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RACIAL DISPARITIES IN SPECIAL EDUCATION IDENTIFICATION IN
NEW YORK STATE**

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AN EXAMINATION OF SCHOOL CHARACTERISTICS RELATED TO RACIAL
DISPARITIES IN SPECIAL EDUCATION IDENTIFICATION IN NEW YORK
STATE

A dissertation submitted in partial fulfillment
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by

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ABSTRACT

AN EXAMINATION OF SCHOOL CHARACTERISTICS RELATED TO RACIAL DISPARITIES IN SPECIAL EDUCATION IDENTIFICATION IN NEW YORK STATE

Teresa A. McGrath

This study examined special education numbers for public school populations of White, Black, and Hispanic students in New York State and factors hypothesized to contribute to identification and subsequent disproportionality of minority students in special education. Data from the Civil Rights Data Collection (CDRC), combined with data from the National Center of Education Statistics (NCES) for New York state public schools in the academic school year of 2015-2016 are evaluated. Histograms of the percent difference in IDEA status of White and Black/Hispanic students are considered to identify if there is disproportionality in the schools in New York. The implication of the urbanicity of the school (city, suburb, town, and rural) is also considered using Histograms and one-way between-subjects ANOVAs. Correlations of variables thought to influence identification as special education, as well as multiple regression analysis of these characteristics is also examined. These characteristics include the percent of White students in the school population, the percent of students identified as receiving free/reduced lunch, the percent of students identified as Limited English Proficient, and the locations of schools around the state. The overrepresentation of Black and Hispanic students identified as special education in cities was found, even though there was no disproportionality found when looking at New York state schools on average. Factors found to contribute to disproportionality were fewer than expected, with the only finding

of significance being the teacher-student ratio. Discussion surrounding the implications of the research focus on identifying root causes of disproportionality in order to make changes to practice and policy across the state.

DEDICATION

My time and work on this study would not have been possible without the support of my husband, James and my two children, James, and Connor. Though you may have had dinner on your own many nights, and too often I did not see my boys for entire days at a time, I hope you feel as strongly as I do that it was worth the sacrifices. The time you gave to me to pursue this dream is the biggest display of love and support I could have ever asked for. I love you all so much.

Furthermore, I would not have made it this far without the encouragement and support of my partner-in-dissertation, Yolette. I am indebted to you for your incredible listening skills, your ability to see the positive, and your understanding of what this process has been like over the past few years. Thank you, Yolette, we really do make a great team.

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CHAPTER 1

According to the National Center for Educational Statistics (NCES), between 2000 and 2015, the percentage of White students enrolled in public elementary and secondary schools decreased from 61% to 49%. The percentage of Black students also decreased from 17% to 15% during that same period. In contrast, the percentage of Hispanic students rose from 16% to 26%, Asian/Pacific Islander students rose from 4% to 5% and students of two or more races increased from 1% to 3%, that data started to be collected in 2015. The NCES projects that between the fall of 2015 and the fall of 2027, the enrollment of White students in public schools will continue to decrease while Hispanic, Asian/Pacific Islander, and students of two or more races increases, and the enrollment of Black students remains the same.

African American and Hispanic students are found to be eligible for special education services at higher rates than proportionate to their populations. White and Asian students are found to be eligible for special education services at lower rates proportionate to their populations. This national trend, known as disproportionality, has come under scrutiny by education departments nationwide. At the federal level, legislation has caused individual states to engage in identifying, researching, and modifying special education policies and procedures that have resulted in disproportionality (Deniger, 2008).

As early as 1996, research indicated that the differences in cultural norms for different groups impacted the availability of services to special education students (Harry, 2002). Early intervention services were found to be closely related to family income status and ethnicity. Poor families were less aware of services, and it was found they

were not told of services as frequently as more affluent families. It was noted that even when the administrators of preschool students were African American, there was still a difference in the services provided or the attempts to adapt services to make them more effective (Harry, 2002). Harry believes that the status of disability outweighs the cultural status and therefore causes the cultural needs to be overlooked by practitioners.

The racial gap in graduation rates, discipline incidents, and incarceration rates along with the over-representation of students of color in special education programs further lead researchers to examine why so many students labeled with a disability, especially students of color, are experiencing failure or being perceived to fail and on what grounds.

Purpose of the Study

The purpose of this non-experimental correlational study is to examine if there are racial disparities in special education by race/ethnicity and to better understand what demographic characteristics of schools predict larger disparities in special education status among racial and ethnic groups. Moreover, I examine if disparities vary by urbanicity to answer questions about the frequency of disparities in urban versus suburban settings leading to disproportionality in special education status of minority students and if this racial disproportionality is an issue in towns and rural areas.

Demographic characteristics such as gender, race, and language spoken in the home are better predictors of special education placement than both academic performance and economic status. African American students are overrepresented in Special Education statistics, especially in the areas of intellectual disability and emotional disturbance (Dever, Raines, Dowdy, & Hostutler, 2016). In most cases, referrals to

special education are made based on anecdotal evidence of teacher perception, not data. Current research places the emphasis on outcomes, not processes, that lead to disproportionality in special education placement (Dever, et al., 2016).

Historically, education debates have been polarized with differences often being viewed as an educational deficit. By creating frameworks for culturally responsive practices and providing support for their implementation, New York State has strived to change the narrative. Providing a path forward in the evolution toward leveraging differences as assets instead of deficits could work to change the mindset of current educators and districts that can potentially lead to changes in the vision of education locally and therefore decrease the disproportionality problem seen in so many districts currently.

Further research is needed into the characteristics of schools that have racial disparity problems within their special education populations to identify potential ways to resolve the problem and prevent it from reoccurring. Short-term fixes are not likely to impact the racial disparities that have been evident for years. Cultural shifts for districts as well as mindset changes in populations of stakeholders at every level could be required. By identifying characteristics, school districts can then begin to work towards changing the culture that has historically underrepresented, discriminated, and disadvantaged Black and Hispanic students for decades.

Theoretical/Conceptual Frameworks

DisCrit Theory

Annamma, Connor, and Ferri (2013) combined aspects of Critical Race Theory (CRT) and Disability Studies (DS) to propose a new theoretical framework that

incorporates these called DisCrit Theory. This theory arose from a combination of concerns surrounding the disproportionate number of students of color that continue to be placed in special education, particularly in the categories of Learning Disability, Intellectual Disability, and Emotional Disturbance or Behavioral Disorders (Artiles, Kozleski, Trent, Osher, & Ortiz, 2010; Skiba, Simmons, Ritter, Gibb, Rausch, Cuadrado, & Chung, 2008; Zhang, Katsiyannis, Ju, & Roberts, 2014). These special education categories are considered high incidence because they rely on the subjective judgement of school personnel not biological facts (Annamma, et al. 2013; Artiles, et al., 2010; Grindal, Schifter, Schwartz, & Hehir, 2019). Disability categories are believed to shift over time with societal norms, autism, mental retardation, and competence are subjective in themselves and are considered to be arbitrarily distinguished from one another leading to continual revisions of their definitions (Annamma, et al. 2013). Regardless of the definitions of the categories, Black students continue to be identified at rates two to three times higher than their White peers for learning and intellectual disabilities and emotional disturbances (Castro-Villarreal, Villarreal, & Sullivan, 2014; Ford, 2012; Skiba, et al., 2008).

Reviewing the research led Annamma, Connor, and Ferri to see that there are few theories that sufficiently examine the ways that disability and race interact. They further noted that many in disability studies leave race unexamined and argued that the way race figures so prominently in special education status, it is irresponsible to leave race out of the disability related research in special education. Annamma, Connor and Ferri introduced DisCrit to explore the knowledge and understanding of race and disability. The authors hoped to add important dimensions to Critical Race Theory analysis by

considering the constructs of race and disability. One of the goals of DisCrit is to bridge commonalities of Disability Studies and Critical Race Theory and encourage growth instead of separation.

When used in the context of Education, DisCrit is a framework that theorizes about the ways in which race, racism, disability, and ableism are built into the actions and procedures of education institutions affecting students of color with disabilities differently than White students with disabilities (Annamma, et al 2013). Using DisCrit the researchers sought to address the structural power of ableism and racism by recognizing the historical, social, political, and economic interests of limiting access to educational equity to students of color with disabilities.

Annamma, Connor and Ferri proposed seven tenets to the DisCrit theory. First, DisCrit focuses on ways that the forces of racism and ableism circulate interdependently, often in neutralized and invisible ways, to uphold notions of normalcy. Second, DisCrit values multidimensional identities and troubled singular notions of identity such as race or disability or class or gender or sexuality, and so on. Third, DisCrit emphasizes the social constructions of race and ability and recognizes the material and psychological impacts of being labeled as raced or disabled, which sets one outside of the western cultural norms. Fourth, DisCrit privileges voices of marginalized populations, traditionally not acknowledged within research. Fifth, DisCrit considers legal and historical aspects of disability and race and how both have been used separately and together to deny the rights of some citizens. Sixth, DisCrit recognizes Whiteness and Ability as Property and that gains for people labeled with disabilities have largely been

made as the result of interest convergence of White, middle-class citizens. Seventh, DisCrit requires activism and supports all forms of resistance.

DisCrit authors propose the use of dis/ability as opposed to disability to stress their commitment to focusing on what students can do rather than what they can't and to disrupt the idea that the concept of ability is fixed and permanent (Annamma, et al. 2013, Wagner, 2018).

In order to better support students with diverse racial and ethnic backgrounds, it is believed that a multicultural approach in education will influence academic success of students of all ethnicities. As New York state moves to implement the Culturally Responsive Sustaining Framework, the idea of leveraging differences as assets is further supported by Banks' cultural framework.

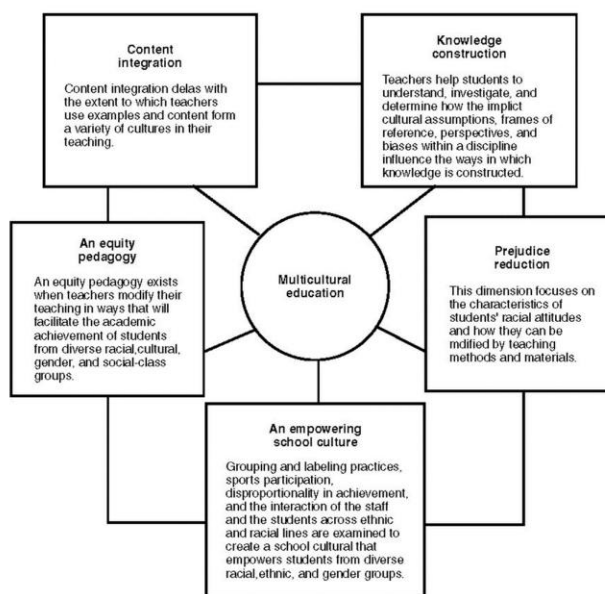
Multiculturalism

James Banks developed a cultural framework based on the importance of multicultural education. In his book, *Race, Culture, And Education: The Selected Works of James Banks* (2006) he discusses the demand for reform of national education systems and the goal of attaining equality for the excluded ethnic group. Banks describes Multicultural education as an inclusive concept that describes school practices, programs, and materials designed to help children from diverse groups experience educational equality. Banks believes the potential of multicultural education is the promise that schools will be reformed within the context of the basic assumptions already held by most teachers and the democratic values already present in schools. Multicultural education does not envision new goals for schools but asks schools to expand their existing concepts of political and cultural democracy to include large groups of students

who have historically been denied opportunities to realize the American values and ideals. During Banks' research he discovered that many teachers appreciate the idea of multicultural education, but do not believe (especially at the high school level) that it applies to their teaching (Joslin, 1998). Banks' framework has five dimensions that should be considered by teachers, as seen in Figure 1.

Figure 1

Multiculturalism Components



Note. The five dimensions of multicultural education. From "Race, Culture, and Education: The Selected Works of James A. Banks," by J. Banks, 2006.

The two most important dimensions for this study are "equity pedagogy" when teachers change the way the curriculum is taught so it is understood by a variety of students, male, female, Black, White, Hispanic, Asian, etc. The second relevant

dimension is “prejudice reduction” when teachers work to reduce prejudice in their classrooms and use methods that promote equity (Banks, 1989).

Conceptual Framework

Figure 2

Conceptual Framework



The specific categories of special education identification, such as learning disability, speech/language disability, emotional disturbance, etc., are not reported to the Civil Rights Data Collection or the National Center for Education Statistics. For this study, the use of IDEA status will include all students identified as special education. Racial disparities in student special education classification are reliant on many factors. Ideally, data would be available to measure the impact of these factors on the rates of disproportionality in special education, but quantifying racism and bias in schools is difficult. Other contributions such as district support to families, which schools have fully developed response to intervention practices, and schools that have multicultural programs or bias education are also difficult to measure. As a result, factors that are being considered, shown in Figure 2, are the urbanicity of school districts, the percentage

of students with free/reduced lunch status, the percentage of students with Limited English Proficient status, the student-teacher, and student counselor ratios.

