



# PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Mark Johnson, *Superintendent of Public Instruction*

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July 16, 2019

## MEMORANDUM

**TO:** Exceptional Children Directors/Coordinators  
Public School Units

**FROM:** Sherry H. Thomas, Director  
Exceptional Children Division

A handwritten signature in black ink, appearing to be 'SHT', written over the printed name of Sherry H. Thomas.

**SUBJECT:** **Warning Lists for Significant Disproportionality**

The December 19, 2016, Equity in IDEA regulation on significant disproportionality requires the examination of data to determine if significant disproportionality based on race and ethnicity is occurring as described under §300.646(a)(1)(2)(3). The determination must be made with respect to 1) the identification of students with disabilities, including specific disability categories; 2) the placement of students with disabilities in particular educational settings; and 3) the incidence, duration and type of disciplinary actions.

Public School Units (PSUs) were notified in a recent memorandum of those identified as having significant disproportionality in each of the three areas examined and the requirement to reserve federal funds to provide comprehensive coordinated early intervening services to serve children in the identified PSUs. The memorandum also indicated that notification of PSUs receiving a warning (the potential to have significant disproportionality in future years), in any of the three areas examined, would be sent separately.

Enclosed are: 1) **the lists of PSUs that are receiving a warning for the potential to have significant disproportionality in future years, in any of the three areas examined**; and 2) the process steps/criteria used for making determinations regarding significant disproportionality (identification, placement and discipline). PSUs without significant disproportionality, may choose to use an amount up to 15 percent of the total PSU IDEA federal funds for 2019-20 (611 funds and 619 funds) to provide comprehensive coordinated early intervening services. If a PSU chooses to provide CEIS, the amount elected will be reallocated from PRC 60 to PRC 70 and an implementation plan must be included in the PSU's IDEA Part B (611) Grant application for FY 2019-20 (see June 17, 2019 memo from Sherry Thomas regarding coordinated early intervening services permissive use).

In accordance with §300.226(a), while PSUs may elect to provide CEIS to children K-12 who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment, the regulations strongly encourage these services to be provided to children K-3. PSUs that choose to provide CEIS must maintain documentation of the number of children who receive CEIS during SY 2019-20 and subsequently receive special education and related services in SY 2019-20, 2020-21 or 2021-22.

In our collaborative effort to address the potential to have significant disproportionality in future years, the Division supports your efforts to address the academic and behavioral needs of at-risk students. For questions about warning list determinations please contact Nancy Johnson at [ntjohnso@uncc.edu](mailto:ntjohnso@uncc.edu) or 704-576-2760 or Matt Hoskins at [matt.hoskins@dpi.nc.gov](mailto:matt.hoskins@dpi.nc.gov) or 919-807-4145. For questions about CEIS and permissive use of funds, please contact Amanda Byrd at [amanda.byrd@dpi.nc.gov](mailto:amanda.byrd@dpi.nc.gov) or 919-807-3948 or your regional coordinator.

SHT/NTJ:kb

Enclosures

c Alexis Schauss  
Matt Hoskins  
Amanda Byrd  
Nancy Johnson  
Regional Coordinators

**EXCEPTIONAL CHILDREN DIVISION**

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AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER



## North Carolina's Significant Disproportionality Determination Process (Identification)

April 2019

**Identification:** Data are analyzed by seven (7) race/ethnicity categories for an LEA's overall population of children with disabilities (special education) and in specific disability categories, including autism; intellectual disability; other health impairment; serious emotional disability; specific learning disability; and speech-language impairment.

**Definition of Disproportionate Representation in Identification:**  $\geq 3.0$  risk ratio or alternate risk ratio in special education and six (6) specific disability categories.

### Process:

#### Step 1: Determination of Cell and "N" Sizes

**Step 1a:** Determine an LEA's cell size  $\geq 10$  for a given race/ethnicity for the LEA's overall children with disabilities (special education) population and each of the six disability categories identified above.

For an LEA with a cell size  $\geq 10$  go to step 1b.

