

Guide to 14.6

Equity in Course and Program Enrollment

Legal Background

At least annually, LEAs must review disaggregated course and program enrollment data at each building to identify disproportionalities based on sex, race, EL status, and disability (special education and Section 504) to ensure the LEA does not discriminate in the counseling and guidance of students.

Key Resource:

[Course and Program Enrollment Data Worksheets](#)—Optional but helpful Excel worksheets!

If the review identifies a substantial disproportionality, an LEA must take prompt action to ensure it is not the result of discrimination, including in:

- The identification and selection of students;
- Course and program enrollment criteria;
- Tests and appraisal instruments;
- Academic, career, and vocational guidance materials;
- Work/study programs and opportunities;
- Educational scheduling or placement; and
- Other factors related to course and program enrollment.

Legal authority: Title IX, [34 C.F.R. Sec.106.36](#); Section 504, [34 C.F.R. Sec.104.34](#); Title VI, [34 C.F.R. Sec.100.3](#); RCW [28A.640.020](#) and [28A.642.010](#); WAC [392-190-010](#).

Process for Reviewing Course and Program Enrollment Data (14.6.A)

Evidence to Provide

- A. A description of the process the LEA uses to annually review disaggregated course and program enrollment data at each building to identify and address disproportionalities based on sex, race, EL status, special education status, and Section 504 status. At a minimum, the description must include:
1. When the review occurs.
 2. Who is involved in the reviews.
 3. How the reviews are documented.
 4. Which course and programs are reviewed.
 5. How the LEA or building teams determine whether disproportionalities exist at each building.



Tips for Program Review

- The description of the LEA's process to annually review disaggregated course and program enrollment data should be sufficiently detailed to explain how LEA or building teams conduct and document reviews, what data is reviewed, how frequently reviews occur, and who is involved. OSPI monitors review this description to ensure the LEA's process is aligned with the legal requirements and for context of the implementation evidence the LEA provides in 14.6.B & C.
- LEAs are encouraged, but not required, to use OSPI's [Course and Program Enrollment Data Worksheets](#). The worksheets include instructions for completing the annual review and discussion questions to guide analysis of potential disproportionalities.
- The review should include **courses and programs that only some students participate in**, including the following: honors classes, advanced placement classes, Career and Technical Education classes, dual credit courses, highly capable programs, specialized physical education classes, online programs, pathway classes, and other specialized programs.
- Course and program enrollment data must be reviewed for **each building** and disaggregated by sex, race, English Learner status, and disability (including Special Education and Section 504).
- For small LEAs, it may be useful to compare and analyze multiple years of data together to identify possible trends of over or underrepresented student groups.
- Similarly, **LEAs with small course or program enrollment numbers** may consider grouping similar courses together to assist in analyzing data (e.g., all AP courses, all remedial courses, etc.). However, the LEA should be careful to not group all courses together where certain subject areas are unique and may have historical over- or under-representation of groups (e.g., CTE and career-focused courses and programs that have historical or ongoing stereotypes as being "for girls" or "for boys").
- For the purposes of the annual review of course and program enrollment, OSPI does not have a specific measure for "**substantial disproportionality**." Instead, the significance of a disproportionality is analyzed based on multiple factors, including the school size; the size of the student group; whether the specific student group represents a high or low percentage of the student population; the total number of students who participate in the course or program; and the relative rates or composition that students in a specific student group represent among students who are enrolled in the course or program.
- Guiding questions understanding disproportionalities could include:
 - For each course or program, is a student group's enrollment substantially proportionate to that student group's overall enrollment in the school? Are any student groups under or overrepresented?
 - Are there trends or patterns of under or overrepresented student groups in certain courses or programs?

- Is a student group overrepresented in a certain program but underrepresented in other programs?
- If the LEA has multiple buildings, does the enrollment make-up in courses and programs at one school differ from the programs at another school? If so, why might that be?

Examples of Recent Annual Course and Program Enrollment Review (14.6.B & C)

Evidence to Provide

For 14.6.B and 14.6.C., provide evidence for an elementary school, middle/junior high school, high school, and online or ALE program (where applicable). Please submit evidence for the same schools for 14.6.B & C.

- B. Evidence of implementation of the LEA's process to annually review course and program enrollment data for the 2022–23 or 2023–24 school year. Evidence must include the following:
 1. Disaggregated course and program enrollment data reviewed.
 2. A narrative, report, or meeting minutes that show how the LEA or building team analyzed the data to identify disproportionalities.
 3. A list of any identified substantial disproportionalities.
- C. If the LEA or building team identified substantial disproportionalities, evidence that the LEA or building team is addressing each substantial disproportionality to ensure it is not the result of discrimination. Evidence must include the following:
 1. A narrative, report, or meeting minutes that show the LEA or building team's analysis to determine the causes of disproportionalities (i.e., root cause analysis).
 2. The LEA or building's plan to address each disproportionality to ensure it is not the result of discrimination (e.g., reviews of counseling practices, identification and selection of students, recruitment materials and strategies, and course scheduling).

If no disparities were identified, please Add Comment to this item stating grounds for N/A.

Tips for Program Review

- Be sure the evidence of implementation provided is sufficiently detailed to show what data was reviewed and how the LEA or building team determined whether disproportionalities exist.
- If any disproportionalities are identified, the LEA must provide evidence that the LEA or building team analyzed disparities to determine the **root causes** and whether the disproportionalities **could be the result of bias or discrimination**.
- Plans to address disproportionalities should be informed by and intended to address the suspected root causes of the disproportionality.

- For **small LEAs**, it may be useful to compare and analyze multiple years of data together to identify possible trends of over or underrepresented student groups.
- Similarly, schools with **small course or program enrollment numbers** may consider grouping similar courses together to assist in analyzing data (e.g., all AP courses, all remedial courses, etc.). However, the LEA should be careful to not group all courses together where certain subject areas are unique and may have historical over- or under-representation of groups (e.g., CTE and career-focused courses and programs that have historical or ongoing stereotypes as being “for girls” or “for boys”).

Learn More about Equity in Course and Program Enrollment

- WAC [392-190-010](#) Counseling and guidance services—Course and program enrollment.
- OSPI [Equity in Courses and Programs](#) webpage

OCR [Dear Colleague Letter: Gender Equity in Career and Technical Education \(2016\)](#)