

To: School District Superintendents
Principals

From: Nathan Oakley, Ph.D., Chief Academic Officer *NO*

Date: December 2, 2019

Subject: Clarification of Discipline / Attendance Reporting Requirements

It has been brought to the attention of the Mississippi Department of Education (MDE) that districts are inaccurately coding student discipline with codes such as In-School Relocation and not reporting the student's In-School Suspension to the MDE. In order to ensure compliance with federal reporting requirements, students who are removed by school personnel from their regular/established education setting, class or school, and ***not*** placed in an interim alternative educational setting (Miss. Code Ann. §37-13-92) should be reported as having been suspended.

The following definitions should be of further assistance to districts:

- **Expulsion:** An action taken by the local education agency (LEA) removing a child from his/her regular school for disciplinary purposes for the remainder of the school year or longer in accordance with local educational agency policy. This includes removals resulting from violations of the Gun-Free Schools Act that are modified to less than 365 days.
- **In-School Suspension:** Instance in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.
- **Out-of-School Suspension:** Instance in which a child is temporarily removed from his/her regular school for disciplinary purposes to another setting (e.g., home, behavior center). This includes both removals in which no IEP services are provided because the removal is 10 days or less, as well as removals in which the child continues to receive services according to his/her IEP.

Please note that students who have cumulatively been suspended for a half a day (50% of the instructional day) in length or longer should be reported and included in the suspension calculation as full days.

Students are not to be counted as present if they are exempt. Reporting exempt students as present creates a safety issue should there be an emergency at school; furthermore, this would not be an accurate representation of student attendance for data reporting purposes. If district policy allows for students to be exempt from semester exams, districts should communicate with parents to ensure there is prior approval and record such absences as excused.

The district superintendent and school principals are responsible for ensuring that all data reported to the MDE are true and accurate as verified by supporting documentation on file in the school district. Reporting false information is a violation of the accreditation requirements set forth by the SBE and may result in the downgrading of the district's accreditation status. Please contact Toni Kersh at tkersh@mdek12.org with questions about reporting school attendance.