



Significant Disproportionality in Special Education: Trends Among Asian Students

Years of research point to inequities in education for students of color, students from low-income backgrounds, and students with disabilities. These inequities are particularly apparent when it comes to rates of discipline and special education enrollment. The term “significant disproportionality” is used to describe the widespread trend of students of certain racial and ethnic groups being identified for special education, placed in more restrictive educational settings, and disciplined at markedly higher rates than their peers. Due to bias within the education system (including within assessments and academic and other policies), students of color can be misidentified as needing special education, and are then placed in more restrictive settings and experience harsher discipline because of the intersectionality of race and special education. Being misidentified as needing special education, placed in a restrictive setting, or disciplined more harshly can negatively affect student outcomes. It is imperative that education professionals and policymakers understand the magnitude of significant disproportionality for students of different races, ethnicities, and incomes and take actions to correct it.

This brief summarizes the trends in significant disproportionality for students from Asian families. For a full discussion of the research on disproportionality in special education and a set of policies and practices that can reduce significant disproportionality in schools, visit nclد.org/sigdispro.

Introduction

Asian and Pacific Islander students¹ are subject to disparities in special education identification and discipline practices but have a unique experience compared to other students of color. In general, significant disproportionality can lead to poor academic outcomes for students. However, there are unique considerations for Asian students.² Asian students as a whole are underrepresented in special education, but due to a lack of data transparency, there are concerns that students of specific ethnicities within this demographic might be struggling the most.

Unique Disproportionality Problems for Asian Students

Special education identification

Asian students experience underrepresentation, making up nearly 5 percent of the public school population in the 2013–2014 school year, but only 1.5 percent of students identified with specific learning disabilities.³ This is concerning, as some students who may benefit from special education services are being overlooked.

