State Performance Plan (SPP)/Annual Performance Report (APR)
2020-2025

Individuals with Disabilities Education Act (IDEA)

Indicator 4: Suspension/Expulsion of Students with Disabilities
Agenda- Indicator 4

- Frequently Used Terms for Suspension/expulsion
- How the Measurement Works
- Data in New York State (Trends and Comparisons)
- Data in New York in Comparison to Other States
- Improvement Activities
- Next Steps and Closing
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Performance Plan or SPP</td>
<td>Evaluates the state’s efforts to implement the requirements and purposes of the Individuals with Disabilities Education Act (IDEA) and describes how the state will improve its implementation.</td>
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<tr>
<td>Targets</td>
<td>Performance objectives set for SPP measurements</td>
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<tr>
<td>Annual Performance Report (APR) Reported Data</td>
<td>Data reported to the United States Department of Education Office of Special Education Programs (OSEP) against the state’s targets</td>
</tr>
<tr>
<td>Baseline</td>
<td>Data starting point to measure improvement over time</td>
</tr>
<tr>
<td>N-Size</td>
<td>Minimum number of students necessary to include one of these student subgroups, such as minimum number of students with disabilities enrolled (i.e., denominator of the equation)</td>
</tr>
<tr>
<td>Cell size</td>
<td>The minimum number of children experiencing a particular outcome (i.e., numerator of the equation)</td>
</tr>
<tr>
<td>Standard Deviation</td>
<td>A standard deviation is a measure of how dispersed the data is in relation to the mean. In any normal distribution, about 95% of values will be within 2 standard deviations of the mean</td>
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<tr>
<td>Federal Fiscal Year or FFY</td>
<td>Federal Government Fiscal Year (October 1 – September 30)</td>
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</table>
Measurement for SPP Indicator 4

Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children:

- **SPP 4A** With IEPs
  - By race or ethnicity; and
  - policies, procedures or practices that contribute to significant discrepancy

- **SPP 4B**
Options for Comparison

Rates of suspension/expulsion for children with disabilities among districts within the state

OR

Rates of suspension/expulsion for children with disabilities to the rates for children without disabilities within each district

For FFY 2018, New York was one of 37 states that used the state-level suspension/expulsion rate for children with disabilities to set the bar/threshold and then compared the district-level suspension/expulsion rates for children with disabilities. This comparison option was the most common option used nationally.
N-Size in FFY 2018

Indicator 4A

NYS uses a minimum n-size of 30 students with disabilities enrolled

In FFY 2018, 76% of states used a minimum n-size for SPP 4A

Indicator 4B

NYS uses a minimum n-size of 30 students with disabilities enrolled

In FFY 2018, 96% of states used a minimum n-size for SPP 4B

Using a minimum N-size reduces the possibility of school districts being inappropriately identified for significant discrepancy due to small populations and not systemic issues contributing to the significant discrepancy.
Cell Size

**Indicator 4A**

NYS uses a minimum cell size of 10 students with disabilities suspended or expelled for more than ten days during the school year.

**Indicator 4B**

NYS uses a minimum cell size of 10 students with disabilities of a particular race or ethnicity* suspended or expelled for more than 10 days during the school year.

*The subgroups for race or ethnicity include American Indian, Asian, Black or African American, Native Hawaiian/other Pacific Islander, White, and Two or more races.
Threshold for Significant Discrepancy

**Indicator 4A**
A suspension/expulsion rate of 2.7% (two times the State-level suspension/expulsion rate in 2004-05) for children with disabilities.

In FFY 2018, using a state-level suspension/expulsion rate was the most common method to set the bar/threshold for 4A

**Indicator 4B**
A suspension/expulsion rate of two standard deviations from the State-level suspension/expulsion rate.

In FFY 2018, four states used standard deviation to set the bar/threshold for 4B
SPP Indicator 4 District Notification Criteria

- **N-Size**
  - Have at least 30 students with disabilities enrolled

- **Cell Size**
  - 4A. 10 students with disabilities suspended/expelled for more than 10 days
  - 4B. at least 10 students with disabilities of the particular race or ethnicity suspended/expelled for more than 10 days

- **Threshold**
  - 4A. The suspension/expulsion rate of 2.7% or higher
  - 4B. The suspension rate by race or ethnicity greater than two standard deviations above the mean for SWDs and inappropriate policies, procedures and practices.
Indicator 4A Annual Performance Report (APR)

Number of school districts identified as having significant discrepancy

\[ \frac{\text{Number of school districts in the State with at least 30 students with disabilities}}{\text{Number of school districts identified as having significant discrepancy}} \times 100 = \]

Percent of school districts that have significant discrepancy in the rate of suspension and expulsion of greater than 10 days in a school year for children with IEPs
Indicator 4B Annual Performance Report (APR)

Number of school districts identified as having significant discrepancy in a particular race or ethnicity and inappropriate policies, procedures or practices that contribute to the significant discrepancy.

\[
\text{Number of school districts in the State with at least 30 students with disabilities} \times 100 = \text{Percent of school districts that have significant discrepancy by race/ethnicity and inappropriate policies, procedures, or practices that contribute to the significant discrepancy}
\]
Facilitator check for understanding on the SPP measurement or how the data is used to measure results or outcomes.
NYS Results for Indicator 4A and 4B FFY 2016 to 2019

