

# **IDEA PART B DISCIPLINE FOR SCHOOL YEAR 2017-2018**

OSEP Data Documentation

November 2019

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## **1.0 Introduction**

### **1.1 Purpose**

The purpose of this document is to provide information necessary to appropriately use State level data files on Individuals with Disabilities Education Act (IDEA) Part B Discipline from the Office of Special Education Programs (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, subject to any kind of disciplinary removal during the school year, and 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 Individualized Education Program (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**

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, local districts and programs.

Section 618 of 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., *EDFacts* Submission System (ESS) or the *EDFacts* Metadata and Process System (*EMAPS*)). Information related to the Section 618 data collected via ESS can be found in the *EDFacts* Series - [EDFacts Special Education/IDEA 2011-12 Study in the ED Data Inventory](#). Information related to the IDEA Section 618 data collected via *EMAPS* can be found in the [IDEA Section 618](#)

[entry in the ED Data Inventory](#). This data documentation deals only with the Part B Discipline data collection and file.

## **2.0 OSEP Part B Discipline Data and Metadata**

### **2.1 State Data**

States / entities are required to report the Discipline data under Title 1, Part A, Subsection 618 of IDEA.

Part B Discipline Data comes from six separate files:

- DG512/C005 - The number of children with disabilities (IDEA) who are ages 3 through 21 and were removed to an interim alternative educational setting.
- DG475/C006 - The number of children with disabilities (IDEA) who are ages 3 through 21 and were 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 and 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 / entities were required to submit SY 2017-2018 data to *EDFacts* no later than November 7, 2018. OSEP reviewed the data for quality issues and provided feedback to States / entities. States / entities were given the opportunity to address the data quality issues by resubmitting the data or providing a data note prior to the

data being published. Finalized data were extracted from the ED*Facts* system after 11:59pm ET on May 29, 2019. Please see [Appendix A](#) for the specific date each State / entity submitted these data.

## 2.2 State Supplemental Survey (SSS) – IDEA Metadata

The State Supplemental Survey – IDEA (SSS-IDEA) collects metadata related to the IDEA Section 618 data collections. OSEP uses the States' / entities' SSS-IDEA metadata responses to verify the accuracy of the IDEA Section 618 data and to appropriately understand and analyze the IDEA Section 618 data. This information is submitted to OSEP via *EMAPS* by the IDEA Part B data managers in each of the 60 IDEA Part B reporting entities. States / entities were required to submit initial SY 2017-18 metadata to *EMAPS* no later than February 21, 2018 and finalized metadata by no later than January 16, 2019.

States / entities were required to report responses to the following questions:

- Does your state remove students with disabilities (IDEA) from their educational placement for disciplinary purposes for the remainder of the school year or longer?
- If No, please provide the relevant statutory/regulatory/policy citation(s) that prohibit this practice.

Please see [Appendix B](#) for the specific responses submitted by each State / entity as of January 16, 2019.

## 2.3 Definitions

**Dangerous 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))

**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 LEA 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. The IEP team is responsible for determining the interim alternative educational setting.

**Serious 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.

### 3.0 Data Quality

#### 3.1 Data Quality Checks

OSEP reviews and evaluates the timeliness, completeness, and accuracy of the data submitted by States / entities to meet the reporting requirements under Section 618 of IDEA. OSEP also conducts year to year change analysis on data submitted by the States / entities.

##### 3.1.1 Timeliness

OSEP identifies a Section 618 data submission as **timely** if the State / entity has submitted the required data to the appropriate data submission system (i.e., ESS or EMAPS) on or before the original due date. The due dates for IDEA Section 618 data are:

- The first Wednesday in 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 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 May for the Part B Maintenance of Effort Reduction and Coordinated Early Intervening Services data collection.

##### 3.1.2 Completeness

OSEP identifies a Section 618 data submission as **complete** if the State / entity 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 / entity match the information in metadata sources such as the EMAPS State Supplemental Survey-IDEA and the EMAPS Assessment Metadata Survey.

### 3.1.3 Accuracy

OSEP identifies a Section 618 data submission as **accurate** if the State / entity 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 / entities in Office of Management and Budget (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 [EDFacts Business Rules Single Inventory \(BRSI\)](#) and the EMAPS user guides available through the [EDFacts Initiative](#) website.

### 3.1.4 Year-to-Year Change Analysis

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 / entity from year to year. If large changes are identified, OSEP requests that the State / entity review the data to ensure 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 / entities provide in relation to the submission of the Section 618 data to better understand if and how the State / entity is meeting the reporting instructions and requirements for the specific data collection. Many of these data notes and explanations are published in the [Data Notes](#) documents accompanying the IDEA Section 618 data files.