While populations of students in urban areas tend to represent larger numbers of racial-ethnic minority groups, it is possible that a lack of cultural understanding could lead to disparities in IDEA status in suburban, town, and rural schools at a greater percentage. Another factor is Free/Reduced Lunch (FRL) status. Students that are live at the poverty level may have increased percentages of IDEA status, which could indicate a lack of resources available at home as a contributing factor. The number of students with Limited English Proficiency (LEP) may also have an impact on IDEA status. Students that immigrate to New York schools from other countries are not always the recipients of formal education previously. Students with interrupted formal education arriving in secondary schools are often many grade levels behind. These students, already disadvantaged because of the barrier of learning English, have additional barriers of missing foundational knowledge that could be interpreted as a disability by teachers that are not trained in how to meet the needs of these students. Finally, looking at certified professional staff, both teachers and counselors, is an important factor. The classification of students has been noted to be subjective and the number of highly trained professionals in schools can greatly impact that number. Districts and schools with smaller budgets, do not necessarily employ as many certified professionals as districts with larger budgets. City schools, in particular, are known for large class size and high teacher turnover. The student-teacher and counselor-teacher ratios could be an indicator of not only the ability of a district or school to properly identify students for special education, but also of the other supports available to families.

Significance of the Study

This study aims to identify characteristics of schools that have a disproportionate number of racial-ethnic minority students, especially Black and Hispanic, identified as special education. The overrepresentation of these racial-ethnic minority students has been documented for many years, but there are still schools cited by New York State Education Department annually. Placing students in special education inappropriately can lead to students being in a more restricted environment than necessary for their needs, which can stigmatize students and lead to further disparities in educational opportunities. This study will help identify trends in classification of Black and Hispanic students in New York state which can, in turn, identify practices and policies that should be examined to decrease the disparity and disproportionate numbers of Black and Hispanic students identified for special education services.

This research is especially important as New York state embarks on its Culturally Responsive Sustaining Education Framework. In 2018, the New York State Education Department convened a panel of experts to draft a framework to address the historical inequities that exist in education as a result of a complex system of cultural bias that have been deeply rooted in American institutions, history, and culture. The creation of this framework was intended to help all educational stakeholders, from students and teachers to educational policy makers at the state level, create student-centered learning environments that affirm cultural identifiers; foster positive academic outcomes; develop students abilities to connect across lines of difference; elevate historically marginalized voices; empower students as agents of social change; and contribute to individual student

engagement, learning, growth, and achievement through the cultivation of critical thinking.

The framework is grounded in four principles: Welcoming and Affirming Environment, High Expectations and Rigorous Instruction, Inclusive Curriculum and Assessment, and Ongoing Professional Development. The framework further aligns with New York State Education Department policies and the Every Student Succeeds Act (ESSA) Plan for New York. The framework recognizes the effect of school environments on student academic performance and supports efforts to improve school climate.

Culturally Responsive Sustaining Education Framework (CR-S) promotes relationships of trust and respect between schools and families, recognizing that student achievement and school improvement are shared responsibilities. The framework provides educators with opportunities for continual professional development in the areas of equity, anti-bias, multiculturalism, and culturally responsive teaching pedagogies. Finally, CR-S supports districts and their communities in engaging in critical conversations about culturally responsive-sustaining educational systems.

Connection with the Vincentian Mission in Education

This research is aligned with the Vincentian Mission because it seeks to define causes and encourage solutions for the problem of disproportionality in special education identification of Black and Hispanic students who have historically been overrepresented. In finding these causes and determining possible solutions, the educational experiences in these two racial-ethnic minority groups could be more equitable with their White peers than they were before. This research could also encourage educational institutions to

adopt a culturally responsive approach for their students and become more inclusive environments.

Research Questions

- 1) To what extent are there racial-ethnic disparities in IDEA classification at New York public schools?

Null Hypothesis 1: There are no differences in IDEA classification by race-ethnicity in New York public schools.

- 2) To what degree do racial-ethnic disparities in IDEA classification vary by urbanicity at New York public schools?

Null Hypothesis 2: There are no differences in IDEA classification by race-ethnicity or urbanicity in New York public schools.

- 3) To what extent are various school characteristics associated with disparities in IDEA classification at New York public schools?

Null Hypothesis 3: Various school characteristics are not associated with disparities in IDEA classification at New York public schools.

Design and Methods

This study is an ex post facto non-experimental study because there are not any human subjects and there was no manipulation or randomization. Data obtained from existing databases will be analyzed using histograms, correlations, and one-way ANOVAs to compare groups and the use of multiple regression to analyze multiple predictor variables to determine characteristics that predict the outcome of being classified as special education.

The dependent variable throughout the study is the proportion of Black and Hispanic students classified as Special Education compared to their White peers. Other variables that will be considered are the percent population of the three racial-ethnic groups, White, Black and Hispanic, being analyzed in the study. Also considered are the percent of Limited English Proficient students, the percent of students receiving free/reduced lunch, the teacher to student ratio, the counselor to student ratio, and the urbanicity of the schools.

New York State data obtained from the Civil Rights Project for the 2015-2016 school year combined with data from the National Center for Education Statistics (NCES) for that same time period will be analyzed. Forty-six data codes were found to be relevant from the Civil Rights Project data combined with seven additional data codes from the NCES that specifically identified socio-economic factors for New York State schools. Data for 4,917 schools will be considered in the analysis. This total of all public schools operating in New York State during the 2015-2016 academic school year.

Definition of Terms

Disproportionality, defined as the underrepresentation or the overrepresentation of a particular student group within a setting or outcome of interest, given that group's proportion in the total population.

Urbanicity, the degree to which an area is urban.

IEP, Individualized Education Program, is a legal document that is developed for each public-school child that needs special education. It is created through a team made up of teachers, administrators, and the child's parents to best meet the child's educational needs.

504 plan, developed to ensure that a child with a medical disability is identified under the law and receives accommodations that will ensure academic success and access to the appropriate learning environment.

FTE, Full-time equivalent, is a unit that indicates the workload of an employed person, in this case a teacher or counselor, across various contexts.

Students with Disabilities, a student determined to have a physical or mental impairment that limits abilities or life activities.

CHAPTER 2

In this chapter, I will discuss the literature surrounding both the DisCrit Theory, Multiculturalism, and research on disproportionality in special education. There will be discussion surrounding the cultural stigma of special education and minorities, and practices that should be utilized by educators to reduce disproportionality in identification of special education students. Finally, this chapter will discuss the idea of cultural mismatch and the effect that can have on minority students.

Theoretical Framework

This study relies on two theories that help explain bias in both classification of special education status, and discipline in public schools. The first theory discussed is known as DisCrit Theory, which brings together Disability Studies and Critical Race Theory. DisCrit Theory was proposed in 2013. The second theory is Multiculturalism, proposed by James Banks in 1995. After a discussion of each theory, there will be evidence from different literature surrounding biases, poverty, referral practices, and cultural differences that have resulted in disproportionate classification of minority students into special education.

DisCrit Theory

The disproportionately high number of racial-ethnic minority students identified as being students with disabilities is well documented (Annamma, et.al., 2013; Bean, 2013; Ford, 2012; Morgan, Farkas, Cook, Strassfeld, Hillemeier, Pun, Schussler, 2017; Patton, 1998; Skiba, Poloni-Staudinger, Gallini, Simmons, & Feggins-Azziz, 2006). In order to address this issue and create a framework to guide educators in purposeful identification of students, Annamma, Connor, and Ferri developed the DisCrit Theory (2013). DisCrit

brings two theories together, Disability Studies and Critical Race Theory, with the objective to move beyond limited understandings of race and ability (Schwartzman, 2019).

DisCrit scholars propose color evasiveness as a term that is not ableist, signals a more robust understanding of racism as multimodal, and more appropriately capture's society's purposeful, rather than passive, refusal to interrogate racism and White privilege (Annamma, Jackson, & Morrison 2017).

DisCrit affords a simultaneous interrogation of Whiteness and smartness in the "normalizing text" or curriculum, that legitimizes exclusionary practices in both K-12 schools and teacher education. It highlights the overrepresentation of racial-ethnic minority students in the more subjective special education categories, such as emotional disturbance and learning disability and how a disability diagnosis is used to segregate students of color. Similarly, it emphasizes how Whiteness continues to define "good" behavior resulting in higher suspension rates for students of color. (Schwartzman, 2019). There have been arguments that racial-ethnic minority students have been placed into special education to alleviate problems in the mainstream classroom (Gravois & Rosenfeld, 2006). Harry and Artiles theorize that the overrepresentation of cultural minorities in special education is understandable because students from these minority communities possess deficits in learning (Chamberlain, 2005).

Whiteness presents multiple barriers to preserve teachers of color, such as the regiment of standardized testing and racial biases in defining teacher quality that are premised on the basis of capacity. DisCrit can be used to unpack limited understandings of diversity when preparing preservice teachers of color in historically marginalized space to teach historically marginalized students in urban schools (Schwartzman, 2019).

When examining curriculum through a DisCrit lens, it is evident that curricular reform is incomplete, with schools hanging on to curriculum that is bound in Whiteness and smartness, where students learn about diversity without experiencing a shift in their social imagination (Schwitzman, 2019).

A proposal to ensure curriculum is reflective of a diverse population is being considered in New York with the creation of the Culturally Responsive Sustaining Framework. By examining curriculum through the lens of the framework, steps can be taken to address the inequities that exist and ensure a diverse perspective.

Multiculturalism

The idea of multiculturalism and ensuring the diversity of curriculum in schools is gaining traction in many states, New York state released a Culturally Responsive Sustaining Education Framework in 2018, designed to guide stakeholders in ensuring representation from diverse perspectives in the establishing of curriculum and educational practices. A major theme in the literature addressing disproportionality is the impact on cultural differences of minority students on teacher perception and practices. In an effort to address this disproportionate placement, many policymakers have looked to professional development of preservice and in-service teachers in the area of multiculturalism (Gravois & Rosenfeld, 2006). Wiggan and Watson-Vandiver (2019) believe that multi-billion-dollar initiatives such as No Child Left Behind, Race to the Top, and Common Core Standards, fail to address the underlying issues in school curricula nationwide. They believe there is an overt lack of multiculturalism and diversity within state standards of assessments. Population trajectories predict racial-ethnic minorities to comprise 64% of the nation's children by 2060, yet the teacher

workforce has remained constant for over 30 years. Data from National Assessment of Educational Progress shows that teacher workforce is consistently in the 80th percentile for White teachers. The lack of a diverse workforce presents many concerns, the most important being the mismatching of student and teacher cultures. Wiggan and Watson-Vandiver (2019) believe that diversity training and recruitment of racial-ethnic minority teachers is an important step in meeting needs of students nationwide. There are many negative issues associated with placement in special education, low achievement levels, low completion rates, low graduation rates (Chamberlain, 2005). These issues are thought to be the result of poor professional practices but could also be the result of bias, which is a significant factor (Chamberlain, 2005). Harry believes these biases lead to referral decisions, assessment practices, and assumptions that have been made because of disadvantaged backgrounds (Chamberlain, 2005).

In 1995, James Banks presented his research and work at Howard University. He expressed that there are three major components to Multicultural Education. The first is as an idea or concept, the second as an educational reform movement, and the third as a process (Banks, 1995). The State of New York Education Department has taken the position that an increase in multicultural education with a focus on equity and inclusion to promote education that will allow students to thrive and result in a decrease of disproportionality in special education (NYSED.gov, 20XX)

As an idea, multicultural education maintains that all students should have equal learning opportunities, regardless of race, ethnicity, gender group, or social class to which they belong (Banks, 1995). As an educational reform movement, multicultural education tries to reform schools in ways that will give all students an equal opportunity to learn.

Multicultural education describes teaching strategies that empower all students and gives them a voice. Finally, as a process, multicultural education has the goal of creating within schools and society the democratic values as stated in the Declaration of Independence, the Constitution, and the Bill of Rights: equality, justice, and freedom (Banks, 1995).

Banks developed five Dimensions of Multicultural Education. They are content integration, the knowledge construction process, prejudice reduction, equity pedagogy, and empowering school culture and social culture.

Prejudice reduction, the third dimension, relates to characteristics of students' attitudes toward race and strategies that teachers can use to help them develop more democratic values and attitudes. Research has suggested that children entering kindergarten have already developed a "White bias" leading researchers to believe that early interventions are important because the older children get, the more difficult changes to attitudes and beliefs become. Equity pedagogy exists when teachers modify their teaching in ways that will facilitate academic achievement of students from diverse racial, cultural, ethnic, and gender groups. This pedagogy also suggests high expectations exist for all groups to create equal-status classrooms. The final dimension is empowering school culture and social structure which implies the need to restructure the entire education system, from curriculum to testing (Banks, 1995).

Multicultural Education was considered a new civic education for a new America when introduced by Banks (Powers, 2002). Multicultural Education grew out of the Civil Rights protest movement in the 1960s and 1970s and was thought to be an education in democratic moral principles. As American committed to fighting racism, sexism, and other forms of unjust discrimination, multicultural education was shaped by political and

moral logic. Banks insisted that the challenge was to create an education that would foster an inclusive, pluralistic society (Powers, 2002).

