## Essential Elements

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| Title of Process: Reference the name the state education agency (SEA) uses for the process of determining significant disproportionality. |
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| Data Stewards: Provide titles and names, contact information, department, and any notes for persons responsible for this process. If there are multiple parties responsible for or involved in the process, list them all. |
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| Stakeholder Advice: Describe your state’s process for obtaining advice from stakeholders, including input from the State Advisory Panel, to determine the risk ratio threshold, minimum cell size, minimum n-size, and standard for measuring reasonable progress. Describe how your state involves stakeholders in other decisions regarding your state’s process for identifying significant disproportionality, if applicable, and how stakeholders provide the input to the state. |
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| Definition of Significant Disproportionality: Describe your state’s definition of significant disproportionality. The definition should include the following information, as appropriate: (1) any minimum n-sizes (risk denominators); (2) any minimum cell sizes (risk numerators); (3) the risk ratio thresholds at which your state identifies significant disproportionality for identification, placement, and discipline; (4) the number of years of data your state uses in the calculation; and (5) the standards for measuring for reasonable progress.   * Include any differences in the definition your state uses across the identification, placement, and discipline analysis categories, which may include differences in thresholds, minimum n- and cell sizes, and reasonable progress. * Provide rationales for the risk ratio thresholds and standards for measuring reasonable progress (if using).   Provide rationales for any minimum n-sizes greater than 30 and minimum cell sizes greater than 10. |
| Your state also reports this information in the Annual State Application under Part B of IDEA, section V.B., and the State Supplemental Survey-IDEA (SSS-IDEA). |
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**In the tables below, merge, delete, and edit cells and rows as needed to document how your state’s definition of significant disproportionality varies across the different analysis categories.**

| **Minimum n-sizes** | | |
| --- | --- | --- |
| **Category of analysis** | **Minimum n-size** | **Rationale** |
| All categories of analysis |  |  |
| Identification (all categories below) |  |  |
| All disabilities |  |  |
| Autism |  |  |
| Emotional disturbance |  |  |
| Intellectual disability |  |  |
| Other health impairment |  |  |
| Specific learning disability |  |  |
| Speech or language impairment |  |  |
| Placement (both categories below) |  |  |
| Inside a regular classroom less than 40% of day |  |  |
| Inside separate schools and residential facilities |  |  |
| Discipline (all categories below) |  |  |
| Total disciplinary removals |  |  |
| Out-of-school suspensions ≤ 10 days |  |  |
| Out-of-school suspensions > 10 days |  |  |
| In-school suspensions ≤ 10 days |  |  |
| In-school suspensions > 10 days |  |  |

| **Minimum cell sizes** | | |
| --- | --- | --- |
| **Category of analysis** | **Minimum cell size** | **Rationale** |
| All categories of analysis |  |  |
| Identification (all categories below) |  |  |
| All disabilities |  |  |
| Autism |  |  |
| Emotional disturbance |  |  |
| Intellectual disability |  |  |
| Other health impairment |  |  |
| Specific learning disability |  |  |
| Speech or language impairment |  |  |
| Placement (both categories below) |  |  |
| Inside a regular classroom less than 40% of day |  |  |
| Inside separate schools and residential facilities |  |  |
| Discipline (all categories below) |  |  |
| Total disciplinary removals |  |  |
| Out-of-school suspensions ≤ 10 days |  |  |
| Out-of-school suspensions > 10 days |  |  |
| In-school suspensions ≤ 10 days |  |  |
| In-school suspensions > 10 days |  |  |

| **Risk ratio thresholds** | | |
| --- | --- | --- |
| **Category of analysis** | **Threshold** | **Rationale** |
| All categories of analysis |  |  |
| Identification (all categories below) |  |  |
| All disabilities |  |  |
| Autism |  |  |
| Emotional disturbance |  |  |
| Intellectual disability |  |  |
| Other health impairment |  |  |
| Specific learning disability |  |  |
| Speech or language impairment |  |  |
| Placement (both categories below) |  |  |
| Inside a regular classroom less than 40% of day |  |  |
| Inside separate schools and residential facilities |  |  |
| Discipline (all categories below) |  |  |
| Total disciplinary removals |  |  |
| Out-of-school suspensions ≤ 10 days |  |  |
| Out-of-school suspensions > 10 days |  |  |
| In-school suspensions ≤ 10 days |  |  |
| In-school suspensions > 10 days |  |  |

