

Latino Students and Disproportionality in Special Education

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Ethnic minority student disproportionality in special education has been a national concern for several decades. Since the issue was first documented, evidence of disproportionality has been found at the national, state and district levels (Dunn, 1968; Mercer, 1973). The purpose of this briefing paper is to examine the representation of Latino students in special education. We will review data from both the national level and Indiana that shows that Latino students are in general under-represented in special education. Possible reasons for that representation and future directions will be outlined.

NATIONAL DATA AND LATINO STUDENT DISPROPORTIONALITY

Research has found the evidence of disproportionality in special education for Latino youth to be mixed. In 2000, the U.S. Department of Education reported that the overall enrollment of Latino students in special education appeared to be proportionate when compared to their enrollment in the general student population (Gottlieb & Alter, 1994; U.S. DOE, Office of Special Education and Rehabilitative Services, 2003). In specific disability categories, however, evidence of overrepresentation was found in the learning disability, hearing impairment, and orthopedic impairment categories. Early district level studies in California and New

York have also cited evidence of overrepresentation of Latino students in speech and language, mental disability, and learning disabilities (Gottlieb & Alter, 1994).

Although disproportionality in special education can refer to either evidence of overrepresentation and under-representation (see insert below), overrepresentation has received the most attention. Overrepresentation of ethnic minority students in special education raises concerns, especially given that the trajectories of students in special education are often marked by school failure and low academic attainment (Fierros García & Conroy, 2002; Gottlieb, Alter, & Gottlieb, 1994). Overrepresentation in more restrictive environments such as separate classroom settings has also raised concerns, since it limits contact of students with disabilities with the mainstream curriculum and non-disabled peers.

What is Disproportionality in Special Education?

Disproportionality exists when a specific group is over or under represented in a specific category or area. The Individuals with Disabilities Education Improvement Act (IDEA) entitles all individuals with disabilities to a free and appropriate public education, and mandates nondiscriminatory assessment, identification, and placement of children with disabilities.

In contrast to evidence of African American student overrepresentation in special education, Latino students are for the most part under-represented in special education. Previous analyses of Indiana state level data for both the 2003-04 and 2004-05 school years revealed a pattern of under-representation of Latino students both in overall special education

How is Disproportionality Measured?

Composition Index (CI): The composition index compares the representation of a given ethnic group in special education. This rate is then compared with the proportion that group represents in the population or in school enrollment.

- *Example:* At the national level, African American students account for 33% of students identified as moderate mentally disabled, but only 17% of the student population.

Relative Risk Ratio (RRR): Compares the rate of special education for different service groups in order to generate a ratio describing the extent of disparity. A ratio of 1.0 indicates proportionality; numbers greater than 1.0 indicate overrepresentation, while numbers below 1.0 indicate under-representation.

- *Example:* 2.64% of all African American students are identified as mentally disabled, as opposed to 1.18% of White students, meaning that African Americans are 2.36 times as likely as White students to be identified as mentally disabled.

service, and in a number of specific categories (Skiba et al., 2004). However, we know far less certain about Latino under-representation, both in terms of how under-representation may occur, and the impact it may have on Latino students. In the following sections, we review data on Latino disproportionality in special educational, both nationally and for the state of Indiana.

National information for 2003-04 on the representation of Latino students in special education is reported below, drawn from the National Center on Culturally Responsive Educational Systems (NCCRESt, 2006). State relative risk ratios (RRR) reported here represent the rate of disproportionality for Latino students as compared to other students in the state and nation.¹