Literature Review

In this section, I will examine how bias and a lack of cultural understanding by teachers and administrators leads to overrepresentation of racial-ethnic minority students, especially Black students, in special education referrals and classification. The review will continue as I look at the problem of poverty and how that manifests in American schools. The misunderstanding of cultural norms will be examined with a lens on both Black and Hispanic families while going deeper to look at how Hispanic students are sometimes identified as having a need for Special Education services as opposed to language support.

Biases, Special Education, and Disproportionality

It is well documented that African American males are overrepresented in special education placement, receiving their education in segregated classrooms (Patton, 1998). African American children are placed in special education programs for learning disabilities, emotional and behavioral disorders, and mental disabilities at a higher rate than other students, this reality has persisted even after 40 years of recognition (Artiles, et. al., 2010; Bean, 2013; Patton, 1998; Zhang, et.al, 2014).

Some researchers have attributed the high rates of special education placement of students of color to educators' implicit and explicit beliefs regarding the intellectual capabilities of students of color from different backgrounds and systemic bias built into school and community structure (Grindal et al., 2019). Proponents of this bias hypothesis have noted differences in rates of disproportionality across different contexts. High rates

of special education identification for students of color are particularly evident for disabilities identified most often in a school setting, such as learning disabilities, emotional disabilities, and intellectual disabilities compared to those that are most often identified by a health care provider (Grindal et al, 2019).

Coutinho, Oswald, and Best (2002) found that Black students who attended school with a low percentage of Black students have a higher probability of being identified for special education than those who attended schools with larger percentages of Black students. Coutinho and the other researchers argued that the differences in rates was not the result of actual differences, but the result of a student appearing to stand out from their peers. In New York State in the 2015-2016 academic school year, 18% of the total enrollment of students in public schools were Black but were 23% of the total enrollment of special education students in K-12 public schools. Hispanic students made up 26% of the total enrollment, but 32% of the total enrollment of special education students. White students made up 45% of the total enrollment, but only 38% of the total enrollment of special education students.

Gravois and Rosenfeld (2006) identified three themes that have arisen from the two decades of research generating hypotheses about the influences on the observed patterns of disproportionality in special education. They include cultural variables that affect the initial referral of racial-ethnic minority students, bias in the assessment procedures used to determine eligibility, and effectiveness of the instruction and intervention in addressing academic and behavioral needs of at-risk students.

Disproportionality has been and continues to be of concern in most states (Artiles, et.al., 2010; Bean, 2013; Blanchett, 2006; Castro-Villarreal, et. al., 2016; Gravois &

Rosenfeld, 2006; Skiba, et al., 2008; Zhang, et al., 2014). Title VI of The Civil Rights Act, 1964, provided people the right not to be discriminated against based on their race, color, or national creed. In 1964 Individuals with Disabilities Education Act (IDEA) established that all students are entitled to a free and public education (FAPE), essentially determining guidelines for students to be educated in the least restrictive environment so as best to reach their full educational potential (Skiba, Horner, Chung, Rausch, May & Tobin, 2011). IDEA was modified in 2004, further cementing the rights of students with disabilities.

Instead of ensuring equity, these policies have been described as color-blind and have furthered inequities in the field of special education broadly and the incidences of disproportionality more specifically (Artiles, et al., 2010). Students from historically underserved groups have traditionally been placed in special education at a disproportionate rate (Artiles, Trent, & Palmer, 2004; Gravois & Rosenfeld, 2006). One argument has been that color-blind research and policies have lowered the complexities of racial-ethnic inequalities for special education students by stalling the generation of knowledge, interventions, and policies (Artiles, et al., 2010). Artiles, et al. (2010) further suggested that policy makers and practitioners failed to consider cultural and historic factors when IDEA was created, resulting in unintended outcomes for students. The misalignment between *Brown v. Board of Education* and IDEA increased the racial-ethnic minority representation of students in previously all-White schools, resulting in the disproportionate placement of African American students in special education and seen by some as an exercise in White privilege and racism (Blanchett, 2006).

Special Education Referral Practice and RTI

High incidence disabilities are described as “judgmental” categories, which means the diagnosis relies heavily on professional clinical decisions. Many of these disabilities lack biological etiologies, their definition fraught with ambiguity, uncertainty, and bias (Artiles, et al, 2010). Black and Hispanic students are more likely than White students with the same income status to be identified as being eligible for special education. These differences are noted for the categories that are typically identified by school personnel (learning disabilities, emotional disabilities, and intellectual disabilities) but not in categories that are most often identified by medical personnel such as deafness and blindness (Grindal et al., 2019). Grindal, Schifter, Schwartz, and Hehir also found that when Black and Hispanic students are identified as having a disability, they are more likely to be placed in a more restrictive environment than White students.

The use of Functional Behavioral Assessments (FBA) as a pre-referral practice can slow down the typical rapid succession approach many schools subscribe to when addressing challenging behaviors in students (Moreno & Segura-Herrera, 2013). The FBA is a systematic, evidence-based practice that examines challenging behaviors in the context of antecedents and consequences to ascertain the reason behind the behavior demonstrated by students (Moreno & Segura-Herrera, 2013). FBA has been stipulated in IDEA as a required practice to assist students with disabilities allowing educators to collect both qualitative and quantitative data in order to develop a behavioral hypothesis to understand the challenging behavior demonstrated by the student (Moreno & Segura-Herrera, 2013). While the FBA has been stipulated for students with disabilities, the process holds an advantage when working with students who have not been referred to

special education (Moreno & Segura-Herrera, 2013). The FBA provides educator teams a process to examine students regardless of background and focus on the context of the challenging behaviors, which can be advantageous when working with students of color. The behavioral history can be used to better distinguish between cultural differences and possible disabilities reducing disciplinary actions and inappropriate special education referrals (Moreno & Segura-Herrera, 2013).

Role of teacher preparation and special education referrals

Teacher education programs better designed to prepare teachers to work with diverse populations of students have become more common (Gravois & Rosenfeld, 2006). California, for example, has implemented a cross-cultural, language, and academic development (CLAD) emphasis as part of its teacher certification requirement with the goal of helping teachers develop more effective teaching strategies to work with diverse student populations (Gravois & Rosenfeld, 2006). Implementation and methodological issues, however, have prevented a measure of the impact that they have had on special education referral patterns (Gravois & Rosenfeld, 2006). Despite efforts to recruit diverse teachers, the majority of the teaching force remains White women (Schwitzman, 2019). Additionally, Schwitzman believes that a focus on race, either recruiting teachers of color or preparing all teachers, denies teachers of all ethnic backgrounds robust diversity training and education.

Gravois and Rosenfeld (2006) conducted a study to investigate the impact of Instructional Consultation Teams (IC Teams) on disproportionate referral and placement of racial-ethnic minority students into special education. These teams focused on

supporting instruction and the quality of intervention provided by teachers and were found to be quite successful in reducing referrals.

Harry (2002) advocates for personnel preparation programs for professionals in special education that includes coursework in the study of cross-cultural literature related to families and disabilities. She feels these courses should be presented with strong practical emphasis that requires students (preservice and in-service teachers) to develop and practice awareness of the cultural principles on which special education is based.

The limitations of a culture-specific approach to training include the danger of stereotyping and the overall inability of the course to address the variety of cultures needed, thereby requiring the use of a broader cultural framework (Harry, 2002). Issues of disproportionality, inequity, and referral bias should be directly addressed in professional development programs to set the context and need for culturally responsive practice (Castro-Villarreal, et al., 2015).

A DisCrit lens, Schwitzman proposes, on curriculum and pedagogical reform would allow preservice teachers to experience a shift that is not being experienced without it. By bringing racism, sexism, heteronormativity to the forefront when discussing civil rights and present-day shortcomings of the civil rights movement, it may allow preservice teachers to move past the norm that the word “people” refers to people who are both White and nondisabled unless otherwise specified (Schwitzman, 2019). Discussion of the “deficit perspective” should be contrasted with “equity perspective” that recognizes the role of culture, power, and history in historical and systemic practices (Castro-Villarreal, et al., 2015)

Poverty, Race, and IEP Referrals

A long-standing position, used to justify the disproportionality seen in special education placement, is the critical impact of poverty on school performance (Artiles, et al., 2010). The high correlation between race and socioeconomic status makes it difficult to entangle the role of these two factors in driving racially disparate rates of special education identification (Grindal, et al., 2019). The logic of this argument is derived from the fact that children from historically underserved groups are more likely to live in low-income households and experience stressors and developmental threats that accompany poverty (Artiles, et al., 2010; Grindal et al., 2019). These children are more likely to fail in school (Skiba et al., 2008) and more likely than their White peers to have limited proficiency in English, have parents that immigrated from another country, and to be retained in school (Komenski, Jamieson, & Martinez, 2001). It is considered possible that the observed differences in rates of special education identification among racial groups may be attributed to differences in household income. It was also considered that Black and Hispanic students often experience racial-ethnic discrimination in schools, making it possible that racial-ethnic bias contributes to the observed overidentification regardless of socioeconomic status (Grindal et al., 2019).

Research on children living in poverty has shown that they may experience difficulty in many areas including language development, literacy and numeracy skills, content knowledge, and social and emotional skills (Donovan & Cross, 2002). Socioeconomic factors have been viewed as a means to explain the overrepresentation more than race-ethnicity (Zhang, et al., 2014). Researchers agree that poverty as the sole cause of racial and ethnic disparities in special education lacks evidence (Blanchett,

2006; Skiba et al, 2008; Artiles, et al, 2010; Zhang, et al, 2014). Skiba, Poloni-Staudinger, Simmons, Feggins-Azziz, and Chung (2005) found that simple correlations between race and poverty of even moderate strength do not guarantee that the two variables will function in the same way with respect to outcomes variables such as identification for special education services. Their results of regression analyses indicated that poverty made a weak and inconsistent contribution to the prediction of disproportionality across a number of disability categories. However, they did find that suspension and expulsion rates consistently predicted district rates of special education disproportionality.

Poverty has been discussed as a possible hypothesis to account for rates of disciplinary referrals among students of color (Skiba, et al., 2011). The connection of race and socioeconomic status (SES) in American society raises the possibility that low SES is consistently found to be a risk factor in school suspension (Brantlinger, 1991, Skiba et al, 2011). Students of color are thought to be subjected to a variety of stressors as a result of their SES in general and poverty specifically (Skiba et al, 2011). School personnel have been noted to agree that disproportionality by race is perceived to be more disproportionality by poverty (Skiba, et al 2005). Morgan, Farkas, Cook, Strassfeld, Hillemeier, Pun, and Schussler (2017) after comparing empirical studies, provided the viewpoint that Minority Disproportionate Representation (MDR) is reported incorrectly. When they adjusted for covariates, they determined that there was very little evidence that Black students' overrepresentation in special education was based on their race or ethnicity. They found the majority of the coefficients from the strongest studies, such as by Skiba et al, showed significant underrepresentation. While they didn't agree

with the majority of studies about over- versus under-representation, they did agree that there is a need to intensify the use of culturally sensitive screening and evaluation practices and did suggest there may be implicit bias (Morgan, et al, 2017). According to Connor (2019) when the field of Special Education embraced the findings of Morgan, the result was a temporary suspension of federal funding to researchers working to ameliorate the well documented problem of racial-ethnic minority overrepresentation in Special Education.

Assumptions About Culture

Patton (1998) proposed that many researchers in special education generally explained and interpreted the behavior of African American students based on their “outsider” beliefs and assumptions about the origins and meanings of behavior and the values placed on that behavior and the person. He questioned if the process of observing and identifying African American students was bound by the frame of reference of the observer. Patton further questioned if the process lacks sufficient understanding of the culture. Culture is infrequently acknowledged in disproportionality work of the past even though assumptions, such as how culture mediates human development, the influence of students’ cultural tool kits and household cultures in childrens’ literacy acquisition, the role of teachers’ cultural theories about student failure in special education referrals, and the role of the classroom culture in student performance, permeate the literature (Artiles, et al., 2010).

It is argued that schools are governed by specific cultural assumptions, generally in line with privileged White, middle-class values and perspectives that put racial-ethnic

minority students at a disadvantage, especially when making decisions about what counts as learning, who displays disruptive behavior, and who is disabled (Artiles, et al., 2010).

Teachers who are encouraged to understand African American culture can become more responsive in meeting the needs of their African American students (Ford, 2012). Boykin (1994; Boykin, Tyler & Miller, 2005) identified learning characteristics of African American students. It was believed that teachers may misunderstand or misinterpret these behaviors when they do not understand or share the culture. They are spirituality, harmony, affect, communalism, movement, verve, expressive individualism, orality, and social time orientation (Ford, 2012).

While there are facets of all of these that are important to understanding the culture of African American students, most notable for this study are the ideas of harmony/affect, communalism, and movement/verve. Harmony and affect involve both expression and behavior in the classroom environment, the need to both feel respected and the sensitive and reactionary behaviors that are sometimes demonstrated as a result of interactions with classmates and with tests and assignments given (Ford, 2012).

