The determination of significant disproportionality is based on the analysis of data from three consecutive years. Local education agencies (LEAs) may appeal their data for the most recent year of analysis included in the determination of significant disproportionality. There are three main data sources used to determine significant disproportionality:

* Dec 1 Child Count
* Dec 1 Enrollment/ Membership
* Cycle 7 Discipline

To appeal, the superintendent must submit a formal written request to recalculate the data and a Data Appeals Form. The request must include:

* + - A description of the errors leading to identification for significant disproportionality,
    - Evidence of the errors which may include:
  + registration forms showing race (electronic or paper)
    - * discipline entry and discipline data sheets or referrals
      * IEPs indicating LRE and placement
      * EDR and/or EPC showing eligibility category

and

* + - How the district corrected data errors or will fix errors moving forward.

The *Significant Disproportionality Data Appeals Form* and corresponding student data are **due to the DESE-OSE by January 31.** Email the *Significant Disproportionality Data Appeals Form* and student data to

* Yvonne Greene,
* Jody Fields, and
* Josh Hart.

Once received, assigned DESE-OSE team members will review the information and provide the LEA with a final determination. If the data are recalculated and OSE determines the district is not required to set aside 15% of IDEA funds, the following will occur:

* The LEA will be issued a finding of non-compliance and required to complete a Compliance Action Plan (CAP) to demonstrate individual and systemic correction to their data collection process.
* The district will be cited for timely and accurate data if the data being challenged were reported by the district.
* An appeal, if granted, it is a single year event and will not be allowed a second year.
* CAPS are included in the OSE annual risk checklist and reported to Public School Accountability.

**SIGNIFICANT DISPROPORTIONALITY DATA APPEALS FORM**

**Indicate local education agency (LEA) and significant disproportionality information**

|  |  |
| --- | --- |
| **LEA #:** | Click or tap here to enter text. |
| **LEA Name:** | Click or tap here to enter text. |
| **Year of Data Reporting Errors:** | Click or tap here to enter text. |
| **Significant Disproportionality Category:** | Click or tap here to enter text. |
| **Race/Ethnicity:** | Click or tap here to enter text. |
| **Data Source: (i.e., Membership, Child Count, Disciplinary Action)** | Click or tap here to enter text. |
| **First and Last Name of Primary Contact:** | Click or tap here to enter text. |
| **Email Address of Primary Contact:** | Click or tap here to enter text. |

**Describe in detail the data error(s) in question**

|  |
| --- |
| Click or tap here to enter text. |

**Describe how the district corrected or will correct data errors.**

|  |
| --- |
| Click or tap here to enter text. |

**Provide student level data information for appeal**

|  |  |  |  |
| --- | --- | --- | --- |
| **Student Name** | **Data Field** | **Data as Reported** | **Corrected Data** |
|  |  |  |  |
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|  |  |  |  |
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|  |  |  |  |

\*add additional rows as needed.

\*\*\*Attach evidence of the errors and corrections.