For an LEA with a cell size  $< 10$  stop.

**Step 1b:** Determine an LEA's "N" size  $\geq 30$  for a given race/ethnicity for the overall enrollment population. For an LEA with an "N" size  $\geq 30$  go to step 2 and use the risk ratio calculation to determine if an LEA has disproportionate representation. For an LEA with an "N" size of  $< 30$  or a cell size of  $< 10$  in the comparison group go to step 2 and use the alternate risk ratio calculation.

#### Step 2: Determination of Disproportionate Representation

Determine if an LEA has disproportionate representation for the current year, using either the risk ratio calculation or alternate risk ratio calculation (see step 1b above).

An LEA with  $\geq 3.0$  risk ratio or alternate risk ratio has disproportionate representation for the current year.

If an LEA has disproportionate representation for the current year, go to Step 3. If not, stop; an LEA does not have disproportionate representation and, thus, does not have significant disproportionality nor does it receive a warning.

#### Step 3: Determination of Disproportionate Representation in Consecutive Years

Determine if an LEA has had disproportionate representation for three (3) consecutive years.

If an LEA has had disproportionate representation for 3 consecutive years, go to Step 4. If not, stop; an LEA receives a warning for the current year and is in danger of having significant disproportionality in future years.

#### Step 4: Determination of Reasonable Progress Made

Determine if an LEA's current risk ratio or alternate risk ratio has decreased, remained the same or increased in each of the two prior consecutive years to determine if the LEA has made reasonable progress.

If an LEA's current risk ratio or alternate risk ratio has decreased, remained the same or increased by a  $\leq 0.2$  percentage point in each of the two prior consecutive years and the LEA now has a risk ratio or alternate risk ratio  $\leq 5.0$ , the LEA has made reasonable progress and receives a warning for the current year and is in danger of having significant disproportionality in future years.

If an LEA's risk ratio or alternate risk ratio has increased in each of the two prior consecutive years by a  $> 0.2$  percentage point and/or the LEA now has a risk ratio or alternate risk ratio  $> 5.0$ , the LEA is determined to have significant disproportionality for the current year.

2018-19 Significant Disproportionality Warning List – Identification

All Disabilities										
LEA	Dec1 2018 Ages 6-21 (Cell ≥ 10)	Race/ Ethnicity	2018- 19 RR ≥ 3.0	3 yrs w/ RR ≥ 3.0 Disp Rep	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)					Status
					2017-18 RR	2016-17 RR	2018-19 RR ≤ 5.0	2018-19 RR < 0.2 ↑ from 2017-18 RR	2017-18 RR < 0.2 ↑ from 2016-17 RR	
Anderson Creek Club	20/23	W	3.47	No (Yr1)	NA	NA	NA	NA	NA	W
Charlotte Choice	11/12	B	3.40	No (Yr1)	NA	NA	NA	NA	NA	W
Raleigh Charter High	20/21	W	12.73	No (Yr1)	NA	NA	NA	NA	NA	W
Rockingham County Schools	12/1726	AI	3.24	No (Yr1)	NA	NA	NA	NA	NA	W
Union Day School	26/29	W	4.51	No (Yr1)	NA	NA	NA	NA	NA	W
Weldon City Schools	15/111	W	5.01	No (Yr1)	NA	NA	NA	NA	NA	W

RR - risk ratio  
 Disp Rep - disproportionate representation  
 W - Warning

AI – American Indian/Alaskan Native  
 A – Asian  
 B – Black or African American  
 H – Hispanic Latino  
 H/PI – Hawaiian/Pacific Islanders  
 W – White  
 Two or more – two or more races



