



Indiana Department of Education

Glenda Ritz, NBCT

Indiana Superintendent of Public Instruction

DISPROPORTIONALITY

ICASE February 2016



A series of blue silhouettes of people in various poses (walking, sitting, standing) are arranged along a green, curved line that represents a hill, moving from left to right.

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SIGNIFICANT DISPROPORTIONALITY and INDICATORS 4a/b, 9 and 10

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SESSION OUTCOMES

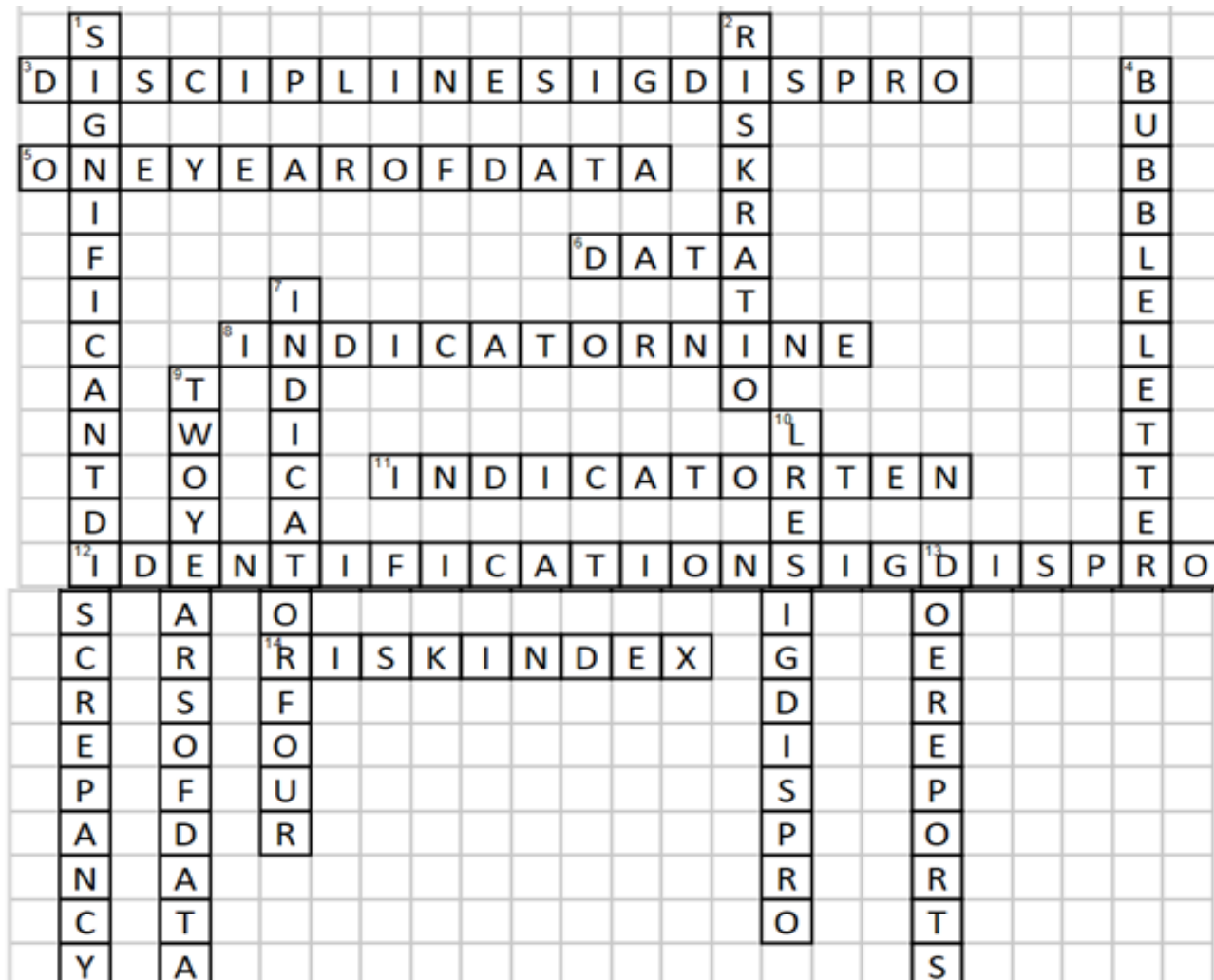
- Explanation of and similarities between
 - Significant Disproportionality in...
 - Discipline
 - Least Restrictive Environment
 - Identification of Students for Special Education

AND

- The Federal Indicators
 - Discipline (4a/4b)
 - Identification of Students for Special Education (9,10)



**OH WHAT A TANGLED MESS WE WEAVE
WE ARE NOT PRACTICING TO DECEIVE!!!**



WHY IS THIS SO CONFUSING?

- Because the same data is used for multiple purposes it is hard to keep the end products straight
- Terms used sound closely related, but have their own definition
- It is mind boggling to keep all of it straight
- Lets put some of the blame on the feds – they created the law and indicators



IDEA: SECTION 618 (d) (1) [Excerpts]

(1) Each State shall collect and examine data to determine if **significant disproportionality based on race and ethnicity** is occurring in the State and the local educational agencies of the State with respect to--

(A) the **identification of children as children with disabilities**, including the identification of children as children with disabilities in accordance with a particular impairment

(B) the **placement in particular educational settings** of such children; and

(C) the incidence, duration, and type of **disciplinary actions**, including suspensions and expulsions.



IDEA: SECTION 618 (d) (2)

(2) Review and revision of policies, practices, and procedures.--In the case of a determination of significant disproportionality with respect to the identification of children as children with disabilities, or the placement in particular educational settings of such children the State shall--

(A) provide for the **review and, if appropriate, revision of the policies, procedures, and practices** used in such identification or placement to ensure that such policies, procedures, and practices comply with the requirements of this title (**Root Cause Analysis**);

(B) require any local educational agency identified under paragraph (1) to reserve the maximum amount of **funds** under section 613(f) to provide **comprehensive coordinated early intervening services** to serve children in the local educational agency, particularly children in those groups that were significantly over identified under paragraph (1); and

(C) require the local educational agency to **publicly report on the revision of policies, practices, and procedures** described under subparagraph (A). (ex: school board meeting)



SIGNIFICANT DISPROPORTIONALITY

- Not one of the 17 Indicators
- Based solely on data
- Does not take into account policies, practices, and procedures in the determination that an LEA has Significant Disproportionality



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SIGNIFICANT DISPROPORTIONALITY

RISK RATIO and 'N' SIZE

Notice of Significant Disproportionality May 2015	Notice of Significant Disproportionality May 2016
LEA rates/numbers are at least 2.5 times greater than the comparison rates/numbers for two consecutive years (ex: one group is more than 2.5 times more likely to be identified as, disciplined, or sitting in a specific LRE category than another group)	LEA rates/numbers are at least 2.5 times greater than the comparison rates/numbers for two consecutive years (ex: one group is more than 2.5 times more likely to be identified as, disciplined, or sitting in a specific LRE category than another group)
'N' size is 10 (discipline) or 15 (eligibility category or LRE placement)	'N' size is 15 for ALL categories



Q Q Q Q
AAUGH!
G G G



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PROPORTION/DISPROPORTIONALITY DEFINITION

Proportion

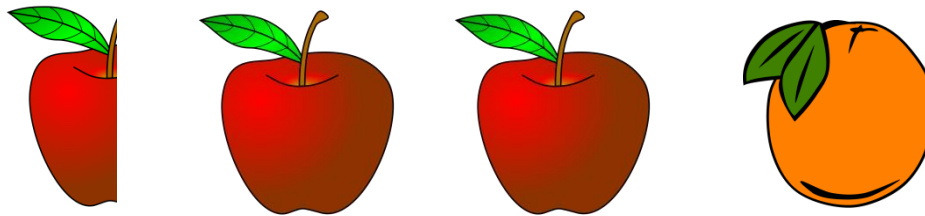
The relationship that exists between the size, number or amount of two things



This fruit is proportionate – 1 apple/1 orange

PROPORTION/DISPROPORTIONALITY DEFINITION

If the proportion between two things is not equal, then we look at the 'ratio' of the proportion. A ratio says how much of one thing there is compared to another thing



**This fruit is not proportionate –
there is a ratio of 2.5 apples to 1 orange
Or, in other words,
disproportionality exists between these two fruits**

SIGNIFICANT DISPROPORTIONALITY - WHAT ARE WE COMPARING? STEP 1

The percentage of students with disabilities in a
LEA from a particular racial or ethnic group

