



# EVALUATION BRIEF

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## ***Special Education: To what extent was disproportionality in special education identification, placement, and out-of-school suspension evident in 2010?***

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*During the 2009–2010 school year, there were 202,773 students enrolled in Houston Independent School District (HISD). Approximately, 16,503 HISD students (8 percent) received special education services. About 38 percent of students receiving special education services were African American, although they represented only 27 percent of HISD’s student population. In contrast, Hispanic students accounted for 53 percent of students with disabilities and represented 62 percent of HISD’s student population. This brief focuses on the issue of disproportionality in special education identification, placement, and out-of-school suspension by race/ethnicity and socio-economic status in 2010.*

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### **Data and Methods**

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Demographic data of students with disabilities were retrieved from the Public Education Information Management System (PEIMS) for the 2009–2010 school year. Discipline data were retrieved from the 2009–2010 Disciplinary Action data file. Disproportionality data for HISD and Texas were generated using Texas Education Agency’s (TEA) Special Education Ad Hoc Reporting System (SPEARS). The data provided on SPEARS were collected from school districts by means of PEIMS. The most recent year available was 2010. This report will examine special education identification, placement, and out-of-school suspension by race/ethnicity and socio-economic status.

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### **Background**

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According to the National Education Association (NEA) (2008), disproportionality is one of the most complex issues in the field of special education. Disproportionality is the “overrepresentation” and “underrepresentation” of a particular demographic group in special education relative to the presence of this group in the overall student population. The Individuals with Disabilities Education Act, Part B (IDEA-

Part B) requires states and local educational agencies (LEAs) to take steps to address the disproportionate representation of racial and ethnic groups in special education (National Dissemination Center for Children with Disabilities, 2006).

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### **To what extent was disproportionality evident in special education identification?**

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**Figure 1** illustrates the percentage of HISD students by racial/ethnic groups in the total population and in the special education population during the 2009–2010 school year. African Americans represent a larger percentage of students in the special education population (37.5 percent) than in the total population (27.1 percent). In contrast, Hispanics represent a smaller percentage of students in the special education population (53.2 percent) compared to the total population (61.6 percent).

**Figure 2** illustrates the percentage of students in the total population and special education population in Texas by racial/ethnic groups. A comparison of HISD to Texas data shows that overrepresentation of African American students in special education is more substantial in HISD than in Texas. The underrepresentation of Hispanic students in special education is less substantial in Texas compared to HISD.

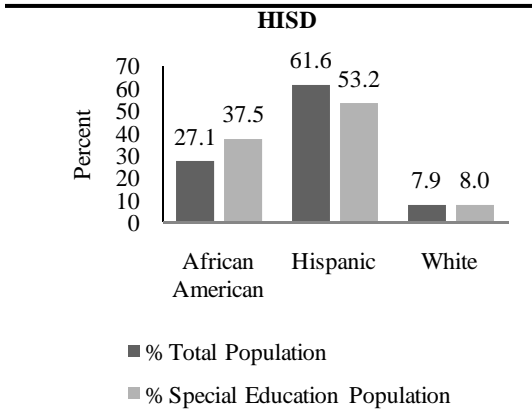


Figure 1. Percent of HISD’s total population and special education population by racial/ethnic groups, SPEARS 2010

Thus, disproportionality in special education identification was evident among African American and Hispanic students in HISD to a greater extent than in the state.

In terms of socio-economic status, disproportionality was less evident in special education identification. **Figure 3** shows the percentage of students in the total population and special education population in HISD by socio-economic status. Economically-disadvantaged students in HISD represent a slightly higher percentage of the special education population (80.5 percent) compared to the total population (79.2 percent), although the rates were very similar.

**To what extent was disproportionality evident in special education placement?**

**Table 1** presents the number and percent of HISD students with disabilities by racial/ethnic groups in special education placement categories. The following were the four most common categories of placement for all of the racial/ethnic groups: (1) *no instructional setting*, where a student receives some special education service (such as speech therapy), but an instructional setting is not appropriate; (2) *mainstream*, where a student is provided instruction in the regular education classroom with special education support; (3) *resource*, where a student is provided special education instruction and related services in a setting other than regular education for less than 50 percent of the student's school day; and (4) *self-contained*, where a student is provided special education

