Risks and Consequences of Oversimplifying Educational Inequities: A Response to Morgan et al. (2015)

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In this technical comment, we argue that Morgan et al.'s claim that there is no minority overrepresentation in special education is in error due to (a) sampling considerations, (b) inadequate support from previous and current analyses, and (c) their failure to consider the complexities of special education disproportionality.

Keywords: educational policy; equity; policy analysis; special education

Disproportionality in special education, primarily expressed as racial and ethnic overrepresentation for certain groups, has been among the key educational equity issues in the field for nearly 50 years. First described in widely cited works that predate the earliest special education legislation (Dunn, 1968; Mercer, 1973), racial/ethnic overrepresentation in special education has been litigated in court (Larry P. v. Riles, 1972/1974/1979/1984; Parents in Action on Special Education [PASE] v. Hamon, 1980), documented by numerous researchers (Artiles, Rueda, Salazar, & Higareda, 2005; Chinn & Hughes, 1987; Oswald, Coutinho, Best, & Nguyen, 2001; Oswald, Coutinho, Best, & Singh, 1999; Finn, 1982; Skiba, Poloni-Staudinger, Simmons, Feggins, & Chung, 2005; Sullivan & Artiles, 2011; Sullivan & Bal, 2013; Wiley, Brigham, Kauffman, & Bogan, 2013; Zhang & Katsiyannis, 2002), and verified by two separate panels convened by the National Academy of Sciences (Donovan & Cross, 2002; Heller, Holtzman, & Messick, 1982).

A key message from this work is that over- and underrepresentation in disability categories matters, and the problem is mediated by multiple factors at various levels of child factors and institutional systems. Moreover, overrepresentation raises questions about false positives, which in turn have repercussions for group misrepresentation, stigmatization, and the potential heightening of racial segregation. These are grave consequences for racial-minority students, who already face major structural challenges and reduced educational opportunities. Underrepresentation is also problematic, as it embodies the possibility of false negatives, which could deny access to needed services for students who have been historically underserved. Disproportionality, therefore, is complex, multidimensional, and highly consequential for educational opportunity, particularly for learners who have been systematically marginalized over time.

So the assertion by Morgan et al. (2015) that the key issue in special education disproportionality is not overrepresentation but rather underrepresentation is a startling one that might well be expected to create ripples throughout the special education community. Indeed, the article has already entered the national dialogue concerning special education through both a New York Times op-ed by the authors themselves (Morgan & Farkas, 2015) and responses by others (Cohen, Burns, Riley-Tillman, & Hosp, 2015). The American Educational Research Association (AERA) appears to have encouraged this public debate by issuing a press release about the article on the day of its initial presentation (AERA, 2015).

The Educational Researcher article's central thesis, that students of color are in fact underrepresented in special education, is unconditional. From the title itself through the hazard analysis of the Early Childhood Longitudinal Study—Kindergarten Class of 1998–99 (ECLS-K) database through the paper's conclusions, the authors assert in no uncertain terms that their findings reveal no racial/ethnic overrepresentation—that the problem of disproportionate representation is solely one of underrepresentation. Moreover, they use these results as a springboard to attack the

