

POVERTY & RACE RESEARCH ACTION COUNCIL

"Race, Poverty, & Special Education: Apprenticeships for Prison Work" by Rosa Smith

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Where have all of our Black sons gone? Some might say to war, my dear. Others would say to jail, my dear. I would say yes to both of these and add that they are first sent to Special Education programs, which for all too many African-American boys are not doorways to opportunity, but trapdoors sending them willy-nilly to war, to jail, to lives of unfulfilled promise.

According to *A New Era: Revitalizing Special Education for Children and Their Families*, the July 2002 report of the President's Commission on Excellence in Special Education: "Many of the current methods of identifying children with disabilities lack validity. As a result, thousands of children are misidentified every year . . ." And who does this most affect? "African-American children are twice as likely as whites to be identified for the mental retardation category. In the emotional disturbance category, black students are about half more likely than white students to be classified in this category" (*Minority Students in Special and Gifted Education*, National Research Council, 2002).

Are we surprised?

The IQ Test Bias

The reasons for this pervasive misidentification and referral of African-American children were found by the President's Commission to include "reliance on IQ tests that have known cultural bias" and the fact that "minority children are much more likely to be placed in the emotional disturbance category because of behavioral characteristics associated with the cultural context in which a child is raised."

The mental retardation category of Special Education is under the control of specialists too often using IQ tests that were developed with a concern for their validity with White populations and sub-groups, but with no concern with their validity with minority populations. When their originators found that girls were doing better than boys on early versions of the test, they changed the tests rather than their ideas about the relative skill of girls and boys at such tasks. But when it was found that the tests failed to deal equitably among ethnic and racial groups, the test developers took this to be a confirmation of the tests' validity. This is not news. It is now generally acknowledged that IQ tests, and the very concept of IQ, were deeply implicated in early twentieth-century racist theories. And yet they continue to be used.

Teacher Referrals

If the over-classification of African-American children and other minorities as mentally retarded is performed out of sight by “scientifically trained” experts, classification of children as in need of Special Education because of emotional disturbance, on the other hand, is overwhelmingly based on teacher referrals. According to President Bush’s Commission on Excellence in Special Education, teachers “refer more than 80 percent of children who are placed in a high-incidence category. . . . To the extent that teachers are not prepared to manage behavior or instruct those with learning characteristics that make them ‘at risk’ in general education, minority children will be more likely to be referred.”

State-by-State Differences

One of the most important findings of the NRC study is the enormous difference in the way the system operates across the states. For example, in 1998 five states categorized over 5% of their Black students as mentally retarded (Massachusetts, Alabama, Arkansas, Iowa, Indiana), while five states classified less than 1% of their Black students as mentally retarded (Alaska, Maine, New Hampshire, New Jersey, New York). In Washington, DC, the odds of a Black student being declared as mentally retarded are over nine times those for a White student. It seems most unlikely on the face of it that the frequency of mental retardation of any group in Massachusetts is six times that of the same group in New Jersey or neighboring New Hampshire, or that in the nation’s capital, home of one of the largest concentrations of middle-class African Americans, nine times as many of their children as those of their White neighbors are mentally retarded.

The suspicion of systematic bias is reinforced by the fact that nationally, 6.6% of all children are placed in gifted and talented programs, but only 3% of Black children receive such placement. Of course, much placement in such programs is done with reference to IQ tests.

Nationally, approximately 12% of all children—nearly two million girls and four million boys—are classified as Special Education students. For most groups, placement in Special Education for emotional disturbance is three times as high for male as for female students, which means that when we look at the intersection of race and gender bias in emotional disturbance placements, for example, we find that Black male students are referred at more than five times the rate for White female students. As a result, in many parts of the country up to 30% of African-American boys of school age are to be found in Special Education programs. It is common knowledge that once children are placed in Special Education classes, their chances of graduating on time and pursuing education beyond high school are greatly reduced.