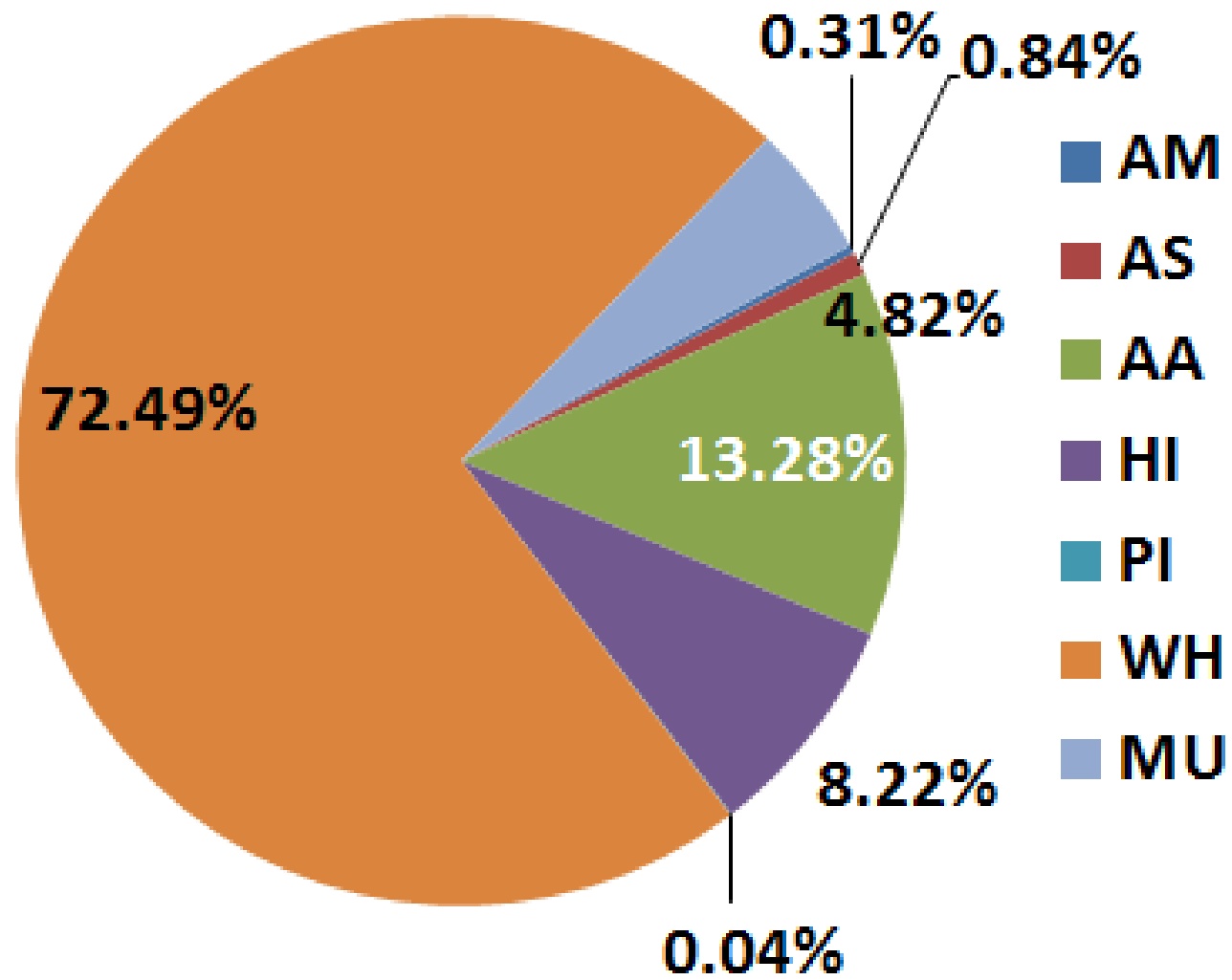
COMPARED TO

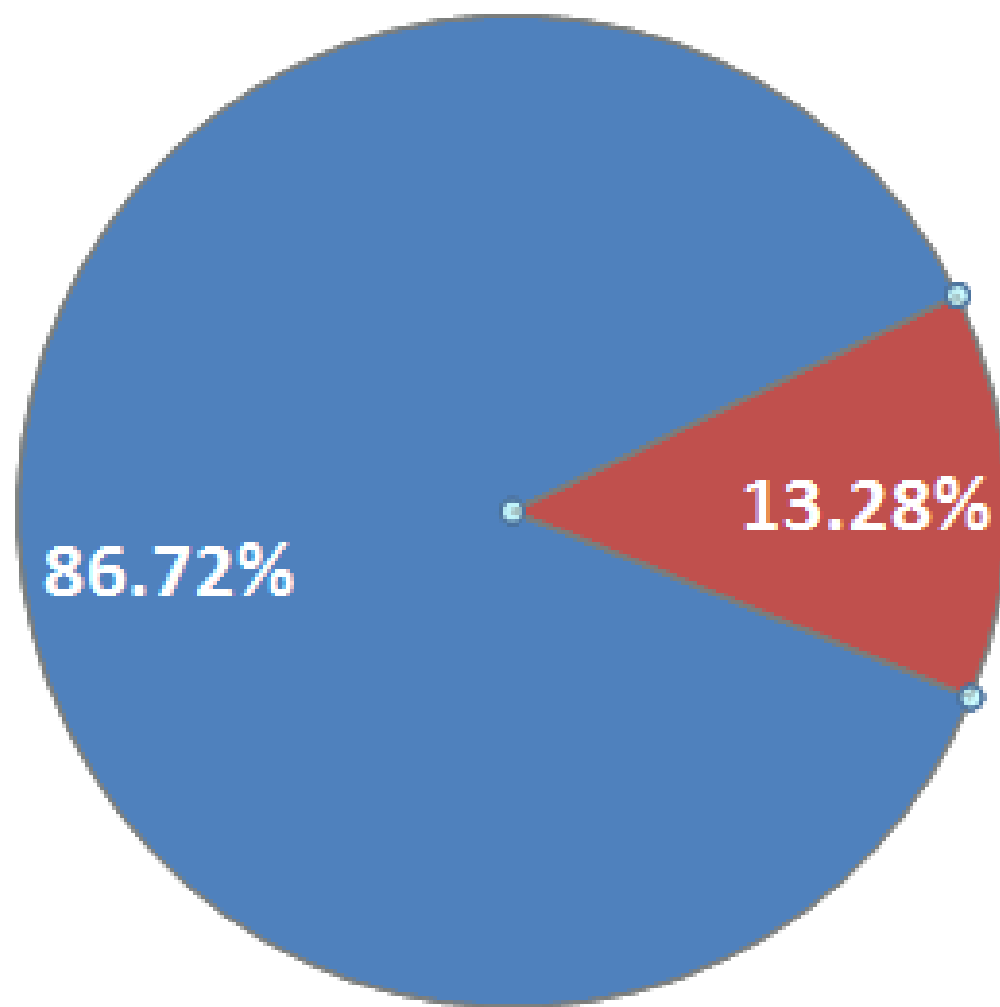
ALL OTHER students with disabilities in the LEA
in the remaining racial or ethnic categories



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■ All Other
■ AA

THREE COMPARISONS

SIGNIFICANT DISPROPORTIONALITY – **STEP 2**

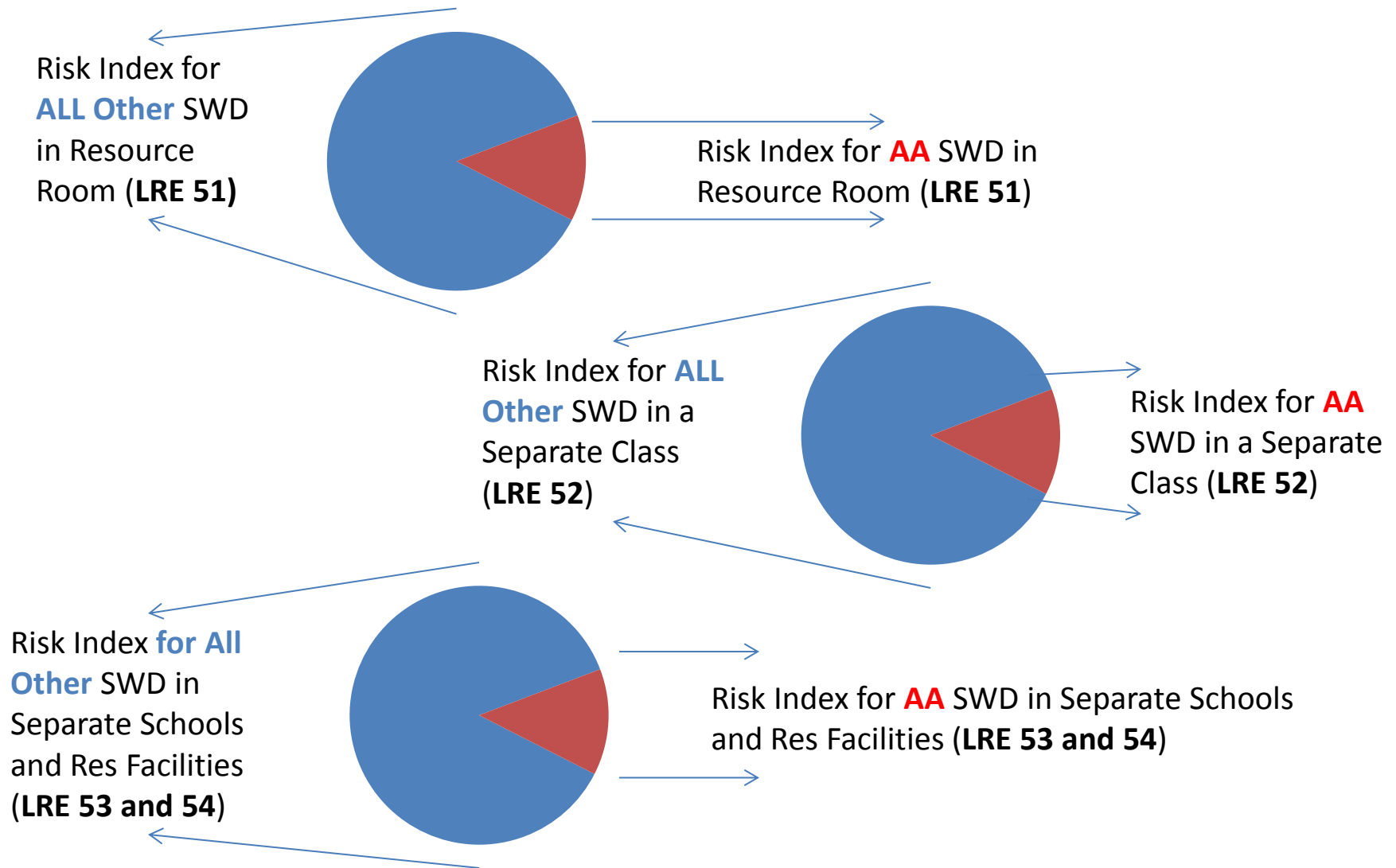
- Least Restrictive Environment
- Eligibility
- Discipline

NOTE: An 'N-Size' of 15 applies to all areas (*new for May 2016 calculations)



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AN EXAMPLE FOR LRE SIG DISPRO



OK - BUT - What is a Risk Index?

- For LRE it is the percentage of one group identified in a LRE category-Example is LRE 52 **compared to all other groups**
- Raw Data for ABC LEA:

A	Total Students in Special Education	3,842
B	White Students in Special Education	2,085
C	Total Students in LRE Code 52 Placement	49
D	White Students in LRE Code 52 Placement	38

Risk Index Calculations

White SWD in LRE 52

[D] divided by [B]

[Wh SWD in LRE 52] ÷ [Wh SWD in Sp Ed]

38

Divided By

2085

Equals

1.82% (Risk Index for White SWD in LRE 52)



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Risk Index Calculations

All Other SWD in LRE 52

$$49 - 38 = 11$$

Divided by

$$3842 - 2085 = 1757$$

$$11 \div 1757 = .063\%$$

Risk Index for All Other
SWD in LRE 52

(C – D) Divided by (A –
B)

Total SWD in LRE 52 (49)
Minus
Wh SWD in LRE 52 (38)

Divided by

Total SWD in SpEd (3842)
Minus
Wh SWD in SpEd (2085)



NOW WE CAN GET A 'RELATIVE RISK RATIO'

- The Relative Risk Ratio is the comparison of the White Students in LRE Code 52 to All Other Students in LRE Code 52 (E divided by F)
- E – Risk Index for White Students - **1.82%**
- F – Risk Index for All Other Students – **.063%**

$$1.82\% \div .063\% = 2.9113$$



WHAT DOES THAT MEAN?

- A relative risk ratio of **2.9113** means white students with disabilities have been placed in LRE Code 52 **2.9113** times more frequently than all other racial/ethnic groups combined

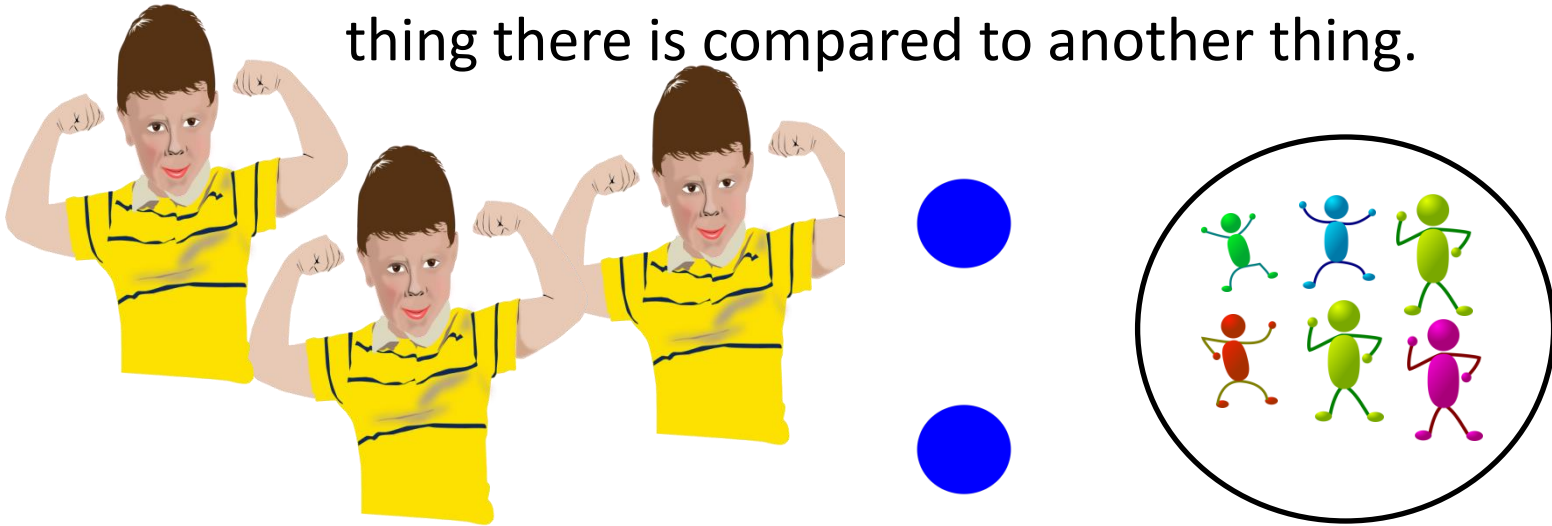


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DEFINITION REMINDER

If the proportion between two things is not equal, then we look at the 'ratio' of the proportion. A ratio says how much of one thing there is compared to another thing.



