

**IDEA PART B MAINTENANCE OF EFFORT
REDUCTION AND COORDINATED EARLY
INTERVENING SERVICES FOR FEDERAL FISCAL
YEAR 2014 / SCHOOL YEAR 2014-2015**

OSEP Data Documentation

December 2016

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1.0 Introduction

1.1 Purpose

The purpose of this document is to provide information necessary to appropriately use the data file on Individuals with Disabilities Education Act (IDEA) Part B Maintenance of Effort (MOE) Reduction and Coordinated Early Intervening Services (CEIS) from the Office of Special Education Programs (OSEP). The accompanying data file provides the following information for every LEA or educational service agency (ESA) that receives a subgrant under IDEA Section 611 or 619:

- LEA/ESA Allocations which includes the IDEA 611 and 619 allocation amounts for each LEA/ESA in the State for the reference Federal fiscal year (FFY) and the previous FFY.
- Maintenance of Effort (MOE) Reduction which includes the determination under the 34 CFR § 300.600(a)(2) for each LEA/ESA and how much the LEA/ESA reduced local and/or State funds taken under Section 613(a)(2)(C) for the reference school year.
- Provision of Coordinated Early Intervening Services (CEIS) which includes whether each LEA/ESA was required to reserve funds for CEIS due to significant disproportionality during the reference school year and whether each LEA/SEA voluntarily reserved for funds for CEIS; for each LEA/ESA that reserved funds for CEIS (required or voluntary), the dollar amount that was reserved during the reference school year; additionally, for each LEA/ESA that reserved funds for required CEIS due to significant disproportionality, the reason for which the LEA/ESA was identified for significant disproportionality.
- Number of Children Receiving CEIS which includes the number of children who received CEIS during the reference school year and the number of children who received CEIS at any time during the reference school year and the two preceding school years and received special education and related services during the reference school year.

1.2 OSEP Background

OSEP, within the Office of Special Education and Rehabilitative Services (OSERS), is dedicated to improving results for infants, toddlers, children and youth with disabilities ages birth through 21 by providing leadership and financial support to assist States and local districts.

Section 618 of IDEA requires that each State submit data about the infants and toddlers, birth through age 2, who receive early intervention services under Part C of IDEA and children with disabilities, ages 3 through 21, who receive special education and related services under Part B of IDEA.

There are 12 data collections authorized under Section 618: under Part B: (1) Child Count; (2) Educational Environments; (3) Personnel; (4) Exiting; (5) Discipline; (6) Assessment; (7) Dispute Resolution; and (8) Maintenance of Effort Reduction and Coordinated Early Intervening Services; and under Part C: (9) Child Count; (10) Settings; (11) Exiting; and (12) Dispute Resolution. These data are collected via an *EDFacts* system (i.e., *EDFacts* Submission System (ESS) or the *EDFacts* Metadata and Process System (*EMAPS*)). Information related to the Section 618 data collected via ESS can be found in the *EDFacts* Series - *EDFacts* Special Education/IDEA 2011-12 Study the ED Data Inventory (<http://datainventory.ed.gov/Search?seriesID=196&searchTerm=EDFacts&searchType=Exact>). Information related to the IDEA Section 618 data collected via *EMAPS* can be found in the IDEA Section 618 entry in the ED Data Inventory (<http://datainventory.ed.gov/Search?seriesID=1324&searchTerm=IDEA%20Section%20618&searchType=Exact>). This data documentation deals only with the Part B MOE Reduction and CEIS data collection and file.

2.0 OSEP Part B MOE Reduction and CEIS Data

2.1 LEA / ESA Data

States are required to report MOE Reduction and CEIS data under Title 1, Part A, Subsection 618 of IDEA.

Part B MOE Reduction and CEIS Data comes from one file:

- IDEA Part B MOE Reduction and CEIS

This information is submitted to OSEP via *EMAPS* by the IDEA Part B data managers in each of the 60 IDEA Part B reporting entities.

States were required to submit FFY 2014/SY 2014-15 data to *EMAPS* no later than May 4, 2016. OSEP reviewed the data for quality issues and provided feedback to States/entities. States/entities were given the opportunity to address the data quality issues prior to the data being published. Finalized data was extracted from the *EMAPS* system after 8pm ET on August 24, 2016. Please see Appendix A for the specific date each State/entity submitted these data.

2.2 Definitions

EMAPS – A Web-based tool used to provide State Education Agencies (SEAs) with an easy method of reporting and maintaining data to (1) meet Federal reporting requirements, and (2) provide information on State policies, plans, and metadata in order to aid in the analysis of data collected.

National Center for Educational Statistics (NCES) identification number – The 7-character NCES LEA ID number that is used to uniquely identify a school district. These NCES ID numbers are also used to identify LEAs when entering data into the EDEN system. LEAs or ESAs receiving a 611 or 619 subgrant that do not have an NCES ID were provided placeholder ID numbers. These placeholder ID numbers are displayed in the following format in the data file: ##F####.

3.0 Data Quality

3.1 Data Quality Checks

OSEP reviews and evaluates the timeliness, completeness, and accuracy of the data submitted by States to meet the reporting requirements under Section 618 of IDEA. OSEP also conducts year to year change analysis on data submitted by the States.

3.1.1 Timeliness

OSEP identifies a Section 618 data submission as **timely** if the State has submitted the required data to the appropriate data submission system (i.e., ESS or EMAPS) on or before the original due date. The due dates for the IDEA Section 618 data are:

- The first Wednesday in November for Part B Personnel, Part B Exiting, Part B Discipline, Part B Dispute Resolution, Part C Exiting, and Part C Dispute Resolution data collections.
- The first Wednesday in April for Part B Child Count, Part B Educational Environments, Part C Child Count, and Part C Settings data collections.
- During the third week in December for Part B Assessment data collection. This due date is aligned with the due date for the assessment data reported by States for the Consolidated State Performance Reports (CSPR).
- The first Wednesday in May for the Part B Maintenance of Effort Reduction and Coordinated Early Intervening Services data collection.

3.1.2 Completeness

OSEP identifies a Section 618 data submission as **complete** if the State has submitted data for all applicable fields, file specifications, category sets, subtotals, and grand totals for a specific Section 618 data collection. Additionally, OSEP evaluates if the data submitted by the State match the information in metadata sources such as the *EMAPS* State Supplemental Survey-IDEA and the *EMAPS* Assessment Metadata Survey.

3.1.3 Accuracy

OSEP identifies a Section 618 data submission as **accurate** if the State has submitted data that meets all the edit checks for the specific data collection. The edit checks for each Section 618 data collection are identified in the Part B Data Edits and Part C Data Edits documents available to States in Office of Management and Budget (OMB) MAX. The majority of these edit checks are incorporated into the business rules in ESS and *EMAPS*. Specific business rules or edit checks are outlined in the *EDFacts* Business Rules Guide and the *EMAPS* user guides on www.ed.gov/edfacts. A list of these edit checks for the MOE Reduction and CEIS data collection are provided in Appendix B.

3.1.4 Year-to-Year Change Analysis

OSEP also conducts **year-to-year change analysis** in order to determine if there has been a large fluctuation in the counts reported by a State from year to year. If large changes are identified, OSEP requests that the State review the data to ensure that the changes are not the result of a data quality issue, and to provide an explanation for the large change in counts if it was not the result of a data quality issue.

OSEP reviews the data notes and explanations States provide in relation to the submission of the Section 618 data to better understand if and how the State is meeting the reporting instructions and requirements for the specific data collection.

3.2 Coordinated Review

The LEA MOE Reduction and CEIS data were submitted through *EMAPS*. After the original close date, data experts from OSEP's Research to Practice (RTP) Division and fiscal monitoring experts from OSEP's Monitoring and State Improvement Planning (MSIP) Division conducted a collaborative review of the MOE Reduction and CEIS data submitted by States. The review includes the following areas: timeliness of the data submission, completeness of the data files, and accuracy of the data. Through the coordinated review, the States receive one set of data quality

comments or inquiries associated with the MOE Reduction and CEIS data from OSEP. For States that have missing or inaccurate data, there are opportunities to resubmit their data files and have them reviewed prior to being published to the public.

3.3 Suppression

OSEP did not identify any data quality concerns and did not suppress any Part B MOE Reduction and CEIS data for any States/entities for SY 2014-15.

3.4 Data Notes

States/entities have the option to provide additional information to OSEP related to the data quality issues or changes. This information has been compiled and accompanies the data files for data users. Please review the MOE Reduction and CEIS Data Notes document when using the public file.

4.0 File Structure

The following table provides the layout of the Part B MOE Reduction and CEIS file.

Number of Variables: 28

Extraction Date: The date the data were extracted from EMAPS.

