



Exceptional Student Services (ESS) Special Education Advisory Panel (SEAP)

Indicators 4, 9, and 10 for Federal Fiscal Year 2023
State Performance Plan and
Annual Performance Report

March 26, 2024

Agenda

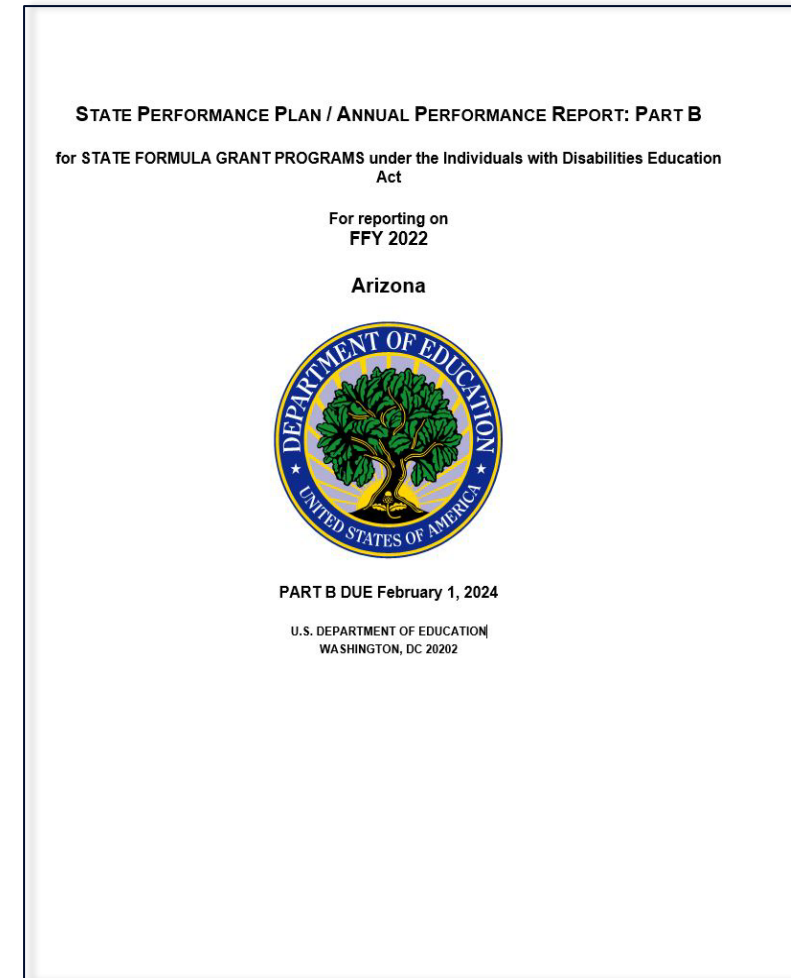
- Introduction
- Indicator 4: Discipline Removal Rates
- Indicators 9: Disproportionate Representation by Race/Ethnicity
- Indicator 10: Disproportionate Representation by Race/Ethnicity and Disability Categories



Introduction to the SPP/APR

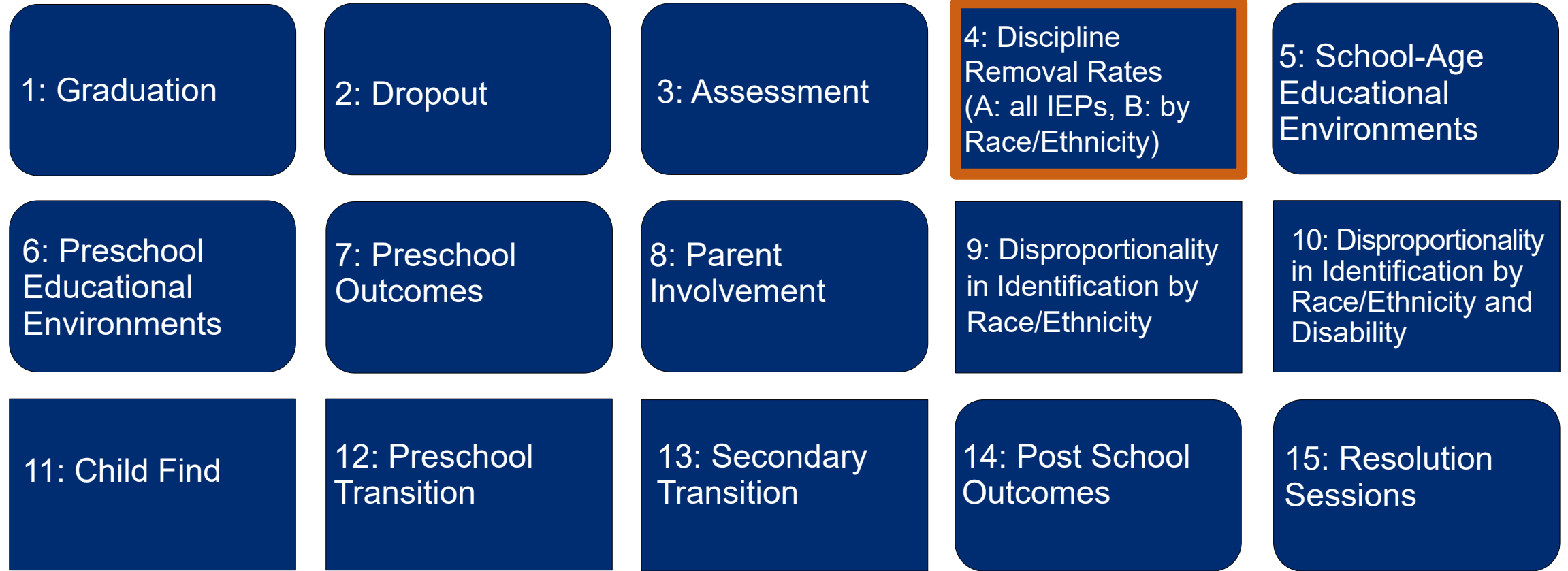
The State Performance Plan (SPP)/Annual Performance Report (APR) comprise a required annual federal special education data collection overseen by the Office of Special Education Programs.


They are outlined under a variety of sections in the Individuals with Disabilities Education Act (IDEA). ESS reports on portions of this information to stakeholders throughout the year.




State Performance Plan Indicators

Indicator 4: Discipline Removal Rates



 Rounded edges = Performance Indicators, State establishes targets

 Square edges = Compliance Indicators, targets are set by OSEP

Indicator 16:
Mediation

Indicator 17: State Systemic
Improvement Plan

[Summarized Descriptions of
IDEA Part B Indicators](#)

Indicator 4: Introduction

States report the percentage of PEAs that have a **significant discrepancy, as defined by the state**, in the rate of suspensions and expulsions greater than 10 days in a school year for students with disabilities (SWD).

Two sections for the indicator:

- a) % of Public Education Agencies (PEA) with significant discrepancy
- b) % of PEAs with significant discrepancy by race/ethnicity

Indicator 4A: Description and Data Sources

Description

- Indicator 4A measures the percent of districts that have a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for students with IEPs (34 C.F.R. §300.170(a)).

Data Source

- Exceptional Student Services (ESS) Discipline Data Collection Tool
- ESS October 1 Special Education Child Count
 - Data lagged by one year. This data is from FY23 (2022–2023 school year).

Indicator 4A Current Methodology (1 of 2)

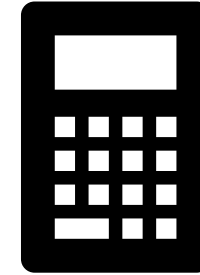
State's definition of "significant discrepancy" and methodology Arizona utilizes a rate ratio methodology

Rate ratio = PEA-level suspension/expulsion rate for children with disabilities ÷ state-level suspension/expulsion rate for children with disabilities

Indicator 4A Current Methodology (2 of 2)

- The cell (numerator) is unique for children with disabilities in a PEA who were suspended or expelled greater than 10 days in a school year. The cell size is set at zero, which means there is not a minimum cell size.
- The N (denominator) is unique children with a disability in the state that were suspended or expelled greater than 10 days in a school year. The N size is set at 10.
- The level at which significant discrepancy is identified is 2, which means the PEA is 2 times above the state-level suspension/expulsion rate for children with disabilities.
- Time span: Three consecutive years

Indicator 4: Review the New Calculation



New Indicator 4 Methodology	Changes From Last Year
Use a rate ratio	No change
No cell size	Used to be 10
N size ≥ 10	Use to be ≥ 30
Rate ratio threshold ≥ 2	Used to be ≥ 3
Review 3* consecutive years of data	Used to be one year of data

*The February 1, 2025, SPP/APR will review data from SY 2020–2021, 2021–2022, and 2022–2023)

Indicator 4A: FY23 Results

Calculation of Percentage = (a)/(b)

FFY	PEAs That Had a Significant Discrepancy (a)	Number of PEAs that Met the State's Minimum n size (b)	% of PEAs that had a Significant Discrepancy	Target
2017	0	34	0.00%	0.00%
2018	7	36	19.44%	0.00%
2019	9	29	31.03%	0.00%
2020	6	15	40.00%	0.00%
2021	3	5	60.00%	0.00%
2022	4	6	66.67%	0.00%
2023	1	558	.18%	.18%

The FY23 results will be published in the February 1, 2025, SPP/APR.

Indicator 4B: Description

Percent of PEAs that have a significant discrepancy, **by race or ethnicity**, in the rate of suspensions and expulsions of greater than 10 days in a school year for **students with IEPs** (34 C.F.R. §300.170(a)).

Indicator 4B: Description and Data Sources

Description

- Indicator 4B measures the percent of PEAs that have a significant discrepancy, **by race or ethnicity**, in the rate of suspensions and expulsions of greater than 10 days in a school year for **students with IEPs** (34 C.F.R. §300.170(a)).