2018-19 Significant Disproportionality Warning List – Identification

		Emotional Disability							Status	
		Step 1 (Cell size)	Step 2 (Current year w/Disp Rep)	Step 3 (3 years w/Disp Rep)	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)					
LEA	Dec1 2018 Ages 6-21 (Cell ≥ 10)	Race/Ethnicity	2018-19 RR ≥ 3.0	3 yrs w/ RR ≥ 3.0 Disp Rep	2017-18 RR	2016-17 RR	2018-19 RR ≤ 5.0	2018-19 RR < 0.2 ↑ from 2017-18 RR	2017-18 RR < 0.2 ↑ from 2016-17 RR	
Asheville City Schools	25/47	B	4.57	No (Yr2)	3.92	NA	NA	No	NA	W
Chapel Hill-Carrboro Schools	16/48	B	4.01	No (Yr2)	5.59	NA	NA	Yes	NA	W
Craven County Schools	36/61	B	3.77	No (Yr1)	NA	NA	NA	NA	NA	W
Franklin County Schools	22/33	B	4.54	No (Yr2)	3.86	NA	NA	No	NA	W
Johnston County Schools	59/122	B	4.98	No (Yr2)	4.95	NA	NA	Yes	NA	W
Pender County Schools	16/27	B	9.19	No (Yr2)	4.48	NA	NA	No	NA	W
Richmond County Schools	11/16	B	4.05	No (Yr2)	5.95	NA	NA	Yes	NA	W
Roanoke Rapids City Schools	16/19	W	3.63	No (Yr1)	NA	NA	NA	NA	NA	W
Public Schools of Robeson County	18/30	B	5.02	No (Yr2)	3.83	NA	NA	No	NA	W
Scotland County Schools	15/19	B	4.51	No (Yr1)	NA	NA	NA	NA	NA	W
Union County Schools	21/65	B	3.41	No (Yr2)	3.76	NA	NA	Yes	NA	W
Wake County Schools	398/743	B	3.95	No (Yr2)	4.10	NA	NA	Yes	NA	W

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2018-19 Significant Disproportionality Warning List – Identification

Intellectual Disability-Mild										
LEA	Step 1 (Cell size)		Step 2 (Current year w/Disp Rep)	Step 3 (3 years w/Disp Rep)	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)					Status
	Decl 2018 Ages 6-21 (Cell ≥ 10)	Race/ Ethnicity	2018-19 RR ≥ 3.0	3 yrs w/ RR ≥ 3.0 Disp Rep	2017-18 RR	2016-17 RR	2018-19 RR ≤ 5.0	2018-19 RR < 0.2 ↑ from 2017-18 RR	2017-18 RR < 0.2 ↑ from 2016-17 RR	
Anson County Schools	40/49	B	3.41	Yes	3.63	3.54	Yes	Yes	Yes	W
Ashe County Schools	27/28	W	4.73	No (Yr1)	NA	NA	NA	NA	NA	W
Asheboro City Schools	12/36	B	3.01	No (Yr1)	NA	NA	NA	NA	NA	W
Asheville City Schools	20/30	B	8.03	No (Yr2)	8.27	NA	NA	Yes	NA	W
Beaufort County Schools	37/58	B	3.75	No (Yr2)	3.16	NA	NA	No	NA	W
Caswell County Schools	17/24	B	4.14	No (Yr2)	4.17	NA	NA	Yes	NA	W
Chapel Hill – Carrboro City Schools	11/26	B	5.88	No (Yr1)	NA	NA	NA	NA	NA	W
Charlotte – Mecklenburg Schools	471/726	B	3.07	No (Yr2)	3.23	NA	NA	Yes	NA	W
Craven County Schools	43/78	B	3.22	No (Yr2)	3.66	NA	NA	Yes	NA	W
Durham Public Schools	140/197	B	3.15	No (Yr2)	3.47	NA	NA	Yes	NA	W



