



# Illinois State Board of Education

100 North First Street • Springfield, Illinois 62777-0001  
www.isbe.net

**Darren Reisberg**  
*Chair of the Board*

**Dr. Carmen I. Ayala**  
*State Superintendent of Education*

## Indicator 4 Frequently Asked Questions (FAQ)

### **Identification**

#### 1. What is Indicator 4?

Indicator 4 requires States to examine rates of suspension and expulsion as they relate to:

Indicator 4A: The percentage of districts that have a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs.

Indicator 4B: The percentage of districts that have a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs and policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

#### 2. What data are used to calculate rates of suspension/expulsion of students with disabilities and/or students with disabilities in a racial/ethnic group?

All students with disabilities, who were suspended for more than 10 days in a school year or were expelled, as reported by the district through the Student Information System (SIS), were included in the data used to identify districts as having a possible significant discrepancy.

#### 3. What process is available for districts to dispute ISBE's data?

ISBE does not have an appeal process for Indicator 4. Data utilized for this analysis have been submitted to ISBE by local districts through the Student Information System (SIS).

#### 4. How are districts notified of identification?

Districts will receive a letter from the Illinois State Board of Education (ISBE) indicating that ISBE identified a significant discrepancy in the district's rate of suspension and expulsion of students with disabilities for greater than 10 days in a school year for three consecutive years.

#### 5. If a district was identified for Indicator 4B, why wasn't the district identified for Indicator 4A?

If the district is not identified for 4A, the district's suspension/expulsion rate for students with disabilities, overall, is not considered to be significantly discrepant. However, if the district is identified for 4B, the district is considered to have a significant discrepancy in their suspension/expulsion rate for a specific race/ethnicity category.

### **Self-Assessment Requirements**

#### 6. Which districts are required to complete the self-assessment?

Districts that have met the criteria as having a significant discrepancy in the district's data regarding the rates of suspension and/or expulsion of students with disabilities for three consecutive years must

complete the self-assessment. In an effort to make this process more meaningful, the self-assessment tool has been revised. Districts are now required to conduct a file review and complete a root cause analysis in order to identify why a discrepancy exists.

7. If the district is identified for both Indicators 4A and 4B, must the district complete separate self-assessments?

No, the district must only complete one self-assessment. If the district is identified for both 4A and 4B, a single self-assessment must be completed as it relates to all students with disabilities, as well as how it relates to students with disabilities in the specific race/ethnicity category or categories in which the district was identified.

8. What regulations are referenced in the self-assessment?

The Code of Federal Regulations, Part 300 is referenced in the self-assessment. These regulations can be accessed at [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title34/34cfr300\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title34/34cfr300_main_02.tpl).

The Illinois Administrative Code, Part 226 is also reference in the self-assessment. These regulations can be accessed at <https://www.isbe.net/Documents/226ark.pdf>.

### **Correction of Non-Compliance**

9. How does ISBE determine a finding of non-compliance?

As required by the Office of Special Education Programs (OSEP), ISBE must issue findings to Local Education Agencies (LEAs) for any identified non-compliance and ensure timely correction within one year. Based upon the established evaluation criteria, ISBE has the authority to identify school district policies, procedures, and practices that are not consistent with Federal requirements. ISBE utilizes a scoring rubric to review the results of the self-assessment, including the data analysis, file review, root cause analysis, and action steps to determine findings of noncompliance.

10. What must the district do if a finding of non-compliance is issued?

Findings of noncompliance are tied to annual LEA Determinations and the Illinois Special Education Accountability and Support System. The district's LEA Determination is released in September of each year. Once the LEA Determination is made, the district can determine which template is required for correction. The ISBE Corrective Action Plan (CAP) and combined Improvement Plan and CAP templates are available on the ISBE website at <https://www.isbe.net/Pages/SPED-System-Support-Plans.aspx>.

