

English Language Learner Disproportionality in Special Education: Implications for the Scholar-Practitioner

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This study examined the representational patterns of English language learners (ELLs) receiving special education services in school districts in a southeastern Texas region over a 7-year period. Results indicated that although relative risk ratios have decreased over time, the region as a whole continued to show overrepresentation of ELLs in special education. Additionally, the percentage of districts demonstrating overrepresentation decreased by almost half over the 7 years. Finally, the relative risk ratios for some districts in the study indicated variability over time. Awareness of the representational patterns of ELLs at the national, state, regional, district, and campus levels continues to be the first step in providing students who are ELLs an education that meets their academic needs.

Keywords: *disproportionality, English language learner, special education, Texas*

Introduction

In the United States, there continues to be a shifting racial and ethnic distribution of students enrolled in K–12 public schools. According to the National Center for Education Statistics, from 1986 through 2008, the percentage of White students enrolled in public elementary and secondary schools decreased from 70% to 55%. Conversely, the percentage of students who were African American increased from 16% to 17% and the percentage of Latino/a students slightly more than doubled, increasing from 10% to 21% during the same time period (Snyder, 2011). Furthermore, the percentage of Latino/a student enrollment almost doubled in each of the four regions in the United States from 10% to 19% in the South, 9% to 17% in the Northeast, 3% to 10% in the Midwest, and 23% to 40% in the West (Aud et al., 2010).

Changing demographics in our nation have brought with them increased diversity in public schools. With increased diversity comes the concern of disproportionate representation of students of color in special education programs. Disproportionality is an issue that has been at the forefront of discussions and research in education for more than four decades. While there are some clear patterns of disproportionality for some group of students of color—for example, African American students, especially males (Donovan & Cross, 2002; Losen & Orfield, 2002)—somewhat less clear trends exist for other groups, especially Latinos and English language learners (ELLs). This is particularly important given the increasing numbers of Spanish-speaking ELLs in U.S. schools.

In 2008, according to the National Center for Education Statistics, 21% of elementary and secondary school students spoke a language other than English at home. Of these, approximately two million, or 75%, spoke Spanish (Aud et al., 2010). Additionally, according to the U.S. Department of

Education (2011) during the 10-year period from 1999 to 2009, the ELL population increased by 51%, while the general PK–12 student enrollment grew by only 7%. Much of this growth came from the southern and western regions of the United States. Aud and colleagues (2010) noted, “The highest rates [of students who spoke a language other than English and who spoke English with difficulty] were in the southern state of Texas (10%) and the western states of Arizona (9%) and California (10%)” (p. 32).

Given these increasing numbers of ELLs, it is no surprise to learn that researchers are starting to look at their participation rates in special education programs. In the past, services provided to ELLs have not always met their academic needs (Artiles & Ortiz, 2002; Orosco & Klingner, 2010). When ELLs are placed in special education, providing appropriate instructional strategies required to meet their learning needs, especially language, becomes even more of a concern (Zehler et al, 2003). The aforementioned findings make the appropriate identification of ELLs receiving special education even more critical. Knowing the representational and placement patterns of ELLs receiving special education services over time is the first step to ensuring that their learning needs are being met, whether it be in the general education or special education programs. It therefore becomes significant to study the concern of disproportionality of ELLs in special education utilizing longitudinal data.

The present study is situated in Texas and expands on previous research concerning the disproportionate representation of ELLs receiving special education services throughout the state (Linn, Lira, & Larke, 2008; Linn, 2011b). Specifically, this study examines the representational patterns of ELLs receiving special education services in school districts in Education Service Center¹ (ESC) Region 1 over a 7-year period.

