

# Expanding the Use of Educational Data for Social Justice: Lessons From the Texas Cap on Special Education and Implications for Practitioner–Scholar Preparation

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## Abstract

Educational data offer a powerful tool for supporting equity. In this article, the authors call for a shift toward greater use of data in educator preparation programs. The authors motivate their proposal by highlighting findings from the Department of Education report released January 2018, which found that the Texas Education Agency systematically denied students special education services. The article outlines three basic metrics that stakeholders can use to identify potential noncompliance with the Individuals With Disabilities Education Act. The authors describe other ways data can be used to promote equity and close with recommendations for educator preparation policy and practice.

## Keywords

doctoral programs, leadership pedagogies, leadership program design, principal preparation, research methods, social justice, university programs

## Introduction

Educational data offer a powerful tool for supporting educational equity and social justice. For example, data play a central role in both the identification of students into

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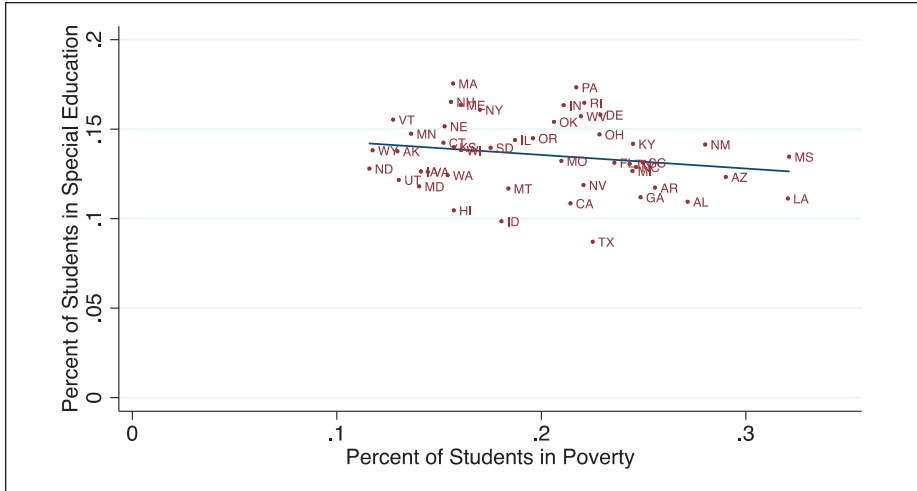
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special education and analyses of identification rates across student subgroups. On the one hand, studies show students of color are disproportionately represented in special education, which often leads to exclusion from the general education classroom (Artiles, Kozleski, Trent, Osher, & Ortiz, 2010; Blanchett, 2006; Blanchett, Klingner, & Harry, 2009; Sullivan, 2011). On the other hand, districts sometimes fail to comply with the Child Find component of the Individuals With Disabilities Education Act (IDEA), which requires that districts identify, evaluate, and provide specialized services to children with disabilities. Researchers have highlighted cases in which students were systematically denied special education services (Howe & Miramontes, 2015; Skiba et al., 2016). Educational leaders are thus uniquely positioned to draw on data in their local settings to monitor equity issues pertaining to special education students and other historically underserved groups.

On January 11, 2018, the Department of Education (ED) released a monitoring report finding that the Texas Education Agency (TEA) failed to comply with IDEA. One year earlier, the Office of Special Education Programs, a branch of the ED, followed up on reports that districts in Texas were misusing and misinterpreting a TEA special education accountability system to reduce the number of students identified as children with disabilities. Under TEA's Performance-Based Monitoring Analysis System (PBMAS), districts received a perfect rating if the percent of students in the district identified as children with disabilities under IDEA was below 8.5. The Office of Special Education Programs concluded that the PBMAS rating system effectively placed "caps" on the number of students that districts could identify as needing special education services.

The ED's recent report identified three areas in which TEA practices conflicted with federal law (ED, 2018). TEA did not identify all children with disabilities in need of special education, thereby not complying with the Child Find requirement. The Child Find provision of IDEA (2004) requires all states to have in effect policies and procedures that ensure districts proactively identify and evaluate all children with disabilities. TEA also failed to provide all students with a free and appropriate public education and did not fulfill its general monitoring responsibilities. Many districts engaged in unlawful practices to delay or deny the identification of students with disabilities as a result of the PBMAS indicator. From 2003-2004 to 2016-2017, special education enrollment fell by 32,000 students, while statewide enrollment grew by approximately one million. Following the Office of Special Education Programs investigation, and the recent monitoring report released by ED, school districts in Texas are now moving to improve special identification practices and address IDEA compliance issues. Texas legislators prefiled four separate bills in advance of the 2017 legislative session, all of which prevented TEA from evaluating school districts based on the percent of students in special education. In May 2017, the enactment of Senate Bill 160 prohibited any special education cap including the one established through the PBMAS indicator (Tex. Educ. Code §29.0011).