Updated: The date changes were made to the text, format or template of the file; if no changes have occurred this line will be blank.

Revised: The date updates were made to the data; if no changes have occurred this line will be blank.

| Variable Number | Variable Name | Definition |
|-----------------|--|---|
| | Reporting Year | Reference Year |
| | StateName | State Name |
| | LEAName | Name of reporting Local Education Agency |
| | NCESID | National Center for Educational Statistics (NCES) identification number |
| | Year used to make the LEA/ESA/SEA determinations | Which school year's data was used to make the LEA or ESA determinations that apply to whether the LEA or ESA may, based on FFY 2014 funding, reduce MOE during SY 2014-15 |
| A2A | Total LEA/ESA allocation for Section 611 of IDEA FFY 2013 (\$) | Total FFY 2013 allocation of Section 611 funds each LEA or ESA received for FFY 2013 (i.e., funds available on July 1, 2013 and October 1, 2013) |

| | | |
|-----|--|---|
| A2B | Total LEA/ESA allocation for Section 611 of IDEA FFY 2014 (\$) | Total FFY 2014 allocation of Section 611 funds each LEA or ESA received for FFY 2014 (i.e., funds available July 1, 2014 and October 1, 2014) |
| A2C | Increase in LEA/ESA allocations for Section 611 from FFY 2013 to FFY 2014 (\$) | Dollar amount increase in the total allocation of Section 611 funds from FFY 2013 to FFY 2014 for each LEA or ESA. This figure was calculated by subtracting the FFY 2013 dollar amount from the FFY 2014 dollar amount. |
| A3A | Total LEA/ESA allocation for Section 619 of IDEA FFY 2013 (\$) | Total FFY 2013 allocation of Section 619 funds each LEA or ESA received for FFY 2013 (i.e., funds available July 1, 2013) |
| A3B | Total LEA/ESA allocation for Section 619 of IDEA FFY 2014 (\$) | Total FFY 2014 allocation of Section 619 funds each LEA or ESA received for FFY 2014 (i.e., funds available July 1, 2014). |
| A3C | Increase in LEA/ESA allocations for Section 619 from FFY 2013 to FFY 2014 (\$) | Dollar amount increase in the total allocation of Section 619 funds from FFY 2013 to FFY 2014 for each LEA or ESA. This figure was calculated by subtracting the FFY 2013 dollar amount from the FFY 2014 dollar amount. |
| A4 | Total LEA/ESA allocations for Section 611 and 619 of IDEA for FFY 2014 (\$) | Sum of the total dollar amounts of Section 611 and 619 allocations from FFY 2014 for each LEA or ESA. This figure was calculated by adding the Section 611 allocation dollar amount to the Section 619 allocation dollar amount. |
| A5 | 15% of the total LEA/ESA allocations for Section 611 and 619 of IDEA for FFY 2014 (\$) | This figure represents 15% of the total (combined) dollar amount of Section 611 and 619 allocations from FFY 2014 for each LEA or ESA. Please see the User Guide for more information on this calculation. |
| B2 | Determination under 34 CFR 300.600(a)(2) that controls whether the LEA may be able to reduce MOE during SY 2014-15 | Determination under 34 CFR § 300.600(a)(2) that controls whether the LEA may be able, based on FFY 2014 funding, to reduce MOE during SY 2014-2015. Determinations should be specified as one of the following: meets the requirements and purposes of Part B; needs assistance in implementing the requirements of Part B; needs intervention in implementing the requirements of Part B; or needs substantial intervention in implementing the requirements of Part B |
| B3 | Reduction of local and/or state funds taken pursuant to Section 613(a)(2)(C) by the LEA/ESA during SY 2014-15 (\$) | Dollar (\$) amount that each LEA or ESA reduced local, or State and local, expenditures under the IDEA MOE provision in IDEA §613(a)(2)(C) during SY 2014-15. |
| B4 | Percent of the available reduction taken by LEA /ESA during SY 2014-15 (%) | This figure represents the percent of the available MOE reduction that the LEA or ESA took during SY 2014-15. Please see the User Guide for more information on this calculation. |

| | | |
|-------|--|--|
| C2A | Required CEIS Was the LEA/ESA required to use 15% of funds for CEIS due to significant disproportionality in SY 2014-15? (Y/N) | Whether each LEA or ESA was required to use 15% of IDEA 611 and 619 funds for CEIS due to significant disproportionality in SY 2014-15. |
| C2A.1 | Required CEIS Was the LEA/ESA identified as having significant disproportionality due to 'identification as a child with a disability'? (Y/N) | Whether each LEA or ESA that was required to use IDEA funds for CEIS did so because they were identified as having significant disproportionality due to 'identification as a child with a disability' in SY 2014-15. |
| C2A.2 | Required CEIS Was the LEA/ESA identified as having significant disproportionality due to 'identification by disability category'? (Y/N) | Whether each LEA or ESA that was required to use IDEA funds for CEIS did so because they were identified as having significant disproportionality due to 'identification by disability category' in SY 2014-15. |
| C2A.3 | Required CEIS Was the LEA/ESA identified as having significant disproportionality due to 'placement in a particular educational setting'? (Y/N) | whether each LEA or ESA that was required to use IDEA funds for CEIS did so because they were identified as having significant disproportionality due to 'placement in a particular educational setting' in SY 2014-15. |
| C2A.4 | Required CEIS Was the LEA/ESA identified as having significant disproportionality due to 'disciplinary action'? (Y/N) | whether each LEA or ESA that was required to use IDEA funds for CEIS did so because they were identified as having significant disproportionality due to 'disciplinary action' in SY 2014-15. |
| C2B | Required CEIS Amount reserved for required CEIS in the LEA /ESA in SY 2014-15 (\$) | Dollar (\$) amount that was reserved for CEIS in each LEA or ESA that was required to use IDEA funds for CEIS in SY 2014-15 |
| C2C | Required CEIS Percent taken for required CEIS in the LEA /ESA in SY 2014-15 (%) | The figure represents the percent of IDEA funds that the LEA or ESA was required to reserve for CEIS due to significant disproportionality in SY 2014-15. This figure was calculated using the dollar amounts from Column C2B, Column A2B, and Column A3B. Please see the User Guide for more information on this calculation. |
| C3A | Voluntary CEIS Did the LEA/ESA voluntarily use up to 15% of IDEA 611 and 619 fund for CEIS in SY 2014-15? (Y/N) | Whether the LEA or ESA voluntarily used up to 15% of IDEA 611 and 619 funds for CEIS in SY 2014-15 |
| C3B | Voluntary CEIS Amount reserved for voluntary CEIS in SY 2014-15 (\$) | Dollar (\$) amount of funds reserved for voluntary CEIS during SY 2014-15 |
| C3C | Voluntary CEIS Percent taken for voluntary CEIS | The figure represents the percent of IDEA funds that the LEA or ESA used for voluntary |

| | | |
|----|--|--|
| | during SY 2014-15 (%) | CEIS during SY 2014-15. This figure was calculated using dollar amounts from Column C3B, Column A2B, and Column A3B. Please see the User Guide for more information on this calculation. |
| D2 | Total number of children receiving CEIS under the IDEA in the LEA/ESA during SY 2014-15 | Total number of children who received CEIS under IDEA at any point during the course of the reporting year. |
| D3 | Total number of children who received CEIS under the IDEA anytime in the past two school years (including SY 2012-13, SY 2013-14 and SY 2014-15) and received special education and related services in SY 2014-15 | Total number of children who received CEIS under IDEA anytime in the past two school years (including SY 2012-13, 2013-14, and SY 2014-15) and received special education and related services in 2014-15. |

5.0 Guidance for Using these Data - FAQs

What is the primary use of this information?

The IDEA Part B MOE Reduction and CEIS Collection provides the following information for every LEA or ESA that receives an IDEA Section 611 or 619 subgrant:

- LEA/ESA Allocations which includes the IDEA 611 and 619 allocation amounts for each LEA/ESA in the State for the reference FFY and the previous FFY.
- MOE Reduction which includes the determination under the 34 CFR § 300.600(a)(2) for each LEA/ESA and how much the LEA/ESA reduced of local and/or State funds taken under Section 613(a)(2)(C) for the reference school year.
- Provision of CEIS which includes whether each LEA/ESA was required to reserve funds for CEIS due to significant disproportionality during the reference school year and whether each LEA/ESA voluntarily reserved for funds for CEIS. For each LEA/ESA that reserved funds for CEIS (required or voluntary), the dollar amount that was reserved during the reference school year.
- Number of Children Receiving CEIS which includes the number of children who received CEIS during the reference school year and the number of children who received CEIS at any time during the reference school year and the two preceding school years and received special education and related services during the reference school year.