Related Literature

“Disproportionality means that there are more (or fewer) children from a particular group who are experiencing a given situation than we would expect, based on the group’s representation in the general population” (Oswald & Coutinho, 2006, p. 1). The relative risk ratio is commonly used as a measure of disproportionality. It “compares a racial/ethnic group’s risk of receiving special education and related services to the risk for a comparison group” (Bollmer, Bethel, Garrison-Mogren, & Brauen, 2007, p. 187) and is calculated by dividing the risk of one racial/ethnic group by the risk of the comparison group. A relative risk ratio of 1.0 indicates proportionate representation of a given group in special education. Relative risk ratios of greater than 1.20 indicate concerns with overrepresentation (Oswald, & Coutinho, 2006). Conversely, relative risk ratios of less than .075 would be considered indicative of underrepresentation (Westat, 2003).

Until recently, most studies of disproportionate representation have focused on race and ethnicity. Artiles, Rueda, Salazar, and Higuera (2002) noted that when Latinos and other groups are studied at the national level, Latinos are not overrepresented (e.g., the way that African Americans are); however, “when the issue of language is added in, the results change and a serious civil rights issue emerges” (p. 118). Artiles and his colleagues (2002) have also posited that, “the intersections of English language learners and special education are little understood” (p. 118).

¹ Texas developed 20 ESCs during the late 1960s to more efficiently serve the needs of all students in the state. According to the Texas Project FIRST (n.d.), originally designed as media centers, these ESCs “provide leadership, training, and technical assistance to school districts, parents, and other community stakeholders.” A map of the ESCs in Texas is available at <http://www.tea.state.tx.us/index.aspx?id=2147494810>.

Studies concerning ELLs and their placement in special education programs are beginning to emerge. For example, at the national level, Zehler et al. (2003) found evidence of underrepresentation of ELLs in special education. The researchers documented, in 2002, that 13.5% of students from the general school population were receiving special education services, while only 9.2% of ELLs were receiving the services. While national data is meritorious, Artiles, Rueda, Salazar, and Higareda (2005) underlined the importance of studying ELL representation in special education programs using disaggregated data at state and district levels because aggregated data may obscure important local trends.

State- and district-level studies regarding ELLs' participation in special education programs are also starting to emerge, albeit with contradictory results. For instance, Artiles and colleagues (2002) studied 11 urban school districts in California during 1998–1999, where 42% of the student population was classified as ELLs. Although ELLs were not overrepresented at the district level, they found “English language learners [were] 27% more likely to be placed [in special education programs] in elementary grades and almost twice as likely to be placed in secondary grades” (p. 127). In a subsequent study, Artiles, Rueda, Salazar, and Higareda (2005) found that students with less proficiency in their native language and English were more likely to be overrepresented in special education. More overrepresentation of ELLs receiving special education services was also documented in districts with greater numbers of ELLs.

More recently in Arizona, Sullivan (2011) examined the placement of ELLs in special education at the state and district levels over the 8-year period from 1999 to 2006. Utilizing relative risk ratios, she reported that the participation of ELLs in special education at the state level steadily increased from 0.77 in 1999 to 1.19 in 2006, indicating a trend towards overrepresentation. Similar results were reported at the district level. Sullivan found that the percentage of districts with overrepresentation increased from 32% in 1999 to 42% in 2006. Logically, the number of districts with underrepresentation of ELLs in special education decreased from 52% to 27% during the same time period. Sullivan's study is important because it is one of the first to examine the patterns of ELL placement in special education over time.

In Texas, the scant research concerning ELL placement in special education programs indicates varying patterns of both under- and overrepresentation. For example, Henderson, Abbot, and Strang (1993) found underrepresentation of ELLs receiving special education services during the 1991–1992 school year. Just a year later, Robertson, Kushner, Starks, and Drescher (1994), found that ELLs were up to five times as probable to be in special education programs in one district as in another.

