Truth in Labeling:

Disproportionality in Special Education

NEA NATIONAL EDUCATION ASSOCIATION
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Great Public Schools for Every Child

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NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS

National Education Association

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The National Education Association is the nation's largest professional employee organization, representing 3.2 million elementary and secondary teachers, related service providers, education support professionals, college faculty, school administrators, retired educators, and students preparing to become teachers.

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Truth in Labeling:

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Ms. Sutton moves about her fourth grade classroom checking to see which of her students continues to have difficulty with the newly introduced math process of long division. Suddenly, a loud crash draws her attention away from helping students to the commotion in the center of the room. Fallen desks and papers cover the floor. Willie stands in the middle of the havoc. Ms. Sutton breathes deeply.

She thinks "When will somebody do something for this child? After all, his test scores show he has difficulty with reading and mathematics. Hasn't this child struggled long enough to be considered for special education? Can't the special education classes in this school give him more attention than he can possibly get in a general education class of 30 students?"

When Willie engages in class discussions on topics he enjoys, his comments and contributions reflect his regular viewing of educational programs on TV, but his overall performance is low. Ms. Sutton desperately wants to help him, but what are her options? Determined not to let him fail, Sutton decides to refer him for a special education evaluation. She sees this as her only option to get help for him.

Introduction

For many of America's teachers, this scene plays out frequently. Out of concern for their students and a determination to get them extra help so they do not fall behind academically, some teachers exercise the only option they think is available to them: referring students to special education programs. While these children will likely benefit from receiving special education services, it may not be the most appropriate option for some of them. Just by initiating the special education referral process prematurely, teachers sometimes unwittingly add to disproportionality in special education.

NEA views disproportionality as an important issue to address in any local or state efforts aimed at closing the gaps in student achievement. As a matter of fact, disproportionate representation of culturally and linguistically diverse (CLD) students in special education programs has been a national concern for nearly four decades. Since the U.S. Office of Civil Rights first started to sample school districts in 1968, African American students have been overrepresented in special education programs, particularly under the categories of mental retardation and emotional disturbance (Artiles, Trent, & Palmer, 2004; Gamm, 2007).

A variety of policies, procedures, and practices exist at the national, state, district, school, or classroom levels that can lead to overrepresentation of CLD populations in special education programs and under-representation in gifted and talented programs. To ensure that all children learn and succeed, educators need to know how they can help to decrease inappropriate special education identification and improve opportunities for CLD children to enhance their gifts and talents.

The complex issue of disproportionality in special and gifted education is the focus of *The Truth in Labeling: Disproportionality in Special and Gifted Education*. A collaborative effort of the National Education Association (NEA) and the National Association of School Psychologists (NASP), the purpose of *The Truth in Labeling* guide is to:

- provide educators with basic information about the nature and causes of disproportionality;
- discuss related policy, procedural, and practice issues;
- offer recommendations to educators about how to address disproportionality;
- outline implications of disproportionality and questions for local and state affiliates to consider.

Why is disproportionality a concern?

Mrs. Sutton's dilemma about Willie illustrates the tough choices teachers weigh when students are struggling in the classroom. Requesting a referral for a special education evaluation is often the first thing teachers do. However, rather than providing needed solutions, experts warn that an inappropriate special education label may actually have long-lasting harmful effects (Harry & Klingner, 2006; Losen & Orfield, 2002; National Alliance of Black School Educators, 2002).

Labeling students as disabled when they really are not leads to unwarranted services and supports. Misidentified students are likely to encounter limited access to a rigorous curriculum and diminished expectations. And, more important, mislabeling students creates a false impression of the child's intelligence and academic potential. Here's why:

- Once students are receiving special education services, they tend to remain in special education classes (Harry & Klingner, 2006).
- Students are likely to encounter a limited, less rigorous curriculum (Harry & Klingner, 2006).
- Lower expectations can lead to diminished academic and post-secondary opportunities (National Research Council, 2002; Harry & Klingner, 2006).
- Students in special education programs can have less access to academically able peers (Donovan & Cross, 2002).
- Disabled students are often stigmatized socially (National Research Council, 2002).
- Disproportionality can contribute to significant racial separation (Harry & Klingner, 2006; Losen & Orfield, 2002).

Call to action

Educators, administrators, school board members, community decisionmakers, and NEA's local association leaders all have a stake in whether children from culturally and linguistically diverse backgrounds are appropriately educated. CLD students make up the largest growing group within our public schools today. Looking at the "big picture," these students are the future of our communities and our democracy.

Viewing from a smaller frame, this population is often among the lower-achieving students in a community. Their academic performance can play a major role in whether a school or district meets requirements of high stakes assessment and accountability programs, such as the No Child Left Behind Act (NCLB) which is the 2001 reauthorization of the Elementary and Secondary Education Act (ESEA).

At the personal level, all children deserve an appropriate education—one that meets their individual learning needs and prepares them for a successful future. *The Truth in Labeling* guide can assist local and state affiliate leaders in initiating critical conversations within their schools and communities about disproportionality leading to a positive difference for all students.

What is Disproportionality?

During class, Robin is so quiet you barely know she's there. She always sits close to the back of the room and never volunteers during class discussions. If asked a direct question, she often answers correctly. Outside of class it's a different story. She tends to get into arguments with other students and always seems to be angry about something.

Ms. Kelly, Robin's 10th grade English teacher, is worried about her. Other teachers say that Robin is just like her four older siblings, all of whom dropped out of school. Although Ms. Kelly knows that it's common for the Native American children in her district to drop out, she feels that Robin could have a different future.

When Ms. Kelly investigates Robin's file, she's surprised by what she learns. Robin was identified as "emotionally disturbed" in middle school. She's supposed to receive counseling according to her IEP but she refuses to go. And, she's been suspended several times for fighting in school.

Ms. Kelly decides to try to reach out to Robin after class tomorrow. But she never gets the chance. Robin is expelled from school that same day after pushing a fellow student down the stairs during an argument. The other student was seriously hurt, and since the school district has a zero tolerance policy, there is no second chance for Robin. She'll finish her schooling at a special education school for students who are emotionally disturbed or she'll join many CLD students with disabilities who drop out.

After hearing about what happened, Ms. Kelly shakes her head and thinks: "What a shame. The system really didn't work for Robin. I wish I had done something earlier. I wonder if I could have made a difference."

A Complex Issue

Robin's story plays out in school districts across the country: CLD students, identified as disabled in elementary or middle school at higher rates than their white peers, performing below grade level but appearing to have higher potential, are at risk for dropping out. Educators and parents alike wonder if special education services are always the best option for students like Robin, or if other supports, such as early intervention in elementary school or a whole school positive behavioral support program, would make a difference. There are no simple answers. In fact, disproportionality is considered one of the most complex issues in the field of special education (Skiba, Simmons, Ritter, Kohler, Henderson, & Wu, 2003).

