



# **Examining Representation and Identification: Over, Under, or Both?**

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## Examining Representation and Identification: Over, Under, or Both?

Significant disproportionality with regard to identifying children as children with disabilities or as children with specific disabilities is, by definition, overrepresentation. This resource helps clarify what the term overrepresentation means and defines three related terms: over-identification, under-identification, and underrepresentation. This resource also provides several scenarios and initial guiding questions that show how the four terms are related. States can use their answers to the guiding questions, in conjunction with the IDEA Data Center’s (IDC) *Success Gaps Toolkit*, to help identify and address the factors contributing to significant disproportionality (i.e., overrepresentation) within school districts. IDC’s Resource Library also offers a collection of [resources on significant disproportionality](#).

Term	Definition <sup>1</sup>
Identification	The result of a multistep process that determines whether a child has a disability as defined by the <i>Individuals with Disabilities Education Act</i> (IDEA) and needs special education services as a child with a disability.
Over-identification	The inappropriate identification of a child who does not actually have the identified disability and who does not need special education services as a child with a disability. The term also can be applied to a group of children.
Under-identification	The failure to appropriately identify a child who has a disability and needs special education services as a child with a disability. The term also can be applied to a group of children.
<b>Representation</b>	
Representation	The rate at which children from a particular racial/ethnic group are identified as children with disabilities or as children with specific disabilities, as determined by a mathematical formula.
Overrepresentation	Occurs when children from a particular racial/ethnic group have a higher risk of being identified as children with disabilities or as children with specific disabilities, as compared to children not in that particular racial/ethnic group.
Underrepresentation	Occurs when children from a particular racial/ethnic group have a lower risk of being identified as children with disabilities or as children with specific disabilities, as compared to children not in that particular racial/ethnic group.

<sup>1</sup> Descriptions adapted from the U.S. Department of Education, Office for Civil Rights, *Dear Colleague Letter: Preventing Racial Discrimination in Special Education*, December 12, 2016, footnote 5. Downloaded from <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201612-racedisc-special-education.pdf>. See also footnote 1, page 92380 of *Federal Register*, Vol. 81, No. 243, December 19, 2016.

## Scenario 1: White Children and Autism

State A is calculating risk ratios to determine if there is significant disproportionality within its districts in the area of identification for the required seven racial/ethnic groups.<sup>1</sup> The analyses show that White children in District 1 are three times as likely as all other children in the district to be identified with autism (i.e., White children have a risk ratio of 3.0 for autism; White children are overrepresented). The state risk ratio threshold is 2.5; therefore, District 1 has significant disproportionality in the area of White children identified with autism. In addition to examining policies, procedures, and practices, states can ask the following questions to gain a deeper understanding of the factors that may have contributed to the significant disproportionality.

Question	Action
Is the <i>overrepresentation</i> of White children identified with autism best understood as an <i>underrepresentation</i> of another racial/ethnic group?	<ul style="list-style-type: none"> <li>Review the risk-ratio calculations for autism for the other racial/ethnic groups in the district. Perform the calculations regardless of the size of the groups. There will be some groups that are underrepresented (risk ratios &lt;1). Which groups are they? How extreme are the levels of underrepresentation (i.e., how small are the risk ratios)? How many children are involved? An overrepresentation of White children identified with autism might be best understood as the underrepresentation of another racial/ethnic group that is substantial in size and also substantially underrepresented.</li> </ul>
Is the district <i>over-identifying</i> White children with autism (i.e., inappropriately identifying them with autism)?	<ul style="list-style-type: none"> <li>Review policies, procedures, and practices to identify and correct any that are not in compliance with IDEA. Look especially for any that may be contributing to an over-identification of White children.</li> <li>Identify and address any factors that may be contributing to over-identification of White children with autism. Use Comprehensive Coordinated Early Intervening Services (CCEIS) to address any contributing factors.</li> </ul>
Is the district <i>under-identifying</i> other racial/ethnic groups (e.g., failing to appropriately identify Black or African American children or Hispanic/Latino children as children with autism)?	<ul style="list-style-type: none"> <li>Review the risk ratio calculations for autism for the other racial/ethnic groups to identify instances of underrepresentation.</li> <li>Review policies, procedures, and practices to identify and correct any that are not in compliance with IDEA. Focus on those that may be contributing to any under-identification in the autism category.</li> <li>Identify and address any factors that may be contributing to under-identification. Use CCEIS to address any contributing factors.</li> </ul>

