Biases and Inequality in School Systems

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Outline

I. Introduction and Purpose
II. Disproportionality in Special Education (SPED)
III. Disproportionality in Disciplinary Practices
IV. The Relationship Between SPED, Exclusionary Discipline, and Life Outcomes
V. Policy and Practice Implications
VI. What Works? Recommendations for Oak Foundation
Research Agenda

a. At what rates are students of color disciplined, and how does it compare to white counterparts? At what rates are students of color placed in special education and how does it compare to their white counterparts in special education?

b. How do inequitable structures and practice within school communities affect life outcomes for students?

c. What works? How can racial and other biases be eliminated within a classroom, school and system?

Goal: How can Oak’s grantmaking address racial and other biases and inequitable structures and practice within school communities that disproportionately discriminate against students of color and other marginalized groups?
Purpose

• To review the literature on SPED identification and discipline disproportionality, as well as the relationship between these disproportionalities and life outcomes among marginalized groups in the United States

• To provide research-based recommendations on policies and practices that ameliorate disproportionality in SPED identification and discipline practices
Definitions

- **Learning disability**: refers to having difficulty learning relative to one’s intellectual ability
  - E.g. Dyslexia, dyscalculia, dysgraphia
- **Exclusionary discipline**: describes any type of school disciplinary action that removes or excludes a student from his or her usual educational setting. Two of the most common exclusionary discipline practices at schools include suspension and expulsion
Introduction

• The disproportionate rates of special education identification and discipline for certain ethnic minority groups in the United States remains to be two pervasive effects of biases and inequality in the United States’ school systems.

• In 2016, American Indian (1.7), African American (1.4), Native Hawaiian/Pacific Islander (1.5) youth ages 6 through 21 were more likely to receive special education services (OSEP, 2018).

• African American youth in particular continue to be disproportionately disciplined in the United States (OSEP, 2018).
The percentage of the resident population ages 6 through 21 served under IDEA, Part B, in 2007 was 8.8 percent. Thereafter, the percentage gradually decreased, reaching a low of 8.4 percent in 2010. The percentage remained at 8.4 percent until 2013, when it increased to 8.5 percent. The percentage continued to increase gradually to 9 percent in 2016.

Between 2007 and 2011, the percentage of the population ages 6 through 11 served under IDEA, Part B, decreased gradually from 11.2 percent to 10.6 percent. The percentage increased in each year thereafter and reached 11.6 percent in 2016.

The percentage of the population ages 12 through 17 served under Part B decreased gradually from 11.1 percent to 10.8 percent between 2007 and 2010, where it stayed until 2014, when the percentage reached 11 percent. The percentage increased to 11.2 percent in 2015 and 11.3 percent in 2016.

The percentage of the population ages 18 through 21 served under Part B was 1.9 percent in 2007 and 2008, and 2 percent in each year from 2009 through 2016.

For what disabilities were students ages 6 through 21 served under IDEA, Part B?

Exhibit 21. Percentage of students ages 6 through 21 served under IDEA, Part B, by disability category: Fall 2016

- Specific learning disability (38.6%)
- Speech or language impairment (16.8%)
- Other health impairment (15.4%)
- Autism (9.6%)
- Intellectual disability (6.9%)
- Emotional disturbance (5.5%)
- Other disabilities combined (7.2%)

Note: Percentage was calculated by dividing the number of students ages 6 through 21 served under IDEA, Part B, in the disability category by the total number of students ages 6 through 21 served under IDEA, Part B (6,048,882), then multiplying the result by 100.

OSEP, 2018
From 2007 through 2016, the percentage of the resident population ages 6 through 21 served under IDEA, Part B, that was reported under the category of specific learning disability decreased from 3.8 percent to 3.5 percent.

The percentages of the populations ages 6 through 11, 12 through 17, and 18 through 21 served under IDEA, Part B, that were reported under the category of specific learning disability were 3 percent, 10 percent, and 12 percent smaller in 2016 than in 2007, respectively.

