

Discipline Assignment Inequities by the Gender and Ethnicity/Race of Grade9 Students with a Learning Disability

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Abstract

The extent to which differences were present in the receipt of in-school suspension and out-of-school suspension assignments as a function of gender and ethnicity/race for Texas Grade 9 students who had a Learning Disability in the 2008-2009 school year was addressed in this investigation. An analysis of Texas statewide data revealed the presence of statistically significant differences in the receipt of both in-school suspension and out-of-school suspension to boys and girls. Boys who had a Learning Disability received statistically significantly more instances of both discipline consequences than did girls with a Learning Disability. With respect to ethnicity/race, Grade 9 Black students who had a Learning Disability were assigned in-school suspensions and out-of-school suspensions at statistically significantly higher rates (i.e., 1 to 2 times more often) than their Hispanic and White counterparts. Clear disproportionalities were established in the assignment of both in-school suspensions and out-of-school suspensions by the gender and ethnicity/race of Texas Grade 9 students who had a Learning Disability.

Index terms— in-school suspension, out-of-school suspension, texas, grade 9 students, black, hispanic, white, learning disabilities.

1 Introduction

In a study of students in a large, diverse Florida school district, Mendez and Knoff (2003) examined archival data to ascertain whether inequities might be present in out-of-school suspensions by ethnicity/race, gender, school level, and discipline infraction. Mendez and Knoff (2003) documented that in the 1998-1999 school year boys exceeded girls in suspensions and Black boys exceeded White boys in suspensions by almost 16 percentage points. Mendez and Knoff (2003) also determined that in Austin, TX during that same school year Black students were four times more likely to be suspended than were White students. Students in Maryland from Kindergarten through Grade 12 experienced suspensions at a rate of 7.8%.

In a recent study conducted in Texas, the state of interest in this investigation, Hurtiss and Slate (2013) examined disparities in discipline assignments of Texas Grade 4 and Grade 5 boys and girls in the 2012-2013 school year. They established that Grade 5 boys were assigned out-of-school suspensions at statistically significantly higher rates than Grade 5 girls. The number of discipline assignments given to Grade 4 and 5 boys was also statistically significantly higher than the number of discipline assignments given to Grade 4 and 5 girls. Students who qualify for special education were included in the sample of students whose data they analyzed in their study. Of the students in Texas who qualify as having a disability, the highest portion of students with disabilities are learning disabled.

In a study on data from students who were enrolled in special education, Allman (2010) conducted a Texas statewide investigation of Texas Grade 9 and Grade 10 students with disabilities during the 1998-1999 school year. Of the 33,389 Grade 9 students analyzed in the study 24,723 were identified as having a learning disability. Of the 23,832 Grade 10 students with disabilities, 18,194 of those students were identified as learning disabled.

6 PURPOSE OF THE STUDY A) RESEARCH QUESTIONS

44 Allman (2010) established the presence of statistically significant differences in the reading and mathematics
45 achievement of students with disabilities who were assigned an in-school suspension and/or an out-of-school
46 suspension in comparison to the reading and mathematics achievement of students with disabilities who were
47 not assigned suspensions. In all cases, students with disabilities who had received a discipline consequence had
48 statistically significantly lower average reading and mathematics test scores than their peers with disabilities who
49 had not been assigned such consequences.

50 Black, Hispanic, students who were economically disadvantaged, and students with disabilities are receiving
51 exclusionary disciplinary consequences which result in their removal from the classroom at a higher rate than
52 their peers. The removal of students from the classroom setting results in students missing instruction along
53 with academic and social opportunities for growth. Removal from the classroom due to disciplinary consequences
54 primarily affects Black, Hispanic, students in poverty, and students with disabilities. This disproportionality
55 is especially concerning because Black and Hispanic students constitute half of the student population of the
56 United States (Vidal-Castro, 2016). Black students represent 17% of student population across the nation, yet
57 they accounted for 33% of suspensions in the 2000 school year (Mizel et al., 2016). Students with disabilities
58 are afforded protections through the Individuals with Disabilities Act to protect them from excessive I e-mail:
59 profslate@aol.com disciplinary actions which may be related to their disability.

60 Zirkel (2011) conducted an investigation in 2009 to examine each state's statutes and regulations for
61 the definition of Functional Behavior Assessment and Behavior Intervention Plan and the procedures and
62 requirements for school districts required by that state above the federal requirements of the Individuals with
63 Disabilities Education Act. Zirkel (2011) determined the presence of limited requirements for the utilization
64 and requirements for implementation for functional behavior Assessments and behavior intervention plans across
65 the nation. Of the 56 states, 19 states had no mention of the federal requirements of the Individuals with
66 Disabilities Act for behavioral assessment and plans to address the behavior and the remaining 31 states had
67 limited explanation of requirements and vague definitions which leave much to interpretation in school districts.
68 Overall, state law requirements for functional behavior assessments and behavior intervention plans in 2009 was
69 relatively limited.

