2015

Disproportionality in Special Education : A Persistent Reality for African American Students

Denise Reid
Biola University

DISPROPORTIONALITY IN SPECIAL EDUCATION:
A PERSISTENT REALITY FOR AFRICAN AMERICAN STUDENTS
BY DENISE REID

Abstract

The disproportionate representation of African Americans in special education continues to be a prevalent, disturbing, and heavily debated problem, and possibly the most long-standing issue in the special education field. African American students are overrepresented in three disability categories (emotionally behavioral disorder, intellectual disability, and specific learning disability), all of which are prone to subjective judgment. The current literature indicates the following reasons as possible explanations for this persistent problem: failed general education system, inequities in special education referral and identification process, test bias, as well as a lack of access to effective instruction. This paper provides definitions of disproportionate representation, an explanation of categories of disability, and explores the use of multi-tiered academic interventions.

Keywords: disproportionate representation, disproportionality, and overrepresentation in special education

The disproportionate representation of African American students in special education is not a new phenomenon and continues to persist (Artiles & Trent, 1994; Donovan & Cross, 2002; Dunn, 1968; Ferri & Connor, 2005; Harry & Anderson, 1994; Harry & Klinger, 2006; Losen & Orfield, 2002; O'Connor & Fernandez, 2006; Zhang, Katsiyannis, Ju, & Roberts, 2014). Shealey and Lue (2006) describe disproportionality as "a prevalent, disturbing, and heavily debated problem in this country" (p. 3). According to Blanchett (2009), the American educational system has a long-standing history in the inequitable treatment, miseducation, and undereducation of African American students in special and urban education.

Harry and Anderson (1994) indicated the primary recipients of special education services in its beginning were students of color and those of low socioeconomic status. In fact, Dunn (1968) drew attention to the large percentage of African Americans and students from impoverished economic backgrounds in classes for the mentally handicapped.[1] It is unfortunate this problem continues to exist and has extended to other disability categories (Artiles & Trent, 1994).

According to Blanchett (2009), the original intent of special education was to provide support and training for students who were considered *challenging* for the general education system. The challenging group included African Americans, students with disabilities, and African American students with disabilities. As time passed, students eligible to receive the specialized services were educated in segregated self-contained settings (Ferri & Connor, 2005). The ultimate goal was, for the challenging students, to return to general education once their needs were met and/or appropriate strategies or accommodations were implemented (Blanchett & Shealey, 2005). Due to the nonachievement of the intended goal, a resegregation of African American students emerged (Ferri & Connor, 2005).

Resegregation describes similarities to the racial segregation experienced by minority students in the United States during the first half of the 20th century. Although the focus of school segregation was on African Americans in southern states and Mexican Americans in California (*Mendez v. Westminster*, 1946), resegregation involves the segregation of students of color within legally desegregated schools. In fact, Ferri and Connor (2006) extended the discussion of resegregation after the 1954 landmark *Brown v. Board of Education* decision from the use of ability tracking (Mickelson, 2001) to address how special education is used as a similar strategy to resegregate and assert a connection between desegregation and inclusion.

The public response to the *Brown v. Board of Education* court-ordered integration was gradual, characterized by delays and, in some cases, refusal to comply (Ferri & Connor, 2006). As a result of states' requirements to collect and monitor data on overidentification and

---

[1] This term was appropriately used in 1968.

restrictiveness by race, disproportionality was addressed in the nation's special education legislation until the 1997 reauthorization of the *Individuals with Disabilities Education Act* (IDEA) (Hehir, 2002). Each state receiving IDEA monies is required to examine data to determine two aspects related to disproportionality: if disproportionality is the "result of inappropriate identification" [20 U.S.C. 1416(a)(3)(c); 34 CFR §300.600(d)(3)] and to determine if school districts present "significant disproportionality" based on collected and examined numerical data on race or ethnicity [20 U.S.C. §1418(d); 34 CFR §300.646(b)] (Special Edge, 2010).