Edenton – Chowan Schools	19/20	B	23.73	No (Yr2)	24.33	NA	NA	Yes	NA	W
Franklin County Schools	49/86	B	3.01	Yes (Yr3)	3.86	3.83	Yes	Yes	Yes	W
Guilford County Schools	310/460	B	3.01	No (Yr1)	NA	NA	NA	NA	NA	W
Harnett County Schools	60/109	B	3.81	No (Yr2)	4.08	NA	NA	Yes	NA	W
Hickory City Schools	28/46	B	6.35	No (Yr2)	5.20	NA	NA	No	NA	W
Iredell – Statesville Schools	45/108	B	4.33	No (Yr2)	4.04	NA	NA	No	NA	W
Lee County Schools	25/46	B	4.60	No (Yr2)	4.32	NA	NA	No	NA	W
Lincoln County Schools	21/127	B	3.02	No (Yr1)	NA	NA	NA	NA	NA	W
Martin County Schools	36/41	B	7.05	No (Yr2)	4.70	NA	NA	No	NA	W
New Hanover County Schools	41/85	B	3.76	No (Yr1)	NA	NA	NA	NA	NA	W
Newton – Conover City Schools	11/30	B	4.12	No (Yr1)	NA	NA	NA	NA	NA	W
Onslow County Schools	50/112	B	3.61	No (Yr2)	3.16	NA	NA	No	NA	W
Orange County Schools	10/24	B	4.25	No (Yr1)	NA	NA	NA	NA	NA	W
Pender County Schools	24/54	B	5.06	No (Yr2)	4.48	NA	NA	No	NA	W
Person County Schools	30/48	B	3.31	No (Yr2)	4.54	NA	NA	Yes	NA	W
Pitt County Schools	221/229	B	3.49	No (Yr2)	3.60	NA	NA	Yes	NA	W
Scotland County Schools	57/79	B	3.12	Yes	3.08	3.70	Yes	Yes	Yes	W



Union County Schools	48/145	B	3.53	No (Yr2)	4.26	NA	NA	Yes	NA	W
Wake County Schools	240/463	B	3.69	Yes	3.79	3.60	Yes	Yes	Yes	W
Washington County Schools	19/20	B	5.81	No (Yr1)	NA	NA	NA	NA	NA	W
Wilson County Schools	109/142	B	4.13	Yes	4.73	5.26	Yes	Yes	Yes	W

RR - risk ratio

Disp Rep - disproportionate representation

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B - Black or African American

H - Hispanic Latino

H/PI - Hawaiian/Pacific Islanders

W - White

Two or more - two or more races



2018-19 Significant Disproportionality Warning List – Identification

LEA	Step 1 (Cell size) Dec1 2018 Ages 6-21 (Cell ≥ 10)	Race/ Ethnicity	Step 2 (Current year w/Disp Rep) 2018- 19 RR ≥ 3.0	Step 3 (3 years w/Disp Rep) 3 yrs w/ RR ≥ 3.0 Disp Rep	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)					Status	
					2017-18 RR	2016-17 RR	2018-19 RR ≤ 5.0	2018-19 RR < 0.2 ↑ from 2017-18 RR	2017-18 RR < 0.2 ↑ from 2016-17 RR		
Charlotte Secondary School	12/24	W	3.11	No (Yr2)	3.21	NA	NA	NA	Yes	NA	W
Clay County Schools	27/28	W	3.53	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Envision Science Academy	18/20	W	4.23	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Gate City Charter Academy	17/19	B	3.01	No (Yr1)	NA	NA	NA	NA	NA	NA	W
KIPP Durham College Preparation	12/13	B	15.89	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Lincoln Charter	27/28	W	6.17	No (Yr1)	NA	NA	NA	NA	NA	NA	W
New Hanover County Schools	289/693	B	3.18	No (Yr2)	3.21	NA	NA	NA	Yes	NA	W
Pamlico County Schools	23/50	B	3.45	No (Yr2)	4.06	NA	NA	NA	Yes	NA	W
Phoenix Academy	10/18	B	3.45	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Piedmont Community Charter	38/45	W	3.24	No (Yr1)	NA	NA	NA	NA	NA	NA	W

Other Health Impaired



River Mill Academy	26/29	W	3.58	No (Yr2)	4.93	NA	NA	Yes	NA	W
Triangle Math & Science	12/17	W	4.21	No (Yr1)	NA	NA	NA	NA	NA	W
Union Day School	10/11	W	5.21	No (Yr1)	NA	NA	NA	NA	NA	W

