

# **IDEA PART B DISCIPLINE FOR SCHOOL YEAR 2012-2013**

OSEP Data Documentation

January 2015

## Table of Contents

<b>1.0 Introduction .....</b>	<b>3</b>
1.1 Purpose .....	3
1.2 OSEP Background .....	3
<b>2.0 OSEP Part B Discipline Data .....</b>	<b>4</b>
2.1 State Data.....	4
2.2 Definitions.....	5
<b>3.0 Data Quality .....</b>	<b>6</b>
3.1 Suppression.....	8
3.2 Data Notes.....	8
<b>4.0 File Structure .....</b>	<b>8</b>
<b>5.0 Guidance for Using these data-FAQs.....</b>	<b>10</b>
5.1 Privacy Protections Used.....	14
<b>Appendix A .....</b>	<b>17</b>
<b>Appendix B .....</b>	<b>19</b>

## 1.0 Introduction

### 1.1 Purpose

The purpose of this document is to provide information necessary to appropriately use state level data files on IDEA Part B Discipline from OSEP. The accompanying data file provides data at the state level on the number of children with disabilities removed to an interim alternative educational setting, suspended or expelled for disciplinary reasons, were subject to any kind of disciplinary removal during the school year, and were removed for disciplinary reasons from their regular school program for the remainder of the school year or longer, including all removals resulting from violations of the Gun-Free Schools Act (GFSA) of 1994. The data file includes the number of times children with disabilities were unilaterally removed by school personnel (not the IEP team) from their current educational placement to an interim alternative educational setting (determined by the IEP team) due to drug or weapon offenses or serious bodily injury and were subject to any kind of disciplinary removal.

### 1.2 OSEP Background

The Office of Special Education Programs (OSEP), within the Office of Special Education and Rehabilitative Services (OSERS), is dedicated to improving results for infants, toddlers, children and youth with disabilities ages birth through 21 by providing leadership and financial support to assist states and local districts.

Section 618 of the Individuals with Disabilities Education Act (IDEA) requires that each State submit data about the infants and toddlers, birth through age 2, who receive early intervention services under Part C of IDEA and children with disabilities, ages 3 through 21, who receive special education and related services under Part B of IDEA. There are 12 data collections authorized under Section 618: under Part B: (1) Child Count; (2) Educational Environments; (3) Personnel; (4) Exiting; (5) Discipline; (6) Assessment; (7) Dispute Resolution; and (8) Maintenance of Effort Reduction and Coordinated Early Intervening Services; and under Part C: (9) Child Count; (10) Settings; (11) Exiting; and (12) Dispute Resolution. These data are collected via an EDFacts system (i.e., EDEN Submission System or the EDFacts Metadata and Process System). Information related to the Section 618 data collected via the EDEN Submission System can be found in the EDFacts Series - EDFacts Special Education/IDEA 2011-12 Study in the ED Data Inventory (<http://datainventory.ed.gov/Search?seriesID=196&searchTerm=EDFacts&searchType=Exact>). Information related to the IDEA Section 618 data collected via the EDEN Submission System (ESS) can be found in the IDEA Section 618 entry in the ED Data Inventory

(<http://datainventory.ed.gov/Search?seriesID=1324&searchTerm=IDEA%20Section%20618&searchType=Exact>). This data documentation deals only with Part B Discipline data collection and file.

## 2.0 OSEP Part B Discipline Data

### 2.1 State Data

States are required to report the Discipline data under Title 1, Part A, Subsection 618 of the *Individuals with Disabilities Education Act* (IDEA).

Part B Discipline Data comes from six separate file:

- DG512/C005 - The number of children with disabilities (IDEA) who are ages 3 through 21 and removed to an interim alternative educational setting.
- DG475/C006 - The number of children with disabilities (IDEA) who are ages 3 through 21 and suspended or expelled for disciplinary reasons.
- DG476/C007 - The number of times children with disabilities (IDEA) who are ages 3 through 21 were unilaterally removed by school personnel (not the IEP team) from their current educational placement to an interim alternative educational setting (determined by the IEP team) due to drug or weapon offenses or serious bodily injury.
- DG598/C088 - The unduplicated number of children with disabilities (IDEA) who are ages 3 through 21 who were subject to any kind of disciplinary removal during the school year.
- DG682/C143 - The number of times children with disabilities (IDEA) who are ages 3 through 21 were subject to any kind of disciplinary removal.
- DG683/C144 - The unduplicated number of children (students) who were removed for disciplinary reasons from their regular school program for the remainder of the school year or longer, including all removals resulting from violations of the Gun-Free Schools Act (GFSA) of 1994.