Data Sources

- Exceptional Student Services (ESS) Discipline Data Collection Tool and ESS October 1 Special Education Child Count
 - Data lagged by one year. This data is from FY22 (2021-2022 school year).

Indicator 4B: Calculation

The calculation of the data relies not only on a PEA being significantly discrepant but also that the PEA had policies, procedures, or practices that contributed to the significant discrepancy that did not comply with the requirements of the IDEA.

4B differs from 4A in that both factors must be met to be used in the data calculation.

The calculation for 4B mimics that of 4A with the difference that each test is now comparing the PEA's rate of a specific race/ethnicity to the State's rate.

Indicator 4B: FY23 Results

Calculation of Percentage = (b)/(a)

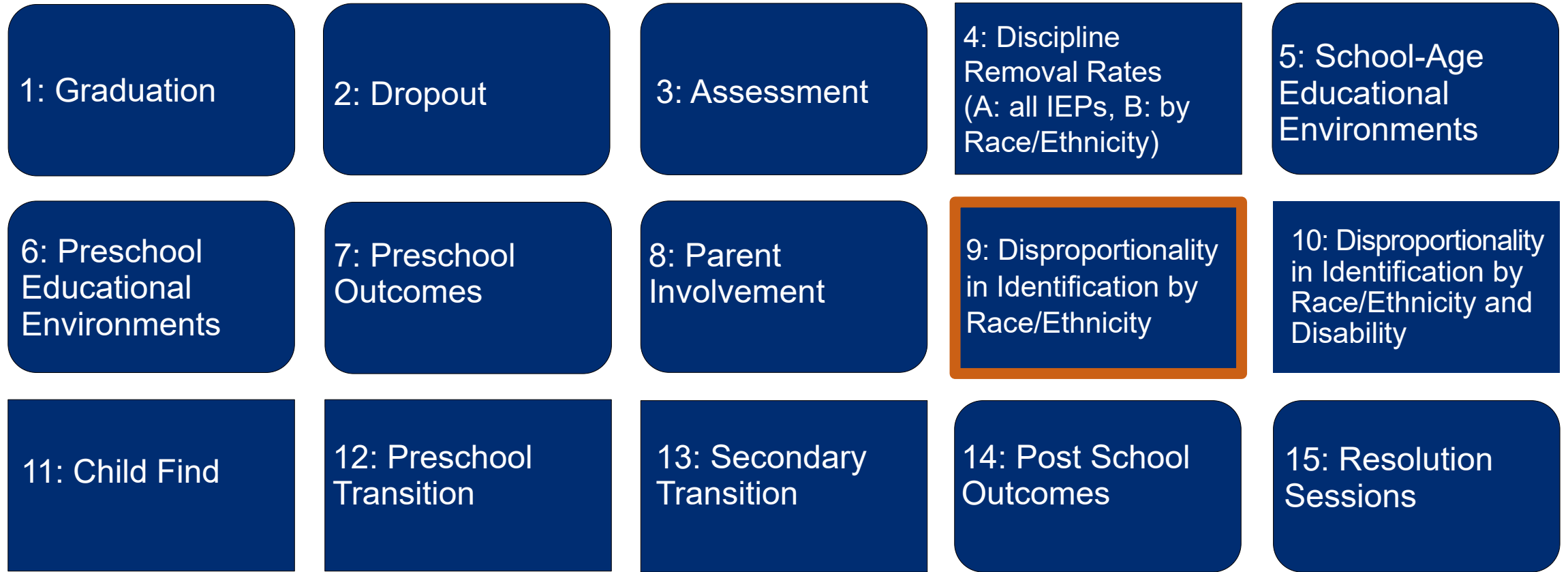
Number of PEAs that met the State's minimum n size (a)	Number of PEAs that have a significant discrepancy, by race or ethnicity	Number of those PEAs that have policies procedure, or practices that contribute to the significant discrepancy and do not comply with Requirements (b)	FY23 Target	FY23 Data	Status
507	3	TBD*	0%	TBD*	TBD*


*To be determined based on a review of the PEA's policies, procedures, and practices. Historically, this indicator has been 0%.


The FY23 results will be published in the February 1, 2025, SPP/APR.

State Performance Plan Indicators

Indicator 9: Disproportionality in Identification by Race/Ethnicity



 Rounded edges = Performance Indicators, State establishes targets

 Square edges = Compliance Indicators, targets are set by OSEP

Indicator 16:
Mediation

17: State Systemic
Improvement Plan

[Summarized Descriptions of
IDEA Part B Indicators](#)

Indicator 9: Description and Data Source

Description

- Indicator 9 measures the percent of PEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
- Includes racial/ethnic disproportionality data for all students aged **5 (in kindergarten) through 21** served under IDEA, aggregated across all disability categories.

Data Sources

- ESS October 1 Special Education Child Count
- Agency October 1 Child Count

Indicator 9: Calculation

- The following calculation methods are used:
 - Risk ratio method
 - Alternate risk ratio method: used for any PEA that does not meet the minimum cell size or minimum n size. The alternate risk ratio compares the risk of a specific outcome for a specific group within the PEA with the state ratios for that specific group.
- The threshold at which disproportionate representation is identified is 3.0 and above
- The number of years of data used in the calculation is three years
- The minimum cell and/or n size
 - Minimum n size = 30 (denominator)
 - Minimum cell size = 10 (numerator)

Indicator 9: Calculation Example (1 of 6)

In Test PEA, what are the chances that a Black or African American (BL) student will be identified as having a disability compared to other races/ethnicities?

Step #1: Find Test PEA's rate for identifying Black or African American (BL) students with disabilities.

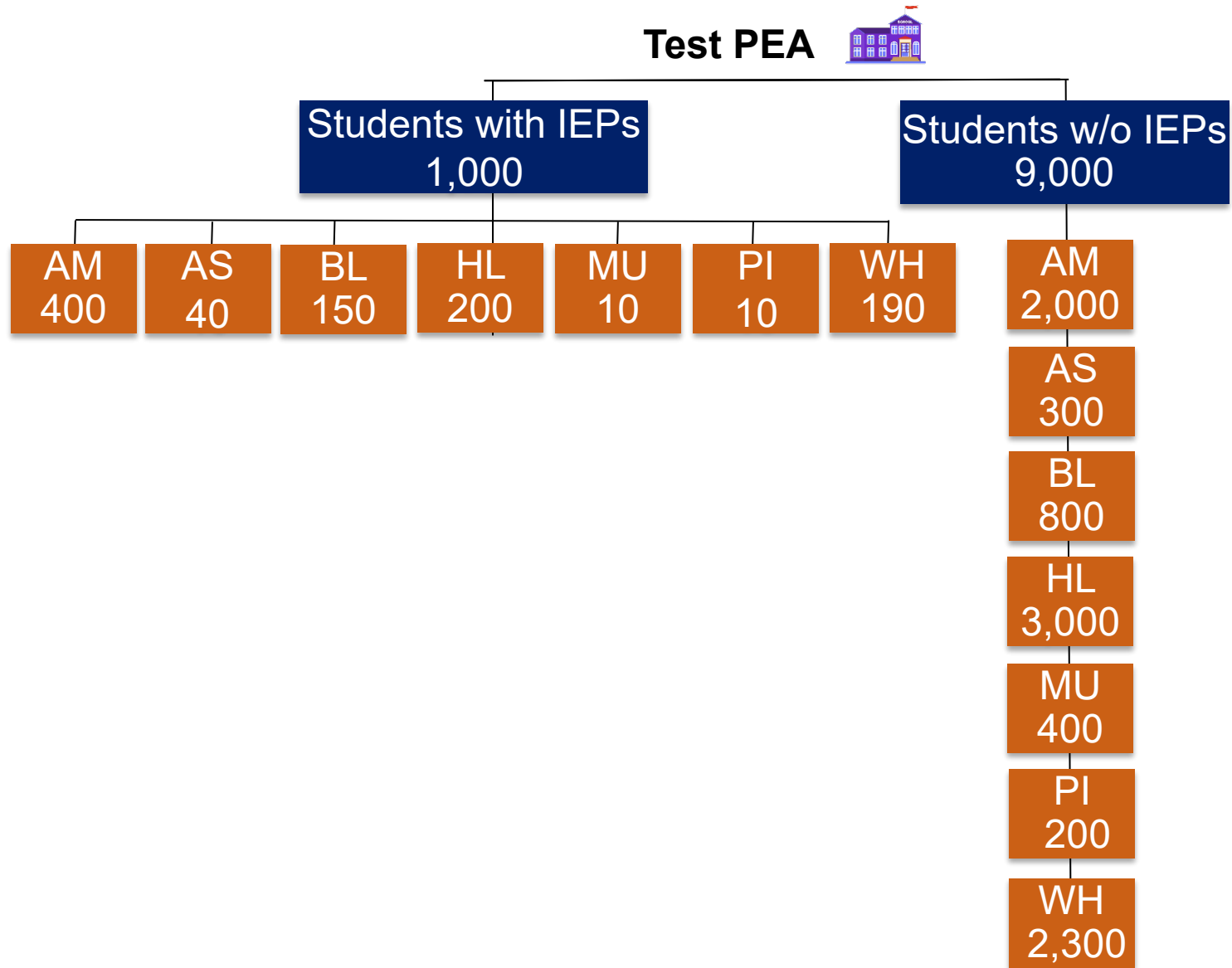


Step #2: Find Test PEA's rate for identifying non-Black or African American (BL) students with disabilities.