Disproportionality is defined as the "**overrepresentation**" and "**under-representation**" of a particular population or demographic group in special or gifted education programs relative to the presence of this group in the overall student population (National Association for Bilingual Education, 2002). According to the U.S. Department of Education (2006), approximately 13.5 percent of all students in K–12 schools receive special education services. Some subgroups of children, especially those from CLD populations, receive special education services at rates that are significantly higher or lower than 13.5 percent.

Disproportionality exists in various forms and at different levels. For example, overrepresentation can be present in any or all of the following ways:

- national, state, and district level over-identification of CLD students as disabled or under-identification as gifted and/or talented;
- higher incidence rates for certain CLD populations in specific special education categories, such as mental retardation or emotional disturbance;
- significant differences in the proportion of CLD students who are receiving special education services in more restrictive or segregated programs;
- excessive incidence, duration, and types of disciplinary actions, including suspensions and expulsions, experienced by CLD students.

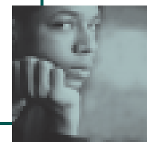
Over and under-representation

Teacher referral is a strong predictor of eligibility for special services. In fact, studies show that 73 to 90 percent of the students referred by classroom teachers for special education evaluations due to academic problems are found eligible for services (Harry & Klingner, 2006). Multiple research studies also demonstrate that a child's race and ethnicity are significantly related to the probability that he or she will be inappropriately identified as disabled (National Research Council, 2002; Losen & Orfield, 2002). If more students are identified as disabled and receiving special education services than their proportional rate within the general population, they are considered to be overrepresented in special education. For instance, look at these findings from disproportionality studies:

- Native American/Alaska Native children are more likely to receive special education services than the general population with a risk ratio of 1.35 percent (U.S. Department of Education, 2006).
- Asian/Pacific Islanders are overrepresented in gifted and talented programs (Cartledge, Tam, Loe, Miranda, Lambert, Kea, & Simmons-Reed, 2002).

Measuring Disproportionality

IDEA 2004 required all states to define how they will measure disproportionality. Currently, states use various methods and no single way to measure disproportionality exists. According to a 2002 report released by the National Association of State Directors of Special Education (Markowitz, 2002), however most of the twenty-nine states that had already defined a specific method for measuring disproportionality used a risk ratio comparing the percent of students with disabilities to the percent of students from that ethnic or racial group enrolled in the school or district. Some states also used a tiered scale that establishes increasing levels of risk for CLD being identified as disabled. For example, a 3.0 risk ratio means that a CLD student is three times more likely to be identified as disabled as a White student.



Typically, disproportional representation is viewed exclusively as overrepresentation of certain groups, but under-representation also occurs. In fact, some students are not included in special education programs, even though they have a disability that is affecting their ability to learn and they need special education help. Some CLD populations are also significantly under-represented in programs for the gifted and/or talented. In these instances, CLD groups are considered under-represented because the proportion of students from certain ethnic or racial groups who receive special services are significantly less than the number of these same students in the overall school population (U.S. Department of Education, 2002 & 2006). Consider these facts:

- Hispanics are under-identified within certain disability categories compared to their White peers (U.S. Department of Education, 2006).
- Asian/Pacific Islander students are actually less likely to be identified for special education services than other CLD populations (NABE, 2002).

Asian/Pacific Islander Americans are not a homogeneous group. Their nationalities and backgrounds include Chinese, Filipino, Japanese, Korean, Indian, Vietnamese, Hmong, Cambodian, and many Pacific Island groups, such as Hawaiian and Malaysian. Since demographic information on Asian/Pacific Islanders does not distinguish country of origin, length of residency, or other key indicators, their under-representation in special education is complicated. In particular, some experts suggest that lower numbers of students with Philippine or Korean backgrounds receiving special education services may indicate that their under-representation is greater than other Asian/Pacific Islander subgroups.

Gifted and/or talented programs

With the exception of Asian/Pacific Islanders, CLD students, particularly those from low income backgrounds, are significantly under-represented in programs for the gifted and/or talented. The majority of students participating in gifted and talented programs across the country are White. This holds true for urban, suburban, and rural communities, including those with large CLD populations (Baldwin, 2004). The National Academy of Sciences report on minority students in special and gifted education noted similar findings. Nationwide, 7.47 percent of all White students and 9.9 percent of Asian students are placed in gifted programs; however, only 3.04 percent of African American students, 3.57 percent of Hispanic students, and 4.86 percent of American Indian students are identified as gifted.

English language learners

English language learners (ELL)— children whose native language is a language other than English—are the fastest growing subgroup of students within public schools and represent nearly 9 percent of the public school population. Nationally, ELL students are under-represented in special education programs, although this varies greatly across the country. Some experts suggest that whether ELL students are overrepresented or under-represented may be dependent upon the size of their population within the school district. Keller-Allen (2006) offers these points about ELL students:

- They are overrepresented in school districts with small ELL populations—almost 16 percent of ELL students receive special education in these districts.
- They are under-represented in school districts with ELL populations of 100 or more—about 9 percent of ELL students receive special education services in these districts.

There is little research that looks at disproportionality among ELL subgroups. In fact, due to the considerable overlap between Hispanic and ELL groups in disproportionality studies, it is difficult to evaluate the groups separately.

Special education categories

Special education programs are specifically designed for students identified as having various disabilities that affect learning, and physical, sensory, or emotional development. While there are 13 special education categories listed in the federal special education law, i.e., *Individuals with Disabilities Education Improvement Act of 2004 (IDEA),* figures from the U.S. Department of Education (2006) suggest that specific learning disability, speech/language impairment, and mental retardation are the largest disability categories for CLD students. Likewise, these same federal reports note that emotional disturbance is among the largest disability categories for CLD students, except for those students from the Asian/Pacific Islander subgroup. Experts point out that the identification of some disabilities (i.e., specific learning disability and emotional disturbance) tends to be more subjective or judgmental than for disabilities that have an obvious medical or physical cause, such as deafness, blindness, or an orthopedic impairment (O'Connor & Fernandez, 2006).

Certain CLD children appear at increased risk for a special education referral and are more likely to be labeled under particular categories. For example, information from the U.S. Department of Education (2006) shows that American Indian/Alaska Native children are:

- overrepresented in the category of mental retardation;
- one and one-half times more likely to receive services for specific learning disabilities than White students;
- twice as likely to receive special education for developmental delays as other CLD groups.

