## 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 the 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 the state involves stakeholders in other decisions regarding the 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 the 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 the state identifies significant disproportionality for identification, placement, and discipline; (4) the number of years of data the state uses in the calculation; and (5) the standards for measuring for reasonable progress.   * Include any differences in the definition the 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. |
| The SEA also reports this information in the Annual State Application Under Part B of IDEA, section V.B.[[1]](#footnote-2) (see tables that follow), and the IDEA State Supplemental Survey (IDEA SSS). |
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**In the tables that follow, merge, delete, and edit cells and rows as needed to document how the 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 the SEA uses to process data for determining significant disproportionality. Describe the data the SEA 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 SEA 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. * Data for placement include children and youth with disabilities ages 5 (and enrolled in kindergarten) through 21. * Data for discipline include children and youth with disabilities ages 3 through 21. |
| Suggested ED*Facts* 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 the SEA will   * collect and process required data annually to determine if significant disproportionality exists; * identify local education agencies (LEAs) with significant disproportionality; * notify LEAs; * conduct, or require the LEAs 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 grant allocations; * 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 LEAs use for CCEIS. |
| See also the SEA’s completed Maintenance of Effort (MOE) and Coordinated Early Intervening Services (CEIS) data protocol, 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 the SEA accesses, formats, and processes the data for analysis, including   * where the SEA stores the data (e.g., state student information system, data warehouse, LEA-submitted reports); * how the SEA reports and/or displays the data (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 SEA pulls data and from where and how it 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. |
| SEAs 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 the SEA analyzes LEA data for significant disproportionality, including   * the process for comparing the data to the risk ratio or alternate risk ratio threshold; * how the SEA identifies which districts meet the state’s definition of significant disproportionality each year; * how the SEA 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 the SEA’s completed MOE and CEIS data protocol, if applicable. |
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| Notification of Districts: Describe the process the SEA 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 the SEA uses to provide for the annual review of policies, practices, and procedures when the state identifies LEAs with significant disproportionality.  If the SEA identifies noncompliance in a policy, procedure, or student record, describe the process for tracking and correcting noncompliance in accordance with OSEP Memo 09-02.[[2]](#footnote-3) Describe how the SEA ensures LEAs publicly report on any revisions to their policies, practices, and procedures. |
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| Contributing Factors: Describe the process the SEA uses to ensure that each LEA identifies the factors contributing to the significant disproportionality, which can include factors such as[[3]](#footnote-4)   * 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):[[4]](#footnote-5) Describe how the SEA   * monitors that each identified LEA reserves 15 percent of its IDEA Part B 611 and 619 allocations; * monitors how the LEAs implement CCEIS and use those funds to address the identified factors that may be contributing to the significant disproportionality; * tracks the funds LEAs used for CCEIS and requires LEAs to carryover unspent funds; and * tracks the children who receive CCEIS.   If applicable, describe how the SEA ensures that the LEAs use 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 the SEA’s completed MOE and CEIS data protocol, if applicable. |
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1. *Annual State Application Under Part B of the Individuals With Disabilities Education Act as Amended in for Federal Fiscal Year 2021*. Retrieved from <https://sites.ed.gov/idea/files/Grants-Part-B-FFY-2021-Application-Template.docx>. [↑](#footnote-ref-2)
2. **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). *Reporting on Correction of Noncompliance in the Annual Performance Report Required under Sections 616 and 642 of the Individuals with Disabilities Education Act*. (October 2008).Retrieved from <https://www2.ed.gov/policy/speced/guid/idea/memosdcltrs/osep09-02timelycorrectionmemo.pdf>. [↑](#footnote-ref-3)
3. **Contributing Factors:** Consider using IDC’s [*Success Gaps Toolkit: Addressing Equity, Inclusion, and Opportunity*](https://ideadata.org/resources/resource/1538/success-gaps-toolkit)*: Addressing Equity, Inclusion, and Opportunity*. [↑](#footnote-ref-4)
4. **Comprehensive Coordinated Early Intervening Services (CCEIS):** Consider using IDC’s [Using 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-5)