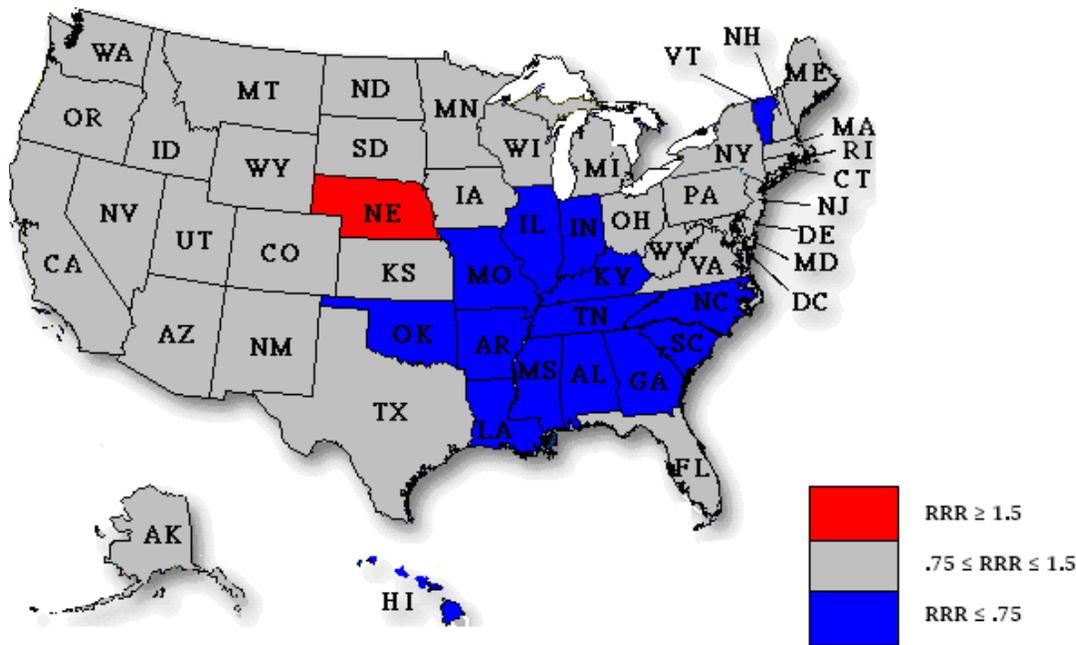
Overall Disability

The most recent available data on national trends in special education service show evidence of disproportionality in special education (both under- and overrepresentation) of Latino students in a total of 16 U.S. states (Figure 1). Although previous literature has stressed overrepresentation, only one state, Nebraska (RRR = 1.84), shows a high risk ratio, indicating overrepresentation for Latino students. The vast majority of states with evidence of disproportionality in overall special education service are found to have under-representation, especially in the Midwest and Southeastern regions of the country. Indiana is among states with under-representation of Latino students in special education, with an RRR of 0.59.

High and Low Incidence Categories

What do patterns of disproportionality for Latino students look like in specific disability categories? NCCRESt's analyses of specific disability categories combine Emotional Disturbance (ED), Specific Learning Disability (LD), and Mental Retardation (MR) into a category termed high incidence. In the high incidence category, evidence of disproportionality was found in 14 U.S. states, and revealed a pattern similar to overall service. In high incidence categories, Latino students were found to be overrepresented in different states, but again with the highest relative risk ratio in Nebraska (RRR = 2.85). Although overrepresentation has been previously assumed in states with a long history of Latino student presence (e.g., California, Arizona, and Texas), these states did not display evidence of meaningful disparity in terms of either

Figure 1. National Dispersion of Latino Student Disproportionality in Overall Disability for 2003-04



Note: This map displays the relative risk ratios (RRR) for overall special education service, aggregating across all disability categories to describe overall patterns of representation in special education.

over- or under-representation. Rather, a similar pattern of under-representation, primarily in the Midwest (including Indiana) and Southeastern states, was also found in the high incidence categories.

Data analyses from low incidence categories (including Developmental Delay [DD], Speech or Language Impairments [SPI], Multiple Impairments [MI], Hearing Impairments [HI], Orthopedic Impairments [OI], Other Health Impairments [OHI], Visual Impairments [VI], Autism [AU], Deaf-Blindness [DB], and Traumatic Brain Injury [TBI]) yielded evidence of disproportionality in a total of 27 U.S. states. There was no overall indication of high levels of overrepresentation in any state. Indiana was among the 27 states showing under-representation, with an RRR of 0.54.

Summary

Although early research from a few locations suggested that Latino students were over-represented in special education, more current and comprehensive data suggest that under-representation of Latino students in special education is much more common. Significant under-representation appears to be most common in Midwestern and Southeastern states, including Indiana. In the following sections, we examine data on Latino representation in special education across school corporations in the state of Indiana.

LATINO STUDENT DISPROPORTIONALITY IN INDIANA: WHAT DO THE DATA SAY?

Procedures and Data Analyses

Since 1998, the state of Indiana has been working to describe, understand, and address disproportionality in special education. In this report, we focus specifically on the representation of Latino

students in special education in Indiana. Data drawn from the state’s Computerized Data Project (CODA) database were used to explore disproportionality in Indiana’s 314 school corporations and charter schools for the 2004-05 school year. General enrollment data for each school corporation in the state, disaggregated by race, were obtained from the Indiana Department of Education Web site. Statewide analyses describe the extent of disproportionality for Latino students by disability category and placement type for the state of Indiana, using both the composition index and relative risk ratio (see *How is Disproportionality Described?* on p. 1).