| **Standards for measuring reasonable progress (if using)** | | |
| --- | --- | --- |
| **Category of analysis** | **Standard** | **Rationale** |
| All categories of analysis |  |  |
| Identification (all categories below) |  |  |
| All disabilities |  |  |
| Autism |  |  |
| Emotional disturbance |  |  |
| Intellectual disability |  |  |
| Other health impairment |  |  |
| Specific learning disability |  |  |
| Speech or language impairment |  |  |
| Placement (both categories below) |  |  |
| Inside a regular classroom less than 40% of day |  |  |
| Inside separate schools and residential facilities |  |  |
| Discipline (all categories below) |  |  |
| Total disciplinary removals |  |  |
| Out-of-school suspensions ≤ 10 days |  |  |
| Out-of-school suspensions > 10 days |  |  |
| In-school suspensions ≤ 10 days |  |  |
| In-school suspensions > 10 days |  |  |

| **Number of years of data** | |
| --- | --- |
| **Category of analysis** | **Number of years** |
| All categories of analysis |  |
| Identification (all categories below) |  |
| All disabilities |  |
| Autism |  |
| Emotional disturbance |  |
| Intellectual disability |  |
| Other health impairment |  |
| Specific learning disability |  |
| Speech or language impairment |  |
| Placement (both categories below) |  |
| Inside a regular classroom less than 40% of day |  |
| Inside separate schools and residential facilities |  |
| Discipline (all categories below) |  |
| Total disciplinary removals |  |
| Out-of-school suspensions ≤ 10 days |  |
| Out-of-school suspensions > 10 days |  |
| In-school suspensions ≤ 10 days |  |
| In-school suspensions > 10 days |  |

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| Data Source Description: Provide a short description of the database or data system your state uses to process data for determining significant disproportionality. Describe the data your state uses for each step of the calculations.  Use the most recent data available. For example, data for identification and placement may be from the current school year if the state is making calculations in the spring, while discipline data may be from the prior school year.   * Data for identification categories (all disabilities and the six specific disabilities) include children and youth with disabilities ages 3 through 21 by July 2020. * Data for placement include children and youth with disabilities ages 6 through 21. * Data for discipline include children and youth with disabilities ages 3 through 21. |
| Suggested Data Files:  FS002—Children with Disabilities (IDEA) School Age  FS006—Children with Disabilities (IDEA) Suspensions/Expulsions  FS052—Membership  FS089—Children with Disabilities (IDEA) Early Childhood  FS143—Children with Disabilities (IDEA) Total Disciplinary Removals |
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| Significant Disproportionality Timeline: Establish a calendar for when your state will   * collect and process required data annually to determine if significant disproportionality exists; * identify local education agenies (LEAs) with significant disproportionality; * notify LEAs; * conduct, or require the LEA to conduct, the review of policies, practices, and procedures; and * require identified LEAs to implement comprehensive coordinated early intervening services (CCEIS), including   + identifying the factors that may have contributed to the significant disproportionality;   + reserving 15 percent of IDEA Section 611 and Section 619 grants;   + using CCEIS to address the factors that may have contributed to the significant disproportionality;   + tracking and reporting the students who receive CCEIS; and   + tracking funds the LEA uses for CCEIS. |
| See also your state’s completed protocol for Maintenance of Effort (MOE) and Coordinated Early Intervening Services (CEIS), if applicable. |
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## Processes