The data collected using this survey is authorized by the IDEA, Section 618.

These data were previously reported in Table 8, “Report on IDEA Part B Maintenance of Effort Reduction (34 CFR §300.205(a)) and Coordinated Early Intervening Services (34 CFR §300.226).”

The data are also used for monitoring the programs and activities under IDEA and reported by in OSEP’s Annual Report to Congress on the Implementation of IDEA.

Are all States required to submit the IDEA Part B MOE Reduction and CEIS Report via EMAPS for FFY 2014/SY 2014-2015?

Yes. This data file will include all 50 States plus the District of Columbia, Puerto Rico, Virgin Islands, Bureau of Indian Education, outlying areas and freely associated States.

What reporting year will this data collection cover?

The LEA/ESA allocations reported in the IDEA Part B MOE Reduction and CEIS Report represent both FFY 2013 and FFY 2014. FFY 2013 includes Section 611 funds available on July 1, 2013 and October 1, 2013 and Section 619 funds available on July 1, 2013. FFY 2014 includes Section 611 funds available on July 1, 2014 and October 1, 2014 and Section 619 funds available on July 1, 2014. The other data elements represent SY 2014-15. The count of children receiving CEIS should cover an entire year.

6.0 Privacy Protections Used

Beginning in August 2012, the US Department of Education established a Disclosure Review Board (DRB) to review proposed data releases by the Department’s principal offices (e.g., OSEP) through a collaborative technical assistance process so that the Department releases as much useful data as possible, while protecting the privacy of individuals and the confidentiality of their data, as required by law.

The DRB worked with OSEP to develop appropriate disclosure avoidance plans for the purposes of the Section 618 data releases that are derived from data protected by The Family Educational Rights and Privacy Act (FERPA) and IDEA and to help prevent the unauthorized disclosure of personally identifiable information in OSEP’s public IDEA Section 618 data file releases.

The DRB applied the FERPA standard for de-identification to assesses whether a “reasonable person in the school community who does not have personal knowledge of the relevant circumstances” could identify individual students in tables with small

size cells (34 CFR §99.3 and §99.31(b)(1)). The “reasonable person” standard was used to determine whether the data have been sufficiently redacted prior to release such that a “reasonable person” (i.e., a hypothetical, rational, prudent, average individual) in the school community would not be able to identify a student with any reasonable certainty. School officials, including teachers, administrators, coaches, and volunteers, are not considered in making the reasonable person determination since they are presumed to have inside knowledge of the relevant circumstances and of the identity of the students.

For each local educational agency (LEA)/ educational service agency (ESA) that receives an IDEA 611 or 619 subgrant from the State, the following data elements are reported:

1. IDEA section 611 allocation amount (in \$)
2. IDEA section 619 allocation amount (in \$)
3. the LEA determination (i.e., meets the requirements and purposes of Part B; needs assistance in implementing the requirements of Part B; needs intervention in implementing the requirements of Part B; or needs substantial intervention in implementing the requirements of Part B)
4. the amount of local and/or State funds reduced under Section 613(a)(2)(C) (i.e., MOE reduction) (in \$)
5. whether the LEA/ ESA was required to reserve funds for CEIS (responses – Yes/No)
 - If yes, whether the LEA/ESA was identified as having a significant disproportionality due to ‘identification as a child with a disability’ (Yes/No)
 - If yes, whether the LEA/ESA was identified as having a significant disproportionality due to ‘identification by disability category’ (Yes/No)
 - If yes, whether the LEA/ESA was identified as having a significant disproportionality due to ‘placement in a particular educational setting’ (Yes/No)
 - If yes, whether the LEA/ESA was identified as having a significant disproportionality due to ‘disciplinary action’ (Yes/No)
 - If yes, the amount reserved (in \$)
6. Whether the LEA/ESA voluntarily reserved funds for CEIS (responses – Yes/No)
 - If yes, the amount reserved (in \$)
7. Total number of children receiving CEIS under IDEA within the school year
8. Total number of children who received CEIS anytime in the past two school years and received special education and related services in this school year

The DRB has been advised by counsel that the fiscal data from which data elements 1-6 are derived are not subject to the Privacy Act of 1974, as amended, 5 U.S.C. § 552a, the Family Educational Rights and Privacy Act of 1974, as amended, 20 U.S.C. § 1232g, or the Individuals with Disabilities Education Act, as amended, 20 U.S.C. 1417(c). Further, we understand that none of the data were collected under a

“pledge of confidentiality,” which could trigger privacy protections under other Federal laws including the provisions of the Confidential Information Protection and Statistical Efficiency Act of 2002, 44 U.S.C. 3501 note, and that none of the data were collected by the Institute of Education Sciences, which could subject the data to Section 183 of the Education Sciences Reform Act of 2002, 20 U.S.C. § 9573.

The data from which data elements 7-8 are derived are “education records” within the meaning of The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) and the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1417c; 34 CFR § 300.610 & 34 CFR § 300.611) and are therefore protected by FERPA and IDEA.

Data elements 1-6:

Because these data elements are not protected by any confidentiality or privacy statutes, no privacy protections are required.

CEIS Child Count (data element 7):

Coordinated early intervening services funds can be used (1) to provide services to individual students, a classroom or multiple classrooms of students, or an entire school; and/or (2) to provide professional development to teachers. In the case of providing professional development, all the students working with that teacher would be counted as “receiving CEIS” (regardless of the students’ need for special education or related services).

Because the definition of this data element includes all students of those teachers receiving professional development under CEIS, this child count represents an estimate and may not directly correspond to either the actual number of students who are not currently identified as needing special education or related services and who need additional academic and behavioral supports to succeed in a general education environment (i.e., students in need of receiving CEIS services) nor to the number of students in special education in the LEA. Consequently, because of the broad definition and the fact that these data are presented at the LEA level without being disaggregated by any other characteristics (i.e., they are not broken down by race, sex, or type of disability), the DRB has determined that the risk of disclosure is negligible and that no additional privacy protections are required for this data element.

2-year cumulative CEIS and Special Education Child Count (data element 8):

The definition of this data element includes students with disabilities who received CEIS in the past 2 years and were identified for special education and related

services during the reference year. This number could be higher or lower than the count of students with disabilities receiving special education and related services in the district, as reported in the Child Count data, for the reference year. The Child Count data are snapshot counts taken on the State-designated child count date. The total count of students with disabilities receiving special education and related services in the district, as reported in the Child Count data, could be **higher** than this count because there could be students with disabilities receiving special education and related services that did not receive CEIS. The total count of students with disabilities receiving special education and related services in the district, as reported in the Child Count data, could be **lower** than this count because this count is a cumulative count which is collected throughout the school year. Consequently, because this count does not directly correspond to the number of students with disabilities and the fact that these data are presented at the LEA level without being disaggregated by any other characteristics (i.e., they are not broken down by race, sex, or type of disability), the DRB has determined that the risk of disclosure is negligible and that no additional privacy protections are required for this data element.

It is the consensus of the Disclosure Review Board that the FFY 2014/ SY 2014-15 Part B Maintenance of Effort (MOE) Reduction and Coordinated Early Intervening Services (CEIS) Data File is safe for public release under FERPA.

Appendix A

Date of the Last State Level Submission

| State | MOE & CEIS |
|--------------------------------|-----------------------|
| ALABAMA | 8/31/2016 |
| ALASKA | 4/27/2016 |
| AMERICAN SAMOA | 5/3/2016 |
| ARIZONA | 8/29/2016 |
| ARKANSAS | 8/25/2016 |
| BUREAU OF INDIAN AFFAIRS | 5/4/2016 |
| CALIFORNIA | 5/3/2016 |
| COLORADO | 5/4/2016 |
| CONNECTICUT | 4/22/2016 |
| DELAWARE | 5/4/2016 |
| DISTRICT OF COLUMBIA | 8/31/2016 |
| FEDERATED STATES OF MICRONESIA | 5/3/2016 |
| FLORIDA | 5/2/2016 |
| GEORGIA | 4/27/2016 |
| GUAM | 5/2/2016 |
| HAWAII | 8/25/2016 |
| IDAHO | 4/27/2016 |
| ILLINOIS | 8/31/2016 |
| INDIANA | 5/4/2016 |
| IOWA | 4/20/2016 |
| KANSAS | 8/30/2016 |
| KENTUCKY | 5/3/2016 |