Step #3: Divide the two in order to find the risk ratio

Indicator 9: Calculation Example (2 of 6)

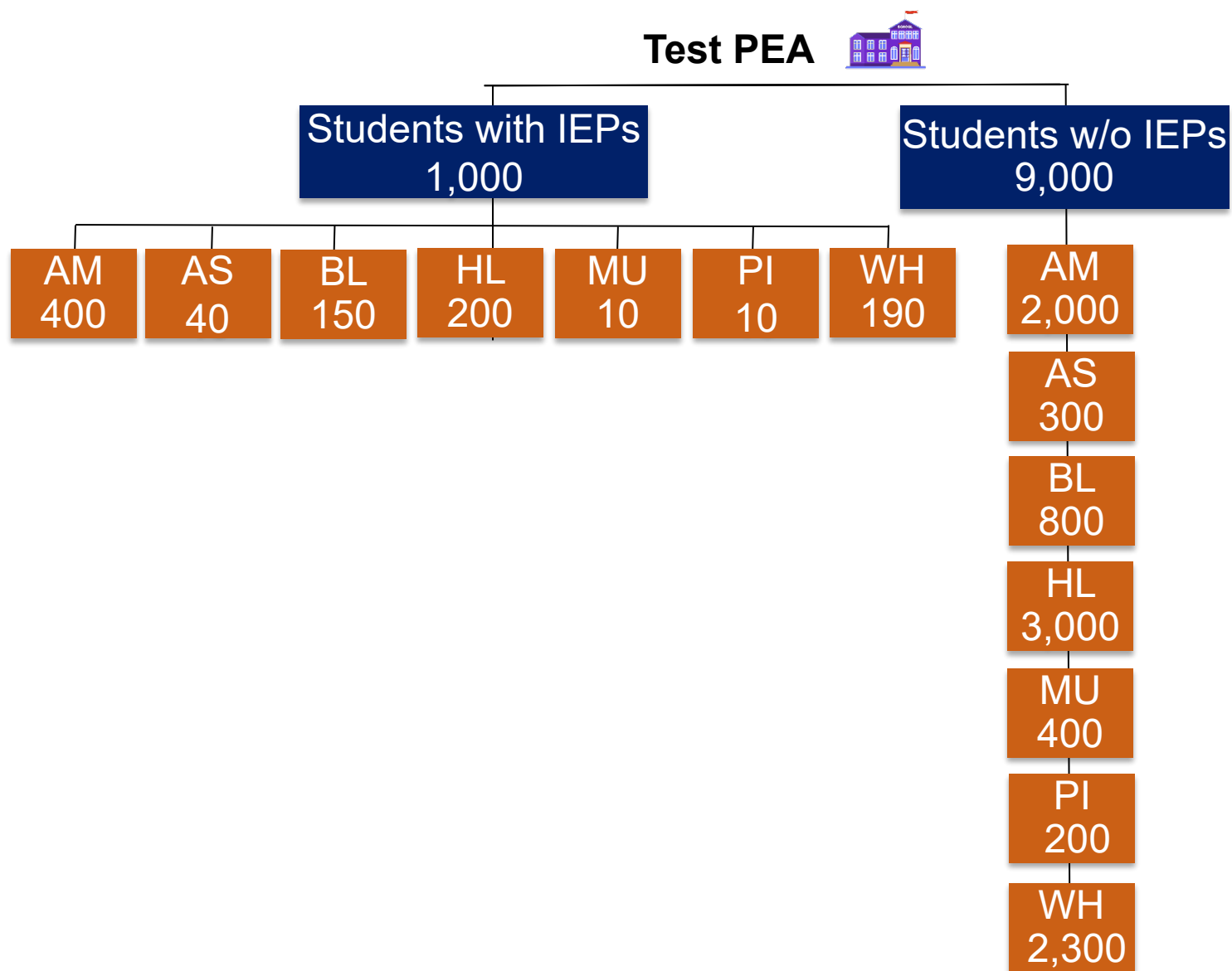


Step #1: Find Test PEA's rate for identifying BL students with disabilities

There were **150** BL students with IEPs.

There were **950** BL students at Test PEA.

Indicator 9: Calculation Example (3 of 6)



$\frac{\text{\# of BL with IEPs}}{\text{\# of BL total}}$

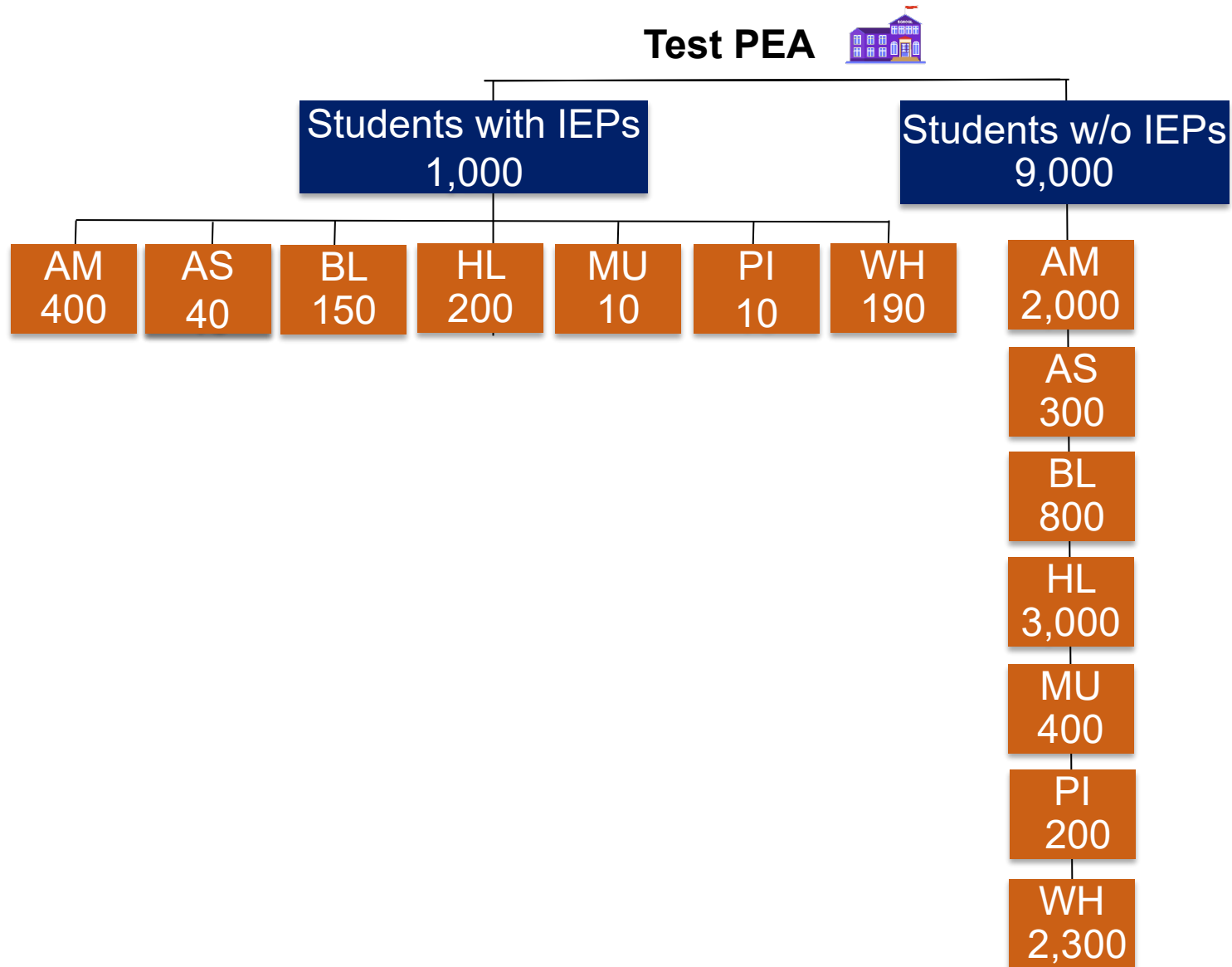
150

950

0.1578 = 15.8%

At Test PEA, a BL student would have a 15.8% chance of being identified as having a disability.

Indicator 9: Calculation Example (4 of 6)