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| Data Collection and Preparation: Provide detailed information about the origin and collection of the data, including titles of persons responsible for both collection and preparation.  Describe how your state accesses, formats, and processes the data for analysis, including  where the data are stored (e.g., state student information system, data warehouse, LEA-submitted reports);  how the state reports and/or displays the (e.g., individual records or combined totals of students or incidents reported for each category);  SEA staff responsible for retrieving and cleaning the data (e.g., IT staff, data management staff, IDEA Part B data managers);  use of business rules to prepare data for analysis (e.g., delineating how the state pulls data and from where and how the state cleans the data to prepare for actual calculations of significant disproportionality); and  governance of the data (e.g., identifying the staff responsible for each piece of the data collection and cleaning processes and with whom ultimate decisionmaking authority about the work and processes lies).  Describe the process for calculating significant disproportionality, including   * descriptions of the risk ratio and alternate risk ratio formulas for each category of analysis; * application of any minimum cell sizes; * application of any minimum n-sizes; * identification of the appropriate years of data for each category of analysis; * ways of addressing the impact of educational service agencies (ESAs) or other regional groupings, as applicable; * treatment of students who reside in residential facilities or group homes; and * application of the reasonable progress measure, if applicable. |
| States must examine data for each of the seven federal racial or ethnic groups in the identification, placement, and discipline categories for significant disproportionality. |
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| Data Analysis: Describe how your state analyzes LEA data for significant disproportionality, including   * the process for comparing the data to the risk ratio or alternate risk ratio threshold; * how your state identifies which districts meet the state’s definition of significant disproportionality each year; * how your state tracks the significant disproportionality designation for each LEA across each required calculation for multiple years, if using multiple years of data; and * the process for applying the reasonable progress measure, if applicable. |
| See also your state’s completed protocol for MOE and CEIS, if applicable. |
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| Notification of Districts: Describe the process your state uses to inform LEAs identified as having significant disproportionality. |
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| Ensuring Review and, if Appropriate, Revision of LEA Policies, Practices, and Procedures: Describe the process your state uses to provide for the annual review of policies, practices, and procedures when the state identifies LEAs with significant disproportionality.  If noncompliance is identified in a policy, procedure, or student record, describe the process for tracking and correcting noncompliance in accordance with OSEP Memo 09-02.[[1]](#footnote-2) Describe how your state ensures LEAs publicly report on any revisions to their policies, practices, and procedures. |
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| Contributing Factors: Describe the process your state uses to ensure that each LEA identifies the factors contributing to the significant disproportionality, which can include factors such as[[2]](#footnote-3)   * a lack of access to scientifically based instruction; * economic, cultural, or linguistic barriers to appropriate identification or placement in particular educational settings; * inappropriate use of disciplinary removals; * lack of access to appropriate diagnostic screenings; * differences in academic achievement levels; and * policies, practices, or procedures that contribute to the significant disproportionality. |
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| Comprehensive Coordinated Early Intervening Services (CCEIS)[[3]](#footnote-4): Describe how your state   * monitors that each identified LEA reserves 15 percent of its IDEA Part B 611 and 619 allocations; * implements CCEIS and uses those funds to address the identified factors that may be contributing to the significant disproportionality; and * tracks the funds used for CCEIS and the children who receive CCEIS.   If applicable, describe how your state ensures that the LEA uses CCEIS to address a policy, practice, or procedure it identifies as contributing to the significant disproportionality, including a policy, practice, or procedure that results in a failure to identify, or in the inappropriate identification of, a racial or ethnic group (or groups). |
| See also your state’s completed protocol for MOE and CEIS, if applicable. |
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1. **Ensuring Review and, if Appropriate, Revision of LEA Policies, Procedures, and Practices:** Refer to [OSEP Memo 09-02](https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep09-02timelycorrectionmemo.pdf). [↑](#footnote-ref-2)
2. Consider using IDC’s [*Success Gaps Toolkit*](https://ideadata.org/resources/resource/1538/success-gaps-toolkit)*.* [↑](#footnote-ref-3)
3. **Comprehensive Coordinated Early Intervening Services (CCEIS):** Consider using IDC’s [*Coordinated Early Intervening Services (CEIS) Fiscal and Student Data Tracker*](https://ideadata.org/resources/resource/1689/using-the-coordinated-early-intervening-services-ceis-fiscal-and-student). [↑](#footnote-ref-4)