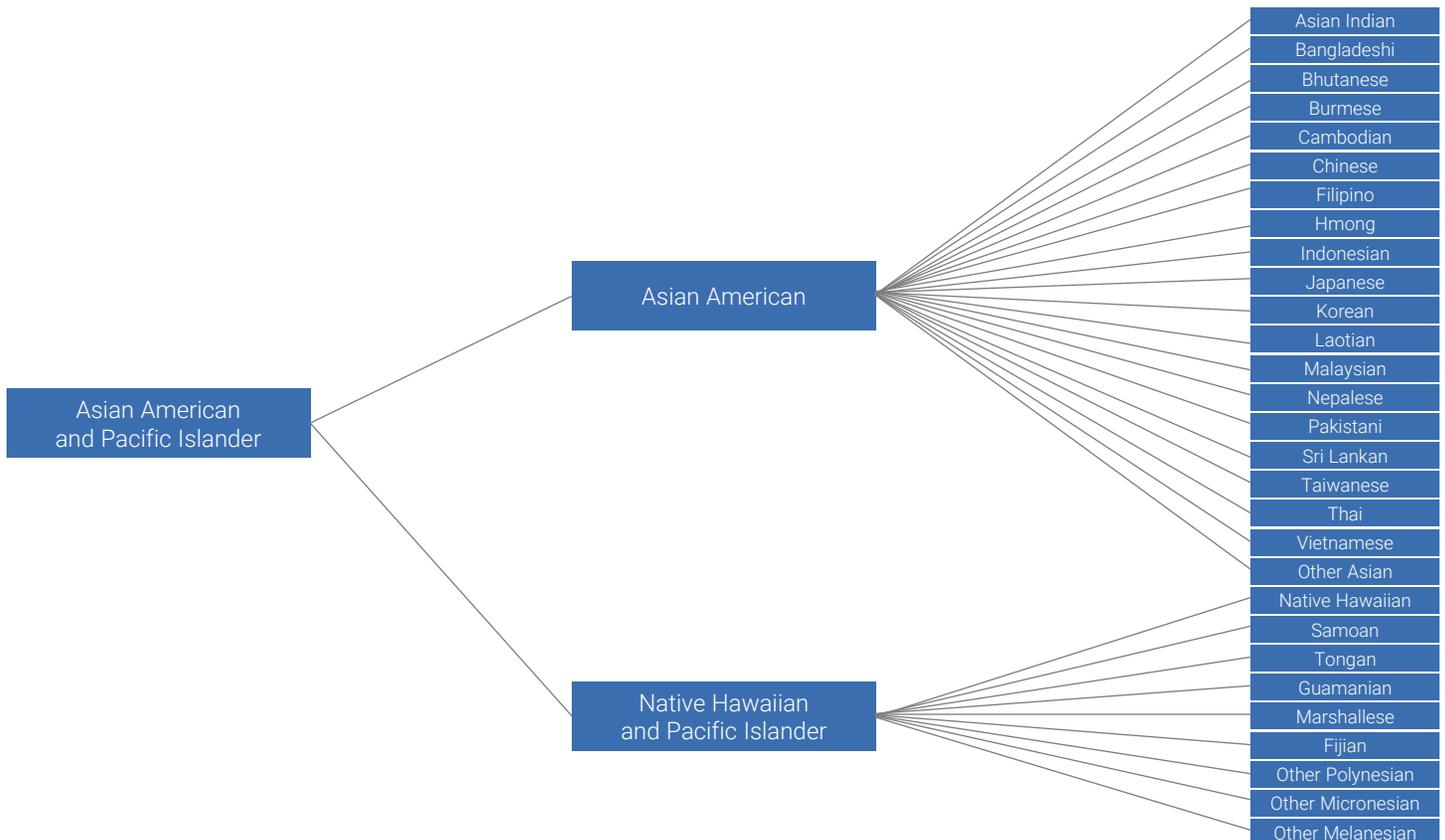
Discipline disparities

Within the Asian population, students with disabilities are more likely to receive harsh discipline when compared to their peers without disabilities. Asian American and Pacific Islander (AAPI) students with disabilities are more likely to be suspended, expelled, referred to law enforcement, and arrested for a school-related issue, compared to AAPI students without disabilities.⁴

Demographic issues

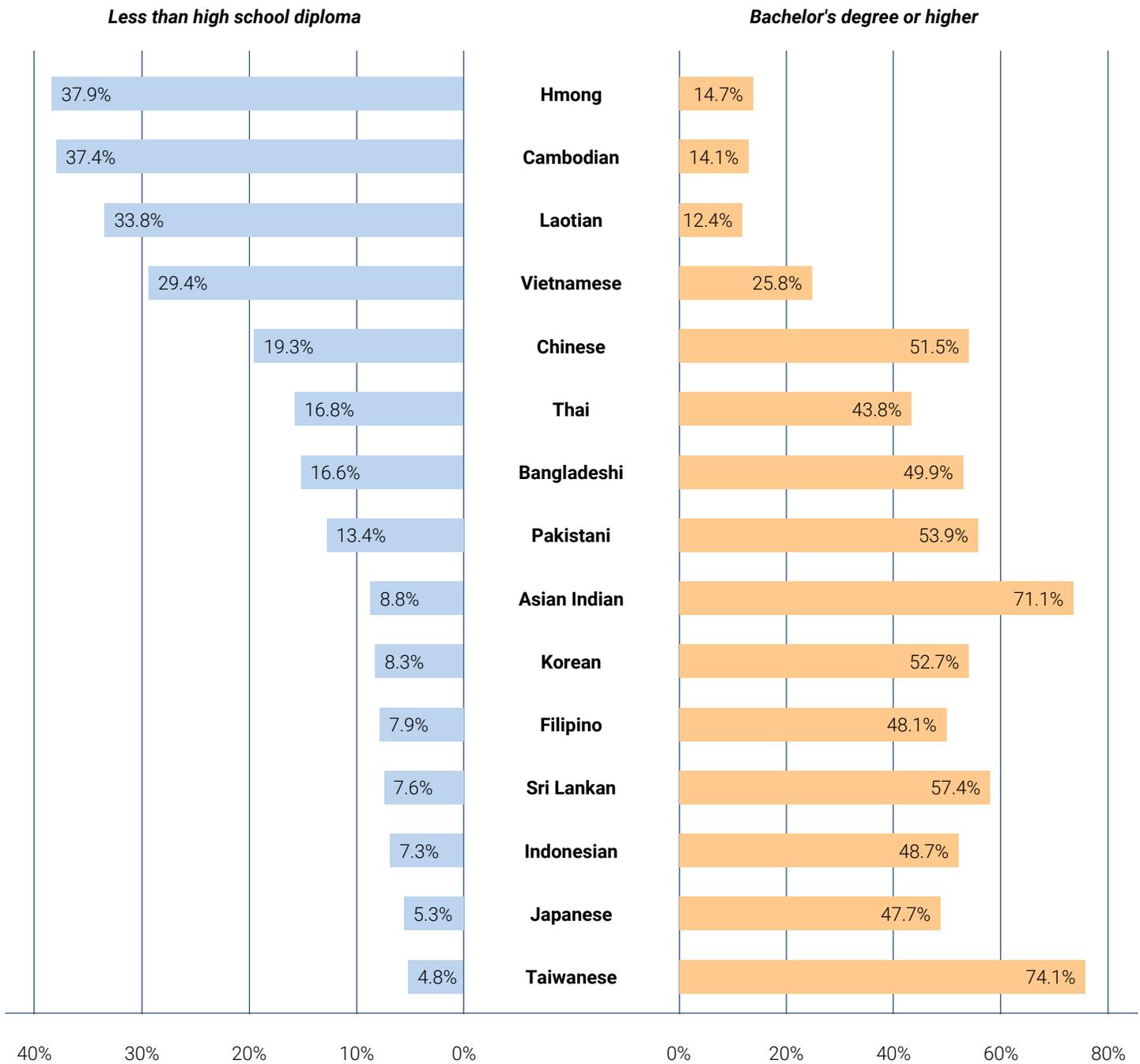
A major concern for AAPI students is the oversimplification of demographics. The AAPI community includes a diverse population of students, and the needs of subgroups may be obscured by the overarching reporting on demographic facts as a whole.