<table>
<thead>
<tr>
<th>Race/ethnicity</th>
<th>Child count&lt;sup&gt;a&lt;/sup&gt; in the 50 states and DC</th>
<th>Resident population ages 6 through 21 in the 50 states, DC, and BIE&lt;sup&gt;b&lt;/sup&gt;</th>
<th>Risk index&lt;sup&gt;c&lt;/sup&gt; (%)</th>
<th>Risk index for all other racial/ethnic groups combined&lt;sup&gt;d&lt;/sup&gt; (%)</th>
<th>Risk ratio&lt;sup&gt;e&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>5,937,838</td>
<td>65,620,036</td>
<td>9.0</td>
<td>†</td>
<td>†</td>
</tr>
<tr>
<td>American Indian or Alaska Native</td>
<td>83,474</td>
<td>559,086</td>
<td>14.9</td>
<td>9.0</td>
<td>1.7</td>
</tr>
<tr>
<td>Asian</td>
<td>142,416</td>
<td>3,311,911</td>
<td>4.3</td>
<td>9.3</td>
<td>0.5</td>
</tr>
<tr>
<td>Black or African American</td>
<td>1,100,897</td>
<td>9,178,432</td>
<td>12.0</td>
<td>8.6</td>
<td>1.4</td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>1,481,868</td>
<td>15,791,939</td>
<td>9.4</td>
<td>8.9</td>
<td>1.0</td>
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<tr>
<td>Native Hawaiian or Other</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>18,097</td>
<td>130,907</td>
<td>13.8</td>
<td>9.0</td>
<td>1.5</td>
</tr>
<tr>
<td>White</td>
<td>2,899,113</td>
<td>34,195,904</td>
<td>8.5</td>
<td>9.7</td>
<td>0.9</td>
</tr>
<tr>
<td>Two or more races</td>
<td>211,969</td>
<td>2,451,857</td>
<td>8.6</td>
<td>9.1</td>
<td>1.0</td>
</tr>
</tbody>
</table>

† Not applicable.

<sup>a</sup> Child count is the number of students ages 6 through 21 served under IDEA, Part B, in the racial/ethnic group(s).

<sup>b</sup> Data on race/ethnicity were suppressed for 14 students served under Part B in one state; the total number of students served under Part B in each racial/ethnic group for which some data were suppressed in this state was estimated by distributing the unallocated count for each state equally to the race/ethnicity categories that were suppressed. Due to rounding, the sum of the counts for the racial/ethnic groups may not equal the total for all racial/ethnic groups.

<sup>c</sup> Risk index for all other racial/ethnic groups combined (i.e., students who are not in the racial/ethnic group of interest) was calculated by dividing the number of students ages 6 through 21 served under IDEA, Part B, in all of the other racial/ethnic groups by the estimated U.S. resident population ages 6 through 21 in all of the other racial/ethnic groups, then multiplying the result by 100.

<sup>d</sup> Risk ratio compares the proportion of a particular racial/ethnic group served under IDEA, Part B, to the proportion served among the other racial/ethnic groups combined. For example, if racial/ethnic group X has a risk ratio of 2 for receipt of special education services, then that group's likelihood of receiving special education services is twice as great as for all of the other racial/ethnic groups combined. Risk ratio was calculated by dividing the risk index for the racial/ethnic group by the risk index for all the other racial/ethnic groups combined. Due to rounding, it may not be possible to calculate the risk ratio from the values presented in the exhibit.
Exhibit 27. Risk ratio for students ages 6 through 21 served under IDEA, Part B, within racial/ethnic groups, by disability category: Fall 2016