| | |
|----------------------------------|-----------|
| LOUISIANA | 7/27/2016 |
| MAINE | 7/28/2016 |
| MARYLAND | 5/4/2016 |
| MASSACHUSETTS | 8/31/2016 |
| MICHIGAN | 8/11/2016 |
| MINNESOTA | 5/4/2016 |
| MISSISSIPPI | 7/27/2016 |
| MISSOURI | 4/18/2016 |
| MONTANA | 5/2/2016 |
| NEBRASKA | 4/25/2016 |
| NEVADA | 5/4/2016 |
| NEW HAMPSHIRE | 5/2/2016 |
| NEW JERSEY | 5/2/2016 |
| NEW MEXICO | 5/4/2016 |
| NEW YORK | 4/19/2016 |
| NORTH CAROLINA | 5/4/2016 |
| NORTH DAKOTA | 4/26/2016 |
| NORTHERN MARIANAS | 5/2/2016 |
| OHIO | 5/4/2016 |
| OKLAHOMA | 7/29/2016 |
| OREGON | 5/3/2016 |
| PENNSYLVANIA | 8/31/2016 |
| PUERTO RICO | 4/29/2016 |
| REPUBLIC OF PALAU | 5/3/2016 |
| REPUBLIC OF THE MARSHALL ISLANDS | 5/3/2016 |

| | |
|----------------|-----------|
| RHODE ISLAND | 7/28/2016 |
| SOUTH CAROLINA | 8/30/2016 |
| SOUTH DAKOTA | 5/4/2016 |
| TENNESSEE | 4/21/2016 |
| TEXAS | 8/11/2016 |
| UTAH | 8/18/2016 |
| VERMONT | 7/27/2016 |
| VIRGIN ISLANDS | 4/29/2016 |
| VIRGINIA | 5/3/2016 |
| WASHINGTON | 4/14/2016 |
| WEST VIRGINIA | 5/4/2016 |
| WISCONSIN | 5/2/2016 |
| WYOMING | 5/4/2016 |

- Data not submitted

Appendix B
Warning Messages

| Column | Warning Message |
|--------------------------|---|
| All | A warning will be written to the final report when an “M” is reported for any column. |
| A2A A2B A3A A3B | A warning will be written to the final report when column A2A, A2B, A3A, or A3B contain either a zero or ‘NA’. |
| A2C B3 | A warning will be written to the final report when column A2C (increase in LEA/ESA allocations for Section 611 of IDEA) is less than or equal to 0 and column B3 (reduction of local and/or State funds taken pursuant to Section 613(a)(2)(C)) is greater than 0. |
| B2 | A warning will be written to the final report when ‘NA’ is the value for column B2 (specify the determination under 34 CFR§300.600(a)(2) that controls whether the LEA may be able to reduce MOE). |
| B2 B3 | A warning will be written to the final report when column B2 (specify the determination under 34 CFR §300.600(a)(2) that controls whether the LEA may be able to reduce MOE) not equal ‘1’ and column B3 (reduction of local and/or State funds taken pursuant to Section 613(a)(2)(C)) is greater than 0. |
| B3 C3B | A warning shall be written to the final report when column B3 (reduction of local and/or State funds taken pursuant to Section 613(a)(2)(C)) is greater than zero and C3B (Amount reserved for voluntary CEIS) is greater than zero. |
| B4 | A warning will be written to the final report when the percent available reduction taken by the LEA/ESA (B4) is greater than 100%. |
| C2A | A warning shall be written to the final report when C2A is YES, and none of the following are YES: C2A.1; C2A.2; C2A.3; and C2A.4. |
| C2A A5 C2B | A warning will be written to the final report when column C2A (Was the LEA/ESA required to use 15% of funds for CEIS due to significant disproportionality) is YES and column A5 (15% of the total LEA/ESA allocation for Sections 611 and 619 for FFY 2014) does not equal column C2B provided (Amount reserved for required CEIS in the LEA/ESA). |
| C2A B3 | A warning will be written to the final report when Column C2A (Was the LEA/ESA required to use 15% of funds for CEIS due to significant disproportionality) was “Yes” and column B3 (reduction of local and/or State funds taken pursuant to Section 613(a)(2)(C)) is greater than 0. |
| C2A C2B | A warning will be written to the final report when Column C2A (Was the LEA/ESA required to use 15% of funds for CEIS due to significant disproportionality) was “Yes” and column C2B (Amount reserved for required CEIS in the LEA/ESA) was zero, NA, or M. |

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| C2A C3A | A warning will be written to the final report when Column C2A (Was the LEA/ESA required to use 15% of funds for CEIS due to significant disproportionality) was "Yes" and Column C3A (Did the LEA/ESA voluntarily use up 15% of IDEA 611 or 619 fund for CEIS) was "Yes". |
| C2A C3A D2 | A warning will be written to the final report when Column C2A (Was the LEA/ESA required to use 15% of funds for CEIS due to significant disproportionality) was "No" and Column C3A (Did the LEA/ESA voluntarily use up 15% of IDEA 611 or 619 fund for CEIS) was "No" and column D2 (total number of children who received CEIS during reference period) is greater than zero. |
| C2A D2 | A warning will be written to the final report when Column C2A (Was the LEA/ESA required to use 15% of funds for CEIS due to significant disproportionality) was "Yes" and column D2 (Total number of children receiving CEIS under the IDEA in the LEA/ESA) was zero, M, or NA. |
| C3A A5 C3B | A warning will be written to the final report when column C3A (Did the LEA/ESA voluntarily use up 15% of IDEA 611 or 619 fund for CEIS) is YES and column A5 (15% of the total LEA/ESA allocation for Sections 611 and 619 for FFY 2014) is less than column C3B (Amount reserved for voluntary CEIS). |
| C3A C3B | A warning will be written to the final report when Column C3A (Did the LEA/ESA voluntarily use up 15% of IDEA 611 or 619 fund for CEIS) was "Yes" and column C3B (Amount reserved for voluntary CEIS) was zero, M or NA. |
| C3A D2 | A warning will be written to the final report when Column C3A (Did the LEA/ESA voluntarily use up 15% of IDEA 611 or 619 fund for CEIS) was "Yes" and column D2 (Total number of children receiving CEIS under the IDEA in the LEA/ESA) was zero, M, or NA. |

Appendix C

State Definition of Disproportionality in SY 2014-2015

| State | Note |
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| Alabama | LEAs identified as having significant disproportionality must use the maximum amount of funds allowable for CEIS for children in the LEA, particularly, but not exclusively, for children in those racial or ethnic groups that were significantly over-identified. Although the state's definition may be determined annually, the current definition includes: (1) Identification of Children with Disabilities: Risk Ratio and Weighted Risk Ratio of over 4.0 and greater than 15 students in racial and ethnic groups. (2) Identification of Children with Disabilities in Specific Disability Categories: Risk Ratio and Weighted Risk Ratio of over 5.0 and greater than 20 students in racial and ethnic groups. (3) Placement of Children with Disabilities in Particular Educational Settings: (3)a. 100-80% of the day inside general education – Risk Ratio and Weighted Risk Ratio of under 0.50 and greater than 15 students in the racial and ethnic groups; (3)b. 7 9-40% of the day inside general education – Risk Ratio and Weighted Risk Ratio of over 4.0 and greater than 15 students; (3)c. Less than 40% of the day inside general education – Risk Ratio and Weighted Risk Ratio of over 4.0 and greater than 15 students; and (3)d. Separate schools and residential facilities – Risk Ratio and Weighted Risk Ratio of over 4.0 and greater than 15 students. (4) Disciplinary Actions (Suspensions/Expulsions): (4)a. Out of school suspensions or expulsions greater than 10 days – greater than 5.0% of overall special education enrollment with more than 15 students in the racial and ethnic groups; and (4)b. Out of school suspensions or expulsions less than 10 days – greater than 40% of overall special education enrollment with more than 15 students in the racial and ethnic groups. |
| Alaska | Alaska determines that a district has significant disproportionality when there is a risk ratio of greater than 3.5 for three consecutive years. |
| American Samoa | Equal opportunity for all students |
| Arizona | Arizona defines significant disproportionality with respect to identification, placement, and discipline according to the following measurements (applies to students with disabilities aged 6-21): * For identification of students with disabilities, AZ uses a weighted risk ratio (WRR) of > or = 5.0 and minimum cell size of 30 (> or = 30) for the target racial/ethnic group and for other racial/ethnic groups in special education and related services * For placement in particular educational settings, AZ uses WRR of > or = 7.0 and minimum cell size of 30 (> or = 30) for the target racial/ethnic group and for other racial/ethnic groups * For disciplinary actions, AZ uses a rate that is 10.0% greater than the State's rate. |
| Arkansas | Identification (all disabilities), identification specific Disabilities, and LRE all use a RR > 4 after secondary criteria is applied. They are identified for CEIS if RR > 4 for three (3) consecutive years. Discipline |

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| | <p>uses a difference in composition with a difference > 4 after secondary criteria is applied. They are identified for CEIS if difference is > 4 for three (3) consecutive years. A full explanation of the CEIS Calculation can be found at https://arksped.k12.ar.us/DataAndResearch/PublicReporting.html</p> |
| Bureau of Indian Affairs | <p>The BIE is not subject to Maintenance of Effort requirements. However, due to over-identification, the BIE has schools that have Voluntary CEIS programs.</p> |
| California | <p>The California Department of Education (CDE) measures disproportionality and significant disproportionality using two measures: (1) the E-formula and (2) the Alternate Risk Ratio. There are several reasons why the CDE uses joint measures rather than a single measure. First, a joint measures approach incorporates the best elements of both measures. In this approach, the measures combine individual strengths in the disproportionality determination process and compensate each for limitations. Second, the two measures in this analysis are the top two measures based on expert ratings and also represent the two broad categories of disproportionality measures: composition and risk. Since each category defines racial/ethnic disproportionality differently, a joint measures approach brings both definitions together. Finally, if a district is disproportionate in both measures—not just in one—then the district is identified as having true disproportionality. The detailed calculations for each measure are described below. Significant Disproportionality To be identified as significantly disproportionate a district must meet both of the following criteria: 1) Identified disproportionate by both measures (E-formula and Alternate Risk Ratio) defined as: • More than three standard errors for the E-formula, and • More than five on the Alternate Risk Ratio 2) Identified disproportionate in the same cell (disability by ethnicity) a. In the current year, and b. In at least two of the previous three years</p> |
| Colorado | <p>Beginning with FFY 2013, the Colorado Department of Education has changed its definition of disproportionate representation and significant disproportionality. Disproportionate representation is defined as a Weighted Risk Ratio of 3.00 and above. A Weighted Risk Ratio is considered only if it meets the minimum N requirements of at least 10 students in the target group for the Indicator 4 - Suspension/Expulsion. Weighted Risk Ratio is considered only if it meets the minimum N requirements of at least 30 students in the target group for the Indicator 9 - Disproportionate Representation in Special Education and Indicator 10 - Disproportionate Representation in Specific Disability Categories. Once a ratio is flagged for numerical disproportionate representation, the policies and procedures of that LEA are reviewed to determine if the disproportionate representation is due to inappropriate identification. Significant Disproportionality is defined as a Weighted Risk Ratio of 4.00 and above. A Weighted Risk Ratio is considered only if it meets the minimum N requirements of at least 10 students in the target group and at least 10 students in the comparison group.</p> |
| Connecticut | <p>The Connecticut State Department of Education (CSDE) utilizes a</p> |

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| | <p>two-step process for the analysis of disproportionate representation: the use of a confidence interval to adjust for the effect of sample size and the calculation and interpretation of a relative risk index (RRI). The formula $\pm 1.96 \sqrt{\frac{P \times Q}{n}}$ for the standard error of the sample proportion is used to calculate the 95 percent confidence interval. (Where P = composition of the subgroup being assessed, Q = 100-P, and n = the number of students in the subgroup being assessed for overrepresentation.) For areas indicating possible overrepresentation using the 95 percent confidence interval test, an RRI is calculated to aid in the interpretation of the identified overrepresentation. The following criteria have been adopted by the CSDE as flexible guidelines regarding the identification of disproportionate representation based on race and ethnicity with respect to: the identification of children with disabilities within specific disability categories; the placement of children in particular educational settings; and the incidence, duration and type of disciplinary actions, including suspensions and expulsions. $0.25 < RRI < 2.0$: RRI is not significant; disproportionate representation not indicated; district receives data. $0.25 > RRI > 2.0$: RRI of concern; district receives correspondence from the CSDE; district submits self assessment of data, policies, procedures and practices regarding identification of students for special education to the Department; if individual student or systemic noncompliance is found, the CSDE issues, monitors and verifies corrective actions.</p> |
| Delaware | <p>From the most recent SPP: Delaware uses the relative risk ratio method to determine whether there is disproportionate representation of racial and ethnic groups in special education. When using the relative risk ratio method, the overall enrollment of all students is considered in relation to the enrollment of special education students. A minimum "N" size of 15 is used in the calculation. The relative risk ratio is calculated by comparing one ethnic group's risk of being identified in special education with that of a comparison group (all other students). After the relative risk ratio is calculated, the ratio is compared to the state "bar", and if the LEA's risk ratio is greater than or equal to the state "bar", the LEA is identified as having disproportionate representation. The "bar" was informed by aggregate data from all LEAs as well as input from stakeholder groups. For FFY 2011, the state "bar" was set at a relative risk ratio of 1.50. The relative risk ratio is a change in methodology. Delaware previously used the relative difference method to identify disproportionate representation in past submissions of the APR. After disproportionate representation data are computed, the DDOE then determines whether disproportionate representation with an LEA is due to inappropriate identification. Definition for Significant Disproportionality Significant disproportionality is also defined using the relative risk ratio described above. However, the relative risk ratio to indicate significant disproportionality will be greater than or equal to 2.00. In addition, data is examined over two years before identifying an LEA with significant disproportionality. .</p> |
| District of Columbia | <p>For suspensions, significant disproportionality is calculated only for suspensions greater than 10 days. An LEA has to have at least 40</p> |

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| | <p>children with disabilities in order to be included in the report. Within LEAs of 40 or more students with disabilities, at least five students of a single race/ethnicity are required for weighted risk ratio analysis. District charters shall be counted with DCPS as one LEA. Any WRR above 5.0 is considered to be significant disproportionate. For educational environments and identification of disabilities, the same business rules and WRR applies.</p> |
| Federated States of Micronesia | Not applicable to Federated States of Micronesia |
| Florida | <p>Significant disproportionality for CEIS is defined as a risk ratio of 3.5 or greater for a given race when compared to all other races combined for:</p> <ul style="list-style-type: none"> • Identification of children with disabilities • Identification of children as children with a particular disability • Placement of children with disabilities in particular educational settings • Incidents of removal of children with disabilities through inschool suspension, out-of-school suspension, or expulsion. |
| Georgia | <p>Special education and related services by using the following criteria: (1) Westat Weighted Risk Ratio for two consecutive years {FFY 2012, ≥ 3.0 and FFY 2013, ≥ 3.0} and (2) SWD Subgroup ≥ 10. Disability Specific by using the following criteria: (1) Westat Weighted Risk Ratio for two consecutive years {FFY 2012, ≥ 3.0 and FFY 2013, ≥ 3.0} and (2) SWD Subgroup ≥ 10. Special Education Placement by using the following criteria: (1) Westat Weighted Risk Ratio for two consecutive years {FFY 2012, ≥ 3.0 and FFY 2013, ≥ 3.0} and (2) SWD Subgroup ≥ 10. Discipline by using the following criteria : (1) Events Per Student Ratio for two consecutive years {FFY 2011, ≥ 3.0 and FFY 2012, ≥ 3.0} and (2) Event Count ≥ 5 and/or (1) Exclusion Risk by Duration and Type for two consecutive years {FFY 2011, ≥ 3.0 and FFY 2012, ≥ 3.0} and (2) Event Count ≥ 5 For Duration and Type weighted values are assigned to events in the following manner: ISS =10 days = 1 OSS =10 days = 2 ISS >10 days = 3 OSS >10 days = 4</p> |
| Guam | NOT APPLICABLE |
| Hawaii | <p>Hawaii is a single unitary system. Under Indicators 9 and 10 of the SPP/APR, disproportionality is defined in two tiers: (1) Tier 1 is any group whose risk ratio falls outside a 99% confidence interval for its respective disability and group size signifies disproportionate representation and (2) Tier 2, for over identification, Special Education Section analyzes the identification practices from a representative sampling of students in the racial or ethnic group that is disproportionately over identified through a file review for each student.</p> |
| Idaho | <p>$E = A + \text{Sqrt} [A * (100-A)/N]$ Where: E = Maximum percentage of the total special education enrollment in a district allowed for a specific ethnic minority group. A = Percentage of the same ethnic minority group in the District enrollment. N = Total special education enrollment in the District. Over -representation is calculated on seven ethnic/racial categories for all districts. Over-representation is defined as greater than five (5) over the statistically expected range as determined by using the E-Formula. The E-Formula takes into</p> |