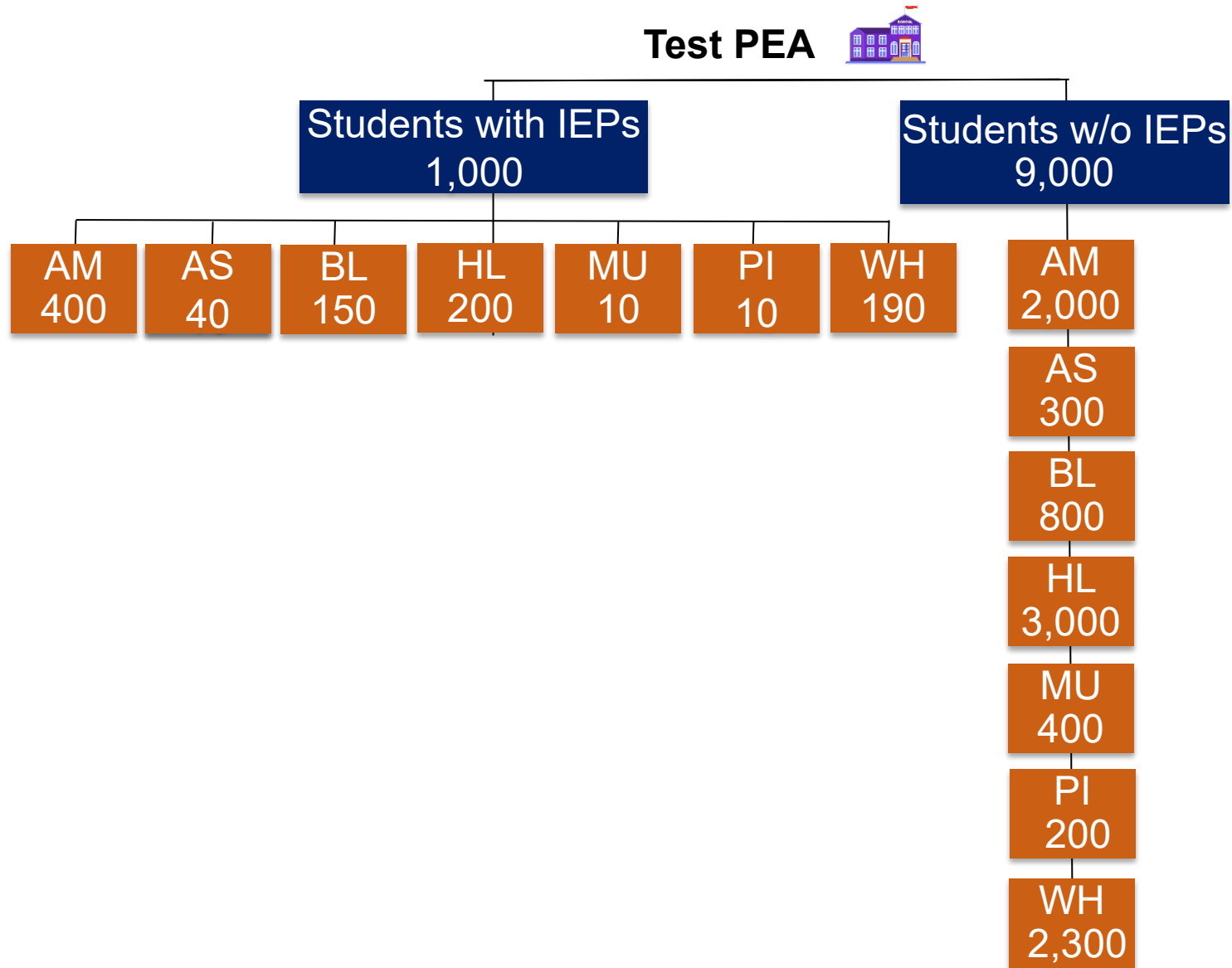


Step #2: Find Test PEA's rate for identifying non-BL students with disabilities.

There were **850** non-BL students with IEPs.

There were **9,050** non-BL students in Test PEA.

Indicator 9: Calculation Example (5 of 6)



of non-BL w/IEPs
of non-BL

$$\frac{850}{9,050}$$

0.094 = 9.4%

At Test PEA, a non-BL student would have a 9.4% chance of being identified with a disability.

Indicator 9: Calculation Example (6 of 6)

Step #3: Divide the two in order to find the risk ratio.

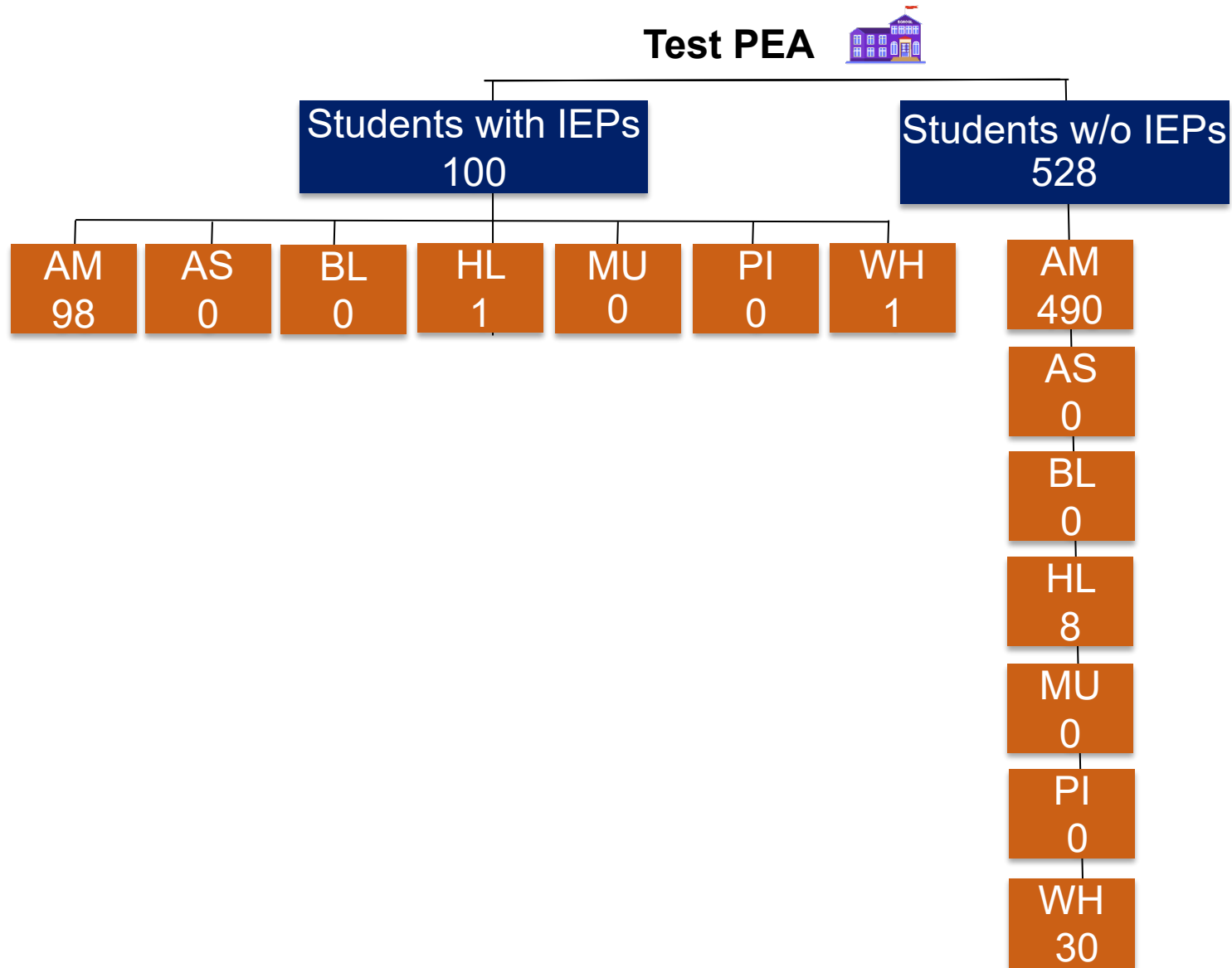
$$\frac{\text{Test PEA's rate of BL students identified with a disability}}{\text{Test PEA's rate of non-BL students identified with a disability}} = \frac{15.8\%}{9.4\%} = 1.68$$

At Test PEA, a Black or African American student is 1.68 times more likely to be identified as having a disability than any other race/ethnicity in that PEA.



Test PEA **would not** be not identified as having significant disproportionality because their risk ratio < 3.

Indicator 9: Alternate Risk Ratio (1 of 6)

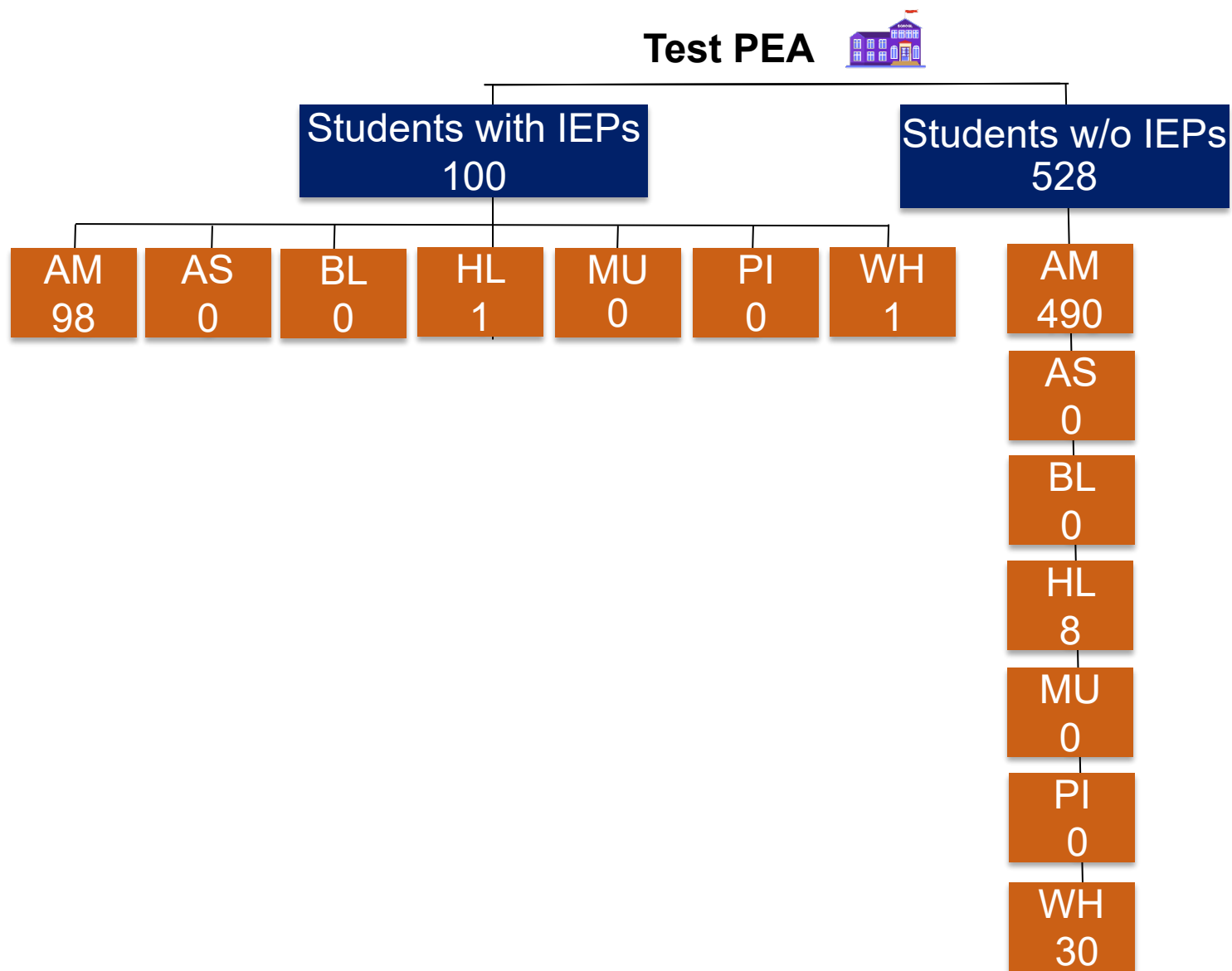


Step #1: Find TEST PEA's rate for identifying AM students with disabilities

There were **98** AM students with IEPs.