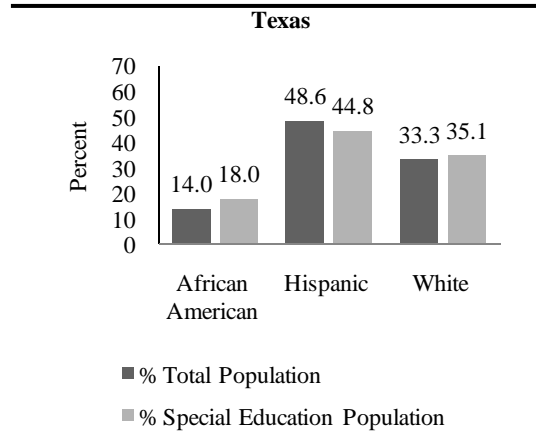


Figure 2. Percent of Texas’ total population and special education population by racial/ethnic groups, SPEARS 2010

instruction and related services in a special education program for 50 percent or more of the student's school day. **Figure 4** illustrates the most common categories of placement for students with disabilities by racial/ethnic groups in HISD for the 2009-2010 school year. Slightly more than half of White students with disabilities (50.9 percent) were placed in a mainstream instructional setting or did not require an instructional setting compared to a little more than a third of African American students with disabilities (34.0 percent). About 43.5 percent of Hispanic students were placed in a mainstream instructional setting or did not require an instructional setting. Thus, a higher percentage of African American students were placed in a resource or self-contained instructional setting compared to their Hispanic and White peers.

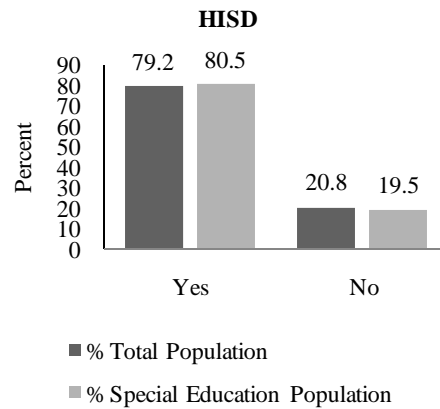


Figure 3. Percent of HISD’s total population and special education population by socioeconomic status, PEIMS 2009–2010

Table 1. Number and Percent of HISD Students with Disabilities in Special Education Placement Categories by Race/Ethnicity: 2010

<b>Instructional Setting</b>	<b>African Am.</b>		<b>Asian</b>		<b>Hispanic</b>		<b>Native Am.</b>		<b>White</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
Center-Based Instruction (Age 0-2)	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Full-Time Early Childhood	57	0.9	8	3.9	166	1.9	0	0.0	28	2.1
Home-Based Instruction (Age 0-2)	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Homebound	14	0.2	*		32	0.4	0	0.0	13	1.0
Hospital Class	13	0.2	0	0.0	*		0	0.0	8	0.6
Mainstream	1,700	27.7	42	20.4	2,605	29.7	7	43.8	365	27.7
No Instructional Setting	389	6.3	60	29.1	1,215	13.8	*		306	23.2
Nonpublic Day School	15	0.2	0	0.0	13	0.1	0	0.0	16	1.2
Off Home Campus	74	1.2	0	0.0	44	0.5	0	0.0	11	0.8
Other Environment (Age 0-2)	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Residential Care/Treatment Fac.	26	0.4	0	0.0	9	0.1	0	0.0	7	0.5
Residential Nonpublic School	*		*		*		0	0.0	*	
Resource Room	2,413	39.4	29	14.1	2,944	33.5	*		326	24.8
Self-Contained	1,444	23.6	63	30.6	1,699	19.4	*		227	17.2
State School-Mental Retardation	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Texas School for the Blind	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Texas School for the Deaf	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Vocational Adjustment Class	38	0.6	0	0.0	42	0.5	0	0.0	7	0.5
<b>Total</b>	<b>6,130</b>	<b>100.0</b>	<b>206</b>	<b>100.0</b>	<b>8,777</b>	<b>100.0</b>	<b>16</b>	<b>100.0</b>	<b>1,317</b>	<b>100.0</b>

\*Fewer than Five

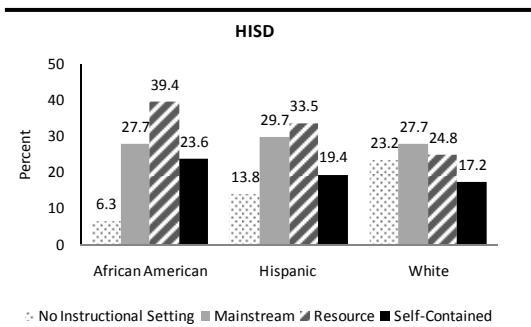


Figure 4. Percent of HISD students with disabilities in the most common categories of placement by race/ethnicity: SPEARS, 2010

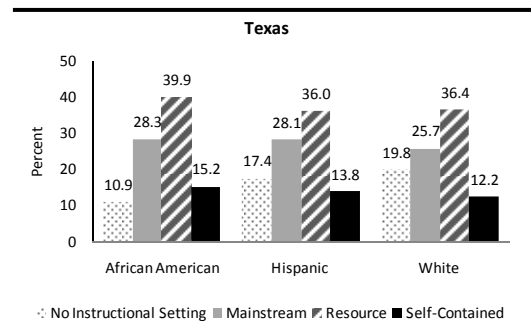


Figure 5. Percent of Texas students with disabilities in the most common categories of placement by race/ethnicity: SPEARS, 2010