70 The Texas Education Agency indicates school districts in Texas must report long term suspensions or expulsions
71 of students with disabilities as a whole and by ethnicity/race. Data provided by school districts are identified as
72 Indicator 4A and 4B in the State Performance Plan. The Texas Education Agency defines a long-term expulsion
73 or suspension to be longer than 10 school days. If a student has been outside the placement decided by the
74 Admission, Dismissal, and Review committee for more than 10 cumulative school days, an Admission, Review,
75 and Dismissal meeting is called to determine if the student's behavior which resulted in the consequence which
76 displaced the student was a manifestation of the student's disability. These meeting are called Manifestation
77 Determination Reviews. The committee will determine if the consequence is appropriate for the student. In
78 Texas, special education rules are established by the State Board of Education and the Commissioner. These
79 rules are made available by the Texas Education Agency and updated after every legislative session.

80 2 II.

81 3 Statement of the Problem

82 Students with learning disabilities struggle with academic tasks more than most students considered typically
83 developing or without disabilities. Learning disabilities influence behavior less than students identified as Autistic
84 or Emotionally Disturbed. With learning deficits in the classroom, it would be unlikely these students would
85 benefit from suspension as a consequence for non-preferred behavior. In Texas, exclusionary discipline is a
86 common consequence given to both students with and without disabilities. Exclusionary disciplinary practices,
87 however, negatively influence student achievement (Allman, 2010).

88 4 III.

89 5 Significance of the Study

90 Inequities in student discipline are attracting the attention of many researchers and policymakers across the
91 United States. In this study, data on in-school suspensions and out-of-school suspensions of Texas Grade 9
92 students who had a Learning Disability were analyzed to ascertain the extent to which inequities were present
93 with respect to gender and ethnicity/race. Limited research, thus far, exists in regard to discipline inequities for
94 students with learning disabilities. Findings of this investigation could provide evidence to help support school
95 administrators, teachers, and members of the Admission, Review, and Dismissal committee to consider equitable
96 disciplinary assignments and possible alternatives to exclusionary discipline assignments.

97 IV.

98 6 Purpose of the Study a) Research Questions

99 The following questions we readressed in this study: (a) What is the difference in in-school suspension
100 assignments between Grade 9 boys and girls with learning disabilities?; (b) What is the difference in out-of-school

101 suspension assignments between Grade 9 boys and girls with learning disabilities?; (c) What is the difference in
102 in-school suspension as a function of ethnicity/race for Grade 9 students with learning disabilities?; and (d) What
103 is the difference in out-of-school suspension as a function of ethnicity/race for Grade 9 students with learning
104 disabilities?

105 V.

106 **7 Method a) Research Design**

107 In this study, a non-experimental, causalcomparative research design was used (Creswell, 2009). The independent
108 variables in this study were gender and ethnicity/race (i.e., Black, White, and Hispanic). The dependent variables
109 in this study were inschool suspension and out-of-school suspension disciplinary assignments. Archival data were
110 utilized and, as such, the independent and dependent variables in this study had occurred in the past and could
111 not be manipulated. The population of students whose data were analyzed herein were students who were The
112 purpose of this study was to ascertain the degree to which differences were present in the assignment of in-school
113 suspension and/or out-ofschool suspension to Grade 9 boys and girls with learning disabilities. A second purpose
114 of this study was to determine the extent to which differences existed in the assignment of in-school suspension
115 and/or out-ofschool suspension by the ethnicity/race of Grade 9 students with learning disabilities. Disciplinary
116 assignments included in this study were limited to inschool suspension and to out-of-school suspension.

117 determined to meet the State of Texas definition for a Learning Disability.

118 **8 b) Participants**

119 Participants in this study were Grade 9 students in the State of Texas who qualified as having a learning disability.
120 The archival data that were analyzed in this investigation were obtained through a Public Information Request
121 form submitted by the instructor of a statistics course.

122 **9 c) Definition of Terms**

123 In-School Suspension (ISS). In this study, inschool suspension was defined by the U.S Department of Education
124 and Hilberth and Slate (2014a) to be "Instances in which a child is temporarily removed from his/her regular
125 classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel" (p. 46).

126 Out-of-School Suspension (OSS). For this study, out-of-school suspension was defined by the U.S Department
127 of Education and Hilberth and Slate (2014a, 2014b) to be "instances in which a child is temporarily removed
128 from his/her regular school for disciplinary purposes to another setting (e.g., home, behavior center)" (p. 46).