Although the 50th anniversary of *Brown v. Board of Education* and the 30th anniversary of IDEA were celebrated during the first decade of the 21st century, Ferri and Connor (2005) assert the outcomes of these important legacies "have not yet been fully realized" (p. 3). Orfield (2004) argues that despite *Brown* being considered a legal milestone, the opportunity for integration and learning with students from different races has not occurred at a desirable rate. Even though access to public education for students with disabilities was provided through IDEA, a large percentage (specifically students of color) was placed in more restrictive placements. Such placements were in direct contrast to the IDEA requirement that decisions regarding least restrictiveness environment placement (LRE) were determined on a case-by-case basis—thereby characterizing LRE as a "loophole" that has "contributed to two largely segregated and unequal education systems: general education and special education" (Ferri & Connor, 2006, p. 45; Linton, 1998). My earliest recollections of students in special education involve the segregation of children and serves as a testament of the gradual progress.

Childhood Recollections

In the early 1970s, I was an energetic third grader who enjoyed school, especially recess. Each day I noticed short yellow buses drive away from the classrooms in the farthest corner of the campus. I found it strange that I never saw students on those buses, which were empty in the morning and unseen after school. I questioned, "What children rode those buses to school?" I clearly recall the day I asked my teacher, "Who rides on those short yellow buses?" She replied, "Kids who are crippled.[2]" After contemplating, I asked, "Why don't they play with us?" While pointing to the farthest corner of the campus, my teacher replied, "Those kids have their own teachers, schedules and they all play together over there." My teacher's response influenced my early thoughts of children in special education. From that point on, I and the rest of the students were keenly aware that *those* buses were for *those* kids who stayed in *those* classrooms. As well, I surmised that *those* classrooms were the best place for *those* students. I now realize the dominant narrative of my elementary school was to avoid interacting with

---

[2] Appropriate term used in the late 1970s to describe people with physical disabilities.

those children while at school. As an adult, I reflect and acknowledge that that narrative dominated the entire K-8 school district in which I attended. Unfortunately, I experienced the same narrative in junior high school.

It was not until my high school years that I interacted with students enrolled in special education. Here, they received their academic instruction in segregated settings and were integrated in physical education, lunch and school-wide assemblies. Because of our daily interactions, I soon forgot that several of my new friends were part of *those* students who, since my elementary years, I believed were in the best educational setting for them. Although the race of my friends in high school was of no importance at the time, I now realize that more than half of the students from special education were African American.

At the end of our lunch, I recall thinking why my friends, who on several levels behaved as the majority of the high school population, had to return to segregated classrooms for their instruction. That question went unanswered for over 30 years. Although I earned a master's in special education, it was not until my doctoral studies that I became aware of the persistent and appalling problem of disproportionate representation of African Americans in special education.

Definition of Disproportionate Representation

The issue of disproportionate representation is evident and positioned as a continued problem in special education (Artiles, 1998; Artiles, Kozleski, Trent, Osher, & Ortiz, 2010; Dunn, 1968; Losen & Orfield, 2002; Zhang et al., 2014). Disproportionate representation is a result of members of a particular group repeatedly being referred to and often erroneously labeled as needing special education and related support services (Council for Exceptional Children, CEC, 2002). According to Oswald, Coutinho, Best, and Singh (1999), disproportionate representation is defined as "the extent to which membership in a given (ethnic, socioeconomic, linguistic, or gender) group affects the probability of being placed in a specific disability category" (p. 198). Likewise, Zhang and Katsiyams (2002) stated disproportionate placement occurs when the percentage of students from a particular group in special education exceeds the percentage of those students in the entire school population. Similarly, Harry and Anderson (1994) offered the following explanation for the disproportionate placement of students of a particular group in special education, which is "the group is represented in such programs in a greater percentage than their percentage in the school population as a whole" (p. 602). Among other definitions, Gabel, Curcic, Powell, Khader, and Albee (2009) define disproportionality as the "over- or under-representation of particular ethnic groups in such programs" (p. 625). In contrast to overrepresentation, Ford (1998) argues categories which denote giftedness or exceptional ability, have an underrepresentation of students from minority groups. Both labels, whether overrepresented or underrepresented have the same function, "to separate White

students from students of color who were attending otherwise desegregated schools" (Ferri & Connor, 2006, p. 46). In this paper, the terms, *disproportionate representation, disproportionality,* and *overrepresentation* are interchangeable.

While a significant amount of literature on disproportionality in the US is evident (Artiles, 1998; Chinn & Hughes, 1987; Donovan & Cross, 2002; Harry & Anderson, 1994; Ferri & Connor, 2005; Harry & Klinger, 2006; Losen & Orfield, 2002; Skiba et al., 2008), this paper will discuss the literature related to the persistent problem of disproportionality of African Americans in special education, examine the disability categories in which disproportionality is evident, and explore the use of a multi-tiered academic intervention and other potential solutions to this persistent and appalling problem.