Black males who are viewed as having "challenging" behaviors are referred more often for special education programs serving children with emotional disabilities. Interestingly, according to Losen and Orfield (2002), Black male students are more apt to receive special education services under the mental retardation category as their families' income levels rise. In addition, the U.S. Department of Education (2006) reports that Black students are:

- labeled emotionally disturbed at almost twice the rate of their White peers;
- over twice as likely to receive special education services for serious emotional disturbance as other CLD groups;
- three times as likely to receive services for mental retardation as White students.

When considering the data, it is important to keep in mind two points: (1) mental retardation is relatively rare for all children—the Centers for Disease Control and Prevention estimates a prevalence rate of approximately 1 percent; and (2) the rate for disabilities, such as hearing or visual impairments, which are based upon an objective medical diagnosis are as common in CLD students as they are for white students (U.S. Department of Education, 2006).

The gender difference

One additional issue—that not only affects CLD students but all students—is the gender difference evident within special education categories. Across all ethnic and racial groups, twice as many males as females are identified as needing special education services in primary schools, especially in certain categories (Holt, McGrath, & Herring, 2007). Disproportionate representation of male CLD students may be linked in part to this phenomenon. Note these facts from the U.S. Department of Education (2006):

- Nearly 75 percent of students with specific learning disabilities are male.
- Seventy-six percent of students receiving special education services under the category of emotionally disturbed are male.
- More than 50 percent of students receiving speech/language therapy services are male.

Restrictive environments

Students with disabilities may be primarily taught in general education classrooms, self-contained special education classes, or specialized schools that are completely separate from regular public schools. Students' Individualized Education Program (IEP) teams decide what the most appropriate educational environment for each student is. In most instances, children who receive appropriate special education services benefit from the extra support. However, practices that systematically separate CLD children from the general student population can create isolation and unwarranted segregation.

According to U.S. Department of Education reports, approximately 96 percent of students with disabilities are educated in general education environments, such as public school buildings and general education classrooms. However, studies show that CLD students with disabilities are often educated in more segregated or restrictive environments than their White peers. For example, Black, Hispanic, American Indian, and ELL students with disabilities are more likely to be taught in separate classrooms or schools than students who are White or Asian/Pacific Islanders (Skiba, et al., 2003; de Valenzuela, Copeland, Huaqing Qi, & Park, 2006).

In addition, Fierros and Conroy (2002) found:

- Fifty-five percent of White students with disabilities spend 80 percent of their school day in general education classrooms.
- Only one-third of Black students with disabilities spend 80 percent of their day in general education classrooms.

Disciplinary actions

Racial disproportionality in the application of school disciplinary procedures is an issue that has been well documented for over 30 years (Drakeford, 2004). Evidence persists of disproportionality in school disciplinary practices by race, economic status, gender, and disability category. For example, consider these points:

- CLD students have higher rates of office referrals, suspensions and expulsions from school (Cartledge, et al., 2002).
- Low income Black males receiving special education services have the highest suspension rates of any subgroup (Skiba, et al., 2003).
- Black males are more likely to receive more severe punishment than White students do for the same type of behavior (Cartledge, et al., 2002).

Students with disabilities who were from Black, Hispanic and American Indian backgrounds were 67 percent more likely to be removed from school by a hearing officer on the grounds that they were dangerous during the 1999-2000 school year than their White peers (Osher, Woodruff, & Sims, 2002).

Baltimore City Schools Reduce Suspension Rates

When **Baltimore City Schools** watched their suspension rates skyrocket over the past decade, they knew that they had to tackle the problem. Baltimore City's suspension rates were significantly higher than the two largest districts in the state and the disproportionate number of suspensions and expulsions of Black boys was resulting in complaints from civil rights and youth advocacy groups. Critics noted that many of the suspensions were for relatively minor offenses such as insubordination, disrespect, skipping class, tardiness, or arguments among classmates. In addition, 77 percent of students who were suspended in Maryland during a recent school year received no educational services while they were out of school. It became increasingly evident that the suspension policies did little to curtail the undesired behaviors. In fact, some felt they may have created more problems than they solved. They did not improve the overall school climate and diluted the availability of assistance for students who had the most significant academic and social problems.

A communitywide movement to support prevention programs and reduce referrals for out-of-school suspension was launched with the support of the Open Society Institute-Baltimore, a local branch of the New York City Open Society Institute, the foundation set up by the philanthropist George Soros. In the fall of 2007, local philanthropies announced a $1.5 million investment in a wide range of alternative programs run by independent groups on behalf of the 82,000 student district. The largest of the grant-funded alternatives is offered by Sports4Kids, an Oakland, California-based nonprofit group that provides games and organized sports activities and teaches students to resolve conflicts peacefully. A site coordinator is present every day at the schools participating in the Sports4Kids program. The coordinator leads organized games at recess, works with individual classes during "game time," and runs after-school programs. The coordinator mediates conflicts between students and teaches positive ways to solve disagreements. Principals of participating schools are pleased with the drop in office discipline referrals and the dramatic decrease in suspensions.

Another promising alternative in the Baltimore initiative is the Meet-Me-Halfway mentoring program that is being offered at one of the city's middle schools. Students who are given out-of-school suspensions for discipline issues instead participate in a structured program where they receive mentoring, tutoring, and other services, in addition to their regular instruction. The program has helped to nearly eliminate out-of-school suspensions at the middle school.

Source: Education Week, "Baltimore District Tackles High Suspension Rates," Published in print: April 25, 2007.

Contributing Factors

When Luis first moved into the school district in October, he wasn't able to read very well. His family had moved nine times since he was in Kindergarten. After working with the reading specialist, he can now read at a second grade level. But, he's still significantly behind his 5th grade peers.

His classroom teachers are concerned that his poor reading comprehension skills prevent him from learning grade level content. While the school counselor, Mrs. Wagner, is thrilled to see the progress he has made, she worries about his learning rate and how far behind he is.

Will Luis be able to catch up without intensive instruction? Is it time to make a referral for a special education evaluation? Would testing find a significant difference between his potential and his academic performance or is he doing as well as can be expected? Would he even qualify for special education services given his transient history?

A Conundrum of Policies and Procedures

Mrs. Wagner's conundrum is familiar to many educators who teach CLD children. This population of students is not homogeneous. Some of them learn at a rate that is comparable to other students, some start school without the prerequisite experiences or English proficiency but catch up quickly, and some progress but at a slower rate than their peers (Losen & Orfield, 2002). Educators like Mrs. Wagner who struggle with whether or not to refer students for a special education evaluation grapple with confounding policies, procedures, and practices existing at the federal, state, school, and classroom levels.

Collecting and reporting the right data

Federal laws entitle all children with disabilities to a free and appropriate public education (FAPE) and mandates nondiscriminatory assessment, identification, and programming for students with disabilities. The high proportion of CLD students receiving special education services prompted federal lawmakers to add provisions to IDEA calling on states to collect and publicly report race and ethnicity factors for the following data:

- various disability categories assigned to students;
- restrictiveness of class and school placements and the amount of access students have to instruction in the general education classroom;
- incidence, duration, and type of disciplinary actions, including suspensions and expulsions experienced by all students with disabilities.