There were **588** AM students at Test PEA.

Indicator 9: Alternate Risk Ratio (2 of 6)



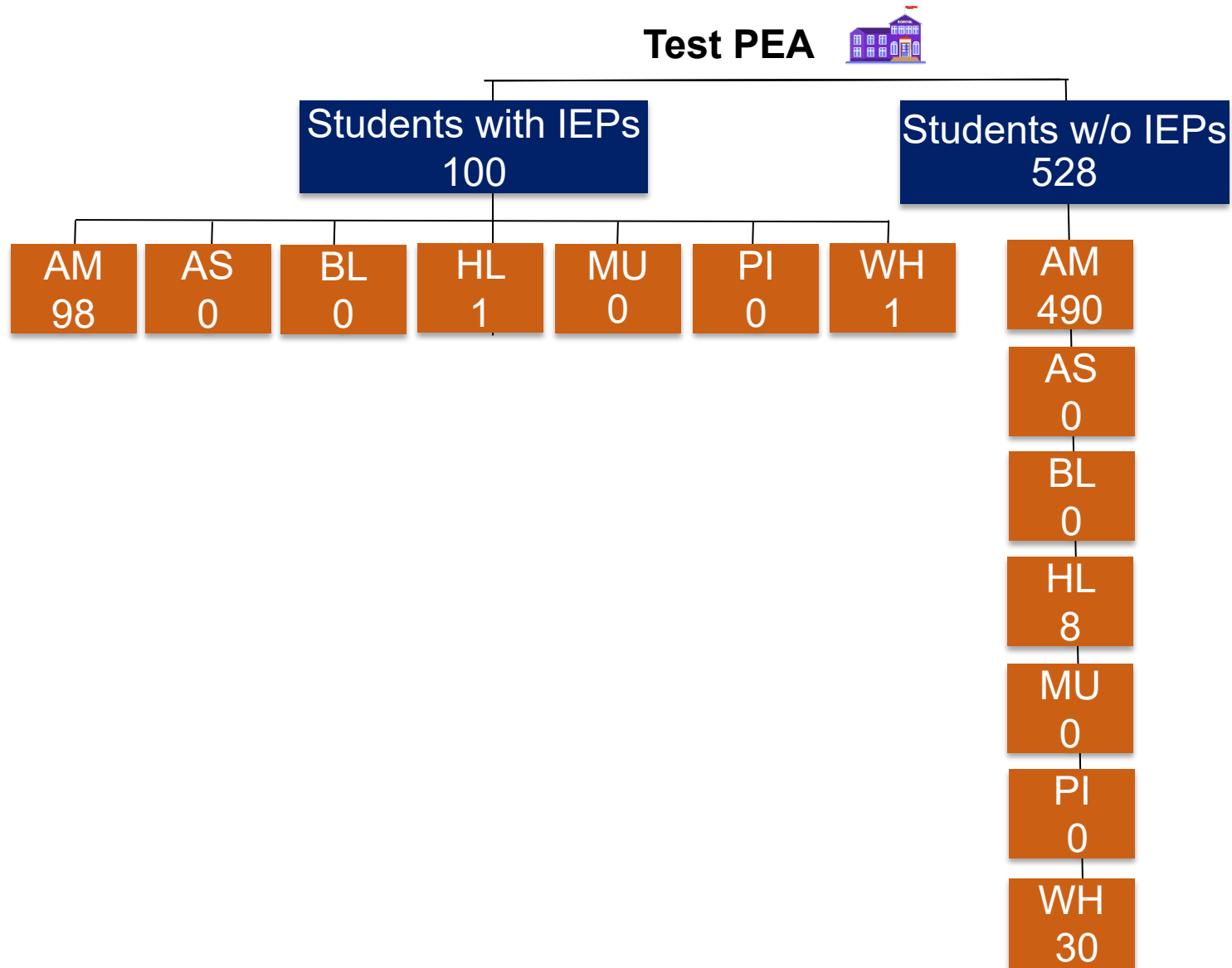
$\frac{\text{\# of AM with IEPs}}{\text{\# of AM total}}$

$\frac{98}{588}$

0.1666 = 16.6%

At Test PEA, an AM student would have a 16.6% chance of being identified as having a disability.

Indicator 9: Alternate Risk Ratio (3 of 6)

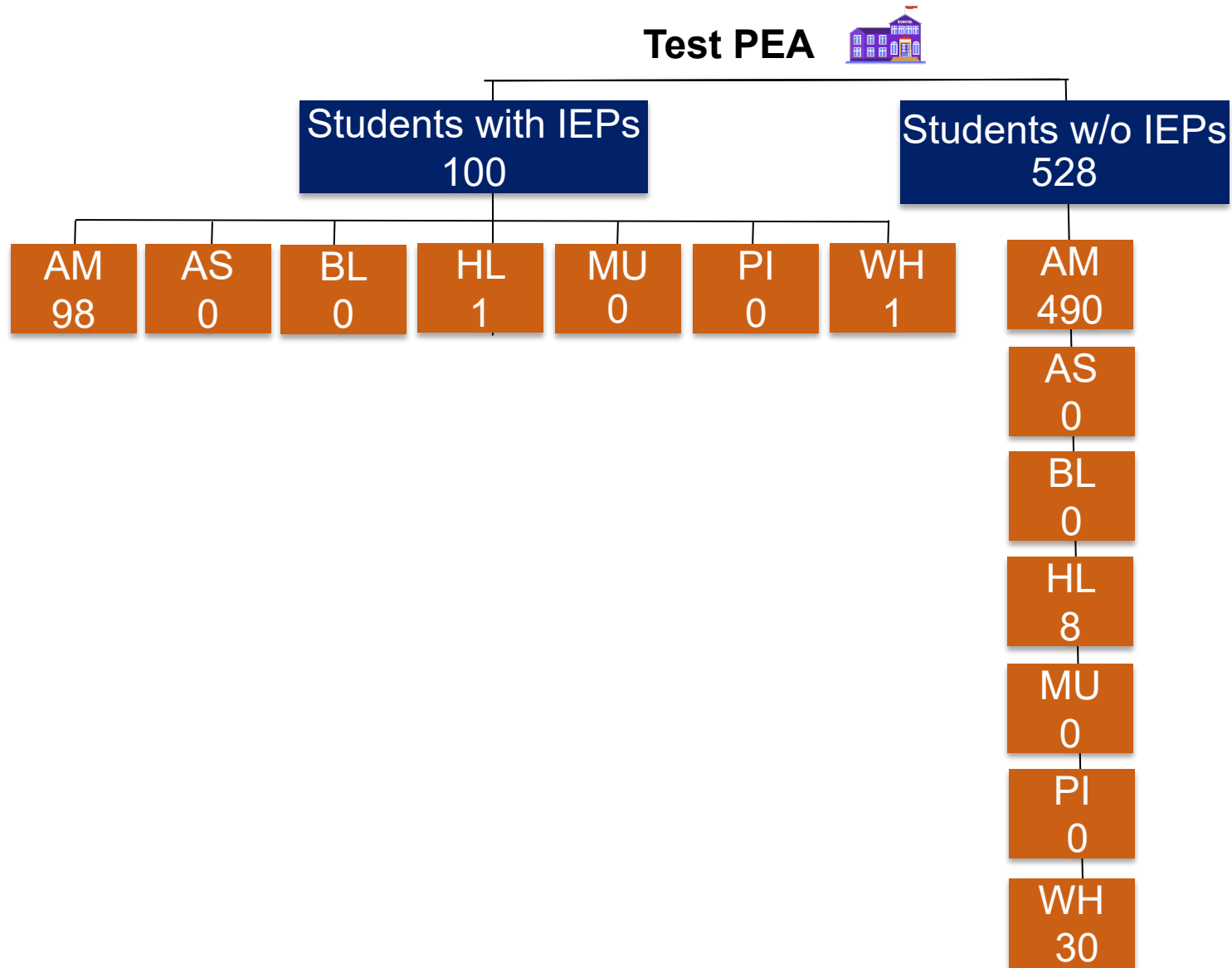


Step #2: Find Test PEA's rate for identifying non-AM students with disabilities.

There were **2** non-AM students with IEPs at Test PEA.

There were **40** non-AM students at Test PEA.

Indicator 9: Alternate Risk Ratio (4 of 6)



of non-AM w/IEPs
of non-AM at PEA

$$\frac{2}{40}$$

Because there are fewer than 10 non-AM students with IEPs in the comparison group, we will use the alternate risk ratio.

