


Chapter 6

A DisCrit–Informed Critique of the Difference vs. Disorder Approach in Speech– Language Pathology

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ABSTRACT

The disproportionate representation of students of color in special education is among the most long-standing and intractable problems in education. In this chapter, the authors examine the phenomenon of racial disproportionality through the theoretical framework of disability studies and critical race theory (DisCrit). They argue that a DisCrit-informed lens challenges the current framing of racial disproportionality in speech-language pathology as merely resulting from a failure to distinguish between differences and disorders. Rather, racial disproportionality is a predictable outcome of the institutionalized segregation of students based on perceived deviations from normative standards, a process grounded in the mutually reinforcing mechanisms of systemic ableism and systemic racism.

INTRODUCTION

The disproportionate representation of students of color in special education is among the most intractable problems in education (Harry & Klingner, 2014; Morgan et al., 2015; Skiba et al., 2008; Zhang &

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Katsiyannis, 2002). *Racial disproportionate representation* in special education refers to the phenomenon of students of certain minoritized¹ racial backgrounds being identified for particular disabilities at proportionally higher or lower rates relative to students from other populations (U.S. Commission on Civil Rights, 2009; U.S. Department of Education Office for Civil Rights, 2020). It also describes the widespread pattern of students of color being placed in more restrictive educational settings and disciplined more frequently with harsher consequences (de Brey et al., 2019; Fish, 2019; Morgan, 2020; National Council on Disability, 2018).

In this chapter, we examine the phenomenon of racial disproportionality through the framework of *Disability Studies and Critical Race Theory (DisCrit)* (Connor et al., 2016) and argue that the disproportionate representation of marginalized students in special education is not a glitch in the system, but rather a predictable outcome of the institutionalized conflation of the ways in which students are perceived to deviate from normative standards. We assert that disability is disproportionately racialized and race is persistently disabled; thus, in the absence of systemic reforms to dismantle separate and unequal systems of schooling represented by the division of regular and special education, racial disproportionality in special education will persist. We will discuss the relevance of a DisCrit approach for informing and transforming our understanding of and approach to racial disproportionality in the field.

BACKGROUND

Since the U.S. Department of Education's Office of Civil Rights began conducting biennial surveys of elementary and secondary schools in 1968, the data has shown persistent disproportionate representation of children in special education from minoritized racial/ethnic groups, students living in poverty, and English learners in the special education system, including both over-identification and under-identification (Artiles et al., 2006; Rueda & Windmueller, 2006; Strassfeld, 2017, 2019; U.S. Department of Education Office for Civil Rights, 2020; Zhang & Katsiyannis, 2002). Despite the addition of monitoring, accountability and enforcement provisions in the Individuals with Disabilities Education Act (IDEA) in 2004, as well as the inclusion of new and revised regulations in 2016, disproportionality trends have remained largely unchanged in the history of special education (Albrecht et al., 2012; Artiles et al., 2010; Office of Special Education and Rehabilitative Services, 2016; Skiba et al., 2008; Strassfeld, 2017, 2019). Racial disproportionality in special education has been described as one of the most durable inequalities in American society (Ferri & Connor, 2005; Voulgarides et al., 2017; Zhang et al., 2014), a display of the lasting legacy of racial and educational segregation more than 60 years following the passage of *Brown v. Board of Education* (1954).

Disproportionality by race in the U.S. special education system has manifested in patterned ways that are complex, contradictory and varying by local factors including school ethnic/racial composition, funding, and regional socioeconomic status (Connor et al., 2019; Cruz & Rodl, 2018; Morgan et al., 2015; Shifrer et al., 2011). Nationally, Black and Native American boys are more likely to be over-identified for highly stigmatized disability categories of *intellectual disability* and *emotional disturbance* (Bal et al., 2019; Morgan et al., 2015), and under-identified in less stigmatizing and better-resourced disability categories such as *learning disabilities*, *speech/language impairment*, *attention deficit disorder*, and *autism spectrum disorder* (Center for Disease Control and Prevention, 2018; Oswald & Haworth, 2016; Robinson & Norton, 2019). In contrast, Asian students are consistently under-identified across disability categories (Chhuon & Sullivan, 2013; Sullivan et al., 2020). Disproportionate representation tends to

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