Disproportionality in the United States

Despite the increase in the number of students with disabilities who are served in general education (Sullivan & Kozleski, 2008), students from "historically underserved" groups continue to be disproportionately placed in special education (Artiles, Trent, & Palmer, 2004). Similarly, in the case of many African American students in school districts across the US, they are inappropriately referred to and subsequently labeled as requiring special education services when in fact they do not require such services (CEC, 2002). As well, Hehir (2002) argued "overrepresentation and inappropriate placement of minorities have been historic problems within special education" (p. 219).

Additionally, the overrepresentation of African American students in special education is evident in data provided by the United States Department of Education (USDOE, 2011). The total enrollment percentage of African Americans in public elementary and secondary schools was 16.8 %, while the 30th Annual Report to Congress on the Implementation of IDEA (2008) identified a large percentage of African Americans in the following categories: emotional/behavioral disturbance, 10.7 %; intellectual disability, 13.6 %; and specific learning disability, 44.2 %. According to Parrish (2002), the combination of these three cognitive disability categories comprises the largest amount of children in special education.

Parrish (2002) referred to the categories in which African American and other ethnic minority students were disproportionately represented as *soft* and *hard* categories of disabilities (p. 24). Parrish (2002) considered it noteworthy to mention the division of these terms as an *artificial distinction* because in the definition of all disability categories, there has been some form of medical determination.

The categories called specific learning disability, mental retardation, and emotional disturbance are sometimes referred to as soft categories because they are more subjectively and less medically determined than categories such as deafness or blindness, which are

deemed hard categories because they are less prone to subjectivity and are readily diagnosed medically (Parrish, 2002, p. 25).

Similar distinctions serve to identify the difference between more subjective categories (Donovan & Cross, 2002; Harry & Anderson, 1994; Hosp & Reschly, 2004). Harry and Anderson (1994, p. 603) defined "judgment" categories of disability as "[t]he milder disability categories whose diagnoses are based essentially on clinical judgment rather than verifiable biological criteria." As a result, the assessment aligned with such subjective measures may be inequitable. As Christian educators, we must consider that inequitable, unequal, and dishonest scales of measurements are detestable to the Lord (Proverb 11:1, HCSB). A cautionary note: the implication of soft categories is that the role of judgment creates a potential source of bias (Harry & Anderson, 1994). Worthy of further investigation yet beyond the scope of this paper is an examination of teacher perception and bias in the referral, identification, and placement processes of students referred and placed into special education.

The causes of overrepresentation exist among several hypotheses (Special Edge, 2010), including placing the blame on general educators without knowledge to effectively educate children from culturally and linguistically diverse backgrounds to the ills of poverty. Additionally, Skiba et al. (2008) describe the complexity of disproportionality as including the interaction of teacher capabilities and attitudes, student characteristics, and sources of structural inequity and racial stereotypes that have gone unanalyzed.

Adult Recollections

On January 21, 2013, two memorable events occurred: the second inauguration of President Barack Obama and the Martin Luther King, Jr. national holiday. On a day when millions of Americans paused and reflected on Martin Luther King Jr.'s contributions to our nation, my thoughts dwelled on the former inequities in the United States. A sense of patriotism was my companion as I prepared for a brunch to view the day's events in Washington D.C. Inspiring excerpts from King's (1963) *I Have a Dream* speech were the resounding themes as I made final preparations for the brunch. Before leaving, my thoughts shifted from King's *I Have a Dream* speech and the events of the Civil Rights Movement, to the topic of current educational inequity that dominated my required readings during my doctoral studies. I thought about the known and unknown activists who, during the Civil Rights Movement, made personal and professional sacrifices with hopes of making a difference in the lives of future generations. I wondered if those activists would be satisfied with the current day inequities. I gathered my personal items and headed out the door, with vivid images of Ruby Bridges, Rosa Parks, and the Little Rock 9 in my mind.

