

Pennsylvania Department of Education  
Office of Elementary and Secondary Education  
June 28, 2017  
PENN\*LINK

TO: School District Superintendents  
School District Special Education Directors  
Charter School Chief Executive Officers  
Charter School Special Education Directors  
Intermediate Unit Executive Directors  
Intermediate Unit Special Education Directors  
Approved Private School Administrators  
Approved Private School Special Education Directors

FROM: Ann Hinkson-Herrmann, Director  
Bureau of Special Education

SUBJECT: Significant Disproportionality Requirements under the Individuals with  
Disabilities Education Act

On December 19, 2016, the changes to the Individuals with Disabilities Education Act (IDEA) regarding significant disproportionality were published in the Federal Register. The purpose of the final regulations is to promote equity in IDEA, and they must be implemented by July 1, 2018. Specifically, the final regulations will help to ensure that the Pennsylvania Department of Education (PDE) will identify local educational agencies (LEAs) with significant disproportionality and will assist the LEAs in ensuring that children with disabilities are properly identified, receive necessary services in the least restrictive environment, and are not disproportionately removed from their educational placements by disciplinary removals.

To identify significant disproportionality in the LEAs, the amendments to IDEA require each state to develop a standard methodology to collect and examine data in order to determine whether significant disproportionality based on race or ethnicity is occurring within their LEAs. PDE must make annual determinations of significant disproportionality under the new standard methodology beginning in the spring of 2019.

PDE is currently in the process of planning stakeholder forums to receive their input regarding the development of a standard methodology. These forums will be held in August 2017 at each of the Pennsylvania Training and Technical Assistance Network locations. A separate Penn\*Link will be issued specifically on the topic of the stakeholder forums.

The new regulations on significant disproportionality can be accessed at the following link: <https://www.ed.gov/news/press-releases/fact-sheet-equity-idea>.

If you have any questions regarding this information, please contact Patty Todd by e-mail at [patodd@pa.gov](mailto:patodd@pa.gov) or by phone at 717.783.6885, or John Gombocz by e-mail at [jgombocz@pa.gov](mailto:jgombocz@pa.gov) or by phone at 717.772.3745.