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2018-19 Significant Disproportionality Warning List – Identification

LEA	Specific Learning Disability								Status	
	Step 1 (Cell size)	Step 2 (Current year w/Disp Rep)	Step 3 (3 years w/Disp Rep)	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)						
Chapel Hill – Carrboro Schools	217/514	H	3.62	No (Yr2)	3.67	NA	NA	Yes	NA	W
Neuse Charter	11/36	H	3.69	No (Yr1)	NA	NA	NA	NA	NA	W
Reaching All Minds	11/13	H	3.04	No (Yr2)	3.51	NA	NA	Yes	NA	W
Washington Montessori	32/33	W	4.89	No (Yr2)	4.93	NA	NA	Yes	NA	W

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 H/PI – Hawaiian/Pacific Islanders  
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 Two or more – two or more races



## 2018-19 Significant Disproportionality Warning List – Identification

Speech-Language Impairment										
LEA	Step 1 (Cell size)		Step 2 (Current year w/Disp Rep)	Step 3 (3 years w/Disp Rep)	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)					Status
	Decl 2018 Ages 6-21 (Cell ≥ 10)	Race/ Ethnicity	2018- 19 RR ≥ 3.0	3 yrs w/ RR ≥ 3.0 Disp Rep	2017-18 RR	2016-17 RR	2018-19 RR ≤ 5.0	2018-19 RR < 0.2 ↑ from 2017-18 RR	2017-18 RR < 0.2 ↑ from 2016-17 RR	
Anderson Creek Club	12/12	W	6.11	No (Yr1)	NA	NA	NA	NA	NA	W
Pamlico County Schools	18/21	W	3.59	No (Yr1)	NA	NA	NA	NA	NA	W
Washington County Schools	18/19	B	5.50	No (Yr1)	NA	NA	NA	NA	NA	W

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Disp Rep - disproportionate representation  
**W – Warning**

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A – Asian      W – White  
B – Black or African American      Two or more – two or more races  
H – Hispanic Latino



## North Carolina's Significant Disproportionality Determination Process (Placement)

April 2019

**Placement:** Data are analyzed by seven (7) race/ethnicity categories for children with disabilities, ages 6 -21, for placement options: regular class < 40% of day and separate environments.

**Definition of Disproportionate Representation in Placement:**  $\geq 3.0$  risk ratio or alternate risk ratio for placement options: regular class < 40% of day and separate environments.

### Process:

#### Step 1: Determination of Cell and "N" Sizes

**Step 1a:** Determine an LEA's cell size  $\geq 10$  for a given race/ethnicity for the placement option being considered.

For an LEA with a cell size  $\geq 10$  go to step 1b.

For an LEA with a cell size < 10 stop.

**Step 1b:** Determine an LEA's "N" size  $\geq 30$  for a given race/ethnicity for the overall population of students with IEPs. For an LEA with an "N" size  $\geq 30$ , go to step 2 and use the risk ratio calculation to determine if an LEA has disproportionate representation. For an LEA with an "N" size < 30 or a cell size of < 10 in the comparison group go to step 2 and use the alternate risk ratio calculation.

#### Step 2: Determination of Disproportionate Representation

Determine if an LEA has disproportionate representation for the current year, using either the risk ratio calculation or alternate risk ratio calculation (see step 1b above).

An LEA with  $\geq 3.0$  risk ratio or alternate risk ratio has disproportionate representation for the current year.

If an LEA has disproportionate representation for the current year, go to Step 3. If not, stop; an LEA does not have disproportionate representation and, thus, does not have significant disproportionality nor does it receive a warning.

#### Step 3: Determination of Disproportionate Representation in Consecutive Years

Determine if an LEA has had disproportionate representation for three (3) consecutive years.

If an LEA has had disproportionate representation for 3 consecutive years, go to Step 4. If not, stop; an LEA receives a warning for the current year and is in danger of having significant disproportionality in future years.