Jail-Bound

The Harvard Civil Rights Project, in its September 2002 report, “Racial Inequity in Special Education,” tells us that “To the extent that minority students are misclassified, segregated or inadequately served, Special Education can contribute to a denial of equality of opportunity, with devastating results in communities throughout the nation.” Partially as a consequence of over-assignments to Special Education, in many large cities 70% or more of African-American boys do not graduate from high school with their peers. The consequences for those young men, for their communities, and for the country are disastrous. Most dramatically, the racial bias that permeates the justice system helps exacerbate other factors — such as inadequate education — to criminalize black youths. Racial bias in the criminal justice system is present in response to crime, disparate enforcement of laws such as drug laws, the creation of criminal histories through racial profiling, and disparities in prosecution and sentencing. A 1997 study of Massachusetts drug-law enforcement found that in that “liberal” state, Blacks were 39 times more likely to be incarcerated for a drug offense than Whites. According to the 2000 Census, nationally 60% of incarcerated youths age 18 and under are African American, nearly four times their representation in the general population.

According to Marc Mauer in his 1999 book *Race to Incarcerate* (New Press), young African-American men are more likely to be in jail — or otherwise involved with the courts — than to go to college. A Black boy born in 1991 stands a 29% chance of being imprisoned at some point in his life, compared with a 16% chance for a Hispanic boy and a 4% chance for a White boy. As a result, in some states, one-quarter of Black men cannot vote because of a felony conviction. Perhaps the most disturbing aspect of this trend is the enormous racial disparity among those on death row.

The social consequences of poverty and race are vividly apparent in the continuum from over-assignment to Special Education for Black boys to prison statistics for Black men. If Black boys were assigned to Special Education at rates comparable to those of White boys, drop-out rates would decline, graduation rates would rise, and the school-to-prison pipeline would flow less swiftly. Part of the problem is in the misuse of IQ tests, part in the fear that teachers have of Black boys “disrupting” classrooms. Much of the origin of the problem is to be found in the fact that the schools impoverished African-American (and other minority) children attend are less well-funded than those attended by more privileged students. Such schools are less likely than those in the suburbs to have experienced, well-trained teachers. Per-student expenditures in those schools are often lower, while common sense would indicate that the needs of poor children require higher levels of per-pupil expenditure, better trained, more experienced teachers who can deliver high-quality instruction while practicing effective classroom management that minimizes chaos, rather than reaching for the Special Education referral form.

The Need for Early Intervention

Many believe that the system must be changed at an even earlier point. Too many African-American boys and other disadvantaged children do not have the opportunity to

experience quality early-childhood education. As a consequence, they come to school poorly prepared and not ready to learn, and thus are more likely to be placed in Special Education classes at an early age. Once there, students of color “are less likely than their white counterparts to receive counseling and psychological supports when they first exhibit signs of emotional turmoil and often go without adequate services once identified,” according to the Harvard Civil Rights Project report noted above. “This lack of early intervention and support correlates highly with dropouts and suspension or expulsion and helps explain why minority school-aged children are over-represented in the juvenile justice system.”

Classified as mentally retarded by culturally biased IQ tests and called emotionally disturbed by teachers who find it easier to ask for students to be removed from their classrooms than to teach them, African-American boys are thrown off the classic American path to achievement. The large numbers of African-American boys who do not graduate from high school, the large numbers of African-American men who go through the criminal justice system, are then pointed to as “proof” of the validity of the biased systems that have failed them.

From a social policy point of view, the entire Special Education-to-prison system in which all too many African-American men are placed is irrationally costly. It would be much better, much more “efficient,” to spend even a fraction of those funds so as to provide universal pre-kindergarten and kindergarten, higher salaries and better training for inner-city classroom teachers, and universal after-school and summer programs for children at risk of not achieving their full academic potential.

I suggest that we do so.

Rosa Smith is former Superintendent of the Columbus, Ohio public schools. She is currently the President of the Caroline and Sigmund Schott Foundation and the Schott Center for Public and Early Education, in Cambridge, Mass. Both organizations focus on equity for all children in public education. rs@schott.foundation.org [8343]

Poverty & Race Research Action Council
1015 15th Street NW, Suite 400, Washington, DC 20005
phone: 202/906-8023 * fax: 202/842-2885 * email: info@prrac.org

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