<table>
<thead>
<tr>
<th>Disability</th>
<th>American Indian or Alaska Native</th>
<th>Black or African American</th>
<th>Hispanic/Latino</th>
<th>Native Hawaiian or Other Pacific Islander</th>
<th>White</th>
<th>Two or more races</th>
</tr>
</thead>
<tbody>
<tr>
<td>All disabilities</td>
<td>1.7</td>
<td>0.5</td>
<td>1.4</td>
<td>1.0</td>
<td>1.5</td>
<td>0.9</td>
</tr>
<tr>
<td>Autism</td>
<td>1.0</td>
<td>1.1</td>
<td>1.0</td>
<td>0.9</td>
<td>1.3</td>
<td>1.1</td>
</tr>
<tr>
<td>Deaf-blindness!</td>
<td>1.9</td>
<td>0.8</td>
<td>0.9</td>
<td>1.0</td>
<td>1.2</td>
<td>1.0</td>
</tr>
<tr>
<td>Developmental delay(^{a})</td>
<td>4.2</td>
<td>0.4</td>
<td>1.6</td>
<td>0.7</td>
<td>2.1</td>
<td>0.9</td>
</tr>
<tr>
<td>Emotional disturbance</td>
<td>1.6</td>
<td>0.2</td>
<td>2.0</td>
<td>0.6</td>
<td>1.2</td>
<td>1.0</td>
</tr>
<tr>
<td>Hearing impairment</td>
<td>1.4</td>
<td>1.1</td>
<td>1.0</td>
<td>1.4</td>
<td>2.7</td>
<td>0.7</td>
</tr>
<tr>
<td>Intellectual disability</td>
<td>1.6</td>
<td>0.5</td>
<td>2.2</td>
<td>1.0</td>
<td>1.8</td>
<td>0.7</td>
</tr>
<tr>
<td>Multiple disabilities</td>
<td>1.9</td>
<td>0.6</td>
<td>1.3</td>
<td>0.7</td>
<td>2.1</td>
<td>1.1</td>
</tr>
<tr>
<td>Orthopedic impairment</td>
<td>1.1</td>
<td>1.0</td>
<td>0.9</td>
<td>1.3</td>
<td>1.7</td>
<td>0.9</td>
</tr>
<tr>
<td>Other health impairment</td>
<td>1.3</td>
<td>0.3</td>
<td>1.4</td>
<td>0.7</td>
<td>1.3</td>
<td>1.2</td>
</tr>
<tr>
<td>Specific learning disability</td>
<td>1.9</td>
<td>0.3</td>
<td>1.5</td>
<td>1.4</td>
<td>1.8</td>
<td>0.7</td>
</tr>
<tr>
<td>Speech or language impairment</td>
<td>1.4</td>
<td>0.7</td>
<td>1.0</td>
<td>1.1</td>
<td>1.1</td>
<td>1.0</td>
</tr>
<tr>
<td>Traumatic brain injury</td>
<td>1.6</td>
<td>0.5</td>
<td>1.1</td>
<td>0.7</td>
<td>1.5</td>
<td>1.2</td>
</tr>
<tr>
<td>Visual impairment</td>
<td>1.6</td>
<td>0.9</td>
<td>1.1</td>
<td>1.0</td>
<td>1.7</td>
<td>1.0</td>
</tr>
</tbody>
</table>
Disproportionality in SPED Identification by Gender

• Historically, males have received special education services at higher rates than females
• 73% of the population that were identified with a learning disability identified as male (Anderson, 1997)
Disproportionality in SPED Identification by Race/Ethnicity

• American Indian or Alaska Native students were reported to be 1.8 times more likely than their counterparts to receive special education services for specific learning disabilities (OSEP, 2007)

• Latinx students were 1.1 times more likely than their counterparts to receive special education services for specific learning disabilities (OSEP, 2007)

• The gap between Black and White students’ rates of special identification continued to widen with Black students being increasingly overidentified over time when compared to their White counterparts (Ong–Dean, 2006)

• Asian American students have historically been less likely to be identified with a learning disability when compared to their White counterparts (OSEP, 2007)
Disproportionality in SPED Identification by First Language Status

- Limited English proficient (LEP) students are also disproportionately placed in special education programs in schools.

- These data provide further evidence that students identified with learning differences are selected based on characteristics other than their cognitive processes.
What Causes Disproportionality in SPED?

- Inconsistency in the following:
  - Referral processes
  - Types of assessments
  - Diagnoses
- Racism and stratification in education
- Lack of cultural competency training
- Lack of resources and opportunities
- Need for more valid and reliable assessments for ESL
Models of Identification

- The ability–achievement discrepancy model
- The low–achievement model
- The intraindividual discrepancy model
- Response to Intervention (RTI)
Models of Identification

• **The ability–achievement discrepancy model**: one must demonstrate a gap between one’s intellectual ability and academic performance in order to receive a learning disability diagnosis.

• **The low–achievement model**: allowed psychologists and schools to classify a student with as learning disabled simply by performing below an expected threshold of achievement.
Models of Identification

• The intraindividual discrepancy model: focused on strengths and weaknesses within an individual (an uneven profile). According to this model, an uneven profile of cognitive abilities is indicative of a learning disability

• Response to Intervention (RTI)
Disproportionality in Discipline Practices

• Well–documented disproportionality among certain ethnic minority youth—African American youth in particular—over the past three decades

• Despite the preponderance of evidence of disciplinary disproportionality by race, SES, and gender, less is known about the underlying reasons for this disproportionality
Discipline Disproportionality by Race/Ethnicity

- Black students are disciplined more often and more severely than their White counterparts

- African Americans were found to be overrepresented in schools where exclusionary discipline practices were used more frequently

- Larking (1979), as well as Thornton and Trent (1988) found that racial disproportionality was exacerbated following desegregation
Discipline Disproportionality by Race/Ethnicity continued...

- Few studies have examined school discipline disproportionality among other ethnic minority groups

- The patterns of disproportionality are not as clear when examined among other ethnic minority groups

- For example, studies have resulted in inconsistent findings on school discipline disproportionality among Latinx youth
Discipline Disproportionality, Race/Ethnicity, and Behavior

- No evidence was found in this literature review to corroborate the claim that African American students misbehave at a statistically higher rate when compared to their peers in other racial/ethnic groups (Skiba et al., 2002)

- Shaw and Braden (1990) found that although Black children received a more disciplinary referrals than their White peers, their White peers were actually referred for more severe rule violations.
Discipline Disproportionality, Race/Ethnicity, and Behavior continued...

• McCarthy and Hoge (1987) found that Black students reported being sanctioned more than their White counterparts reported.

• When the only two behaviors that were statistically different from one another when compared between both Black and White were examined, of misbehavior were reported for White students.
Discipline Disproportionality and Institutional Racism

• Discipline disproportionality does not occur in a vacuum

• The interaction between race and discipline practices in schools is a part of a much more complex and pervasive discourse on institutional racism (Hannssen), as well as structural inequality (Nieto, 2000) in the United States
Disproportionality and Gender

- Boys, when compared to girls, are consistently overrepresented in disciplinary sanctions (Skiba et al., 2002)

- Four different studies found that boys are four times as likely to receive disciplinary sanctions (Bain & McPherson, 1990; Cooley, 1995; Gregory, 1996; Imich, 1994)

- Black males were 16 times as likely that White females to be subjected to corporal punishment (Gregory, 1996)

- Foster (1986) provided a ranking of four demographic groups ranging from most likely to be suspended to least likely to be suspended: 1) Black males, 2) White males, 3) Black females, and 4) White females
Disproportionality and SES

• SES matters

• Low-SES students (measured by having free or reduced lunch) have been found to be positively associated with an increased risk of being suspended (Skiba et al., 1997; Wu, Pink, Crain, & Moles, 1982)

• Students with fathers who work part-time or less were also more likely to be suspended when compared to students with fathers who worked full-time (Wu et al., 1982)

• Brantlinger (1991) found that high SES students received less severe disciplinary sanctions and punishments such as reprimands and seat reassignments, whereas their low SES peers received more severe punishments
Life Outcomes

• **School to Prison Pipeline**: suspension and expulsion are in and of themselves a developmental risk factor, above and beyond any behavioral or demographic risks students bring with them (American Academy of Pediatrics, 2013)

• Out-of-school suspension and expulsion are associated with short-term negative outcomes, such as academic disengagement and depressed academic achievement that may cascade over time increases a student’s risk for contact with law enforcement and involvement with the juvenile justice system

• Substantial link between school suspension and drop out rates
Goal

- How can Oak’s grantmaking address racial and other biases and inequitable structures and practice within school communities that disproportionately discriminate against students of color and other marginalized groups?
What Works: Policy and Practice
Implications

SPED:
• Using consistent methods of SPED identification
• RTI
• Assessing ESL students in their first language

 Discipline
• Shift classroom management from negative consequences for behavior to Positive Behavior Interventions and Supports (PBIS)
• Utilize trauma informed teaching practices in the classroom
• Refer students for counseling, if needed, instead of sending them to the office for disciplinary sanctions
• Cultural Competency Training
• Restorative Justice method in response to conflict and harm
What Works: Policy and Practice Implications continued...

- More attention to broad-scale systemic reform
- Integrated strategy for public schools:
  - Administrative restructuring
  - Equitable resource distribution
  - A methodology for implementation and evaluation across schools
  - Legal challenges of inequitable practices in the areas of tracking (Welner and Oakes, 1996) and resource availability (Dunn, 1999) have been met with some success
- Community Schools
What Works: Policy and Practice
Implications continued...

• Annually collect, publicly report, and use disaggregated discipline data to guide disciplinary practices.

• Align discipline policies with educational goals by revising federal and state accountability structures to include measures of discipline levels and disparities, requiring schools in turnaround status to address disciplinary as well as achievement gaps

• Include incentives among federally supported programs for attention to reducing disciplinary gaps.
Questions?

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Thank You!