This information is submitted to OSEP via ESS by the IDEA Part B data managers in each of the 60 IDEA Part B reporting entities.

States were required to submit SY 12-13 data to ED Facts no later than November 6, 2013. OSEP reviews the data for quality issues and provides feedback to states/entities. States or entities are given the opportunity to address the data quality issues prior to the data being published. Finalized data were extracted from the

EDFacts system on June 5, 2014. Please see Appendix A for the specific date each state/ entity submitted these data.

## 2.2 Definitions

*Disciplinary Removal* - Any instance in which a child with a disability is removed from his/her educational placement for disciplinary purposes, including in-school suspension, out-of-school suspension, expulsion, removal by school personnel to an interim alternative educational setting for drug or weapon offenses or serious bodily injury, and removal by hearing officer for likely injury to the child or others

*Drug offenses* - The use, possession, sale, or solicitation of drugs as identified in 21 U.S.C. Section 812(c). These offenses do not include the use, possession, sale, or solicitation of alcohol or tobacco.

*Expulsion* - An action taken by the local educational agency (LEA) removing a child from his/her regular school for disciplinary purposes for the remainder of the school year or longer in accordance with local educational agency policy. Include removals resulting from violations of the Gun-Free Schools Act that are modified to less than 365 days.

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

*Interim alternative educational setting* - An appropriate setting determined by the child's IEP team or a hearing officer in which the child is placed for no more than 45 school days. This setting enables the child to continue to receive educational services and participate in the general education curriculum (although in another setting) and to progress toward meeting the goals set out in the IEP. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not recur.

*Out-of-School Suspensions* - Instances in which a child is temporarily removed from his/her regular school for disciplinary purposes to another setting (e.g., home, behavior center). 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.

*Removal by a hearing officer* - Those instances in which an impartial hearing officer orders the removal of children with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 school days based on the hearing officer's determination that maintaining the child's current placement is substantially likely to result in injury to the child or others.

*Seriously bodily injury* - A bodily injury that involves a substantial risk of death; extreme physical pain; protracted and obvious disfigurement; or protracted loss or impairment of the function of a bodily member, organ or faculty. (18 USC Section 1365(h)(3))

*Unilateral removals* - Instances in which school personnel (not the IEP team) order the removal of the children with disabilities from their current educational placement to an appropriate interim alternative educational setting for not more than 45 school days. The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do not include decision by the child's IEP team to change a student's placement.

*Weapon* - A weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury; such a term does not include a pocket knife with a blade of less than 2 ½ inches in length. (18 USC section 930(g)(2))

### **3.0 Data Quality**

The Office of Special Education Programs (OSEP) reviews and evaluates the timeliness, completeness, and accuracy of the data submitted by States to meet the reporting requirements under Section 618 of the Individuals with Disabilities Education Act (IDEA). OSEP identifies a Section 618 data submission as timely if the State has submitted the required data to the appropriate data submission system (i.e., EDEN Submission System (ESS) or ED Facts Metadata and Process System (EMAPS)) on or before the original due date. The due dates for the IDEA Section 618 data are:

- The first Wednesday in the month of November for Part B Personnel, Part B Exiting, Part B Discipline, Part B Dispute Resolution, Part C Exiting, and Part C Dispute Resolution data collections.
- The first Wednesday in the month in April for Part B Child Count, Part B Educational Environments, Part C Child Count, and Part C Settings data collections.

- During the third week in December for Part B Assessment data collection. This due date is aligned with the due date for the assessment data reported by States for the Consolidated State Performance Reports (CSPR).
- The first Wednesday in the month of May for the Part B Maintenance of Effort Reduction and Coordinated Early Intervening Services data collection.