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| | account the “N” size when calculating the statistically expected range so that no district is exempt from analysis for every racial and ethnic group enrolled in the District. |
| Illinois | Illinois defines "significant disproportionality" by using a weighted or alternate risk ratio method to calculate and determine whether significant disproportionality is present in the identification of students who are eligible for special education overall and by disability category for each of the seven racial/ethnic groups. The weighted risk ratio is used for districts that 10 or more students in the racial/ethnic group in questions and at least 10 students in the comparison group. An alternate risk ratio is used for districts that have at least 10 students in the racial/ethnic group in question but fewer than 10 students in the comparison group. Illinois criterion for determining significant disproportionality for identification in special education based on race/ethnicity is a weighted or alternate risk ratio of 4.0 or higher for a particular racial/ethnic group for three consecutive years. |
| Indiana | Indiana defines Significant Disproportionality of racial/ethnic groups in: (a) special education identification (b) eligibility categories (c) settings/placements and (d) discipline (suspensions/expulsions) as a risk ratio for a given racial/ethnic group that is greater than 2.5 in special education and related services for the identified group for two consecutive years. |
| Iowa | Consistent with the “Disproportionality: Discussion of SPP/APR Response Table Language” (North Central Regional Resource Center), in response to the OSEP Analysis/Next Steps in the Iowa Part B FFY 2006 SPP/APR Response Table, and in accordance with 34 CFR § 300.600 (d) (3), the SEA defines disproportionate overrepresentation as occurring when the weighted risk ratio or alternate risk ratio is greater than 2.00. |
| Kansas | The following criteria will determine if a district is identified with significant disproportionality; the district must meet the criteria for two consecutive years: 1. Racial and ethnic groups in special education and related services - the district must have: • at least 30 students of a racial and ethnic group; • at least 30 students of a specific racial and ethnic group in special education and related services; • at least 30 students in the comparison group; and • a weighted risk ratio (WRR) >4.00. 2. Racial and ethnic groups in specific disability categories - the district must have: • at least 30 students of a racial and ethnic group; • at least 30 students of a specific racial and ethnic group in special education and related services, and in specific disability categories; • at least 30 students in the comparison group; and • a weighted risk ratio (WRR) >4.00. 3. Placement of children with disabilities in particular educational setting - the district must have: • At least 30 students with a disability of a racial/ethnic group; • at least 30 students of a specific race/ethnicity in special education and related services who were suspended/expelled; • at least 30 students in the comparison group who were suspended/expelled; • and a weighted risk ratio (WRR) >4.00 4. Incidence, duration, and type of disciplinary actions, including suspensions and expulsions - the district must have: • At least 30 students with a disability of a |

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| | <p>racial/ethnic group; • at least 30 students of a specific race/ethnicity in special education and related services who were suspended/expelled; • at least 30 students in the comparison group who were suspended/expelled; • and a weighted risk ratio (WRR) >4.00.</p> |
| Kentucky | <p>To have a significant disproportionality a district has to identify a student of a particular race category at a rate that is 3 times the rate it identifies students not of that race. This is true for all disabilities, specific disabilities, LRE Settings and various discipline removals in or out of school. We do have a minimum N size of 10 students of the category or 50 students in general population of the race category.</p> |
| Louisiana | <p>Our state's definition of significant disproportionality is a risk ratio of 2.0 with a minimum cell size of 25. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories. Percent = [(# of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification) divided by the (# of districts in the State)] times 100.</p> |
| Maine | <p>Significant disproportionality is defined as the proportionate representation in special education of a racial/ethnic group in a school district that is 3 or more times the standard deviation of the proportionate representation in special education of the racial/ethnic group across all districts in the State.</p> |
| Maryland | <p>Disproportionate representation is defined as having students in a particular racial/ethnic group (i.e., American Indian or Alaskan Native, Asian, Black or African American, Native Hawaiian or Pacific Islander, White, Hispanic, or Two or More Races) category being at a considerably greater risk of being identified for special education and related services, placed in more restrictive educational settings, or suspended or expelled from school for more than 10 days than all other racial/ethnic groups enrolled in the local school system.</p> |
| Massachusetts | <p>Massachusetts defines “disproportionate representation” as any district with a weighted risk ratio or alternative risk ratio for special education identification, placement, and disciplinary actions, exceeding 5.0 for four consecutive years, and whose risk ratio or alternative risk ratio is growing more disproportionate (i.e. becoming more and more over-represented) in each of those four years, and during those four years, initially evaluated and found students eligible for services at a rate higher than the state median.</p> |
| Michigan | <p>Regulation §300.646 of the Individuals with Disabilities Education Act (IDEA) requires that each state that receives assistance under Part B of the IDEA provide for the collection and examination of data to determine if significant disproportionality based on race and ethnicity is occurring in the local education agencies of the state with respect to: a. identification of children with disabilities b. identification of children with disabilities in a particular impairment category c. placement of children in particular education settings d. incidence, duration, and type of disciplinary actions, including suspensions and expulsions Michigan defines Significant Disproportionality as: a. Over-Identification of children with disabilities: districts with a risk ratio > 3.0 for two consecutive years b. Over-Identification of children with</p> |

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| | <p>disabilities in a particular impairment category: districts with a risk ratio > 3.0 for two consecutive years c. placement of children in particular education settings: districts with a risk ratio > 3.0 for two consecutive years d. Discipline (incidence, duration, and type of disciplinary actions, including suspensions and expulsions): districts with a risk ratio > 3.0 for one year</p> |
| Minnesota | <p>An LEA is identified as having significant disproportionality if it meets any one of the following criteria for three consecutive years. Data thresholds were set with input from stakeholder groups. 1. For students in any one federal category of race or ethnicity in special education, a weighted risk ratio greater than or equal to 4.0 and a risk ratio greater than or equal to 4.0 in that same category. In the event that a weighted risk ratio cannot be calculated, an alternate risk ratio will be used instead. 2. For students in any one federal category of race or ethnicity within a category of disability, a weighted risk ratio greater than or equal to 4.0 and a risk ratio greater than or equal to 4.0 in that same category. In the event that a weighted risk ratio cannot be calculated, an alternate risk ratio will be used instead. 3. For students with disabilities in any one federal category of race or ethnicity served in any of the federally defined settings in which students are removed from regular class 21% or more of the day, a weighted risk ratio greater than or equal to 4.0. In the event that a weighted risk ratio cannot be calculated, an alternate risk ratio will be used instead. 4. For students with disabilities suspended or expelled from more than ten days in the year, including both in-school and out-of-school suspensions, in any one federal category of race or ethnicity, a weighted risk ratio greater than or equal to 4.0. In the event that a weighted risk ratio cannot be calculated, an alternate risk ratio will be used instead. The alternate risk ratio is used under the following conditions: In the event that an LEA has at least 10 students of a specific racial or ethnic group enrolled in the specific area under consideration, but fewer than 10 students of other racial and ethnic groups in the same area under consideration, an alternate risk ratio will be calculated in lieu of the risk ratio and the weighted risk ratio.</p> |
| Mississippi | <p>Definitions of significant disproportionality differ for Discipline, LRE, and Identification. Each category's criteria is listed below. Minimum n-counts apply in all categories. Discipline - Exists when the rate for students with disabilities of a certain race suspended/expelled for more than 10 days is more than 5 percentage points higher than all non-disabled students in the same LEA. LRE - Exists when the rate for students with disabilities of a certain race in a placement is more than 2 times the State rate of all students with disabilities in that placement. Identification (General and Specific Disabilities) - Exists when the alternate risk ratio for students with disabilities of a certain race is 4.0 or greater.</p> |
| Missouri | <p>Identification, identification in specific disability categories and placements: Three consecutive years of risk ratio > 3.5; cell size of at least 30 for both the racial/ethnic/disability group being examined and the comparison group. Discipline: Three consecutive years of risk ratio > 5.0; cell size of at least 20 discipline incidents for the racial/ethnic group being examined; an average number of incidents</p> |

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| | per 100 students greater than 2.0 for students with disabilities and 1.0 for nondisabled students |
| Montana | An LEA is determined to have significant disproportionality if, given a minimum N of 30, an LEA demonstrates a higher weighted risk ratio than the target ratio of 3.0, within a 99 percent confidence interval. |
| Nebraska | Disproportionate representation is defined as a weighted risk ratio of 4.00 and above. A weighted risk ratio is calculated only if there are 30 or more students in the group of interest and if there are also 30 or more students in the comparison group. This minimum of 30 “n” corresponds to the minimum “n” size Nebraska uses for ESEA Reporting. Significant disproportionality exists when over-representation occurs in two successive years. |
| Nevada | Nevada defines significant disproportionality as students in a particular race/ethnic group (Asian, Black/African American, Hispanic/Latino, American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, White, or Two or More Races) being at a significantly greater risk than all other race/ethnic groups of (1) being identified as eligible for special education overall or in a specific category (Autism, Speech/Language Impairment, Specific Learning Disability, Other Health Impairment, Emotional Disturbance, Intellectual Disability) , (2) being placed inside the regular classroom 40-79 % of the school day, inside the regular classroom 0-39% of the school day, or in separate schools and residential facilities, and (3) being suspended or expelled. There must be at least 25 students in the racial/ethnic group in question who are eligible for special education overall or within a particular disability category (for identification) , within the particular placement category (for placement), and within the particular discipline category (for discipline), and at least 25 students in the comparison group for both identification and placement. Significant disproportionality in identification and placement is measured by a weighted risk ratio of 4.0 or higher for a particular racial/ethnic group for three consecutive years. Significant disproportionality in discipline is measured by a race/ethnic group exceeding a "statewide bar" for three consecutive years. The statewide bar is the total number of students with disabilities subjected to various categories of suspension and expulsion plus five percentage points. |
| New Hampshire | The NHDOE is defining disproportionate representation of racial and ethnic groups in special education and related services as a weighted risk ratio above 3.00. |
| New Jersey | New Jersey defines SIGNIFICANT DISPROPORTIONALITY using the calculation of weighted risk ratio, risk difference, over inclusion impact, and a statistical test of significance for three consecutive years for any racial/ethnic group in one or more of the following areas: a. The identification of children as children with disabilities, b. The identification of children with a particular disability, c. The placement of children in particular educational settings or d. The incidence, duration, and type of disciplinary actions, including suspensions and expulsions. |
| New Mexico | In New Mexico, a Local Education Agency (LEA) is considered to |