## 3.2 Suppression

OSEP identified data quality concerns and suppressed Part B Discipline data for the following States / entities:

- Bureau of Indian Education: Data were suppressed across all SEA Categories for the following file specifications, due to data quality concerns:
  - The number of children with disabilities (IDEA) who are ages 3 through 21 and were removed to an interim alternative educational setting by school personnel or by hearing officer. (FS 005)
  - The number of times children with disabilities (IDEA) who are ages 3 through 21 were unilaterally removed by school personnel from their current educational placement to an interim alternative educational setting due to drug or weapon offenses or serious bodily injury (FS 007)



- Illinois: Data were suppressed across all SEA Categories for the following file specifications, due to data quality concerns:
  - The number of children with disabilities (IDEA) who are ages 3 through 21 and were removed to an interim alternative educational setting by school personnel or by hearing officer (FS 005)
  - The number of times children with disabilities (IDEA) who are ages 3 through 21 were unilaterally removed by school personnel from their current educational placement to an interim alternative educational setting due to drug or weapon offenses or serious bodily injury (FS 007)
- Montana: Data were suppressed across all SEA Categories for the following file specifications, due to data quality concerns:
  - The number of children with disabilities (IDEA) who are ages 3 through 21 and were removed to an interim alternative educational setting by school personnel or by hearing officer (FS 005)
  - The number of children with disabilities (IDEA) who are ages 3 through 21 and were suspended or expelled for disciplinary reasons (FS 006)
  - The number of times children with disabilities (IDEA) who are ages 3 through 21 were unilaterally removed by school personnel from their current educational placement to an interim alternative educational setting due to drug or weapon offenses or serious bodily injury (FS 007)
  - The unduplicated number of children with disabilities (IDEA) who are ages 3 through 21 and were subject to any kind of disciplinary removal during the school year (FS 088)
  - The number of times children with disabilities (IDEA) who are ages 3 through 21 were subject to any kind of disciplinary removal (FS 143)
- Wyoming:

Data were suppressed across all SEA Categories for the following file specifications, due to data quality concerns:

  - The number of children with disabilities (IDEA) who are ages 3 through 21 and were removed to an interim alternative educational setting by school personnel or by hearing officer (FS 005)
  - The number of times children with disabilities (IDEA) who are ages 3 through 21 were unilaterally removed by school personnel from their current educational placement to an interim alternative educational setting due to drug or weapon offenses or serious bodily injury (FS 007)

Data were suppressed across all Race/ethnicity Categories for the following file specifications, due to data quality concerns:

- The number of children with disabilities (IDEA) who are ages 3 through 21 and were suspended or expelled for disciplinary reasons (FS 006)
- The unduplicated number of children with disabilities (IDEA) who are ages 3 through 21 and were subject to any kind of disciplinary removal during the school year (FS 088)
- The number of times children with disabilities (IDEA) who are ages 3 through 21 were subject to any kind of disciplinary removal (FS 143)

### 3.3 Data Notes

States / entities have the option to provide additional information to OSEP related to the data quality inquiries or reporting changes. This information has been compiled and accompanies the data files for data users. Please review the [Discipline Data Notes](#) document when using the public file.

### 4.0 File Structure

The following table provides the layout of the Part B Discipline file.

Number of Variables: 20

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

Updated: The date 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 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
SEA Category	The gender, race/ethnicity, English learner, 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

<b>Variable Name</b>	<b>Type</b>
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 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 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 should be reported in this file?

- Report children with disabilities (IDEA) as defined in 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.

- Report children with disabilities (IDEA) as defined in 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.

- Report children with disabilities (IDEA) as defined in the *EDFacts* Workbook 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.
- Report children with disabilities (IDEA) as defined in the *EDFacts* Workbook who were ages 3 through 21 as of the child count date and were subject to a disciplinary removal.
- Report 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 the *EDFacts* Workbook.

### **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.

Exclude students who were 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.

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

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

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

Students who meet the definition of children with disabilities (IDEA) in 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 English learner status (both)?**

Students who meet the definition of English learner (EL) students in the *EDFacts* Workbook at the time of the removal should be reported as EL. Students who do not meet that definition at the time of the removal should be reported as non-EL.

### **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 "LTORQ1" 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.

**6.0 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 program 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 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 English learner 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.

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 (i.e., race, gender, or English learner 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. For each set of suppressions, ensure that at least one category or group suppressed under Steps 1 and 2 has a value of greater than 1. If not, suppress all information for an additional disability category or demographic group with a value of greater than 1.
4. *(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.*
5. When calculating national totals, ensure that each category or group suppressed in steps 1-3 above is suppressed in at least 1 additional entity to prevent calculation of the suppressed values from the national totals.

