

Emotional Disturbance: Cultural & Linguistic Considerations

A Note on Cultural Considerations in the Identification of Students with Emotional Disturbance

The disproportionate representation of culturally and linguistically diverse students in special education has been a concern for over three decades (Artiles, Trent, and Palmer, 2004; Donovan and Cross, 2002; Dunn, 1968; National Education Association, 2007). These inequities can be found at every level of service delivery as evidenced by academic achievement gaps, disparities in suspension and expulsion, as well as disproportionate identification in special education. The impact of racial and economic inequity is of particular concern with regard to the misidentification of students with ED and the programs/services offered to these students.

Disproportionality in special education has been described as "the extent to which membership in a given group affects the probability of being placed in a specific special education disability category" (Oswald and Coutinho, 2001).

Disproportionality may manifest as both overrepresentation and underrepresentation of certain groups within a specific category. In Connecticut, a relative index or risk ratio is used to represent possible overrepresentation of students. The risk ratio has been defined by Gamm (2010) as, "How many more times one racial/ethnic group is more/less likely to be found eligible for services than others." A risk ratio of 1 represents perfect proportionality. Generally, a risk ratio that is between 0.50 and 1.5 is considered to be proportionate. Those that are less than 0.25 or higher than 2 are problematic (Gamm, 2010).

IDEA legislation requires states to collect and examine data on significant disproportionality for purposes of the identification of students in specific disability categories, as well as the education placement decisions made on their behalf based on race and ethnicity, at the state and district level. Additionally, both the states and local school districts must address the disproportionate representation of racial/ethnic groups in special education (IDEA 2004). Excerpts from findings in the IDEA 2004's statute note that greater efforts are needed to prevent the problems connected with misidentifying "minority" children and limited English proficient children as having a disability.

Nationally, the overrepresentation of African American students receiving special education has been a consistent concern for nearly four decades (Gamm, 2010). African American students are at a particular risk for disproportionate representation in the ED category and are identified as having mental retardation and ED at rates greater than their white counterparts (Gamm, 2010). Nationwide, African American and Native American children are 1.92 and 2 times (respectively) more likely to be labeled ED than white children (National Research Council, 2002). The U.S. Department of Education (2000) reports that, although African American children account for 14.8 percent of the school age population, they account for 26 percent of all the students classified as ED. In addition, more students of color continue to receive services in special education than would be expected based on the percentage of students of color in the general school population. Studies have found that schools with predominantly white students and teachers have disproportionately identified high numbers of students of color in need of special education services. The implication of overrepresentation of students of color in the ED category is directly related to the overrepresentation of African Americans and Latinos in the judicial system at both the juvenile and adult correctional levels. African American adolescents with a mental health concern are referred to the juvenile justice system more than white adolescents (Cauce, 2002). Of particular concern is that race seems to play a role in the determination of whether an individual is referred for intervention versus disciplinary action for exhibiting similar difficult behaviors.

Similar levels of risk have been found in Connecticut. According to 2009-10 state level data, African American children have a relative risk index of 1.8 for serious ED (SED) (CTSD, 2010). Interestingly, there is some variability at the district level with a few districts reporting overrepresentation of white students for this category. However, there is some suggestion that overidentification for white students may not have the same negative impact as it does for students of color (Cauce, 2002). An additional concern is the underrepresentation of some groups. According to CSDE's 2009-10 data on disproportionality, Asian students are four times (relative risk index, -4.00) less likely to be identified as a student with an emotional disturbance. There is a tendency to focus on externalizing behaviors rather than internalizing behavior, which may influence the over-representation of African American students and males as well as the underrepresentation of Asian Americans and

females in this category. Given both the overrepresentation of some student groups identified as ED and the disparity in the outcomes for students, eligibility due to ED should be used with caution. The identification of students with ED is particularly problematic and lends itself to racial and other biases given both the ambiguity of the federal definition and the subjectivity of the assessment process. Critical features of identification may be further influenced by the impact of the teacher-student relationship, for example, who is referred and what behavior is considered most problematic. In her ethnographic study-examining role of race, class and family, Lareau (2003) documents the potential chasm between the cultural and behavioral expectations of American teachers and their students of color. Cultural incongruence between teachers and their students may result in inappropriate referrals and should be carefully examined.

A Note on Linguistic Considerations in the Identification of Students with Emotional Disturbance

Data supports the fact that linguistically diverse students (i.e., ELLs) are often overrepresented in special education programs. For certain subgroups of culturally and linguistically diverse populations, overrepresentation is present at higher rates in specific categories such as intellectually disabled or emotionally disturbed (NEA, 2008).

The IDEA requires that in conducting any evaluation (initial or reevaluation), the local education agency (LEA) must ensure that evaluation materials are selected and administered to not be discriminatory or racially or culturally biased. Evaluations must be administered in the student's native language or other mode of communication in a form most likely to yield accurate information related to what the child knows and can do academically, developmentally and functionally (34 C.F.R. Section 300.304 [c] [i] [ii]). Additionally it is necessary that those administering assessments are trained and knowledgeable (34 C.F.R. Section 300.34 [c] [iv]). The IDEA also states that upon completion of evaluation, a child must not be determined to have a disability, if, among other qualifiers, the determinant factor is limited English proficiency (34 C.F.R. Section 300.306 [b] [ii]). It is essential therefore that when the team determines that a linguistically diverse student is at risk for an emotional disability and is considering eligibility for special education, that assessments are conducted in the student's dominant spoken language or alternative communication system. Information yielded from assessments must be considered in the context of the student's social/cultural background as well as the setting in which he or she is functioning. It is important to recognize and minimize bias when interpreters are used and to be cognizant that translated test items can change the difficulty level of the item.

When determining eligibility for special education under the category of ED, it is also critical that the team consider linguistic differences and cultural influences in the analysis and interpretation of student behavior. This is especially true in the case of young ELLs who may demonstrate school behaviors such as playing in isolation, not speaking in either language, having trouble with following directions, expressing ideas and feelings, responding to questions consistently and experiencing crying and tantrum behaviors. Such behaviors may be misinterpreted or mislabeled as emotional or behavioral problems when in fact such behaviors are common to the typical developmental stages related to acquiring a new language. It is therefore critical that team members and decision makers have an understanding of the acquisition of a new language and that the information considered by the team is gathered from a variety of sources. This ensures accurate information about the linguistically diverse student's cultural and family background, knowledge and developmental, functional and academic levels. Such an understanding of the individual student will enable teams to distinguish between behaviors associated with second language acquisition and those that might be indicative of an emotional or behavioral disability (Santos, R.M. and Ostrosky, M.M.).