



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Student Discipline Data Collection Guidance

Issued: July 13, 2016

This document summarizes the legal requirements and processes for discipline data collection for the 2015-16 and 2016-17 school years by OSSE.

Federal and District of Columbia Policy Requirements for Discipline Collections

OSSE collects discipline data to satisfy federal reporting requirements pursuant to the Individuals with Disabilities Education Act (IDEA) and EDFacts. In addition, OSSE collects discipline data to satisfy local reporting requirements pursuant to section 3 of the Pre-K Student Discipline Amendment Act of 2015, effective June 23, 2015 (D.C. Law 21-12; D.C. Official Code § 38-236), which amends the Attendance Accountability Amendment Act of 2013, effective Sept. 13, 2013 (D.C. Law 20-17; D.C. Official Code § 38-236) and requires LEAs to report additional discipline data elements to OSSE and report such data by August 15. See *Appendix A* for additional details.

Data Collection Details

To satisfy new legal and reporting requirements, OSSE and the DC Public Charter School Board (DC PCSB) are collaborating to unite discipline collections with a shared template that incorporates the legally mandated data elements. This is an effort to ensure accurate data, reduce the burden of duplicative data submissions, and protect student privacy. See *Appendix B* for more details on the governance of this data.

As in previous years, DC PCSB has agreed to share public charter LEA discipline data with OSSE with public charter LEA permission. DC PCSB will submit this information to OSSE to meet the requirements of the law unless a public charter LEA elects to opt out of this combined reporting and send discipline data directly to OSSE.

If a public charter LEA elects to send discipline data directly to OSSE, the LEA must notify DC PCSB by July 20, 2016 for both school years addressed in this memo, and PCSB will advise OSSE of which LEAs have opted out and the point of contact for the direct submission. All direct submissions to OSSE must use the data collection template that OSSE provides with the exact data elements. The completed template must be submitted to OSSE by Aug. 15, 2016. To opt out of having DC PCSB send school's verified student-level discipline data to OSSE on the LEA's behalf, complete this [form](#) by July 20, so DC PCSB will know to remove the LEA's student data from the file and advise OSSE of the LEAs that intend to provide direct submissions.

DC Public Schools must comply with the same standards of submission and must provide this information to OSSE by Aug. 15, 2016.

LEA Actions

To satisfy legal and reporting requirements, LEAs must take the following actions:

- For public charter LEAs that elect to submit discipline data through DC PCSB, the final monthly collection will occur on July 8. DC PCSB will then submit the discipline data to OSSE in the required template.
- For public charter LEAs that elect to send data directly to OSSE, LEAs must notify DC PCSB by July 20, 2016 of the intent to provide a manual submission and submit the data to OSSE by Aug. 15, 2016. DC PCSB will advise OSSE on which LEAs have opted out, and OSSE will respond with additional instructions on how to submit data using the required template by Aug. 15, 2016.
- For DCPS, submit the required data elements to OSSE by Aug. 15, 2016, using the required template.

Appendix A: Federal and District of Columbia Discipline Data Policy Requirements

OSSE is legally mandated to collect and report on discipline data in the District pursuant to the following:

The Pre-K Student Discipline Amendment Act of 2015¹ amended the Attendance Accountability Amendment Act of 2013 to require LEAs to maintain discipline data for each enrolled student and report discipline data to OSSE on an annual basis. OSSE is required to report publicly report on the suspensions and expulsions that were imposed in local education agencies, including a relevant trend analysis.

The Individuals with Disabilities Education Act (IDEA)² is a federal law designed to ensure services to children with disabilities and governs how special education and related services are provided to students. IDEA mandates that all disciplinary incidents are reported by student and carries potential funding implications as it applies to findings of significant disproportionality for students with disabilities.³ In the Part B State Performance Plan/Annual Performance Report (Part B SPP/APR), OSSE is obligated to track the monitoring priority of rate of suspensions and expulsions comparing for disproportionate rates of students with IEPs. This requires reporting on all students to compare across demographics.⁴

EDFacts⁵ is a U.S. Department of Education (ED) initiative to collect, analyze, report on and promote the use of high-quality, prekindergarten through grade 12 performance data for use in education planning, policymaking, and management and budget decision making to improve outcomes for students. OSSE's responsibilities for EDFacts include the collecting and reporting of discipline data for all students.