With these privacy protections applied, it is the consensus of the Disclosure Review Board that the 2017-2018 IDEA Part B Discipline Data File is safe for public release under FERPA.

**Appendix A**

**Date of the Last State Level Submission**

State	File 005	File 006	File 007	File 088	File 143	File 144
ALABAMA	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018
ALASKA	10/24/2018	10/24/2018	10/26/2018	10/26/2018	10/26/2018	10/26/2018
AMERICAN SAMOA	10/15/2018	10/15/2018	10/15/2018	10/15/2018	10/15/2018	10/15/2018
ARIZONA	10/31/2018	10/31/2018	10/31/2018	10/31/2018	10/31/2018	10/31/2018
ARKANSAS	10/24/2018	10/24/2018	10/24/2018	10/24/2018	10/24/2018	10/24/2018
BUREAU OF INDIAN EDUCATION	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018
CALIFORNIA	10/11/2018	10/24/2018	10/24/2018	10/25/2018	10/25/2018	10/25/2018
COLORADO	10/8/2018	10/11/2018	10/8/2018	10/11/2018	10/17/2018	10/17/2018
CONNECTICUT	1/10/2019	1/14/2019	1/14/2019	1/14/2019	1/14/2019	10/30/2018
DELAWARE	10/18/2018	10/18/2018	10/18/2018	10/18/2018	10/18/2018	10/30/2018
DISTRICT OF COLUMBIA	10/31/2018	10/31/2018	11/2/2018	11/6/2018	11/5/2018	10/31/2018
FEDERATED STATES OF MICRONESIA	10/18/2018	10/18/2018	10/18/2018	10/18/2018	10/18/2018	10/18/2018
FLORIDA	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018
GEORGIA	10/29/2018	10/29/2018	10/29/2018	10/29/2018	10/29/2018	10/29/2018
GUAM	10/21/2018	10/21/2018	10/21/2018	10/21/2018	10/21/2018	11/7/2018
HAWAII	10/17/2018	10/15/2018	10/12/2018	10/15/2018	10/15/2018	10/12/2018
IDAHO	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018
ILLINOIS	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018
INDIANA	10/19/2018	10/19/2018	10/19/2018	10/29/2018	10/29/2018	10/29/2018
IOWA	10/19/2018	10/19/2018	10/19/2018	10/19/2018	10/19/2018	10/23/2018
KANSAS	2/19/2019	2/19/2019	2/19/2019	2/19/2019	2/19/2019	10/24/2018
KENTUCKY	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018
LOUISIANA	11/2/2018	1/8/2019	12/4/2018	11/7/2018	11/7/2018	11/7/2018
MAINE	1/25/2019	1/14/2019	1/25/2019	1/15/2019	1/14/2019	1/14/2019
MARYLAND	10/10/2018	10/10/2018	10/10/2018	10/12/2018	10/15/2018	10/12/2018
MASSACHUSETTS	11/2/2018	11/2/2018	11/2/2018	11/2/2018	11/2/2018	11/2/2018
MICHIGAN	10/19/2018	10/19/2018	10/19/2018	10/19/2018	10/19/2018	10/19/2018
MINNESOTA	11/7/2018	11/7/2018	11/7/2018	11/7/2018	11/7/2018	11/7/2018
MISSISSIPPI	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018
MISSOURI	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018
MONTANA	11/1/2018	11/2/2018	11/2/2018	11/2/2018	11/2/2018	11/1/2018
NEBRASKA	11/7/2018	11/7/2018	11/7/2018	11/7/2018	11/7/2018	11/7/2018
NEVADA	5/23/2019	5/23/2019	5/23/2019	5/23/2019	5/23/2019	5/23/2019
NEW HAMPSHIRE	10/19/2018	10/23/2018	10/19/2018	10/19/2018	10/19/2018	10/19/2018
NEW JERSEY	10/31/2018	11/1/2018	11/5/2018	11/1/2018	11/1/2018	11/5/2018
NEW MEXICO	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018
NEW YORK	10/5/2018	10/5/2018	10/5/2018	10/10/2018	10/10/2018	10/15/2018