Table 2. Number and Percent of HISD Students with Disabilities in Special Education Placement Categories by Social Economic Status

Instructional Setting	N	Economically Disadvantaged		N	%
		Yes	No		
Center-Based Instruction (Age 0-2)	0	0.0	0	0	0.0
Full-Time Early Childhood	199	1.5	60	1.9	
Home-Based Instruction (Age 0-2)	0	0.0	0	0.0	
Homebound	9	0.1	53	1.7	
Hospital Class	7	0.1	18	0.6	
Mainstream	3,672	27.6	1,047	32.7	
No Instructional Setting	1,465	11.0	507	15.8	
Nonpublic Day School	8	0.1	36	1.1	
Off Home Campus	98	0.7	31	1.0	
Other Environment (Age 0-2)	0	0.0	0	0.0	
Residential Care/Treatment Fac.	38	0.3	*	0.1	
Residential Nonpublic School	*	0.0	0	0.0	
Resource Room	4,832	36.4	883	27.5	
Self-Contained	2,900	21.8	537	16.7	
State School-Mental Retardation	0	0.0	0	0.0	
Texas School for the Blind	0	0.0	0	0.0	
Texas School for the Deaf	0	0.0	0	0.0	
Vocational Adjustment Class	57	0.4	30	0.9	
Total	13,287	100.0	3,206	100.0	

\*Fewer than Five

**Figure 5** depicts special education placements by racial/ethnic groups in Texas. A comparison of the data in Figures 4 and 5 reveal that HISD had a higher percent of students with disabilities placed in a self-contained instructional setting than Texas. The greatest difference in the percent of students placed in a self-contained instructional setting was found between African American students in HISD (23.6 percent) and Texas (15.2 percent). **Table 2** presents the number and percent of HISD students with disabilities by socio-economic status in special education placement categories. The percent of economically-disadvantaged students placed in a resource or self-contained instructional setting was greater than non-economically disadvantaged students. Economically-disadvantaged students were less likely to be placed in more inclusive instructional settings than their non-economically disadvantaged peers.

### To what extent was disproportionality evident in out-of-school suspensions of special education students?

According to HISD's Code of Student Conduct, "Offenses that seriously disrupt the educational process in the classroom, in the school, and/or at school-related activities, or a continuance of repeated Level I, II, or III misconduct" are grounds for suspension. Examples of these types of offenses include:

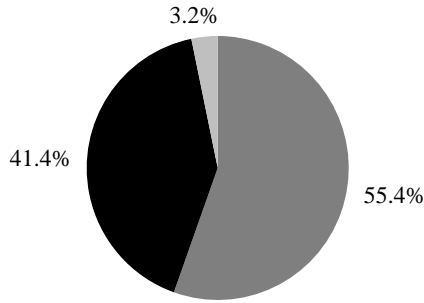
fighting, gambling, stealing, smoking, or possession of a knife. A total of 3,278 incidents resulted in out-of-school suspension for students with disabilities during the 2009–2010 school year. **Table 3** presents the number and percent of students who received out-of-school suspensions among students with disabilities and students without disabilities by racial/ethnic groups. Out-of-school suspensions for students with disabilities represent 15.6 percent of all suspensions, although students with disabilities make up only 8.1 percent of the total population.

**Figures 6** and **7** illustrate the percent of students with and without disabilities who received out-of-school suspensions by the three most common racial/ethnic groups in HISD. African American students with disabilities (55.4 percent) had the highest percentage of out-of-school suspensions compared to Hispanic (41.4 percent) and White (3.2 percent) students,

Table 3. Number and Percent of Students who Received Out-of-School Suspension by Race/Ethnicity: 2009–2010

Race/Ethnicity	Special Ed.		Non-Special Ed.	
	N	%	N	%
African Am.	1,810	55.2	8,050	45.3
Asian	11	0.3	125	0.7
Hispanic	1,352	41.2	9,068	51.1
Native American	0	0.0	14	0.1
White	105	3.2	503	2.8
Total	3,278	100.0	17,760	100.0

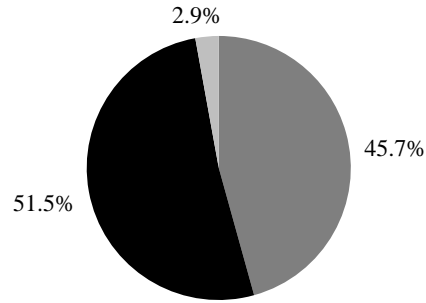
Note: These figures represent an unduplicated count of students.



