



May 2, 2022

Dear Senator Kapenga:

Introduction and Overview

Thank you for your inquiry into and interest in the programming provided through the Disproportionality Technical Assistance Network (The Network). The Network addresses disproportionality based on race and ethnicity in special education identification, discipline and/or placement, as defined and regulated in 34 CFR Section 300.646 and 647. Identified Local Educational Agencies (LEAs) must identify and address the factors contributing to the significant disproportionality for the identified category. The U.S. Department of Education (USDE) recognizes that these factors may include a lack of access to scientifically based instruction; economic, cultural, or linguistic barriers to appropriate identification or placement in particular educational settings; inappropriate use of disciplinary removals; lack of access to appropriate diagnostic screenings; differences in academic achievement levels; and other similar policies, practices, or procedures that contribute to the significant disproportionality. In response to district requests for support, the Department of Public Instruction (DPI) uses discretionary administrative funds of the Individuals with Disabilities in Education Act 2004 (IDEA) to provide training and information through The Network.

Responses to your questions:

- While DPI does not purport to hold every viewpoint that each of its funded speakers holds, DPI maintains a strong commitment to the principles of educational equity. DPI works to ensure that every child, regardless of zip code, has access to quality public education programs, enrichment opportunities, and special education supports, so that all of our kids can be successful. Wisconsin has significant disparities in achievement data that is predictable based on race and disability status. Equipping educators to teach with equity practices in order to eliminate gaps in opportunity and achievement is a responsibility DPI takes seriously, in part so they are able to provide a Free Appropriate Public Education to students with disabilities, as well as to decrease racial disproportionality in special education, which are responsibilities outlined in the Individuals with Disabilities Education Act. The Network has invited educators and content experts in navigating our state's current situation from a place of strength and resilience. Each speaker is invited to share their perspectives around educational equity and justice by providing strategies and opportunities.
- The DPI believes that all teachers must be equipped to teach diverse classrooms with an understanding of the current social context of Wisconsin, our country, and the world at large to ensure that every student is receiving what they need to succeed.
- USDE and DPI recognize that there is not a one-size-fits-all approach to addressing racial disparities in education. DPI strives to provide a wide variety of perspectives through the Educational Equity Leadership Series and welcomes recommendations from past participants and other interested stakeholders. Please share speaker recommendations with DPI's Assistant Director of the Special Education team at courtney.jenkins@dpi.wi.gov.

- DPI staff are currently working to make sure all videos are ADA accessible and will soon be uploaded on our public platform. Until then, all webinar recordings are available to all registered attendees through our online learning platform.
- 34 CFR Section 300.646 and 647 require all states to identify local education agencies with significant racial disproportionality in their special education identification, discipline and/or placement and provides additional regulatory guidance to IDEA section 618(d).
- The subject matter of the Educational Equity Leadership Series is consistent with DPI's mission "to ensure that every child, regardless of zip code, has access to quality public education programs, enrichment opportunities, and special education supports, so that all of our kids can be successful." Currently, Wisconsin has local education agencies in which Black students, Latinx students, and Native American students are identified in special education at twice the rate of their peers.

Conclusion

Wisconsin has been plagued with a persistent racial disproportionality in education. In a recent report by [COWS](#), those disparities were deemed extreme. With this data in mind, we offer programming aiming to eliminate those disparities and ensure the progress of our vision.

For additional information on my thoughts related to equity, inclusion, and identity, I encourage you to read the State Superintendent's recent editorial series at <https://dpi.wi.gov/news/dpi-connected/state-superintendent-publishes-op-ed-series-equity-inclusion-and-diversity>.

Sincerely,

A handwritten signature in black ink that reads "Jill Underly". The signature is written in a cursive, flowing style.

Dr. Jill Underly
Wisconsin State Superintendent of Public Instruction