OSEP identifies a Section 618 data submission as complete if the State has submitted data for all applicable fields, file specifications, category sets, subtotals, and grand totals for a specific Section 618 data collection. Additionally, OSEP evaluates if the data submitted by the State match the information in metadata sources such as the EMAPS State Supplemental Survey-IDEA and the EMAPS Assessment Metadata Survey.

OSEP identifies a Section 618 data submission as accurate if the State has submitted data that meets all the edit checks for the specific data collection. The edit checks for each Section 618 data collection are identified in the Part B Data Edits and Part C Data Edits documents available to States in OMB Max. The majority of these edit checks are incorporated into the business rules in ESS and EMAPS. Specific business rules or edit checks are outlined in the ED Facts Business Rules Guide and the EMAPS user guides on [www.ed.gov/edfacts](http://www.ed.gov/edfacts).

OSEP also conducts year-to-year change analysis in order to determine if there has been a large fluctuation in the counts reported by a State from year to year. If large changes are identified, OSEP requests that the State review the data to make sure that the changes are not the result of a data quality issue and to provide an explanation for the large change in counts if it was not the result of a data quality issue.

OSEP reviews the data notes and explanations States provide in relation to the submission of the Section 618 data to better understand if and how the State is meeting the reporting instructions and requirements for the specific data collection.

In rare occasions, some data may need to be suppressed in the public release file due to data quality issues.

### 3.1 Suppression

The following states had their all or part of their data suppressed due to data quality concerns:

- Guam: Data were suppressed across two “SEA Categories” due to discrepancies between actual and expected counts of removals and students involved in disciplinary removals.
- Maine: Data were suppressed across two “SEA Categories” due to discrepancies between actual and expected counts of removals and students involved in disciplinary removals.
- Oklahoma: Data were suppressed across multiple “SEA Categories” due to discrepancies between actual and expected counts of removals and students involved in disciplinary removals.
- Wyoming: Data were suppressed across multiple “SEA Categories” due to discrepancies between actual and expected counts of removals and students involved in disciplinary removals.

### 3.2 Data Notes

States or entities have the option to provide additional information to OSEP related to the data quality issues or changes. This information has been compiled and accompanies the data files for data users. Please review this Word document when evaluating any state or entity data.

## 4.0 File Structure

The following table provides the layout of the Discipline file.

Number of Variables: 20

Extraction Date: The date the data were extracted from EDFact Data Warehouse (EDW).

Updated: The date of when changes were made to the text, format or template of the file, if no changes have occurred this line will be blank.

Revised: The date of when updates were made to the data; if no changes have occurred this line will be blank.

Variable Name	Type
School Year	Reference Year
State Name	State Name



**IDEA Part B Discipline SY 2012-13**

<b>Variable Name</b>	<b>Type</b>
SEA Category	The gender, race/ethnicity, LEP, disability category, or discipline category.
Children Unilaterally Removed to an IAES	Total Number of children ages 3 through 21 who were unilaterally removed for drug or weapons offenses or serious bodily injury (as defined above) by school personnel (NOT the IEP team) from their current educational placement to an interim alternative educational setting (determined by the IEP team).
Unilateral Removals for Drugs	Total Number of times the children were unilaterally removed for drug offenses
Unilateral Removals for Weapons	Total Number of times the children reported in column, "Children Unilaterally Removed to an IAES" were unilaterally removed for weapons offenses
Unilateral Removals for Serious Bodily Injury	Total number of times the children reported in column, "Children Unilaterally Removed to an IAES" were unilaterally removed for inflicting serious bodily injury on another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or LEA.
Children Removed by Hearing Officer (likely injury)	Number of children removed by a hearing officer
Children Suspended/Expelled 10 Days or Less - OSS	Number of children ages 3 through 21 with out-of-school suspensions or expulsions summing to 10 days or less during the school year for any offense or combination of offenses.
Children Suspended/Expelled more than 10 Days - OSS	Number children ages 3 through 21 with out-of-school suspensions or expulsions summing to more than 10 days during the school year for any offense or combination of offenses
Children Suspended 10 Days or Less - ISS	Number of children ages 3 through 21 with in-school suspensions summing to 10 days or less during the school year for any offense or combination of offenses.
Children Suspended more than 10 Days - ISS	Number of children ages 3 through 21 with in-school suspensions summing to more than 10 days during the school year for any offense or combination of offenses.
Total Disciplinary Removals	Total number of children with one or more disciplinary removals during the school year
Children with Disciplinary Removals Totaling 1 Day	Number of children subject to any kind of disciplinary removal for one day during the school year
Children with Disciplinary Removals Totaling 2 to 10 Days	Number of children subject to any kind of disciplinary removal for two to ten days during the school year
Children with Disciplinary Removals Totaling greater than 10 Days	Number of children subject to any kind of disciplinary removal for ten or more days during the school year
Children with Disability Received	Number of children with disabilities ages 3 through 21