White students are being placed in a separate class 2.9 times more than all other students combined

OR

For every one student that is in any other race/ethnicity group other than white placed in LRE 52 there are 2.9 white students placed in LRE 52

SO WHAT?

- Indiana has set the threshold at **2.5** for the relative risk ratio
- This LEA had **2.9113** therefore is over the threshold

BUT

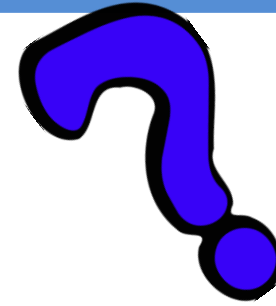
In order for the LEA to be 'out' for Significant Disproportionality for this one element of LRE, the LEA must exceed the threshold for two years



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SIGNIFICANT DISPROPORTIONALITY QUIZ



How many discrete elements are
analyzed for each LEA in Indiana to
determine Significant
Disproportionality



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SIG DISPRO - ELIGIBILITY

RACE/ETHNICITY

American Indian/Alaskan Native (AM);
Asian (AS);
Black/African American (AA);
Hispanic/Latino (HI);
Native Hawaiian/Other Pacific Islander (PI);
White (WH);
Two or More Races (MU)

CATEGORY

Cognitive Disability (CD);
Specific Learning Disability (SLD);
Emotional Disability (ED);
Language or Speech Impairment (LSI);
Other Health Impairment (OHI);
Autism (AUT)

RACE/ETHNICITY (7) Multiplied by CATEGORY (6) = 42 possible combinations

SIG DISPRO - DISCIPLINE

RACE/ETHNICITY

American Indian/Alaskan
Native (AM);

Asian (AS);

Black/African American
(AA);

Hispanic/Latino (HI);

Native Hawaiian/Other
Pacific Islander (PI);

White (WH);

Two or More Races (MU)

CATEGORY

Out of School Suspension
> 10 Days

Out of School Suspension
 \geq 10 Days

In School Suspension > 10
Days

RACE/ETHNICITY (7) Multiplied by CATEGORY (3) = 21 possible combinations

SIG DISPRO - LRE

RACE/ETHNICITY

American Indian/Alaskan
Native (AM);

Asian (AS);

Black/African American
(AA);

Hispanic/Latino (HI);

Native Hawaiian/Other
Pacific Islander (PI);

White (WH);

Two or More Races (MU)

CATEGORY

Resource Room (LRE 51)

Separate Class (LRE 52)

Separate Schools and
Residential Facilities (LRE
53 and 54)

RACE/ETHNICITY (7) Multiplied by CATEGORY (3) = 21 possible combinations

SIGNIFICANT DISPROPORTIONALITY

SPECIAL EDUCATION OVERALL

Disproportionate representation of racial and ethnic groups in special education and related services

Minimum 'n' size May 2015	Minimum 'n' size May 2016
15 in target group (ex: Hispanic students who are identified with SLD)	15 in target group (ex: Hispanic students who are identified with SLD)
15 in all others (ex: students who are NOT Hispanic who are identified with SLD)	15 in all others (ex: students who are NOT Hispanic who are identified with SLD)



Significant Disproportionality-SPECIAL EDUCATION OVERALL

IU receives data from IDOE in late December/early January and disaggregates it for Overall Special Education

		A	B	C	D	E	F	G
		Total Enrollment	Hispanic Enrollment	Total Number of Students with Disabilities	Number of Hispanic Students with Disabilities	Risk Index for Hispanic Students $(D) \div (B)$	Risk Index for all other students $(C-D) \div (A-B)$	Relative Risk Ratio $E \div F$
2013-14	Local School Corp	2,636	94	308	29	.308511 [30.8511%]	.109756 [10.9756%]	2.8109
2014-15	Local School Corp	2,651	90	299	27	.300000 [30.0000%]	.106209 [10.6209%]	2.8246

Column E: To determine the risk index for Hispanic students, the number of Hispanic students with disabilities (Column D) is divided by the total number of Hispanic students enrolled in the LEA (Column B).

Column F: The risk index for all other students (White, African-American, Asian, American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, and Multiple races) is determined by the total number of students with disabilities (Column C) minus the number of Hispanic students with disabilities (Column D) DIVIDED BY the total enrollment (Column A) minus the Hispanic enrollment (Column B).

Column G: The relative risk ratio (comparing Hispanic students with disabilities to all other students with disabilities) is determined by dividing the risk index for Hispanic students (Column E) by the risk index for all other students with disabilities (Column F).

Conclusion: For the past two school years Local School Corporation has exceeded the 2.0 threshold for Hispanic students. The data shows that Hispanic students have been identified as students with disabilities 2.8109 and 2.8246 times more frequently than all other racial/ethnic groups combined. Further review is necessary to determine if this is the result of inappropriate identification of Hispanic students.



Significant Disproportionality-ELIGIBILITY CATEGORIES

Minimum 'n' size May 2015

15 in target group (ex: White students who are identified with Autism)

15 in all others (ex: students who are NOT White who are identified with Autism)

Minimum 'n' size May 2016

15 in target group (ex: White students who are identified with Autism)

15 in all others (ex: students who are NOT White who are identified with Autism)

Eligibility

6 Categories:

- Other Health Impairment
- Specific Learning Disability
- Emotional Disability
- Autism Spectrum Disorder
- Language or Speech Impairment
- Cognitive Disability



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Significant Disproportionality-ELIGIBILITY-ex: White Autism

IU receives data from IDOE in late December/early January and disaggregates it for Eligibility Categories

		A	B	C	D	E	F	G
		Total Enrollment	White Enrollment	Total Students with Autism	White Students with Autism	Risk Index for White Students $(D) \div (B)$	Risk Index for all other students $(C-D) \div (A-B)$	Relative Risk Ratio $E \div F$
2013-14	ABC School Corp	3,842	2,085	49	38	.018225 (1.8225%)	.006260 (0.6260%)	2.9113
2014-15	ABC School Corp	3,726	1,990	59	46	.023115 (2.3115%)	.0074884 (0.74884%)	3.0869

Column E: To determine the risk index for White students with Autism, the number of White students with Autism (Column D) is divided by the total number of White students enrolled in the LEA (Column B). |

Column F: The risk index for all other students (African-American, Asian, American Indian/Alaska Native, Hispanic, Native Hawaiian/Other Pacific Islander, and Multiple races) with Autism is determined by the total number of students with Autism (Column C) minus the number of White students with Autism (Column D) DIVIDED BY the total enrollment (Column A) minus the White enrollment (Column B).

Column G: The relative risk ratio (comparing White students with Autism to all other students with Autism) is determined by dividing the risk index for White students (Column E) by the risk index for all other students (Column F).

Conclusion: For the past two school years the ABC School Corporation has exceeded the 2.5 threshold for White students with Autism. The data shows that White students have been identified students with Autism 2.9113 and 3.0869 times more frequently than all other racial/ethnic groups combined. The Relative Risk Ratio of greater than 2.5 for two consecutive years results in a Significant Disproportionality determination.



Significant Disproportionality-PLACEMENT CATEGORIES

Minimum 'n' size May 2015	Minimum 'n' size May 2016
15 in target group (ex: White students who are in LRE Code 52-Separate Classes)	15 in target group (ex: White students who are in LRE Code 52-Separate Classes)
15 in all others (ex: students who are NOT White who are in LRE Code 52-Separate Classes)	15 in all others (ex: students who are NOT White who are in LRE Code 52-Separate Classes)

Placement (3):

- Resource Room (LRE 51)
- Separate Class (LRE 52)
- Separate Schools and Residential Facilities (LRE 53, 54)



Significant Disproportionality-LRE-White Students in LRE 52

IU receives data from IDOE in late December/early January and disaggregates it for Placements

		A	B	C	D	E	F	G
		Total Students in Special Education	White Students in Special Education	Total Students in LRE Code 52 Placement	White Students in LRE Code 52 Placement	Risk Index for White Students $(D) \div (B)$	Risk Index for all other students $(C-D) \div (A-B)$	Relative Risk Ratio $E \div F$
2013-14	ABC School Corp	3,842	2,085	49	38	.018225 (1.8225%)	.006260 (0.6260%)	2.9113
2014-15	ABC School Corp	3,726	1,990	59	46	.023115 (2.3115%)	.0074884 (0.74884%)	3.0869

Column E: To determine the risk index for White students in LRE Code 52 placement, the number of White students in LRE Code 52 placement (Column D) is divided by the total number of White students with disabilities in the LEA (Column B).

Column F: The risk index for all other students (African-American, Asian, American Indian/Alaska Native, Hispanic, Native Hawaiian/Other Pacific Islander, and Multiple races) in LRE Code 52 Placement is determined by the total number of students in LRE Code 52 placement (Column C) minus the number of White students in LRE Code 52 Placement (Column D) DIVIDED BY the total number of students with disabilities (Column A) minus the number of White students with disabilities (Column B).]

Column G: The relative risk ratio (comparing White students in LRE Code 52 placement to all other students in LRE Code 52 placement) is determined by dividing the risk index for White students (Column E) by the risk index for all other students (Column F).

Conclusion: For the past two school years ABC School Corporation has exceeded the 2.5 threshold for White students in LRE Code 52 placement. The data shows that White students have been placed in the LRE Code 52 placement 2.9113 and 3.0869 times more frequently than all other racial/ethnic groups combined. The Relative Risk Ratio of greater than 2.5 for two consecutive years results in a Significant Disproportionality determination.