The extent and dispersion of disproportionality in Indiana’s 314 school corporations and charter schools with available disability data were analyzed for 2005-06 for this report.² In these analyses, we address the following questions:

- (a) What is the pattern of enrollment of Latino students in special education disability categories in the state of Indiana?
- (b) What is the pattern of Latino students served in special education placement categories?

Results

Overall special education service. Table 1 presents an overview of the patterns of special education service for Latino students across all disability categories. During the 2004-05 school year, 4,947 Latino students were served in special education programs across the state of Indiana. Nearly half (45%) of all Latino students served in special education were found to be identified for services in Learning Disability, followed by those served in Communication Disorder (24%). Analyses

TABLE 1. RRR and CI for Latino Students Served in Indiana’s Special Education Categories in 2004-05

Disability Category	# of Students	% of Students	RRR
Overall Disability	4,947	3.2%	0.61
Learning Disability	2,259	3.6%	0.69
Communication Disorder	1,211	3.3%	0.62
Mild Mental Disability	578	3.4%	0.65
Moderate Mental Disability	174	4.7%	0.91
Emotional Disability Full Time	144	2.1%	0.39
Autism Spectrum Disorder	110	2.0%	0.37
Other Health Impairment	109	1.4%	0.26
Emotional Disability All Other	94	1.3%	0.25
Hearing Impairment	79	4.7%	0.90
Orthopedic Impairment	59	4.0%	0.77
Multiple Disabilities	45	2.9%	0.55
Severely Mentally Disabled	44	5.5%	1.08
Visual Impairment	25	3.4%	0.65
Traumatic Brain Injury	16	2.9%	0.55
Dual Sensory Impairment	0	0.0%	0.00
Latino Student Enrollment	52,408	5.1%	

Note: Column 2 represents the composition index, column 3 the relative risk ratio. The composition index can be interpreted by comparing it to the overall Latino enrollment rate at the bottom of the column.

TABLE 2. Indiana School Corporations with Disproportionality in Disability Categories in 2004-05

Disability Category	# of School Corporations with Overrepresentation	% of School Corporations	# of School Corporations with Under-representation	% of School Corporations
Overall Disability	16	5.1%	64	20.4%
Autism Spectrum Disorder	6	1.9%	11	3.5%
Communication Disorder	34	10.8%	15	4.8%
Dual Sensory Impairment	0	0.0%	0	0.0%
Emotional Disability All Other	8	2.5%	15	4.8%
Emotional Disability Full Time	4	1.3%	14	4.5%
Hearing Impairment	10	3.2%	0	0.0%
Learning Disability	12	3.8%	24	7.6%
Mild Mental Disability	14	10.5%	18	5.7%
Moderate Mental Disability	10	7.6%	3	1.0%
Multiple Disabilities	6	4.5%	1	0.3%
Orthopedic Impairment	10	7.6%	2	0.6%
Other Health Impairment	4	5.7%	12	3.8%
Severely Mentally Disabled	3	1.0%	1	0.3%
Traumatic Brain Injury	2	0.6%	0	0.0%
Visual Impairment	3	1.0%	0	0.0%
Total School Corporations	314			

Note: Designation as disproportionate was based on the RRR and significant chi-square test for a school corporation in a particular disability category, according to decision criteria specified above.

reveal under-representation in almost all disability categories, with the exception of Hearing Impairment, Orthopedic Impairment, Moderate Mental Disability, and Severely Mentally Disabled.

The disproportionality of Latino students served in special education is also apparent at the school corporation level. Across the state, there was evidence of under-representation of Latino students in 64 out of 314 school corporations and charter schools throughout the state of Indiana; in contrast, only 16 Indiana school corporations showed evidence of Latino overrepresentation in overall special education service.

Specific Disability Categories.

Table 2 describes the number and proportion of Indiana school corporations and charter schools with evidence of disproportionality in a particular disability cate-

gory. In terms of overall service, there appears to be a greater issue of under- rather than overrepresentation at the corporation level. Interestingly, these data reveal a large proportion (i.e., 10.8%) of corporations with overrepresentation in Communication Disorder. Overrepresentation was also more prevalent in both Moderate and Mild Mental Disability categories.

