**Massachusetts Department of Elementary and Secondary Education**

**CALCULATING DISPARITY OR SIGNIFICANT DISPROPORTIONALITY   
IN DISCIPLINARY SUSPENSION OR EXPULSION**

**Winter 2023 – 2024 Phase II Cohort I Identifications**

This document explains the methodology used for school and district identifications based on state law M.G.L. c. 71 § 38R and Chapter 77 of the­ Acts of 2013 and the associated regulations [CMR 53.14](http://www.doe.mass.edu/lawsregs/603cmr53.html?section=53.14) (Student Suspension and Expulsion Data Collection and Reporting). See pages 2-3 for details.

The Massachusetts Department of Elementary and Secondary Education (Department) Rethinking Discipline Initiative began in 2016. During school year 2022-2023 (SY23) the initiative transitioned to a second phase. Phase two began with a reset of data used in the methodology calculations, a one-year preliminary cohort (in 2023), and then a transition into a two-year cohort model in 2024. During winter SY24, the Department plans to issue identifications for the first 2-year cohort of phase two. The identifications will use School Safety and Discipline Report (SSDR) student removal data and a methodology similar to that used in prior years of the initiative. The analysis takes into account all suspensions and expulsions from SY22 and SY23, from all offenses associated with G.L. 71, s. 37H, H½, and H ¾.

More information about [phase two](https://www.doe.mass.edu/sfs/discipline/pln-update-sy2024.docx) of the initiative can be found on the Department’s [Rethinking Discipline](https://www.doe.mass.edu/sfs/discipline/) page. Note that the Department also works with districts on additional discipline related initiatives associated with the federal Individuals with Disabilities Education Act (IDEA), and please see page 4 of [Rethinking Discipline, Significant Disproportionality, and Indicators 4, 9, and 10](https://www.doe.mass.edu/sfs/discipline/indicators-4-9-10.docx) for information about IDEA related Indicator 4a/4b identification methodology.

Questions may be emailed to [achievement@mass.gov](mailto:achievement@mass.gov).

**Criteria for SY24 (2023-2024) School and District Identifications for the Rethinking Discipline Initiative:**

1. ***State Law - Expulsion/Long-Term Suspension Data****:*  
   *Percentage of Students Expelled or Placed on Long-Term Suspension*

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| 1. **OVERUSE IDENTIFICATION**   ***Schools receive an identification in Winter SY24 for over-reliance on long-term suspension***if the school had greater than 100 students enrolled and at least 5 percent of students suspended for more than 10 cumulative days **in both SY22 AND SY23.** |

1. ***State Law – Disproportionate Use of Suspension/Expulsion Data:***  
   *Data Reflecting Disparities in Rates of Suspension and Expulsion by Race and Ethnicity, or Disability*

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| **NOTE: This analysis is done at both the school and district levels.** *The description below is for schools. A similar analysis is done at the district level as well; thus the highlighted and capitalized word “SCHOOL” where shown below can be replaced with the word “DISTRICT” to describe the district identification process.* |

The Department utilizes a multi-step system (using “Disparities Criteria” 1 and 2, as described below) to issue identifications to SCHOOLS with disproportionality in suspension and/or expulsion rates by student race/ethnicity or disability status. This methodology focuses in on SCHOOLS with large disparities as well as high rates of removal overall.

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| **(B) DISPARITIES IDENTIFICATION**  *SCHOOLs that meet Disparities Criteria 1 and 2, for two years in a row (using SY22 and SY23 data), receive an* ***identification in Winter SY24 for exhibiting significant discipline disparities for a student group (by race/ethnicity or disability status).*** |
| **DISPARITIES CRITERIA 1:** *Disparities in student group removal rates (by race/ethnicity or disability status).*  **In Disparities Criteria 1, two rate differences** are calculated at the SCHOOL level, for each eligible student group (by race/ethnicity and disabilities status). *Note that there needs to be a minimum of 20 students in the student group, and a minimum of six students disciplined for the following analysis to occur*.  Steps to determine if the Disparities Criteria 1 is met:   1. **“Within School” Rate Difference** *(the first rate difference)*Subtract the SCHOOL’s aggregate student removal rate from the SCHOOL’S student group removal rate. 2. **“School to State” Rate Difference** *(the second rate difference)*Subtract the state aggregate removal rate from the SCHOOL’S student group removal rate. 3. For any of the SCHOOL’s student groups, if both the “Within School” and the “School to State” rate differences are outside two standard deviations from the average rate differences from SCHOOLs\* across the state, the SCHOOL will meet Disparities Criteria 1.  *\* The averages are calculated using rate differences for schools across the state. A single average is used for all race/ethnicity student groups, and another for students with disabilities.* |
| **DISPARITIES CRITERIA 2:** *Comparison of SCHOOL rate to statewide SCHOOL average* For any SCHOOL that meets Disparities Criteria 1:  Compare the SCHOOL’S aggregate student removal rate with the statewide SCHOOL average.   1. If the SCHOOL’S aggregate removal rate IS LARGER than the statewide average, the SCHOOL will meet Disparities Criteria 2. |

**SCHOOLS that meet the criteria described under A and/or B above,** ***for BOTH SY22 and SY23 data,*** will receive a letter alerting them to their identification (likely in early winter SY24) and will be included in the Rethinking Discipline initiative’s Phase II Cohort I. This will be the Department’s first two-year cohort and will take place winter SY24 through winter SY26.

V1.2024