Approximately a decade later, team of investigators examined the disproportionate representation of minority students in special education in the state of Texas (Johnson, Lessem, Bergquist, Carmichael, & Whitten, 2002). Although the researchers did not specifically examine the participation rate of ELLs in special education, subsequent analyses (Carmichael & Whitten, 2002) used the characteristic of English proficiency to determine whether or not this designation would affect the probability of a student being identified as having a disability. Concerning the participation rates of ELLs, the researchers found that these students were underrepresented in special education programs. Additionally, the investigators found that ELL designation was the least likely of all the individual risk factors studied to be associated with placement in special education programs. That is, ELLs were significantly less likely to have received special education services than students with no risk factors.

With the need to understand the representation of ELLs in special education apparent, especially given the high percentage of Latino/a students and ELLs in certain districts in Texas, Linn and

colleagues (2008) studied the representational patterns of ELLs in 110 school districts in south Texas across three ESCs. For the academic year 2004–2005, the investigators found relative risk ratios indicating overrepresentation (relative risk ratios of > 1.20) in 73% of the school districts. The districts with overrepresentation concerns were overwhelmingly located in ESC Region 1 where 92% of the districts had ELLs overrepresented in special education. The results of this investigation prompted a subsequent study that examined the disproportionality of ELLs in special education programs at the state level and in each of the 20 ESCs.

For the 2008–2009 school year, when data were aggregated at the state level, the relative risk ratio for ELL participation in special education in the state of Texas was 0.91 (Linn, 2011b); however, this number masked both concerns with overrepresentation and underrepresentation at the geographic region levels throughout Texas, as well as the ESC region level. For example, coastal Texas reported a relative risk ratio of 0.88, but ESC Region 5 indicated serious underrepresentation with a relative risk ratio of 0.49. Conversely, central Texas posted a relative risk ratio of 0.83. Within central Texas, relative risk ratios for ESC Regions 12, 13, and 14 were similar, but ESC Region 15 showed decisive concerns with overrepresentation of ELLs receiving special education services, reporting a relative risk ratio of 1.27. Finally, ESC Region 1 reported a relative risk ratio of 1.34, the highest of the ESCs in the state. This figure was down considerably from the 2.25 reported during the 2004–2005 year; however, the districts in this region clearly merit further analysis as to the placement of ELLs in special education programs. This examination should include a “longitudinal assessment of trends in disproportionality” (Donovan & Cross, 2002). The present study examines the representational patterns of ELLs receiving special education services in 37 school districts in ESC Region 1 in south Texas over a 7-year period.

Method

Context

Over 4.8 million students attended Texas public schools during the 2009–2010 school year (Texas Education Agency, 2010a). Of these students, 14% were African American, 49% were Latino/a, and 33% were White. During this same academic year, Texas identified 815,998 students as ELLs, representing 16.9% of its total school population (Texas Education Agency, 2010a). Most notably, during the 10-year span from 1998 to 2008, the ELL student population in Texas increased by 38%, while the total school enrollment increased by only 17% (U.S. Department of Education, 2010). Among the ELL student population, Spanish was the language most commonly spoken in Texas, representing 92% of the school population in 2008 (Aud et al., 2010). Additional characteristics concerning elementary and secondary school students in Texas and ESC Region 1 are included in Table 1.

ESC Region 1 is located in south Texas along the United States–Mexico border. Almost 400,000 students attended public schools in ESC Region 1 during the 2009–2010 academic year, slightly more than 8% of Texas’ student population. ESC Region 1 has the state’s largest percentage of Latino/a students (97%), ELLs, (37%), students who are economically disadvantaged (86%), Latino/a teachers (86%), and students enrolled in bilingual/English as a second language programs (36%).

Table 1: Characteristics of Texas and ESC Region 1

Characteristics	State of Texas	ESC Region 1
Enrollment	4,824,778	398,808
Latino/a Students	49	97
ELLs	15	37
Econ. Disadv.	17	86
Latino/a Teachers	23	86
Bil/ESL	16	36

Note. All numbers, except those for enrollment, are in percentages rounded to the whole number. ELLs = enrollment of English language learners; Econ. Disadv. = enrollment of economically disadvantaged students; Bil/ESL = enrollment of students in bilingual or English as a second language programs. Source: Texas Education Agency (2010a, 2010b).