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| | <p>have Significant Disproportionality based on race and ethnicity if the LEA has a Westat Risk Ratio and Weighted Risk Ratio of 5.0 or above with a sample size of greater than 10: 1. The identification of children as children with disabilities, including the identification of children in accordance with a particular impairment (Autism, Emotional Disturbance, Intellectual Disability (Mental Retardation), Other Health Impairment, Specific Learning Disabilities, Speech Language Impairment) (Section 618 OSEP Table One); or 2. The placement in particular educational settings of these children (Section 618 OSEP Table 3); or 3. The incidence, duration, and type of disciplinary actions, including suspensions and expulsions (Section 618 OSEP Table 5).</p> |
| <p>New York</p> | <p>NYS uses the relative risk and weighted relative risk ratios, with minimum “n” sizes to identify school districts whose data indicate disproportionate representation of racial and ethnic groups in special education. The minimum “n” size requirement used to compute disproportionate representation does not exclude school districts from the denominator when calculating results, but only districts that meet the minimum “n” size are included in the numerator.</p> <p>Disproportionate Representation in Special Education: http://www.p12.nysed.gov/specialed/spp/2013/ind9.htm</p> <p>Disproportionate Representation in Specific Disability Categories: http://www.p12.nysed.gov/specialed/spp/2013/ind10.htm</p> <p>Disproportionate Representation of Racial and Ethnic Groups in Special Education Placements: At least 75 SWDs were enrolled on first Wednesday in Oct; at least 10 SWDs of particular race/ethnicity in specific setting; at least 20 SWDs of all other race/ethnicities enrolled in district; SWDs in a particular placement category are from only one minority group regardless of the size of risk ratios.</p> <p>Disproportionate Suspension and Expulsion: minimum of 75 SWDs enrolled on the first Wednesday in Oct; At least 10 SWDs of the particular race suspended in the suspension category (suspended in school up to 10 days, over 10 days, suspended out of school up to 10 days and over 10 days); At least 20 SWDs of all other race/ethnicities were enrolled; and Both risk ratios for any minority group in any suspension category is 2.0 or higher</p> |
| <p>North Carolina</p> | <p>Definitions for Significant Disproportionality: Identification - For the overall population of students with IEPs or disability category being considered, disproportionate representation (= 3.0 risk ratio) for a given race/ethnicity for three (3) consecutive years and its current risk ratio is > 5.0. Note: If an LEA's disproportionate representation/risk ratio = 3.0 to = <5.0, the LEA receives a warning for the current year Placement - For the placement option by overall population or disability category being considered, disproportionate representation (= 3.0 risk ratio) for a given race/ethnicity for three (3) consecutive years and its current risk ratio is > 5.0. Note: If an LEA's disproportionate representation/risk ratio = 3.0 to = <5.0, the LEA receives a warning for the current year Discipline – A significant discrepancy (> twice state average rate for types of disciplinary action and for incidence and duration) for a given race/ethnicity, in 3 of 3 > 10 day disciplinary actions* in 1 year; 2 of 3 > 10 day</p> |

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| | disciplinary actions* in 2 consecutive years; or 1 of 3 > 10 day disciplinary actions* for 3 consecutive years. *long-term suspension/expulsion; short-term suspensions that accumulate to > 10 days in a school year; in-school suspensions > 10 days Note: If an LEA has a significant discrepancy in any of the disciplinary actions reviewed and has not been determined to have significant disproportionality as described, the LEA receives a warning for the current year |
| North Dakota | ND defines significant disproportionality of racial/ethnic groups with regards to identification in special education, identification in specific disability categories, placement, and discipline through the calculation of a weighted risk ratio (WRR) of 4.0 |
| Northern Marianas | Not applicable for our state. |
| Ohio | Ohio uses the same risk ratio for determining significant disproportionality as for disproportionate representation. Disproportionate representation of students in ethnic or racial groups is determined using risk ratio calculation formulae. The risk ratio represents the likelihood that a child in one racial group will be identified compared to the likelihood that a student in any other racial group will be identified. • The risk ratio is calculated as the percentage of students identified as needing special education in a specified racial group divided by the percentage of students identified as needing special education NOT in the specified racial group. For example, the percent of all Asian students in an LEA who are identified as needing special education divided by the percent of all NON-Asian students who are identified as needing special education. • OEC calculates risk ratios for disproportionate representation for the following student groups: African-American, American Indian, Asian, Hispanic, Pacific Islander, Multi-racial (More than One), and White. • ODE uses a 3.5 risk ratio, based on a group-size rule (n=30) that aligns with the calculation of AMOs for racial and ethnic subgroups, to determine overrepresentation. • OEC identifies LEAs with underrepresentation based on a risk ratio of 0.3 or lower, using the same group-size rule (n=30). |
| Oklahoma | Summary of definition The Oklahoma State Department of Education (OSDE) annually identifies significant disproportionality when a district meets the following criteria: 1. A risk ratio over 2.5 in any area of analysis, and 2. A weighted risk ratio over 2.5 in any area of analysis. |
| Oregon | Oregon has developed the following criteria for each of the four areas required for review to determine significant disproportionality: 1. Identification for SpEd by race/ethnicity: • =10 students in special education by race/ethnicity category, and • =10 students in special education across other race/ethnicity categories, and • +20% difference in the identified special education population from the overall district population by race/ethnicity category, and • Weighted risk ratio of >4.0 by race/ethnicity category 2. Identification by race/ethnicity across 6 disability types • =10 students in disability category by race/ethnicity, and • =10 students in disability category across other race/ethnicity categories, and • +20% difference in the disability category from the overall district population by race/ethnicity |

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| | <p>category, and • Weighted risk ratio of >4.0 by race/ethnicity category</p> <p>3. Federal Placement distribution (LRE) by setting and race/ethnicity</p> <ul style="list-style-type: none"> • =10 students in setting by race/ethnicity, and • =10 students in setting across other race/ethnicity categories, and • +20% difference in the special education setting from the overall district special education population by race/ethnicity category, and • Weighted risk ratio of >4.0 by race/ethnicity category <p>4. Long-term discipline including incidence, duration and type by race/ethnicity</p> <ul style="list-style-type: none"> • =10 students in special education by race/ethnicity category who received long-term discipline, and • +20% difference in the special education race/ethnicity population who received long-term discipline from the overall district population by race/ethnicity category <p>• Weighted risk ratio of >4.0 by race/ethnicity category</p> <p>ODE considers any district meeting all of the criteria in one or more of the four areas reason for requiring preventative measures including the required use of 15% of IDEA funds for coordinated early intervening services.</p> |
| Pennsylvania | <p>For Identification, Placement and Discipline: Method - Weighted Risk Ratio Minimum N - 40 Threshold Value - Weighted Risk Ratio >4.0 Years Threshold Must Be Exceeded for Identification of Significant Disproportionality - 3 Consecutive</p> |
| Puerto Rico | <p>Puerto Rico has a relatively homogeneous racial and ethnic population, and as such, there is no reasonable method to measure disproportionality by the Federal racial or ethnic groups or environment. This has been recognized by OSEP, and as such, Indicators B-9 and B-10 of the IDEA Annual Performance Report do not apply to Puerto Rico. PRDE continues to collect data on race/ethnicity categories as part of the Section 618 data collection; however, PRDE does not employ a current definition of significant disproportionality as it would not provide any meaningful measure.</p> |
| Republic of Palau | <p>This is not applicable to Palau.</p> |
| Republic of the Marshall Islands | <p>Not applicable to the Republic of the Marshall Islands.</p> |
| Rhode Island | <p>Significant Disproportionality in Disabilities</p> <ul style="list-style-type: none"> • Risk levels for a racial group that are 1% or higher than the national risk for all students; • A risk ratio that shows that the risk for the group in your district is at least 2.5 times the combined risk for all students in the nation; • There must be at least 10 students in the category in question; • ALL specific criteria above must be met for two consecutive years; <p>Significant Disproportionality in Placement</p> <ul style="list-style-type: none"> • An Alternate risk ratio or Alternate TRPC ratio of 2.5 or more. The alternate risk ratio uses the district-level risk for the racial/ethnic group in the numerator and the state-level risk for the comparison group in the denominator. • E-formula threshold of 3 standard errors in addition to alternate risk ratio of 2.5 or more • There must be at least 10 students in the category in question <p>Significant Disproportionality in Suspensions (both in school and out of school any duration and total removals)</p> <ul style="list-style-type: none"> • An risk ratio that shows that the suspension risk for students with disabilities of a particular race/ethnicity is at least 2.5 times the risk for students without disabilities of that race/ethnicity enrolled in the district; • E-formula threshold of 3 standard errors in addition to a risk ratio of 2.5 |

