ENDING DISCRIMINATION IN SPECIAL EDUCATION

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Second Edition

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By

HERBERT GROSSMAN, PH.D.

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PREFACE

There are huge disparities in the school experiences and educational outcomes of the students in our special education system. For example, students without disabilities who are poor, non-European Americans, or immigrants continue to be misplaced in special education programs. Numerous students with disabilities who are limited English proficient, migrants, or homeless are denied the special education they merit. In addition, gifted and talented students from these backgrounds are especially likely to be deprived of the special education services they require.

Students with disabilities and gifts and talents from these backgrounds who are correctly placed in special education often receive services that are culturally inappropriate and ill suited to the socioeconomic, geographic, and other factors that shape the context of their lives. Students with disabilities who are limited English proficient or speak a nonstandard English dialect often experience an additional problem–linguistically inappropriate services.

The primary cause of these problems is the discriminatory practices that pervade our special education system. One of the main reasons why this discrimination exists is that special education is not special for all students. In recent years, most special education educators have been attempting to individualize their pedagogy to the disabilities, gifts, and talents of their students. Psychologists have been preparing reports that suggest how they may do so, and administrators have been attempting to provide them with the tools they need to accomplish this goal. However, the assessment, instruction, classroom management, and counseling approaches that are currently being employed are inappropriate for the many poor, non-European American, immigrant, refugee, migrant, rural, and limited English

proficient students in our special education programs because they are designed for European American, middle- and upper-class, English proficient students.

Prejudice, usually unconscious, toward these students is a second major source of discrimination. Although some teachers may not be biased, most are. The referral and placement process is just one example of the many ways educators', psychologists', and school administrators' treatment of poor and certain non-European students reflects the biases that exist in the larger society. When teachers refer students for evaluation for possible placement in special education programs, they are more likely to refer poor students and students of color for placement in programs for students with disabilities and less likely to refer them to programs for the gifted and talented. When special education educators and psychologists evaluate these students they tend to judge their work, performance, intellectual abilities, and social skills to be lower than objective data would indicate. When selecting the most appropriate placement for students with the same behavioral and academic problems they are more likely to choose a special education program for non-European Americans and poor students and a regular education program for middle-class European American students. Moreover, when they choose a special education program for students, they are likely to recommend a more restrictive, custodial environment for non-European Americans and poor students than for middle-class European American students.

Ending Discrimination in Special Education explains the forces that create and maintain these and other discriminatory assessment, instructional, classroom management, and counseling approaches and describes what we can do to eliminate them. In this second edition I have added four new chapters that provide more detailed suggestions of how special education educators, psychologists, and others can avoid the discriminatory practices identified in the first edition. I have also examined gender discrimination in special education at greater length. And I have included the finding of research that has become available since the publication of the first edition.

The book includes an introduction and seven chapters. The Introduction describes the harmful effects of discrimination in special education. Chapters 1 and 2 discuss prejudice in special education and suggest how special education educators and others who work with exceptional students can eliminate it. Chapter 3 details the cul-

turally, contextually, linguistically, and gender discriminatory special education services many students receive. Chapters 4 through 6 explain how special education educators can adapt their assessment, instruction, and classroom management approaches to students' diverse characteristics. Chapter 7 describes the obstacles we must overcome to end discrimination and achieve equality in special education and provides suggestions for how to do so.

The ideas, suggestions, and conclusions expressed in the book are controversial. However, I believe that it is important to tell the truth. I do not want to add my voice to those calling for halfhearted changes in our special education approaches. I want to lay out the problems and their solutions as I see them and as research dictates.

I have written *Ending Discrimination in Special Education* with two groups of readers in mind. One group is the special education educators, administrators, and psychologists currently working in special education. This book is well suited to the needs of these in-service personnel. The second group are special education educators, administrators, and psychologists in training and regular education teachers in training who need to acquire the competencies necessary to succeed with all the students with disabilities, gifts, and talents who will be included in their classrooms. To reach this second audience, I have designed the book so that it can be used as a supplementary text in the introductory special education course offered to preservice special education educators, and in the mainstreaming/full inclusion course taken by regular education teachers in training.

HERBERT GROSSMAN, PH.D.

INTRODUCTION

The enormous disparities between the school experiences and educational outcomes of students of color, poor, immigrant, refugee, rural, and limited English proficient exceptional students, and their European American middle- and upper-class peers testifies to the fact that they do not receive a just share of the special education pie or fair treatment in the special education system. They are still misrepresented–over- and underenrolled–in special education programs. Those who are misplaced in special education are denied the kind of education they would profit from in regular education programs. Those who are not identified as eligible for special education are deprived of the services their disabilities and gifts and talents require.