In addition the fulfilling these legal requirements, OSSE participates in the following collaborative effort to support the effective use of data, including discipline information:

The Equity Reports⁶ are a joint effort of the Office of the State Superintendent of Education (OSSE), District of Columbia Public Schools (DCPS), Public Charter School Board (DC PCSB), and the Office of the Deputy Mayor for Education (DME) to measure and improve educational equity across all entities. The reports include campus level data on suspensions and expulsions.

¹ D.C. Code § 38-236.

² 20 U.S.C § 1400 *et seq.*

³ 20 U.S.C. § 1412(a)(22).

⁴ 20 U.S.C. § 1416(a) .

⁵ <http://www2.ed.gov/about/inits/ed/edfacts/edfacts-overview.pdf>

⁶ <http://osse.dc.gov/equity-reports>

Appendix B: Discipline Data Governance

OSSE is legally mandated to collect and report discipline data, and this information must be at the student-level, include personally identifiable information, and include all students for two reasons:

- **Prevent duplicative counts:** Students may incur a discipline incident at multiple schools or LEAs. OSSE must report student counts and incidents at various levels (*e.g.*, school, LEA, state), so due to student mobility, OSSE can only identify that it is the same student when it can match across schools, LEAs, and sectors to eliminate any duplicate reporting. Without this information, students would be counted multiple times, resulting in inaccurate reporting of an increase in the number of students with discipline incidents.
- **Report accurate comparisons:** OSSE is required to track and report comparisons of discipline incidents among students with IEPs and students without IEPs. To do this effectively and accurately, OSSE needs information on all students to compare across demographics and to ensure proper identification of students with disabilities.

This sensitive information will be governed in the following ways, and any changes to these processes will be informed by data governance best practices and feedback from external stakeholders:

Collection

- Each LEA is required to use a common template created by OSSE that ensures consistent reporting and definitions that meet all local and federal reporting requirements.
- Each LEA is legally mandated to annually submit this information to OSSE by Aug. 15.⁷
- The means by which LEAs submit this information to OSSE may vary based on sector and public charter LEA decision:
 - DCPS: Comprehensive submission in the required template by Aug. 15
 - Public Charter LEA:
 - Through DC PCSB: DC PCSB has agreed to provide discipline information to OSSE on behalf of charter LEAs via the required template unless an LEA elects to submit this information directly to OSSE.
 - Directly to OSSE: Any public charter LEA that elects to send discipline data directly to OSSE must use the common template with required data elements and submit this information to OSSE site by Aug. 15. Any LEA selects this option will receive the common template, training materials, and instructions for submission.

Storage

- Due to its sensitive nature, this information will not be stored in SLED.
- Instead, this information will be housed in a secure format outside of this system and access will be limited to OSSE staff who are responsible for local and federal discipline reporting and maintain expertise in managing private student information.

⁷ D.C. Code § 38-236(b).

Data Sharing and Use

- This information will be used for fulfilling required local and federal reporting needs. See *Appendix A*.
- OSSE will provide any aggregate reports that incorporate discipline information in accordance with the District's Freedom of Information Act (FOIA).
- OSSE may use this information to compile Equity Reports as defined in the data use provisions in the Equity Reports MOU.
- OSSE may collaborate with individual LEAs on potential additional uses and analyses that would benefit LEAs in serving individual students like an early warning system, based on voluntary agreements with said LEAs. Per existing policies, any aggregate data that is reported per *Appendix A* will be reviewed and suppressed as needed to protect student privacy.