



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. Hannon*, 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 (IDEA): “Our results suggest that current federal educational legislation and policymaking designed to minimize overidentification of minorities in special education may be misdirected” (Morgan et al., 2015, p. 11).

When a set of findings is published in a highly respected, peer-reviewed source and appears so dramatically at odds with the long-standing knowledge base of a field, it is reasonable to examine the conceptualization, data, analyses, and conclusions in order to attempt to understand why these findings are so discrepant from previous literature. Within the space allowed, we can only scratch the surface of that examination. Yet even a preliminary examination raises serious questions about the extent to which the generalizations made by the authors were appropriate and justified. We organize this critique into three sections: the nature and problems with the data and in particular the dependent variable, the relationship of poverty and special education identification, and the complex nature of special education disproportionality and its implications for federal policy.

The Data: Survey Versus Enrollment

The data set that Morgan and colleagues (2015) drew from in their study is the 1998 ECLS-K (Tourangeau, Lê, Nord, & Sorongon, 2009), a national longitudinal database focusing on early childhood experiences and their impact on school entry, school transition, and progression through the 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 analyses—service in special education—is drawn from an item from the ECLS’s 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 database appears to have been chosen because it contains both an estimate of special education identification and a range of demographic variables. Yet concerns could be raised about the validity of teacher estimates from a very limited sample of special education students (e.g., fewer than 5,000).¹

In this case, there is an actual population count available against which the ECLS survey estimates can be compared. As part of its child count requirement under IDEA, the U.S. Department of Education’s (USDOE) Office of Special Education Programs published an actual count of students in special education conducted by the USDOE (2001), which included 5,536,150 students with disabilities ages 6 to 21 for the 1998–1999 school year. Comparisons of the ECLS survey estimates with the population count (see Table 1) raise concerns about the accuracy of Morgan et al.’s (2015) data. Although a case could be made that the ECLS sample seems relatively representative in the disability categories of learning disabilities (LD) and emotional disturbance (ED), the variance from population estimates is striking in the areas of intellectual disability (ID), other health impairment (OHI), and especially speech and language impairment.²

So it is not surprising that Morgan et al.’s (2015) estimates of disproportionality also vary substantially from calculations based on population estimates. Even prior to the introduction of control variables in their adjusted model, Morgan et al. failed to find any instances of overrepresentation, across three racial categories

and five disability categories, leading them to conclude that there is no overrepresentation in special education. Yet during the same time period that Morgan et al. found no evidence of overrepresentation for African Americans in any of the disability categories they chose to explore, studies using national data sets (including a National Research Council study) (e.g., USDOE, 2001) from the same time period (Donovan & Cross, 2002; Parrish, 2002), found significant overrepresentation of African American students in the disability categories of ID, ED, and LD. These studies also found significant overrepresentation of Native Americans, a finding that Morgan et al. could not have replicated since they chose to combine Native Americans, Asian Americans, Pacific Islanders, and multiracial students into a single “Other” category—a puzzling decision given the current scholarship on the complex relationship of culture and identity.

Socioeconomic Status (SES) as an Explanation for Disproportionality

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 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 ID requires deficits in adaptive behavior. It is not surprising, then, that previous studies have found complex relationships between poverty and over- or underrepresentation, depending on the disability category, the race of students, and the contexts in which the identification data are examined (e.g., SES levels of districts). Both Oswald et al. (1999) and Skiba et al. (2005) found that African American students were most overrepresented in the category of ED in *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 sociodemographic variables reduces the contribution of race/ethnicity to nonsignificance is consistent with a number of recent studies (Hibel, Farkas, & Morgan, 2010; Morgan et al., 2015; Shifrer, Muller, & Callahan, 2011) finding that SES soaks up all of the variance attributed to race, whereas a somewhat larger body of previous research (Coutinho, Oswald, & Best, 2002; Oswald et al., 1999, 2001; Skiba et al., 2005; Sullivan & Bal, 2013) finds that race remains a significant predictor of overrepresentation even after the introduction of sociodemographic indicators.