Variable Name	Type
Educational Services during Expulsion	and the number of children without disabilities in grades K through 12 who were subject to expulsion during the school year and who received educational services during the expulsion
Children with Disability Did not Receive Educational Services during Expulsion	Number of children with disabilities ages 3 through 21 and the number of children without disabilities in grades K through 12 who did NOT receive educational services during the removal
Children without Disability Received Educational Services during Expulsion	Number of children without disabilities ages 3 through 21 and the number of children without disabilities in grades K through 12 who were subject to expulsion during the school year and who received educational services during the expulsion
Children without Disability Did not Receive Educational Services during Expulsion	Number of children without disabilities ages 3 through 21 and the number of children without disabilities in grades K through 12 who did NOT receive educational services during the removal

## 5.0 Guidance for Using these data-FAQs

### Which students are reported in this file?

- Children with disabilities (IDEA) as defined in section 4.2 of the *EDFacts* Workbook who were ages 3 through 21 as of the child count date and were subject to either:
  - Unilateral removal by school personnel – Instances in which school personnel (not the IEP team) order the removal of children with disabilities (IDEA) from their current educational placement to an appropriate interim alternative educational setting for not more than 45 school days. The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do not include decisions by the IEP team to change a student’s placement.
  - Removal based on a hearing officer’s determination –Instances in which an impartial hearing officer orders the removal of children with disabilities (IDEA) from their current educational placement to an appropriate alternative educational setting for not more than 45 school days based on the hearing officer’s determination that maintaining the child’s current placement is substantially likely to result in injury to the child or others. The IEP team is responsible for determining the interim alternative educational setting.

In instances in which the IEP team meets to determine the appropriate setting where the child will receive educational services following a unilateral removal by school personnel or a removal by a hearing officer for likely injury, the removal must be included in this file.

- Children with disabilities (IDEA) as defined in section 4.2 of the *EDFacts* Workbook who were ages 3 through 21 as of the child count date and were subject to either:
  - Out-of-school suspension or expulsion
  - In-school suspension

Students who were removed by school personnel for drugs, weapons, or serious bodily injury and were not sent to an interim alternative educational setting should be reported as having been suspended.

Include students who are suspended pending an IEP team meeting in which the students' IEP placements are changed.

In instances in which the IEP team meets to determine the appropriate setting where the student will receive educational services following an expulsion, out-of-school suspension or in-school suspension, the removal must be included in this file.

- Children with disabilities (IDEA) who were ages 3 through 21 as of the child count date and were subject to Unilateral removal by school personnel for drug or weapon offenses or serious bodily injury – Instances in which school personnel (not the IEP team) order the removal of children with disabilities from their current educational placement to an appropriate interim alternative educational setting for not more than 45 school days. The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do not include decisions made by the IEP team to change a student's placement.
- Children with disabilities who were ages 3 through 21 as of the child count date and were subject to a disciplinary removal.
- Students in grades K through 12 without disabilities and children with disabilities (IDEA), ages 3 through 21 who were expelled from their regular school for disciplinary purposes, as defined in Section 2.1.

**Which students should not be reported in this file?**

Exclude students who were moved from their current educational placement as a result of a decision by the IEP team to change a student's placement. For example, if following a discipline offense, the IEP team meets and determines that the child's current placement is not the least restrictive environment for that child, and therefore makes a permanent change in the child's IEP placement, do not report the child in this file.

Exclude parentally-placed private school students from this file.