The Individuals with Disabilities Education Act (IDEA) 2004 requires states to include how they measure disproportionality in the special education state performance plans they submit to the U.S. Department of Education. Each state is allowed to decide what level of disproportionality is significant. As a result, what is considered as a significant rate of disproportionality could vary from state to state. Annually, the federal government reviews each state's data and determines if the state meets federal requirements. If not, federal assistance or intervention can result.

Definitions linked to disproportionality

Certain state policies can significantly affect disproportionality. In particular, differences in how states define special education categories, such as specific learning disabilities and emotional disturbance, and state special education eligibility criteria can influence the procedures used to identify students as disabled and be linked to disproportionality (Harry & Klingner, 2006). IDEA 2004 requires states to consider disproportionality as they review and, if appropriate, revise their policies and procedures related to their special education eligibility criteria.

Currently, special education eligibility criteria differ substantially from state to state, district to district, and even school to school. Due to differing eligibility criteria and other factors, the percentage of students receiving special education also varies greatly between states. For example, Colorado serves approximately 4 percent of students in special education, while Louisiana serves over 12 percent of their school population in special education (U.S. Department of Education, 2006). Overrepresentation rates for specific special education categories also differ by state.

Federal Reviews and Investigations

When complaints are made by parents, community groups or civil rights organizations, the Office for Civil Rights (OCR) in the U.S. Department of Education conducts investigations of states and school districts to determine if significant disproportionality exists. Their findings are normally based on Title VI of the Civil Rights Act and/or Section 504 of the Rehabilitation Act. It is not necessary to show that the state or school district acted with the intent to discriminate against certain students under these laws – a discriminatory effect is enough. If they uncover differences in treatment based on race or national origin, OCR can order corrective action, including withdrawal of all federal funding. It is more likely, however, that the OCR will negotiate an agreement or "consent decree" describing what the state or school district must do to correct the situation.

Gifted and/or Talented programs

With the exception of Asian/Pacific Islander students, CLD populations have historically been under-represented or under-served in programs for the gifted and/or talented. According to experts in the field (Baum, 2004; Cline & Schwartz, 1999), identification of CLD students for the gifted and/or talented programs can be hindered by a variety of factors, including:

- cultural differences in language expression and communication styles;
- less opportunity for early exposure to school-related academic or curricular experiences;
- preferred learning styles, e.g., learning primarily through listening (verbal) or through physically interacting with learning materials (kinesthetic);

- different gender-role customs and behaviors;
- lack of information about the availability of social and health care services in the school and community;
- limited parental involvement in school activities;
- lack of access to academically successful role models;
- lack of resources for extra-curricular enrichment activities, e.g., dance or drama classes, chess teams, music lessons;
- stereotypic or lower expectations of teachers or family;
- lack of culturally responsive assessments;
- rigid or inappropriate eligibility criteria that are not responsive to cultural and ethnic differences.

Assessment policies and practices

Questions arose over the last few decades about certain assessment policies and practices, linking them to misidentification and disproportionate representation of CLD students in special education. Despite several landmark court cases that addressed discrimination concerns *(Diana v. California, 1970; Larry P. v. Riles, 1972, 1974, 1979, 1986),* experts who study disproportionality trends note that inappropriate assessment policies and practices are still in place in some states and districts. Rhodes, Ochoa, & Ortiz (2005) identify the following critical assessment issues:

- inadequate examiner preparation in the assessment of CLD students;
- inappropriate assessment practices;
- failure to comply with federal, state and local guidelines pertaining to special education eligibility determinations.

Inappropriate assessment practices may be the result of inadequate training for interpreters, ineffective language proficiency testing of English language learners who are referred for special education evaluations, reliance on intellectual and achievement assessments conducted only in English, and on-the-spot translations of standardized tests from English to another language. In order to ensure appropriate, culturally responsive assessments, individual examiners working with CLD students need to receive in-depth pre-service preparation and inservice professional development related to cultural issues, second language acquisition, and bilingual assessment techniques.

Legal guidelines require school teams to assess CLD students in the language and form most likely to yield accurate information and to consider the impact of cultural differences or limited English proficiency on student performance. In addition, evaluation teams may not determine the child has a disability if the determinant factor is lack of appropriate instruction in reading or math. Determining the impact of these "exclusionary factors," however, has proven difficult for school teams since the federal law does not specify how to determine if cultural and language differences are the primary causes of the child's achievement or behavioral difficulties. Furthermore, determining if the student has received appropriate instruction in reading and math is difficult to gauge for immigrant students who may have little in the way of educational records or may not have attended school on a regular basis prior to coming to the U.S.

Another area of historic concern has been the nature of bias in standardized tests and their use in special education and gifted program eligibility evaluations. Key considerations in reducing test bias include appropriate test selection, administration, and interpretation, as well as knowledge of how bias might affect the scores of particular students. Of primary importance is whether the test norm sample included an adequate number of students with similar racial and cultural backgrounds as the child being tested. If not, the CLD student being tested may be unfairly compared to students whose education and cultural experiences are not consistent with his or her own. The factors affecting assessment are complex, and a thorough discussion is beyond the scope of this guide. However, an extensive list of references and resources that address culturally responsive assessment are provided for the reader at the end of this document.

Intensified by local policies

Local policies have a direct impact upon the academic success of CLD students. Disproportionality can be intensified when districts and schools employ policies that strain needed supports or restrict options for students. Communities that have a high proportion of low income families have significant challenges in this area.

The following local policies can contribute to inappropriate special education referrals, identification, and disproportionality:

- Funding policies that create large general education class sizes impede the ability of teachers to give students the personalized attention they need in the classroom.
- Without the availability of quality preschool or early childhood programs, some children do not have the opportunity to develop academic readiness skills comparable to their peers, and they come to school with a knowledge base that does not match school expectations. They tend to fall further and further behind over time.
- Limited availability of early intervening programs and support services, such as reading improvement classes, school-based mental health services, or schoolwide positive behavioral programs, may reduce options for providing academic and behavioral assistance.
- A demanding, high-stakes curriculum can pressure teachers and students to cover content on a specific teaching schedule preventing educators from providing additional support to students who are struggling.
- Rigid discipline policies, such as zero tolerance rules, may inadvertently promote lower tolerance for cultural differences. This, in turn, can increase discipline-related referrals of CLD students.