Indicator 9: Alternate Risk Ratio (5 of 6)

Alternate Risk Ratio: Find the State's risk for identifying non-AM students as students with disabilities.



$$\frac{\text{\# non-Am with disabilities in AZ}}{\text{\# non-AM students in AZ}} = \frac{133,546}{1,064,526} = 0.126 = 12.6\%$$

In the state of Arizona, a non-AM would have a 12.6% chance of being identified as a student with a disability.

Indicator 9: Alternate Risk Ratio (6 of 6)

Step #3: Divide the two in order to find the risk ratio.

$$\frac{\text{Test PEA's rate of AM students identified with a disability}}{\text{State's rate of non-AM students identified with a disability}} = \frac{16.6\%}{12.6\%} = 1.38$$

At Test PEA, an AM student is 1.38 times more likely to be identified as having a disability than any other race/ethnicity in the State.

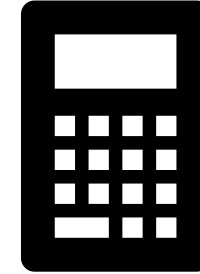


Test PEA would NOT be not identified as having disproportionate representation because their risk ratio < 3.

Proposed Lowering of the N size and Cell Size for Indicators 9 and 10

- Newly released Office of Special Education (OSEP) 2023 guidance:
 - For Indicators 4A and 4B, the State's methodology for examining data must be reasonably designed.
 - Factors that OSEP may consider in determining the reasonableness of the State's methodology include the number of PEAs being examined in the calculation.
 - Because OSEP is looking at 4A and 4B, they will likely look at Indicators 9 and 10. Arizona would like to be proactive in this process.

Indicator 9: Proposed Cell and N Size Change



Proposed Methodology	Changes From Current Calculation
Use a risk ratio	No change
Cell size ≥ 5	Cell size ≥ 10
N size ≥ 15	N size ≥ 30
Risk ratio threshold ≥ 3	No change
Review 3* consecutive years of data	No change

*The February 1, 2025, SPP/APR will review data from SY 2021–2022, 2022–2023, and 2023–2024)

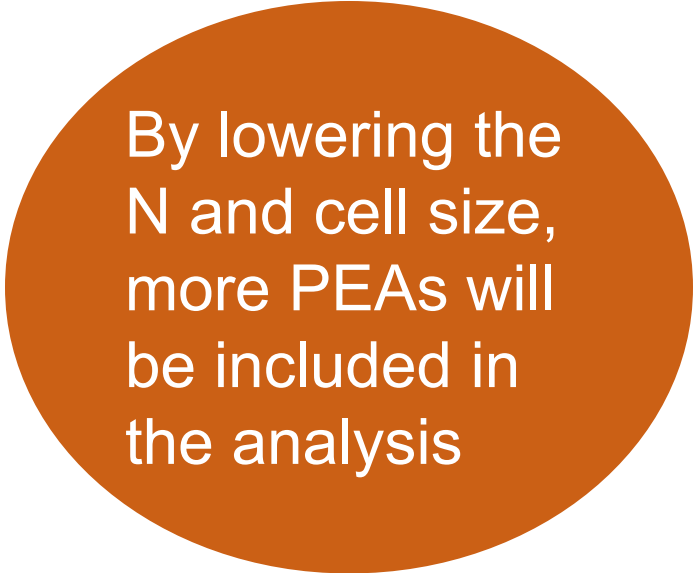
Indicator 9: Result of the Proposed Change

Current calculation using FY24 data

- Cell size = 10
- N size = 30
- Number of PEAs included in the analysis = **513**
- 82% of PEAs are included in the analysis
- Result: 4 PEAs are flagged

Proposed calculation using FY24 data

- Cell size = 5
- N size = 15
- Number of PEAs included in the analysis = **592**
- 95% of PEAs are included in the analysis
- Result: 7 PEAs are flagged



By lowering the N and cell size, more PEAs will be included in the analysis

Indicator 9: FY24 Results (Using Proposed Calculation)

Calculation of Percentage = (b)/(a)

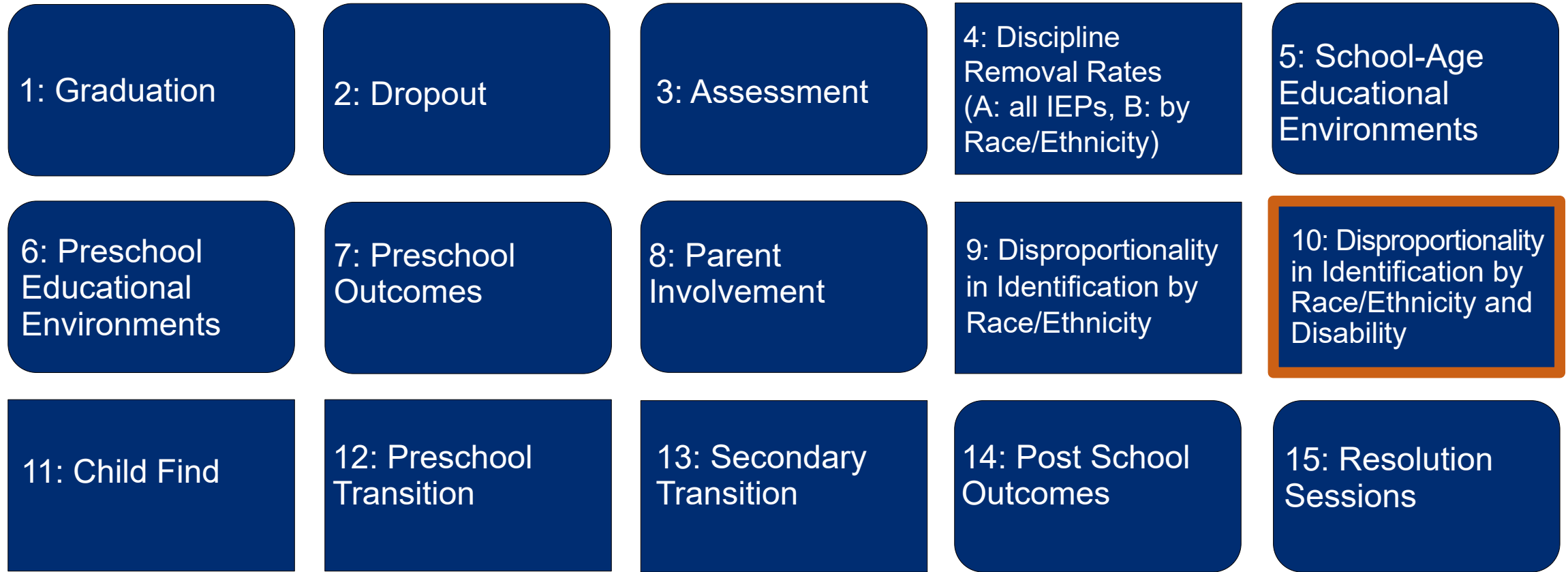
Number of PEAs that met the State's minimum n size (a)	Number of PEAs with disproportionate representation of racial and ethnic groups in special education and related services	Number of PEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification (b)	FY24 Target	FY 24 Data	Status
592	7	TBD*	0%	TBD*	TBD*


*To be determined based on a review of the PEA's policies, procedures, and practices. Historically, this indicator has been 0%.


The FY24 results will be published in the February 1, 2025, SPP/APR.

State Performance Plan Indicators

Indicator 10: Disproportionality in Identification by Race/Ethnicity and Disability



 Rounded edges = Performance Indicators, State establishes targets

 Square edges = Compliance Indicators, targets are set by OSEP

Indicator 16:
Mediation

Indicator 17: State Systemic
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[Summarized Descriptions of IDEA Part B Indicators](#)

Indicator 10: Description and Data Source

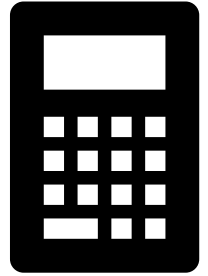
Description

- Indicator 10 measures the percent of PEAs with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
- Includes racial/ethnic disproportionality data for all students aged **5 (in kindergarten) through 21** served under IDEA, aggregated across all disability categories.

Data Sources

- ESS October 1 Special Education Child Count
- Agency October 1 Child Count

Indicator 10: Calculation (1 of 2)

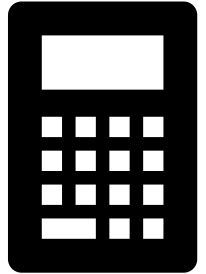


- The following calculation method is used:
 - Risk ratio method
 - Alternate risk ratio method: used for any PEA that does not meet the minimum cell size or minimum n size. The alternate risk ratio compares the risk of a specific outcome for a specific group within the PEA with the state ratios for that specific group.
- The threshold at which disproportionate representation is identified is 3.0 and above
- The number of years of data used in the calculation is three years
- The minimum cell and/or n size
 - Minimum n size = 30 (denominator)
 - Minimum cell size = 10 (numerator)

Indicator 10: Calculation (2 of 2)

The calculation is like Indicator 9, but instead of overall special education identification, it looks at specific disability categories:

- intellectual disability (mild, moderate, severe)
- specific learning disabilities
- emotional disturbance (includes ED-P)
- speech or language impairments
- other health impairments
- autism



Indicator 10: Calculation Example (1 of 6)

In Test PEA, what are the chances that an Asian child will be identified as having autism compared to other races/ethnicities?

Step #1: Find Test PEA's rate for identifying Asian students with autism.