Districts with open findings of noncompliance are assigned an ISBE SPP contact to support the district with its corrective action plan process. Districts must work with their ISBE SPP contact to develop and implement a CAP specific to the SPP indicator that was found out of compliance. The ISBE SPP contact reviews the CAP and verifies that it adequately addresses the relevant SPP indicator(s). Once the ISBE SPP contact verifies this, the CAP is approved. After ISBE approves the CAP, the district begins plan implementation. The ISBE SPP contact is available for technical assistance and support as needed related to the finding of noncompliance. SPP Indicator technical assistance resources are located on the ISBE website at <https://www.isbe.net/Pages/SPPAPR-Indicators.aspx>. [Additional information regarding LEA Determinations and the Illinois Special Education Accountability and Support System is located at: https://www.isbe.net/Documents/IL-Sped-Accountability-Support-System-Info-Pkt.pdf](https://www.isbe.net/Documents/IL-Sped-Accountability-Support-System-Info-Pkt.pdf).

11. What components must the Corrective Action Plan (CAP) include?

The Corrective Action Plan (CAP) must include information regarding the noncompliance issue, where the noncompliance occurred, the root cause of the noncompliance, district policies, procedures, and/or practices that contributed to or resulted in the noncompliance and changes made to such policies, procedures and/or practices, the corrective action steps that will be implemented to correct the noncompliance and the date by which they will be completed, and the persons responsible for ensuring the corrective action plan is implemented.

12. How is the finding of non-compliance corrected/closed?

The district will be required to submit progress reports demonstrating that the strategies and activities outlined in the Corrective Action Plan (CAP) are being implemented with fidelity and will result in systemic change. To demonstrate that previous noncompliance has been corrected, ISBE must verify that the district has corrected each individual case of noncompliance, unless the student is no longer within the jurisdiction of the LEA. This is referred to as data correction, or Prong 1. ISBE must also verify that the district is correctly implementing the specific regulatory requirements based on a review of updated data. This is referred to as data verification, or Prong 2. Therefore, at scheduled intervals, the ISBE SPP contact verifies individual student correction and implementation of specific regulatory requirements related to the original finding of noncompliance. The ISBE SPP contact issues a letter closing the finding of noncompliance once correction at both levels, or prongs, is verified.

13. How long does the district have to correct the non-compliance?

Noncompliance must be corrected as soon as possible, but in no case more than one year from identification (i.e., the date on which ISBE provided written notification to the LEA of the noncompliance).

14. What are possible enforcement actions if a district is unable to correct the non-compliance within the one year timeline?

If the ISBE consultant determines that the district is not making sufficient progress toward meeting the standard of correction, enforcement actions may be implemented including, but not limited to increased technical assistance, an on-site or virtual visit, and revisions to the corrective action plan.

15. What can the district do to prevent discrepant rates of suspension/expulsion of students with disabilities?

The district should develop and maintain preventative and proactive measures, including school climate projects to reduce the rates of suspension/expulsion of students with disabilities and students with disabilities in a racial/ethnic group. The district is encouraged to implement supports to assist students with disabilities to remain in school and receive appropriate instruction. It is also recommended that the district frequently analyze data and seek technical assistance in order to create and maintain safe and effective learning environments.

### **Significant Disproportionality/Exclusionary Discipline**

16. Can my district be identified for both Indicator 4, significant disproportionality, and/or exclusionary discipline?

Yes. A district may be identified under SPP 4 and cited under the requirements for significant disproportionality for the same three-year time period. Further, a district may also be cited under the requirements of exclusionary discipline for the same three-year period.

Information regarding significant disproportionality is available at:

<https://www.isbe.net/Pages/Significant-Disproportionality.aspx>.

Information regarding exclusionary discipline is available at:

<https://www.isbe.net/discipline>.

If your district has been identified as having a significant discrepancy for Indicator 4A and/or 4B and you have additional questions, please contact the principal consultant identified in the notification letter. If your district has not been identified, but you have general questions regarding Indicator 4A/B, please contact the Special Education Department at 217/782-5589.