#### Step 4: Determination of Reasonable Progress

Determine if an LEA's current risk ratio or alternate risk ratio has decreased, remained the same or increased in each of the two prior consecutive years to determine if the LEA has made reasonable progress.

If an LEA's current risk ratio or alternate risk ratio has decreased, remained the same or increased by a  $\leq 0.2$  percentage point in each of the two prior consecutive years and the LEA now has a risk ratio or alternate risk ratio  $\leq 5.0$ , the LEA has made reasonable progress and receives a warning for the current year and is in danger of having significant disproportionality in future years.

If an LEA's risk ratio or alternate risk ratio has increased in each of the two prior consecutive years by a  $> 0.2$  percentage point and/or the LEA now has a risk ratio or alternate risk ratio  $> 5.0$ , the LEA is determined to have significant disproportionality for the current year.



2018-19 Significant Disproportionality Warning List – Placement

Separate Class/Regular Education 39% or less – All Disabilities										
LEA	Step 1 (Cell size)		Step 2 (Current year w/Disp Rep)	Step 3 (3 years w/Disp Rep)	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)					Status
	Dec1 2018 Ages 6-21 (Cell ≥ 10)	Race/ Ethnicity	2018- 19 RR ≥ 3.0	3 yrs w/ RR ≥ 3.0 Disp Rep	2017-18 RR	2016-17 RR	2018-19 RR ≤ 5.0	2018-19 RR < 0.2 ↑ from 2017-18 RR	2017-18 RR < 0.2 ↑ from 2016-17 RR	
Perquimans County Schools	14/20	B	3.99	No (Y'1)	NA	NA	NA	NA	NA	W
Voyager Academy	11/12	W	6.96	No (Y'1)	NA	NA	NA	NA	NA	W

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 W - Warning

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 B – Black or African American  
 H – Hispanic Latino

H/PI – Hawaiian/Pacific Islanders  
 W – White  
 Two or more – two or more races



**2018-19 Significant Disproportionality Warning List – Placement**

Separate Environment – All Disabilities										
LEA	Step 1 (Cell size)	Step 2 (Current year w/Disp Rep)	Step 3 (3 yrs w/Disp Rep)	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)					Status	
	Dec1 2018 Ages 6-21 (Cell ≥ 10)	Race/Ethnicity	2018- 19 RR ≥ 3.0	3 yrs w/ RR ≥ 3.0 Disp Rep	2017-18 RR	2016-17 RR	2018-19 RR ≤ 5.0	2018-19 RR < 0.2 ↑ from 2017-18 RR		2017-18 RR < 0.2 ↑ from 2016-17 RR
Alamance – Burlington Schools	39/56	W	3.33	No (Yr1)	NA	NA	NA	NA	NA	W
Asheville City Schools	19/28	W	3.30	No (Yr1)	NA	NA	NA	NA	NA	W
Beaufort County Schools	16/20	W	4.86	No (Yr1)	NA	NA	NA	NA	NA	W
Cumberland County Schools	14/25	W	3.46	No (Yr2)	4.39	NA	NA	Yes	NA	W
Lexington City Schools	26/38	W	3.49	No (Yr2)	6.73	NA	NA	Yes	NA	W
Nash – Rocky Mount Schools	21/38	W	3.63	No (Yr2)	3.62	NA	NA	Yes	NA	W
Wilkes County Schools	20/21	W	5.64	No (Yr1)	NA	NA	NA	NA	NA	W

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 W – White  
 Two or more – two or more races



## North Carolina's Significant Disproportionality Determination Process (Discipline)

April 2019

**Discipline:** To determine if an LEA has significant disproportionality regarding discipline of students with disabilities, data are analyzed by seven (7) race/ethnicity categories for five (5) different disciplinary actions. Data analyzed include: 1) > 10-day out-of-school suspensions/expulsions; 2) > 10-day in-school suspensions; 3) 1 - 10 day out-of-school suspensions; 4) 1 – 10 day in-school suspensions; and 5) total disciplinary removals.

