



INDIANA  
DEPARTMENT *of*  
EDUCATION

Office of Special Education

# Indicator 4

Monitoring and Compliance Guide



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## **Indicator 4: Suspension and Expulsion**

### **Definition**

- a. Percentage of Local Education Agencies (LEAs) with significant discrepancy.
- b. Percentage of LEAs with significant discrepancy by race/ethnicity.

### **Monitoring Cycle**

Indicator 4A:

As part of the Indiana Department of Education's (IDOE's) integrated monitoring system, LEAs are monitored for Indicator 4 compliance. Data submitted by LEAs is monitored to identify whether the rate at which students with disabilities are subjected to out-of-school suspension/expulsion (OSS/EXP) totaling more than 10 days is at least twice as high as the statewide rate at which students with disabilities are subjected to OSS/EXP totaling more than 10 days for three consecutive years.

IDOE uses three years of data when analyzing for significant discrepancy. The data making up this year's analysis were from school years 2016-2017, 2017-2018, and 2018-2019 (as of 2020). If the LEA exceeds the numerical criteria, the self-assessment survey and file review are administered to determine if disproportionate representation is due to inappropriate policies, practices, and procedures.

Indicator 4B:

As part of IDOE's integrated monitoring system, LEAs are monitored for Indicator 4 compliance. Data submitted by LEAs is monitored to identify whether the rate at which a particular racial or ethnic group of students with disabilities is subjected to OSS/EXP totaling more than 10 days is at least twice as high as the rate at which all racial or ethnic groups of students with disabilities are subjected to OSS/EXP totaling more than 10 days in the state for three consecutive years. Comparisons are made using a risk index.

The risk index is the percentage of students with disabilities from a particular racial or ethnic group who are out-of-school suspended/expelled totaling more than 10 days. The risk index for a particular racial or ethnic group is compared to the risk index for all students in the state. For example, in determining if there is a significant discrepancy in the rate at which African American students with disabilities are out-of-school suspended/expelled totaling more than 10 days, the comparison group would be all students with disabilities who are out-of-school suspended/expelled totaling more than 10 days in the state. If a preliminary notice for Indicator 4B has been received, it means that the data submitted for your LEA shows that the risk index for students in a

particular racial or ethnic group who have been out-of-school suspended/expelled totaling more than 10 days is at least two times greater than the risk index for all racial or ethnic groups of students with disabilities in the state for three consecutive years.

The threshold of the values is 2.0 or greater and the cell size is 10 for three years in a row for Indicator 4. The data making up this year’s analysis were from school years 2016-2017, 2017-2018, and 2018-2019 (as of 2020). If the LEA exceeds the numerical criteria, the self-assessment survey and file review are administered to determine if disproportionate representation is due to inappropriate policies, practices, and procedures.

**Yearly Review Cycle**

At the end of each calendar year, discipline data (DOE-ES) is retrieved by an IDOE Special Education Specialist and is cross referenced with the Special Education Enrollment (DOE-SE) for accuracy. An Indiana Disproportionality Resource Center (IDRC) project statistician will then examine the data sets and develop a database for analysis purposes. LEAs that are identified in the analysis with a risk ratio that exceeds the state criteria for three years are flagged. By the end of February, the preliminary data is sent to the identified LEAs for review with a notification that in May, a file, policy, and procedure review will take place and a self-assessment from the school will be initiated. In May, IDRC will contact the identified LEAs with information regarding their review and will then randomly select files for review. IDRC will then meet with the LEAs and determine which STNs meet the criteria for review and compile a final list for the file review. By November, the file review team will meet and determine which LEAs are out of compliance, are in continued noncompliance, and/or longstanding noncompliance for Indicator 4 for Results Driven Accountability (RDA). In December, those LEAs with identified noncompliance will attend a regional review meeting for technical assistance.

**State Targets**

**Indicator 4A**

<b>Indicator 4A- Suspension/Expulsion</b>						
<b>Target Year</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
<b>Target Data</b>	1.70%	1.65%	1.60%	1.55%	1.50%	1.45%

**Indicator 4B**

<b>Indicator 4B- Suspension/Expulsion</b>						
<b>Target Year</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
<b>Target Data</b>	0%	0%	0%	0%	0%	0%

**LEA Findings and Release Criteria**

**Indicator 4A Finding Identification**

An identified LEA must exceed the minimum risk ratio for three consecutive years. For Indicator 4A, that means that for an identified LEA it has been determined that students with disabilities in the school district were subjected to OSS/EXP of greater than 10 days at a rate that is at least twice as high as the statewide rate for three consecutive years. Following this determination, IDRC will then utilize the STNs that met the file review criteria in those districts to determine whether the decision to suspend or expel those students were justified. This determination is based on evidence provided by each district to show that they planned to/took steps needed to remedy identified deficiencies and that the suspension or expulsion was not a manifestation of the students disability.