Data Source and Analysis

The defined population for this study was the 37 school districts that comprise ESC Region 1. Six districts had to be eliminated because data for students identified as ELLs and/or special education students were not available due to the masking of reports in one or more years for which data was collected. The final number of districts for the study was 31.

The data for this study is available through the state education agency's website via reports entitled *The Performance-Based Monitoring Analysis System*. These reports provided data for each of the school districts including total students enrollment, number of ELLs, number of special education students, and number of ELLs who had been identified as having a disability. Data utilized in this study corresponded to the 7-year period starting in 2004, when data from *The Performance-Based Monitoring Analysis System* became available, and ending in 2010, the last year data were available at the time of this writing. These data were used to calculate relative risk ratios for each of the districts. In this study, relative risk ratios were used to describe the representational patterns of ELLs identified as students with disabilities compared to their peers who were not ELLs.

Results

Following Sullivan's (2011) method for reporting results, Table 2 reports mean relative risk ratios for ESC Region 1 for each of the 7 years included in the study, as well as percentages of districts that documented under-, over-, or proportionate representation of ELLs receiving special education services.

Table 2: Mean Relative Risk Ratios and Trends of Representation of ELLs in Special Education

Category	2004	2005	2006	2007	2008	2009	2010
Mean	2.46	2.22	2.33	2.33	2.19	1.73	1.35
% Districts <0.75	3	3	3	3	3	10	13
% Districts >1.20	94	87	90	90	87	77	52
% Districts between 0.75 and 1.20	3	10	7	7	10	13	35

As noted in Table 2, means calculated for each of the years 2004–2010 indicated that although relative risk ratios have decreased from 2.46 in 2004 to 1.35 in 2010, the region as a whole continued to show overrepresentation of ELLs in special education. Also, the percentage of districts demonstrating relative risk ratios of greater than 1.20 decreased from 94% to 52% in the 7-year period. Knowingly, relative risk ratios indicating underrepresentation (< 0.75) increased from 3% of the districts in 2004 to 13% in 2010. Likewise, relative risk ratios indicating proportionate numbers of ELLs in special education (between 0.75 and 1.20) increased from 3% to 35%. These results are contradictory to Sullivan's (2011) finding where the percentage of districts with disproportionality increased over time.

Table 3 shows relative risk ratios and the corresponding means for each of the districts in ESC Region 1 for each of the 7 years contemplated in the study.