Placement in More or Less Restrictive Settings

Given the importance of service in the least restrictive setting for students in special education, it is also important to attend to the representation of Latino students in more or less restrictive educational settings. It should be noted that these analyses apply only to those students who are currently being served in special education. As shown in Table 3, Latino students served in special educa-

tion are less likely than their peers with disabilities to be served in Public Separate, Public Residential, Private Separate, and Private Residential settings. Overrepresentation in Separate Class settings and under-representation in Regular Class settings approached higher relative risk ratios. In other words, there appears to be a trend for Latino students to be more likely than other students with disabilities to be served in more restrictive environments, but does not reach designated levels of extreme evidence.

At the school corporation level, analyses reveal patterns suggesting some tendency toward overrepresentation in more restrictive settings and under-representation in less restrictive settings (see Table 4). In both Resource Room and Separate Class settings more corporations with overrepresentation were observed, while a proportion of corporations with disproportionality in Regular Class settings showed evidence of under-representation (6%). These data show a similar,

TABLE 3. Disproportionality in Special Education Educational Environment 2004-2005

Placement Category	# of Students	% of Students	RRR
Regular Class	2,522	2.7%	0.84
Resource Room	1,285	3.7%	1.16
Separate Class	1,067	4.5%	1.43
Homebound Hospital	34	3.8%	1.21
Public Separate School	24	2.4%	0.75
Public Residential Facility	2	1.6%	0.30
Private Separate School	2	1.0%	0.49
Private Residential Facility	12	2.0%	0.61
Latino students Served in Special Education	4,947	3.2%	

Note: Column 2 represents the composition index, column 3 the relative risk ratio. The composition index can be interpreted by comparing it to the overall Latino enrollment rate at the bottom of the column.

though less severe, pattern to that found for African American students with disabilities in more or less restrictive educational settings (Skiba et al., in press), and suggests a need for further exploration of the placement of students of color in more or less restrictive settings.

Summary

Indiana data for the 2004-05 school year reveal a consistent pattern of Latino student disproportionality in special education. At the state level, Latino students appear to be predominantly under-represented in special education with evidence that Latino students are significantly less

likely than students in other racial categories to be served in 12 of 15 disability categories, with no significant evidence of overrepresentation. Analysis of data at the school corporation level also revealed evidence of disproportionality that varied by disability category and educational setting. Among school corporations in the state of Indiana, under-representation was more common than overrepresentation, with the exception of mild and moderate mental disabilities and communication disorders. In terms of educational settings however, there may be a tendency for Latino students with disabilities to be served more frequently than other students with disabilities in more restrictive settings. In general then, Latino enrollment in special education reveals a pattern of under-representation.

WHAT FACTORS MAY INFLUENCE DISPROPORTIONALITY?

As noted, research exploring the disproportionality of ethnic minority students in special education, including Latino students, has focused on overrepresentation. As a result, there is limited information working to explain emergence of Latino student under-representation in special education. However, some discussions on

TABLE 4. Indiana School Corporations with Disproportionality in Placement Categories in 2004-2005

Placement Category	# of School Corporations with Overrepresentation	% of School Corporations	# of School Corporations with Under-representation	% of School Corporations
Regular Class	1	0.3%	19	6.1%
Resource Room	26	8.3%	0	0.0%
Separate Class	17	5.4%	2	0.6%
Public Separate School	3	1.0%	0	0.0%
Private Separate School	1	0.3%	0	0.0%
Public Residential Facility	0	0.0%	1	0.3%
Private Residential Facility	0	0.0%	1	0.3%
Homebound Hospital	6	1.9%	0	0.0%
Total School Corporations	314			

Note: Designation as disproportionate was based on the RRR and chi-square test for a school corporation in a particular disability category, according to decision criteria specified above.

the referral process and assessment procedures indicate in part the field's uncertainty in making appropriate decisions identifying Latino students for special education. Mainly, these concerns arise in association with Latino students that are learning English. Issues that have been associated with disproportionality of this group include:

- Dual characteristics that are apparent in both students learning a new language and students with learning disabilities are overlapping and cause uncertainty in identification process (Ortiz, 1997).
- In addition, definitions for LD and criteria used to identify students for special education may be unclear in addressing ELL students' language acquisition considerations and issues (Barerra, 2006).
- English Language Learner (ELL) services mediate special education eligibility decision-making for Latino students with academic concerns. In other words, Latino students may be considered for special education services only after ELL services are exhausted for sake of careful consideration for language acquisition concerns, especially during early elementary grade levels (Artiles et al., 2002).
- Assessment tools used to identify students may be inappropriate for accurate eligibility decisions, especially when students are learning English (Barerra, 2006).