- Indicator 4 Suspension/Expulsion of Students with Disabilities

Decrease = Improvement
Results by State

Percent of Districts by State for FFY 2018

- **New York**: 2.60% (SPP 4A), 1.23% (SPP 4B)
- **California**: 11.90% (SPP 4A), 4.86% (SPP 4B)
- **Florida**: 1.41% (SPP 4A), 0% (SPP 4B)
- **Illinois**: 3.80% (SPP 4A), 0% (SPP 4B)
- **Pennsylvania**: 2.20% (SPP 4A), 9.90% (SPP 4B)
- **Ohio**: 8.17% (SPP 4A), 1.08% (SPP 4B)
- **Texas**: 0% (SPP 4A), 0% (SPP 4B)

**Indicator 4 Suspension/Expulsion of Students with Disabilities**
National Indicator 4 Results for FFY 2018

Number of States/Territories 4A

- 13 states/territories in the 0 category
- 17 states/territories in the 1-4.9% category
- 5 states/territories in the 5.0%-29.9% category
- 24 states/territories in the 30% or more category

Number of States/Territories 4B

- 9 states/territories in the 0 category
- 14 states/territories in the 1-4.9% category
- 16 states/territories in the 30% or more category
- 10 states/territories in the 5.0%-29.9% category
4A Targets must be:
- Rigorous, yet achievable
- Reflect improvement over baseline
- Set with the advice of stakeholders

4B Target is zero because Indicator 4B is a compliance measure
## Proposed Targets for Indicator 4A

### New York Trend Data

<table>
<thead>
<tr>
<th>Baseline 6.22%</th>
<th>FFY 2016</th>
<th>FFY 2017</th>
<th>FFY 2018</th>
<th>FFY 2019</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target 6.22%</td>
<td>6.22%</td>
<td>4.25%</td>
<td>4.00%</td>
<td>4.00%</td>
</tr>
<tr>
<td>Data 6.22%</td>
<td>6.22%</td>
<td>5.32%</td>
<td>2.60%</td>
<td>3.23%</td>
</tr>
</tbody>
</table>

### New York Proposed Targets

<table>
<thead>
<tr>
<th>Baseline 6.22%</th>
<th>FFY 2020</th>
<th>FFY 2021</th>
<th>FFY 2022</th>
<th>FFY 2023</th>
<th>FFY 2024</th>
<th>FFY 2025</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target 3.95%</td>
<td>3.95%</td>
<td>3.90%</td>
<td>3.85%</td>
<td>3.80%</td>
<td>3.75%</td>
<td>3.70%</td>
</tr>
</tbody>
</table>
1) What did the SPP data tell us?

2) How should we use the data to inform our improvement activities?
Improvement Strategies and Activities

- Guidance and Resources
- Monitoring for Compliance
- Network of Professional Development Specialists
Guidance and Resources

**Office of Special Education**
- Part 200 and Part 201 regulations
- Publications
  - IEP Development
  - Functional Behavioral Assessment
  - Behavioral Intervention Plan

**Student Support Services**
- Mental Health Support
- Social Emotional Learning
- School Safety

**Curriculum and Instruction**
http://www.nysed.gov/curriculum-instruction
- Culturally Responsive-Sustaining Education Framework
- Part 100 regulations

**Office of Bilingual Education and World Languages**
http://www.nysed.gov/program-offices/office-bilingual-education-and-world-languages-obewl
- Part 154 regulations
- Integrated ENL Resources

Indicator 4 Suspension/Expulsion of Students with Disabilities
Every year a district is notified of significant discrepancy, it must undergo a review of its:

- **Policies**
- **Procedures**
- **Practices**

NYSED has developed a monitoring protocol designed to identify noncompliance with regulatory requirements most closely related to the discipline of students with disabilities.

NYSED ensures the timely resolution of the noncompliance.
Office of Special Education Educational Partnership
Tiered Support & Professional Development

12 Regional Partnership Centers

14 School-Age Family and Community Engagement Centers

14 Early Childhood Family and Community Engagement Centers

Systems Change Work Providing a Variety of Supports to Educational Organizations in New York State

1. Regional Learning

2. Targeted Skills/Support Groups

3. Support Plans

Indicator 4 Suspension/Expulsion of Students with Disabilities
A TSG is professional development and technical assistance provided to a small group to build awareness, learn or develop new skills and problem solve to improve outcomes for students with disabilities.

Any district that receives a notification regarding significant discrepancy in the suspension or expulsion of students with disabilities is required to participate in a TSG.
Regional Learnings

Committee on Preschool Special Education (CPSE)/Committee on Special Education (CSE) Chairperson Training

Creating the IEP

Classroom Management Training

Fundamentals in Equity: Exploring Equity and Cultural Responsiveness

Identifying and Intensifying Interventions: What To Do and How To Do It

FBA/BIP Toolkit

Using the FBA/BIP Process to Support Students needing Intensive Intervention
What activities could be considered, maintained, or strengthened to improve NYS results for SPP Indicator 4-Suspension and Expulsion of Students with Disabilities?

Stakeholder Discussion
New York State School District SPP Data

Additional information on SPP Indicator data may be found in school district “Special Education Data” reports available at data.nysed.gov.
Share Your Voice in our Online Survey

Each SPP Indicator has an online survey to collect input on NYS’s target-setting and/or improvement activities.

The online surveys are intended to collect feedback from interested stakeholders. They are available for those who are not attending a virtual meeting or for those who have additional information to share beyond the virtual meetings.

Please visit the SPP/APR webpage to submit your survey.
THANK YOU FOR YOUR CONTRIBUTION

Your Voice is Important to New York State’s Efforts to Improve Outcomes for our Students with Disabilities