On my way to the brunch, I attentively listened to the entire *I Have a Dream* speech, played on a local radio station. As King's powerful voice pierced the silence, a question from his

speech resonated deep within. In his speech, King (1963) asked, "When can we be satisfied?" I took pen to paper and jotted down this question. During the brunch, I pondered this question and realized that while our nation's first African American President took his second oath of office, African Americans and other ethnic minority students in the US and around the world will live out the reality of continued educational inequity upon their return to school if the system does not change. This educational inequity pertains to African Americans and other ethnic minority students who have historically been overrepresented in special education (Chamberlin, 2005; Dunn, 1968; Harry & Anderson, 1994; Losen & Orfield, 2002).

Although King was referring to persistent racial inequities prior to and during the Civil Rights Movement, I realized a variation of this question into the special education was pertinent. A central component that accompanied my awareness of the persistent problem of disproportionate representation of African Americans in special education was rooted in my variation of King's question, "Have we become satisfied?" I maintain the long-standing problem of disproportionate representation of African Americans in special education demonstrates complacency. However, Fleischer and Zames (2001) asserted an aim of IDEA was to break "patterns of segregation" that were based on race (p. 185). Although such patterns were acknowledged, their presence continues to exist. Therefore, I maintain we have become satisfied while this topic continues to dominate the literature and disparities in the placement of African American students in special education continue.

Efforts to provide an equitable education for all children continue to be undermined by overrepresentation of African American students in special education (CEC, 2002). Reports indicate African American students are more likely labeled as mentally retarded, emotionally disturbed, or learning disabled than their White counterparts; and they were less likely to return to general education once enrolled in special education (USDOE, 2000). The problem of overrepresentation of African Americans in special education was evident in the 30th Annual Report to Congress on the Implementation of IDEA (USDOE, 2011). These implications due to overrepresentation are serious and are of concern (CEC, 2002). Students who are misidentified and inappropriately labeled may be denied access to the general education curriculum and may receive services that do not meet their needs. The implications of overrepresentation become evident during high school and after graduation, which include differential graduation rates. Knowing these implications, school communities should be more than willing to address the persistent problem of disproportionate representation.

Potential Solutions to a Persistent Problem

Once students are identified (i.e., whether appropriately or inappropriately) or labeled as needed special education, they are generally removed from the general education setting. The exclusion from the general education classroom should not be the first line of action (Vallas,

2009). Vallas (2009) addressed factors related to system improvements with a goal of potentially reducing the overrepresentation of African American students in special education and identified access to early education as a tool by which students' academic achievement may be maximized.

In addition, Vallas (2009) placed a portion of the responsibility on settings other than school, asserting a "valuable resource for preventing referrals to special education and improving the students' academic outcomes lies not within the school, but at home, with parents" (p. 199). Vallas' (2009) assertion is of concern. Yes, one can state that more involved and aware parents play a crucial role in ensuring the appropriate educational placement of their child. However, it is equally important to determine if schools are consciously cultivating an environment in which parents are welcomed to freely communicate issues related to their child's specific educational needs. In such an environment, teachers must be willing to allow (without taking the critique personally) parents to constructively critique the teachers' methods of instructions that are not meeting the individual needs of their child. Within the critique may be a call for more culturally responsive instruction. This quality of education is pivotal in ensuring these students have an educational experience which allows them to thrive, thereby "minimizing the cultural mismatch that is characteristic of many schools today, and further increasing these students' chance at academic success" (Vallas, 2009, p. 199).

The CEC acknowledged the importance of collaborative efforts among teachers and parents. According to the CEC (2002), schools in which teachers, administrators, family members, and other stakeholders maintain high expectations for student learning and provide positive reinforcement for their achievements and participation typically do not have an issue of overrepresentation. Although, on appearances, the potential solution offered by the CEC (2002) is ideal, the expectations placed on students with disabilities differed. Shifrer (2014) examined data of over 11,000 adolescents to determine if stigma influenced teachers' and parents' educational expectation of students with disabilities. Supporting the predictions of labeling theory, Shifrer (2014) concluded teachers and parents were more likely to hold lower educational expectations for adolescents labeled with a disability than for peers with similar behaviors and not labeled as having a disability. I maintain effective solutions must extend beyond simply setting high expectations and providing positive reinforcements.