Significant Disproportionality-DISCIPLINE CATEGORIES

Discipline (5 categories-May 2015)	Discipline (3 categories-May 2016)
Total Disciplinary Removals	
ISS totaling more than 10 days	ISS totaling more than 10 days
ISS totaling 10 days or less	
OSS/expulsion totaling more than 10 days	OSS/expulsion totaling more than 10 days
OSS/expulsion totaling 10 days or less	OSS/expulsion totaling 10 days or less

Minimum 'n' size May 2015	Minimum 'n' size May 2016
10 in target group (ex: African American students with OSS/expulsion totaling more than 10 days)	15 in target group (ex: African American students with OSS/expulsion totaling more than 10 days)
10 in all others (ex: African American students with OSS/expulsion totaling more than 10 days)	15 in all others (ex: African American students with OSS/expulsion totaling more than 10 days)



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DISCIPLINE IN PRACTICE

It's More than Just Data

- Nearly 3.5 million public school students suspended at least once in 2011-2012
- More than one student for every public school teacher in the United States
- Conservative average of number of days per suspension is 3.5 days
- Totals almost 18 million instructional days lost by U.S. public school children
- Between 1/3 and 1/2 of all enrolled students experience at least one suspension between K-12
- <http://www.schooldisciplinedata.org/ccrr/index.php>

'Reaction to Prevention: Turning the Page on School Discipline', by Russ Skiba and Dan Losen, American Educator magazine, Winter 2015-2016



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NATIONWIDE SUSPENSION RATES at U.S. SCHOOLS (2011-12)

Ethnicity	Elementary	Secondary
All	2.6%	10.1%
American Indian	2.9%	11.9%
Pacific Islander	1.2%	7.3%
Asian	0.5%	2.5%
Black	7.6%	23.2%
Latino	2.1%	10.8%
White	1.6%	6.7%
English Learner	1.5%	11.0%
With Disability	5.4%	18.1%

<http://www.schooldisciplinedata.org/ccrr/index.php>



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DISCIPLINE IN PRACTICE: INDIANA

Indiana — ELEMENTARY WITHOUT DISABILITY

Demographic	Enrollment	# Suspended	Suspension Rate [* = Error]
All	417,925	12,615	3.02%
Black/AA	46,155	5,490	11.89%
White	296,835	4,920	1.66%
Latino	44,190	1,035	2.34%
Hawaiian/PI	265	5	1.89%
American Indian	1,135	5	0.44%
Asian American	8,640	25	0.29%
English Learner	31,010	420	1.35%

<http://www.schooldisciplinedata.org/ccrr/index.php>



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DISCIPLINE IN PRACTICE: INDIANA

Indiana — ELEMENTARY WITH DISABILITY

Demographic	Enrollment	# Suspended	Suspension Rate [* = Error]
All	72,220	4,655	6.45%
Black/AA	8,590	1,480	17.23%
White	53,630	2,455	4.58%
Latino	5,670	250	4.41%
Hawaiian/PI	15	0	0.00%
American Indian	105	5	4.76%
Asian American	570	5	0.88%
English Learner	2,915	110	3.77%

<http://www.schooldisciplinedata.org/ccrr/index.php>



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DISCIPLINE IN PRACTICE: INDIANA

Indiana — SECONDARY WITHOUT DISABILITY

Demographic	Enrollment	# Suspended	Suspension Rate [* = Error]
All	440,630	41,970	9.52%
Black/AA	45,395	12,245	26.97%
White	334,045	22,815	6.83%
Latino	34,800	4,240	12.18%
Hawaiian/PI	310	5	1.61%
American Indian	1,260	95	7.54%
Asian American	8,260	210	2.54%
English Learner	17,145	1,885	10.99%

<http://www.schooldisciplinedata.org/ccrr/index.php>



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DISCIPLINE IN PRACTICE: INDIANA

Indiana — SECONDARY WITH DISABILITY

Demographic	Enrollment	# Suspended	Suspension Rate [* = Error]
All	71,025	13,425	18.90%
Black/AA	10,260	3,485	33.97%
White	52,705	8,210	15.58%
Latino	4,360	745	17.09%
Hawaiian/PI	0	0	0%
American Indian	215	10	4.65%
Asian American	330	15	4.55%
English Learner	1,965	320	16.28%

<http://www.schooldisciplinedata.org/ccrr/index.php>



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DISCIPLINE IN PRACTICE: INDIANA

Food For Thought

1. Do these practices best serve the aim of schools?
2. What is the impact of exclusionary discipline practices?
3. How do we create an environment that makes considerations for the needs of ALL students, meets the aim of the educational system AND reflects that in its disciplinary practices?

Impact

- Research has not found that suspension/expulsion improves student behavior/school safety
- Higher rates of suspension = lower rates of school safety and poorer school climate
- Student history of suspension seems to predict higher rates of future antisocial behavior and future suspensions...so NOT an effective deterrent
- Use of exclusionary discipline practices associated with lower academic achievement at school and individually and increased risk of negative behavior over time
- Increased risk of contact with juvenile justice system
- Suspension/expulsion for discretionary school violations, triple likelihood of juvenile justice involvement within year



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DISCIPLINE IN PRACTICE: INDIANA

Definition for ISS

- Student is removed from assigned class/activity to another setting in order to maintain an orderly and effective educational system. **Instructional time** required to be considered an In-School suspension. Article 7 applies to Sped students

Definition of OSS

- If instruction to student DOES NOT meet definition of **instructional time**, suspension is out-of-school suspension

Instructional Time

- Instructional time is time in which students are participating in an approved course, curriculum, or educationally related activity under the direction of a teacher
- Homework DOES NOT meet criteria for “instructional time”

Detentions are not counted as removals so NOT reported BUT are a disciplinary action aiming to deter undesirable behavior and maintain an orderly and effective educational system. Is this an option in some form that would meet the aim and change the impact?



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DISCIPLINE IN PRACTICE: INDIANA

Where do things get hazy with Suspensions?

Instructional Time

- confusion around language “It is the responsibility of the local school/corp to *interpret and determine* whether the instruction provided meets the legal definition of “instructional time” as defined in IC 20-30-2-1 which includes criterion of being “under the direction of the teacher”
- Reframe “*interpret and determine*” as “**ensure**”
- What does IC 20-30-2-1 say exactly?

As used in this chapter, "instructional time" is time during which students are participating in: **(1) an approved course; (2) a curriculum; or (3) an educationally related activity; under the direction of a teacher**, including a reasonable amount of passing time between classes. Instructional time does not include lunch or recess.

As added by P.L.1-2005, SEC.14



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DISCIPLINE IN PRACTICE: INDIANA

P.L. 1-2005

Chapter 2 defines “teacher” in Sec. 22

Sec. 22. (a) "Teacher" means a professional person whose position in a school corporation requires certain teacher training preparations and licensing.



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DISCIPLINE IN PRACTICE: INDIANA

511 IAC 7-44-1 Removals in general

Sec. 1. (a) A public agency is not required to provide services to a student with a disability during any of the first ten (10) cumulative instructional days of removal in a school year, for violating a code of student conduct, if services are not provided to a nondisabled student who has been similarly removed.

(b) Removal of a student for any part of a day constitutes a day of removal.

(c) A short-term removal of a student pursuant to the student's IEP is not a removal under this rule.

(d) A suspension is a removal. However, an in-school suspension is not considered a removal for purposes of this rule if, during the in-school suspension, the student has the opportunity to:

- (1) progress appropriately in the general curriculum;
- (2) receive the special education services specified in the student's IEP; and
- (3) participate with nondisabled students to the extent the student would have in the student's current placement.

(e) If bus transportation is part of the student's IEP, a suspension from the bus would be a removal, unless the public agency provides transportation in an alternative manner.

(f) A removal under this rule constitutes a suspension as defined in IC 20-33-8-7. A public agency's suspension procedures must comply with Indiana statutes and this article.

(g) If a student is removed for more than ten (10) consecutive instructional days in a school year, the public agency must abide by the requirements in sections 4 and 5 of this rule.

(h) If a student is removed for more than ten (10) cumulative instructional days in a school year, the public agency must determine if a change of placement has occurred in accordance with section 2 of this rule. If the public agency determines:

- (1) that a change of placement has occurred, the public agency must abide by the requirements in sections 4 and 5 of this rule; or
- (2) that a change of placement has not occurred, the public agency must abide by the requirements in section 3 of this rule.





"The Principal suspended me —
School is the only place in the
world where you can get time
off for *bad* behavior."

Significant Disproportionality-DISCIPLINE-OSS/EXPULSION TOTALING MORE THAN 10 days

IU receives data from IDOE in late December/early January and disaggregates it for OSS/expulsion totaling more than 10 days

		A	B	C	D	E	F	G
		Total Students with Disabilities	African American Students with Disabilities	Total OSS totaling more than 10 days	African American OSS totaling more than 10 days	Risk Index for African American students with disabilities $(D) \div (B)$	Risk Index for all other students with disabilities $(C-D) \div (A-B)$	Relative Risk Ratio $E \div F$
2012-13	XYZ Sch Corp	3,310	222	78	14	.063063 (6.3063%)	.020725 (2.0725%)	3.0428
2013-14	XYZ Sch Corp	3,203	208	90	16	.076923 (7.6923%)	.024708 (2.4708%)	3.1133

Column E: To determine the risk index for African American students, the number of African American students with disabilities subjected to OSS totaling more than ten days (Column D) is divided by the total number of African American students with disabilities (Column B). **Note: When the Significant Disproportionality discipline category is "Total Disciplinary Removals," the Risk Index is calculated as the result of $D \div B$ multiplied by 100.**

Column F: The risk index for all other students with disabilities (White, Hispanic, Asian, American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, and Multiple races) is determined by the total number of students with disabilities subjected to OSS totaling more than ten days (Column C) minus the number of African American students with disabilities subjected to the same discipline (Column D) DIVIDED BY the total number of students with disabilities (Column A) minus the number of African American students with disabilities (Column B). **Note: When the Significant Disproportionality discipline category is "Total Disciplinary Removals," the Risk Index is calculated as the result of $(C-D) \div (A-B)$ multiplied by 100.**

Column G: The relative risk ratio (comparing African American students with disabilities to all other students with disabilities) is determined by dividing the risk index for African American students (Column E) by the risk index for all other students with disabilities (Column F).

Conclusion: For the past two school years XYZ School Corporation has exceeded the 2.5 threshold for African American students. The data shows that African American students with disabilities have been OSS totaling more than ten days 3.6249 and 4.6921 times more frequently than all other racial/ethnic groups combined. The Relative Risk Ratio of greater than 2.5 for two consecutive years results in a Significant Disproportionality determination.



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SIGNIFICANT DISPROPORTIONALITY NEXT STEPS

Complete FY16 Part B grant-Part 2 (mid Aug)

- CEIS narrative
- Budget-15% CEIS (15% of combined 611 and 619 funds) but budgeted out of the 611 grant
- Monitoring Reports every 3 months

If any policies and procedures change, report out publically (Board Meeting, etc.)

Any questions concerning CEIS and/or grants, please contact Jennifer Thompson, Grants Supervisor,

jthompson@doe.in.gov



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A green wavy line representing a hill spans across the top of the slide. Five dark blue silhouettes of people are positioned along the crest of the hill, appearing to walk from left to right. The silhouettes represent a child, an adult, and three other figures of varying heights.

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INDICATORS 4, 9 and 10 DISPROPORTIONALITY

INDICATOR 4A- RATES of SUSPENSION and EXPULSION

Indicator 4A: A Significant Discrepancy in the rate of out-of-school (OSS) suspensions/expulsions greater than ten days of students with disabilities.

What this means: Data that you submitted for your LEA shows that the rate at which students with disabilities are subjected to OSS suspensions/expulsions for more than ten days is at least twice as high as the statewide rate at which students with disabilities are subjected to OSS suspensions/expulsions for more than ten days for two consecutive years.

