Procedures for Calculating Significant Disproportionality-Discipline

Michigan Department of Education Office of Special Education
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Reflecting the assumptions used in the analysis based on regulation 34 CFR §300.647

Significant Disproportionality:

Procedures for calculation of discipline risk ratios in special education & related services by race/ethnicity.

Citation:

Regulation 34 CFR §300.646 of the *Individuals with Disabilities Education Act* (IDEA) requires each state that receives assistance under Part B of the IDEA must provide for the collection and examination of data[1] to determine if significant disproportionality based on race and ethnicity is occurring in the state and the local education agencies of the state with respect to: incidence, duration, and type of disciplinary actions, including suspensions and expulsions.

Definitions:

- Discipline: Expulsions, out-of-school suspensions, and in-school suspensions[2].
- Disciplinary Action: Type of action taken (suspension and expulsion) and location (in/out of school).
- Cell size: The number of children suspended/expelled in a particular category of discipline in an ISD/member district.

[1] For the purpose of this IDEA data collection, a day includes > ½ day. Days are cumulative over the course of a school year and need not be consecutive.
[2] In-school suspensions include removal from the regular instructional environment for discipline purposes. The student may continue to receive instruction during in-school suspension.

- N-size: The number of children with IEPs, ages 3 through 21, per the IDEA Part B definition, enrolled in an ISD/member district.
- Comparison Group: Children in all other racial or ethnic groups within an ISD/member district or within the state when reviewing a particular racial/ethnic group with an ISD/member district for significant disproportionality.

Preliminary Procedures:

- Prior to calculations, OSE verified data from member districts that submitted discipline data for less than 1% or more than 25% of their students with an IEP.
- Discipline calculations are conducted using ISD/member district discipline data from the Michigan Student Data System (MSDS) for both the 2023-2024 and 2024-2025 school years, and students with an IEP child count data. School year data was used from three MSDS general collections (Fall 2023 & 2024, Spring 2024 & 2025, and End of Year 2024 & 2025), which include data submitted via Student Record Maintenance.
- Discipline Data is deduplicated on the last collection and the last enrollment date for the numerator and the Fall special education count data for the denominator.
- All calculations use operating ISD/member district discipline data only. (Calculations are based on the students with an IEP, the member district suspended/expelled (cumulatively during the school year), but calculations do not include disciplinary actions that occurred in a different member district.) For students transferring between member districts in the same ISD, all reported suspensions/expulsions are included in the ISD calculation.

Calculation Process:

1. Calculations are completed at both the member-district level and aggregated at the ISD level. Identification for Significant Disproportionality is at the ISD-level.
2. For each student with discipline, calculate the total number of days they have been out of school due to an expulsion and/or suspension(s).
3. For each racial/ethnic group, count the number of students in each of these five discipline categories:
    - Expulsions + out-of-school suspensions of 10 days or fewer

- Expulsions + out-of-school suspensions totaling > 10 days
- In-school suspensions of 10 days or fewer
- In-school suspensions totaling > 10 days
- Disciplinary actions in total, including in-school and out-of-school suspensions, expulsions, removals by school personnel to an interim alternative education setting, and removals by a hearing officer.

4. Ratios (ARR and RR) are calculated for each racial/ethnic group in a given discipline category within a member district and aggregated to the ISD-level.
5. Within member districts, for each discipline category, a racial/ethnic group is exempt from significant disproportionality when any of the following conditions exist:
    - There is an n-size of 30 students or less
    - There is a cell size of 10 students or less
6. The Risk Ratio (RR) is used for the member district's significant disproportionality calculations as the default ratio except in the following instances:
    - Within each discipline category, for each racial/ethnic group, if there are 30 or fewer students in the n-size comparison group, then the Alternate Risk Ratio (ARR) will be applied for that racial/ethnic group's significant disproportionality calculation.[3]
    - Within each discipline category, for each racial/ethnic group, if there are 10 or fewer students in the cell size comparison group, then the ARR will be applied for that racial/ethnic group's significant disproportionality calculation. [4]
7. ISDs may be identified with significant disproportionality when the appropriate ratio (ARR or RR) is greater than 3.0 for two consecutive years for any racial/ethnic group within a discipline category (see #9 below).
8. The OSE requires that ISDs identified as having significant disproportionality must:

[3] No calculation is performed if there are 30 or fewer children in the statewide n-size comparison group.
[4] No calculation is performed if there are 10 or fewer children in the statewide cell size comparison group

- Review/Revise Polices, Practices and Procedures. The OSE will assist the ISD's review of all policies, practices, and procedures regarding the identification of children of children with an IEP, including the discipline of students with an IEP; and
- Publicly Report Revisions of Policies, Practices and Procedures. The ISD must report to the public on the revision of the policies, practices, and procedures regarding the discipline of students with an IEP.
- Allocate 15% of IDEA Special Education (Part B, Section 611 & 619) Grants
    - For ISDs receiving IDEA funds, 15% of the grant for the identified school year, must be reallocated for comprehensive coordinated early intervening services. These services can be designed to serve children who have not been identified as children with an IEP or students with an IEP, particularly but not exclusively, children in the groups that were significantly over-identified. These early intervening services may support activities for students ages 3 through grade 12 with an emphasis on students in kindergarten through grade 3.

9. Refer to the Significant Disproportionality Methodology document pages 7-10 for details on the Tiered-Level of Response for Intervention and Identification.