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vast mechanism of federal disproportionality policy under the Individuals With Disabilities Education Improvement Act of 2004 (IDEIA). One study found that current federal legislation and policies, designed to minimize overidentification of minorities in special education may be misdirected (Morgan et al., 2015). The data set that Morgan and colleagues (2015) drew from is the 1998 ECLS-K (Tougenan, Li, Nord, & Sorensen, 2009), a national longitudinal database focusing on early childhood experiences and their impact on school entry, school transition, and educational performance in eighth grade. Although Morgan et al. used a number of variables from that database as predictors in their hazard analysis, the central dependent variable for the analysis—service in special education—is drawn from an item in the ECLS-K supplemental Special Education Teacher/Service Provider Questionnaire (Form B), in which special education teachers were asked to identify the student’s primary disability category. The authors argue in their literature review, data analyses, and conclusions that findings of racial/ethnic overrepresentation in special education are due primarily or entirely to disadvantages associated with poverty. The argument is simplistic at a number of different levels. First, as Skiba et al. (2005) noted, although educational failure is part of the eligibility criteria for identification under all disability categories, it is not the sole criterion for any disability category. ED requires one or more social-behavioral indices, whereas OHI requires the identification of underachievement in the classroom setting, then, that previous studies have found complex relationships between poverty and over- or underrepresentation, depending on the disability category; the race and gender of the student; and the content of the identification data are examined (e.g., SES levels of districts). Both Oswald et al. and Slaba et al. (2005) found that African American students were most overrepresented in IDEA high-SES districts. The central question is whether the inclusion of poverty as a variable in multivariate analyses explains apparent racial/ethnic overrepresentation in special education. As Morgan et al. (2015) noted, the finding that inclusion of variables reduces the contribution of race/ethnicity to nonsignificance is consistent with a number of recent studies (Hibell, Farkas, & Morgan, 2010; Morgan, 2015; Shiffer, Mullens, & Callahan, 2011) finding that SES explains up to all of the variance attributed to race, whereas a somewhat larger body of previous research (Costello, Oswald, & Best, 2002; Oswald et al., 1999, 2001; Slaba et al., 2005; Sullivan & Bal, 2013), irrespective of whether those student data were drawn from national or state data, or whether using district or individual as the unit of analysis. Most importantly, however, the results of Morgan et al.’s (2015) hazard analysis showed that their own analyses simply do not support a conclusion that SES can account for racial/ethnic overrepresentation in special education. Although the discussion of their results clearly overemphasizes, since they imply variables predictive of special education (e.g., lead exposure) that were not included in their model, and the model itself is the interpretation of the results. The hazard analysis compared an unadjusted model (with and control variables) and an adjusted model (with a series of control variables, including four levels of SES), demonstrating that all odds ratios indicating overrepresentation, especially for African American students, fall to underrepresentation in the adjusted model (it is noteworthy to point out that the rationale for inclusion of any variable included in the control variables is not provided in the study). Although this is certainly an accepted method for testing interactions in logistic-based models (e.g., Peng, Sun, Sage, & St. John, 2005), it is critical to note that SES entered the adjusted models only in the direction of lower disability identification in only three of 20 possible tests. Across all five special education categories tested, SES was a significant predictor of identification in three of out four tests under the OHI category, and then in the opposite direction that Morgan et al. would predict. That is, lower SES students are underrepresented in the category OHI—contradicting the key finding that high poverty level among these students and the attendant health threats of living in poverty. Simply put, Morgan and colleagues have no basis for concluding that racial/ethnic disparity can be accounted for by poverty, since few of their SES variables entered their equation significantly, and none in the direction predicted. The disproportionate representation in special education by race and ethnicity is deeply complex, varying substantially across a number of dimensions. At the national level, African American students have been found to be consistently overrepresented and Asian American students consistently underrepresented. Hispanic/Latino students or English language learner students have been found to be inconsistently represented, with some early studies in the Southwest and California describing overrepresentation, but more recent investigations claiming underrepresentation (Arias, 2005; Cervantes & Palmer, 2004). Disproportionality has also been found to vary by state (Parrish, 2002); district size (Finn, 1982; Oakes, 1983); and other variables (Donovan & Cross, 2002; Morgan et al., 1999; Slaba et al., 2005). These complex variations have led previous researchers to club disproportionately "multiply determined."
A recurrent shortcoming in the literature on disproportionality is the lack of explicit and rigorous theoretical foundations of the problem (Artiles, Kusche, Trent, Osher, & Ortiz, 2010). A large proportion of these studies either rely upon implicit theoretical frameworks or entirely lack a theoretical perspective about this problem. This is evident throughout the body of work (Waitoller, Artiles, & Cheney, 2010). A consequence of these gaps is that the complexities of this problem are not adequately addressed in future research is, what happens after special education students are identified. Under Sections 618 and 616, states are required to address the disproportionality at the district level (for emerging evidence reflecting overrepresentation). Rather, requirements that this justification or empirical support for this assertion. Morgan et al.'s (2015) study illustrates these limitations: "a consequence of these gaps in their sample or for any particular group in their article. From their percentage data set included only a K-8 population, as opposed to the inclusion of underlying views of culture. The New York Times, page 423. Morton, P. J., Fattah, H. S., Marston, M. M., Marzano, R., Maczuga, S. L., & Cook, M. (2015). Minority students are disproportionately overrepresented in special education: Longitudinal evidence across five disability conditions. Of course, conflicts with current federal legislation do not neces­ sarily shed light on the multidimensional aspects of dispro­ portionality. It is moving to forward: Journal of Disability Policy Studies, Principal investigators to suspension and expulsion, and disproportionality in school dis­ 194-206. Arlet, S. F., Skiba, R. J., Losen, D. J., Chung, C. G., & Middelberg, A. (2012). Federal policy on disproportionality in special education: A persistent challenge. Remedial and Special Education, 33, 180-187.

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1. Morgan et al. (2015) do not provide a title for the special education status for or for any particular group in their paragraph estimates reproduced in Table 1, however, it is possible to estimate a figure of approximately 0.033 special education surveys from the total reported (K-12) sample or for any particular group in their article. Finn, J. D. (1982). Patterns in special education placement as revealed by the OCR survey. In K. A. Heller, W. H. Holzman, & S. Messer (Eds.), The encyclopedia of special education: A source of information for the larger universe of national enrollment figures to the fact that the large numbers are included only a K-8 population, as opposed to the inclusion of the entire K-12 population. The authors provide no justification or empirical support for this assertion. Further information about the details of criteria for identification of district disproportionality may be found in Albrecht, Skiba, Losen, Chung, and Middelberg (2012).

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