Although some school districts have cleaned up their acts, poor students and students of color, especially those who are African Americans, Hispanic Americans, Native Americans, immigrants, refugees, or migrants have been and are still grossly misrepresented in those special education programs in which placement decisions are subject to assessment bias–programs for students with learning disabilities, behavior disorders, mild developmental disabilities, and gifts and talents versus those for students with physical or sensory disabilities (1-11). Although, the type of misrepresentation they experience differs from state to state and from school district to school district, in general African American, Hispanic American, Native American, and poor students are still underrepresented in programs for the gifted and talented and overrepresented in special education classes for students with behavior disorders, learning disabilities, serious emotional problems, communication disorders, and mild developmental disabilities.

Asian and Pacific Island American students tend to be underrepresented in programs for students with learning disabilities, serious emotional problems, and behavior disorders and overrepresented in pro-

grams for students with speech disorders. In fact, in some school districts as many as 50 percent of the Asian and Pacific Island American students receiving special education services are in such programs.

African Americans experience the greatest overrepresentation. Although they account for only 12 percent of the elementary and secondary school population, they constitute 28 percent of the total enrollment in special education programs for students with disabilities.

Students of color who are also limited English proficient are even more likely to be misrepresented in special education programs. A number of bilingual special education programs for limited-English proficient gifted and talented students have been initiated in recent years. However, on a nationwide basis these students have and continue to be underrepresented in such programs because there are so few bilingual special educators.

To some educators, underrepresentation of limited English proficient students in programs for students with behavior disorders, emotional problems, learning disabilities, and mild developmental disabilities is an improvement because it signifies that fewer of them are being misplaced in programs for students with disabilities. However, many poor immigrant and refugee students need these kinds of special education services because of the extreme physical and psychological deprivation they experienced before they emigrated to the United States.

There is also considerable gender misrepresentation in special education (12-17). Males are much more likely to be enrolled in programs for students with developmental, behavioral, emotional, and learning disabilities. There are two reasons for this disparity. Males, especially poor African Americans, Hispanic Americans, and Native Americans, are often misplaced in these programs. Moreover, female students with cognitive or emotional problems are frequently denied the special education services they require.

Students who are correctly placed in special education often receive services that are culturally inappropriate and ill suited to socioeconomic, geographic, and other factors that shape the context of their lives. In addition, students who are limited English proficient or speak a nonstandard English dialect often experience a third problem–linguistically inappropriate services.

Although researchers have studied the effectiveness of the special education services provided to exceptional students, very few of them

have been interested in studying whether these services are equally effective with poor and middle- and upper-class students, European American students and students of color, and English proficient and limited English proficient students. Most of the programs specifically designed to deliver culturally, contextually, and linguistically appropriate services to students of color or limited English proficient students with disabilities or gifts and talents are effective, at least to some degree. However, the majority of special education programs are not designed with the needs of poor students, students of color, and limited English proficient students in mind. Studies of these programs indicate they are not effective (18-23). With very few exceptions, African American, Hispanic American, Native American, and poor students in these programs earn lower grades and score lower on standardized tests than their European American middle-class peers. They are also less likely to be returned to mainstream classes, to graduate from high school, to continue their studies after high school, to achieve vocational success, to be employed, or to earn a good living.

Poor students are especially likely to do badly in special education regardless of their ethnic background. The dropout rate for the poorest students is almost four times as great as that of students in the highest socioeconomic class group.

Gender differences in the effectiveness of special education have also been observed. However, so few studies have considered the issue, that it would be unwise to attempt to make any generalizations at this point in time (14, 17, 24-27).

These facts paint a sorry picture of the inequality in special education. It is time to face these facts and do something about them.

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ENDING DISCRIMINATION IN SPECIAL EDUCATION

Chapter 1

PREJUDICE AND DISCRIMINATION

One of the main, if not the main cause of inequality in special education is prejudice. Prejudice towards people who are different than we are is a pandemic disease of humankind. Witness the tension, conflicts, and sometimes even outright wars caused by religious differences in Northern Ireland, India; by ethnic differences in Iraq, the former Yugoslavia, the Philippines, China, the former Soviet Union, Rwanda, and Burundi; socioeconomic class in Great Britain; by skin color differences in South Africa, Australia, Great Britain, and Mexico; by language differences in Canada, India; and by whether individuals are immigrants or native-born citizens in Germany and other western European countries just to name a few.

Prejudice and discrimination contribute to disproportionate representation in the special education programs of most developed countries (1-3). For example, in Great Britain, non-English language speaking students, especially those from Afro Caribbean backgrounds are overrepresented in programs for students with developmental and behavior disorders. In the other western European countries "minority pupils" especially bilingual and Muslim students are overrepresented. In eastern Europe countries, it is the Romani (Gypsy) children who are misplaced in special education.