<sup>1</sup> Although this example focuses on autism, IDEA Section 618(d) requires states to collect and examine data to determine if significant disproportionality based on race/ethnicity is occurring with respect to (1) the identification of children as children with disabilities, including the identification of children as children with specific disabilities; (2) placement in particular educational settings; and (3) the incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

## Scenario 2: Black Children and Emotional Disturbance, White Children and Other Health Impairment

State A is calculating risk ratios to determine if there is significant disproportionality within its districts in the area of identification for the required seven racial/ethnic groups. The analyses show that Black children in District 3 are three times as likely as all other children in the district to be identified with emotional disturbance (i.e., Black children in the district have a risk ratio of 3.0 for emotional disturbance as compared to all non-Black children in the district; Black children are overrepresented). In addition, the analyses show that White children in District 3 are three times as likely as all other children in the district to be identified with other health impairments (i.e., White children in the district have a risk ratio of 3.0 for other health impairment as compared to all non-White children in the district; White children are overrepresented). The state risk ratio threshold is 2.5; therefore, District 3 has significant disproportionality in the areas of Black children identified with emotional disturbance and White children identified with other health impairment. In addition to examining policies, procedures, and practices, states can ask the following questions to gain a deeper understanding of the factors that may have contributed to the significant disproportionality.

Question	Action
<p>Is the <i>overrepresentation</i> of Black children identified with emotional disturbance best understood as an <i>underrepresentation</i> of another racial/ethnic group?</p> <p>Is the <i>overrepresentation</i> of White children identified with other health impairment best understood as an <i>underrepresentation</i> of another racial/ethnic group?</p>	<ul style="list-style-type: none"> <li>Review the risk-ratio calculations for emotional disturbance and other health impairment for the other racial/ethnic groups in the district. Perform the calculations regardless of the size of the groups. There will be some groups that are underrepresented (risk ratios &lt;1). Which groups are they? How extreme are the levels of underrepresentation (i.e., how small are the risk ratios)? How many children are involved? For example, are White children underrepresented in the emotional disturbance category? Are Black children underrepresented in the other health impairment category? Consider whether the identified overrepresentation is best understood as underrepresentation of another racial/ethnic group.</li> </ul>
<p>Is the district <i>over-identifying</i> Black children with emotional disturbance (i.e., inappropriately identifying them with emotional disturbance)?</p> <p>Is the district over-identifying White children with other health impairments (i.e., inappropriately identifying them with other health impairment)?</p>	<ul style="list-style-type: none"> <li>Review policies, procedures, and practices to identify and correct any that are not in compliance with IDEA. Look especially for any that may be contributing to an over-identification of Black children with emotional disturbance or White children with other health impairment.</li> <li>Identify and address any factors contributing to over-identification. Look especially for any that may be contributing to an over-identification of Black children with emotional disturbance or White children with other health impairment. Use CCEIS to address any contributing factors.</li> </ul>

Question	Action
<p>Is the district <i>under-identifying</i> other racial/ethnic groups (e.g., failing to appropriately identify Black or African American children as children with other health impairment or White children as children with emotional disturbance)?</p>	<ul style="list-style-type: none"> <li>• Review the risk ratio calculations for both emotional disturbance and other health impairment for the other racial/ethnic groups to identify instances of underrepresentation.</li> <li>• For the areas of <i>underrepresentation</i>, review policies, procedures, and practices to identify and correct any that are not in compliance with IDEA. Focus on those that may be contributing to any <i>under-identification</i> in either emotional disturbance or other health impairment categories.</li> <li>• Identify and address any factors contributing to <i>under-identification</i>. Use CCEIS to address any contributing factors.</li> </ul>