Questions to ask

To help decrease disproportionality, state and local policymakers, community and school leaders, and educators need to understand to what extent disproportionality exists in their states or communities and what policies and procedures may be contributing factors. Start by asking some critical questions:

About collecting and using the right data —

- How does your state and district collect and examine data on who is referred for special education and gifted and/or talented services? To what extent are the data disaggregated by race and ethnicity?
- What data does your district collect regarding the outcomes for different cultural groups in terms of academic performance?
- To what extent does your state and district analyze disaggregated data by special education categories and access to the general education environment?
- To what extent does your state and district analyze disaggregated data on the incidence and durations of suspensions and expulsions and other disciplinary actions?

About eligibility and identification policies—

- What are your state's definitions for special education categories, such as specific learning disability and emotional disturbance? Are they valid, non-discriminatory, and strongly supported by research?
- What are your state's or district's eligibility criteria for gifted and/or talented programs? How responsive are the criteria to cultural differences?
- How consistently are criteria for identifying whether students are eligible for special education services implemented from district to district and school to school?
- What guidelines are used to ensure that assessments are culturally responsive?

About responding to disproportionality—

- How does your state define significant disproportionality?
- What repercussions exist for significant overrepresentation or under-representation in special or gifted and/or talented education?
- What happens if a district or school has unreasonably high rates of disciplinary actions for CLD populations?

Making a Difference

Although Angela has received two years of English instruction in Mr. Garcia's class for English language learners (ELL), he is concerned that she doesn't understand the academic vocabulary required of a 7th grader. She understands conversational English well, passes all his screening tests, and readily converses in English during their ELL classes. Technically, she qualifies for dismissal from the ELL program according to the district's guidelines. But her classroom performance and test scores are still among the lowest in the school.

Some of Angela's subject matter teachers say she's just not motivated to learn. On the other hand, Mr. Garcia is wondering if maybe she has an underlying learning problem that is holding her back. He wonders if he should refer her for a special education evaluation. "Maybe some individual attention from the special education teachers in the Resource Room program will make a difference," he thinks. He knows that the longer he waits, the further behind she will fall in her academic work. He decides to talk with the school's child study team about his dilemma.

Instead of dismissing her from the ELL program or referring her for a special education evaluation, the child study team comes up with a different option. They suggest that Angela's ELL services be intensified for several weeks emphasizing English comprehension skills. Mr. Garcia agrees. The principal helps free up some time in Mr. Garcia's schedule so that he can work daily with Angela in individual sessions. He collects data on how much and how fast she learns and schedules another meeting with the team to review the results. Mr. Garcia now feels he can make a difference for Angela. What a great feeling!

Local Practices Lead to Positive Change

Local practices can have a positive impact on disproportionality. The following factors are among those most often highlighted as important local strategies for addressing disproportionality:

- Increasing academic language proficiency
- Ensuring quality early childhood opportunities
- Providing early intervening services (EIS)
- Employing a response-to-intervention (RtI) process
- Implementing schoolwide positive behavioral support (PBS) programs
- Increasing access to culturally responsive, school-based mental health services
- Enhancing classroom management skills
- Using authentic, culturally responsive assessment techniques

- Developing culturally responsive teaching skills
- Utilizing culturally appropriate curriculum
- Strengthening parent/family involvement and community partnerships

Academic language proficiency

Angela's situation illustrates the difficulties certain students experience as they transition from their native languages to English as their primary mode of communication for learning. Their academic achievement may not keep pace with expectations. Like many teachers, Mr. Garcia is torn between dismissing Angela from the ELL program and referring her for a special education evaluation. He knows she still needs support but is unaware of what other options there might be.

Children need more than conversational language proficiency to be able to use English to learn academic content. If ELL students are transitioned from their language support services too early, it can have a negative impact on their achievement (Harry & Klingner, 2006). In developing or revising local ELL or bilingual programs, consider the following aspects:

- The ability to hold a conversation requires a different skill level than understanding core content concepts and information used in an academic environment. Exit screening mechanisms for ELL services should address these higher level skills.
- Artificial cut-off points for the length of ELL services can deny students the time to become English proficient.
- As the academic demands on students increase, especially at the secondary level, CLD students may need renewed assistance with managing the additional load of academic vocabulary. When selecting general education curriculum materials and texts, look for those that have embedded vocabulary supports, such as digital text with electronic dictionaries and translations. Classes that focus on teaching study skills can also be very helpful.

Nevitt Elementary School in Tempe, AZ

Nevitt Elementary School in Tempe, AZ is providing parenting classes during the day to Spanish speaking mothers and fathers. On Tuesdays and Thursdays, parents bring their toddlers to the early childhood classroom. For about 45 minutes, while the toddlers play under the supervision of two early childhood educators, the resident social worker and the lead early childhood teacher share a learning activity with the parents in Spanish. Then, the parents practice the skill with their toddlers. As a wrap-up, the parents discuss when and how they'll use the activity at home. The group then brainstorms about new ideas they'd like to learn more about.

Source: Dr. Elizabeth Kozleski of NCRESSt

Quality early childhood opportunities

Laosa (2005) reports that the foundation for strong literacy skills and other academic learning is established before age five. In fact, gaps in reading skills and knowledge that emerge in fourth grade or later are often already present as children enter school. One key strategy to improve school readiness and overall school performance of children, especially CLD children who live in low income communities, is to provide access to quality early childhood opportunities, including Head Start or other publicly funded preschool programs. Other essential interventions include family support, health services, and sustained, high-quality care and stimulation right from birth. These recommendations were made by the Committee on Minority Representation in Special Education of the National Research Council as important considerations for reducing disproportionality (National Research Council, 2002).

Research is mixed in how poverty during early development may affect rates of disproportionality. Some researchers downplay the role that economic status plays in whether students are identified for special education services (Losen & Orfield, 2002) while others suggest that some CLD children may experience heightened risk of exposure to detrimental biological or early developmental factors linked to persistent poverty (National Research Council, 2002). Regardless of the impact of economic status, quality preschool programs have the immediate impact of positively increasing young children's cognitive growth as they begin school and they have been shown to have lasting effects through elementary grades and beyond (Laosa, 2005).

Early intervening services

By intervening early, achievement gaps and behavior problems can be addressed proactively and effectively. To that end, most districts provide support services within their general education offerings for students who are falling behind. These early intervening services (EIS) might include a universal screening in reading given to all students in grades K to 3 at the start of each semester, reading or mathematics improvement programs, study skills classes, or counseling. EIS benefit all students by reducing academic and behavioral problems in general education classes and decreasing the number of unnecessary referrals to special education.

First introduced in IDEA 2004, the EIS provision allows districts to spend up to 15 percent of their federal special education funds to offer academic and behavioral supports for at-risk general education students in order to help them succeed in the general education setting. Under this provision, IDEA funds may be spent on direct services to children or on professional development activities to enable teachers and other school staff to provide support services. These services include scientifically based academic and behavioral interventions, such as scientifically based literacy instruction, behavioral evaluations, and positive behavioral interventions and supports.