Exclude students who are removed by school personnel for drugs, weapons, or serious bodily injury and were not sent to an interim alternative educational setting. (These students should be reported in C006 as having been suspended.)

Exclude students who have cumulatively been suspended for less than half a school day. Exclude parentally-placed private school students.

**How are students reported by disability category (IDEA)?**

Report students by one of the disability categories under IDEA that are listed in section 4.5 of the *EDFacts* Workbook.

**How are student counts reported by disability status (IDEA)?**

Students who meet the definition of children with disabilities (IDEA) in section 4.2 of the *EDFacts* Workbook should be reported as disability status, except those students who were parentally-placed in private schools. Students who do not meet that definition should be reported as no disability status.

**How are students reported by racial ethnic?**

SEAs must submit racial and ethnic data using 7 permitted values, which are:

- AM7** – American Indian or Alaska Native
- AS7** – Asian
- BL7** – Black or African American
- HI7** – Hispanic/Latino
- PI7** – Native Hawaiian or Other Pacific Islander
- WH7** – White
- MU7** – Two or more races

**How are students reported by LEP status (both)?**

Students who meet the definition of limited English proficient (LEP) students in section 4.3 of the *EDFacts Workbook* at the time of the removal should be reported as LEP. Students who do not meet that definition at the time of the removal should be reported as non-LEP.

**How are students reported by removal length?**

Students are reported for out of school suspensions or expulsions separately from in-school suspensions. Students are reported by the cumulative days of removal: (a) 10 days or less during the school year, and (b) more than 10 days during the school year.

**How are cumulative days counted?**

Students who have cumulatively been suspended for a half a day in length or longer should be included. States that are unable to record data on half-day basis should count half - day suspensions as full days.

**What type of count is this?**

This file is a count of removals by type of offense. If a removal was triggered by more than one type of offense, the removal would be reported in this file more than once. For example, if a student was removed because the student committed both a drug offense and a weapon offense, the removal would be reported twice.

**What is a unilateral removal?**

Instances in which school personnel (not the IEP team) order the removal of children with disabilities from their current educational placement to an appropriate interim alternative educational setting for not more than 45 school days. The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do not include decisions by the IEP team to change a student's placement.

**What is a disciplinary removal?**

Any instance in which a child with a disability is removed from his/her educational placement for disciplinary purposes, including in-school suspension, out-of-school suspension, expulsion, removal by school personnel to an interim alternative educational setting for drug or weapon offenses or serious bodily injury, and removal by hearing officer for likely injury to the child or others.

### **How are counts reported by removal length?**

The removal length (IDEA) is the cumulative length of removals during the school year.

- A child with less than 0.5 cumulative days should not be reported.
- A child with greater than or equal to 0.5 and less than 1.5 cumulative days should be counted in the "LTOREQ1" category.
- A child with greater than or equal to 1.5 and less than or equal to 10.0 cumulative days should be added into the "2TO10" category.
- A child with greater than 10.0 cumulative days should be counted in the "GREATER10" category.

For example, a child who was suspended four times for three days each during the school year and who was removed 12 cumulative days would be reported once as greater than 10 days in the "GREATER10" category.

### **Which children with disabilities (IDEA) are required to receive educational services after being expelled from regular school?**

Children with disabilities (IDEA) must receive educational services during any removal of more than 10 school days.

### **Where can I find more information on this topic?**

Additional information about IDEA discipline data can be found at:

<https://www.ideadata.org/TAMaterial.asp>.

## **5.1 Privacy Protections Used**

Beginning in August 2012, the US Department of Education established a Disclosure Review Board (DRB) to review proposed data releases by the Department's principal offices (e.g., OSEP) through a collaborative technical assistance process so that the Department releases as much useful data as possible, while protecting the privacy of individuals and the confidentiality of their data, as required by law.

The DRB worked with OSEP to develop appropriate disclosure avoidance plans for the purposes of the Section 618 data releases that are derived from data protected by The Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) and to help prevent the unauthorized disclosure of personally identifiable information in OSEP's public IDEA Section 618 data file releases.

