WISE USE OF COORDINATED EARLY INTERVENING SERVICES (CEIS) TO ACHIEVE EQUITY IN SCHOOL DISCIPLINE

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Wise Use of Coordinated Early Intervening Services (CEIS) to Achieve Equity in School Discipline

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Purpose
Disproportionality in exclusionary school discipline is a longstanding challenge in general and special education. To reduce disproportionality in discipline in a way that produces measurable results, federal law provides a mechanism referred to as Coordinated Early Intervening Services (CEIS). Whether a school district has been cited for significant disproportionality, is out of compliance, or is voluntarily directing funds to reducing disproportionality in discipline, this brief provides background on CEIS and outlines best practices for how state, district, and building administrators can invest these funds most effectively to achieve equity in school discipline.
What is CEIS?

The Individuals with Disabilities Education Act of 2004 and the Every Student Succeeds Act (ESSA) of 2015 are the national acts that establish the CEIS framework to reduce disproportionality in discipline. CEIS has no precise definition offered in either IDEA or ESSA, but the Office for Special Education Programs (2008) guidance helps clarify that CEIS funds are intended for use in preventing the need for special education services, to prevent improper special education classification, or to intervene early so that the special education needs of students are not as severe. Under IDEA Part B, an LEA can use up to 15% of the amount it receives for IDEA Part B for any fiscal year to develop and implement CEIS (IDEA 2004 Section 613; 2006 Regulation Section 300.226).

Why Dedicate Funds to CEIS?

The law gives administrators two mechanisms for using CEIS. First, CEIS can be used voluntarily (and preventively) to prevent negative student outcomes. In voluntary CEIS, an LEA may carry out activities that include (a) professional development for teachers and staff on scientifically based instruction/intervention and (b) educational evaluations, services, and supports. An LEA may use funds reserved for CEIS for students in Kindergarten through Grade 12 (with a particular emphasis on students in Kindergarten through Grade 3) who have not been identified as requiring special education or related services but need additional academic and behavior support to succeed in a general education environment (IDEA 2004 Section 613; 2006 Regulation Section 300.226). Additionally, CEIS funds may be used to carry out activities funded by ESSA if such funds are used to supplement (not supplant) funds made available under ESSA for CEIS (IDEA 2004 Section 613; 2006 Regulation Section 300.226).

Second, using CEIS is required when “significant disproportionality” is triggered. A finding of “significant disproportionality” pertains specifically to disciplinary actions (e.g., suspensions and expulsions) based on race or ethnicity within a school or district. The IDEA regulations on significant disproportionality establish a standard methodology that each State must use to determine significant disproportionality (81 FR 92376-01). As part of the standard methodology, states are required to set reasonable risk ratio thresholds, reasonable minimum n-sizes, reasonable minimum cell sizes, and reasonable progress. According to the
Department of Education’s guidance to the 2016 regulation, “each State has considerable discretion in how it defines significant disproportionality” (81 Fed. Reg. 92376-01, Dec. 19, 2016, p. 92376). States have the discretion “to choose to identify an LEA as having significant disproportionality after an LEA exceeds a risk ratio threshold for up to three prior consecutive years” (81 Fed. Reg. 92376-01, Dec. 19, 2016, p. 92377).

A finding of “significant disproportionality” triggers the requirement that an LEA use “comprehensive CEIS,” which specifically refers to the mandated use of CEIS in the case of significant disproportionality (IDEA 2004 Section 618). With comprehensive CEIS comes a requirement that 15% of IDEA Part B funds going to an LEA be used to remediate disproportionality, in addition to other requirements, such as identifying and addressing factors, policies, practices, and procedures contributing to significant disproportionality. In addition, there are requirements of remedial action for the SEA. The SEA must collect and analyze data on significant disproportionality related to IDEA Part B students; review and revise policies, practices, and procedures, and have designated LEAs publicly report on their revision.

**Recommendations for Wise Use of CEIS Funds**

For both CEIS and comprehensive CEIS, SEAs and LEAs have many options on how they use these funds. Potentially ineffective uses are one-time trainings and programs that discuss the problem without providing effective strategies for teachers to use in their classrooms. Detailed below are recommendations for wise use of CEIS funds, including several evidence-based practices schools can use to improve their equity in school discipline.

**Implement Interventions within Multi-tiered Systems of Support**

If school, district, and state leaders want their equity efforts to be implemented fully and sustained, it is important to invest in a framework that supports the adults in the building to use evidence-based practices for every student through coordinated the teaming, data, and coaching of multi-tiered systems of support (MTSS). Embedding equity interventions within MTSS can reduce isolated (“silod”) implementation and increase the fidelity of implementation and sustainability (McIntosh, Mercer, et al., 2018; Meng et al., 2016). The most widely implemented MTSS to improve social-emotional-behavioral outcomes is positive behavioral interventions and supports (PBIS). PBIS is a preventive, multi-tiered framework that supports pro-social behavior for all students. Schools implementing PBIS see significant reductions in exclusionary discipline (Bradshaw et al., 2010; Bradshaw et al., in press; Flannery et al., 2014).