Minimum 'n' size May 2015	Minimum 'n' size May 2016
10 in target group (ex: students with disabilities in your LEA that have OSS/expulsion totaling more than 10 days)	15 in target group (ex: students with disabilities in your LEA that have OSS/expulsion totaling more than 10 days)
10 in all others (ex: students with disabilities across the state that have OSS/expulsion totaling more than 10 days)	15 in all others (ex: students with disabilities across the state that have OSS/expulsion totaling more than 10 days)



INDICATOR 4A

IU receives data from IDOE in late December/early January and disaggregates it for Indicator 4A

		A	B	C	D
		Total number of students with disabilities	Total out-of school suspensions/expulsions totaling more than 10 days	Incident Rate $B \div A$	Ratio LEA incident rate \div Statewide incident rate
2011-2012	Statewide	149,596	2,054	.0137 (1.37%)	.0484 \div .0137 = 3.5274
	ABC School Corp	351	17	.0484 (4.84%)	
2012-2013	Statewide	150,338	1,918	.0127 (1.27%)	.0434 \div .0127 = 3.4079
	ABC School Corp	345	15	.0434 (4.34%)	

Column C: The Statewide incident rate is determined by dividing the total number of students with disabilities in the state who were suspended/expelled (OSS) for more than ten days by the total number of students with disabilities in the state. The LEA's incident rate is determined by dividing the number of students with disabilities in the LEA who were suspended/expelled (OSS) for more than ten days by the total number of students with disabilities in the LEA.

Column D: The ratio is determined by dividing the LEA's incident rate by the Statewide incident rate.

Conclusion: For the past two school years, ABC School Corporation has exceeded the 2.0 threshold. The data shows that the LEA has subjected its students with disabilities to out-of-school suspensions/expulsions for more than ten days at rates that are 3.5274 and 3.4079 times the Statewide rate. Further review is necessary to determine if this is the result of inappropriate policies, procedures or practices.

<http://www.doe.in.gov/sites/default/files/specialed/calculator-explanation-indicator-4a-final.pdf>





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INDICATOR 4A

Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs



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DISCREPANCY DEFINITION

- There is a *discrepancy* when there is a difference between two things that should be alike.
- For example, there can be a wide *discrepancy* or a slight *discrepancy* between two objects, stories, or facts.



4A measures the discrepancy, if any,
between the LEA rate of all students with
disabilities who received out of school suspension/
expulsions for greater than 10 days

AS COMPARED TO

All students with disabilities combined in the state
for out-of-school suspension/ expulsions for greater
than 10 days



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CALCULATION: STATE

Total number of SWD:

150,338

Total number of SWD
with out of school
suspension/ expulsions
totaling more than 10
days

1918

1918

Divided By

150,338

Equals

.013720

OR

1.37%

CALCULATION: LEA

Total number of SWD:

351

Total number of SWD
with out of school
suspension/ expulsions
totaling more than 10
days

17

17

Divided By

351

Equals

.048433

OR

4.84%

LEA:
4.84%

State:
1.37%



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NOW WE FIND OUT THE RATIO

.048433 (LEA percentage)

DIVIDED BY

.013720 (State percentage)

EQUALS

3.5275

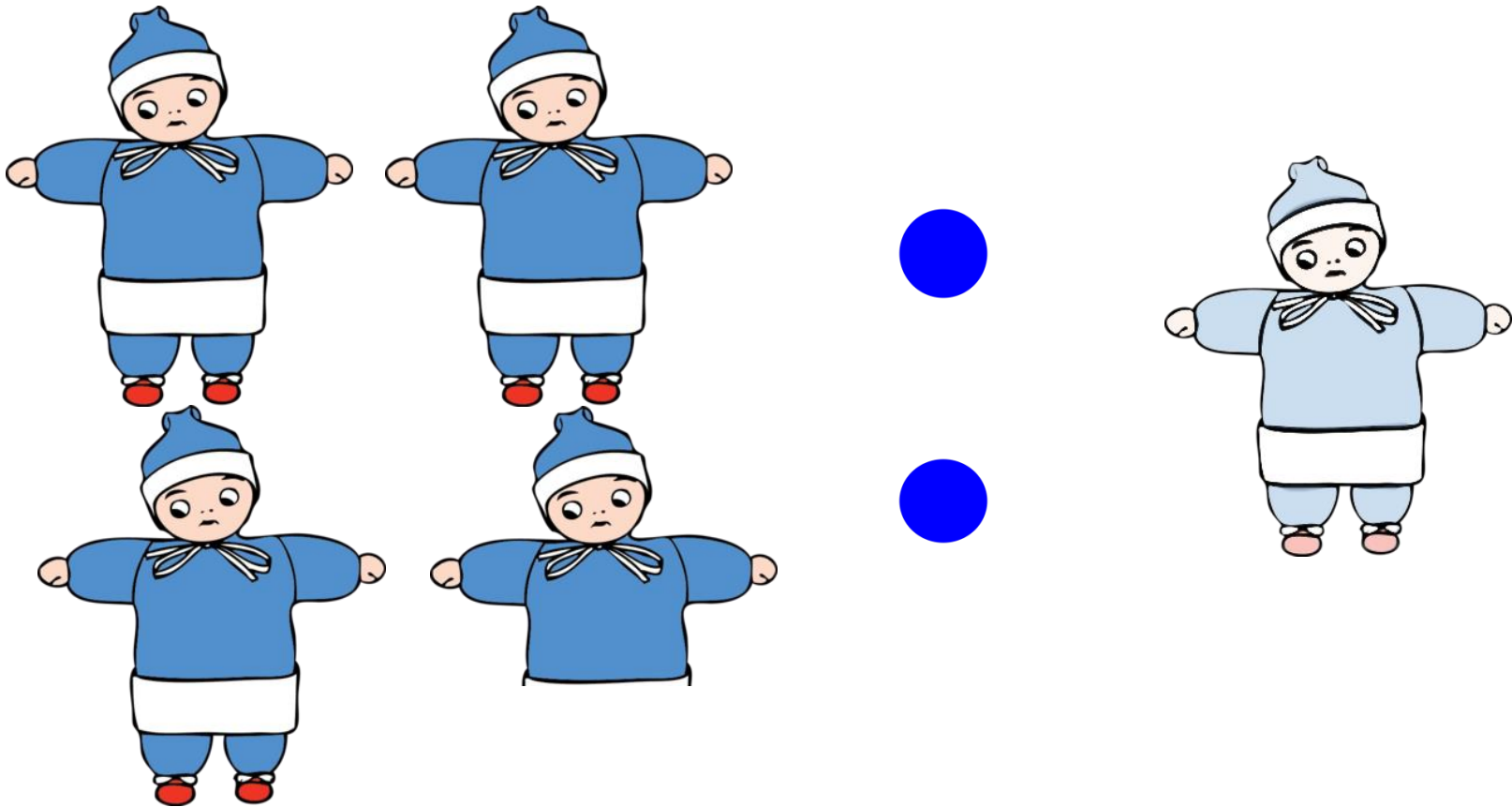


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SO WHAT DOES THIS MEAN?

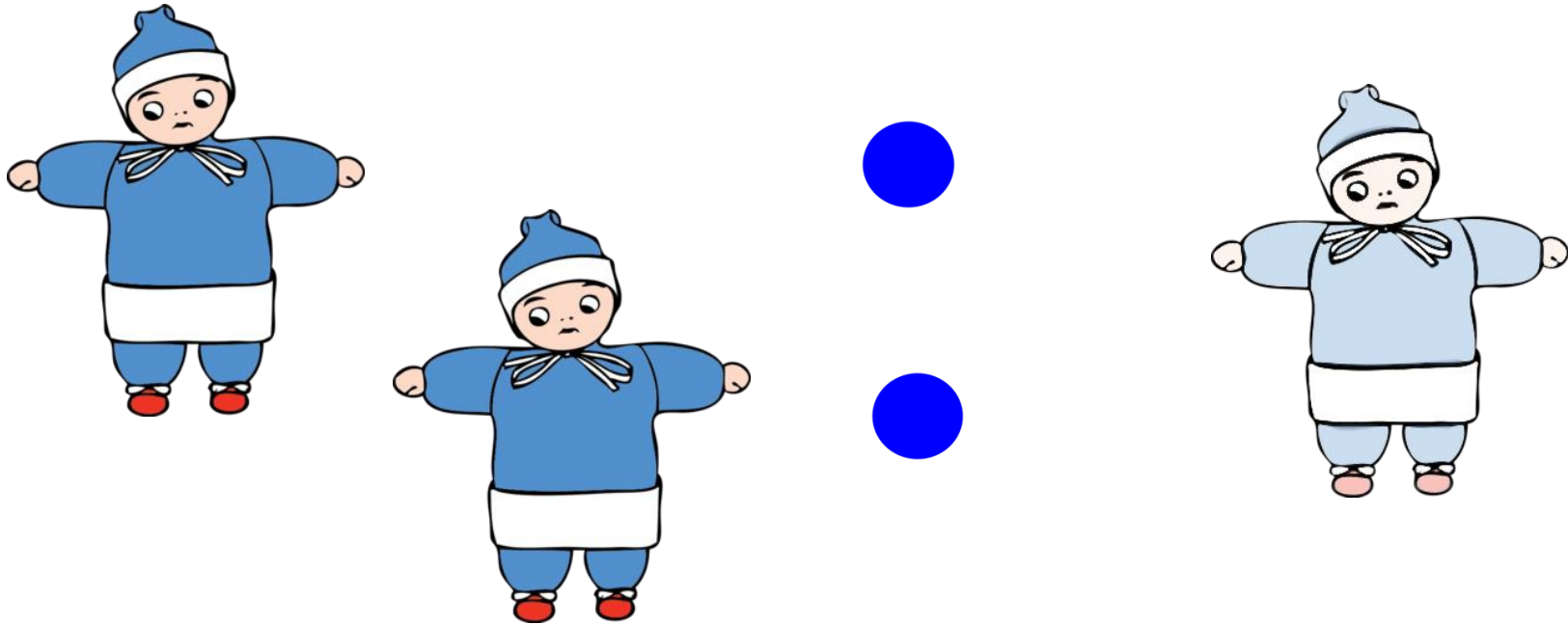
- This means that the LEA is suspending/ expelling SWD at a ratio of 3.53



SO WHAT?

