

The *Individuals with Disabilities Education Act (IDEA)*

has three distinct requirements around equity:

1. Disproportionate Representation – Indicators B9 and B10 (SPP/APR)
2. Significant Discrepancy – Indicators B4A and B4B (SPP/APR)
3. Significant Disproportionality

Indicator B9 (20 U.S.C. 1416(a)(3)(c) –

Percent of districts with disproportionate representation of racial/ethnic groups in special education and related services due to inappropriate identification.

The question is “Are there racial/ethnic discrepancies and/or disproportionality in the rates of **identification of children as children with disabilities.**”

This is a compliance indicator and requires a target of **0%**.

Data to Review

- all seven racial and ethnic groups
- all disabilities

Indicator B10 (20 U.S.C. 1416(a)(3)(c) –

Percent of districts with disproportionate representation of racial/ethnic groups in specific disability categories that is the result of inappropriate identification.

The question is “Are there racial/ethnic discrepancies and/or disproportionality in the rates of **identification of children as children with disabilities in specific disability categories.**”

This is a compliance indicator and requires a target of **0%**.

Data to Review

- children ages 6-22
- all seven racial and ethnic groups
- disability categories of Autism, ID, SLD, ED, Speech/Language Impairment, OHI

Indicator 4A 20 U.S.C. 1416(a)(3)(A); 1412(a)(22) –

Suspension and Expulsion: *Percent of LEAs with significant discrepancy.*

The question is “Are there racial/ethnic discrepancies and/or disproportionality in the rates of **for all students with disabilities, not just by race/ethnicity.**”

This is a performance indicator, and the state sets the target, the lower the better.

Data to Review

- children ages 3-22
- all disabilities; out of school suspensions/expulsions greater than 10 days

Indicator 4B 20 U.S.C. 1416(a)(3)(A); 1412(a)(22) –

Suspension and Expulsion: *Percent of LEAs with significant discrepancy by race/ethnicity.*

The question is “Are there racial/ethnic discrepancies and/or disproportionality in the rates of **long term out of school suspensions/expulsions.**”

This is a compliance indicator and requires a target of **0%**.

Data to Review

- children ages 3-22
- all disabilities
- out of school suspensions/expulsions greater than 10 days for each of the seven racial and ethnic groups

Significant Disproportionality 20 U.S.C. 141.8(d) and 34 CFR §§ 300.646-647 –

The determination for significant disproportionality is based on the date for each district and whether they meet the state’s threshold. Review of policies, procedures and practices occurs after the determination is made and does not affect it.

Data from indicators 4A, 4B, 9 and 10, do not meet all the requirements for significant disproportionality.

Data to Review

- all seven racial and ethnic groups
- Identification
 - o data for children ages 3-22
 - o all disabilities
 - o disability categories of Autism, ID, SLD, ED, Speech/Language Impairment, OHI
- Placement
 - o data for children 6-22
 - o placement categories
 - inside a regular class for less than 40% of the day
 - inside separate schools and residential facilities, not including homebound or hospital settings, correctional facilities or private schools
- Discipline
 - o data for children 3-22
 - o discipline categories
 - out of school suspensions and expulsions of 10 days or fewer
 - out of school suspensions and expulsions of more than 10 days
 - in school suspensions of 10 days or fewer
 - in school suspensions of more than 10 days
 - disciplinary removals in total, including in school and out of school suspensions, expulsions, removals by school personnel to an interim alternative educational setting, and removals by a hearing officer