

## Indicator 4B - Significant Discrepancy Definition

**Significant Discrepancy:** A rate ratio exceeding 2.50 in the out-of-school suspensions/expulsions (OSS) greater than 10 days of students with IEPs, by each race/ethnicity. Rate ratios provide a comparison of districts' rates of suspensions/expulsions for students with IEPs to the state's rate of suspensions/expulsions for students with IEPs. Rate ratios are only calculated when the number of children with IEPs within a racial/ethnic group is greater than or equal to 10 (i.e., minimum n-size = 10).

Methodology:

The Office of Special Education Services (OSES) identifies districts with significant discrepancies in the rates of Out of School Suspensions and expulsions (OSS) through the following steps:

Using data collected from Table 5 –Report of Children with Disabilities subject to Disciplinary Removals and Table 1 – Child Count (both from previous year), the OSES employs a rate ratio comparing the rate of students of racial/ethnic group *y* in district *x* for receiving out-of-school totaling more than ten days to the rate of all students with IEPs in all districts within the state. This is done for each of the seven required racial/ethnic groups. The rate ratio is calculated by:

$$RR = (a/b)/(c/d)$$

	OSS > 10 days	Child Count
Students with IEPs in District in racial/ethnic group	<i>a</i>	<i>b</i>
Students with IEPs in State	<i>c</i>	<i>d</i>

*a* = Total students with IEPs in racial/ethnic group in LEA with more than 10 days of OSS

*b* = Total students with IEPs in racial/ethnic group in LEA's Child Count

*c* = Total students with IEPs in State with more than 10 days of OSS

*d* = Total students with IEPs in State's child count

Formula Summary:

{(Total students with IEPs in racial/ethnic group in LEA with OSS days greater than 10) / (Total students with IEPs in racial/ethnic group in LEA's Child Count)} / {(Total students with IEPs in State with OSS greater than 10 days) / (Total students with IEPs in State's child count)}

For each LEA, rate ratios are calculated for each of the seven required reporting race ethnicities including:

- American Indian or Alaska Native
- Asian
- Black or African American
- Hispanic/Latino
- Native Hawaiian or Other Pacific Islander
- Two or more races
- White

Significant discrepancy exists when any of the seven race/ethnicities' rate ratios exceeds 2.50. Rate ratios are only calculated when the number of students with IEPs in a racial/ethnic group in an LEA is greater than or equal to 10.

**Note: Though some LEAs may be excluded from having significant discrepancies through this methodology, all LEAs receive on-site monitoring that is both cyclical and needs-based. During the onsite monitoring, suspended and/or expelled student files are reviewed for the related requirements and sanctions or findings are imposed for any noncompliance found.**

## **Indicator 4B - Significant Discrepancy Definition**

The LEAs that have a rate ratio exceeding 2.50 for any of the seven examined race/ethnic groups are required to review their policies, procedures, and practices to determine whether they contributed to the significant discrepancy. To accomplish this, LEAs must complete and submit thorough self-assessment documentation to determine whether or not LEA policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR § 300.170(b) contributed to the significant discrepancy. Once submitted, the OSES reviews the self-assessment documents and may require additional information or other technical assistance activities to determine whether or not LEAs will be issued a finding pursuant to 20 U.S.C. 1412(a)(22) and be required to revise their policies, procedures and practices as outlined by the IDEA regulations governing suspensions and expulsions of students with disabilities.