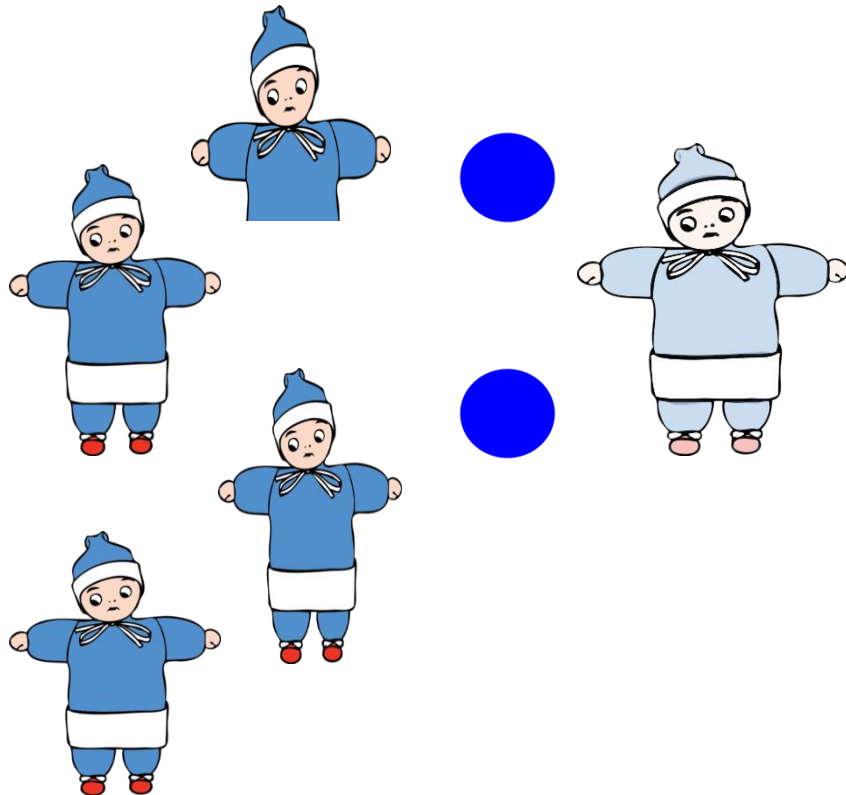
SO NOW WE LOOK AT COMPLIANCE

- The feds allow the states to set a threshold for compliance
- Indiana has set the threshold at 2.0

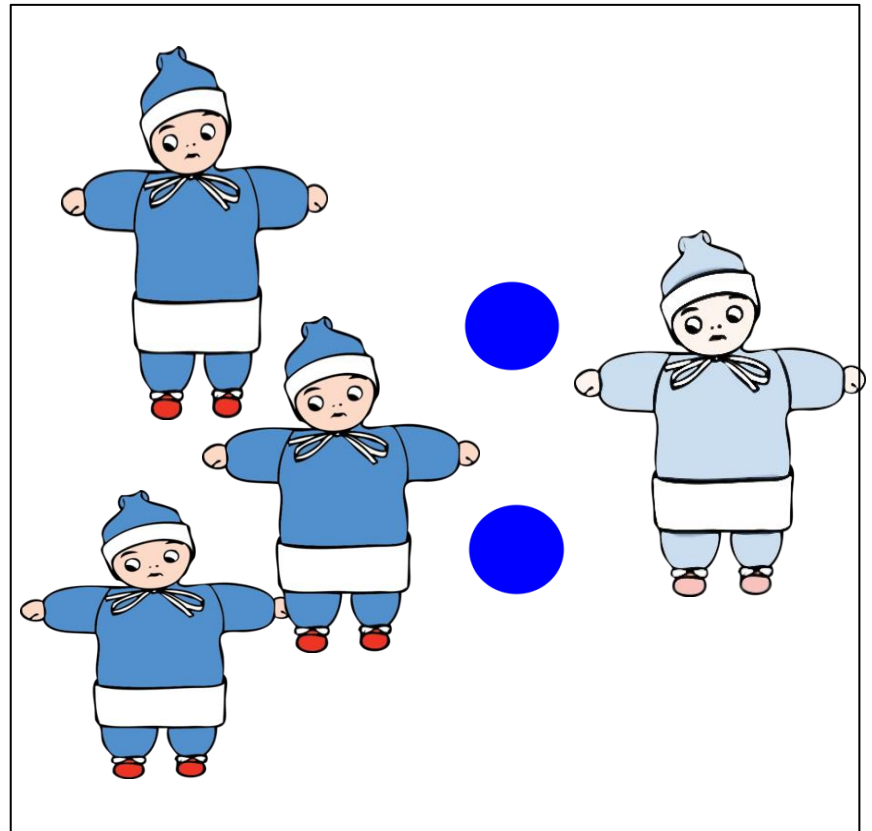


BUT WAIT! – THERE IS MORE TO IDENTIFYING COMPLIANCE

YEAR ONE, EX: 2012-2013



YEAR TWO, EX: 2014-2014



BUT WAIT! – THERE IS EVEN MORE TO IDENTIFYING INDICATOR 4A COMPLIANCE

- If the district exceeds the threshold for two years...then further review is necessary
- We need to determine if the LEA is exceeding the threshold as the result of inappropriate
 - Policies
 - Procedures
 - Practices



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SURVEY AND RUBRIC

Indicator 4 Procedural Survey Assessment of Policies, Practices, and Procedures

Section 1: Procedural Review

Does your school have **WRITTEN** procedures or guidelines:

1. Requiring that the case conference committee consider positive and supports to address any of the student's behaviors that or the learning of others? (7-42-6)
 _____ YES _____ NO

If YES, name document submitted for review:
 Applicable section

2. Requiring teachers of record to ensure that a intervention plan, is being implemented as written

LEA:	STN:	Reviewer name:	Secondary reviewer (if applicable):	Comment
Suspension				
1	Was the student suspended a total of greater than 10 days?	Yes	No	Unable to Determine
2	Were these days consecutive or cumulative?	Consecutive	Cumulative	Unable to Determine
2.1	If cumulative, does the series of removals constitute a pattern?	Yes	No	Unable to Determine
3	Was a Parental Notice sent the day of the decision of change in placement was made?	Yes	No	Unable to Determine
4	Were services provided to the student after the 10th day of suspension?	Yes	No	Unable to Determine
4.1	If yes, did these services support progress towards the goals named in the student's IEP?	Yes	No	Unable to Determine
If the student was suspended for 10 days consecutively OR 10 days cumulatively that constitute a change of placement complete review.				
S11 IAC 7-44.4-a, b, & c				
S11 IAC 7-44.5				
S11 IAC 7-44.5				
If "NO" or "Unable to Determine", review can stop. File is out of compliance.				
If "NO" or "Unable to Determine", review can stop. File is out of compliance.				
If "NO" review is complete. Does not constitute a change of placement. S11 IAC 7-44.4-a, b, & c				
If "Yes", the pattern constitutes a change of placement. Continue with review.				
If "NO" review is complete. Does not constitute a change of placement. S11 IAC 7-44.4-a, b, & c				
If "Yes", the pattern constitutes a change of placement. Continue with review.				

WHAT THEN?

- If the Policies/Procedures and Practices are found to be appropriate, then the LEA is deemed to be compliant
- If the review of the Policies/Procedures and Practices resulted in identified issues, then the LEA is deemed to be noncompliant



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REMINDER

- The indicator example 4A uses the State total as the comparison group
- All other indicators (4B, 9 and 10) compare the LEA to itself



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Indicator 4B- RATES OF SUSPENSION AND EXPULSION

Indicator 4B: A Significant Discrepancy in the rate of out-of-school (OSS) suspensions/expulsions totaling greater than ten days of students with disabilities of a racial or ethnic group of students as compared to all other students with disabilities in your LEA.

What this means: Data that you submitted for your LEA shows that the rate at which a particular racial or ethnic group of students with disabilities is subjected to OSS suspensions/expulsions totaling more than ten days is at least twice as high as the rate at which all other racial or ethnic groups of students with disabilities are subjected to OSS suspensions/expulsions totaling more than ten days in your LEA for two consecutive years.

Minimum 'n' size May 2015	Minimum 'n' size May 2016
10 in target group (ex: African American students with OSS/expulsion totaling more than 10 days)	15 in target group (ex: African American students with OSS/expulsion totaling more than 10 days)
10 in all others (ex: African American students with OSS/expulsion totaling more than 10 days)	15 in all others (ex: African American students with OSS/expulsion totaling more than 10 days)



INDICATOR 4B

IU receives data from IDOE in late December/early January and disaggregates it for Indicator 4B

		A	B	C	D	E	F	G
		Total Students with Disabilities	African American Students with Disabilities	Total OSS totaling more than 10 days	African American OSS totaling more than 10 days	Risk Index for African American students with disabilities $(D) \div (B)$	Risk Index for all other students with disabilities $(C-D) \div (A-B)$	Relative Risk Ratio $E \div F$
2012-13	XYZ Sch Corp	3,310	222	78	14	.063063 (6.3063%)	.020725 (2.0725%)	3.0428
2013-14	XYZ Sch Corp	3,203	208	90	16	.076923 (7.6923%)	.024708 (2.4708%)	3.1133

Column E: To determine the risk index for African American students, the number of African American students with disabilities subjected to OSS suspension/expulsion totaling more than ten days (Column D) is divided by the total number of African American students with disabilities (Column B).

Column F: The risk index for all other students with disabilities (White, Hispanic, Asian, American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, and Multiple races) is determined by the total number of students with disabilities subjected to OSS suspension/expulsion totaling more than ten days (Column C) minus the number of African American students with disabilities subjected to the same discipline (Column D) DIVIDED BY the total number of students with disabilities (Column A) minus the number of African American students with disabilities (Column B).

Column G: The relative risk ratio (comparing African American students with disabilities to all other students with disabilities) is determined by dividing the risk index for African American students (Column E) by the risk index for all other students with disabilities (Column F).

Conclusion: For the past two school years XYZ School Corporation has exceeded the 2.0 threshold for African American students. The data shows that African American students with disabilities have been suspended/expelled (OSS) totaling more than ten days 3.0428 and 3.1133 times more frequently than all other racial/ethnic groups combined. Further review is necessary to determine if this is the result of inappropriate policies, procedures, or practices.

<http://www.doe.in.gov/sites/default/files/specialed/calculation-explanation-indicator-4b-final.pdf>



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INDICATOR 9-OVER IDENTIFICATION

Indicator 9: A Disproportionate Representation of a particular racial/ethnic group within the total group of students with disabilities.

What this means: Data from the LEA is used to determine if students from one racial or ethnic group are identified more frequently as students with disabilities compared to students in all other racial or ethnic groups.

Minimum 'n' size May 2015

15 in target group (ex: White students who are identified with Autism)

15 in all others (ex: students who are NOT White who are identified with Autism)

Minimum 'n' size May 2016

15 in target group (ex: White students who are identified with Autism)

15 in all others (ex: students who are NOT White who are identified with Autism)



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INDICATOR 9

IU receives data from IDOE in late December/early January and disaggregates it for Indicator 9

		A	B	C	D	E	F	G
		Total Enrollment	Hispanic Enrollment	Total Number of Students with Disabilities	Number of Hispanic Students with Disabilities	Risk Index for Hispanic Students $(D) \div (B)$	Risk Index for all other students $(C-D) \div (A-B)$	Relative Risk Ratio $E \div F$
2013-14	Local School Corp	2,636	94	308	23	.244681 [24.4681%]	.112116 [11.2116%]	2.1824
2014-15	Local School Corp	2,651	90	299	22	.244444 [24.4444%]	.108161 [10.8161%]	2.2600

Column E: To determine the risk index for Hispanic students, the number of Hispanic students with disabilities (Column D) is divided by the total number of Hispanic students enrolled in the LEA (Column B).

Column F: The risk index for all other students (White, African-American, Asian, American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, and Multiple races) is determined by the total number of students with disabilities (Column C) minus the number of Hispanic students with disabilities (Column D) DIVIDED BY the total enrollment (Column A) minus the Hispanic enrollment (Column B).

Column G: The relative risk ratio (comparing Hispanic students with disabilities to all other students with disabilities) is determined by dividing the risk index for Hispanic students (Column E) by the risk index for all other students with disabilities (Column F).

Conclusion: For the past two school years Local School Corporation has exceeded the 2.0 threshold for Hispanic students. The data shows that Hispanic students have been identified as students with disabilities 2.1824 and 2.2600 times more frequently than all other racial/ethnic groups combined. Further review is necessary to determine if this is the result of inappropriate identification of Hispanic students.

<http://www.doe.in.gov/sites/default/files/specialed/calculation-explanation-indicator-9.pdf>



INDICATOR 10-OVER IDENTIFICATION

Indicator 10: A Disproportionate Representation of a particular racial or ethnic group within a specific disability category compared to all other students in the same disability category.

