



THE SUBVERSION OF IDEA AND FEDERAL POLICIES DESIGNED TO REDUCE RACIAL DISPARITIES IN SPECIAL EDUCATION



Ever since anyone started keeping count, students of color and students with disabilities have been disciplined at higher rates than white students and students without disabilities. Moreover, among students of color with disabilities, more than a quarter of males and nearly 20 percent of females have been suspended out of school, as compared to 12 percent of white males and six percent of white females with disabilities, according to 2014 data from the U.S. Department of Education Office of Civil Rights.

Seventeen years ago, as part of a broader set of accountability measures, the federal Office of Special Education Programs started requiring state education agencies to monitor key indicators of racial disparities in special education in their local school districts. Year after year, school districts are cited for maintaining these disparities. Year after year, the disparities remain.

A [new study](#) in *Sociology of Education*, produced by an interdisciplinary team of researchers, helps explain why, and a big part of it involves an unwillingness to wrestle with racism.

The study examines an 8,600-student suburban school district serving a community with a child poverty rate of 29 percent, in the northeastern United States. The district faced its share of challenges. For years, a group of white parents in the community sent their children to private, religious schools, then sought special education services for their children at these private schools at taxpayer expense. When representatives of these parents took over the school board in the mid-2000s, they stripped nearly 80 percent of funds from some of the district's public schools, leading one elementary school principal to say the district was

“dying a slow death.”

In addition, disproportionality in special education was a challenge for years. As a result, the suburban district had faced state interventions through citations and audits.

Yet local administrators simply refused to believe the statistics that demonstrated the discipline racial disparities. Leaders instead attributed the differences to the pattern of white students attending private school. That is, they contended the private-school suspensions of these white students with disabilities were either not counted by the state or were under- or undocumented by the private schools. While the private school students with disabilities were almost all white, 90 percent of the district’s enrollment was comprised of students of color. However, an inconvenient fact for the district leaders was that, even within the public school district itself, Black students with disabilities were about six times more likely to be suspended than students of other races, including Latinx students, who comprised one-third of the district’s enrollment.

The educators’ refusal to believe these facts led them to conclude that race played no role in the disparities—and that the whole situation was a numbers game. The solution, they concluded, had nothing to do with race; they just had to figure out how to manipulate the data on paper. The study authors called this approach “mathematical managerialization.”

Interviewees implicitly and explicitly expressed the belief that Black students themselves were almost entirely to blame for any disparities that did exist. The disproportionality, the district superintendent suggested, “had very little to do with the attitude of staff and so much more to do with the population you were dealing with.”

The study revealed that the race-related IDEA accountability measures had no teeth. As the district’s director of special education said: “I’m not feeling any pressure that if I don’t do the job [i.e., address disproportionality], I’m gonna lose my [job]—you know what I’m saying?” Even a provision that the district redirect 15 percent of IDEA grant funds to addressing disproportionality failed to have any effect. The district subverted this requirement by claiming that 15 percent of this funding was supporting the salaries of school psychologists, who in the meantime continued to pursue business as usual—which, administrators claimed, entailed helping prevent the behaviors that led to suspensions.

“Even if the state changed their rules tomorrow and they said, ‘You no longer have to take 15 percent of your IDEA funds as a result of being on this list,’ we would still be doing those same things,” the district special education director said.

Not surprisingly, the authors of the study concluded that IDEA discipline mandates, as currently conceived, have little, if any, ability to reduce disproportionality:

Compliance alone is not a comprehensive path to achieving equity: If educational stakeholders respond to and comply with IDEA’s technical procedural regulations without explicit attention to how local racialized contextual and organizational conditions affect the schooling process, the promise of equity in special education will remain elusive.

Rather, if racial disparities are to be remedied, districts need to adopt a very different ap-

proach—one that includes “an explicit focus on race, culture, and context and a gathering of multiple stakeholders to improve and engage in more equitable disciplinary practices, which can disrupt the race-evasive practices and context-free assumptions that dominate responses to the problem.”

The study was conducted by Catherine Kramarczuk Voulgarides of the City University of New York–Hunter College, Alexandra Aylward of Montana State University, Bozeman, Adai Tefera of the University of Arizona, Tucson, NEPC Fellow Alfredo J. Artiles of Stanford University, Sarah L. Alvarado of Arizona State University, and Pedro Noguera of the University of Southern California.

Spanning a period of 18 months, the study was based on quantitative analyses of statewide data on citations of racial disparities in special education to select a suburban school district with repeated citations, a review of citation documentation and relevant district and school documents, field observations, and interviews with administrators and leaders at the school district level as well as interviews with school-based staff.

NEPC Resources on Special Education

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