Communalism is family or social orientation. This characteristic when displayed by Black students, can mean that students are more comfortable working in small groups or cooperatively. This can be interpreted by teachers to mean that students are less mature, too social or extroverted, or lack independence. Movement and verve are both active traits that can be misinterpreted by teachers and administrators as lacking in self-control, hyperactive, and can manifest in emotional outbursts as a result of boredom (Ford, 2012). It is possible for acceptable cultural responses to be mistaken for emotional or behavioral disorders (Ford, 2012).

Harry argues that cultural differences in definitions and interpretations of disabilities, in parental interaction styles, as well as expectations for advocacy must be considered when planning for the structure of services to students. It is important to note that understandings of beliefs and practices are one cultural variation and therefore, to serve a wide diversity of families, other variations must be respected (Harry, 2002).

Hispanic students and families have many cultural styles among different subgroups, but there are noted common characteristics among most Hispanic groups (Ford, 2012). One universal value within Hispanic communities is *familismo*, when the family takes priority over the individual or community. Hispanic families display close relationships among more than the traditional nuclear family, and it is common for extended families to live close together. There is often strong interdependence among family members. Decisions that affect students are often made by a variety of family members and their opinions weigh equally to the parents in many cases (Ford, 2012).

Moreno and Segura-Herrera (2013) argue that cultural misunderstandings of Hispanic students and their values blame some students for low educational attainment, blaming them for high drop-out rates within the educational pipeline. They stress that a deeper cultural understanding of the largest population of elementary school children could impact that educational journey.

Cultural Mismatch

Teaching faculty in most school districts are predominantly White and female, increasing the probability of a cultural mismatch and a disproportionate number of referrals for both special education and discipline (Skiba et al, 2011). The student population in the U.S. school system is becoming more diverse, but the educators in the

system remain constant, creating a diversity rift (Moreno & Segura-Herrera, 2013). This rift is thought to contribute to the disproportionality of diverse students in special education in a number of ways including biased testing, inaccurate description of diverse behaviors, limited involvement of family and community aspects in the education of diverse students (Moreno & Segura-Herrera, 2013). It is believed that this diversity rift is one of the strongest explanations of the overrepresentation of Hispanic students in both special education and discipline referrals (Moreno & Segura-Herrera, 2013).

Robinson and Norton (2019) believe that when the demographics of teachers do not match student demographics, there is the potential for misunderstandings and conflicts at an individual level. These conflicts may result in increased disciplinary issues and increase the number of racially disproportionate referrals.

ELL or Special Education Student?

Numbers of Hispanic students in schools is increasing nationwide, and those who speak a language other than English at home has also increased. There are differences in racial-ethnic subgroups of Hispanic and Asian students and the numbers of students able to speak English with proficiency (Ford, 2012). Language can be a major barrier for many groups who immigrate to the United States, and teachers' beliefs and values about foreign language play a role in their attitudes and behaviors toward these students. Some believe that not knowing English is a special education issue (Ford, 2012).

Sullivan (2011) explored the degree of disproportionality in the identification and placement of English Language Learners in special education. The results of the study indicated that these ELL students were very likely to be identified as having a learning disability or mental retardation. What educators must realize is that for students having

difficulty transitioning to a new language does not mean that they have intellectual disabilities or require special education services (Ford, 2012). While some studies have indicated that Hispanic students are underrepresented in special education categories, the numbers reported in New York state for the academic year 2015-2016 show a higher percentage of Hispanic students in special education (32%) compared to the total enrollment in New York schools (26%).

Educators with weak cultural understanding of Hispanic students have increased rates of identifying and placing students in special education, even when no genuine disabilities exist (Moreno & Segura-Herrera, 2013).

Disciplinary Referrals, Race, and IEP Status

Data at the national, state, district, and building level has supported the findings that students of color are suspended at rates two to three times higher than other students, and are overrepresented in disciplinary referrals, corporal punishment, and school expulsion (Skiba et al. 2011). Skiba et al further discusses that there have been hypotheses proposed to account for these disciplinary rates including poverty, cultural mismatch, racial stereotyping, and higher rates of disruption among students of color. Skiba et al in 2005, found that the rates of suspension and expulsion consistently predicted district rates of special education disproportionality.

Punitive practices have not been found to improve student conduct, achievement, or relationships with educators. They provide little positive influence on students' quality of life, and they magnify the overrepresentation of students from diverse backgrounds (Moreno & Segura-Herrera, 2013).

Annamma et al. 2013 take the position that ableism and racism are independent constructs and that some disabilities are more stigmatized than others, combined with some races being more stigmatized than others and resulting in the disproportionality patterns seen in special education.

Gaps in the Research

While the research on African American students and disproportionality has been documented for decades, studies vary on Hispanic students as being over- or under-represented. The relationship between special education identification and classification and school discipline is also under-researched. While some studies provide evidence that Hispanic students are not disciplined any more than their White counterparts, others show that there is evidence that Hispanic students are disciplined at a higher rate and that the discipline leads to larger, unintended consequences (Skiba et al, 2011). Cultural competency on behalf of schools is an important part of a culture shift that could lead to lower rates of referral and placement in special education as well as a decrease in disciplinary practices among racial-ethnic minority students (Harry, 2002; Blanchett, 2006; Artiles et al, 2010).

CHAPTER 3

The purpose of this ex post facto non-experimental study was to examine the proportion of racial disparities in IDEA classification in New York public schools, how these disparities vary by urbanicity, and to what extent various characteristics of schools predict disparities in special education status among racial and ethnic groups. In this chapter, I discuss the research questions, the analysis that was used to answer those questions and how the variables were computed using the data from the Civil Rights Data Collection and the National Center of Education Statistics. The literature discussed in Chapter 2 primarily presented that there is an overrepresentation of Black and Hispanic students identified as special education, this chapter will explain how the data from New York public schools is analyzed to see if that claim holds true in New York state with contemporary data.

Research Questions

- 1) To what extent are there racial-ethnic disparities in IDEA classification at New York public schools?

Null Hypothesis 1: There are no differences in IDEA classification by race-ethnicity in New York public schools.

- 2) To what degree do racial-ethnic disparities in IDEA classification vary by urbanicity at New York public schools?

Null Hypothesis 2: There are no differences in IDEA classification by race-ethnicity or urbanicity in New York public schools.

- 3) To what extent are various school characteristics associated with disparities in IDEA classification at New York public schools?

Null Hypothesis 3: Various school characteristics are not associated with disparities in IDEA classification at New York public schools.

Research Design

This study is an ex post facto non-experimental study because there were not any human subjects, and there was no manipulation or randomization. Data obtained from existing databases was analyzed using one-way between-subjects ANOVAs, correlations, and multiple regression to determine characteristics that predict the disproportionate special education classification of students in schools.

Reliability and Validity of the Research Design

School data for urbanicity and the percent of students receiving Free/Reduced Lunch was obtained from the National Center for Educational Statistics (NCES). The NCES has the goal of making data and information available to the public. It is one of the principal federal statistical agencies and is the primary federal entity for collecting and analyzing data related to education in the United States. The mission of the NCES is to collect, analyze, report, and disseminate education information and statistics in a manner that meets the highest methodological standards.

All other data was obtained from the Civil Rights Data Collection (CRDC) for 2016. The data obtained include information from all schools in New York State in 2015-2016. The Office for Civil Rights (OCR) prepares the data for the CRDC and places a high priority on ensuring its accuracy. The data submission system uses a series of embedded edit checks to ensure significant data errors are corrected prior to a district

submitting the data. The data used for analysis focused on schools that had populations of both White and Black students with a minimum enrollment of at least 10 of each racial background. Data was again edited to reflect both White and Hispanic students, again with a minimum of 10 each. Schools that had below 10 students, White, Black or Hispanic were not included. With the large sample size, the study was found to have adequate power ($> .80$) with an estimate of power for a correlation of $> .99$ because the sample size for both White-Black and White-Hispanic contained more than 2390 schools.

Sample size and power increase the statistical conclusion validity of the study, with the results possibly being generalizable to other states with these populations of interest.

The Sample and Population

The sample is made up of all schools in New York State for the 2015-2016 academic school year, a total of 4917 schools ranging from elementary to high schools. Schools are listed individually, not by school district, and include all public and charter schools serving grades Pre-K to 12. Table 1 shows the demographic breakdown of the data obtained and the includes the characteristics of interest for the study. For the purpose of this study, the male and female enrollment in each category were combined for one student total.

Table 1

New York School Demographic Breakdown 2015-2016

Category	Number	% Total
Public Schools in New York State	4917	
Total Enrollment	2,731,958	100.0
Male Enrollment	1,405,567	51.4

Category	Number	% Total
Female Enrollment	1,326,391	48.6
Hispanic Males	361,024	13.2
Hispanic Females	342,326	12.5
Black Males	246,337	9.0
Black Females	234,176	8.6
White Males	631,041	23.1
White Females	591,702	21.7
Males with IDEA	290,597	10.6
Females with IDEA	148,889	5.4
IDEA Hispanic Males	86,912	3.2
IDEA Hispanic Females	42,338	1.5
IDEA Black Males	59,699	2.2
IDEA Black Females	26,726	1.0
IDEA White Males	111,809	4.1
IDEA White Females	54,800	2.0
LEP Hispanic Males	79,680	2.9
LEP Hispanic Females	64,813	2.4
LEP Black Males	7,531	0.3
LEP Black Females	6,132	0.2
FTE Teachers	217,949.33	100
Certified Teachers	215,109.44	98.7
Noncertified Teachers	2873.42	1.3

Procedures for Collecting Data

Archival data was obtained from the Civil Rights Data Collection (CRDC) database from the academic school year 2015-2016. Data was not available discussing Free/Reduced Lunch and Title I status of schools, that data was obtained from the National Center of Education Statistics (NCES) website using table building tools.

The Civil Rights Data Collection (CRDC) collects a variety of information, including student enrollment and educational programs and services, most of which are disaggregated by race, sex, English Learners, and disability. The CDRC is a longstanding and critical aspect of the overall enforcement and monitoring strategy used by the U.S. Department of Education (ED) Office for Civil Rights (OCR) to ensure that recipients of the Department's Federal financial assistance do not discriminate on the basis of race, color, national origin, sex, and disability. The OCR relies on data from the CDRC from public school districts as it investigates complaints alleging from discrimination, initiates proactive compliance reviews to focus on acute or nationwide civil rights compliance problems, and provides policy guidance and technical assistance to educational institutions, students, parents, and others.

The Department of Education's primary database on public schools, both elementary and secondary, in the United States is the Common Core of Data (CCD). The CCD conducts annual surveys and collects data about all schools, all local education agencies, and all state education agencies throughout the United States. CCD contains three categories of information: general descriptive information on schools and school districts; data on students and staff, and fiscal data. The general descriptive information includes name, address, phone number, and type of locale; the data on students and staff include selected demographic characteristics; and the fiscal data cover revenues and current expenditures. Private School data is collected by the Private School Survey which produces data similar to that of the NCES Common Core of Data for the public schools. The target population for the survey consists of all private schools in the U.S. that meet the NCES definition (a private school is not supported primarily by public

funds, provides classroom instruction for one or more grades K-12 or comparable ungraded levels, and has one or more teachers. Organizations or institutions that provide support for home schooling without offering classroom instruction for students are not included.

Research Ethics

The use of databases that provide data at the school level allow for no identifying information to be included. Every school in New York state that provided data to the Civil Rights Data Collection database was included.

Variables

Table 2

Variables and Their Explanations

Variable	Explanation
Race/Ethnicity	White, Black, and Hispanic as determined by the reported data to the state.
Urbanicity	City, Suburb, Town, and Rural as reported by school districts to the state.
Percent Free/Reduced Lunch	Number of students receiving free or reduced lunch prices divided by the total number of students as reported to the NCES
Percent Limited English Proficient	Number of students classified as Limited English Proficient as determined by the NYSESLAT and NYSITELL exams divided by total number of students as reported to the state.
Teacher-Student ratio	Number of students divided by the number of certified teachers in the school as reported by the school districts to the state.
Counselor-Student ratio	Number of students divided by the number of certified guidance counselors in the school as reported by the school districts to the state.

For purposes of this study, race/ethnicity is focusing on percentage of White, Black and Hispanic students reported at the school-level and obtained Civil Rights Data collection. Other races and ethnicities, such as Asian, Native American, and multi-race are not being considered due to either small numbers of students or because in the case of Asians, there is less literature suggesting a disparity.

Urbanicity is measured in four categories, City, Suburban, Town and Rural. The original data included degrees of each of these based on size. For these purposes, the degrees of each are combined into the respective category. The percent of Free/Reduced Lunch is determined from the data retrieved from National Center of Educational Statistics provided by the Department of Education. The number of students eligible for Free/Reduced Lunch was used to determine the percentage of Free/Reduced Lunch students compared to total enrollment of students. Limited English Proficient (LEP) student data was available from the Civil Rights Data collection and was utilized to calculate percent of LEP students enrolled in each school. Certified teacher data and counselor data was also available from the Civil Rights Data collection and was used to determine the ratio of students to certified professionals in the school.