129 **10 d) Learning Disability**

130 A student who qualifies as having a learning disability is defined by the

131 **11 Results**

132 To ascertain whether a difference was present in in-school suspension and out-of-school suspension assignments
133 as a function of gender and/or ethnicity race of Grade 9students who were identified as being learning disabled,
134 a Pearson chi-square analysis was conducted. This statistical procedure was viewed as the optimal statistical
135 procedure to use because frequency data were present for the independent variables of gender and ethnicity/race
136 and for the dependent variables of in-school suspension and out-of-school suspension. As such, chi-squares are the
137 statistical procedure of choice when both variables are categorical (Slate & Rojas-LeBouef, 2011). In addition,
138 with the large sample size, the available sample size per cell was more than five. Therefore, the assumptions for
139 utilizing a chi-square were met.

140 For the research question in which the focus was placed on the assignment of in-school suspension of Grade 9
141 boys and girls with learning disabilities, the result was statistically significant, $\chi^2 (1) = 282.33$, $p < .001$. The
142 effect size for this finding, Cramer's V, was small, .10 (Cohen, 1988). As presented in Table 1, Grade 9 boys who
143 had a learning disability were assigned to an in-school suspension at a statistically significantly higher rate than
144 Grade 9 girls who had a learning disability. The percentage of Grade 9 boys who were assigned to an in-school
145 suspension was about10 percentage points higher than the in-school suspensions assigned to Grade 9 girls in
146 Texas during the 2008-2009 academic school year. For the research question in which the focus was placed on
147 the assignment of out-of-school suspension to Grade 9 boys and girls with learning disabilities, the result was
148 statistically significant, $\chi^2 (1) = 426.78$, $p < .001$. The effect size for this finding, Cramer's V, was small, .12
149 (Cohen, 1988). As revealed in Table 2, Grade 9 boys who had a learning disability were assigned out-of-school
150 suspension at a statistically significantly higher rate than Grade 9 girls who had a learning disability. Grade 9
151 boys who had a learning disability were assigned to an out-of-school suspension at a rate that was almost twice
152 as much as the out-ofschool suspension rate for Grade 9 girls with a learning disability in the 2008-2009 academic
153 school year. For the research question in which the focus was placed on the assignment of in-school suspension
154 to Grade 9 students with learning disabilities by their ethnicity/race, the result was statistically significant, $\chi^2 (2) = 381.58$,
155 $p < .001$. The effect size for this finding, Cramer's V, was small, .12 (Cohen, 1988).As delineated
156 in Table 3, Grade 9 Black students who had a learning disability were assigned out-of-school suspension at a

14 B) RECOMMENDATIONS FOR FURTHER RESEARCH

157 statistically significantly higher rate than either Grade 9 Hispanic or White students who had a learning disability.
158 Grade 9 Black students who had a learning disability were assigned to an in-school suspension almost one and
159 a half times more than Grade 9 White students who had a learning disability. Almost half of the Black Grade
160 9 students who were part of the sample were assigned to in-school suspension in the 2008-2009 academic school
161 year. Grade 9 Hispanic students who had a learning disability were assigned to an in-school suspension at a rate
162 almost one and a third times more than Grade 9 White students who had a learning disability. For the research
163 question in which the focus was placed on the assignment of out-of-school suspension to Grade 9 students with
164 learning disabilities by their ethnicity/race, the result was statistically significant, $\chi^2 (2) = 772.20$, $p < .001$.
165 The effect size for this finding, Cramer's V, was small, .17 (Cohen, 1988). Table 4 contains the frequencies and
166 percentages for this analysis. Grade 9 Black students who had a learning disability were assigned to an out-of-
167 school suspension almost three times more than Grade 9 White students who had a learning disability and one
168 and a half times more than Grade 9 Hispanic students who had a learning disability. Grade 9 Hispanic students
169 who had a learning disability were assigned to an out-of-school suspension almost two times more than Grade 9
170 White students who had a learning disability. VII.

171 12 Discussion

172 In this investigation, data were analyzed for the 1998-1999 school year to determine the extent to which inequities
173 were present in the assignment of in-school suspension and out-of-school suspension for Grade 9 students
174 with learning disabilities by their gender and ethnicity/race. Statistically significant differences were clearly
175 documented by this investigation. As illustrated in Figure 1, Texas Grade 9 boys who were learning disabled
176 exceeded Grade 9 girls with learning disabilities in both in-school suspension and out-of-school suspensions by
177 approximately 10-11%. Tiger and Slate (2017) determined that Grade 4 boys were more than three times more
178 likely to be assigned in-school suspension than girls regardless of their economic status.