The DRB applied the FERPA standard for de-identification to assess whether a "reasonable person in the school community who does not have personal knowledge

of the relevant circumstances” could identify individual students in tables with small size cells (34 CFR §99.3 and §99.31(b)(1)). The “reasonable person” standard was used to determine whether the data have been sufficiently redacted prior to release such that a “reasonable person” (i.e., a hypothetical, rational, prudent, average individual) in the school community would not be able to identify a student with any reasonable certainty. School officials, including teachers, administrators, coaches, and volunteers, are not considered in making the reasonable person determination since they are presumed to have inside knowledge of the relevant circumstances and of the identity of the students.

The data do not contain any individual-level information, are aggregated across ages 3-21, and are aggregated to the state (or entity) level. The DRB has determined that the aggregation of the counts of children and counts of disciplinary incidents in the data at the state (or entity) level is sufficient to protect privacy, whenever there are 3 or more ( $\geq 3$ ) individuals in each disability category and each demographic group (e.g., race, gender, or LEP status) at the state (or entity) level. If the counts of children in the data for a state (or entity) meet this threshold for all disability categories and demographic groups, then the discipline data can be reported for that state (or entity) with no additional privacy protections.

In those cases where there is one or more disability categories or demographic groups that have greater than zero but fewer than three (1-2) individuals ages 3-21 at the state (or entity) level, then additional privacy protections (outlined below) will be necessary.

Additional data on discipline is collected and published by other offices within the Department of Education, but the DRB has determined that the definitions used in these alternative data elements are different enough that they pose no significant additional risk of disclosure.

In all other situations, the DRB considers the aggregation of these data to the state-level to be sufficient to protect against re-identification of any specific individuals from small cells.

#### **Additional Privacy Protections for States (or Entities) with Small Populations of Certain Disability Categories or Demographic Groups**

To protect the privacy of individuals in states (or entities) with small populations of certain disability categories or demographic groups, OSERS will apply the following additional privacy protections.

1. For any disability category or demographic group (e.g., race, gender, or LEP status) for which there are 1-2 individuals ages 3-21 at the state (or

entity) level, suppress all disciplinary variables (whether or not there were actually any disciplinary removals for that disability/demographic group).

2. Then, for any state/entity where only one disability category or demographic group was suppressed, suppress all disciplinary variables for the next smallest (non-zero) disability category or demographic group, to prevent recalculation from the total.
3. *(Optional) True zeros can then be reported for some of the suppressed disciplinary variable cells if (and only if) that variable was a zero for both groups, since subtraction of the other reported categories from the total will yield a zero across both suppressed cells.*
4. When calculating national totals, ensure that each demographic group suppressed in steps 1-2 above is suppressed in at least 1 additional entity to prevent calculation of the suppressed values from the national totals.



