Indicator 4 A/B Frequently Asked Questions

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Suspension/Expulsion of Students with IEPs

What is the difference between a “suspension” and an “expulsion”?

A student is “suspended” when he/she has temporarily lost the right to go to school. An “expulsion” is a permanent exclusion from a particular school.

What are the rights of a child who has been suspended for less than 10 days?

A student with special needs may be suspended for up to 10 school days (cumulative) during the school year. A suspension of 10 school days or less is considered a short-term removal. The school may follow regular student discipline procedures.

What must a district do if a child gets suspended for more than 10 school days in a school year?

Exclusion of students with disabilities for more than 10 consecutive school days constitutes a change of placement, which requires both an IEP meeting and parental consent.
If a suspension of more than 10 days is proposed for a student with a disability, the school must convene an IEP meeting. The IEP team determines whether the misconduct was either caused by or had a direct and substantial relationship to the student’s disability, or whether it was the direct result of the school’s failure to implement the IEP. If either of those circumstances is found, then the misconduct is a manifestation of the student’s disability, the long-term suspension or expulsion may not be imposed, and the student is to be returned to the placement from which he/she was removed.

If the IEP team determines that the behavior was not a manifestation of the student’s disability, then the student may be suspended, expelled, or removed to an alternative placement. However, the student is entitled to continue to receive special education and related services that would enable him/her to participate in the general education curriculum, although in another setting, and to make progress toward his/her IEP goals.

Regardless of the determination, if the misconduct involved a weapon, drugs, or serious bodily injury at school, the school may still place student in an alternative placement for up to 45 school days with or without parental consent.

ISBE Data

What data are used to determine whether a district has a possible significant discrepancy in the rates of suspension/expulsion of students with disabilities and/or students with disabilities in a racial/ethnic group?

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

If a district was identified for Indicator 4B, why wasn’t the district identified for Indicator 4A?

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

How are districts notified of identification?

Districts received a letter from the Illinois State Board of Education (ISBE), April 1, 2011 indicating that ISBE identified a possible significant discrepancy in the district’s rate of suspension and expulsion of students with disabilities for greater than 10 days in a school year.

What can the district do to ensure that rates of suspension/expulsion of students with disabilities are not discrepant?

It is recommended that the district develop and/or maintain a proactive, systematic approach to reduce the rates of suspension/expulsion of students with disabilities and students with disabilities in a racial/ethnic group.
What process is available for districts to dispute ISBE’s data?

ISBE does not have an appeal process for Indicator 4. Data utilized for this analysis have been submitted to ISBE by local district inputs submitted through the Student Information System (SIS) and Funding and Child Tracking System (FACTS) from the district. If the district feels that data are incorrect, the district must address this issue through the self-assessment process.

Self-Assessment/Status Report

What additional technical assistance is available?

The ISBE principal consultant assigned to the district can provide technical assistance on completing the self-assessment. In addition, the list of websites at the end of the power point presentation can further assist in improving the outcomes for students with disabilities.

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

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

Which districts are required to complete the self-assessment?

Districts that met the criteria as having a possible significant discrepancy in the district's data regarding the rates of suspension and/or expulsion of students with disabilities for three consecutive years—2007-2008, 2008-2009, and 2009-2010 must complete the self-assessment.

Which districts are required to complete a status report?

The Status Report template is to be used by those districts that have been determined to have continuing discrepancies in the rates of suspension/expulsion of students with disabilities and/or students with disabilities in a specific racial/ethnic group for which an in depth self-assessment was already completed. The purpose of the Status Report is for such districts to provide an update on their implementation of the improvement activities identified in the “Next Steps” section of the preceding year’s self-assessment.

Non-Compliance

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

The district is required to develop an objective related to Indicator 4 in their District Improvement Plan (DIP) via the Illinois Interactive Report Card (IIRC). The district must also submit progress reports outlining their progress toward implementing the DIP.
How does ISBE determine a finding of non-compliance?

The assigned principal consultant will thoroughly review and score the self-assessment for quality and comprehensive content.

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

The district has one year from the date in which the finding was issued to correct the noncompliance.

What components must the DIP include?

To meet the DIP requirement, the district must add a new objective to Section II of the IIRC e-plan to address correction of noncompliance resulting from significant discrepancies in the rates of suspensions and/or expulsions of students with disabilities and/or students with disabilities in a race/ethnic group. The DIP must include strategies and activities that the district will implement in order to meet the standard of correction, as well as the steps the district will take to review and revise its policies, procedures, and practices. Each Part (A-E) of the plan must be completed.

How is the finding of noncompliance corrected/closed?

The district will be required to submit progress reports demonstrating that the strategies and activities outlined in the DIP are being implemented.

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

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