Data Analysis

To answer the first research question, a correlation was computed to assess the relationship between the percent of White students, the percent of Black students, the percent of Hispanic students, the percent of White students with IDEA status, the percent of Black students with IDEA status, the percent of Hispanic students with IDEA status, the percent difference in White and Black students with IDEA status, the percent difference in White and Hispanic students with IDEA status, and the percent of students

receiving Free/Reduced lunch in schools with at least ten White students and ten Black students. The same correlation was run on data from schools with at least ten White students and ten Hispanic students.

For the second research question, a one-way between subjects ANOVA was conducted to compare the effect of urbanicity on the percent difference of IDEA classification in White students and Black students, and another for the percent difference of IDEA classification in White students and Hispanic students.

There were multiple regressions run to investigate the relationships among the variables. The first looked at the data from schools with at least ten White students and ten Black students to answer the third research question. The dependent variable was the difference of White and Black students with IDEA status, the independent variables were the teacher student ratio, the counselor student ratio, the percentage of White students, the percentage of LEP students, urbanicity of the school, and the percentage of students receiving free/reduced lunch. The second multiple regression looked at the data from schools with at least ten White students and ten Hispanic students for the third research question. The dependent variable was the difference of White and Hispanic students with IDEA status, the independent variables were the teacher student ratio, the counselor student ratio, the percentage of white students, the percentage of LEP students, urbanicity of the school, and the percentage of students receiving free/reduced lunch.

Conclusion

In Chapter 4, a discussion of the findings of the histograms, correlations, one-way between-subjects ANOVAs, and multiple regression analysis of the data. The results will show that there are areas of New York state that have disparities in special education

status of students by race, but that there are factors that have less influence on the model than anticipated.

CHAPTER 4

In this chapter, the results of the analysis of the data are shared. Data was checked to make sure it met all assumptions for results to be reliable. The relationships between the dependent variable and the independent variables were linear, this was shown through scatterplots. There was no collinearity in the data, VIF scores were below 10 and tolerance scores for all independent variables were above 0.2. The values of the residuals were independent, the Durbin-Watson statistic showed that this assumption was met because it was close to 2. The variance of the residuals was constant, there were no signs of funneling. The values of the residuals were normally distributed, the P-P plot for the model showed no deviations from normality. Finally, there were no influential cases biasing the model, Cook's Distance values were all under 1.

Results

Histograms were created for select data to determine the normality of the data obtained from the NCES and CRDC. For this study, to identify distribution of the populations of students, the first set of histograms was for the dependent variables of the study, percent difference in IDEA status of White and Black students and another for the percent difference in IDEA status of White and Hispanic students. The second set of histograms was for the dependent variable, percent difference in White students with IDEA status and Black or Hispanic students with IDEA status and the urbanicity of the schools. Once the histograms were analyzed, the research questions were addressed. The first research question discussion centers around the histograms and the correlation results. The second research question looks at histograms and the ANOVA results. The

third research question reviews the multiple regression results and also discuss the correlation results.

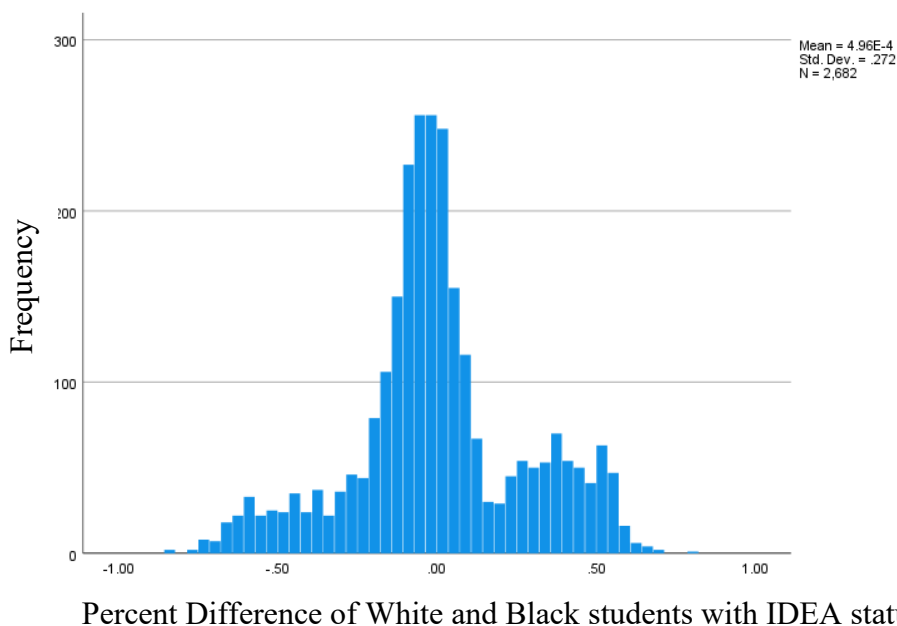
The subjects involved in the study are all public schools in New York state. Two analytical samples were created the first meeting the criteria of schools having enrollment of at least ten White students and ten Black students. The second sample meeting the criteria of schools having enrollment of at least ten White and ten Hispanic students. This data was merged by school ID and schools with incomplete information were eliminated. Further sorting of the data for student threshold minimum of ten students in the prioritized racial-ethnic categories resulted in additional elimination of schools. The final number of schools in the analytic sample of enrollment of at least ten Black students and ten White students was 2682. The final number of schools in the second analytic sample of enrollment of at least ten Hispanic students and ten White students was 3890.

Research Question 1

To answer the first research question, to what extent are there racial disparities in IDEA classification in New York public schools, histograms were created of the percent difference of White students and Black students with IDEA classification and a correlation was conducted. The histogram has mostly normal distribution, indicating that Black students are not more heavily identified as special education than White students. In fact, the mean is very close to zero, $M = 4.96E-4$ (SD .272) indicating no disproportionality is found in New York state for the analytical sample of a minimum of ten White and ten Black students in each school's enrollment. The histogram is shown below in Figure 3.

Figure 3

Histograms of Percent Difference in White students and Black students with IDEA status



A correlation was computed to assess the relationship between the percent of White students, the percent of Black students, the percent of Hispanic students, the percent of White students with IDEA status, the percent of Black students with IDEA status, the percent of Hispanic students with IDEA status, the percent of students that are Limited English Proficient, the percent of students receiving Free/Reduced lunch, the percent differences in IDEA status of White and Black students, and the percent differences in IDEA status in White and Hispanic students in schools with at least ten White students and ten Black students. Table 3 shows the Pearson's r , all correlations are significant, $p = <.001$. The strength of the correlation varied, however, with the most significant finding being the high negative correlation between the percent of White students and the percent of Hispanic students ($r = -.716$).

Table 3
Correlations for Black student sample

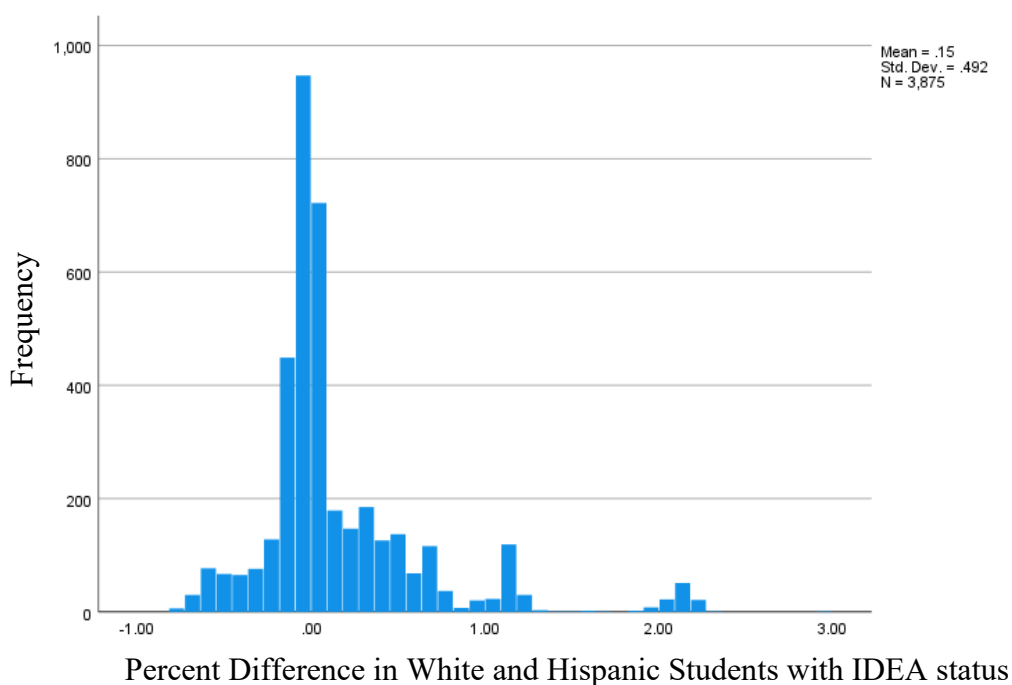
Variable considered	%Wh	%BI	%Hi	%WH IDEA	%BL IDEA	%HI IDEA	%LEP	%FRL	%IDEA BI-Wh	%IDEA Hi-Wh
Percent of White Students	1	-.629	-.716	.194	-.359	-.371	-.530	-.692	.506	.495
Percent of Black Students	-.629	1	-.080	-.093	.341	.207	.071	.442	-.406	-.264
Percent of Hispanic Students	-.716	.080	1	-.211	.212	.286	.597	.562	-.378	-.429
Percent of White Students with IDEA Status	.194	-.093	-.211	1	.384	.324	-.126	-.148	.449	.457
Percent of Black Students with IDEA Status	-.359	.341	.212	.384	1	.530	.111	.227	-.652	-.208
Percent of Hispanic Students with IDEA Status	-.371	.207	.286	.324	.530	1	.191	.159	-.247	-.693

Variable considered	%Wh	%Bl	%Hi	%WH IDEA	%BL IDEA	%HI IDEA	%LEP	%FRL	%IDEA Bl-Wh	%IDEA Hi-Wh
Percent of Limited English Proficient Students	-.530	.071	.597	-.126	.111	.191	1	.463	-.211	-.275
Percent of students with Free/Reduced Lunch Status	-.692	.442	.562	-.148	.227	.159	.463	1	-.342	-.262
Percent difference in IDEA status of White and Black Students	.506	-.406	-.378	.449	-.652	-.247	-.211	-.342	1	.575
Percent difference in IDEA status of White and Hispanic Students	.495	-.264	-.429	.457	-.208	-.693	-.275	-.262	.575	1

When looking at the first research question in respect to the analytical sample of enrollment of a minimum of ten White students and ten Hispanic students, a histogram was created for the percent difference in IDEA status of White students and Hispanic students. This histogram, shown in Figure 4, shows that White students are overrepresented, albeit very slightly, $M = .15$ ($SD = .492$). This histogram is positively skewed, with higher numbers on the side indicating White students are classified as special education more frequently than Hispanic students.

Figure 4

Histogram of Percent Difference in IDEA status of White students and Hispanic Students



Another correlation was computed for the sample with at least ten White students and ten Hispanic students to assess the relationship between the percent of Black students, the percent of White students, the percent of Hispanic students, the percent of White students with IDEA status, the percent of Black students with IDEA status, the percent of Hispanic students with IDEA status, the percent of Limited English Proficient

students, the percent of students receiving Free/Reduced lunch, the percent differences in IDEA status us White and Black students, and the percent differences in IDEA status in White and Hispanic students in schools. Table 4 shows the Pearson's r , all correlations are significant, $p = < .001$. A notable difference from the previous test, there were relationships found to have a very high negative correlation, the percent difference of White students with IDEA status and Hispanic students with IDEA status and the percent of Hispanic students with IDEA status ($r = -.922$). Another relationship found to have a very high negative correlation was the percent difference of White students with IDEA status and Black students with IDEA status and the percent of Black students with IDEA status ($r = -.959$). This test also found that the percent of Hispanic students had a high negative correlation with the percent of White students ($r = -.780$).

The percent of students receiving Free/Reduced lunch was surprising not highly correlated with any racial demographic but did have moderate negative correlation with the percent of White students in both tests. For schools with at least ten White students and ten Black students ($r = -.692$) and for schools with at least ten White students and ten Hispanic students ($r = -.591$). There were no strong correlations with Black students in results for either test, which supports the research that poverty is not a significant factor in the cause of disproportionality or identification for special education services in Black students.