179 13 Year 2017

180 Volume XVII Issue X Version I (G) In this study, inequities clearly existed in disciplinary assignments of Grade
181 9 Black students with learning disabilities when compared to the disciplinary assignments of their White and
182 Hispanic peers. Grade 9 Black students who were learning disabled exceeded White students who were learning
183 disabled by 16 percentage points in-school suspension assignments, and exceeded Hispanic students who had a
184 learning disabilities by 10 percentage points in in-school suspension assignments. When examining out-of-school
185 suspensions assigned to Grade 9 students who had learning disabilities, Black students exceeded White students
186 by 20 percentage points and Hispanic students by 10 percentage points in out-of-school suspension assignments.
187 As depicted in Figure 2, Black students who had learning disabilities were assigned in-school suspension and
188 out-of-school suspension at statistically significantly higher rates than White and Hispanic Grade 9 students.
189 Students who qualify as learning disabled are provided rights through the IDEA. Students who are assigned
190 exclusionary disciplinary assignments which exceed 10 school days are examined by an Admission, Review, and
191 Dismissal committee which includes an adult student, parent, License Education Agency representative, Special
192 education and General Education teachers. This committee determines if the behavior the student exhibited
193 to receive a consequence which would result in a change of educational placement was a manifestation of the
194 student's disability. Black students who had learning disabilities were assigned in-school suspension and out-
195 of-school disciplinary assignments at statistically significantly higher rates than White and Hispanic Grade 9
196 students who were learning disabled. As a result, school administrators, teachers, and parents should investigate
197 the frequency of manifestation determination reviews and the process of determining if a discipline assignment is
198 appropriate. Grade 9 Black students with learning disabilities were assigned out-of-school suspensions two and a
199 half times more than White students with learning disabilities. The behavior resulting in disciplinary assignments
200 should be investigated. ??kiba (2002) established most out-of-school disciplinary assignments are assigned for
201 student aggression, disrespect, and noncompliance. School administrators should examine why Grade 9 Black
202 students who were learning disabled were likely to be identified as aggressive or disrespectful at such a higher rate
203 than White students. School administrators should review their programs to insure interventions and behavioral
204 strategies are utilized to reduce exclusionary disciplinary assignments. Students with learning disabilities likely
205 struggle with academic tasks, this could contribute to non-preferred behaviors. Forcibly leaving to classroom and
206 missing instruction would likely only increase nonpreferred behavior and academic deficits.

207 14 b) Recommendations for Further Research

208 Investigated in this current study was the degree to which inequities were present in the discipline consequences
209 that were assigned to Grade 9 students with learning disabilities in the 1998-1999 school year. Data from the
210 last several school years should be analyzed to determine if the degree to which inequities continue to exist in the
211 assignment of disciplinary consequences to students with learning disabilities. Moreover, only data on students
212 in Texas were analyzed in the current study. The extent to which results of this Texas statewide investigation
213 would be generalizable to students with learning disabilities in other states is not known.

214 Additional research should be considered to investigate Manifestation Determination Review meetings. The
215 current study reflects Black students who had a learning disability exceeded White students with learning

216 disabilities at a statistically significantly higher rate. It is likely the students who were assigned suspensions
217 should have been subjects of a Manifestation Determination Review. Very little research exists regarding the
218 utilization of required meetings to determine appropriate discipline consequences of a student with disabilities.
219 A Boolean search for "Manifestation Determination Review" or "MDR" was conducted through Ebsco Host and
220 yielded one scholarly, peer reviewed article, dated 1997. Additional research could be conducted in this area to
221 assist Admission, Review, and Dismissal committees, parents, and teachers in appropriately assigning disciplinary
consequences to a student with a disability. ¹

1

Did Not Receive an In-school Suspension		Did Receive an In- school Suspension	
Gender n and %age of Total		n and %age of Total	
Boys	(n = 10,082) 54.20%	(n = 8,523) 45.80%	
Girls	(n = 6,327) 64.50%	(n = 3,475) 35.50%	

Figure 1: Table 1 :

2

Did Not Receive an Out-of-School Suspension		Did Receive an Out- of-school Suspension	
Gender n and %age of Total		n and %age of Total	
Boys	(n = 13,620) 73.20%	(n = 4,985) 28.80%	
Girls	(n = 8,240) 84.10%	(n = 1,562) 15.90%	

Figure 2: Table 2 :

3

Did Not Receive an In- School Suspension		Did Receive an In- School Suspension	
Ethnicity/Race n and %age of Total		n and %age of Total	
White	(n = 4,861) 66.70%	(n = 2,431) 33.30%	
Hispanic	(n = 8,248) 55.90%	(n = 6,498) 44.10%	
Black	(n = 3,067) 50.70%	(n = 2,988) 49.30%	

Figure 3: Table 3 :

222

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	Did Not Receive an Out-of-School Suspension	Did Receive an Out- of-School Suspension
Ethnicity/Race n and %age of Total n and %age of Total		
White	(n = 6,308) 86.50%	(n = 984) 13.50%
Hispanic	(n = 11,273) 76.40%	(n = 3,473) 23.60%
Black	(n = 4,006) 66.20%	(n = 2,049) 33.80%

Figure 4: Table 4 :

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