Additionally, Response-to-Intervention (RTI), viewed as a potential solution, is a process by which disproportionality may be reduced (Bartholomew, Gray & McKinney, 2010). RTI is a "process that includes the provision of systematic, research-based instruction and interventions to struggling learners" (Bartholomew et al., 2010, p.2). Through this multi-tiered process, interventions were matched with the individual needs of the students and followed by monitoring of students' progress to identify information related to the students' academic level and rate of improvement (Chidsey, Bronaugh, & McGraw, 2009). Although RTI efforts are being

made to address the continued problem, I question its effectiveness if teachers and practitioners align their perspective with the medical model of disability, which views the deficit within the individual without consideration of social, political, economic or cultural views (Thomas, 2004). This counter perspective requires a brief introduction to Disability Studies, the academic wing of the disabled people's movement (Thomas, 2004).

Disability Studies embraces a shift in viewing disability as a *social patholog*y rather than a *personal predicament* (Goodley, 2011). Through the Disability Studies lens, questions about societal forms of oppression arise. Within the medical model, disability is considered something to be fixed. Such ideology suggests the person is no more than their impairment (Charlton, 1998; Linton, 1998; Longmore, 2003). Not only should teachers and administrators assist educators in the use of interventions to reduce subjective views and biases but such interventions must be culturally responsive to enact successful change (Moreno & Gaytàn, 2013). Although Bartholomew et al. (2010) acknowledged the need for a paradigm shift in order for practitioners to understand the expansion of their traditional role in schools and their continued gap in science-to practice, the indicator of successful change is the passage of time.

Solution-focused approach is an additional approach to address the persistent problem of overrepresentation. Watkins and Kurtz (2001) examined the position of the school social workers with regards to intervening and potentially preventing inappropriate and unnecessary testing and placement into special education. While working with social workers, students' strengths and abilities can be explored. Such exploration allows the social worker to determine alternatives to special education placement. A key feature of a solution-focused approach is attention paid to the client's concerns and an explanation of the problem, which is preceded by a focus on the solution through examining what the client brings with them. Here, the social worker provides *careful assessment of the environment* and short-term interventions to determine if additional testing or placement into special education is appropriate.

More importantly, Watkins and Kurtz (2001) describe the solution-focused method as valuable for students with a "high probability of being treated unfairly" (p. 230). Although I was intrigued by the potential solutions offered by Watkins and Kurtz (2001), I contend that a discussion of the social construction of difference is warranted. The students discussed in this paper are residents of a society in which they deviate from the prescribed norms and thereby judged by agents of society (Freire, 1970). Likewise, Artiles and Trent (1994) identified the social construction of difference with regards to disability and culture. Given that a notion of what is *normal* is held in all societies (Davis, 1995), the notion of normal means conforming to the present standard of behavior (Towler & Schneider, 2005) and the values of the dominant group determine what is acceptable and what is deemed a deviation (Coleman, 2006).

The historical conceptualization of norms were applied to the *law of error,* which was an averaging technique used in astronomy. The notion of the normal as imperative derived from the contributions of the French statistician Adolphe Quetele (1796-1847) (Davis, 1995). Quetele later noticed the *law of error* used outside of astronomy and applied to the distribution of human features such as weight and height (Davis, 1995). The concept of the *average man* resulted from an additional step in the formulation of this concept. Although the average man was abstract, Quetelet maintained this as the "average of all human attributes in a given country" (Davis, 1995, p. 26). The error curve later reconceptualized to the normal curve, which is a current method used to determine how far one deviates from the norm on a range of intellectual, physical, and economical attributes.

I maintain that in the midst of our complacency, educational gatekeepers, professionals, parents, and any stakeholder in education needs to resist aligning with the established norms and deviations set by the dominant society. As well, these gatekeepers "must be cognizant of their dominant knowledge and how power and authority can emanate from it" (Watkins & Kurtz, 2001, p. 230). Reflecting on the variation to King's question, "Have we become satisfied?" my response remains the same. Yes, I consider the gradual reform to this persistent problem as the reason why the current system continues to exist without being disrupted. In my closing, I want to include an additional question to the questions I have asked throughout the course of my life, "How much longer are we as educational professionals going to allow the persistent problem of disproportionality to be the reality for African Americans and other ethnic minorities in our American classrooms?"

References

Artiles, A. J. (1998). The dilemma of difference: Enrich the disproportionality discourse with theory and context. *Journal of Special Education, 32,* 32-36.

Artiles, A. J., Kozleski, E. S., Trent, S. C., Osher, D., & Ortiz, A. (2010). Justifying and explaining disproportionality, 1968-2008: A critique of underlying views of culture. *Exceptional Children, 76*(3), 279-299.