As a result of these uncertainties at different levels of the decision-making process, educators may be inclined to be "lenient" towards Latino students due to language learning difficulties and hence less likely to refer these students to special education.

ARE THERE IMPLICATIONS OF LATINO STUDENT DISPROPORTIONALITY?

Unlike the national attention on African American student overrepresentation in special education, under-representation has attracted much less attention. Nor is it even clear at this point in time whether under-representation is an issue that demands remediation. On the one hand, given the concerns about stigma that have historically followed students identified for special education, it might seem questionable to advocate for a greater propor-

tion of Latino students to be served in special education. On the other hand, special education has historically provided a service for students with more intensive learning and behavioral needs. Certainly the growth of Latino students in the U.S. and especially their consistent record of academic underperformance suggest that patterns of special education disproportionality continue to be examined.³

SUMMARY AND FUTURE DIRECTIONS

An overview of data on Latino student disproportionality in special education both at the national and state level reveals consistent evidence of under-representation. Although early analyses focused on the possible overrepresentation of Latino students in special education, more current data provide a different picture. Analysis of national data reveals a regional pattern of Latino under-representation, primarily in Southeastern and Midwestern states, including Indiana. In Indiana, disability category data yield a similar picture of Latino under-representation. At the corporation level, analyses show some evidence of overrepresentation in some disability categories. However, again a pattern of under-representation across the state's disability category was found.

More prominent levels of overrepresentation emerged in exploring educational placement settings for Latino students. Similar to African American peers, Latino students have a higher risk of being placed in a more restrictive educational setting once identified for special education services. Efforts to increase time in the general education setting will prove to be an area of focus to ensure Latino students served in special education have access to least restrictive environments.

Explanations for patterns of under-representation and the implications of these findings are still emerging. Given the academic underperformance of Latino students, further investigation is in order. Currently, the Equity Project is conducting a qualitative investigation of special education services for Latino students.

We hope that these efforts will yield a better understanding of the factors that influence the under-representation of Latino students in special education, and eventually provide guidance on how best to promote the best service to the Latino student community in Indiana's schools.

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END NOTES

1. RRR data analyses were also conducted including a White only denominator to explore its use on level of disproportionality findings. No significant differences were found, therefore, only analyses with All Other (including all racial groups as comparison) were included in this report to remain consistent with national reporting.
2. The level of risk displayed by RRRs is described in comparison to all other student groups. Although other analyses that compare Latino students to the predominant majority group (i.e., White Non-Hispanic) were conducted, analyses revealed minimal differences between those results and the reported results using all other student groups, and were therefore not included in this report.
3. The Latino student population enrolled in Indiana schools steadily increased in the past ten years. Between 1995 and 2005, there was a 138.3 percent increase in the Latino student population in Indiana schools, growing from approximately 22,000 to 52,000 students, with the greatest growth within the past five to six years.

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About The Equity Project

The Equity Project is a consortium of projects dedicated to providing high quality data to educational decision-makers in order to better understand and address issues regarding educational equity and bridge the gap between research and practice. Our mission is to provide evidence-based information specific to issues of school discipline, school violence, special education and equality of educational opportunity for all students. Specifically, the Equity Project (a) provides data on these issues, (b) focuses on understanding the causes and conditions that create inequities, and (c) provides support and technical assistance to educational agencies seeking to create equitable school systems. The Equity Project supports educators and educational institutions in developing and maintaining safe, effective, and equitable learning opportunities for all students.

The work of the Equity Project is guided by the following principles:

Disproportionality is a complex issue that will not respond to simplistic solutions.

- Although the fact of disproportionality has been well-documented, its causes and the paths to improvement are by no means fully understood. It is important, therefore, to refrain from assigning blame, but instead to work together to understand the data and its implications.

Data indicating disparity must be taken seriously.

- Data that reveal continuing disparities for certain groups are remarkably consistent, and deserve serious consideration. Examining local, state, and national data is an important first step in the process of understanding and remediating inequity.

Creating equitable school systems is a long-term process requiring long-term commitment.

- Problems of disproportionality and inequity in our nation and our schools were created over long periods of time and will not be resolved quickly. Thus a long-term institutional commitment is required that includes attention to difficult topics like race, and the ongoing integration of cultural competence as a key component in policy and practice.

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