Morgan and colleagues (2015) attribute this inconsistency to a difference in unit of analysis, arguing that previous studies finding that race remains a significant predictor have been based on district-level data (e.g., Oswald et al., 1999; Skiba et al., 2005), whereas Morgan et al.’s estimates of SES are drawn from individual-level data. It is not entirely clear why Morgan et al. consider individual-level estimates of poverty to be superior to district-level estimates: Inequities in quality of education in poor urban schools and districts have been widely documented (e.g., Kozol, 2005; Oakes, Ormseth, Bell, & Camp, 1990), and there is no reason to assume that these school-based sources of unequal educational

Table 1
Estimates of Special Education Prevalence Rates From Morgan et al. (2015) as Compared to Actual Special Education Enrollment: 1998–1999 School Year (in percentages)

Reference	Learning Disability	Speech or Language Impairment	Intellectual Disability	Other Health Impairment	Emotional Disturbance
Morgan et al. (2015) ^a	6.30	6.40	0.70	1.00	0.70
U.S. Department of Education (2001) ^b	5.68	2.27	1.16	0.45	0.93

^aEstimates based on a survey of special education teachers administered as part of the Early Childhood Longitudinal Study–Kindergarten 1998.

^bActual special education child count figures for the 1998–1999 school year as reported in the *23rd Annual Report to Congress on the Implementation of the Individuals With Disabilities Education Act*.

opportunity are not equally or more predictive of unequal outcomes than individual or family poverty. Beyond that, however, the division into district- versus individual-level data as the source of discrepancy in findings simply does not hold up to scrutiny. Both Sullivan and Bal (2013) and Wiley et al. (2013) investigated the relationship between special education eligibility and race, controlling for individual-level indicators of poverty; in both cases, the inclusion of indicators of individual-level poverty reduced but did not eliminate the significant influence of race on overrepresentation in multivariate analyses.

In fact, the most important difference between studies finding that SES explains racial disparity and those that do not appears to be the source of the data relied upon. Studies that have relied upon indirect methods of counting special education enrollment from teacher or administrator survey (e.g., Hibel et al., 2010; Morgan et al., 2015; Shifrer et al., 2011) have tended to find that the introduction of SES as an independent variable reduces findings of overrepresentation to nonsignificance (or have failed to find overrepresentation entirely). Studies relying upon a direct count of special education enrollment have found that race remained a significant predictor of special education service regardless of the inclusion of variables representing poverty (e.g., Oswald et al., 2001; Skiba et al., 2005; Sullivan & Bal, 2013), irrespective of whether those data were drawn from national or state data, or whether they used 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 overreaches, since they implicate variables as predictive of special education (e.g., lead exposure) that were *not* included in their model, a more fundamental problem is the interpretation of their own results. The hazard analysis compared an unadjusted model (e.g., without 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, fell to underrepresentation in the adjusted model (it is noteworthy to point out that the rationale for inclusion of any variable included in the set of controls is nowhere provided in the article). Although this is certainly an accepted methodology for testing interactions in logit-based models (see, e.g., Peng, So, Stage, & St. John, 2002), it is critical to note that SES entered the adjusted model as a significant predictor of special education identification in only three of 20 possible tests. Across all five special education categories tested, SES was a significant predictor of identification

in three out of 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 of OHI—a counterintuitive finding given the high poverty level among these students and the attendant health threats of living in poverty. Simply put, Morgan and colleagues have no basis in their own data for concluding that racial/ethnic disproportionality can be accounted for by poverty, since few of their SES variables entered their equation significantly, and none in the direction predicted.

Oversimplification of Complex Relationships

It should be understood that we are not arguing that overrepresentation in special education by race/ethnicity is in any way a universal phenomenon across all groups and in all contexts; indeed, patterns of over- and underrepresentation in special education are highly complex. Morgan et al.’s (2015) failure to recognize that complexity constitutes one of the article’s central flaws. From its very title (“Minorities are Disproportionately Underrepresented in Special Education”) through the conclusions in its final paragraph (“Our analyses . . . failed to yield any evidence that minority overrepresentation is currently occurring”; Morgan et al., 2015, p. 11), the manuscript implicitly oversimplified disproportionality, seeming to allow no other hypotheses than either universal over- or universal underrepresentation by race/ethnicity, thus ignoring the complexities that emerge in local contexts. The sweeping conclusion that overrepresentation does not exist is then used to justify the startling policy recommendation that the entire federal policy apparatus in IDEA 2004 based upon an assumption of overrepresentation may be in error and should be reconsidered.