What this means: Data from the LEA is used to determine if students from one racial or ethnic group are identified more frequently as students in a specific disability category compared to students in all other racial or ethnic groups who are identified in the same disability category.

Minimum 'n' size May 2015

15 in target group (ex: White students who are identified with Autism)

15 in all others (ex: students who are NOT White who are identified with Autism)

Minimum 'n' size May 2016

15 in target group (ex: White students who are identified with Autism)

15 in all others (ex: students who are NOT White who are identified with Autism)



INDICATOR 10

IU receives data from IDOE in late December/early January and disaggregates it for Indicator 10

		A	B	C	D	E	F	G
		Total Enrollment	White Enrollment	Total Students with Autism	White Students with Autism	Risk Index for White Students (D) ÷ (B)	Risk Index for all other students (C-D) ÷ (A-B)	Relative Risk Ratio E ÷ F
2013-14	Friendly School Corp	7,862	767	31	11	.014342 (1.4342%)	.002831 (0.2831%)	5.0662
2014-15	Friendly School Corp	8,032	800	31	10	.012500 (1.2500%)	.002904 (.2904%)	4.3048

Column E: To determine the risk index for White students with Autism, the number of White students with Autism (Column D) is divided by the total number of White students enrolled in the LEA (Column B).

Column F: The risk index for all other students (African-American, Asian, American Indian/Alaska Native, Hispanic, Native Hawaiian/Other Pacific Islander, and Multiple races) with Autism is determined by the total number of students with Autism (Column C) minus the number of White students with Autism (Column D) DIVIDED BY the total enrollment (Column A) minus the White enrollment (Column B).

Column G: The relative risk ratio (comparing White students with Autism to all other students with Autism) is determined by dividing the risk index for White students (Column E) by the risk index for all other students (Column F).

Conclusion: For the past two school years Friendly School Corporation has exceeded the 2.0 threshold for White students with Autism. The data shows that White students have been identified students with Autism 5.0662 and 4.3048 times more frequently than all other racial/ethnic groups combined. Further review is necessary to determine if this is the result of inappropriate identification.

<http://www.doe.in.gov/sites/default/files/specialed/calculation-explanation-indicator-10.pdf>



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A green wavy line representing a hill spans the width of the slide. Five black silhouettes of people are positioned along the hill, appearing to walk upwards from left to right. The silhouettes represent a child, an adult, and three other figures of varying heights.

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PROCEDURES USED TO CALCULATE DISPROPORTIONALITY for INDICATORS 4, 9 and 10

INDICATORS 4, 9 and 10

LEAs submit data to IDOE throughout the school year (SE, ES, PE)

For more information on the report templates, please see the Learning Connection
'IDOE-Data Collection and Reporting' Community:

<https://learningconnection.doe.in.gov/UserGroup/GroupDetailFileBookmarks.aspx?gid=975>

Report templates
listed under Files
and Bookmarks:
ES, PE, SE

The screenshot shows the Learning Connection website interface. At the top, there's a blue header with the 'LEARNING CONNECTION' logo and navigation links like 'Inbox', 'Calendar', 'Help', and 'Logout'. Below this is a secondary navigation bar with tabs: 'Dashboard', 'Classes', 'Library', 'Grade Book', 'Reports', 'Profile', 'Contacts & Communities', and 'Apps'. The main content area is titled 'IDOE - Data Collection and Reporting' and includes a sub-navigation bar with 'Home', 'Calendar', 'Announcements', 'Forums', 'Files and Bookmarks', and 'Members'. The 'Files and Bookmarks' section is active, displaying a search bar and buttons for 'Add Existing File', 'Add New File', 'Add Existing Bookmark', and 'Add New Bookmark'. A list of links is shown below, including 'Help Page', 'About Data Collection', 'Resources', 'Archive', 'K-12 Data Reporting - DOE ONLINE (CID, CL, MF, NE, NP)', and 'AD - Additional Student Information'. On the left side of the page, there's a sidebar with a 'My Communities' tab. Under this tab, a list of communities is displayed, with 'IDOE - Data Collection and Reporting' highlighted in green. An arrow points from the text box on the left to this highlighted community in the sidebar.



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A series of blue silhouettes of people are positioned along a green, curved line that represents a hill. From left to right, there is a small child sitting on the ground, a person walking, a person walking, a person walking, and a person in a graduation cap and gown standing at the top right.

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**IU receives data from IDOE in
late December/early January
and disaggregates it for
Indicators 4, 9 and 10**

A decorative graphic at the top of the slide shows a green, curved line representing a hill. Five blue silhouettes of people are positioned along this line, appearing to walk up the hill from left to right. The silhouettes include a small child, a person walking, a person with a backpack, and a person in a graduation cap.

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**IU provides individual LEA
reports to IDOE in
January/February for Discipline
and March/April for
Identification**

LEA REPORT (ex: INDICATOR 4 A)

IU provides individual LEA reports to IDOE in April/May

1234 ABC Community Schools			Overall	4A		
Corporation Number	Corporation Name	Total Students in Special Education		Total Out-of-school Suspension/Expulsion totaling more than 10 days		Incident Rate Ratio to the State Rate
2011-2012						
	Statewide	149,596		2,054		1.37%
1234	ABC Community Schools	1,072		42		3.92% 2.8535
2012-2013						
	Statewide	150,338		1,918		1.28%
1234	ABC Community Schools	1,111		31		2.79% 2.1871



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A series of blue silhouettes of people in various poses (walking, running, sitting) are arranged along a green, curved line that represents a hill, suggesting a path of progress or achievement.

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- By end of May IDOE requires LEAs to
complete and submit:**
- 1. Policy and Procedure Survey with
supporting documentation**
 - 2. File review documentation for 5-10
STNs**

SURVEY (ex: Indicator 4 A and 4B)

IDOE requires LEAs to complete Policy and Procedure Survey in May

Section 1: Procedural Review

Does your school have **WRITTEN** procedures or guidelines ?

1. Requiring that the case conference committee consider positive behavioral interventions and supports to address any of the student's behaviors that impede the student's learning or the learning of others? (7---42---6)

Yes

No

If YES, name document submitted for review: _____
Applicable section: _____

2. Requiring teachers of record to ensure that a student's IEP, including any behavioral intervention plan, is being implemented as written? (7---42---8)

Yes

No

If YES, name document submitted for review: _____
Applicable section: _____

3. Explaining that the school will count a short---term removal from the student's placement for any part of the student's day as a day of suspension when the removal is not pursuant to the student's IEP? (7---44---1)

Yes

No

If YES, name document submitted for review: _____
Applicable section: _____

<http://www.doe.in.gov/sites/default/files/specialed/4a-b-procedural-survey-lea-submission.docx>



INDICATOR 4 A and 4B

IDOE requires LEAs to participate in a file review completed by IU in May/June

LEA:	STN:	Reviewer name:			Secondary reviewer (if applicable):		
Section 1 - No change of placement - services on the 11th day	Article 7 Ref	Yes	No	Unable to Determine	Additional information about rubric item	Reviewer Notes and Comments	Notes
1.1 Was the student suspended for more than 10 days in the school year?					If "NO", do not complete the review. Confirm the number of days of suspension with EF staff. If record is correct, request another file >10 days.		
1.2 Were the days consecutive?					If the answer is no, go to 1.3. If the answer is yes, go to section 2		
1.3 Is there documentation that, on the eleventh cumulative day of suspension, the school made a determination about whether the series of suspensions constituted a pattern that resulted in a	511 IAC 7-44-3(h) 511 IAC 7-44-2(a)(2)				If the answer is yes, go to 1.4. If the answer is no, (AND the school has no policy that suspensions in excess of ten cumulative days constitutes a change of placement) the review is complete.		We assume that the documentation would be a) description of decision of CCC with respect to change of placement if in manifestation
1.4 Was the school's determination that the cumulative suspensions constituted a change of placement?	511 IAC 7-44-3(h) 511 IAC 7-44-2(a)(2) 511 IAC 7-44-2(d)				If the answer is yes, go to section 2. If the answer is no, go to 1.5		
1.5 If the determination was that cumulative suspensions did not constitute a change of placement, is there documentation that school personnel, in consultation with at least one of the student's teachers determined the extent to which services were needed to enable the student to do the following: (1) continue to participate in the general education curriculum AND	511 IAC 7-44-3				Review can stop here if not a change of placement.		No requirement for continued service on the 11th day if the removal does not constitute a change of placement see 7-44-3.
Section 2 - Notice of Change of Placement - Services - Convening the Case Conference Committee	Article 7 Ref	Yes	No	Unable to Determine	Additional information about rubric item	Reviewer Notes and Comments	
2.1 When the change of placement decision was made, did the school provide the parent with both of the following: (1) notice of the change of placement and (2) notice of procedural safeguards?	511 IAC 7-44-4(a)						
2.2 Is there documentation that, on the eleventh cumulative day of suspension (and beyond) the school provided services to the					If the student did not accumulate more than 10 days of suspension prior to the CCC convening for the manifestation		

<http://www.doe.in.gov/sites/default/files/spcialized/4a-and-4b-file-review-rubric.xlsx>



SURVEY (ex: Indicator 9 and 10)

IDOE requires LEAs to complete Policy and Procedure Survey in May/June

SECTION 1: Procedural Review

Does your school have **WRITTEN** procedures :

1. Describing how a multidisciplinary team will be assigned to conduct educational evaluations? 511 IAC 7-40-3(c)

YES

NO

If YES, name document submitted for review: _____

Applicable Section: _____

2. Ensuring that assessments and evaluation materials are provided in the student's native language or other mode of communication? 511 IAC 7-40-3(e)

YES

NO

If YES, name document submitted for review: _____

Applicable Section: _____

3. Ensuring that assessments and evaluation materials are provided in a form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally? 511 IAC 7-40-3(e)

YES

NO

<http://www.doe.in.gov/sites/default/files/special-ed/9-10-procedural-survey-lea-submission.docx>



Indiana
Department of Education

Glenda Ritz, NBCT
Indiana Superintendent of Public Instruction

INDICATOR 9 and 10

IDOE requires LEAs to participate in a file review completed by IU in May/June

LEA:		STN:	Reviewer name:			Secondary reviewer (if applicable):	
Section 1- Type of File		Article 7 Ref	Yes	No	Unable to Determine	Additional information about rubric item	Reviewer Notes and Comments
1.1	Is this an initial evaluation?					If yes, continue to section 2. If no or unable to determine, STOP confirm data.	
Section 2- Initial Evaluation Requirements							
2.1	Is there a written notice of evaluation provided?	511 IAC 7-40-4(e) and (f)					
2.2	Is there a signed parental consent for evaluation?	511 IAC 7-40-4(h)					
2.3	Prior to the initial CCC meeting, did the school provide the parent with written notice of the overall evaluation findings and the action that may be proposed by the school?	511 IAC 7-42-4				Parent should have received a Notice of Case Conference Committee meeting prior to the initial CCC meeting. This Notice includes a section entitled "Notice of Initial Findings and Proposed Action." Is this section	
2.4	Did the written notice contain all of the following: (1) A description and overall findings of each: (A) evaluation; (B) procedure; (C) assessment; (D) record; or (E) report; the school used as a basis for any proposed action. (2) A description of action that the school may	511 IAC 7-42-4					
Section 3- Initial Evaluation - Evaluation Report							
3.1	Did the evaluation team prepare a written evaluation report?	511 IAC 7-40-5(e)					
3.2	Does the evaluation include an assessment of the following:						
3.2a	Current academic achievement in accordance with 511 IAC 7-32-2?	511 IAC 7-41-1(c)(1)(A)				Academic achievement means the student's performance in relation to the continuum of the Indiana academic standards, including the foundations to the standards. This may include performance on norm-referenced, criterion-referenced, and other achievement measures.	

