

**Summary of MPAS Comments to
Michigan Part B State Performance Plan for 2005-2010
Indicator 4B: Discipline/Disproportionality**

Michigan Protection and Advocacy Service, Inc. (MPAS) is Michigan's designated protection and advocacy program, mandated to serve persons with disabilities in the Great Lakes State. MPAS receives over 9,000 requests for help each year; 30-40% relate to problems with special education. MPAS knows about the issues that arise in special education in Michigan and is grateful for the opportunity to comment on the proposed state performance plan for serving students with disabilities under the Individuals with Disabilities Education Act (IDEA). Here are our comments:

(1) We received notice of these proposed changes 9 days ago (January 16) by e-mail. Given the complexity of the topic and the data issues presented, this amount of time is insufficient.

(2) In a preliminary report, over 72% of reporting districts reported either no suspensions or expulsions (60.6%) or did not report (11.8%). Given that the general reporting requirement for suspension and expulsion information has been in federal law since at least 1997, the failure to have reliable data is inexplicable. To conclude from such unreliable data that only 7 school districts have problems in this area is incorrect. The measurements should take into account national forecasts of disproportionality, and the activities rightly include sanctions against districts that do not report complete or correct data.

(3) The method of calculating disproportionality (comparing the rate of suspension/expulsion to the rate of racial identification) masks situations in districts where identification rates are also disproportionately high. Likewise, cutting off the count at 5 or more incidents may also serve to depress the numbers, especially given that over 60% of districts report no incidents whatsoever.

Thank you for the opportunity to comment on these items. Please contact Mark McWilliams at (517) 487-1755 or mmcwill@mpas.org for more information or questions.