**Definition of Significant Discrepancy in Discipline:**  $\geq 3.0$  risk ratio or alternate risk ratio for five (5) disciplinary actions identified.

### Process:

#### Step 1: Determination of Cell and "N" Sizes

**Step 1a:** Determine an LEA's cell size of  $\geq 10$  for the type of disciplinary action.

For an LEA with a cell size  $\geq 10$  go to step 1b.

For an LEA with a cell size  $< 10$  stop.

**Step 1b:** Determine an LEA's "N" size  $\geq 30$  for a given race/ethnicity for the overall population of students with IEPs. For an LEA with an "N" size  $\geq 30$ , go to step 2 and use the risk ratio calculation to determine if an LEA has disproportionate representation. For an LEA with an "N" size  $< 30$  or a cell size  $< 10$  in the comparison group go to step 2 and use the alternate risk ratio calculation.

#### Step 2: Step 2: Determination of Disproportionate Representation

Determine if an LEA has disproportionate representation in a disciplinary action for the current year, using either the risk ratio calculation or alternate risk ratio calculation (see step 1b above).

An LEA with  $\geq 3.0$  risk ratio or alternate risk ratio has disproportionate representation for the current year.

If an LEA has disproportionate representation for the current year, go to Step 3. If not, stop; an LEA does not have disproportionate representation and, thus, does not have significant disproportionality nor does it receive a warning.

#### Step 3: Determination of Disproportionate Representation in Consecutive Years

Determine if an LEA has had disproportionate representation in a disciplinary action for three (3) consecutive years. If an LEA has had disproportionate representation in a disciplinary action for 3 consecutive years, go to Step 4. If not, stop; an LEA receives a warning for the current year and is in danger of having significant disproportionality in future years.

#### Step 4: Determination of Reasonable Progress

Determine if an LEA's current risk ratio or alternate risk ratio has decreased, remained the same or increased in each of the two prior consecutive years to determine if the LEA has made reasonable progress.

If an LEA's current risk ratio or alternate risk ratio has decreased, remained the same or increased by a  $\leq 0.2$  percentage point in each of the two prior consecutive years and the LEA now has a risk ratio or alternate risk ratio  $\leq 5.0$ , the LEA has made reasonable progress and receives a warning for the current year and is in danger of having significant disproportionality in future years.

If an LEA's risk ratio or alternate risk ratio has increased in each of the two prior consecutive years by a  $> 0.2$  percentage point and/or the LEA now has a risk ratio or alternate risk ratio  $> 5.0$ , the LEA is determined to have significant disproportionality for the current year.



2018-19 Significant Disproportionality Warning List – Discipline (Data years are on a one-year lag)

Total Removals										
LEA	Step 1 (Cell size)	Step 2 (Current year w/Disp Rep)	Step 3 (3 years w/Disp Rep)	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/dysproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)				Status		
	2017 - 18 Removals Ages 6-21 (Cell ≥ 10)	Race/Ethnicity	2017 - 18 RR ≥ 3.0	3 yrs w/ RR ≥ 3.0 Disp Rep	2016-17 RR	2015-16 RR	2017-18 RR ≤ 5.0		2017-18 RR < 0.2 ↑ from 2016-17 RR	2016-17 RR < 0.2 ↑ from 2015-16 RR
Anson County Schools	355/409	B	3.10	Yes	3.65	4.92	Yes	Yes	Yes	W
Camden County Schools	21/60	B	3.28	No (Yr1)	NA	NA	NA	NA	NA	W
	11/60	Two or more	4.41	No (Yr1)	NA	NA	NA	NA	NA	W
Charlotte – Mecklenburg Schools	4975/6456	B	3.82	Yes	4.59	4.58	Yes	Yes	Yes	W
Greene County Schools	124/168	B	3.25	No (Yr1)	NA	NA	NA	NA	NA	W
Hyde County Schools	18/24	B	6.30	No (Yr1)	NA	NA	NA	NA	NA	W
Ignite Innovation Academy	17/21	B	3.45	No (Yr1)	NA	NA	NA	NA	NA	W
Iredell – Statesville Schools	684/1516	B	3.48	No (Yr1)	NA	NA	NA	NA	NA	W
Kestrel Heights Charter School	28/32	B	4.02	No (Yr1)	NA	NA	NA	NA	NA	W
Lake Norman Charter School	21/22	W	11.45	No (Yr1)	NA	NA	NA	NA	NA	W
Lexington City Schools	54/85	B	4.59	No (Yr1)	NA	NA	NA	NA	NA	W
Martin County Schools	213/253	B	4.80	No (Yr1)	NA	NA	NA	NA	NA	W



