



## POLICY, PROCEDURE, AND PRACTICE REVIEWS FOR DISPROPORTIONALITY

### WHY ARE THESE REVIEWS VALUABLE?

Conducting regular reviews of district policies, procedures, and practices is an essential component of maintaining clear and legally compliant educational systems. These reviews ensure the district's written expectations, operational processes, and day-to-day practices align with federal and state regulations, as well as with the district's commitment to serving all students—particularly those with disabilities—fairly and effectively.

**Policies** provide the formal framework that guides district operations and are legally required to be accessible to the public. Regularly reviewing and updating these policies not only ensures compliance with current laws and guidance but also promotes transparency and trust within the community. When families and stakeholders understand the district's commitments and obligations, they can better advocate for appropriate educational opportunities for all students.

**Procedures** translate policy into action. While not all procedures must be made publicly available, they are essential tools for district/ school staff. Clearly defined and well-communicated procedures ensure that staff understand their roles, responsibilities, and the steps required to support students with disabilities. Without consistent and detailed procedures, districts risk uneven implementation of supports, which can lead to potential instances of disproportionality in identification, placement, or discipline.

**Practices** represent what actually occurs in schools and classrooms. The Nebraska Department of Education, Office of Special Education, often evaluates district practices through student records, data, and other artifacts of evidence. It is critical that district practices align with established policies and procedures to ensure consistency and compliance across the system. Misalignment between what is written and what is practiced can inadvertently perpetuate disparities in educational experiences and outcomes.

By systematically reviewing policies, procedures, and practices, districts can identify and address areas of inconsistency or bias, strengthen implementation fidelity, and ultimately ensure access to high-quality educational services for all students.

**POLICY, PROCEDURE, AND PRACTICE REVIEWS FOR DISPROPORTIONALITY: REQUIRED VS. RECOMMENDED**

Timing / Situation	Required Review	Recommended Review	Rationale / Purpose
When the district is first identified with an indicator 4, 9, and/or 10 finding	✓		Indicators 4, 9, and 10 are a part of the State of Nebraska's monitoring and are required for such a finding.
When the district is identified with significant disproportionality	✓ Per IDEA §618(d)		Federal regulations require districts identified with significant disproportionality to review and, if necessary, revise policies, procedures, and practices to ensure compliance with IDEA and equity in identification, placement, and discipline.
Following changes in federal or state laws or regulations (e.g., IDEA, Section 504, state rule updates)	✓		Ensures all district policies and procedures align with updated legal requirements and guidance.
When district policies or procedures are revised or newly developed	✓		New or updated policies and procedures must be reviewed for consistency with current district practices and legal standards.
When the district is identified with an indicator 4, 9, and/or 10 finding (2 consecutive years and updates have been made)	✓		Early reviews can help identify root causes and address potential inequities before they become compliance concerns.
When district data shows emerging disparities in identification, placement, or discipline (even if not yet "significant")	✓	If a complaint or due process is filed (or prior to this if possible)	Ensures that identified issues are corrected, and that district policies and practices prevent recurrence.
Following complaints, due process cases, or findings of noncompliance	✓	May be required as a corrective action	Ensures new leadership understands existing policies and can align practices with district equity goals and legal obligations.
When leadership changes occur (e.g., new superintendent, special education director, or building administrators)		✓	Regular reviews promote fidelity, consistency, and equitable implementation across schools and programs.
As part of ongoing continuous improvement or strategic planning efforts		✓	Routine review cycles support sustainability, transparency, and continuous alignment with best practices.
Every 3-5 years as a best practice cycle		✓	Monitoring processes include verification that district policies, procedures, and practices align with federal and state expectations.
Prior to routine district compliance monitoring or audits (e.g., NDE or other oversight)		✓	