute for Research, Nov. 2018

<https://www.air.org/resource/essa-equity-education> (retrieved 10/9/19)

- ▶ Educational equity means that every student has access to the educational resources and rigor they need at the right moment in their education regardless of race, gender, ethnicity, language, disability, sexual orientation, family background and/or family income.

Adapted from the Council of Chief State School Officers and
Kedra Williams/Opportunity Institute

IASB, Educational Equity, Mission/Vision Statement,

<https://www.iasb.com/equity/mission.cfm> (retrieved 11/21/2018)

What is Educational Equity

- ▶ All students need safe and inclusive schools and challenging and individualized curriculum and instruction. Even so, each student comes to the classroom with different strengths. **Equity requires that each child receives the attention, resources, access and supports he or she needs to become socially and economically secure adults.**

Illinois ESSA Plan, Executive Summary, p. 3 (ISBE, March 12, 2018)

https://www.isbe.net/Documents/Illinois_ESSA_Plan_Executive_Summary.pdf

Equity vs Equality

- ▶ **Equity** is achieved when all students receive the resources they need so they graduate prepared for success after high school.
- ▶ **Equality** in education is achieved when students are all treated the same and have access to similar resources.

Educational Equity: What Does it Mean?

How Do We Know When We Reach It?

Center for Public Education (January 2016)

http://www.centerforpubliceducationn.org/system/files/Equity%20Symposium_0.pdf

Equity vs Equality



Robert Wood Johnson Foundation

Your Turn

- ▶ How has your District defined equity?
- ▶ How did you get there?



Principals that Drive IDEA & Section 504

- ▶ Equal access or equal opportunity
- ▶ Multifactorial assessment of impact and need
- ▶ Individualized decision making
- ▶ Leveling the playing field as associated with the impact of the disability on the student through:
 - ▶ Individualized assessment
 - ▶ Specialized instruction
 - ▶ Accommodations/modifications
 - ▶ Continuum of placement options

IDEA and Equity

- ▶ Standard of Review – FAPE

- ▶ Reasonably calculated to enable a child to make progress *in light of the child's circumstances*.

Endrew F. v. Douglas Cty. Re-1, 580 US (2017)

- ▶ Individualized, fact intensive inquiry
 - ▶ Prospective in nature
 - ▶ Grounded in concepts of Least Restrictive Environment
 - ▶ Look to:
 - ▶ Previous rate of progress
 - ▶ Potential for growth
 - ▶ Behaviors interfering with progress, and
 - ▶ Parent input

USDOE Guidance on Endrew F.

IDEA and Equity



- ▶ If we already are looking at students with disabilities on a basis of
 - ▶ Individualized need
 - ▶ Starting where the student is at
 - ▶ Providing those supporting services deemed necessary (funding resource allocation)
- 

What does equity mean in special education?

IDEA and Equity

- ▶ Disproportionate Representation (over and under identification)
 - ▶ Identification
 - ▶ Placement
 - ▶ Discipline
 - ▶ Incidence
 - ▶ Duration
 - ▶ Consequence

Significant Disproportionality (Equity in IDEA),
Essential Questions and Answers
(OSEP, March 2017)

Disproportionate Representation

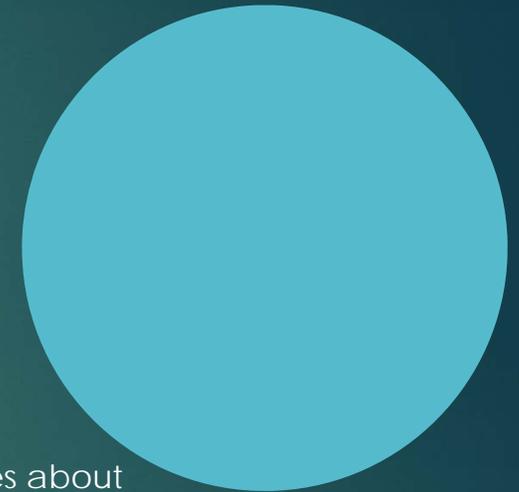
- ▶ Factors that Impact Disproportionate Representation
 - ▶ Legal and administrative requirements
 - ▶ Characteristics of the student
 - ▶ Quality of instruction received
 - ▶ Possible biases in assessment
 - ▶ Characteristics of home and family environment
 - ▶ Historical and cultural context

Placing Children in Special Education: A Strategy for Equity,
Kirby A Heller, Wayne H. Holtzman and Samuel Messik, Editors
National Academy Press, 1982

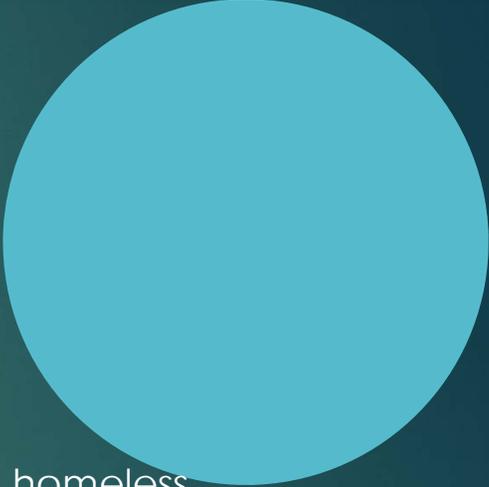
<https://books.google.com/books?hl=en&lr=&id=qywrAAAAYAAJ&oi=fnd&pg=PR9&dq=equity+in+education&ots=kAZaOFhC-j&sig=DSC2scBKcNTM8JlQKHXMf-zlxU#v=onepage&q=equity%20in%20education&f=false>

IDEA and Equity

- ▶ Identify and address root causes of disproportionality
 - ▶ Review and revision of policies, practices and procedures
- ▶ Deep dive vs surface analysis
 - ▶ “See” what the data shows you
 - ▶ Willingness to have difficult conversations
 - ▶ Look outside the four corners of the IEPs
 - ▶ Cultural influences – barriers or challenges presented, implicit biases about
 - ▶ Resource access in and outside of school
 - ▶ Funding
 - ▶ Staff qualifications
 - ▶ Space, etc.
 - ▶ Parent engagement

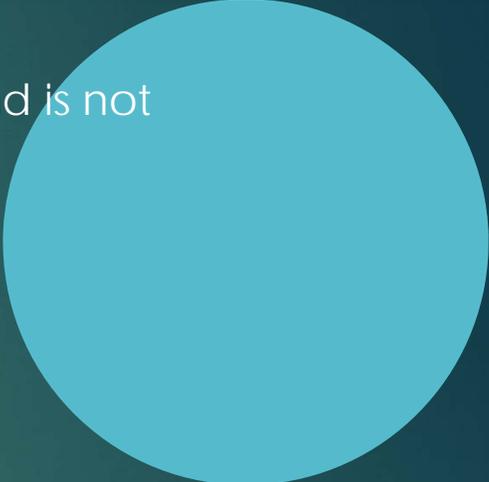


IDEA and Equity



- ▶ Remember, ESSA looks to:
 - ▶ School accountability for student achievement and growth
 - ▶ Use of funds
 - ▶ Personnel distribution
 - ▶ School climate and safety
 - ▶ Coordination of services for subgroups
 - ▶ Educational stability for special populations, e.g. foster care, homeless, migrant families
 - ▶ Parent and family engagement
- ▶ Consider how practices in these areas may contribute to over/under representation in special education.

Thank you



- ▶ This material is for informational purposes only. It is not, and is not intended to be, legal advice

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