Table 3: Relative Risk Ratios for Districts in ESC Region 1

District	2004	2005	2006	2007	2008	2009	2010	Mean
Brownsville	2.46	2.48	2.62	2.90	2.81	<i>0.32</i>	<i>0.42</i>	2.00
Donna	2.15	1.93	2.14	2.13	1.81	1.31	1.09	1.79
Edcouch-Elsa	3.65	3.42	3.63	3.48	3.21	2.41	2.15	3.14
Edinburg	2.72	2.16	2.16	2.22	2.07	2.03	1.96	2.19
Harlingen	1.81	1.98	2.17	2.19	1.23	0.61	0.57	1.51
Hidalgo	3.38	2.80	2.76	2.74	2.39	2.83	2.13	2.72
La Feria	1.22	1.06	1.07	1.16	0.80	0.91	0.88	1.01
LA Joya	2.30	2.32	2.59	2.58	2.75	2.05	1.57	2.31
La Villa	3.64	2.23	3.08	3.97	3.42	2.92	2.84	3.16
Laredo	2.60	2.21	2.17	2.06	1.97	1.48	1.18	1.95
Los Fresnos	1.59	1.66	1.72	1.73	1.91	1.16	0.93	1.53
Lyford	1.21	1.17	1.51	1.09	1.14	<i>0.64</i>	<i>0.68</i>	1.06
McAllen	1.98	1.78	1.78	1.62	1.68	1.45	1.48	1.68
Mercedes	2.10	1.77	1.75	1.85	1.87	1.81	1.28	1.78
Mission	1.99	1.94	1.96	1.91	1.93	2.13	2.38	2.03
Monte Alto	4.26	3.28	3.07	2.45	2.24	2.01	2.47	2.82
PSJA*	2.18	2.10	1.96	1.95	1.78	1.72	1.57	1.89
Point Isabel	1.31	1.31	1.69	1.69	1.61	1.52	0.86	1.43
Progreso	2.65	1.83	1.91	1.37	1.66	1.31	0.81	1.65
Raymondville	<i>0.63</i>	<i>0.64</i>	<i>0.70</i>	<i>0.65</i>	<i>0.69</i>	0.89	0.94	<i>0.74</i>
Rio Grande City	2.93	3.41	3.28	3.54	3.56	3.20	1.46	3.05
Rio Hondo	2.01	2.12	1.88	2.19	2.03	1.44	1.25	1.85
Roma	5.64	4.91	4.93	5.63	5.60	2.05	0.99	4.25
San Benito	1.46	1.58	1.54	1.73	1.93	1.93	1.70	1.70
Santa Maria	2.82	1.90	3.15	2.44	1.43	1.00	0.92	1.95
Santa Rosa	0.96	0.99	0.99	1.43	1.05	1.34	1.30	1.15
Sharyland	1.68	1.91	2.12	2.18	2.09	2.14	1.19	1.90
United	2.88	3.00	3.21	3.37	3.28	1.38	0.89	2.57
Valley View	3.92	3.02	2.72	2.29	2.35	2.15	1.62	2.58
Weslaco	2.71	2.51	2.44	2.52	2.37	2.20	1.60	2.34
Zapata	3.44	3.29	3.62	3.08	3.31	3.16	<i>0.74</i>	2.95

Note: *Pharr-San Juan-Alamo Independent School District. **Boldface** indicates significant overrepresentation, 1.20 or more (Oswald & Coutinho, 2006). *Italics* indicate significant underrepresentation, 0.75 or less (Westat, 2003).

As noted in Table 3, risk ratio means for districts throughout the 7-year period range from 0.74 in Raymondville to 4.25 in Roma. An examination of districts' relative risk ratios across time (reading left to right on the table) indicates that 16 (52%) of the 31 districts have had concerns with overrepresentation of ELLs in special education during the 7-year span of this study. Many of these districts, although still showing overrepresentation have demonstrated decreases in their relative risk ratios (e.g., Edcouch-Elsa, Mercedes, and Rio Hondo, among others). Also, it can be noted that after struggling with overrepresentation for the first 5 or 6 years of the time period under study,

some districts' relative risk ratios dropped drastically, even to the point of underrepresentation (e.g., Brownsville, Harlingen, and Zapata). Still other districts are showing proportionate representation of ELLs in special education after years of overrepresentation (e.g., Roma, Sharyland, and United).

Discussion and Conclusions

The persistence of disproportionality of students of color in special education has been at the forefront of equity discussions in education for decades, but much of the conversation has centered on race and ethnicity. During the past decade, researchers have started to examine the disproportionality data of ELLs (Linn, 2011b; Artiles, Rueda, Salazar, & Higuera, 2005; Samson & Lesaux, 2009; Sullivan, 2011; Valenzuela, Copeland, Qi, & Park, 2006). The present study augments this critical line of inquiry. As such, this investigation examined the representation of ELLs in 31 schools districts in ESC Region 1, located in southeastern Texas. Because this region is so heavily populated with ELLs, it is important to understand the trends and patterns over time regarding their placement in special education programs.