**Appendix A**

**Date of the Last State Level Submission**

<b>State</b>	<b>File 005</b>	<b>File 006</b>	<b>File 007</b>	<b>File 088</b>	<b>File 143</b>	<b>File 144</b>
ALABAMA	11/06/2013	11/06/2013	11/06/2013	11/06/2013	11/06/2013	12/30/2013
ALASKA	09/12/2013	09/12/2013	09/12/2013	09/12/2013	09/12/2013	09/12/2013
AMERICAN SAMOA	10/17/2013	10/17/2013	10/17/2013	10/17/2013	10/17/2013	10/17/2013
ARIZONA	11/01/2013	11/01/2013	11/01/2013	11/01/2013	11/01/2013	11/01/2013
ARKANSAS	11/01/2013	11/01/2013	11/01/2013	11/01/2013	11/01/2013	11/01/2013
BUREAU OF INDIAN AFFAIRS	-	-	-	-	-	-
CALIFORNIA	10/10/2013	10/15/2013	10/16/2013	10/16/2013	10/16/2013	11/04/2013
COLORADO	10/04/2013	11/01/2013	10/04/2013	11/01/2013	11/01/2013	11/01/2013
CONNECTICUT	11/05/2013	11/05/2013	11/06/2013	11/05/2013	11/05/2013	11/06/2013
DELAWARE	11/13/2013	11/14/2013	11/15/2013	11/14/2013	11/12/2013	11/12/2013
DISTRICT OF COLUMBIA	05/21/2014	05/21/2014	05/21/2014	05/20/2014	05/20/2014	05/20/2014
FEDERATED STATES OF MICRONESIA	12/08/2013	12/08/2013	12/08/2013	12/08/2013	12/08/2013	12/08/2013
FLORIDA	10/29/2013	10/29/2013	10/29/2013	10/29/2013	10/29/2013	10/29/2013
GEORGIA	08/14/2013	08/14/2013	08/14/2013	10/03/2013	08/14/2013	08/14/2013
GUAM	10/22/2013	10/22/2013	10/22/2013	10/22/2013	10/22/2013	10/22/2013
HAWAII	11/06/2013	11/04/2013	11/04/2013	11/07/2013	11/04/2013	11/04/2013
IDAHO	11/01/2013	11/01/2013	11/01/2013	11/01/2013	11/01/2013	11/01/2013
ILLINOIS	10/29/2013	5/01/2014	10/29/2013	12/06/2013	10/29/2013	10/29/2013
INDIANA	10/29/2013	10/31/2013	10/31/2013	10/31/2013	10/29/2013	11/01/2013
IOWA	04/08/2014	11/05/2013	10/31/2013	11/05/2013	11/01/2013	10/31/2013
KANSAS	10/23/2013	12/02/2013	10/23/2013	12/02/2013	12/02/2013	10/14/2013
KENTUCKY	10/15/2013	10/15/2013	10/15/2013	10/15/2013	10/15/2013	10/15/2013
LOUISIANA	10/15/2013	11/5/2013	10/17/2013	10/23/2013	10/31/2013	11/05/2013
MAINE	06/04/2014	06/04/2014	11/01/2013	11/01/2013	11/01/2013	11/01/2013
MARYLAND	10/28/2013	10/28/2013	10/28/2013	10/28/2013	10/28/2013	10/28/2013
MASSACHUSETT S	11/05/2013	11/04/2013	11/05/2013	11/04/2013	11/04/2013	11/04/2013
MICHIGAN	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013
MINNESOTA	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013
MISSISSIPPI	10/30/2013	10/30/2013	10/30/2013	10/30/2013	10/30/2013	10/30/2013
MISSOURI	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013