Furthermore, when evaluating disproportionality, implementation of PBIS is associated with reduced disparities in office referrals for Black/African American students (McIntosh, Gion, et al., 2018; Swain-Bradway et al., 2019; Vincent et al., 2011) and decreased exclusions for students with disabilities (Swain-Bradway et al., 2019; Tobin et al., 2012).
Disaggregate Discipline Data for Decision-Making

Systematically tracking important student outcome data, including school discipline data (e.g., office discipline referrals, suspensions), is key to making informed decisions, and using a problem-solving approach with disaggregated discipline data has been shown to reduce racial discipline disparities (McIntosh, Ellwood, et al., 2018; McIntosh, Girvan, Fairbanks Falcon, et al., 2021; McIntosh, Girvan, McDaniel, et al., 2021; Tobin & Vincent, 2011). By disaggregating data, school teams can evaluate the differential impact of policies and practices on specific student groups and also identify circumstances that contribute more to disproportionality. School teams can detect and monitor disproportionality using risk ratios and rates by subgroup, which should be available in school discipline data systems, such as the School-wide Information System (SWIS; www.pbisapps.org). In addition, identifying the situations (e.g., time of day, type of behavior, location) in which marginalized student groups are most likely to be excluded from the classroom compared to other students can tell teams where to target practical reforms (McIntosh, Ellwood, et al., 2018).

Provide Professional Development Focused on Feasible, Equity-Focused Classroom Strategies

Although PBIS can be an important foundation, use of the framework alone is not likely to eliminate disparities altogether. Improving equity in schools requires focusing on it explicitly, with attention to equitable use of evidence-based practices and behavior support that is culturally sustaining (Alim et al., 2020). The use of an equity-focused PBIS approach has demonstrated promising results, being associated with an improvement in school climate (McIntosh, Girvan, McDaniel, et al., 2021), and significantly reducing both rates of office discipline referrals for Black students and disproportionality for Black students compared to all other students in a randomized controlled trial (McIntosh, Girvan, Fairbanks Falcon, et al., 2021). This equity-centered approach uses a problem-solving model and school-level data to develop tailored intervention plans to improve outcomes. The intervention plans vary by school based on presenting data, perceived fit, and educator choice. Within an equity-centered PBIS approach, a few examples of specific practices include...
positive greetings at the door (Cook et al., 2018)

the personal matrix activity (Leverson et al., 2021; Muldrew & Miller, 2021), improving the ratio of praise/positive reinforcement to reprimands (Gion et al., 2022; Knochel et al., 2022; Tobin & Vincent, 2011), and use of an empathetic discipline mindset (Okonofua et al., 2016).

Provide Coaching to Classroom Teachers

Teachers benefit from coaching support with new strategies, and this focus holds especially true for equity-centered professional development. Coaching of equity-centered strategies in the classroom increases student cooperation and reduces disruptive behavior (Bradshaw et al., 2018), improves praise to reprimand ratios for Black/African American students (Gion et al., 2022; Knochel et al., 2022), and decreases disparities in exclusionary discipline (Bradshaw et al., 2018; Gion et al., 2022; Gregory et al., 2016). School leaders can invest in ongoing professional development through a coaching model that focuses on training feasible strategies and providing structured, regular feedback that increases classroom implementation. Specifically, effective coaching arrangements can focus on improving use of classroom management strategies (e.g., ratios of praise to reprimands, opportunities to respond) and/or making classroom practices more culturally responsive (e.g., connecting instruction to students’ cultural background, relationship development).

Partner with Families

Inviting families and actively seeking their engagement in school activities is another way to invest time and funds focused on equity. Giving voice to families through surveys is one effective, efficient strategy to gain feedback on family member experiences with the school and develop ideas for continuous program improvement (Nese et al., 2021). However, school leaders can get even better outcomes when they engage focus groups to better understand specific issues and add family members to school teams. In addition, school leaders can make events more accessible by providing accommodations that allow more full participation from the community (e.g., child care, food, documents in multiple languages, interpreters).

Conclusion

To address disproportionality, CEIS funds can be used most effectively when they are implemented as part of an MTSS, such as the PBIS framework, as opposed to a standalone initiative that does not include existing structures for teaming, professional development, coaching, and use of data to monitor progress. The concrete classroom strategies, in addition to adjustment of team practices and policy changes, are only some examples of steps that school leaders can take. The 5-point Intervention Approach for Enhancing Equity in School Discipline (McIntosh, Girvan, et al., 2018) is an additional resource for schools seeking more detail on some of the recommendations discussed here.
References


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Embedded Hyperlinks


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