<http://www.doe.in.gov/sites/default/files/special-ed/file-review-rubric-9-and-10.xlsx>



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A series of blue silhouettes of people are positioned along a green, curved line that represents a hill. From left to right, there is a small child sitting on the ground, a person walking, a person walking, a person walking, and a person in a graduation cap and gown standing at the peak of the hill.

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**NONCOMPLIANCE IS
DETERMINED and FINDINGS
LETTERS are SENT in NOVEMBER**

INDICATORS 4, 9, 10, 11, 12, 13

Noncompliance is determined and findings letters are sent in November



**Indiana
Department of Education**
Glenda Ritz, Superintendent of Public Instruction

MEMORANDUM

TO: Superintendent
ECC: Special Education Planning District Director
FROM: Pam Wright Director of Special Education
DATE: November 26, 2015
SUBJECT: Status of Compliance on Federal Indicators for FFY 2013 (SY 13-14)

Pursuant to federal requirements, IDOE must annually determine a Local Education Agency's (LEA) compliance with federal indicators. If IDOE determines that an LEA is not compliant, it must issue a formal notice of findings of noncompliance.

This memorandum serves as formal notice that your LEA is out of compliance on one or more of the federal indicators. Attached is the Compliance Report detailing your LEA's performance on the applicable indicators during the past school year. The report also includes a description of each indicator and the source of the data. The LEA status can be found in the shaded boxes.



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MONITORING WORKBOOK



In accordance with the Individuals with Disabilities Education Improvement Act (IDEA), and as required by the United States Department of Education's Office of Special Education (OSEP), the Indiana Department of Education (IDOE) determines, on an annual basis, each Local Education Agency's (LEA) compliance with the indicators established by OSEP. If IDOE determines any noncompliance, it must issue findings to the LEA.

Pursuant to OSEP Memo 09-02, noncompliance must be corrected as soon as possible but in no case more than one year from the date of the issuance of this correspondence. The Monitoring Workbook is intended to be a living document to help address the LEA's area(s) of concern. Located in the workbook will only be the indicator(s) requiring attention. It will be a requirement to complete and submit the Root Cause Analysis (RCA) IF the Root Cause Analysis tab is **green**. This can be submitted as soon as it is completed but no later than December 19, 2014. IF the Root Cause Analysis tab is **yellow** it will be optional for you to complete the RCA as you internally address possible causes for your findings. The Corrective Action Plan (CAP) will be sent to you after you have spoken with the Monitoring Team Specialist that handles the indicator(s) for which you have findings. A Monitoring Specialist will be in contact with you to discuss your completed RCA and the development of the CAP in the month of January.

The completed 2013-2014 Workbook with Root Cause Analysis (when required) are due by December 19, 2014

Please submit to: SpEd_Monitoring@doe.in.gov

Should you have any questions or concerns during the process of completing the workbook please contact the person that handles the indicator(s) for which you have findings:

Indicators 4, 9, 10	Kristan Sievers-Coffer	ksievers@doe.in.gov	317-232-0595
Indicator 11	Becky Reed	rreed@doe.in.gov	317-234-4746
Indicator 12	Christina Furbiee	cfurbiee@doe.in.gov	317-232-9142
Indicator 13	Steve Yockey	syockey@doe.in.gov	317-232-9065



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ROOT CAUSE ANALYSIS

Indicator 4			Indicators 9 and 10		
Instructions: If you received a finding for this indicator, you are required to respond to the below items. If you did not receive a finding for the indicator, reviewing the items may help identify issues that could be addressed proactively. In the Rating column, select the descriptor from the dropbox options that best describes your district. The Value column will automatically be filled. Summary tables for each Indicator and for Each Area across Indicators will also be calculated automatically.			Instructions: If you received a finding for this indicator, you are required to respond to the below items. If you did not receive a finding for the indicator, reviewing the items may help identify issues that could be addressed proactively. In the Rating column, select the descriptor from the dropbox options that best describes your district. The Value column will automatically be filled. Summary tables for each Indicator and for Each Area across Indicators will also be calculated automatically.		
Area 1: Data, Monitoring, and Supervision			Area 1: Data, Monitoring, and Supervision		
Item	Rating	Value	Item	Rating	Value
We consistently collect accurate behavior and discipline data needed for reporting purposes for this indicator (includes the following IDOE reports-Student Demographic, Enrollment, Special Education (SE), Expulsion-Suspension (SE).	Very Much	NA	The data submitted through the IDOE-SE and Enrollment Data for this indicator was accurate and consistent with the district's Special Education department records/files.		NA
We have a data collection system in place to track office disciplinary referrals and consequences, including a standard form for reporting disciplinary incidents.	Not At All A Little Somewhat A Lot Very Much	NA	We consistently and accurately enter information into a local data management system for reporting purposes.		NA
Our data collection system for behavior and discipline allows for analysis of schoolwide trends (e.g., types of behavior, location), and the disaggregation of the data by race/ethnicity.		NA	We collect the data necessary to monitor pre-referral, referral, evaluation, eligibility decisions, and special education placements.		NA
A school team examines disciplinary referral and consequence data to monitor effectiveness of interventions for all groups, locations, and/or behaviors.		NA	Our system for collecting data about pre-referral, referral, evaluation, and eligibility allows for data analysis and disaggregation by race/ethnicity, EL and SES status.		NA

The Summary Table below is automatically calculated based upon your above			The Summary Table below is automatically calculated based upon your above		
Indicator 4 Summary		Likelihood of Area Contributing to Noncompliance	Indicators 9 and 10 Summary		Likelihood of Area Contributing to Noncompliance
	Total			Total	
1: Data, Monitoring, and Supervision	33	Unlikely	1: Data, Monitoring, and Supervision	37	Unlikely
2: Policies and Procedures	48	Unlikely	2: Policies and Procedures	98	Unlikely
3: Practices	42	Possible	3: Practices	47	Possible
4: Staff Professional Development	30	Unlikely	4: Staff Professional Development	36	Unlikely



CORRECTIVE ACTION PLAN

CORRECTIVE ACTION PLAN

NAME OF LEA:				
Date Corrective Action Submitted:				
Date(s) Plan Revised				
Date of Plan Completion:				
Indicator(s):				
ACTIVITY(IES) [Insert additional rows as needed]	STATUS OF ACTIVITY(IES)	RESPONSIBLE PARTY(IES)¹	EVIDENCE THAT WILL SHOW COMPLETION OF THE ACTIVITY²	EVIDENCE THAT WILL SHOW IMPACT OF THE ACTIVITY³
	Choose an item.			
	Choose an item.			
	Choose an item.			
Indicator(s):				
ACTIVITY(IES) [Insert additional rows as needed]	STATUS OF ACTIVITY(IES)	RESPONSIBLE PARTY(IES)	EVIDENCE THAT WILL SHOW COMPLETION OF THE ACTIVITY	EVIDENCE THAT WILL SHOW IMPACT OF THE ACTIVITY
	Choose an item.			
	Choose an item.			



CORRECTED NONCOMPLIANCE

CONTINUED NONCOMPLIANCE

- Each LEA must correct any individual cases of noncompliance as applicable (Prong 1)
- Each LEA must correct systemic issues of noncompliance via CAP (Prong 2)
- If both Prongs are completed within a year of findings of noncompliance then a LEA can be released from those findings
- If both Prongs are **not** completed within a year of findings of noncompliance then a LEA would not be released from those findings and be considered 'Continued Noncompliance'



EQUITY IN INDIANA WEBSITE



The screenshot shows the 'Equity in Indiana' website. The header features the title 'EQUITY IN INDIANA' in white serif font on a red background, with the subtitle 'Resources on Ethnic and Racial Disparities in Indiana Schools' below it. To the right is a photo of three diverse people smiling in front of an American flag. A black navigation bar contains links: 'Welcome', 'Disability / Placement', 'Suspension / Expulsion', 'Interpretation', and 'Contact'. A search bar is on the right. The main content area has a 'Welcome' heading, a printer icon, and a section titled 'Disproportionality in Special Education and School Discipline'. An 'IMPORTANT' notice follows, advising users to check the 'Interpretation' section for data meaning. A grey box contains a paragraph about racial/ethnic disparity in school services and outcomes, explaining the website's purpose and navigation.

EQUITY IN INDIANA
Resources on Ethnic and Racial Disparities in Indiana Schools

Welcome ▾ Disability / Placement ▾ Suspension / Expulsion ▾ Interpretation Contact Search

Welcome

Disproportionality in Special Education and School Discipline

IMPORTANT: Please see the Interpretation section for information on understanding and interpreting the meaning of your LEA's data in accord with Indiana's definitions of Significant Disproportionality and Disproportionate Representation.

In Indiana (and across the nation), there are a number of sources of racial/ethnic disparity in school services and school outcomes. This website has been developed to show data about disproportionality in special education identification and placement and in school discipline for students with disabilities in LEAs in the State of Indiana. You can view data for your school corporation in special education disproportionality by year and ethnicity using the navigation links above. LEAs are listed by name in alphabetical order.

<http://www.indiana.edu/~testdata/>



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What is the difference?

	Indicators 4A, 4B, 9, 10	Significant Disproportionality
November	<ul style="list-style-type: none"> Official notices of noncompliance sent out to LEAs for all indicators including 4a, 4b, 9, and 10 	
December	<ul style="list-style-type: none"> Complete Monitoring workbook 	
January	<ul style="list-style-type: none"> Complete and begin working on Corrective Action Plan (CAP) 	
February	<ul style="list-style-type: none"> Continue working on January CAP 	Notification of sig dispro for discipline only to LEAs from IDOE
March	<ul style="list-style-type: none"> Continue working on January CAP 	
April	<ul style="list-style-type: none"> Continue working on January CAP 	
May	<ul style="list-style-type: none"> Notification of new potential noncompliance File review started Policies and procedures reviewed Continue working on January CAP 	Notification of sig dispro for LRE and Disability category to LEAs from IDOE based on numerical data ONLY
June	<ul style="list-style-type: none"> Reviews done by IU and IDOE Continue working on January CAP 	Sig Dispro LEAs attend Sig Dispro Summit
July	<ul style="list-style-type: none"> Reviews done by IU and IDOE Continue working on January CAP until released 	
August	<ul style="list-style-type: none"> IDOE follows up with further questions about reviews Continue working on January CAP until released 	Sig Dispro LEAs submit Part 2 of part B grant: includes CEIS plan (quarterly monitoring reports will follow)
September	<ul style="list-style-type: none"> Continue working on January CAP until released 	
October	<ul style="list-style-type: none"> Continue working on January CAP until released OR determination of continued noncompliance 	

1. 2.0 vs 2.5
2. Policies-
Procedure-
Practices
3. \$\$/CEIS
4. N size-
same
starting
May 2016



Need additional information? How can we help?



Please contact:

Kristan Sievers-Coffer, ksievers@doe.in.gov

Nancy Zemaitis, nzemaitis@doe.in.gov

Veronique Briscoe Beuoy, vbeuoy@doe.in.gov



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