The use of IDEA funds for EIS is discretionary, except for those districts that have significant disproportionality. Districts with significant disproportionality can be required by the state to reserve the maximum 15 percent of their IDEA funds to provide programs and services focused on those subgroups of students who were significantly over-identified, served in restrictive settings, or disproportionately disciplined. The specific

expected outcomes of these EIS efforts are to improve the academic achievement and behavior of CLD students, reduce special education referrals and, as a result, reduce the types of disproportionality that exist in districts.

Response-to-intervention

Response-to-intervention (RtI) refers to a multi-step process of providing interventions and supports to students who struggle with behavior and learning. It provides a framework in which schools can deliver early intervening services. There is no single RtI model. Rather, states and districts implementing an RtI approach typically develop their own specific procedures.

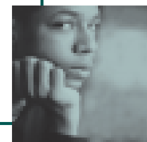
RtI processes focus on how well students respond to changes in instruction or "interventions." The U.S. Department of Education and a number of leading national organizations and coalition groups, including the National Research Center on Learning Disabilities, have outlined these core features of an RtI process:

- high quality, research-based instruction and behavioral support in general education
- universal (schoolwide or districtwide) screening of academics and behavior in order to determine which students need closer monitoring or additional interventions
- multiple tiers of instructional strategies that are progressively more intense and include the use of scientific, research-based interventions matched to student needs
- use of a collaborative or problem-solving approach by school staff in developing, implementing, and monitoring the intervention process
- continuous monitoring of student performance during interventions using objective data to determine if students are meeting goals
- follow-up measures assuring that interventions were implemented as intended and with appropriate consistency
- use of student progress monitoring data to shape instruction and make educational decisions
- parent involvement throughout the process

Clark County School District (NV)

The **Clark County School District (NV)** has developed a systemwide best practices manual for Response-to-Intervention (RtI) to inform the work of regional teams who will each work with approximately 30 schools to support transition to a RtI approach to supporting needs-based interventions for students. RtI transition teams offer professional learning to general and special education teachers within their regions, helping to ensure that a common language and common practices are developed and aligned across schools.

Source: Dr. Elizabeth Kozleski of NCRESSt



> Murphy School District of Phoenix, AZ
>
> The Transitional Counselor (TC) in the **Murphy School District of Phoenix, AZ**, provides 8th grade students with activities, workshops, and information in order to support their transition to high school, prevent school drop out, and foster educational and social goal setting. The TC works closely with 8th grade students throughout the school year both by meeting with every student individually and in small groups and also by providing assistance to each student during the high school registration process. Additionally, the TC continues to work with the same students throughout their high school careers, meets with individual students who do not attend high school, and counsels students who are considering leaving high school before graduating.
>
> *Source: Dr. Elizabeth Kozleski of NCRESSt*

Positive behavioral supports

Research shows that exclusionary practices, such as suspension or expulsion, are not effective in reducing problem behaviors. In fact, the use of suspension is linked with increased school drop-out rates and juvenile incarceration (Skiba, et al., 2003). Of particular concern, rigid discipline systems, such as zero tolerance rules, may inadvertently promote lower tolerance for cultural differences. This, in turn, can increase discipline-related referrals and restrictiveness of placements of culturally diverse students. Experts recommend using positive behavioral supports (PBS) programs to reduce disproportionate disciplinary actions (Drakeford, 2004).

PBS programs include proactive strategies for defining, teaching, and supporting appropriate student behaviors and creating positive school environments. They are frequently recommended as effective research-based strategies by reliable sources, such as the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMSHA). The Web site of the National Technical Assistance Center on Positive Behavioral Interventions and Supports describes PBS programs as including these key aspects:

- Behavioral supports are defined as primary (school-wide), secondary (classroom), and tertiary (individual).
- A continuum of positive behavior supports exists for all students within a school.
- Student lifestyles improve in a variety of domains (personal, health, social, family, work, recreation).
- Problem behavior becomes less effective, efficient, and relevant for students.
- Productive behavior becomes more functional for students.
- Implementation occurs throughout the school, including classroom and non-classroom settings, such as hallways and restrooms.

Schoolwide PBS programs can be integrated in and coordinated with RtI models to address behavioral issues. When implemented as early intervening services (EIS), IDEA funds can be used to support many schoolwide PBS activities, such as anti-bullying programs and social skills training.

While school safety is always of paramount concern to administrators and other school personnel, schoolwide programs that teach appropriate behavior, such as PBS programs, are considered successful alternatives to punitive policies. Schoolwide PBS programs focus on improving the school staff's ability to teach and

support positive behavior in all students. As a result, disruptive and challenging behaviors that lead to a high number of discipline referrals, suspensions, and expulsions are reduced (Horner & Sugai, 2000; Knoff, 2003; Sulzer-Azaroff & Mayer, 1994).

Classroom management skills

Assumptions can be misleading. Consequently, it is essential for teachers to distinguish between student behavior that is a manifestation of cultural differences and behavior patterns warranting a referral for special education services (Campbell-Whatley & Gardner III, 2002). For instance, when some students are frustrated but reluctant to ask for help, they may exhibit fidgety or active behavior. Asking for help might appear obvious to most students but not to some children who have different cultural backgrounds (Valdes, 1996). If the teacher offers appropriate procedures for asking for assistance, the active behavior can disappear or diminish significantly.

Good classroom management skills, including explicitly teaching expected behavior through modeling and role play, can prevent problems down the road. Teachers need to create a classroom environment that encourages positive behavior (Campbell-Whatley & Gardner III, 2002; Everson & Neal, 2006). Experts recommend the following strategies:

- posting rules in positive language to specify expected behavior
- utilizing flexible physical classroom arrangements to provide for "personally assigned individual space"
- collecting data to objectively evaluate behavioral progress
- organizing inappropriate behaviors into "intensity levels"
- using problem solving to address challenging behaviors
- responding consistently to all behavior in a productive, strategic and educative way
- practicing classroom procedures
- using prompting and redirecting
- encouraging student self-management or self-regulation
- providing multiple social forums and flexible grouping to allow structured opportunities for students to move within the classroom
- allowing time and choice to work on specific subject matter or skills
- minimizing time spent on transitions within the classroom
- connecting desired behaviors to meaningful consequences
- encouraging a sense of "community" within the classroom

For more in-depth guidance about classroom management skills, the Resources section of this guide lists several resources for quality professional development that can help teachers enhance their classroom management skills with culturally diverse populations.

