

# Guide to Item 14.4

## *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.

#### OSPI Tools and Resources

[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](#).

### Description of the Review Process (14.4.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 substantial 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 determines whether substantial disproportionalities exist.



## Tips for Program Review (14.4.A)

- **Make sure the LEA responds to each of the prompts included in Item 14.4.A.** Doing so will help ensure the LEA's process is aligned with the legal requirements and it will help OSPI to contextualize the implementation evidence provided for Items 14.4.B & C.
- **Include the following courses and programs**, if offered in a particular building: Honors classes, advanced placement classes, Career and Technical Education classes, dual credit courses, highly capable programs, specialized physical education classes, online programs, pathway classes, etc.

## Evidence of Implementation (14.4.B)

### Evidence to Provide

*For 14.4.B, please select any two elementary schools, two middle/junior high schools, two high schools, and two online or ALE programs (where applicable).*

- B. Evidence of implementation of the LEA's process to annually review course and program enrollment data for the 2024–25 or 2025–26 school year. Evidence must include at least the following:
  1. Disaggregated course and program enrollment data reviewed.
  2. A narrative, report, or meeting minutes that show how the LEA or building analyzed the data to identify substantial disproportionalities.
  3. A list of any identified substantial disproportionalities.

## Tips for Program Review (14.4.B)

- **Make sure to include responsive evidence** for each of the three numbered prompts in the request. Please also check to make sure that the evidence submitted for is sufficiently detailed to show what data was reviewed *and* how the LEA/building determined whether substantial disproportionalities were found.
- **Consider using OSPI's [Course and Program Enrollment Data Worksheets](#).** Although not required, the worksheets include instructions for completing the annual review and discussion questions that can help guide your LEA's analysis.
- **Course and program enrollment data must be reviewed for each *building*** (*i.e.*, not the LEA as a whole) and then disaggregated by sex, race, EL status, and disability (special education and Section 504).
- **OSPI does not have a specific measure for what constitutes a “substantial” disproportionality.** Instead, the LEA should base its determination 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.

- **For smaller LEAs, it may be useful to:**
  - Compare and analyze multiple years of data together to identify possible trends of over- or under-represented student groups.
  - Group similar courses together when analyzing data. For example, the LEA could analyze all AP courses or all honors courses together (rather than analyzing *each* AP course or *each* Honors course separately). 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 certain groups (e.g., CTE and career-focused courses and programs that have historical or ongoing stereotypes as being “for girls” or “for boys”).

## Evidence of Analysis (14.4.C)

### Evidence to Provide

*For 14.4.C, please submit evidence from the same schools that were used for 14.4.B. If no substantial disproportionalities were identified, please mark 14.4.C as N/A.*

- C. If substantial disproportionalities were identified, evidence that the LEA or building 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 demonstrate the LEA or building’s analysis to determine the causes of substantial disproportionalities (*i.e.*, root cause analysis).
  2. The LEA or building’s plan to address each substantial 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).

### Tips for Program Review (14.4.C)

- **If any substantial disproportionalities were identified**, the LEA must provide evidence (*i.e.*, work product or documentation of some sort) showing that the LEA/building analyzed disparities to determine the root causes and whether the substantial disproportionalities were the result of bias or discrimination.
- **Plans to address substantial disproportionalities** should be informed by and intended to address the suspected root causes of the disproportionality.

## 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