Based on the results, several points for discussion arise. First, the percentage of districts in ESC Region 1 with overrepresentation concerns decreased during the time period of this study. It is commendable that the number of districts experiencing overrepresentation has been reduced by nearly half from 94% in 2004 (Linn et. al., 2008) to 52% in 2010. Although admirable and certainly a step in the right direction, the results also indicated that ELLs continue to be heavily overrepresented over time in this part of Texas. This is disconcerting to say the least and should be of critical importance in augmenting the ongoing discussion with scholars and practitioners regarding the disproportionate representation of students of color to include ELLs. Second, consistent with the aforementioned result, the relative risk ratio for ESC Region 1 as a whole has decreased from 2.46 in 2004 to 1.35 in 2010. Although still indicating overrepresentation, the finding that ELLs are not quite as likely to be placed in special education now as they were 7 years ago is also cause for encouragement.

Third, as more and more districts over time continued to decrease the numbers of ELLs being overrepresented in special education programs, the data suggest that many of the districts are being reclassified as districts having proportionate representation, that is, having relative risk ratios between 0.75 and 1.20. The data showed that this percentage increased from 3% in 2004 to 35% in 2010. Some districts in the study, however, have apparently been reclassified as indicating underrepresentation, as evident by the increase in percentage of districts with relative risk ratios of less than 0.75 from 3% in 2004 to 13% in 2010. Although overrepresentation has received more of a spotlight in the literature (Artiles, Kozleski, Stanley, Osher, & Ortiz, 2010), underrepresentation should also be of concern to researchers and educators as it means that ELLs with disabilities may not be identified for services that they are in need of.

Finally, the relative risk ratios for specific districts in the study indicated variability; that is, they were inconsistent over time. With some of the dramatic decreases, some districts have achieved proportionate representation, while others are now classified as districts with underrepresentation concerns. While some slight inconsistencies might be expected in relative risk ratios from year to year, some of these striking shifts merit further exploration and perhaps scrutiny. For instance, Brownsville, in 2008, reported a relative risk ratio of 2.81. Just 1 year later, it reported 0.32 in 2009 and then 0.42 in 2010. Several other districts included in the study reported similar trends, leading these researchers to ask if a particular event, initiative, and/or program could precipitate this significant drop. The researchers surmise that causal explanations for these reported trends may be linked to response-to-intervention, the accountability required by No Child Left Behind, and/or

enhanced procedural mechanisms recently put in place by the state of Texas; however, at the local level, lack of fidelity in the implementation of these federal and state policy mandates may compromise the identification of ELLs for possible special education services. Further research within districts at the campus level could shed light on these phenomena.

Implications for the Scholar-Practitioner

The results of this study seem to indicate that students in ESC Region 1 in Texas were not as much at risk in 2010 of receiving special education services by virtue of their designation as ELLs as they were in 2004. This apparent trend should be interpreted with caution, however, as the data has not decreased consistently over time. It continues to be of paramount importance for scholars and practitioners to be aware of the representational patterns of ELLs in special education programs at all levels—national, state, regional, district, and even campus. For example, preliminary evidence from disaggregated data at the campus level in one of the districts in this region underlines the necessity to disaggregate data to the campus level to know exactly where students are being served. For example, one district included in this study reveals proportionate trends for ELLs in special education at the district level (1.08), but relative risk ratios at the secondary schools ranging from 2.06 to 6.01 ($M = 3.75$), indicating serious concerns with overrepresentation of ELLs in special education programs (Rodriguez, 2010). Conversely, there are serious underrepresentation problems at the elementary schools in the district where relative risk ratios range from 0.11 to 3.36 ($M = 0.58$; Linn, 2011a).

Awareness of the representational patterns of ELLs receiving special education and related services is the first and most critical step to meeting the academic needs of all students in appropriate settings. Although it is a significant research design challenge to identify any one event, initiative, or program as a causal explanation for disproportionality, we suggest a policy analysis as the next logical step in this line of inquiry. Specifically, further research should include the examination of the relationship between national and state initiatives (e.g., response-to-intervention, No Child Left Behind) and the representation patterns of ELLs receiving special education services.

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