



Discipline Task Force

November 14, 2023

Welcome

- *Quorum*
- *Approval of Agenda & Minutes*
- *Icebreaker & Announcements (Name, Announcements, Answer for question: Long walk on the beach, long hike in the mountains or long nap on the couch?)*

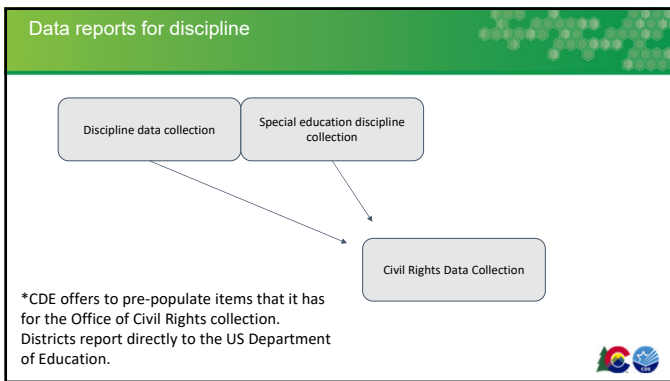


Follow-up from October 24th

Questions on data collection

- What is different in the current collections?
- Could we see the differences in numbers between different groups?





Collections that include discipline data


Discipline (change in 23-24)	Special Ed. Discipline
<ul style="list-style-type: none"> • Student level report • Demographics • Includes incident (what occurred) • Includes action (in-school, out of school) • Set categories from statute 	<ul style="list-style-type: none"> • Student level report • Demographic • Type of disability • Includes incident (what occurred) • Includes action (in-school, out of school, or expelled (with/ without/ services))
Categories for incident and action are the same for the 23-24 collection	
Differences in 23-24: Students' type of disability, receipt of services, and dates of services is included in Special Ed collection	

Collections that include discipline data

Civil Rights Data Collection	Categories not in CDE discipline collection
School level reporting <ul style="list-style-type: none"> • School & District Characteristics • Discipline • Referrals to Law enforcement • Offenses • Harassment or Bullying • Restraint and Seclusion • Interscholastic Athletics • Early Childhood Education • Pathways to College and Career • Teachers and other Personnel 	At the offense level: <ul style="list-style-type: none"> • Information on shootings • Incidents of rape, attempted rape, sexual assault by student or staff member and resulting action • Harassment or bullying subcategories (ie for what reason, and resulting action) • Violent act v. non-violent act


Office of Civil Rights collection is reported at the school level (summary counts).

Definitions




Task Force Duties

- Define "disproportionate discipline" with considerations for size, location, and demographics of the local education provider



Definitions: Disparities, disproportionate Discipline, Significant disproportionality

- **Concept:** Focused on the desired practices or practices that shouldn't occur
- **Technical:** Provide a formula for what is considered disproportionate discipline or indicates disparities and would indicate if a school, district, or state has disproportionate discipline or disparities in outcomes.
 - Some use a risk ratio that measures group comparison
 - Some indicate how much higher a level is (i.e. 2 times the population)
 - Some indicate or have metrics for how long it continues and if improvements occur (ie, if this occurs for two years)



Example - Disparities Comparison

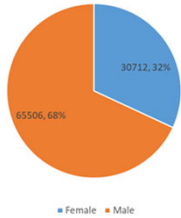
Race/Ethnicity	Disciplined		Enrollment		Comparison
	Count	Percentage	Count	Percentage	
American Indian or Alaska Native	903.00	0.94%	5475.00	0.62%	1.51
Asian	1130.00	1.17%	28640.00	3.24%	0.36
Black or African American	8531.00	8.87%	40198.00	4.55%	1.95
Hispanic or Latino	43309.00	45.01%	308739.00	34.95%	1.29
Native Hawaiian or Other Pacific Islander	348.00	0.36%	2657.00	0.30%	1.20
Two or More Races	5181.00	5.38%	45042.00	5.10%	1.06
White	36816.00	38.26%	452513.00	51.23%	0.75

*Percent of students disciplined is __ times that of student enrollment in that category

