

**State and Federal Activity Updates
Regarding Significant Disproportionality Requirements at
20 U.S.C. 1418(d) and 34 CFR §§300.646 and 300.647**

Updated October 2021

Background

Texas has long regarded significant disproportionality as a critical issue requiring a comprehensive solution to ensure a free and appropriate public education in the least restrictive environment to every eligible child under the Individuals with Disabilities Education Act (IDEA). Determinations for whether significant disproportionality (SD) based on race/ethnicity occurs with respect to the identification of children as children with disabilities are made annually and include:

- Identification as children with particular impairments;
- Placement of children in particular educational settings; and
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- SD Year 1, SD Year 2, or SD Year 3 with Reasonable Progress (RP).¹ –

The following chart is provided for clarity of options and recommendations for mandatory CCEIS:

Reserve 15% IDEA B funds in which FY?	School year students served	Options	Recommended Student Cohort Tracking/Reporting⁴ Years
FY 2023 (school year 2022-2023)	2022-2023	Could plan/PD in 2021-2022 without using IDEA B funds; or Could plan/PD/serve students in 2022-2023	Recommend cohort 2022-2023 with track/report ⁴ continued in 2023-2024 & 2024-2025
FY 2022 (school year 2021-2022)	2021-2022	Could plan/PD/serve students in 2021-2022	Recommend cohort 2021-2022 with track/report ⁴ continued in 2022-2023 & 2023-2024
	2022-2023	Could plan/PD in 2021-2022 then serve students in 2022- 2023	Recommend record -0- students in 2021-2022; then cohort of 2022-2023 with track/report

require LEAs to report aggregate numbers of children to TEA for CEIS, LEAs should consider maintaining a child-level record to account for each child who received CEIS or CCEIS.

- The target group is the group that qualifies for and will receive CEIS or CCEIS. The cohort group will be the identified children from the target group receiving CEIS who will be