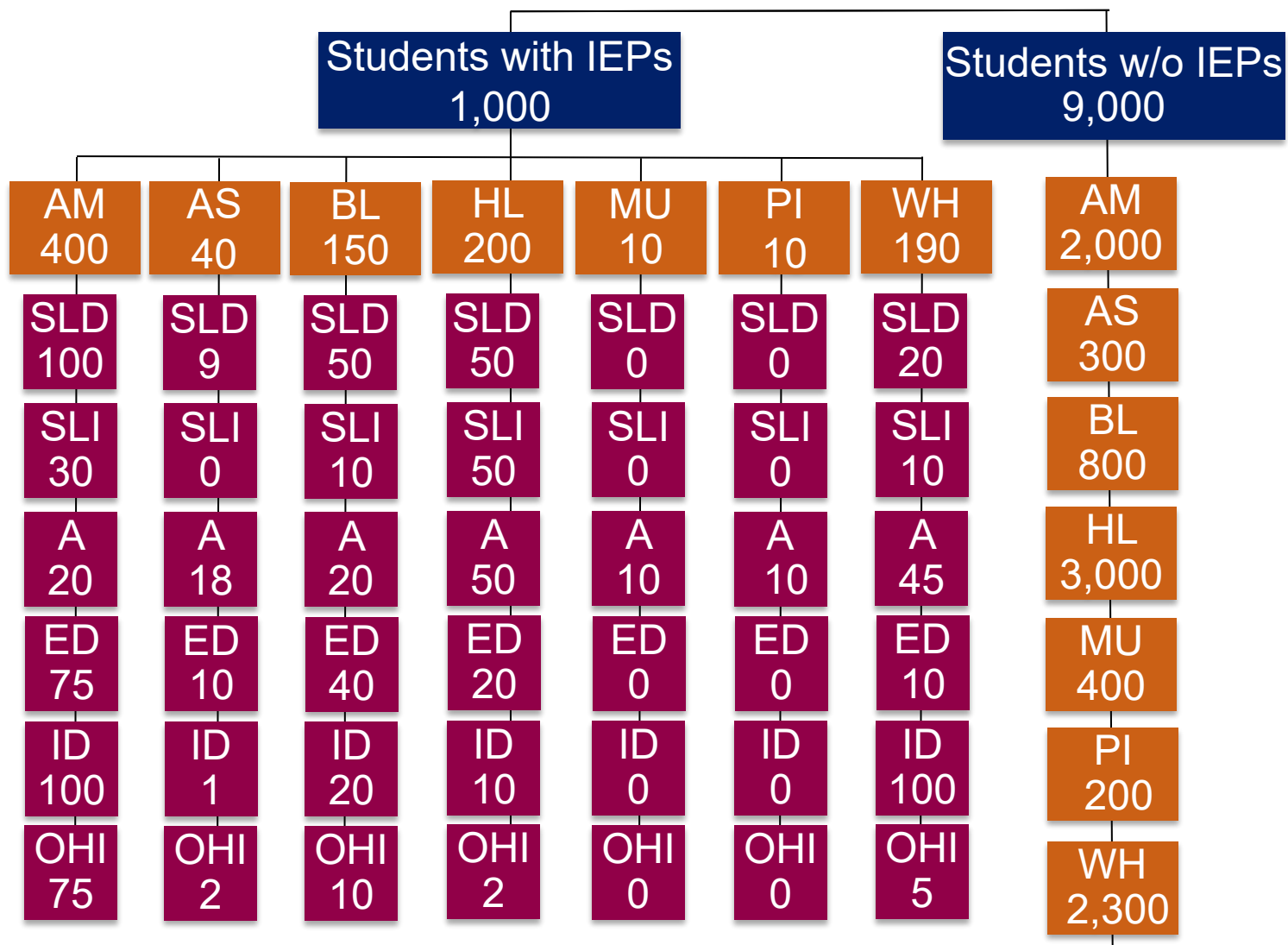
Step #2: Find Test PEA's rate for identifying non-Asian students with autism.



Step #3: Divide the two in order to find the risk ratio.

Indicator 10: Calculation Example (2 of 6)

Test PEA 

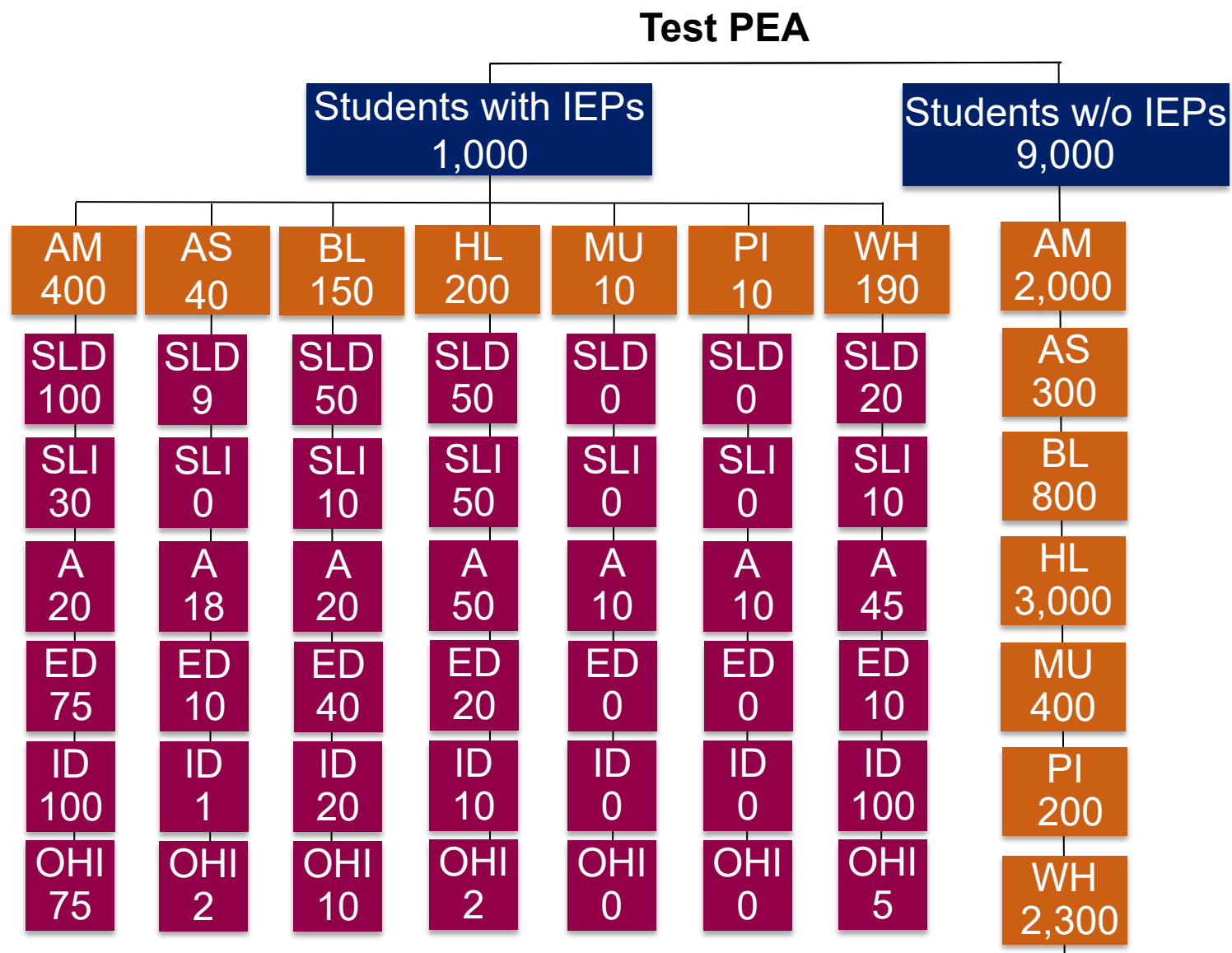


Find Test PEA's rate for identifying Asian students with autism.

There were **18** Asian students identified with autism.

There were **340** Asian students in the Test PEA.

Indicator 10: Calculation Example (3 of 6)