**IDEA Part B Discipline SY 2012-13**

<b>State</b>	<b>File 005</b>	<b>File 006</b>	<b>File 007</b>	<b>File 088</b>	<b>File 143</b>	<b>File 144</b>
MONTANA	10/17/2013	10/17/2013	10/17/2013	10/17/2013	11/5/2013	10/17/2013
NEBRASKA	12/30/2013	12/30/2013	12/30/2013	12/30/2013	12/30/2013	10/23/2013
NEVADA	11/04/2013	11/04/2013	11/04/2013	11/04/2013	11/04/2013	11/04/2013
NEW HAMPSHIRE	10/25/2013	10/31/2013	10/25/2013	11/01/2013	11/01/2013	10/31/2013
NEW JERSEY	10/10/2013	10/10/2013	10/10/2013	10/10/2013	10/10/2013	10/10/2013
NEW MEXICO	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013
NEW YORK	10/07/2013	10/07/2013	10/07/2013	10/07/2013	10/07/2013	10/07/2013
NORTH CAROLINA	10/28/2013	10/28/2013	12/06/2013	10/25/2013	10/25/2013	12/06/2013
NORTH DAKOTA	09/13/2013	09/13/2013	09/13/2013	09/13/2013	09/13/2013	09/13/2013
NORTHERN MARIANAS	10/21/2013	10/30/2013	10/21/2013	10/21/2013	10/21/2013	10/21/2013
OHIO	10/28/2013	10/28/2013	10/28/2013	10/28/2013	10/28/2013	10/28/2013
OKLAHOMA	10/24/2013	10/24/2013	10/23/2013	10/24/2013	10/24/2013	10/24/2013
OREGON	09/24/2013	09/24/2013	09/24/2013	09/24/2013	09/24/2013	09/24/2013
PENNSYLVANIA	11/04/2013	11/04/2013	11/05/2013	11/05/2013	11/05/2013	11/04/2013
PUERTO RICO	10/23/2013	10/23/2013	10/23/2013	10/23/2013	10/23/2013	10/23/2013
REPUBLIC OF PALAU	10/22/2013	10/22/2013	05/20/2014	10/22/2013	10/22/2013	10/23/2013
REPUBLIC OF THE MARSHALL ISLANDS	09/16/2013	09/16/2013	09/16/2013	09/16/2013	09/16/2013	09/16/2013
RHODE ISLAND	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013	11/05/2013
SOUTH CAROLINA	09/30/2013	10/17/2013	09/30/2013	10/25/2013	10/25/2013	10/25/2013
SOUTH DAKOTA	10/31/2013	11/05/2013	10/31/2013	11/04/2013	11/04/2013	10/09/2013
TENNESSEE	10/31/2013	10/31/2013	10/31/2013	10/31/2013	10/31/2013	11/04/2013
TEXAS	10/28/2013	10/28/2013	10/28/2013	10/28/2013	12/06/2013	10/28/2013
UTAH	11/06/2013	11/06/2013	04/28/2014	11/06/2013	11/06/2013	11/06/2013
VERMONT	11/08/2013	11/08/2013	11/08/2013	11/08/2013	11/08/2013	11/08/2013
VIRGIN ISLANDS	12/03/2013	10/24/2013	10/24/2013	10/24/2013	10/24/2013	10/24/2013
VIRGINIA	10/30/2013	10/30/2013	10/30/2013	10/30/2013	10/30/2013	10/30/2013
WASHINGTON	10/11/2013	10/11/2013	10/11/2013	10/11/2013	10/15/2013	10/15/2013
WEST VIRGINIA	10/23/2013	10/23/2013	10/24/2013	10/24/2013	10/24/2013	11/05/2013
WISCONSIN	02/26/2014	02/25/2014	02/25/2014	02/26/2014	02/26/2014	02/26/2014
WYOMING	10/17/2013	10/16/2013	10/17/2013	10/22/2013	11/05/2013	10/16/2013

- Data not submitted

## Appendix B

### State Survey Responses

State	Remove from ED placement for disciplinary purposes	Statutory/regulatory policy that prohibits practice
Alabama	✓	
Alaska	✓	
American Samoa	✓	
Arizona	✓	
Arkansas	✓	
Bureau of Indian Affairs	✓	
California	✓	
Colorado	✓	
Connecticut	✓	
Delaware	✓	
District of Columbia	✓	
Florida	✓	
Georgia	✓	
Guam	✓	
Hawaii	✓	
Idaho	✓	
Illinois	✓	
Indiana	✓	
Iowa	✓	
Kansas	✓	
Kentucky	✓	
Louisiana	✓	
Maine	✓	
Marshall Islands		
Maryland		Code of Maryland (COMAR) 13A.08.01.11
Massachusetts	✓	
Michigan	✓	
Micronesia	✓	
Minnesota	✓	
Mississippi	✓	
Missouri	✓	
Montana	✓	
Nebraska	✓	

**IDEA Part B Discipline SY 2012-13**

<b>State</b>	<b>Remove from ED placement for disciplinary purposes</b>	<b>Statutory/regulatory policy that prohibits practice</b>
Nevada	✓	
New Hampshire		It is the LEA's responsibility.
New Jersey		NJAC 6A:17-7.1 et seq; NJAC 6A:16.5-7; NJAC 6A:14-2.8; NJSA 18SA:37-1 et seq; NJSA 18A:37
New Mexico	✓	
New York	✓	
North Carolina	✓	
North Dakota	✓	
Northern Marianas		34 CFR subsection 300.530
Ohio	✓	
Oklahoma	✓	
Oregon	✓	
Palau	✓	
Pennsylvania	✓	
Puerto Rico		Part B of IDEA from §§300.530 through 300.536
Rhode Island	✓	
South Carolina	✓	
South Dakota	✓	
Tennessee	✓	
Texas	✓	
Utah		Utah State Board of Education Special Education Rules, Section V.E. (5)
Vermont	✓	
Virgin Islands	✓	
Virginia	✓	
Washington	✓	
West Virginia	✓	
Wisconsin	✓	
Wyoming	✓	