Artiles, A. J., & Trent, S. C. (1994). Overrepresentation of minority students in special education: A continuing debate. *The Journal of Special Education, 27*(4), 410-437.

Artiles, A. J., Trent, S. C., & Palmer, J. (2004). Culturally diverse students in special education: Legacies and prospects. In J.A. Banks & C.M. Banks (Eds.), *Handbook of research on multicultural education*. 716-735. San Francisco, CA: Jossey Bass.

Bartholomew, C., Gray, L., & McKinney, E. (2010). RTI and SWPBIS: Confronting the problem of disproportionality. *Communique, 38*(6), 1.

Blanchett, W. J. (2009). A retrospective examination of urban education: From Brown to the resegregation of African American in special education-it is time to "Go for Broke". *Urban Education, 44*(4), 370-388.

Blanchett, W. J. & Shealey, M. W. (2005). The forgotten ones: African American students with disabilities in the wake of Brown. In D. N. Byme (Ed.), *Brown v. Board of Education: Its impact on public education 1954-2005,* pp. 213-226. Brooklyn: Word for Word Publishing.

Brown v. Board of Education (1954). 347 U.S. 483.

Chamberlin, S. (2005). Alfredo Artiles and Beth Harry: Issues of overrepresentation and educational inequity for culturally and linguistically diverse students. *Intervention in School and Clinic, 41*(2), 110-113.

Charlton, J. I. (1998) *Nothing about us without us.* Berkeley, CA: University of California Press.

Chidsey, R. B., Bronaugh, L., & McGraw, K. (2009). *RTI in the classroom: Guidelines and recipes for success*. New York, NY: Guilford.

Chinn, P. C., & Hughes, S. (1987). Representation of minority students in special education classes. *Remedial and Special Education, 8*(4), 41-46.

Coleman, L. M. (2006). Stigma: An enigma demystified. In L. J. Davis (Ed), *The disability reader.* (pp. 141-152). New York, NY: Routledge.

Council for Exceptional Children (CEC). (2002). *Addressing over-representation of African American students in Special Education: The prereferral intervention process. An administrator's guide.* Arlington, VA: CEC.

Davis, L. J. (1995). *Enforcing normalcy: Disability, deafness, and the body.* Brooklyn, NY: Verso.

Donovan, S. & Cross, C. (2002). *Minority students in special and gifted education.* Washington, DC: National Academy Press.

Dunn, L. M. (1968). Special education for the mildly retarded: Is much of it justifiable? *Exceptional Children, 35*, 5-22.

Ferri, B. A. & Connor, D. J. (2005). In the shadow of *Brown*: Special education and overrepresentation of students of color. *Remedial and Special Education, 26,* (2), 93-100.

Ferri, B. A., & Connor, D. J. (2006). *Reading resistance: Discourses of exclusion in desegregation & inclusion debates.* New York, NY: Peter Lange.

Fleischer, D., & Zames, F. (2001). *The disability rights movement: From charity to confrontation.* Philadelphia, PA: Temple University Press.

Ford, D. Y. (1998). The underrepresentation of minority students in special education: Problems and promises in recruitment and retention. *Journal of Special Education, 32*(1), 4-14.

Freire, P. (1970). *Pedagogy of the oppressed.* New York, NY: Herder & Herder.

Gabel, S. L., Curcic, S., Powell, J. J. W., Khader, K., & Albee, L. (2009). Migration and ethnic group disproportionality in special education: An exploratory study. *Disability & Society, 24*(5), 625-639.

Goodley, D. (2011). *Disability studies: An interdisciplinary introduction.* Los Angeles, CA: Sage.

Harry, B., & Anderson, M. G. (1994). The disproportionate placement of African American males in special education programs: A critique of the process. *Journal of Negro Education, 63*(4), 602-619.

Harry, B., & Klinger, J. (2006). *Why are so many minority students in special education? Understanding race and disability in schools.* New York, NY: Teachers College Press.

Hehir, T. (2002). IDEA and disproportionality: Federal enforcement, effective advocacy, and strategies for change. In D.J. Losen & G. Orfield (Eds.), *Racial inequity in special education,* (pp. 219-238). Cambridge, MA: Harvard Education Press.

Hosp, J. L., & Reschly, D. J. (2004). Disproportionate-representation of minority students in special e education: Academic, demographic, and economic predictors. *Exceptional Children, 70,* 185-199.