What motivated the initial investigation by the Office of Special Education Programs? Teachers reported to special education advocacy groups the use of Response to Intervention as a mechanism for delaying special education evaluation (Rosenthal,



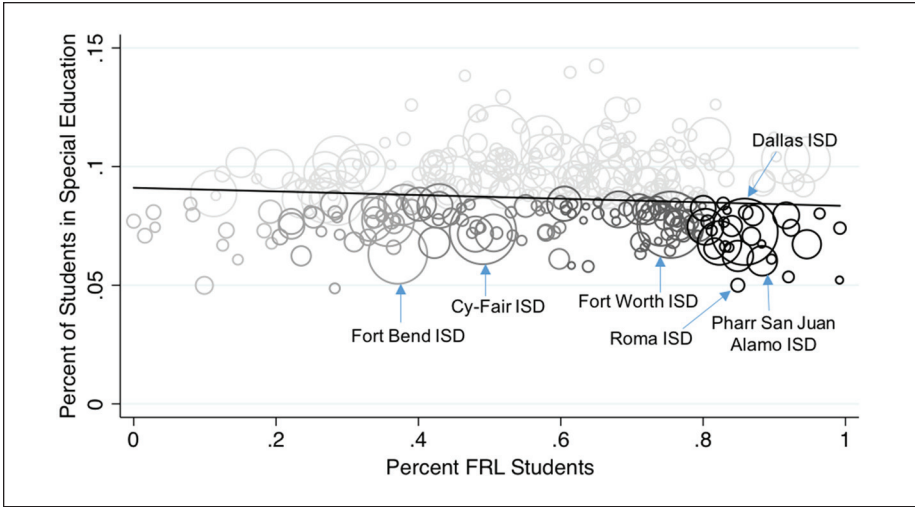
**Figure 1.** The relationship between poverty rate and the percent of students in special education by state, 2014-2015.

Note. The regression line shown places equal weight on each state.

2016). Parents notified local media outlets about their experiences failing to secure special education services for their children. Ultimately, the Houston Chronicle published an investigative report on the topic and forwarded the findings to the ED, which triggered a subsequent investigation. The presence of academic faculty or researchers in think tanks and advocacy organizations was noticeably absent from this process, despite more than 10 years of data that could have highlighted and reformed TEA’s policy years sooner. As we demonstrate below, relatively straightforward measures, based on publicly available data, can be (and could have been) used to identify non-compliance with the Child Find requirements of IDEA. In particular, we demonstrate three metrics that can be used to identify states and school districts that may be in violation of federal special education law.

### Measures to Alert Special Education Policy Makers

Figures 1 to 3 show three basic approaches that principals or school district and state administrators can use to understand the rates of enrollment in special education. Figure 1 displays the statewide average number of students in special education for each state, as a function of the percent of students in poverty in that state, for the 2014-2015 school year. The downward sloping line indicates that higher poverty states tend to have lower rates of special education enrollment, although that relationship is small in magnitude and not statistically significant. Most importantly, the figure highlights the states that have the lowest rates of enrollment in special education. While Texas clearly jumps out as the lowest overall level at 8.7%, other states such as Idaho,

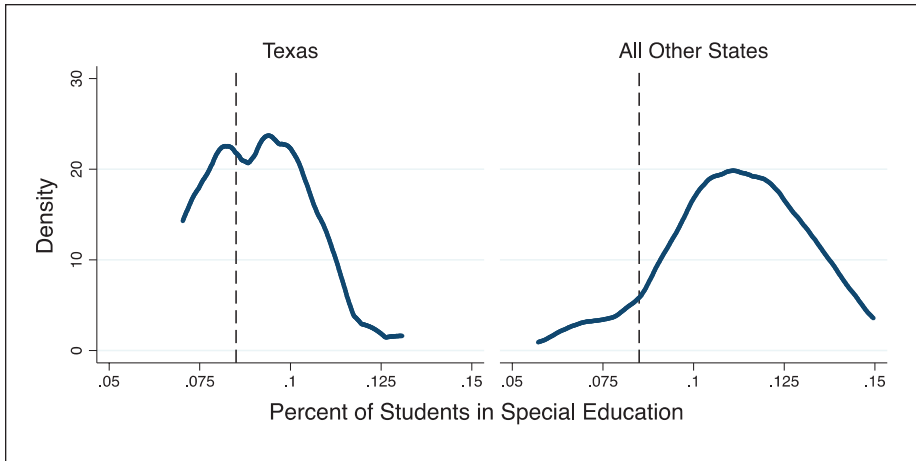


**Figure 2.** The relationship between poverty rate and the proportion of students in special education in Texas.

Note. Each circle represents a school district with size proportionate to enrollment. We highlight select districts with a particularly low percent of students in special education, given the percent of students eligible for FRL in those districts. Darker shaded districts represent those with low percent of students in special education, given the percent of FRL students. FRL = free or reduced-price lunch; ISD = independent school district.