Maureen Joy Charter School	34/44	B	4.61	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Mooresville City Schools	233/498	B	3.26	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Mountain Island Charter School	25/40	B	3.49	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
New Hanover County Schools	1337/1997	B	3.66	Yes	6.33	7.39	Yes	Yes	Yes	Yes	Yes	Yes	W
Richmond County Schools	587/842	B	3.07	Yes	3.00	3.12	Yes	Yes	Yes	Yes	Yes	Yes	W
Triad Math & Science	68/80	B	3.92	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Tyrell County Schools	52/68	B	4.67	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Union Academy Charter	20/42	B	4.82	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Union Prep Academy	10/13	W	3.40	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Vance Charter School	14/15	W	4.07	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Voyager Academy	15/18	B	16.00	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Wake County Schools	857/9707	A	3.01	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
	6209/9707	B	3.79	Yes	5.19	5.26	Yes	Yes	Yes	Yes	Yes	Yes	W
Weldon City Schools	87/88	B	13.95	No (Yr1)	NA	NA	NA	NA	NA	NA	NA	NA	W
Wilson County Schools	520/664	B	3.19	Yes		3.59	Yes	Yes	Yes	Yes	Yes	Yes	W

RR - risk ratio

Disp. Rep - disproportionate representation

W - Warning

AI - American Indian/Alaskan Native

A - Asian

B - Black or African American

H - Hispanic Latino

H/PI - Hawaiian/Pacific Islanders

W - White

Two or more - two or more races



2018-19 Significant Disproportionality Warning List – Discipline (Data years are on a one-year lag)

LEA	Out-of-School Suspensions (OSS) 1 to 10 Days										Status
	Step 1 (Cell size) 2017 - 18 OSS 1-10 days (Cell ≥ 10)	Step 2 (Current Year w/Disp. Rep) 2017- 18 RR ≥ 3.0	Step 3 (3 years w/Disp Rep) 3 yrs w/ RR ≥ 3.0 Disp Rep	Step 4 - Was Reasonable Progress Made? (After 3 consecutive years w/disproportionate representation, yes in ≤ 5.0 in current year and yes for RR < 0.2 ↑ from each of previous 2 years)	2016-17 RR	2015-16 RR	2017-18 RR ≤ 5.0	2017-18 RR < 0.2 ↑ from 2016-17 RR	2016-17 RR < 0.2 ↑ from 2015-16 RR		
Asheville City Schools	65/99	B	3.00	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Bertie County Schools	28/29	B	5.79	No (Yr2)	3.06	NA	NA	NA	No	NA	W
Columbus County Schools	52/80	B	3.23	No (Yr2)	3.46	NA	NA	NA	Yes	NA	W
Greene County Schools	34/41	B	5.60	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Healthy Start Academy	10/10	B	3.72	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Northampton County Schools	50/54	B	3.17	Yes	3.16	3.97	Yes	Yes	Yes	Yes	W
Pamlico County Schools	18/30	B	3.41	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Wake County Schools	1176/1968	B	3.17	Yes	3.29	6.77	Yes	Yes	Yes	Yes	W
Weldon City Schools	19/20	B	3.05	No (Yr1)	NA	NA	NA	NA	NA	NA	W
Whiteville City Schools	23/31	B	3.22	No (Yr1)	NA	NA	NA	NA	NA	NA	W

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H/PI – Hawaiian/Pacific Islanders  
W – White  
Two or more – two or more races