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| | <p>or more • There must be at least 10 students in the category in question This calculation is not equivalent to Indicator 4 as more areas of suspension are examined than in the indicator.</p> |
| South Carolina | <p>Per IDEA requirements, South Carolina defines “significant disproportionality” as any local education agency (LEA) that meets the following criteria: A weighted risk ratio exceeding 4.0, with an at-risk group size of more than twenty-five and comparison group size of more than twenty-five, for any race/ethnicity, in (1) the identification of children as children with disabilities; (2) the identification of children as children with a particular disability; and (3) the placement of children with disabilities in particular educational settings; and A relative risk ratio exceeding 4.0, with an at-risk group size of more than twenty-five and comparison group size of more than twenty-five, for any race/ethnicity, in two or more categories of (4) the incidence, duration, and type of disciplinary actions, including suspensions and expulsions. See http://ed.sc.gov/agency/programs-services/173/documents/11-CEIS-RevisedGuidance.pdf.</p> |
| South Dakota | <p>Significant Disproportionality- Significant Disproportionality is a statistically significant level of disproportionality between students based on race or ethnicity being served on Individual Education Plans compared to other racial or ethnic groups. The criteria for South Dakota’s significant disproportionality include a minimum N size of 20 in each of the target and other group and a weighted risk ratio of 3.5.</p> |
| Tennessee | <p>Tennessee defines significant disproportionality through a four-step approach that entails annually analyzing the race/ethnicity data relating to discipline, environment/placement, and identification of students with disabilities (SWD). The State employs a “composition index” to identify LEAs as being significantly disproportionate. In the framework of this index districts are flagged based on the criteria of the four steps delineated below. If an LEA is flagged in a specific step they get one point with a total of four points being possible (four areas analyzed). If an LEA accumulates two or more points in one year they are found significantly disproportionate. For a detailed breakdown of this process please consult the data provided to the EdFacts partner support center (PSC) that became available on 1/31/2014.</p> |
| Texas | <p>Rate and Risk Difference thresholds are determined based on the distribution analysis of the rate or risk difference data for all eligible districts. Only LEAs with a sufficient number of students receiving special education services are included in the distribution. For an LEA to be considered disproportionate in identification, placement or disciplinary actions of students with disabilities by race or ethnicity, a district would need to be above the positive threshold. Data is analyzed for two consecutive years. LEAs that exceed the positive thresholds for two consecutive years in respect to identification, placement, or disciplinary actions are identified as having significant disproportionality.</p> |
| Utah | <p>Significant disproportionality (SD) means significant overrepresentation of certain racial and ethnic groups in special education in proportion to the representation of other racial and ethnic groups based on the State Performance Plan (SPP) Indicators 9 and</p> |

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| | <p>10 and other IDEA data only (not related to identification procedures) with respect to: Area 1: The data must relate to one of seven categories of race/ethnicity (Asian, Black or African American, Hispanic, American Indian/Alaskan Native, Hawaiian/Pacific Islander, White, and Two or More Races) and show significant disproportionality when one or more of these groups is overrepresented in special education. Area 2: The data must relate to one of seven categories of race/ethnicity and show significant disproportionality of one or more of those racial/ethnic groups in one or more of six categories of disability under the IDEA: autism, emotional disturbance, intellectual disability, other health impairment, specific learning disabilities, or speech/language impairment. Area 3: The data must relate to one of seven categories of race/ethnicity and show significant disproportionality of one or more of those racial/ethnic groups in the placement of those students with disabilities in particular educational settings. Area 4: The data must relate to one of seven categories of race/ethnicity and show significant disproportionality of one or more of those racial/ethnic groups in the incidence, duration, and type of disciplinary actions with those students with disabilities, including suspensions and expulsions.</p> |
| <p>Vermont</p> | <p>Significant disproportionality is a measurement of whether the population of IEP students in Supervisory Unions is statistically different than that of the total student population in terms of race or ethnicity. The analysis is done by comparing the proportion of each race or ethnicity in the IEP population with the same group on the total student population, using techniques which prevent false identification due to small counts. The analysis is conducted two ways. In the first, the total populations are compared. In the second, a similar comparison is done for each disability category. Details of how the analysis is performed can be found in Vermont's Annual Performance Report.</p> |
| <p>Virgin Islands</p> | <p>The VIDE defines disproportionate representation as a relative difference in composition of 20% or more. The VIDE uses a relative difference in composition calculation, which compares children with disabilities in each racial and ethnic group to the total population of students in that same racial and ethnic group within that same district.</p> |
| <p>Virginia</p> | <p>Under section 618 and section 613 of the Individuals with Disabilities Education Act (IDEA), states are required to identify schools divisions that have significant disproportionality. To determine if significant disproportionality based on race or ethnicity is occurring, VDOE conducts data analysis in the four areas specified in Section 618: Identification for both special education and disability, placement, and discipline. For the identification and placement analysis, VDOE uses data from the most recent December 1 special education child count. For the discipline analysis, VDOE uses data from the Discipline/Crime & Violence collection. VDOE uses the following in the significant disproportionality analysis determination: seven racial/ethnicity categories, a risk ratio, a small n, and a threshold. Any division identified as having significant disproportionality is required to reserve 15% of their Part B grant awards to provide Coordinated Early</p> |

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| | Intervening Services (CEIS); the amount the division is required to set aside reduces the amount taken under allowable exception §300.205. If a division voluntarily chooses to set aside up to, but not to exceed, 15% of its federal Part B grant award, the amount the division chooses to set aside is reduced by the amount taken from the allowable exception under §300.205. |
| Washington | Washington's Definition of Significant Disproportionality (WAC 392-172A-07040) Washington defines SIGNIFICANT DISPROPORTIONALITY as a weighted risk ratio of 4.0 or greater for three consecutive years for any racial/ethnic group in any of the following areas: The identification of children as children with disabilities, The identification of children with a particular disability, The placement of children in particular educational settings (LRE Tables 2, 3, 28, or 29), or The incidence, duration, and type of disciplinary actions, including suspensions and expulsions. A minimum "n" size is used for both target and comparison groups. |
| West Virginia | West Virginia's definition is found at the following link http://wvde.state.wv.us/osp/SignificantDisproportionality-CEIS.html by clicking WVDE / OSP Memo: Changes in CEIS and Significant Disproportionality. The definition and procedures are outlined in a Memo issued December 2009. |
| Wisconsin | Identification of LEAs for children with disabilities/children in specific disability categories 1. At least 10 students with disabilities in the disability category for the racial group 2. At least 100 students enrolled for the racial group 3. A weighted risk ratio of 4.0 or greater for the racial group 4. Risk for the racial group that is at least 1% greater than the statewide white risk in the disability category 5. Must meet the criteria for three consecutive years Identification of LEAs for children placed in particular educational settings 1. At least 10 students with disabilities in the educational setting for the racial group 2. At least 40 students with disabilities enrolled for the racial group 3. A weighted risk ratio of 4.0 or greater for the racial group 4. A risk for the racial group that is at least 1% greater than the statewide white risk in the educational setting 5. Must meet the criteria for three consecutive years Identification of LEAs for discipline actions 1. At least 10 students with disabilities in the discipline category for the racial group 2. At least 40 students with disabilities enrolled for the racial group 3. A weighted risk ratio of 4.0 or greater for the racial group 4. Risk for the racial group that is at least 1% greater than the statewide white risk in the discipline category 5. Must meet the criteria for three consecutive years |
| Wyoming | The WDE defines disproportionate representation as an Alternate Risk Ratio of 3.00 or above. |

- No information was provided by SEA