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State	File 005	File 006	File 007	File 088	File 143	File 144
NORTH CAROLINA	10/8/2018	10/8/2018	10/8/2018	10/8/2018	10/8/2018	10/8/2018
NORTH DAKOTA	10/5/2018	10/5/2018	10/5/2018	10/5/2018	10/5/2018	10/5/2018
NORTHERN MARIANAS	10/15/2018	10/15/2018	10/15/2018	10/15/2018	11/2/2018	10/15/2018
OHIO	10/12/2018	10/12/2018	10/12/2018	10/12/2018	10/12/2018	10/12/2018
OKLAHOMA	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018
OREGON	10/19/2018	10/19/2018	10/19/2018	10/19/2018	10/19/2018	11/6/2018
PENNSYLVANIA	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018	11/6/2018
PUERTO RICO	10/29/2018	10/29/2018	10/29/2018	10/29/2018	10/29/2018	10/29/2018
REPUBLIC OF PALAU	11/7/2018	11/7/2018	11/2/2018	11/2/2018	11/2/2018	11/7/2018
REPUBLIC OF THE MARSHALL ISLANDS	10/25/2018	10/25/2018	10/25/2018	10/25/2018	10/25/2018	10/25/2018
RHODE ISLAND	10/29/2018	10/29/2018	10/29/2018	10/29/2018	10/29/2018	10/29/2018
SOUTH CAROLINA	10/24/2018	10/24/2018	10/29/2018	10/31/2018	10/31/2018	10/24/2018
SOUTH DAKOTA	10/19/2018	10/19/2018	10/19/2018	10/19/2018	10/19/2018	10/19/2018
TENNESSEE	11/5/2018	11/5/2018	1/10/2019	11/5/2018	11/5/2018	11/5/2018
TEXAS	10/8/2018	10/9/2018	10/9/2018	10/9/2018	10/9/2018	10/26/2018
UTAH	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018	11/5/2018
VERMONT	-	-	-	-	-	-
VIRGIN ISLANDS	10/29/2018	10/29/2018	10/29/2018	10/29/2018	10/29/2018	10/29/2018
VIRGINIA	10/23/2018	10/23/2018	10/23/2018	10/23/2018	10/23/2018	10/23/2018
WASHINGTON	10/5/2018	10/5/2018	10/5/2018	10/5/2018	10/5/2018	10/5/2018
WEST VIRGINIA	11/6/2018	11/5/2018	11/6/2018	11/6/2018	11/5/2018	11/5/2018
WISCONSIN	1/17/2019	1/17/2019	1/17/2019	1/17/2019	1/17/2019	1/17/2019
WYOMING	12/17/2018	12/17/2018	12/17/2018	3/15/2019	12/18/2018	12/17/2018

- Data not submitted

**Appendix B**

**State Survey Responses**

States submitted these responses via the *EMAPS* State Supplemental Survey-IDEA.

<b>State</b>	<b>Remove from ED placement for disciplinary purposes</b>	<b>Statutory/regulatory policy that prohibits practice</b>
Alabama	yes	
Alaska	yes	
American Samoa	yes	
Arizona	yes	
Arkansas	yes	
Bureau of Indian Affairs	yes	
California	yes	
Colorado	yes	
Connecticut	yes	
Delaware	yes	
District of Columbia	yes	
Federated States of Micronesia	yes	
Florida	yes	
Georgia	yes	
Guam	yes	
Hawaii	yes	
Idaho	yes	
Illinois	yes	
Indiana	yes	
Iowa	yes	
Kansas	yes	
Kentucky	yes	
Louisiana	yes	
Maine	yes	
Maryland	yes	
Massachusetts	yes	
Michigan	yes	
Minnesota	yes	
Mississippi	yes	
Missouri	yes	
Montana	yes	
Nebraska	yes	
Nevada	yes	
New Hampshire	yes	
New Jersey	no	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 6A:14-2.8 Discipline/suspension/expulsion 1. Notwithstanding (a) above, preschool students with disabilities shall not be

State	Remove from ED placement for disciplinary purposes	Statutory/regulatory policy that prohibits practice
		suspended, long-term or short-term, and shall not be expelled.
New Mexico	yes	
New York	yes	
North Carolina	yes	
North Dakota	yes	
Northern Marianas	yes	
Ohio	yes	
Oklahoma	yes	
Oregon	yes	
Pennsylvania	yes	
Puerto Rico	no	Part B of IDEA from §§300.530 through 300.536
Republic of Palau	yes	
Republic of the Marshall Islands	no	RMI Special Education Policies and Procedures
Rhode Island	no	A child may be removed from his/her regular school, but in Rhode Island the child MUST continue to receive educational services if the removal is greater than 10 days cumulative. (RI Reg. 300.530)
South Carolina	yes	
South Dakota	yes	
Tennessee	yes	
Texas	yes	
Utah	no	Utah State Board of Education Special Education Rules, Section V.
Vermont	yes	
Virgin Islands	yes	
Virginia	yes	
Washington	yes	
West Virginia	yes	
Wisconsin	yes	
Wyoming	yes	