Table 4

Correlations for Hispanic student sample

Variable considered	%Wh	%BI	%Hi	%WH IDEA	%BL IDEA	%HI IDEA	%LEP	%FRL	%IDEA Bl-Wh	%IDEA Hi-Wh
Percent of White Students	1	-.677	-.780	.179	-.543	-.517	-.593	-.591	.589	.572
Percent of Black Students	-.677	1	.243	-.096	.442	.310	.164	.435	-.464	-.339
Percent of Hispanic Students	-.780	.243	1	-.210	.394	.414	.635	.518	-.450	-.485
Percent of White Students with IDEA Status	.179	-.096	-.210	1	.105	.136	-.131	-.111	.181	.259
Percent of Black Students with IDEA Status	-.543	.442	.394	.105	1	.555	.232	.259	-.959	-.492
Percent of Hispanic Students with IDEA Status	-.517	.310	.414	.136	.555	1	.288	.131	-.509	-.922

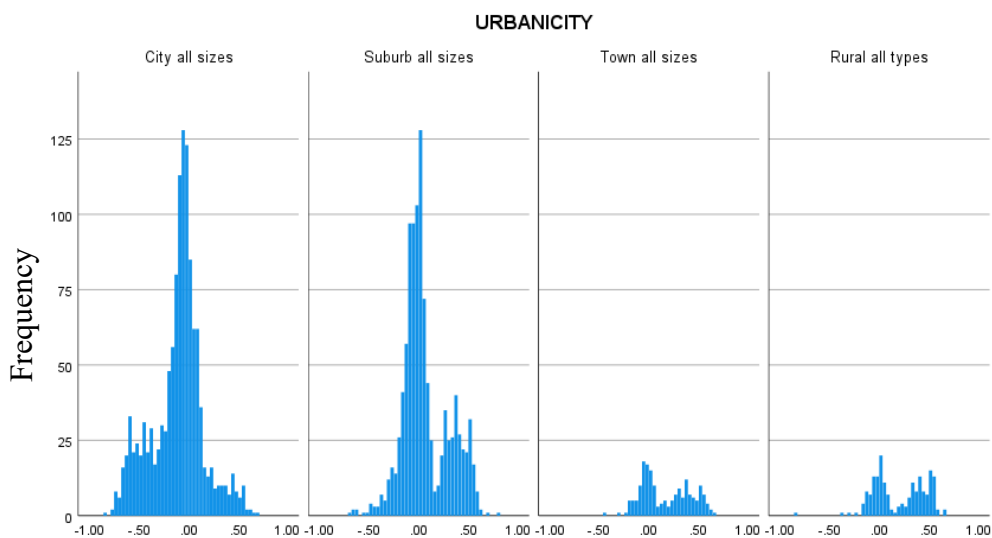
Variable considered	%Wh	%Bl	%Hi	%WH IDEA	%BL IDEA	%HI IDEA	%LEP	%FRL	%IDEA Bl-Wh	%IDEA Hi-Wh
Percent of Limited English Proficient Students	-.593	.164	.635	-.131	.232	.288	1	.445	-.270	-.336
Percent of students with Free/Reduced Lunch Status	-.591	.435	.518	-.111	.259	.131	.445	1	-.293	-.179
Percent difference in IDEA status of White and Black Students	.589	-.464	-.450	.181	-.959	-.509	-.270	-.293	1	.568
Percent difference in IDEA status of White and Hispanic Students	.572	-.339	-.485	.259	-.492	-.922	-.336	-.179	.568	1

For research question number one, the data suggests that though there were an abundance of Black students shown to have IDEA status in New York, the findings for racial disparities in New York State support retaining the null hypothesis. Therefore, we accept the null hypothesis that, on average, there are no racial disparities in New York public schools.

The second research question is to what degree do racial disparities in IDEA classification vary by urbanicity at New York public schools? To answer this question, a histogram was completed factoring urbanicity into the difference in IDEA status of White and Black students. The histogram for Black students shows that the majority of Black students are in schools in the city and in the suburbs, with a much smaller enrollment in towns and rural areas.

Figure 5

Histogram of urbanicity and percent difference of White and Black students with IDEA status



Percent Difference of White and Black students with IDEA status

The one-way between subjects ANOVA was conducted to compare the effect of urbanicity on the percent difference of IDEA classification in White students and Black students. There was a significant difference in the average percent difference in IDEA classification in White and Black students for the four conditions of urbanicity, $F(3,2681) = 169.20, p = <.001$.

Table 5

Effect of Urbanicity on the Percent Difference in IDEA status of White and Black students

Urbanicity	N	M(SD)	95% CI	
			LL	UL
City all sizes	1257	-.107(.261)	-.121	.093
Suburb all sizes	1056	.064(.233)	.050	.078
Town all sizes	184	.169(.244)	.133	.201
Rural all types	185	.203(.259)	.166	.241

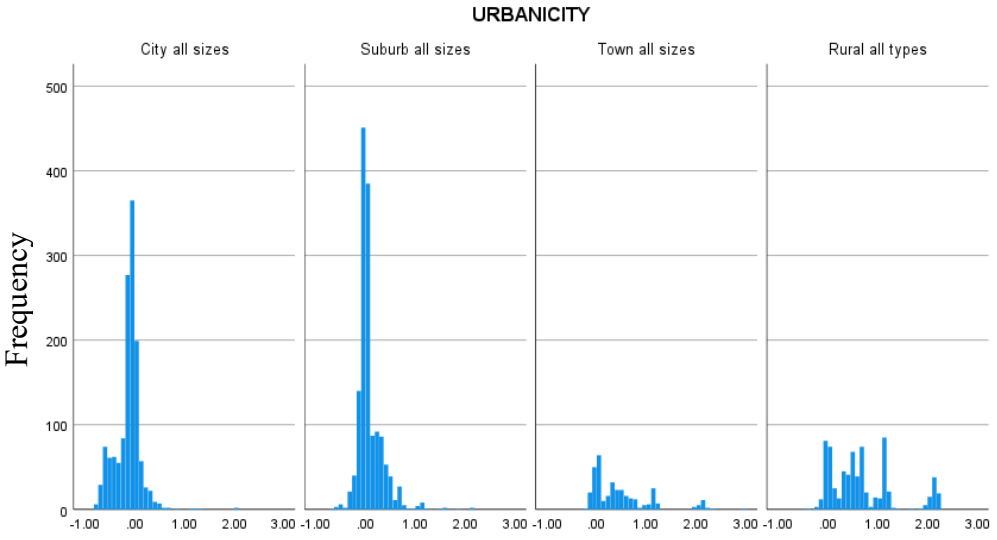
The findings indicate that the mean for cities is negative indicating that there was a greater proportion of Black students identified as having IDEA status than White students. The mean for suburbs, towns, and rural areas were all positive indicating that the White students are more often identified as having IDEA status. Because the data shows that White students were less likely to be identified as special education in cities ($M = -.107$) than Black students, we reject the null hypothesis that there are no disparities in IDEA classification by urbanicity in New York public schools.

Research Question 2

To answer the second research question in schools with at least ten White students and ten Hispanic students, another histogram was completed which indicated that the majority of schools with White and Hispanic students are schools in the suburbs (N = 1470). The second largest number of schools were schools in cities (N = 1343). Schools in towns accounted for the lowest quantity (N = 348), with rural schools coming in much higher (N = 714).

Figure 6

Histogram of urbanicity and percent difference of White and Hispanic students with IDEA status



Percent Difference of White and Hispanic Students with IDEA status

A one-way between subjects ANOVA was conducted to compare the effect of urbanicity on the percent difference of IDEA classification in White students and Hispanic students. There was a significant difference in the mean percent difference in IDEA classification in White and Hispanic students among the four conditions of urbanicity, $F(3, 3874) = 724.90, p = .000$.

Table 6

Effect of Urbanicity on the Percent Difference in IDEA status of White and Hispanic students

Urbanicity	N	M(SD)	95% CI	
			LL	UL
City all sizes	1343	-.124(.254)	-.370	-.110
Suburb all sizes	1470	.078(.252)	.065	.090
Town all sizes	348	.461(.591)	.399	.524
Rural all sizes	714	.673(.648)	.625	.720

Findings for cities was consistent with the previous data with White students being less likely to be classified as special education than Hispanic students ($M = -.124$). Suburbs have the highest population of Hispanic students, and the mean for suburbs ($M = .078$) was the smallest mean of the differences in disparity. This indicates that although there are more White students identified as special education, there are a large number of Hispanic students in the suburbs with IDEA status. These results show that in cities, Hispanic students are more likely to be identified as special education than White students. This data also shows that in suburbs, towns, and rural areas, White students are more likely to be identified as special education than Hispanic students leading us to reject the null hypothesis that there are no disparities in IDEA status by urbanicity in New York public schools.

When looked at together, this data indicates that urbanicity plays a large role in the percent difference of IDEA classification in minority populations across New York

State. While the data for cities clearly showed that the percent difference in IDEA status of White students and Black or Hispanic students was a negative mean, indicating an overrepresentation of Black and Hispanic students in special education, the data for the suburbs was less clear. The mean for suburbs was positive for both the Black schools ($M = .064$) and Hispanic schools ($M = .078$) indicating that White students are more frequently identified, but for both types of schools, the mean was the smallest, meaning that though Whites are identified more, there are many Black students identified and there are most likely schools that have a disparity. This is certainly something that should be looked at more closely to identify schools and districts where the disproportionality is discovered.

Research Question 3

The third research question, to what extent are various school characteristics associated with disparities in IDEA classification at New York public schools, multiple regression tests were used to investigate the relationships among the variables in schools with at least ten White students and ten Black students and used again to investigate relationships in schools with at least ten White students and ten Hispanic students. The first data discussed is the data sorted to include a minimum of ten Black students and ten White students in each school's enrollment ($N = 2682$) in New York state. The multiple regression was carried out to investigate whether the teacher student ratio, percent of white students enrolled, percent of Limited English Proficient (LEP) students, the percent of students receiving free or reduced lunch, and the urbanicity of the school (using suburb, town, and rural) could significantly predict the percent difference in IDEA status between White students and Black students. The data for the counselor student ratio was

missing for around a third of the schools and was left out of the multiple regression as a result of this impact, but the teacher-student ratio captures similar resource disparities. The results of the regression indicated that the model explained 26.2% of the variance and that the model was a significant predictor of the percent difference of the IDEA status of White students and Black students $F(7, 2641) = 133.79, p < .001$.

According to the results, on average a one unit increase in percent of White students enrolled leads to a .398 percentage point increase in the percent difference of IDEA status of White and Black students, which is an increase in the identification of White students as special education ($p < .001$). A one unit increase in the percent of Limited English Proficient students leads to a .187 percentage point increase in the percent difference, an increase in White students identified as special education ($p < .001$). When controlling for other variables, attending a school in the suburbs, a town, or a rural area compared to a city leads to a significant increase in the disparity of special education students.

Table 7

Predictors of Percent Difference in IDEA Status of White and Black Students

Variable	B	Std. Error	Sig.
Constant	-.209	.030	<.001
Percent White	.398	.026	<.001
Percent LEP	.187	.050	<.001
Percent FRL	-.024	.026	.354
Teacher Student ratio	.001	.001	.412
Suburb	.028	.012	.022

Variable	B	Std. Error	Sig.
Town	.078	.022	<.001
Rural	.094	.022	<.001

The final predictive model was Percent Difference of White and Black students with IDEA status = $-.209 + (.398 \text{ Percent White}) + (.187 \text{ Percent LEP}) + (-.024 \text{ Percent FRL}) + (.001 \text{ Teacher student ratio}) + (.028 \text{ Suburb}) + (.078 \text{ Town}) + (.094 \text{ Rural})$.

The second set of data examined for research question 3 is the data including at least ten White students and ten Hispanic students ($N = 3938$) in New York State. The multiple regression was carried out to investigate whether the teacher student ratio, percent of white students enrolled, the percent of Limited English Proficient (LEP) students, the percent of students receiving free or reduced lunch and the urbanicity (suburb, town, and rural) of the school could significantly predict the percent difference in IDEA status between White students and Hispanic students. The results of the regression indicated that the model explained 44.0% of the variance and that the model was a significant predictor of the percent difference of White students and Hispanic students with IDEA status $F(7, 3826) = 428.69, p = .000$.

Table 8

Predictors of Percent Difference in IDEA Status of White and Hispanic Students

Variable	B	Std. Error	Sig.
Constant	-.378	.041	<.001
Percent White	.689	.035	<.001
Percent LEP	-.102	.073	.160

Variable	B	Std. Error	Sig.
Percent FRL	.299	.034	<.001
Teacher Student ratio	-.006	.002	.004
Suburb	.003	.018	.852
Town	.191	.028	<.001
Rural	.388	.025	<.001

According to this data, a one unit increase in the percent of White students enrolled leads to a .689 percentage point increase in the percent difference of IDEA status of White and Hispanic students, indicating a higher percentage of White students identified as special education. A one unit increase in teacher student ratio leads to a .006 percentage point decrease in the disparity of special education ($p < .001$) meaning its associated with a higher percentage of Hispanic students being identified as special education. Finally, attending a school in a town or a rural area compared to a city, leads to an increase in the percent difference of IDEA status of White and Hispanic students, indicating a higher percentage of White students being identified as special education.

The final predictive model was Percent Difference of White and Hispanic Students with IDEA Status = $-.378 + (.689 \text{ Percent White}) + (-.102 \text{ Percent LEP}) + (.299 \text{ Percent FRL}) + (-.006 \text{ Teacher student ratio}) + (.003 \text{ Suburb}) + (.191 \text{ Town}) + (.388 \text{ Rural})$.