**Indicator 4B Finding Identification**

An identified LEA must exceed the minimum risk ratio for three consecutive years. For Indicator 4B, this means that for an identified LEA it has been determined that students of a particular race or ethnic group with disabilities in the school district were subjected to OSS/EXP of greater than 10 days at a rate that is at least twice as high as the statewide rate for three consecutive years. Following this determination, IDRC will then utilize the STNs that met the file review criteria in those districts to determine whether the decision to suspend or expel those students were justified. This determination is based on evidence provided by each district to show that they planned to/took steps needed to remedy identified deficiencies and that the suspension or expulsion was not a manifestation of the students disability.

**Finding Release Criteria**

In order to be released from an Indicator 4 finding, all IEPs that were found to have noncompliance must be corrected and the correction must be verified by an IDOE Special Education Specialist. If it is determined that Technical Assistance and/or

professional development is needed, an LEA must verify that they have attended at least one of the provided sessions. The LEA must participate in all necessary components of technical assistance. Once each of these has been completed, a formal release from findings is provided to the LEA Special Education Director and Superintendent.

## **Correction of Noncompliance and Tiered Support**

### **Tier One: LEAs with New Findings**

Tier One technical assistance is provided when an LEA has been identified to have a new finding. All LEAs in Tier One will complete RDA and focus on five success gap areas prior to training with IDRC. They will also develop a Targeted Action Plan to address these success gaps contributing to the area of noncompliance and identify indicators of progress using the provided Data Tracking Tool. IDRC will meet virtually quarterly, at least three times per school year, to review progress and revise the plans as needed. In the initial meeting with IDRC the rubric will be reviewed with the school and subsequent meetings will focus on the data and the tracking of action items in the Targeted Action Plan and Tracking Tool.

### **Tier Two: LEAs in Year 2 Findings**

Tier Two technical assistance is provided to LEAs that are in their second year of findings. All LEAs in Tier Two will submit a Targeted Action Plan to IDRC for review prior to the required training. IDRC will provide individualized feedback to the LEA utilizing the rubric for the Targeted Action Plan. LEAs will also be required to submit their Data Tracking Tool quarterly and meet with IDRC virtually quarterly, at least three times per school year, to review and revise the plans as needed.

### **Tier Three: LEAs with Longstanding Findings**

Tier Three technical assistance is provided to LEAs with longstanding findings of three or more years. All technical assistance in this tier is individualized to better assist the school in meeting requirements for release from findings. IDRC will meet with the LEA to assist in developing a Targeted Action Plan that addresses each concern identified. IDRC will then meet with the LEA monthly to check progress of the Targeted Action Plan, discuss system barriers, discuss data tracking, and revise the plan as needed.

## **Results Driven Accountability (RDA)**

When a corporation meets the target for a particular compliance indicator, they are considered “compliant” and are assigned a score of 5. If the corporation has a “finding

of noncompliance” for an indicator, the corporation is assigned a score of 1.<sup>1</sup> Indicator 4A is not included in the RDA scoring, but is included as a non-scored indicator.

<b>Category Weights for Compliance Index</b>	
<b>Category</b>	<b>Percentage Weight</b>
Indicator 4B	8%
Indicator 9	8%
Indicator 10	8%
Indicator 11	22%
Indicator 12	22%
Indicator 13	22%
Continued Noncompliance	5%
Longstanding Noncompliance	5%
<b>Total</b>	<b>100%</b>

**Technical Assistance**

<b>Level</b>	<b>Resources</b>
<b>Universal</b>	Request Technical Assistance with the Office of Student Support and Accessibility using this <a href="#">form</a> .
<b>Targeted</b>	
<b>Intensive</b>	

<sup>1</sup> If the compliance target (100% or 0%) is not met for the compliance indicators, the corporation is out of compliance and must correct the noncompliance within one year. For Indicators 11, 12, and 13, a corporation is designated as “substantially compliant” for the indicator and will receive a score of 5 if their compliance falls within a range of 95% - 100%. “Substantial compliance” is still considered a finding and must be corrected.