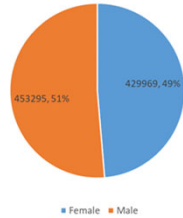


Gender

State Discipline by Gender 2022-2023



Student Enrollment by Gender 2022-2023



Males were disciplined 1.33 times the male enrollment in the population



Example - Risk Ratio

Race/Ethnicity	Disciplined		Enrollment		Risk	Other Risk	Risk Ratio
	Count	Percentage	Count	Percentage	Value	Value	
American Indian or Alaska Native	903.00	0.94%	5475.00	0.62%	0.1649	0.1086	1.52
Asian	1130.00	1.17%	28640.00	3.24%	0.0395	0.1113	0.35
Black or African American	8531.00	8.87%	40198.00	4.55%	0.2122	0.1040	2.04
Hispanic or Latino	43309.00	45.01%	308739.00	34.95%	0.1403	0.0921	1.52
Native Hawaiian or Other Pacific Islander	348.00	0.36%	2657.00	0.30%	0.1310	0.1089	1.20
Two or More Races	5181.00	5.38%	45042.00	5.10%	0.1150	0.1086	1.06
White	36816.00	38.26%	452513.00	51.23%	0.0814	0.1379	0.59

*Risk = Likelihood, Other Risk = Likelihood of every other group
 *The risk for this group is __ times that of every other group




Significant Disproportionality Under IDEA




What is significant disproportionality?

- IDEA requires each state to annually examine whether significant disproportionality based on race and ethnicity is occurring in the State and the LEAs of the State.
- Having significant disproportionality means that students of a particular race/ethnicity are significantly more likely than their other-race peers to be identified as children with disabilities, identified with a particular disability category (e.g., Autism, Intellectual Disability), placed in a particular educational setting (e.g., separate classroom), or suspended/expelled as a disciplinary measure.



How is Significant Disproportionality Calculated?

- Under IDEA, states must use risk ratio calculations to identify school districts as significantly disproportionate.
 - A risk ratio is a calculation performed by dividing the risk of a particular outcome for children in one racial or ethnic group within an LEA by the risk of that outcome for children in all other racial or ethnic groups in the State.
 - Comparison group consists of the children in all other racial or ethnic groups within an LEA or within the State, when reviewing a particular racial or ethnic group within an LEA for significant disproportionality.
- Example: In Colorado, Black/African American students are 2.18 times as likely to be identified with intellectual disability compared to their non-black peers in SY2016-17.
- In Colorado, an administrative unit (AU) must be identified as significantly disproportionate in the same category for three consecutive years.



Results of an identification

- If an administrative unit in Colorado is identified as significantly disproportionate the following actions are required:
 - An in-depth review policies, procedures, and practices.
 - A root-cause analysis.
 - Set aside 15% of its IDEA federal funds to address the issues identified through the root cause analysis.



Data collections under IDEA



IDEA requirements

The *Individuals with Disabilities Education Act* (IDEA) has three distinct requirements around equity:

- Disproportionate Representation [State Performance Plan/Annual Performance Report (SPP/APR) Indicators B9 and B10],
- Significant Discrepancy (SPP/APR Indicators B4A and B4B)
- Significant Disproportionality




Disproportionate Representation 20 U.S.C. 1416(a)(3)(C)	Significant Discrepancy 20 U.S.C. 1416(a)(3)(A); 1412(a)(22)	Significant Disproportionality 20 U.S.C. 1416(d) and 34 CFR §§ 300.640-647
<ul style="list-style-type: none"> Part B State Performance Plan/Annual Performance Report (SPP/APR) Indicators 9 and 10 Indicator B9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Indicator B10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. 	<ul style="list-style-type: none"> Part B SPP/APR Indicator B4 <ul style="list-style-type: none"> Indicator B4A: Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with individualized education programs (IEPs). Indicator B4B: Percent of districts that have (a) 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 (b) 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. 	<ul style="list-style-type: none"> Determine whether significant disproportionality based on race/ethnicity is occurring with respect to <ul style="list-style-type: none"> the identification of children as children with disabilities, including children with disabilities in accordance with particular impairments; the placement of children in particular educational settings; and the incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

Disproportionate Representation

Part B State Performance Plan/Annual Performance Report (SPP/APR) Indicators 9 and 10


- Indicator B9:** Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
- Indicator B10:** Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.



Disproportionate Representation - Reports

CDE submits an annual report to the US Department of Education

- [State Performance Plan](#)



Significant Discrepancy

Part B SPP/APR Indicator B4

- **Indicator B4A:** Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with individualized education programs (IEPs).
- **Indicator B4B:** Percent of districts that have (a) 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 (b) 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.



Significant Discrepancy - Reports

CDE submits an annual report to the US Department of Education

- [State Performance Plan](#)