



Illinois State Board of Education

Indicator 4: Suspension and Expulsion Rates in Special Education

Special Education Department

Equity • Quality • Collaboration • Community

Objectives

- Review suspension/expulsion of students with disabilities as related to the State Performance Plan (SPP) Indicators 4A and 4B.
- Identify how districts are determined to have discrepant rates of suspension/expulsion for students with disabilities for greater than 10 days for three consecutive years.
- Provide recommendations for completing the revised self-assessment.
- Discuss findings of non-compliance.



State Performance Plan Indicator 4A

- Indicator 4A: Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year.



State Performance Plan Indicator 4B

- Indicator 4B: Percent of districts identified by the State as having (a) a significant discrepancy in the rates of suspensions and expulsions of children with IEPs of greater than 10 days in a school year by race and ethnicity and (b) that have policies, procedures, or practices that contribute to the significant discrepancy and that do not comply with the requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.



Determining a Significant Discrepancy

1. A district Suspension/Expulsion Rate is calculated for each district as follows:

4A: $[(\# \text{ of students with IEPs suspended or expelled for more than 10 days}) / (\# \text{ of students with IEPs})] * 100$

4B: $[(\# \text{ of students with IEPs suspended or expelled in a racial/ethnic category for more than 10 days}) / (\# \text{ of students with IEPs in a racial/ethnic category})] * 100$



Determining a Significant Discrepancy (cont.)

2. A State Suspension/Expulsion Rate is calculated in the same manner by using the total number of students with IEPs suspended or expelled for more than 10 days in the entire state, and the total number of students with IEPs in the entire state.
3. A standard deviation from the State Suspension/ Expulsion Rate is then calculated.
4. A district is determined to have a significant discrepancy if:
 - a. Its Suspension/Expulsion Rate is greater than the State Suspension/Expulsion Rate plus one standard deviation for three consecutive years, AND
 - b. The district had at least five students suspended or expelled more than 10 days.



What does this mean for districts?

- ISBE notifies all school districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of:
 - 4A: All children with disabilities for greater than 10 days in a school year for three consecutive years.
 - 4B: Children with disabilities for greater than 10 days in a school year for three consecutive years by race/ethnicity.
- Districts conduct self-assessment activities, including data analysis, file reviews, and root cause analysis.



Accessing the Self-Assessment and File Review Checklist

- The self-assessment and file review checklist forms are posted on the ISBE website at:
<https://www.isbe.net/Pages/SPP-APR-Indicator-4.aspx>



Completing the Self-Assessment—File Review

- Determine the appropriate number of files to review and identify the sample.
- Mark “Yes” if the student’s record review shows evidence that the requirement has been met.
- Mark “No” if the student’s record review lacks evidence that the requirement has been met.
- Mark “N/A” if the item is not applicable to the student. For example, the components of an FBA should be marked "NA" if the student did not have an FBA.
- Identify the documentation that was reviewed in order to answer each question (i.e., the title of the form, name of the document, link to where information can be accessed, page numbers, etc.). ISBE may request the documentation utilized to complete the file reviews at a later date and, as such, the information provided in this section should be as specific as possible.



Completing the Self-Assessment— Data Analysis

- Disaggregate discipline data from the last completed school year in order to identify trends.
- Upon completion of the file review, compile the results in the File Review Results Summary section.
- Complete the Root Cause Analysis and identify the Root Cause.
- Identify the immediate actions the district will take in order to address the discrepant rates of suspension/expulsion for students with disabilities.
- Provide a status update demonstrating completion of the district's previously identified activities, if applicable.



Recommended Practices



- Develop an interdisciplinary team and select a leader.
- Identify and collect data sources for review.
- Establish timelines to ensure completion by the required due date.



ISBE Review Process

- Using a scoring rubric, ISBE reviews the completed self-assessment to determine whether policies, practices, and procedures comply with State and Federal regulations and that districts are taking the appropriate steps to reduce the number of suspensions and/or expulsions of students with disabilities.
- If ISBE determines that the district IS NOT taking the appropriate steps, a finding of noncompliance will be issued.

Findings of Noncompliance

- As required by the Office of Special Education Programs (OSEP), ISBE must ensure timely correction of noncompliance within one year from the date of the finding.



Required Follow-Up

- 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>



Required Follow-Up (cont.)

- 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.



Corrective Action Plan

- The 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.

Correction of Noncompliance

- The district will be required to submit progress reports demonstrating that the strategies and activities outlined in the 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.



Significant Disproportionality/Exclusionary Discipline

- Please note that 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>.



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