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 finding underrepresentation, in special education (Artiles, Trent, & Palmer, 2004; Skiba et al., 2008). Disproportionality has also been found to vary by state (Parrish, 2002), district size (Finn, 1982), and disability category (Donovan & Cross, 2002; Oswald et al., 1999; Skiba et al., 2008). These complex variations have led previous researchers to dub disproportionality “multiply determined”

(Artiles & Trent, 1994; Skiba et al., 2008) and suggest that remediation will need to be responsive to local variations that may determine over- or underrepresentation.

Federal policy as expressed in IDEA 2004 inherently recognizes this complexity in the mechanisms through which disproportionality is identified. Under Sections 618 and 616, states are required to identify school districts that have significant disproportionality or disproportionate representation that is a result of inappropriate identification, respectively.³ This is not a broad and sweeping witch hunt targeting overrepresentation. Rather, requirements that this identification be made across five racial/ethnic categories (including White) and six disability categories inherently involve recognizing the complexity of disproportionality at the local level. Indeed, the Government Accountability Office (2013) has critiqued the definitional and monitoring processes of the federal government as being too lax, yielding what appears to be an underidentification of disproportionality at the district level (for emerging evidence reflecting potentially problematic practices related to IDEA's monitoring requirements, see Albrecht, Skiba, Losen, Chung, & Middelberg, 2012; Artiles, 2011; Cavendish, Artiles, & Harry, 2014).

Conclusion

A recurrent shortcoming in the literature on disproportionality is the lack of explicit and rigorous theoretical formulations of the problem (Artiles, Kozleski, Trent, Osher, & Ortiz, 2010). A large proportion of these studies either relies upon implicit theoretical frameworks or entirely lacks a theoretical perspective about this problem; deficit perspectives abound in this body of work (Waitoller, Artiles, & Cheney, 2010). A consequence of these gaps is that the complexities of this problem are not adequately addressed. Morgan et al.'s (2015) study illustrates these limitations: Their use of complex statistical analytical procedures does not necessarily shed light on the multidimensional aspects of disproportionality, nor does it advance the theoretical understanding of this predicament.

Future research must transcend a binary logic that blames either children or schools, or argues that the problem is under- instead of overrepresentation. At the heart of this problem are conceptions of educational equity, and thus, "an interdisciplinary analysis of the racialization of disabilities opens unique opportunities to grapple with key aspects of the next generation of educational equity research" (Artiles, 2011, pp. 431–432). A critical issue that must be addressed in future research is, what happens after special education placement? Do students from disparate groups get the interventions and supports that they need across types of settings?

Above all, what we need in this field of inquiry is an approach to disability research that is situated in social, cultural, and historical contexts. Such an approach raises questions about perspective ("whose point of view"), voice ("who is being silenced"), and consequences ("to what effect") (Artiles, 2014). What the field does not need are simplistic investigations that overreach both their data set and their own analyses. Although such "controversial" findings can create a substantial media buzz in the short term, in the long term, they do little to further our understanding of the very real and consequential problem of the disproportionate representation of marginalized groups in special education.

NOTES

¹Morgan et al. (2015) do not provide *n* sizes for the special education sample or for any particular group in their article. From their percentage estimates reproduced in Table 1, however, it is possible to estimate a figure of approximately 3,035 special education surveys from the total reported Early Childhood Longitudinal Study (ELCS) sample of 20,100.

²As noted in a footnote in the article, one reviewer asked Morgan et al. (2015) to validate their estimates as compared to national samples. Morgan et al. attributed any discrepancy between their data and the larger universe of national enrollment figures to the fact that the ELCS data set included only a K–8 population, as opposed to the inclusion of the entire K–12 population in federal estimates. The authors provide no justification or empirical support for this assertion.

³Further 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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