**Special Education**

■ African Am. ■ Hispanic ■ White

Figure 6. Percent of HISD students with disabilities who received out-of-school suspensions by Race/Ethnicity: 2009–2010



**Non-Special Education**

■ African Am. ■ Hispanic ■ White

Figure 7. Percent of HISD students without disabilities who received out-of-school suspensions by Race/Ethnicity: 2009–2010

whereas Hispanic students had the highest percentage of out-of-school suspensions among students without disabilities (51.5 percent). Therefore, the rate of out-of-school suspensions was higher for African American students with disabilities than African American students without disabilities (45.7 percent), but lower for Hispanic students with disabilities than without disabilities.

An odds ratio was calculated to compare the probability of African American and non-African American students receiving out-of-school suspensions. Among all students receiving out-of-school suspensions, African American students in special education were 1.5 times more likely to be suspended than their non-African American peers (1810/8050 / 1468/9710 =1.48). Hispanic students in special education were less likely to receive an out-of-school suspension than their non-Hispanic peers (1352/9068 / 1926/8692=.67).

**Table 4** presents the number and percent of students who received out-of-school suspensions among students with and without disabilities by socio-economic status. The percent of economically-disadvantaged students with disabilities who received out-of-school suspensions was higher than their non-economically-disadvantaged peers. Economically disadvantaged students make up 79.2 percent of HISD’s student population. Rates of out-of-school suspensions were 19.5 percentage points higher for economically-disadvantaged students with disabilities than students without disabilities (84.3 percent versus 64.8 percent).

**Conclusion**

Based on the 2009–2010 PEIMS data, disproportionality was evident in the identification of African American students for special education services. In regards to socio-economic status, there was not a disproportionate number of economically-disadvantaged students identified in special education, but disproportionality was evident among students placed in more restrictive instructional settings. Specifically, African American students were more likely to be placed in more restrictive instructional settings than their Hispanic and White peers. Disproportionality was also evident in terms of out-of-school suspensions. African American students received higher rates of out-of-school suspensions than Hispanic and White students.

The most current Performance-based Monitoring Analysis System (PBMAS) report also confirms these findings of disproportionality in HISD. PBMAS assigned special education indicators for African American representation and out-of-school suspensions a performance

Table 4. Number and Percent of Students who Received Out-of-School Suspensions by Socio-economic Status: 2010

Econ. Disad.	Number of Out-of-School Suspensions			
	Special Ed. N	Special Ed. %	Non-Special Ed. N	Non-Special Ed. %
Yes	2,762	84.3	14,820	64.8
No	516	15.7	8,050	35.2
Total	3,278	100.0	22,870	100.0

level of 3, the lowest designation. School districts with significant disproportionality must provide for the review of policies, procedures and practices; reserve the maximum amount of funds to be used for early intervening services, and publicly report on the revision of policies, procedures, and practices (TEA, 2010).

As stated previously, disproportionality is a complex issue that must be addressed. Skiba et al. (2011) provided recommendations for addressing disproportionality in school discipline. Some of these recommendations included: reporting discipline data by race monthly to faculty, encouraging policies that focus on prevention and culturally-responsive practices, and establishing policies addressing disciplinary inequity (Skiba et al., 2011). Skiba et al. (2011) explained that, “For race to become a socially neutral factor in education, all levels of our educational system must be willing to make a significant investment devoted explicitly to altering currently inequitable discipline patterns, to ensure that our instructional and disciplinary systems afford all children an equal opportunity for school learning” (p.105).

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## References

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Houston Independent School District (HISD). (2010). *Code of Student Conduct, 2009–2010*. Retrieved from [http://www.houstonisd.org/HISDConnectEnglish/Images/PDF/Code\\_Eng.pdf](http://www.houstonisd.org/HISDConnectEnglish/Images/PDF/Code_Eng.pdf)

National Education Association (NEA). (2008) *Disproportionality: Inappropriate Identification of Culturally and Linguistically Diverse Children*, Retrieved from [http://www.nea.org/assets/docs/mf\\_PB02\\_Disproportionality.pdf](http://www.nea.org/assets/docs/mf_PB02_Disproportionality.pdf)

National Dissemination Center for Children with Disabilities (NICHCY). (2006). *Rules and Regulations* (Federal Register Publication No. 156). Retrieved from <http://nichcy.org/wpcontent/uploads/docs/IDEA2004regulations.pdf>

Skiba, R.J., Horner, R., Chung, C., Rausch, K., May, S. L., Tobin, T. (2011). Race is Not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline. *School Psychology Review*, 40(1), 85–107.

Texas Education Agency (TEA), Performance-Based Monitoring Division. (2010). *Performance-based Monitoring Analysis System (PBMAS) District Reports*. Retrieved from <http://ritter.tea.state.tx.us/pbm/distrpts.html>

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