As discussed earlier, research indicates that poverty may be a factor in the overrepresentation of minority students in special education, the data for schools with at least ten White students and ten Black students did not have any significance between the

percent of students receiving free/reduced lunch and the dependent variable. The data for schools with at least ten White students and ten Hispanic students did find significance between the percent of students receiving free/reduced lunch and the dependent variable, in fact indicating that as poverty increases, the identification of Hispanic students in special education increases. The previous correlation showed moderate negative correlations with the percent of White students which could indicate that poverty has a larger impact on the special education status of White students than other students. These results are an indicator that poverty may be a factor in the identification of students as special education but are not conclusive or exhaustive.

Though there were not as many characteristics identified as contributing to an increase in the identification of Black and Hispanic students in special education as the research indicated there might be, there were findings that made a negative contribution. The characteristics for Black students that were statistically significant were the percent of White students, the percent of LEP students, and the urbanicity categories of suburbs, town, and rural. However, these characteristics indicated an increase in White students identified as special education, not an increase in Black students. The characteristic leading to an increase in identification of Hispanic students was the teacher student ratio. There was a negative result for the percent of Limited English Proficient students, but that result was not significant so can be conclusively stated to lead to an increase in the identification of Hispanic students as special education. In relationship to the third research question, the null hypothesis is rejected as the data shows that there are various school characteristics associated with disparities in IDEA classification.

Conclusion

The findings for the first research question, to what extent are there racial disparities in IEP classification at New York public schools, when looked at in isolation would lead one to believe that there are no racial disparities in special education status of both Black and Hispanic students. However, when the data is analyzed more closely, disparities begin to arise. The urban areas of New York state have a disproportionality problem and are identifying larger proportions of their Black and Hispanic students as special education. The factors that are contributing to the percent difference in White students with IDEA status and their Black IDEA status classmates are the percent of White students, the percent of students with LEP status, and the urbanicity of the schools. The factors contributing to the percent difference of White students with IDEA status and the Hispanic IDEA classmates are the percent of White students, the percent of students with free/reduced lunch, the teacher to student ratio, and the urbanicity of the school not including the suburbs where most Hispanic students in New York state attend school. The discussion and implication of these findings will be in Chapter 5.

CHAPTER 5

This chapter discusses the implications of the findings from the analyses run, correlations, ANOVAs, and multiple regressions. This chapter looks at the factors that contribute to the percent difference in White students with IDEA status and Black and Hispanic students with IDEA status across New York state and how these factors vary with the population. Finally, there is discussion of the need for future research that is more specific and targeted to identify disproportionality issues that when looking at the entire state may not be seen.

Interpretation of Findings

The first thing to note is that I did not find major disparities by race across New York state. The disproportionality that was expected in the suburbs was not shown to be true for either Black or Hispanic students. While this does not indicate that it does not exist for specific districts, the proportion of White students being identified for special education in the suburbs was greater than the number of Black and Hispanic students overall. If, as has been suggested by the research, the overrepresentation of minority students in special education is the result of a lack of culturally sensitive educators and is the work of implicit bias, then the regular turnover of teachers will continue to perpetuate this finding. Teachers that embrace culturally relevant pedagogy and practices are often teachers that have been supported with professional development around these practices and are probably found in schools with budgets to support the professional development. Because the New York State Department of Education (NYSED) has made culturally relevant education a priority, more districts are becoming familiar with the culturally

responsive framework that is to be used to develop curriculum across grade levels. The lack of major differences in IDEA status may reflect progress in this area.

Both Black and Hispanic students are more likely to be identified as needing special education in cities than White students. While this is a complex issue, there are characteristics associated with city schools that are not as common in other urban cities, three of these characteristics are the higher populations in cities, lack of resources available for both teachers and students, and high turnover of city teachers. New York City schools, for example are plagued by teacher attrition rates and as far back as 2004 have been trying to identify the problem and address the issues. The first issue New York City teachers cite as the reason to leave their teaching positions is the lack of pay, the second is difficult working conditions. The working conditions described were large class sizes, lack of discipline in the schools, and the lack of availability of supplies and instructional materials (Miller, 2004). While teachers in cities frequently look to obtain positions in the suburbs, teachers in the suburbs rarely look to bring their careers into the cities. Recruiting high-quality teachers is a priority of all major cities, not only New York City. The lack of qualified teachers could contribute to more teachers with biases being hired to teach in the schools, using this as a last resort option for employment and a way to gain teaching experience to be more desirable for a better paying suburban district. Teachers that are not highly qualified or lack practical experience may not have the training and knowledge to move past their own racial biases when teaching students in disadvantaged schools. White teachers are more likely to pursue positions in the neighborhoods where they feel most comfortable, leading to less teachers applying for positions in Black and Hispanic neighborhoods.

The histograms for both Black and Hispanic schools demonstrated that there are some schools with significant racial disparities. School districts that have been cited by NYSED as having disproportionate special education status are required in their State Performance Plan Indicator 9 to complete a self-review monitoring protocol. This self-review requires schools to submit data from a small sample of students that demonstrates their pre-referral intervention practices, evaluation practices that include a variety of assessment tools, and the Committee on Special Education (CSE) practices. The district must name a team of educators who are working on the self-review and provide student data for about 10% of the overall special education population in the school. Once the self-review is filed, NYSED may notify the school of being in non-compliance, which will require districts to create a Plan to Correct Noncompliance and implement the plan. Districts and schools have up to one year to correct the areas of noncompliance and upon completion are to report the corrections to NYSED via a data system. While many schools in New York's cities have been cited, the problem continues, leading one to question the effectiveness of self-evaluating and correcting the problems within the required twelve months. In the suburbs, when a school is cited, their plans tend to be less difficult to implement because of the size of the district and the resources that may be available to address the issue. While the problem may continue in suburban schools, the district stakeholders likely will not allow a citation long term and will create initiatives to address it within the district.

A memo released by DeLorenzo, Assistant Commissioner, Office of Special Education of the New York State Education Department (NYSED) in December 2014 as a Special Education Field Advisory explained that the data showed that 14% of students

overall were classified as special education, but 19% of English Language Learner (ELL) students were classified as special education. The department cautioned schools in the use of standardized scores on individual evaluations for ELL students. The memo further explained that accurate identification of ELLs with disabilities is challenging because of the lack of reliable data for individual students. Essentially, this memo cautioned schools and districts in the classification of ELL students. While this may not have had an immediate impact on special education numbers, Hispanic students, according to the analyses performed in this study, do not appear to be overrepresented in special education. The histograms displayed not only the typical bell curve but were positively skewed to show that White students are more likely to be identified than Hispanic students. One concern is that they are underrepresented in special education as a result of the uncertainty surrounding their language acquisition and its impact on their academic performance. It is possible that this has been used as a way to ignore a disability. Previous guidelines from NYSED implied that Hispanic students that enter New York as English Language Learners are not able to be identified as needing special education services right away. The students must receive English Language supports for a few years and then when other indicators became apparent, would be tested for other disabilities not related to language acquisition. Realizing that certain disabilities were preventing language acquisition in ELLs, NYSED now implies there is no longer a waiting period for testing if disabilities are suspected in students.

The lack of disproportionality findings in the suburbs does not mean they do not exist. It does mean that they were not found in these analyses possibly because of the number of schools included in the suburban data averages. The balancing of one district's

data by another is entirely possible as the districts in New York vary greatly in resources and size. One way of overcoming the issue of size was to use only percentage variables, not whole numbers. This allowed a level field of view for the data to be considered. The histograms for Black students with IDEA status clearly showed an abundance of students with IDEA status even if their population overall was not greater than the White students with IDEA status. By drilling down into the data, it is possible to identify the districts that display a disparity and analyze them further for characteristics that are known to contribute, such as the percent of LEP, percent of free/reduced lunch, and the ratio of teachers to students.

The lack of inclusion of the counselor student ratio in the multiple regressions was unfortunate, the data was inconclusive for many districts which indicates reporting issues from schools themselves for that data. While we can look at the importance in the simple regression model, so many schools were eliminated from the model that it was not reliable enough to include in this study. Teacher to student ratio was included and was found to be significant only in schools that had a minimum of ten White students and ten Hispanic students. The contribution to the model in schools with a minimum of ten White students and ten Black students was minimal. The most significant contributions were made by the percent of White students, and the urbanicity of the schools, though suburban schools were only significant at the $p < .05$ level in the schools with a minimum of ten White students and ten Black students. The suburbs were not significant for schools with a minimum of ten White students and ten Hispanic students. In the Hispanic schools, the teacher to student ratio contributed to the model at the $p < .05$ level, but in Black schools this ratio was insignificant. When this data is compared side-by-side, it is

challenging to find data to support preconceived notions such as the percent of LEP students will be significant in schools with larger populations of Hispanic students, which it was not. Another example was the absence of significance in the percent of students with free/reduced lunch in the schools with larger populations of Black students. Black children are three times as likely to live in poor families as White children in 2015, about 36% of Black children overall, along with 30% of Hispanic children compared to only 12% of White children (Gordon, 2017). Because the analysis showed that Black students are disproportionately identified in cities, the percentage of free/reduced lunch in the schools was expected to be a significant factor, yet it was not.

Relationship to Prior Research

While this study supports the research that Black and Hispanic students are disproportionately identified as special education in cities, the findings did not hold true for other urban cities of the state. The contribution of poverty was found to be low, which was supported with the prior research, and the contribution of the percent of students with Limited English Proficiency was found to be significant in schools with a minimum of ten White students and ten Black students but was not significant in schools with a minimum of ten White students and ten Hispanic students, a contradiction to what has been indicated in the research.

The findings of over-representation of Black and Hispanic students being identified as special education in cities supports the research that there must be more teacher preparation surrounding the referral process. Tiered supports should be put in place to better support students and more carefully identify those in need of interventions.

The push for culturally responsive teaching practices is found throughout the literature, and throughout the recommendations for ways to impact the number of minority students that are disproportionately identified as special education. It is also important, according to NCLD, to increase diversity and culturally responsive practices in the educator workforce. It has been noted that while the student population in the United States continues to diversify, the teaching workforce in public schools continues to be disproportionately White. Active efforts must be made to recruit diverse teachers with the hopes of positively impacting the success of students.

Limitations of the Study

This study focused only on public schools in New York state. Generalization of these results to other states is not necessarily possible. New York City schools, for example, are larger than the combined totals of both Los Angeles and Chicago.

The categories of special education identification are not reported to the Civil Rights Data Collection or the National Center for Education Statistics. While IDEA status is the overarching umbrella, there was no way to find out if the more subjective categories of classification (Learning Disability, Emotional Disturbance, Speech/Language impairments) represented a disproportionate number of students.

The Civil Rights Data Base has begun systematic collection of additional racial and ethnic data since this data was published in 2017. Additional data on race and ethnicity to support the current study could lead to different findings.

There is little research on how educator bias contributes to the issue of disproportionality in special education referral and identification. While schools are

attempting to diversify their workforce, the applicant pool for positions is still mainly White women.

Finally, the degrees to which districts support families that are going through the special education process is unknown and likely varies widely from district to district. Much of that support is financially driven, leading one to conclude that the wealthier districts provide more support for families and poorer districts have less.

Recommendations for Future Practice

In January 2017, the Obama administration issued new rules that states were to comply with by July 1, 2018. These regulations, known as the Equity in IDEA regulations, sought to help districts address racial and ethnic disparities in special education identification and placement. Prior to these regulations, there was no uniform practices from state to state in how disparities were determined in eligibility or placement in special education among racial and ethnic subgroups. In fact, 20 states reported no disproportionality in their districts in 2015-2016 (Samuels & Harwin, 2018). The implementation was delayed when the Trump administration took office but were implemented in March 2019 after legal challenges to the delay prevailed. The U.S. Department of Education must strongly enforce these regulations by monitoring the data that are collected across the country and provide high-quality assistance to districts with the largest disparities (NCLD, 2020). In 2015-2016, there were only 423 districts in the country identified with disproportionality, 78 were in New York. Those 78 districts represent only 11% of the districts in the state (Samuels & Harwin, 2018). The majority of citations originated from only five states in the country, exemplifying the need for federal guidelines when previously the monitoring was left up to individual states.

According to the National Center for Learning Disabilities (NCLD), the first step, now that the Equity in IDEA regulations has been put in place, is to make improvements in the policies and practices within the eligibility process to help reduce disproportionality. Districts should seek support from outside experts to implement training on disability identification that includes consideration for linguistic and cultural differences. Districts should seek to hire educational professionals that have expertise in this area and provide training for those who don't. Districts should audit their special education policies and processes to reveal biases and address them within the system. Finally, schools and districts should invest in developing relationships with families to better understand a students' familial, social, and cultural background and to better incorporate families' observations of their students into the special education evaluation process.

The NCLD suggests a focus of districts of Evidence-Based Practices, listing Multi-Tiered Systems of Supports (MTSS), Universal Design for Learning (UDL), Positive Behavior Interventions and Supports (PBIS), Culturally responsive teaching (CRT), and Restorative practices as examples. In order to implement these practices, educator preparation and training is paramount, district must be prepared to invest in the development of the educators to support a diverse range of students.

Improve instructional practices through the use of culturally responsive frameworks and methods. By implementing the NYSED Culturally Responsive Sustaining Framework throughout the curriculum and engaging students in culturally responsive lessons, teachers would better be able to use real-world examples in teaching that draw on students' own cultures and experiences. These approaches have been linked

to higher self-esteem and greater interest in school overall as well as better academic attitudes, well-being, academic achievement, persistence, and ability to navigate bias as a student (NCLD, 2020).