Culturally responsive teaching

Culture is central to student learning because learning styles differ across cultures. Cultural practices actually shape thinking processes (Hollins, 1996). Educators trained in culturally responsive teaching are better equipped to spot the early warning signs of academic distress, evaluate its cause, and interpret student behavior. The following suggestions allow educators the opportunity to impact disproportionality by changing their own classroom practice.

A culturally responsive teaching approach includes students' cultural references in all aspects of learning (Ladson-Billings, 1994). Culturally responsive teaching encourages teachers to use their students' identities and backgrounds as valuable sources to inform instruction and conveys to students that they are respected and genuinely expected to succeed (National Education Association, 2003). By linking the students' cultural references with classroom instruction, not only are the students empowered intellectually, emotionally, and socially, but their knowledge, skills, and attitudes are maximized. Experts have defined culturally responsive teachers as:

- unbiased organizers and mediators of social contexts;
- caring, committed to, and respectful of their students;
- skilled at validating, affirming, facilitating, liberating and empowering children;
- demonstrating a sense of responsibility for their students;
- believing in their students' abilities and desire to learn;
- capable at explicitly teaching skills and building meaningful cultural understanding;
- experts in instruction, who can manage, challenge, and support their students.

Below is a graphic representation of culturally responsive teaching developed by the National Center for Culturally Responsive Educational Systems (2003).

Principles of Culturally Responsive Teaching

1. Teach students to work collaboratively-work smarter not harder.
2. Encourage critical thinking—Higher Order Thinking Skills.
3. Actively engage students in the curriculum by providing independent work to reinforce mastered skills.
4. Use assessment and the subsequent data to guide instruction.
5. Develop instructional units using inquiry-based learning, problem-solving, learning.
6. Have high expectations for all children.
7. Teach learning strategies.
8. Communicate data frequently with parents and students regarding academic achievement.
9. Create an academic environment that embraces every student's cultural identity and encourages positive sense of self.

Ladson-Billings, G. (1994)

Culturally responsive assessment

There are a number of possible action steps school personnel can take to ensure that individual assessments are conducted in a culturally responsive and nondiscriminatory manner (Klotz & Canter 2006). Recommendations include:

- Allowing more time. Assessments of students from diverse backgrounds require more time to gather important background information and allow for alternative and flexible procedures.
- Gathering extensive background information. To provide a context for the evaluation, conduct a review of all available background information including: school attendance, family structure, household changes and moves, and medical, developmental, and educational histories.
- Utilizing student progress monitoring data from Response-to-Intervention (RtI) or problem-solving processes. Data generated from a process that determines if the child responds to scientific evidence-based interventions should be included in a comprehensive evaluation. The National Research Council on Minority Representation in Special Education recommended the use of data from a systematic problem-solving process measuring the student's response to high quality interventions (National Research Council, 2002, pp. 7-8).
- Addressing the role of language. Determining the need for and conducting dual language assessments are essential steps in an evaluation process. This includes determining the student's language history (i.e., ages that the student spoke and heard various languages), dominance (i.e., greatest language proficiency), and preference (i.e., the language the student prefers to speak).
- Using nonverbal and alternative assessment strategies. When assessing students from CLD backgrounds, use standardized nonverbal cognitive and translated tests (when available in the target language). Additional assessment techniques, including curriculum-based assessments, test-teach-test strategies and in-direct sources of data, such as teacher and parent reports, portfolios, work samples, teacher/student checklists, informal interviews and observations, and classroom test scores are also helpful in completing an accurate, comprehensive evaluation.

- Acknowledging non-standard procedures. The assessment team should note in its report what information was gathered using interpreters and what testing procedures were modified and why.

Manchester, CT

The literacy coach in one of the elementary schools in **Manchester, CT** leads a book club during lunch one day a month. Parents come to school to have lunch with their children and participate in the book club. Everyone reads the same book, then discusses the plot, the characters, and the implications of the book for current events. The conversation is lively as families from different backgrounds and experiences share their knowledge and viewpoints. The group as a whole selects the book for the next discussion from an array that the literacy coach proposes. The coach does a brief "book talk" about each selection so that the group has a good idea of what the selection is. There is a waiting list for the book club since only 8 to 10 parent/child pairs can participate at one time.

Source: Dr. Elizabeth Kozleski of NCRESSt

Parent/family and community partnerships

Research shows that students whose parents are involved in their schooling do better academically. Nonetheless, parents from diverse ethnic or cultural groups may not feel comfortable or welcomed in their children's schools (National Association for Bilingual Education, 2002; August & Hakuta, 1997). School teams and individual educators enhance the academic success of CLD students with disabilities by creating partnerships with community and advocacy organizations that represent families of CLD students and CLD students with disabilities. In addition, helping parents of individual children to understand the special or gifted and/or talented education identification processes, offering translation services, and scheduling opportunities for families to visit schools and programs to meet educators and school leaders, helps to build trust and engage families in their children's education. Resources on this topic are available from the organizations listed in the Resources section.

Fairbanks North Star Borough School District

In **Fairbanks, Alaska**, the **Fairbanks North Star Borough School District** has an advisory Board Ethnic Committee established by the school board to monitor concerns such as achievement gaps and disproportionate placement of culturally and linguistically diverse students in special education. The committee reviews data and visits school principals to discuss policies and programs designed to address concerns. They also work to encourage parent and community involvement in the schools. The findings and recommendations of the Board Ethnic Committee are submitted to the Board of Education and the school administration. Over the decade since the Board Ethnic Committee was formed, the number of serious, race-based complaints have been dramatically reduced and an atmosphere of openness in the school district has been observed. For more information about the work of the committee, contact Elizabeth Schaffhauser, EEO Director, email: eschaffhauser@northstar.k12.ak.us, or phone: (907) 452-2000 x 466.

Source: Mary Beth Klotz, NASP

Rapides Parish, Louisiana

When **Rapides Parish** in **Louisiana** was found to have serious disproportionality problems, they decided to tackle the issue in a proactive fashion. They established a steering committee that included representatives from regular education, special education, parent groups, and the community. The goals the school system set out to accomplish included:

- creating an awareness of the issue of disproportionality and culturally responsive practices in all areas;
- identifying target schools to implement early intervening services focusing on reading and math;
- appropriately identifying students with disabilities for special education through the use of Response-to-Intervention (RtI) and increased focus on culturally responsive assessment practices;
- implementing Positive Behavior Support (PBS) programs district-wide.