> Gypsy children from the first grades were automatically stuck into special schools for the mentally handicapped. They weren't retarded, but they were handicapped: they didn't speak the language, and the deficiency had become a widespread excuse for segregation and indeed incarceration. (3, p. 163)

It seems that we humans have an inborn potential to reject and mistreat people who are different than we are. We don't have to reject and mistreat them, but we have the latent capacity to do so. There is no reason to assume that Americans, who are members of the human race, should have escaped this universal potentiality. The evidence

consistently indicates that we have not. And that includes our special education system as well.

My first experience with prejudice in special education occurred when I was teaching in a residential treatment center for emotionally disturbed and delinquent adolescents. Somewhere around 90 to 95 percent of the students were European Americans; less than 10 percent were African Americans or Hispanic Americans. Whenever, and it wasn't very often, a white female would pair off with a black male, the staff would discuss the diagnostic implications of her behavior. For most of my colleagues, there were only two possible reasons for her behavior. Either she was rebelling against society by breaking a sacred taboo or she felt too inferior to believe that she could attract a white male. Very few staff members could conceive of the possibility that she just liked him.

I do not think things have changed very much since then. Ask yourself these three questions: What assumptions would a group of European American teachers make about the reasons why an African American high school student would hang out with a group of European American students? What assumptions would they make about the reasons why a European American male student would hang out with a group of African American male high school students? What would they think about a European American female student who hung out with a group of African American male students?

In 1964, I was fortunate to be given the chance to start an experimental day treatment school for inner-city adolescents who were incarcerated and awaiting placement in correctional facilities, residential treatment centers, or mental hospitals. The director of the agency who gave me the opportunity was a visionary. He retired two years later and was replaced by someone with a more traditional approach.

After I had been running the program for almost three years, the new director and the chief psychiatrist of the agency came to have a look at what we were doing. They read the students' records, observed the classes, and interviewed the teachers and therapists. A couple of weeks later, they said that they wanted me

to return six students to the courts. They were too dangerous to be allowed to remain in the community, I was told. And, if they caused trouble in the community, the agency and the program would be held responsible.

But they were all doing well, I protested. None of them had gotten into trouble, and they all had been in the program for at least a year. My protests had no effect. The agency still wanted me to get rid of the six students. I refused. First they insisted, then they threatened, then they fired me and returned the students to the court themselves. The students were all African Americans or Hispanic Americans. Not a European American among them.

I have often thought about what those kids must have felt when they were punished even though they had been behaving well, getting better, and overcoming their problems. I also thought a great deal about why the chief psychiatrist and the director of the agency treated them so unjustly. I came to the conclusion that neither of them came to the school to look for African American and Hispanic American kids to ship back to court. I have no reason to believe that they hated African Americans or Hispanic Americans. I believe that they didn't know anything about kids of color. And not understanding them they were afraid of them. They probably were trying to protect society and the agency's good name, but they picked the wrong kids to protect them from. There is no doubt in my mind, that if those kids had been European Americans they would have had a better shake from society and its agents.

There is also little doubt in my mind that the same thing would easily happen today. As we will see later, students of color with disabilities are still more likely to be placed in more restrictive custodial settings than European American students.

All the students that attended the experimental day treatment school were evaluated by a court or agency psychologist. The results of their evaluations were a lesson in biased assessment. All but one of the Hispanic American and African American students had I.Q. scores that would have qualified them for a program for the developmentally disabled (mentally retarded). All of the European American students had normal or higher I.Q. scores. As you might expect, none of the so-called retarded students was

actually retarded. If they had been retarded, they would not have been able to outsmart us so often.

Times have not changed very much. African Americans, Hispanic Americans, Native Americans, and other students of color are still assessed with biased instruments. And, they are still misplaced in programs for the developmentally disabled and denied access to programs for students with gifts and talents.

Most educators believe that they are not biased against students of color and poor students. However, although many teachers are not biased, many others are. Teachers', psychologists', and school administrators' treatment of poor students and many groups of students of color reflects the biases that exist in the larger society (4-23).

Teachers' expectations of their students tend to be prejudicial. Many special education educators and special education educators in training expect European American middle-class students to do better academically than most groups of students of color and poor students. Even when students' achievement test scores, grades, and school histories would predict otherwise, they tend to believe European American middle-class students are more intelligent. They also expect many groups of students of color, especially African Americans, to be more disruptive and deviant than European Americans.

Because we often think we see what we expect to see, these biased teacher expectations become self-fulfilling prophesies. And they contribute to the lack of African American and Hispanic American students in programs for the gifted and talented and to their overrepresentation in programs for students with behavior disorders.

Teachers tend to evaluate students of color behavior in a biased manner. When teachers evaluate the severity or deviancy of students' behavior problems, they judge the exact same transgressions as more severe or deviant when they are committed by African Americans than when they are committed by European Americans. African American students who are seen as fun loving, happy, cooperative, energetic, and ambitious by their African American teachers are viewed as talkative, lazy, fun loving high-strung, and frivolous by their European American teachers. This too contributes to the lack of African Americans and Hispanic Americans in programs for students