Asian w/autism
of Asian in PEA

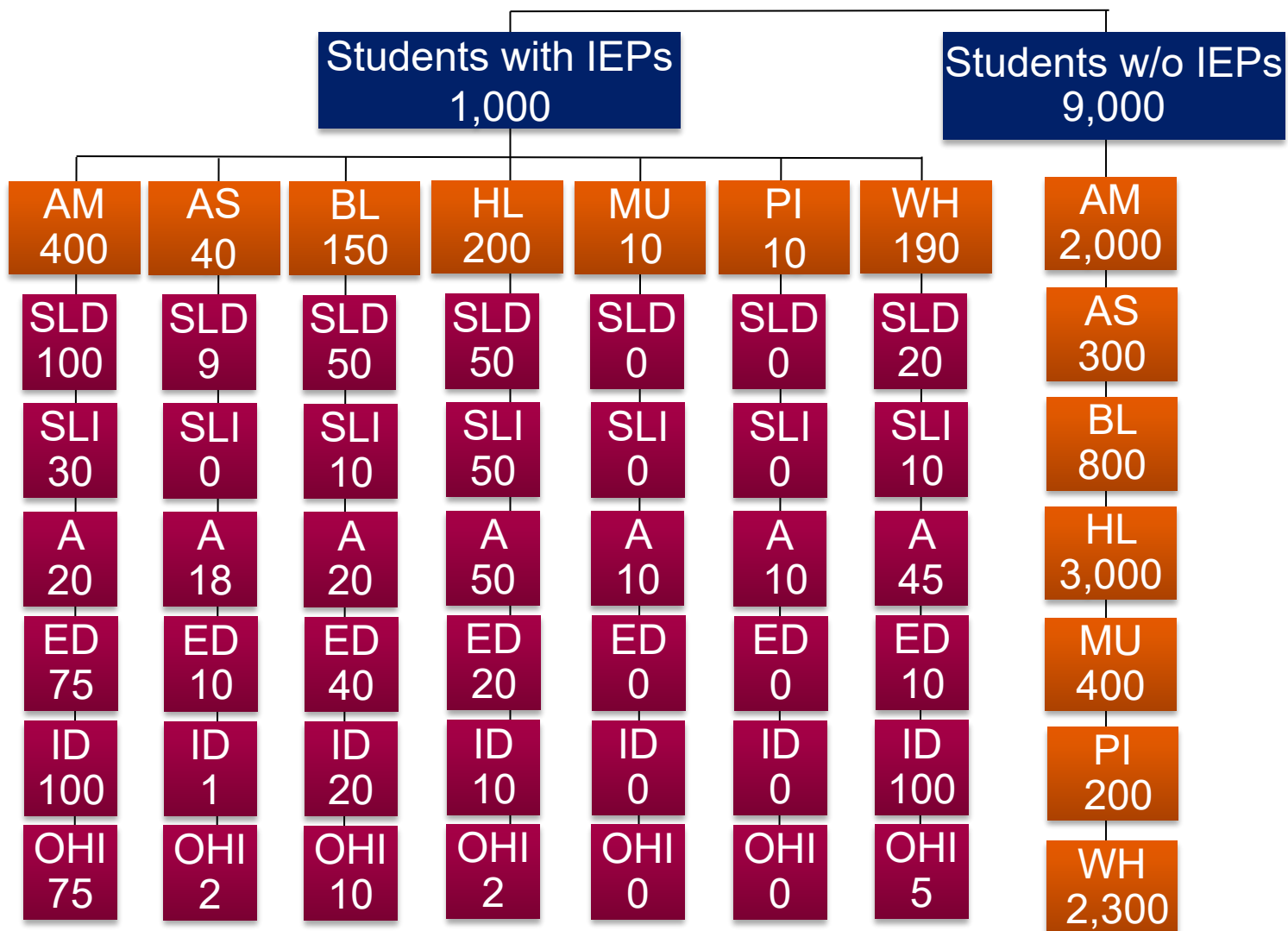
$$\frac{18}{340}$$

0.053 = 5.3%

In Test PEA, an Asian student has a 5.3% chance of being identified with autism.

Indicator 10: Calculation Example (4 of 6)

Test PEA



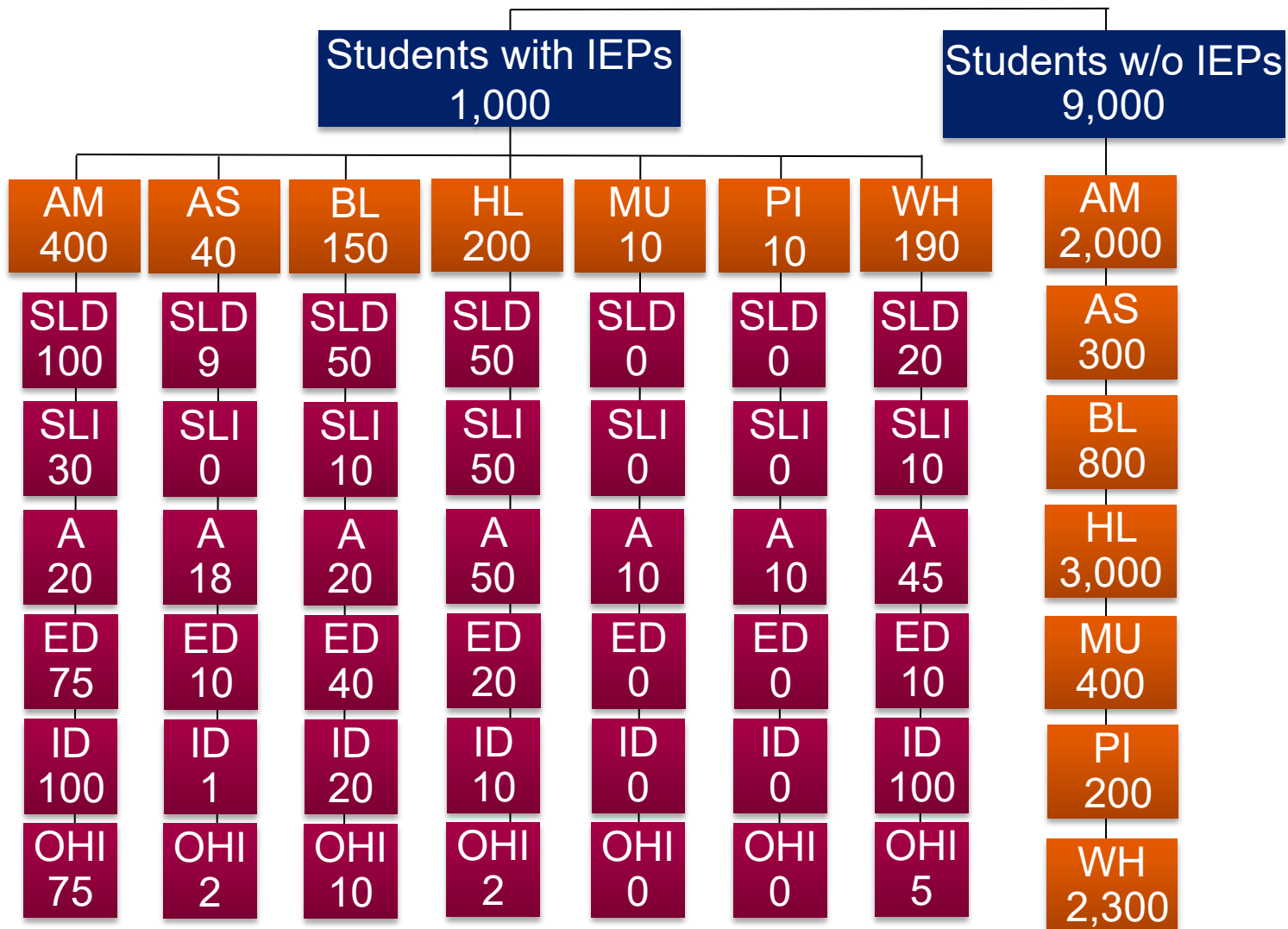
Step #2: Find Test PEAs rate for identifying non-Asian students with autism.

There were **155** non-Asian students identified with autism.

There were **9,660** non-Asian students in Test PEA.

Indicator 10: Calculation Example (5 of 6)

Test PEA



Non-Asian w/autism
Non-Asian
 students in Test PEA

$$\frac{155}{9,660}$$

$$0.016 = 1.6\%$$

At Test PEA, a non-Asian student has a 1.6% chance of being identified as a student with autism.

Indicator 10: Calculation Example (6 of 6)

Step #3: Divide the two in order to find the risk ratio.

$$\frac{\text{Test PEA's rate of identifying Asian students with autism}}{\text{Test PEA's rate of identifying non-Asian students with autism}} = \frac{5.3\%}{1.6\%} = 3.31$$

In Test PEA, an Asian student would be 3.31 times more likely to be identified as having autism compared to other races/ethnicities.

 TEST PEA **would** be identified as having significant disproportionality because the risk ratio >3.

Indicator 10: Proposed Cell and N Size Change

Proposed Methodology	Changes From Current Calculation
Use a risk ratio	No change
Cell size ≥ 5	Cell size ≥ 10
N size ≥ 15	N size ≥ 30
Risk ratio threshold ≥ 3	No change
Review 3* consecutive years of data	No change

*The February 1, 2025, SPP/APR will review data from SY 2021–2022, 2022–2023, and 2023–2024)

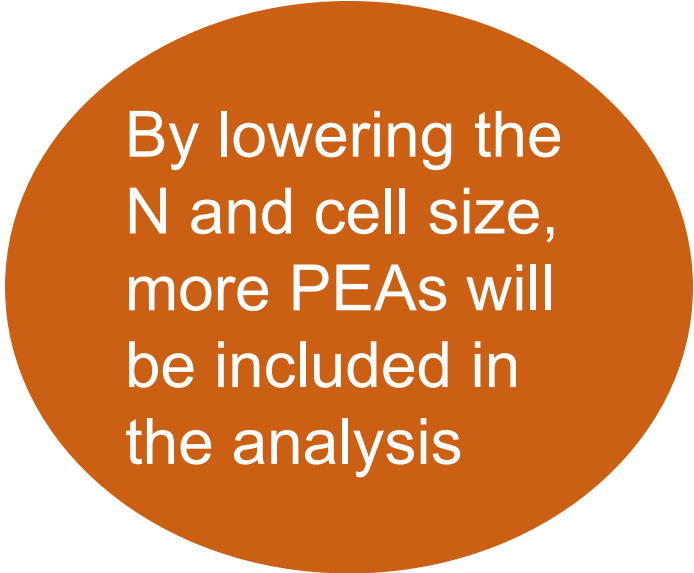
Indicator 10: Result of the Proposed Change

Current calculation using FY24 data

- Cell size = 10
- N size = 30
- Number of PEAs included in the analysis = **377**
- 60% of PEAs are included in the analysis
- Result: 14 PEAs are flagged

Proposed calculation using FY24 data

- Cell size = 5
- N size = 15
- Number of PEAs included in the analysis = **518**
- 83% of PEAs are included in the analysis
- Result: 14 PEAs are flagged



By lowering the N and cell size, more PEAs will be included in the analysis

Indicator 10: FY24 Results (Using Proposed Calculation)

Calculation of Percentage = (b)/(a)

Number of PEAs that met the State's minimum n size (a)	Number of PEAs with disproportionate representation of racial and ethnic groups by disability categories in special education and related services	Number of PEAs with disproportionate representation of racial and ethnic groups by disability categories in special education and related services that is the result of inappropriate identification (b)	FY24 Target	FY24 Data	Status
518	14	TBD*	0%	TBD*	TBD*

*To be determined based on a review of the PEA's policies, procedures, and practices. Historically, this indicator has been 0%.

The FY24 results will be published in the February 1, 2025, SPP/APR.



Contact Us

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