DISPROPORTIONATE REPRESENTATION IN SPECIAL EDUCATION PROGRAMS

ALABAMA’S SUCCESS STORY

ALABAMA DEPARTMENT OF EDUCATION 2008
BACKGROUND INFORMATION

• Detroit Lee, a parent in Macon County, filed a lawsuit against the Alabama Department of Education in 1963.

• In 2000, Judge Myron Thompson and the US Justice Department ruled that Alabama Department of Education must settle the issue of overrepresentation in the area of mental retardation (MR).

• In 2000, the Lee v. Macon Special Education Consent Decree evolved.
ALABAMA’S ACTION PLAN

• ELIGIBILITY CRITERIA
• SYSTEMIC PROFESSIONAL DEVELOPMENT FOR EDUCATORS AND EVALUATORS
• AWARENESS TRAINING FOR ADMINISTRATORS, EVALUATORS, AND EDUCATORS
• SCREENING OF ALL SECOND GRADERS FOR EVIDENCE OF GIFTED BEHAVIOR
• ONGOING MONITORING OF ALL INITIATIVES
ELIGIBILITY CRITERIA

• Redefined the eligibility criteria for specific learning disability (SLD), mental retardation (MR), emotional disturbance (ED), and gifted (GT) in the Alabama Administrative Code (AAC)

• Reviewed and reevaluated all minority students with full-scale IQ scores of 65 or higher and/or who were not assessed with an adaptive behavior instrument

• Developed a multiple criteria approach for the identification of gifted students looking at aptitude, characteristics, and performance indicators

• Required verbal and nonverbal assessment of gifted students, as well as, creativity when appropriate
SYSTEMIC PROFESSIONAL DEVELOPMENT FOR EDUCATORS AND EVALUATORS

• Revised the AAC

• Mandated the establishment of Building-Based Student Support Teams (BBSST)

• Mandated professional development related to instructional and behavioral intervention strategies
SYSTEMIC PROFESSIONAL DEVELOPMENT FOR EDUCATORS AND EVALUATORS

- Developed a Student Prereferral Form (SPF)
- Revised the SPF to include the environmental, cultural, economic concerns checklist
- Encouraged the use of nonverbal intellectual assessments
- Required adaptive behavior assessments for eligibility
AWARENESS TRAINING FOR ADMINISTRATORS, EVALUATORS, AND EDUCATORS

- Provided training on (a) the reasons for overrepresentation and under representation and, (b) the learning and behavioral characteristics of students with disabilities

- Provided guidance regarding the characteristics of intellectual and creative giftedness in general and special education populations
SCREENING OF ALL SECOND GRADERS FOR EVIDENCE OF GIFTED BEHAVIOR

- In all school systems an annual child find procedure utilizing a gifted characteristics checklist is required.
- In most school systems gifted specialists visit every second grade classroom at least three times to teach lessons that elicit gifted behaviors and products.
- In a few school systems second grade teachers are responsible for the activities.
ONGOING MONITORING OF ALL INITIATIVES

- Monitoring of all local education agencies (LEAs) twice during a four-year monitoring cycle

- Requiring that each LEA continues to evidence racial disparity to reevaluate identified students with nontraditional assessments
TOTAL POPULATIONS OF STUDENTS WITH EMOTIONAL DISTURBANCE 2000-2005

[Bar chart showing the total populations of students with emotional disturbance from 2000 to 2005, differentiated by race. The chart includes columns for Black and White populations for each year.]
TOTAL POPULATIONS OF STUDENTS WITH MENTAL RETARDATION 2000-2005
TOTAL POPULATIONS OF STUDENTS WITH SPECIFIC LEARNING DISABILITY 2000-2005
TOTAL POPULATIONS OF GIFTED STUDENTS 2000-2005

- Black
- White
RELEASED FROM CONSENT DECREE

- December 2006, Judge Myron Thompson reviewed the results of Alabama’s Action Plan.
- Dr. Mabrey Whetstone, Director of Special Education Services, guaranteed continuation of Alabama’s Action Plan.
- March 2007, the Justice Department released Alabama from the *Lee v Macon* Consent Decree.
- Disproportionality issues are addressed through monitoring.
Lee v Macon Consent Decree Committee

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