The Rapides Parish School District laid out a five-year action plan to address disproportionality, its correlates, and achievement and behavior gaps. The plan was presented at the National Center for Culturally Responsive Educational Systems' (NCCRESt) February 2007 conference, ***Leadership for Equity and Excellence: Transforming Education.***

Early outcomes from Rapides Parish's disproportionality reduction efforts were encouraging; referrals for initial special education evaluations were way down and, more important, the percentage of Black students within the emotionally disturbed, mentally retarded, and specific learning disability categories was dropping. Also of note was the increase in the percentage of Black students being identified as gifted and/or talented. Teachers, families, and students reported increased enthusiasm and support for the initiatives. For more information, contact: Rapides Parish School District at http://www.rapides.k12.la.us/ and the National Center for Culturally Responsive Educational Systems at http://www.nccrest.org.

Source: Mary Beth Klotz, NASP

Questions to ask

Local policymakers, community and school leaders, and educators need to understand the impact of school and classroom practices on disproportionality. They can take an active role in making a positive difference. Here are some important questions to ask:

About the availability of quality programs and services—

- To what extent are quality early childhood services available in your community?
- How are children from low income homes provided with opportunities to develop academic readiness skills?
- How are ELL students provided with the supports and time they need to develop academic language proficiency?
- How culturally appropriate is the curriculum?
- To what extent do students receive universal screenings and early intervening supports prior to a referral for a special education evaluation?

- What types of early intervening services are available? Are they research-based interventions?
- If the district is required to use IDEA funds for early intervening services, which populations are targeted?
- What are the discipline policies in your district or school? How responsive to cultural differences are they?
- To what extent are culturally responsive, positive behavioral programs implemented?

About student progress data and assessments—

- How are student performance and progress monitored on a regular basis?
- What types of culturally responsive, general, or universal screenings are conducted?
- To what extent are education decisions based on strong student data analysis?
- To what extent do special and gifted and/or talented education evaluations include comprehensive, objective, and authentic classroom performance measures?

About supports for educators—

- How are culturally responsive teaching strategies encouraged at all levels of schooling?
- What professional development programs are available to help all educators make appropriate special and gifted and/or talented education referrals?
- What professional development programs are available to assist teachers with developing culturally responsive classroom management skills?
- If your district or school uses a response-to-intervention approach, what staff development and administrative support is available?
- To what extent will general educators, special education teachers, and related service providers be included in staff development on response-to-intervention?

About family and community engagement and supports—

- How do state or local school leaders inform parents and community leaders of instances of disproportionality?
- If your district is required to use 15 percent of its IDEA funds for early intervening services, who will be involved in determining how the funds will be used?
- How can parents and community leaders become productively engaged in your district's or school's plan to address disproportionality?
- How can educators and community leaders encourage universal access to enriching cognitive, social, and talent development activities in the school and community?
- To what extent are culturally appropriate mental health services available in your school and community?

About funding and resources—

- What funding is available to allow districts to keep reasonable class sizes and to provide early intervention and support services?
- What resources and supports are available to school personnel who are addressing disproportionality? To what extent are they sufficiently funded?
- What other funds does the district have for supporting students within general education?

Initiating Change

Truth in Labeling: Disproportionality in Special Education provides a glimpse into the complex issue of disproportionality. Research shows that culturally and linguistically diverse (CLD) students are both over-represented and under-represented in special and gifted and/or talented education programs. Why does it matter? Labeling students as disabled when they really are not can result in students receiving inappropriate instructional support and services. It creates a false impression of these students' intelligence and academic potential. Likewise, limited access to programs for the gifted and/or talented squanders the opportunity for students to reach their full potential.

As a collaborative project with the National Association of School Psychologists (NASP), this guide is part of NEA's efforts to close the gaps in student achievement. It highlights existing state and local policies, procedures, and practices that contribute to disproportionality and shows ways that educators can help make a difference. By making changes in school and classroom practices, the incidences of inappropriate special education referral and identification, overly restrictive education settings, and excessively harsh disciplinary actions experienced by CLD students can be significantly reduced.

All stakeholders—classroom teachers, related service providers, parents and community leaders, school and district decision makers, and state and federal policymakers—play an important role in decreasing disproportionality and improving educational outcomes for students. Working together, we can make a difference. To that end, the suggestions and recommendations in this guide are offered as catalysts to initiate dialogue and encourage systemic change so that every child, no matter his or her racial, cultural, or linguistic background, receives an appropriate education in a great public school.

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Web Resources

100 Black Men, http://www.100blackmen.org

Access Center: Improving Outcomes for All Students K–8, http://www.k8accesscenter.org

America Speech-Language-Hearing Association, http://www.asha.org

Center for Evaluation and Education Policy, Indiana Disproportionality Project, http://www.ceep.indiana.edu

Closing the Gap, ***NEA Today*** cover story, February 2005, http://www.nea.org/neatoday/0501/coverstory.html

Council for Exceptional Children, http://www.cec-sped.org

Harvard Civil Rights Project, http://www.civilrightsproject.harvard.edu/

IDEA Partnership, http://www.ideapartnership.org

IRIS Center for Faculty Enhancement, http://iris.peabody.vanderbilt.edu

LD Online, Glossary of Education Terms, http://www.ldonline.org/glossary

National Association for Bilingual Education (NABE), http://www.nabe.org/

National Association of School Psychologists, http://www.nasponline.org

National Association of State Directors of Special Education, http://www.nasdse.org/

National Center for Culturally Responsive Educational Systems, http://www.nccrest.org

National Center for Learning Disabilities, IDEA Terms to Know, http://www.ncld.org/content/view/921/456099/

National Center on Student Progress Monitoring, http://www.studentprogress.org

National Clearinghouse for English Language Acquisition (NCELA), http://www.ncela.gwu.edu

National Dissemination Center for Children with Disabilities, http://nichcy.org

National Education Association, http://nea.org; http://nea.org/specialed

National Research Center for Learning Disabilities, Glossary of RTI Related Terms
http://www.nrcld.org/RTI_Practices/glossary.shtml

National Technical Assistance Center on Positive Behavioral Interventions and Supports (PBIS),
http://www.pbis.org

Project Achieve and the Stop and Think Social Skills Programs, http://www.projectachieve.info

Wrights Law, Glossary of Special Education and Legal Terms
http://www.fetaweb.com/06/glossary.sped.legal.htm

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Notes

Notes

"Every student is a unique snapshot of American culture. Whether our children speak Spanish, Korean, or non-standard English, live in a Hispanic or White household, or qualify for food stamps—they bring to the classroom a wealth of experiences, skills, learning styles, and abilities that add value. Far too often, children from diverse backgrounds who fall behind in their learning are inappropriately labeled as needing special education. What they may really need is academic support and the opportunity to learn in a culturally responsive environment."

Reg Weaver, President, National Education Association

"The Truth in Labeling: Disproportionality in Special Education guide provides school personnel with a helpful tool for understanding the nature and causes of disproportionality. It offers comprehensive and practical recommendations to understand and support the learning and social emotional needs of all students."

Susan Gorin, NASP Executive Director

Truth in Labeling

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