



Exceptional Student Services (ESS) / Data Management

TABLE 5: School Year 2013-2014

Report of Children with Disabilities Subject to Disciplinary Removal

Authorization: P.L. 108-446, Sections 618 (a)(1)(A)(v), 618 (a)(1)(D), 618 (a)(1)(E), 618 (a)(3), and 618 (d)(1)(C); 34 CFR §§ 300.640, 300.641(b)–300.645.

GENERAL INFORMATION FOR SECURE CARE

Secure care public education agencies (PEAs) are expected to submit discipline data for special education students via the Annual Special Education Data Collection online application. Discipline data entry is due by **August 4, 2013**. A data correction period will be allowed from **August 4 through August 15, 2014**. The process for manual data revision is as follows:

- ♦ Between **August 4 and August 15, 2014**, PEAs should review the special education discipline data in the Discipline section (found within the Annual Special Education Data Collection application) for accuracy and validity before completing the *Final Submit*.
- ♦ During the *Final Submit* process of the Annual Special Education Data Collection, the application will allow PEAs to verify that their special education discipline data is accurate and valid. It will also display any schools that have not reported special education discipline data and will ask PEAs to confirm zero data for these schools.
- ♦ If you indicate that your PEA's special education discipline data is generally inaccurate / invalid, or that the zero count is incorrect for a particular school, the application automatically activates the Discipline section for manual revision. There is no need to request permission to revise.
- ♦ During the revision process, all consistency rules for special education discipline data entry apply. *Final Submit* does not become available again until the revised data is valid according to the rules described in Annual Special Education Data Collection trainings and within this instructions document.

GENERAL INSTRUCTIONS

1. Counts should cover the entire school year from July 1, **2013** through June 30, **2014**.
2. In Sections A through D, children are reported (1) by disability, (2) by race/ethnicity, (3) by gender, and (4) by English Language Learner (ELL) status.



3. Sections A through D include children ages 3–21 served under IDEA Part B. Age will be determined as of the child count date in the current reporting year.

Note that Columns 1 and 2 are not applicable to secure care PEAs and have been disabled.

Selected Definitions (Additional definitions can be found in the *OSEP IDEA, Part B Data Dictionary*, revised in April 2010: <http://www.ideadata.org/docs/bdatadictionary.pdf>)

Disciplinary Removal – Any instance in which a student is removed from his/her educational placement for disciplinary purposes, including in-school suspension and out-of-school suspension.

In-School Suspension – Instances in which a student is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of educational personnel. Direct supervision means educational personnel are physically in the same location as the students under their supervision.

Out-of-School Suspension – Instances in which a student is temporarily removed from his/her regular school for disciplinary purposes to their living quarters. This includes both removals in which no IEP services are provided because the removal is 10 days or less as well as removals in which the child continues to receive services according to his/her IEP.

SECTION A – DISCIPLINARY REMOVAL TYPE BY DISABILITY

In Section A, information is reported by disability category.

Note that Columns 1 and 2 are not applicable to secure care PEAs and have been disabled.

Column 3 is a report of students ages 3–21 with out-of-school suspensions or expulsions.

In Column 3A, report the number of students ages 3–21 with out-of-school suspensions summing to 10 days or less during the school year for any offense or combination of offenses. No student should be reported more than once in Column 3A.

In Column 3B, report the number of students ages 3–21 with out-of-school suspensions summing to more than 10 days during the school year for any offense or combination of offenses. No student should be reported more than once in Column 3B.

NOTE: No student will be reported in both Columns 3A and 3B. The sum of 3A and 3B will be the total number of students with out-of-school suspensions during the school year.

Column 4 is a report of students ages 3–21 with in-school suspensions.

In Column 4A, report the number of students ages 3–21 with in-school suspensions



summing to 10 days or less during the school year for any offense or combination of offenses. No student should be reported more than once in Column 4A.

In Column 4B, report the number of students ages 3–21 with in-school suspensions summing to more than 10 days during the school year for any offense or combination of offenses. No student should be reported more than once in Column 4B.

NOTE:

- ♦ No student should be reported in both Columns 4A and 4B. The sum of 4A and 4B will be the total number of students with in-school suspensions during the school year.
- ♦ If a student has both in-school and out-of-school suspensions in the same school year, that same student should be reported in Columns 3 and 4.

A student who is subject to both an in-school and an out-of-school suspension for the same offense should be reported in both Columns 3 and 4.

A student with more than one offense can be counted in more than one Column (3 or 4).

Column 5 is a report of disciplinary removals. In Column 5A, report the number of times any student with a disability was subject to any kind of disciplinary removal during the school year. When counting disciplinary removals, in-school suspensions and out-of-school suspensions should be included. Note that Column 5A is a report of disciplinary events, NOT students. If a student has more than one disciplinary removal in the school year, then each removal should be reported in Column 5A.

Report each student with a disciplinary removal only once in Column 5B, 5C, or 5D according to the cumulative number of days of removal during the school year.

In Column 5B, report any student whose cumulative length of removal during the school year totaled one day or less.

In Column 5C, report any student whose cumulative length of removal during the school year totaled between 2 and 10 days.

In Column 5D, report any student whose cumulative length of removal during the school year totaled more than 10 days.

All students reported in Columns 5B through 5D will have one or more disciplinary removals reported in Column 5A. For example, a student who was suspended three times for three days each during the school year (a total of 9 days) will be reported three times in Column 5A and once in Column 5C.

NOTE: The sum of 5B, 5C, and 5D is the total number of students with one or more disciplinary removals during the school year. Each child reported in Columns 3 or 4 should be reported only ONCE in Column 5B, 5C, or 5D, based on the cumulative number of days the student was removed during the school year.



SECTION B – DISCIPLINARY REMOVAL TYPE BY RACE/ETHNICITY

The columns found in Section A are repeated in Section B. However, in Section B data are reported by race/ethnicity categories.

Note that Columns 1 and 2 are not applicable to secure care PEAs and have been disabled.

Federal regulations specifically address how data must be collected by PEAs (see hyperlinks at the end of this section). Race and ethnicity reporting consists of two data elements that must be collected in order: ethnicity first, then race.

Ethnicity: consists of two categories, Hispanic / Latino and Non-Hispanic / Latino. All students must be reported as one of these two categories:

HISPANIC / LATINO A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

NON-HISPANIC / LATINO All other persons.

Race: consists of six categories defined as follows:

AMERICAN INDIAN OR ALASKA NATIVE A person having origins in any of the original peoples of North and South America (including Central America), and who has tribal affiliation or community attachment.

ASIAN A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent. This includes, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

BLACK OR AFRICAN AMERICAN A person having origins in any of the Black racial groups of Africa.

NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or the Pacific Islands.

WHITE A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

MULTI-RACIAL A person having origins in two or more of the five race categories listed immediately above.



TOTAL

The unduplicated total across the race / ethnicity designations.

Federal Reporting: Race / ethnicity data should include a student in only one of the following seven categories. Note that students included in Hispanic / Latino should not be reported under any other category:

1. Hispanic / Latino of any race;

For individuals who are non-Hispanic / Latino only:

2. American Indian or Alaskan Native;
3. Asian;
4. Black or African American;
5. Native Hawaiian or Other Pacific Islander;
6. White; or
7. Multi-Racial.

In October 2007, the *Final Guidance on Maintaining, Collecting, and Reporting Racial and Ethnic Data to the U.S. Department of Education* was published in the Federal Register (Vol. 72, No. 202, available at <http://www.gpo.gov/fdsys/>).

SECTION C – DISCIPLINARY REMOVAL TYPE BY GENDER

The columns found in Section A are repeated again in Section C.

Note that Columns 1 and 2 are not applicable to secure care PEAs and have been disabled.

SECTION D – DISCIPLINARY REMOVAL TYPE BY ENGLISH LANGUAGE LEARNER STATUS

The columns found in Section A are repeated again in Section D.

Note that Columns 1 and 2 are not applicable to secure care PEAs and have been disabled.

English Language Learner (ELL): A student who meets the definition of an English language learner under the Elementary and Secondary Education Act, 20 U.S.C. § 7801(A)(25).

ELL status should reflect the student’s status at the time of the removal.



SPECIFIC INSTRUCTIONS , SECTIONS A THROUGH D

When a discipline offense has occurred and the IEP team has met and determined that a student's current placement was not the least restrictive environment for that student and therefore makes a permanent change in the student's IEP placement, DO NOT report the student. If, on the other hand, the student is suspended pending an IEP team meeting in which his/her IEP placement is changed, the suspension *must* be reported.

In instances in which the IEP team meets to determine the appropriate setting where the student will receive services following a suspension, the removal *must* be reported.

For each row in Sections A through D, the sum of Columns 5B, 5C, and 5D will be less than or equal to the sum of Columns 3A, 3B, 4A, and 4B.

For each row in Sections A through D, the number reported in Column 5A will be greater than or equal to the sum of each row in Columns 5B, 5C, and 5D.

The number reported in each Column in the total row of Section A will equal the number reported in the corresponding total row for Section B, Section C, and Section D.

When calculating cumulative days of in- and out-of-school suspension, PEAs must include students who have cumulatively been suspended for periods of a half-school day in length and longer. PEAs that are unable to record data on a half-day basis should report all half-day suspensions as whole day suspensions. Any students who have cumulatively been suspended for less than half a school day should not be included in this report.