## Scenario 3: White Children and Specific Learning Disability

State A is calculating risk ratios to determine if there is significant disproportionality within its districts in the area of identification for the required seven racial/ethnic groups. The analyses show that White children in District 4 are three times as likely as all other children in the district to be identified with specific learning disability (i.e., White children in the district have a risk ratio of 3.0 for specific learning disability as compared to all non-White children in the district; White children are overrepresented). The state risk ratio threshold is 2.5; therefore, District 4 has significant disproportionality in the area of White children identified with specific learning disability. District 4 is continuing to experience rapid growth in its immigrant population, including a high percentage of children whose primary language spoken in the home is not English. In addition to examining policies, procedures, and practices, states can ask the following questions to gain a deeper understanding of the factors that may have contributed to the significant disproportionality.

Question	Action
<p>Is the <i>overrepresentation</i> of White children identified with specific learning disability best understood as an <i>underrepresentation</i> of another racial/ethnic group?</p>	<ul style="list-style-type: none"> <li>Review the risk-ratio calculations for specific learning disability for the other groups in the district. Perform the calculations regardless of the size of the groups. There will be some groups that are underrepresented (risk ratios &lt; 1). Which groups are they? How extreme are the levels of underrepresentation (i.e., how small are the risk ratios)? How many children are involved? For example, is there a large group of non-White English learners with a risk ratio for specific learning disability that is far below 1.0? Is the overrepresentation of White children identified with specific learning disability better understood as an underrepresentation of non-White English learners identified with specific learning disability?</li> </ul>
<p>Is the district <i>over-identifying</i> White children with specific learning disability (i.e., inappropriately identifying them with specific learning disability)?</p>	<ul style="list-style-type: none"> <li>Review policies, procedures, and practices to identify and correct any that are not in compliance with IDEA. Look especially for any that may be contributing to an over-identification of White children with specific learning disability.</li> <li>Identify any factors contributing to the over-identification of White children with specific learning disability. Use CCEIS to address any contributing factors.</li> </ul>

Question	Action
<p>Is the district <i>under-identifying</i> other groups (e.g., failing to appropriately identify non-White English learners who have specific learning disability)?</p>	<ul style="list-style-type: none"> <li>• Review the risk ratio calculations for specific learning disability for the other racial/ethnic groups to identify instances of underrepresentation.</li> <li>• For the areas of <i>underrepresentation</i>, review policies, procedures, and practices to identify and correct any that are not in compliance with IDEA. Focus on those that may be contributing to any <i>under-identification</i> in the specific learning disability category. Pay close attention to the requirement to evaluate children in their primary language.</li> <li>• Identify and address any factors contributing to <i>under-identification</i>. Look especially for factors that may be contributing to under-identification of specific learning disability. For example, if non-White English learners are under-identified with specific learning disability, is the district having difficulty (1) hiring or contracting with staff who can administer evaluations in children’s primary languages, or (2) differentiating between challenges children face during their development as English language learners and issues resulting from the children having specific learning disability? Use CCEIS to address any contributing factors.</li> </ul>



## Summary

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As states examine the factors that may be contributing to a district's significant disproportionality, they also should keep in mind that significant disproportionality (overrepresentation) of a particular racial/ethnic group might be caused by the group's over-identification, by under-identification of a different racial/ethnic group, or by other factors. States should consider all possibilities to help ensure that they are acknowledging and addressing all factors contributing to the district's significant disproportionality.

## Resources

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The following resources from the IDC [Resource Library](#) can help states identify and address the factors contributing to significant disproportionality.

[\*Success Gaps Toolkit\*](#)

[\*Equity Requirements in IDEA\*](#)

[\*A Comparison of Mandatory Comprehensive Coordinated Early Intervening Services \(CCEIS\) and Voluntary Coordinated Early Intervening Services \(CEIS\)\*](#)

OSEP also has provided helpful resources on the [topic](#).

[\*Significant Disproportionality \(Equity in IDEA\)—Essential Questions and Answers\*](#)  
[\*Model State Timeline\*](#)

[\*Disproportionality 101: Equity in IDEA: Contents of the Final Rule - 2017 Webinar\*](#)

[\*Significant Disproportionality 201 - Equity in IDEA: Implementing the Final Rule Webinar\*](#)