

**Mandatory Civil Rights Data Collection**

December 2016

---

*Attachment A-5*

---

**Directed Questions**

---

---

---

## INTRODUCTION

---

This attachment contains four specific topics for which the Office for Civil Rights (OCR) would like to obtain input from data submitters and stakeholders regarding the 2017–18 Civil Rights Data Collection (CRDC).

---

## DIRECTED QUESTIONS

---

### 1. *Computer Science*

For the 2017–18 CRDC, OCR is proposing to collect new information regarding computer science:

- Number of classes in computer science in high school [see Attachment A-2, page 26 (Data Group 1011)];
- Number of classes in computer science in high school taught by certified teachers [see Attachment A-2, page 26 (Data Group 1012)];
- Number of students enrolled in computer science classes in high school [see Attachment A-2, page 28 (Data Group 1013)]; and
- Number of students enrolled in Advanced Placement computer science [see Attachment A-2, page 10 (Data Group 900); also see Attachment A-3, page 38 (Data Category: Subject Area (Advanced Placement))].

For the number of classes in computer science in high school taught by certified teachers item, OCR is proposing that teachers be certified in computer science. What other content area certifications would qualify a teacher to teach computer science? Should teachers, certified in content areas other than computer science, be included in this item?

For the new computer science items, OCR defines “computer science courses” as follows:

Computer science courses involve the study of computers and algorithmic processes, including their principles, hardware and software designs, applications, and their impact on society. They often include computer programming or coding as a tool to create things like software, applications, games, websites and electronics, managing large databases of information, legal and ethical issues involved in computer technology use, and network security. Computer science does not include using a computer to do everyday things, such as browsing the internet, use of tools like word processing, spreadsheets or presentation software, or using computers in the study and exploration of other subjects.

Do you have any suggestions for improving OCR’s proposed “computer science courses” definition, or for how OCR could collect equal or additional information about access to computer science courses in high schools that imposes less reporting burden?

## **2. Access to Internet**

While many school districts have used the internet to enhance educational opportunities, there have been concerns that schools and school districts do not have equitable access to high-speed internet. This equity concern occurs at both among and within school districts.

For the 2017–18 CRDC, OCR is proposing to collect new information regarding internet access:

- Amount of school bandwidth in Megabit per second [see Attachment A-2, page 69 (Data Group 1014)]

Do many school districts already collect (or could they easily obtain) school bandwidth data that would allow OCR to determine the existence and scope of any such access disparity? Are there other data about connectivity that OCR should consider collecting to gauge access disparity?

## **3. Public Schools in the Commonwealth of Puerto Rico and the Outlying Areas**

The CRDC has traditionally collected from public school districts in the 50 states and the District of Columbia. As noted in Supporting Statement B, in identifying the universe of public schools and school districts to participate in the CRDC, OCR has previously not included public school districts in the Commonwealth of Puerto Rico or any of the outlying areas, such as American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the U.S. Virgin Islands.

As amended in 2015 by the Every Student Succeeds Act (ESSA), section 1111(h)(1)(c)(viii) of the Elementary and Secondary Education Act (20 U.S.C. § 6311(h)(1)(c)(viii)) requires state educational agencies (SEAs) and local educational agencies (LEAs) that receive Title I funds to include in their state and local report cards to parents and the public certain information submitted to OCR in accordance with the data collection conducted pursuant to OCR’s authority, *i.e.*, the CRDC. This obligation, which starts on December 31, 2018 (for the 2017–18 school year), applies to the Commonwealth of Puerto Rico, which receives Title I funds from ED. *See, e.g.*, 20 U.S.C. § 6332(e).

OCR requests commenters to address the following questions, as well as any other issues relevant to the matter:

Should OCR extend the 2017–18 CRDC to public school districts in the Commonwealth of Puerto Rico and/or any outlying area?

If OCR does extend the 2017–18 CRDC to public school districts in the Commonwealth of Puerto Rico and/or any outlying area, are there particular questions or sets of questions

proposed for the 2017–18 CRDC that would not be appropriate to ask of those school districts or new questions that should be asked only of those school districts?

#### ***4. Treatment of Students with Disabilities Placed in Educational Settings not Operated by the Reporting School District***

Under the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973, there are circumstances when public school districts are required to place children within their jurisdiction in another education setting, such as a private school or non-public school. (This contrasts with the situation where parents voluntarily place students with or without disabilities in private schools). In the past, OCR has not required school districts to report anything except basic demographic data about such students (and OCR does not require private or non-public schools to report data). OCR has received reports, however, that students placed in such schools are subject to restraint and seclusion, which can raise concerns under the Federal disability laws enforced by OCR.

In assessing whether to require public school districts to report on the experiences of the students they place in private or non-public schools in the 2017–18 CRDC, OCR requests commenters to address the following questions, as well as any other issues relevant to the matter:

How many students with disabilities are placed in private or non-public schools by school districts (as opposed to voluntarily placed by parents)? Are there certain types of school districts that are more likely to do so? What is the total number of private or non-public schools that are serving such students?

Are there existing Federal or state laws or regulations, or standard terms of contracts or agreements, that require private or non-public schools to report data to the school district or the state educational agency about a student placed there by the school district? If so, what data are already being reported to the school district or state educational agency about these students?

If OCR does require public school districts to report on the experiences of the students they place in private or non-public schools in the 2017–18 CRDC, what data items currently collected by the CRDC about public schools would be appropriate to collect about private or non-public schools that educate students placed by a public school district in order to assess compliance with Federal civil rights laws enforced by OCR?