



PUBLIC SCHOOLS OF NORTH CAROLINA

DEPARTMENT OF PUBLIC INSTRUCTION | Catherine Truitt, *Superintendent of Public Instruction*

WWW.DPI.NC.GOV

April 22, 2021

MEMORANDUM

TO: Directors, Exceptional Children Programs
 Coordinators/Lead Administrators, Charter Schools
 Directors, State Operated Programs
 Superintendents, Local School Agency

FROM: Sherry H. Thomas, Director DS
SHT

SUBJECT: **Significant Disproportionality/Mandatory Comprehensive Coordinated Early Intervening Services (CCEIS)**

The 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.

The regulation further requires public school units (PSUs) determined to have significant disproportionality as described under 34 CFR §300.646(b)(2)(d) to reserve the maximum amount of federal funds (15 percent) under section 613(f) of the Act to provide comprehensive coordinated early intervening services. The PSU may use funds reserved to serve children age 3 through grade 12, particularly, but not exclusively, children in those groups who were significantly overidentified, who are not currently identified as needing special education and related services, and children with disabilities. The provision of CCEIS may not be limited to children with disabilities. The PSU must identify and address the factors contributing to the significant disproportionality in its CCEIS plan within its VI-B Grant application. The regulation also requires the PSU to review and, if appropriate, revise policies, practices, and procedures to ensure compliance with the requirements of the Act and requires the PSU to report to the public on any revisions to the policies, practices, and procedures as described under 34 CFR §300.646(c)(1) of the IDEA regulations.

Enclosed are: 1) **the lists of PSUs that are identified as having significant disproportionality (SD) in identification and disciplinary actions in 2020-21** (no PSUs were identified with significant disproportionality for placement in 2020-21); and 2) the process steps/criteria used for making the determinations. For those PSUs with significant disproportionality in identification and discipline an amount equal to 15 percent of the total PSU IDEA federal funds for 2021-22 (611 funds and 619 funds) will be reallocated from PRC 60 to PRC 70. The list of PSUs receiving a warning (the potential to have significant disproportionality in future years), in any of the three areas examined, will be sent separately, as there are no mandatory requirements regarding funding or a review of policies, procedures, and practices for such PSUs.

EXCEPTIONAL CHILDREN DIVISION

Sherry H. Thomas, *Director* | sherry.thomas@dpi.nc.gov

6356 Mail Service Center, Raleigh, North Carolina 27699-6356 | (984) 236-2550 | Fax (984) 236-2099

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER

At this time, PSUs determined to have significant disproportionality must maintain documentation of the number of children who receive CCEIS during SY 2021-22 and subsequently receive special education and related services in SY 2021-22, 2022-23 or 2023-24. We will inform you if the U.S. Office of Special Education Programs issues revised documentation requirements.

In our collaborative effort to address the issue of significant disproportionality, the Division supports your efforts in developing comprehensive district-wide plans to address the academic and behavioral needs of at-risk students. For questions about significant disproportionality determinations please contact Kelley Blas at kelley.steen@dpi.nc.gov or 984-236-2595. For questions about CCEIS and mandatory use of funds, please contact Amanda Byrd at amanda.byrd@dpi.nc.gov or 984-236-2597.

SHT/AB/KB/jd

Enclosures

cc: Alexis Schauss
Matt Hoskins
John Keefer
Shirley McFadden
Carol Ann Hudgens
Kelley Blas
Dreama McCoy
Angel Goodwine Batts
Regional Coordinators/Consultants

EXCEPTIONAL CHILDREN DIVISION

Sherry H. Thomas, *Director* | sherry.thomas@dpi.nc.gov

6356 Mail Service Center, Raleigh, North Carolina 27699-6356 | (984) 236-2550 | Fax (984) 236-2099

AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER