

# 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

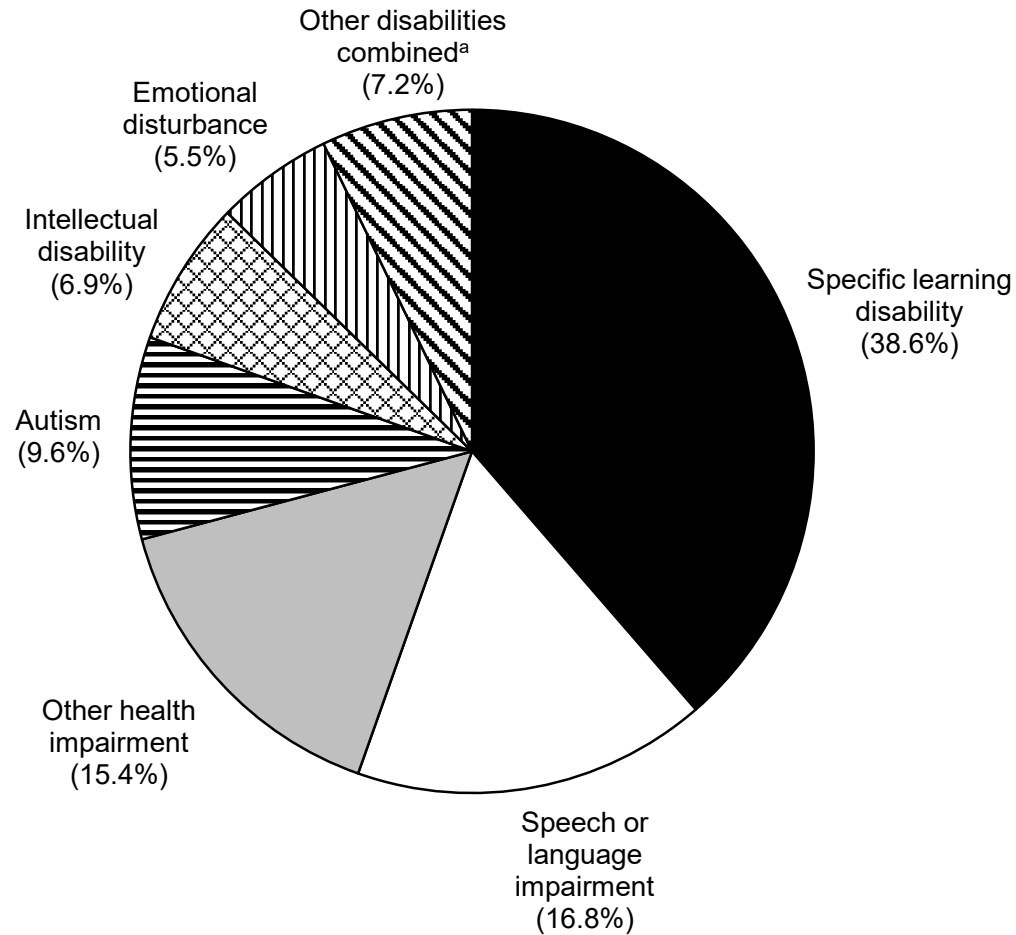
# Definitions

- 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)

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



OSEP, 2018

**Exhibit 26. Number of students ages 6 through 21 served under IDEA, Part B, and percentage of the population served (risk index), comparison risk index, and risk ratio for students ages 6 through 21 served under IDEA, Part B, by race/ethnicity: Fall 2016**

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

OSEP, 2018



**Exhibit 27. Risk ratio for students ages 6 through 21 served under IDEA, Part B, within racial/ethnic groups, by disability category: Fall 2016**

Disability	American Indian or Alaska Native	Asian	Black or African American	Hispanic/ Latino	Native Hawaiian or Other Pacific Islander	White	Two or more races
All disabilities	1.7	0.5	1.4	1.0	1.5	0.9	1.0
Autism	1.0	1.1	1.0	0.9	1.3	1.1	1.1
Deaf-blindness!	1.9	0.8	0.9	1.0	1.2	1.0	0.9
Developmental delay <sup>a</sup>	4.2	0.4	1.6	0.7	2.1	0.9	1.4
Emotional disturbance	1.6	0.2	2.0	0.6	1.2	1.0	1.3
Hearing impairment	1.4	1.1	1.0	1.4	2.7	0.7	0.8
Intellectual disability	1.6	0.5	2.2	1.0	1.8	0.7	0.8
Multiple disabilities	1.9	0.6	1.3	0.7	2.1	1.1	0.8
Orthopedic impairment	1.1	1.0	0.9	1.3	1.7	0.9	0.8
Other health impairment	1.3	0.3	1.4	0.7	1.3	1.2	1.1
Specific learning disability	1.9	0.3	1.5	1.4	1.8	0.7	0.8
Speech or language impairment	1.4	0.7	1.0	1.1	1.1	1.0	1.0
Traumatic brain injury	1.6	0.5	1.1	0.7	1.5	1.2	1.0
Visual impairment	1.6	0.9	1.1	1.0	1.7	1.0	0.8

OSEP, 2018

# 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 boy 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!