Figure 1. The racial and ethnic categorization of Asian Americans and Pacific Islanders.⁵



Data indicates that while AAPI students may be succeeding overall in public schools, Southeast Asian students may be disproportionately struggling.⁶ For example, more than a third of Cambodian and Laotian students have received less than a high school degree and face structural barriers in school.⁷ Vietnamese and Laotian students are also overrepresented nationally for suspensions, even though AAPI students as a whole were not disproportionately represented.⁸

Figure 2. Educational attainment for Asian American subgroups, 2008–2010.⁹



Policy and Practice Considerations

When addressing significant disproportionality, it is vital to guard against overidentification of students for special education services. However, if state education agencies engage in this effort without also meeting their legal responsibility to ensure students' right to a free appropriate public education (FAPE), children with disabilities could be at risk of not receiving the critical services and supports that they need. The following important policy and practice changes can be made in the areas of evaluation, assessment, discipline, teacher preparation and training, and data:

- **States and districts can refine their special education eligibility process with a focus on:**
 - seeking outside expertise to implement training on disability identification that includes considerations for linguistic and cultural differences;
 - investing in and prioritizing hiring educational professionals with expertise in cultural and linguistic consideration in identification;
 - completing an audit of their discipline and special education policies and processes to uncover and address bias within the system itself and the actors within the system; and
 - investing in developing relationships with families and creating an open dialogue with parents and families to better understand a student's familial, social, and cultural background and to incorporate parents' observations into the special education evaluation.
- **Districts can:**
 - modify their discipline policies to restrict the usage of suspensions and expulsions, focusing instead on creating positive learning environments with sufficient social workers and school counselors; and
 - implement (and provide training to educators in) Multi-Tiered Systems of Supports (MTSS), Universal Design for Learning (UDL), Positive Behavioral Interventions and Supports (PBIS), culturally responsive teaching (CRT), and restorative practices.
- The federal government, states, and local school districts should take action to diversify the principal, teaching, and school staff workforce and incentivize the use of culturally responsive approaches.
- The federal government and states should continue with regular data collections such as the Civil Rights Data Collection (CRDC). It must continue to track and report on the number of English learners in EL programs by disability status. Additionally, it should disaggregate the data by student status under Section 504 of the Rehabilitation Act and by the race and ethnicity categories used in the American Community Survey and require that this data is able to be cross-tabulated (with a minimum n-size to protect identity).
- The U.S. Department of Education must continue to enforce the Equity in IDEA regulations and provide intensive technical assistance to states and districts with the highest levels of significant disproportionality.

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¹ The term "Asian" is used in this brief whenever possible, but where specific data sets use another term (such as "Asian American" or "Asian and Pacific Islander"), that alternative term will be used for accuracy.

² The category of "Asian students" is used here because it is the label used by the primary federal data source (the U.S. Department of Education) for the many students whose ethnicity is from countries in Asia, Southeast Asia, or the Pacific Islands. Though students with these identities may be grouped together within the "Asian" category for data purposes, the trends that exist for students with ethnic roots in one Asian country are not representative of all students in this demographic category. In particular, Southeast Asian and Pacific Islander students often experience education very differently than students with backgrounds from other Asian countries.

³ The Understood Team. (2020, June 22). FAQs on racial disparities in special education and the "significant disproportionality" rule. Retrieved July 16, 2020, from <https://www.understood.org/en/community-events/blogs/the-inside-track/2018/05/23/faqs-on-racial-disparities-in-special-education-and-the-significant-disproportionality-rule>

- ⁴ GAO Report. (2018). K–12 education discipline, disparities for Black students, boys, and students with disabilities.
- ⁵ National Commission on Asian American and Pacific Islander Research in Education. (2013). iCount Report: A data quality movement for Asian Americans and Pacific Islanders in higher education.
- ⁶ Ibid.
- ⁷ Nguyen, B. M. D., Noguera, P., Adkins, N., & Teranishi, R. T. (2019). Ethnic discipline gap: Unseen dimensions of racial disproportionality in school discipline. *American Educational Research Journal*, 56(5), 1973–2003.
- ⁸ U.S. Department of Education. (2019). 41st Annual Report to Congress on the Implementation of the IDEA Act. p. 87.
- ⁹ National Commission on Asian American and Pacific Islander Research in Education. (2013). iCount Report: A data quality movement for Asian Americans and Pacific Islanders in higher education.



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