Individuals with Disabilities Education Act (IDEA) Amendments of 1997, Pub L. No.105-17, §1400, 37 Stat. 111 (1997).

King, M. L. (1963) *I Have a Dream.* Washington, D.C.: Lincoln Memorial.

Linton, S. (1998). *Claiming disability.* New York, NY: New York University Press.

Longmore, P. (2003). *Why I burned my book and other essays on disability.* Philadelphia: Temple University Press.

Losen, D. J. & Orfield, G. (Eds.). (2002). *Racial inequity in special education.* Cambridge, MA: Harvard Education Press.

Mendez v. Westminster, (1946). 64 F. Supp.544 (C.D.Cal.1946). Retrieved June 26, 2014 from http://www.texasbar.com/civics/High%20School%20cases/mendez-v-westminster.html

Mickelson, R. A. (2001). Subverting Swann: First and second-generation segregation in the Charlotte- Mecklenburg schools. *American Educational Research Journal*, *38*(2), 215-252.

Moreno, G., & Gaytàn, F. X. (2013). Reducing subjectivity in special education referrals by educators working with Latino students: Using functional behavioral assessment as a pre-referral practice in student support teams. *Emotional and Behavioral Difficulties, 18*(1), 88-101.

O'Connor, C., & Fernandez, S. D. (2006). Race, class, and disproportionality: Reevaluating the relationship between poverty and special education placement. *Educational Researcher, 35*(6), 6-11.

Orfield, G. (2004). *Brown* misunderstood. In J. Anderson & D. N. Byrne (Eds.), The unfinished agenda of Brown v. Board of Education (pp.153-164). Hoboken, NJ: Wiley.

Oswald, D. P., Coutinho, M. J., Best, A. M., & Singh, N. N. (1999). Ethnic representation in special education: The influence of school-related economic and demographic variables. *The Journal of Special Education, 32*(1), 194-206.

Parrish, T. (2002). Racial disparities in the identification , funding, and provision of special education. In D.J. Losen & G. Orfield (Eds.), *Racial inequity in special education* (pp. 219-238). Cambridge, MA: Harvard Education Press.

Shealey, M. W. & Lue, M. S. (2006). Why are all the Black kids still in special education? Revisiting the issue of disproportionate representation. *Multicultural Perspectives, 8*(2), 3-9.

Skiba, R. J, Simmons, A. B., Riter, S., Gibb, A. C., Rausch, M. K., Cuadrado, J., & Chung, C. (2008). Achieving equity in special education: History, status, and current challenges. *Exceptional Children, 74*(3), 264-288.

Shifrer, D. (2014). Stigma of a label: Educational expectations for high school students labeled with learning disabilities. *Journal of Health and Social Behavior, 54*(4), 462-480.

Special Edge, (2010). Initiatives designed to reduce over- and under-representation: California addresses disproportionality. *Special Edge, 23*(3).

Sullivan, A., & Kozleski, E. B. (2008). *Part B Annual Performance Report Analysis: Indicator 5, LRE:* Tempe, AZ: National Institute for Urban School Improvement.

Thomas, C. (2004). Developing the social relational in the social model of disability: A theoretical agenda. In C. Barnes and G. Mercer (Eds.), *Implementing the social model of disability: Theory and research* , (pp. 32-47), Leeds: The Disability Press.

Towler, A. J., & Schneider, D. J. (2005). Distinctions among stigmatized groups. *Journal of Applied Social Psychology, 35*(1), 1-14.

United States Department of Education (USDOE). (2000). *22nd Report to Congress on the Implementation of IDEA.*

United States Department of Education (USDOE). (2011). *30th Annual Report to Congress on the Implementation of IDEA.*

Vallas, R. (2009). The disproportionality problem: The overrepresentation of Black students in special education and recommendations for reform. *Virginia Journal of Social Policy & the Law,* pp. 181-208.

Watkins, A. M., & Kurtz, P. D. (2001). Using Solution-Focused Intervention to address African American male overrepresentation in special education: A case study. *National Association of Social Workers, CCC Code: 0162-7961/01,* 223-234.

Zhang, D., & Katsiyannis, A. (2002). Minority representation in special education: A persistent challenge. *Remedial and Special Education, 22,* 180-187.

Zhang, D., Katsiyannis, A., Ju, S., & Roberts, E. (2014). Minority representation in special education: 5-year trends. *Journal of Child Family Studies, 23,* 118-127.