Research is showing the importance of modifying identification and referral procedures for special education. The use of multi-tiered systems of support is recommended to better match interventions to student need, the use of RTI methods is one aspect of this system of support. Tier I support refer to universal supports, such as policies and procedure development. Tier II supports refer to more targeted supports beyond what is offered by the curriculum, instruction, or school programming. Tier III supports are the most individualized and can include the use of IEPs and intensive therapies. Training in these methods is important, as no one intervention can be completely successful in isolation (Skiba, 2008).

Multi-tiered systems of support can be further support by structured instructional consultation (IC) teams. The results of Gravois and Rosenfeld's study demonstrate the impact of implementing IC Teams on the special education evaluation and placement patterns of minority students when compared to students in schools without IC Teams in the same district. The focus of IC Teams is on the work of the team and the problem-solving process on improving the quality of instruction and intervention provided to students. This focus on supporting teachers' delivery of instruction is helpful in enhancing minority student achievement and reducing the need to identify students for evaluation or placement in special education or remedial services.

Though these results are not conclusive nor exhaustive, the results of their study demonstrated the influence that classroom instruction has on disproportionate placement

of minority students in special education and indicate that solutions to disproportionate placement of minority students may be found in the implementation of effective support of teachers and the specific focus on improving the instructional delivery in the general education classroom (Gravois & Rosenfeld, 2006).

The final recommendation is to have accurate and transparent data for a number of reasons. The first is to ensure an understanding of the scope of the disproportionality problem that may exist in the school or district. The second is to ensure accuracy in reporting to state and federal agencies so that students such as students classified as IDEA and ELLs can be tracked. Finally, disaggregation of data to determine diverse demographics of students, especially in Asian subgroups such as Pacific Islanders, is important to determining trends in those groups that may not otherwise be noticed.

Recommendations for Future Research

With the abundant data in the histogram for the percent difference in IDEA status between White and Black students, more attention should be paid to the districts that have a high number of Black students identified as they may need more interventions to address issues leading to the overidentification of Black students as special education.

The implementation of the Culturally Responsive Sustaining Framework in New York state may impact the instructional practices in a positive way causing a decrease in special education identification over time. The diversity and inclusivity initiatives in many school districts may have a similar effect. This data will not be available right away as this educational shift is currently underway, but if this data acts as a baseline, it could be interesting to run these analyses in ten years to see if the data have been impacted.

The Civil Rights Data Collection does not include data on the racial makeup of special education students that have been suspended. That data has more recently been requested but is lacking from this data set and as a result, the disciplinary actions against Black and Hispanic students is not available. That research is closely aligned with this research and once that data becomes available, it could be used in a similar study.

Conclusion

The overrepresentation of Black and Hispanic students in special education is a problem that has been evident for decades, but there is no easy solution. Culturally responsive practices and a lens on multiculturalism in the classroom are only one way that teachers can begin to have an impact on how students are identified for referral to special education. The use of interventions that are student centered, address needs of individual students, and are culturally sensitive are an important step towards reducing the disproportionality that exists in many schools today. The shift to ensuring teacher preparation programs address cultural bias and equity is another important step in the reduction of minority students being overrepresented as their teachers approach instruction through a different lens than in years past and structure lessons around the experiences and values of the students they teach. As these numbers are monitored at the state and federal level, the need for appropriate financial supports to fund programs that enable success of minority students is the most important step in ensuring that the proper students are identified for intervention and the proper students are classified as special education.

REFERENCES

- Annamma, S., Connor, D., Ferri, B. (2013). Dis/ability critical race studies (DisCrit): Theorizing at the intersections of race and dis/ability. *Race Ethnicity and Education*. 16(1). 1-31.
- Annamma, S., Jackson, D., Morrison, D. (2017). Conceptualizing color-evasiveness: Using Dis/ability critical race theory to expand a color-blind racial ideology in education and society. *Race Ethnicity and Education*. 20(2). 147-162.
- Artiles, A. J., Trent, S. C., & Palmer, J. (2004). Culturally diverse students in special education: Legacies and prospects. In J. A. Banks & C. M. Banks (Eds.), *Handbook of research on multicultural education* (pp 716-735). San Francisco, CA: Jossey Bass.
- Artiles, A., Kozleski, E., Trent, S., Osher, D., Ortiz, A. (2010). Justifying and explaining disproportionality, 1968-2008: A Critique of Underlying Views and Culture. *Exceptional Children*. 76(3). 279-299.
- Banks, J. (1989). Approaches to multicultural curriculum reform. *Trotter Review*. 3(3). 17-19.
- Banks, J. (1995). Multicultural education and curriculum transformation. *The Journal of Negro Education* 64(4). 390-400.
- Banks, J. (2006). *Race, culture, and education: The selected works of James Banks* [Kindle Edition] Taylor & Francis e-Library
- Banks, J., Banks, C. (1989). *Multicultural education: Issues and perspectives*. Wiley Publishing, Hoboken, NJ.
- Bean, K.F. (2013). Disproportionality and acting-out behaviors among African American children in special education. *Child Adolescent Social Work Journal*. 30. 487-504.
- Blanchett, W. (2006). Disproportionate representation of African American students in special education: Acknowledging the role of white privilege and racism. *Educational Researcher*. 35(6). 24-28.
- Boykin, A. W. (1994). Harvesting talent and culture: African-American children and educational reform. In R.J. Rossi (Ed.), *Schools and Students At Risk* (pp. 116-138). New York: Teachers College Press.
- Castro-Villarreal, F., Villarreal, V., Sullivan, J. (2016). Special education policy and response to intervention: Identifying promises and pitfalls to advance social justice for diverse students. *Contemporary School Psychology*. 20. 10-20.

- Chamberlain, S. (2005). An interview with Alfredo Artiles and Beth Harry: Issues of overrepresentation and educational equity for culturally and linguistically diverse students. *Intervention in School and Clinic*. 41(2). 110-113.
- Chang, J., Le, T. (2010). Multiculturalism as a dimension of school climate: The impact on the academic achievement of Asian American and Hispanic youth. *Cultural Diversity & Ethnic Minority Psychology*. 16(4). 485-492.
- Coladarci, T., & Cobb, C. (2014). *Fundamentals of statistical reasoning in education*, 4th Edition [Kindle Version].
- Connor, D. (2019). Why is special education so afraid of disability studies? *Journal of Curriculum Theorizing*. 34(1). 10-23.
- Coutinho, M., Oswald, D., Best, A. (2002). The influence of sociodemographics and gender on the disproportionate identification of minority students as having learning disabilities. *Remedial and Special Education*. 23(1). 49-59.
- Deniger, M. (2008). Disproportionality: A look at special education and race in the Commonwealth. *Education Research Brief*. Massachusetts Department of Elementary and Secondary Education. Retrieved from <https://files.eric.ed.gov/fulltext/ED508412.pdf>.
- Dever, B., Raines, T., Dowdy, E., & Hostutler, C. (2016). Addressing disproportionality in special education using a universal screening approach. *The Journal of Negro Education* 85(1). 59-71.
- Donovan, S., Cross, C.(2002) Minority students in special and gifted education. *National Research Council Special Report*. National Academies Press.
- Ford, C., Airhihenbuwa, C. (2010). Critical race theory, race equity, and public health: Toward antiracism praxis. *American Journal of Public Health* 100(1). S30-5.
- Ford, D. (2012). Culturally different students in special education: Looking backward to move forward. *Exceptional Children*. 78(4). 391-403.
- Fraenkel, J., Wallen, N. & Hyun, H. (2012). *How to design and evaluate research in education*, 8th Edition [Kindle Version].
- Gordon, N. (2017). Race, poverty, and interpreting overrepresentation in special education. *Brookings*. Sept. 20. Retrieved from <https://www.brookings.edu/research>.
- Gravois, T. & Rosenfeld, S. (2006). Impact of instructional consultant teams on the disproportionate referral and placement of minority students in special education. *Remedial and Special Education*. 27(1). 42-52.

- Grindal, T., Schifter, L., Schwartz, G., Hehir, T. (2019). Racial differences in special education placement: Evidence across three states. *Harvard Educational Review*. 89(4). 525-553.
- Harry, B. (2002). Trends and issues in serving culturally diverse families of children with disabilities. *The Journal of Special Education*. 36(3). 131-138.
- Hynds, A., Averill, R., Hindle, R., Meyer, L. (2017). School expectations and student aspirations: The influence of schools and teachers on indigenous secondary students. *Ethnicities*. 17(4). 546-573.
- Joslin, C. (1998). Multiculturalism's five dimensions. *NEA Today Online*. Retrieved from <http://www.learner.org/workshops.socialstudies/pdf/session3/3.Multiculturalism.pdf>.
- Kaur, J. (2019). Understanding disproportionality part 1: What disproportionality is and why it matters. <https://steinhardt.nyu.edu/metrocenter/perspectives/understanding-disproportionality-part-1-what-disproportionality-and-why-it> retrieved 10/23/2021.
- McFarland, J., Hussar, B., Zhang, J., Wang, X., Wang, K., Hein, S., Diliberti, M., Forrest Cataldi, E., Bullock Mann, F., and Barmer, A. (2019). The condition of education 2019 (NCES 2019-144). U.S. Department of Education. Washington, DC: National Center for Education Statistics. Retrieved [11/19] from <https://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2019144>.
- Miller, G. (2004). A staff report of the New York City Council Investigation Division on teacher attrition and retention to members of the Committee on Oversight and Investigations. Retrieved from <http://www.nyc.gov/html/records/pdf/govpub/1024teachersal.pdf>.
- Moreno, G., & Segura-Herrera, T. (2013). Special education referrals and disciplinary actions for Latino students in the United States. *MLT*. 9(1). 33-51.
- Morgan, P., Farkas, G., Cook, M., Strassfeld, N., Hillemeier, M., Pun, W., Schussler, D. (2017). Are Black children disproportionately overrepresented in special education? A best-evidence synthesis. *Exceptional Children*. 83(2). 181-198.
- National Center for Learning Disabilities, NCLD. (2020). Significant disproportionality in special education: Current trends and actions for impact. Retrieved from <http://www.nclld.org>.
- New York State Department of Education, Retrieved May 2019, from <http://www.p12.nysed.gov/assessment/reports/2014/le-tr14.pdf>

- Ogbu, J.U. (2003). *Black American students in an affluent suburb: A study of academic disengagement*. Mahwah, NJ: Erlbaum.
- Patton, J. (1998). The disproportionate representation of African Americans in special education: Looking behind the curtain for understanding and solutions. *The Journal of Special Education*. 32(1). 25-31.
- Powers, T. (2002). Postmodernism and James A. Banks's multiculturalism: The limits of intellectual history. *Educational Theory*. 52(2). 209-221.
- Robinson, G., Norton, P. (2019). A decade of disproportionality: A state-level analysis of African American students enrolled in the primary disability category of speech or language impairment. *Language, Speech, and Hearing Services in Schools*. 50(1). 267-282.
- Samuels, C., Harwin, A. (2018). Racial disparities in special ed.: How widespread is the problem? *Education Week*, Feb.7, 2018. Retrieved from <http://www.edweek.org/>
- Schwitzman, T. (2019). "Dealing with diversity and difference": A DisCrit analysis of teacher education curriculum at a minority serving institution. *Journal of Curriculum Theorizing*. 34(1). 50-71.
- Skiba, R., Poloni-Staudinger, L., Simmons, A., Feggins-Azziz, R., Chung, C. (2005). Unproven links: Can poverty explain ethnic disproportionality in special education? *The Journal of Special Education*. 39(3). 130-144.
- Skiba, R., Poloni-Staudinger, L., Gallini, S., Simmons, A., Feggins-Azziz, R. (2006) Disparate access: The disproportionality of African American students with disabilities across educational environments. *Exceptional Children*. 72 (4) 411-424.
- Skiba, R., Simmons, A., Ritter, S., Gibb, A., Rausch, M., Cuadrado, J., Chung, C. (2008). Achieving equity in special education: History, status, and current challenges. *Exceptional Children*. 74(3). 264-288.
- Skiba, R., Horner, R., Chung, C. Rausch, M., May, S., Tobin, T. (2011) Race is not neutral: A national investigation of African American and Latino disproportionality in school discipline. *School Psychology Review*. 40(1). 85-107.
- Sullivan, A. (2011). Disproportionality in special education identification and placement of English Language Learners. *Exceptional Children*. 77(3). 317-334.
- Wagner, J. (2018). Review of DisCrit: Disability studies and critical race theory in Education. *C.E.P.S. Journal*. 8(3). 211-216.

- Wiggan, G. & Watson-Vandiver, M. (2019). Pedagogy of empowerment: Student perspectives on critical multicultural education at a high-performing African American school. *Race Ethnicity and Education*. 22(6) 767-787.
- Zhang, D., Katsiyannis, A., Song, J., Roberts, E. (2014). Minority representation in special education: 5-Year trends. *Child Family Studies*. 23. 118-127.

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