Hawaii, and California all have below average rates of enrollment in special education. Other states, such as Massachusetts, Pennsylvania, New Hampshire, and Rhode Island all have enrollment rates in special education well above the national average. Past research links poverty concentration to higher rates of special education enrollments (Baker & Ramsey, 2010; Brooks-Gunn & Duncan, 1997; Schuch, Curtis, & Davidson, 2017). Greater scrutiny of Child Find practices may therefore be warranted in states that have high rates of poverty and low rates of special education enrollment, such as Alabama, Arkansas, Georgia, and Louisiana.

Figure 2 shows the same relationship for the same school year, this time at the district level and just for Texas. Each circle represents a school district with the size of the circle proportionate to total district enrollment. We use the percent of students eligible for free or reduced-price lunch (FRL) in each district as an indicator for student poverty, with which readers may be more familiar, rather than the census-based poverty rates; however, the figure is generally similar either way. Texas is one of only three states in which the relationship between the percent of low-income students and the percent of students in special education is negative and significant. In other words, as demonstrated in Figure 2, higher poverty districts in Texas tend to have lower rates of students enrolled in special education (Florida and Nevada are the only two other states with negative and statistically significant relationships). Darker shaded circles represent districts with below average rates of students enrolled in special education



**Figure 3.** The distribution of percent of students in special education for urban districts in Texas and all other states, 2014-2015.

Note. The vertical line indicates the target or “cap” of 8.5% of students in special education that was put in place through the Texas Performance-Based Monitoring Analysis System.

and above average rates of poverty. As noted earlier, families living in poverty are often exposed to environmental factors that may place students at higher risk of enrollment in special education. Thus, we may expect higher rates of enrollment in special education in higher poverty districts. Although there are certainly exceptions to this rule, state or federal auditors could focus initially on districts with low rates of special education that have greater than average poverty rates (i.e., districts represented by darker shaded circles). Advocacy organizations and university faculty-researchers and students can draw attention to potential problems and seek an explanation or further investigation from policy makers.

In Figure 2, we highlight several school districts, especially larger districts, that appear to be outliers with respect to the percent of students in special education. For example, Dallas Independent School District (ISD), a district of approximately 160,000, has 7.3% special education enrollment while 85.8% of students are eligible for FRL. Fort Bend, Cypress-Fairbanks, and Fort Worth ISD are three other large districts with particularly low rates of enrollment in special education. Roma and Pharr-San Juan-Alamo ISD are two mid-sized high-poverty districts (enrollments of approximately 6,000 and 32,000, respectively) with lower than average rates of special education enrollment.

Finally, in Figure 3, we look a little more carefully at how special education enrollment rates are distributed across districts in Texas. We compare the distribution of special education enrollment rates across urban districts in Texas in 2014-2015 with urban districts in all other states during the same school year. We focus on urban districts because, as highlighted in the ED letter to TEA, urban districts may have faced

increased pressure to meet the 8.5% special education cutoff set by TEA. If educators and district leaders are not responding to external incentives to identify (or not identify) students for special education, then researchers would expect to see a smooth, roughly normal distribution of the percent of students in special education. Indeed, the right panel of Figure 3 shows a generally smooth distribution for all non-Texas urban school districts. However, for Texas, the graph depicts a spike just before 8.5% of students in special education and a dip just after 8.5% of students in special education. The graph shows that districts in Texas were more likely to have just below 8.5% of students in special education than they were to have just above 8.5% of students in special education, suggesting that districts were responding to the 8.5% target included in the Texas Performance-Based Monitoring Analysis System (TPBMAS).

## **Using Educational Data for Social Justice**

We offer two recommendations for the field of education leadership and policy generally, and leadership preparation in particular. First, we encourage individual faculty in educational leadership and policy preparation programs to emphasize through coursework both basic data analytic techniques, such as those presented here, and basic quantitative research concepts. We describe specific examples of quantitative research concepts below. Second, more broadly, we suggest faculty in preparation programs consider, at the programmatic level, how quantitative data analyses can inform educational equity and the public good.

Individual faculty can teach statistics, quantitative research methods, and data skills together through active learning projects. For example, in a revised quantitative methods course at the University of Texas at El Paso, a semester-long project requires students to access data for their own schools or districts, analyze those data, create graphs and tables, draw conclusions from their analyses, and, ultimately, better understand how to confront educational challenges in their local settings. The purpose of the project is not simply to explore educational data but to use data to answer a pressing question. Some questions addressed in this work include whether specific student disability categories are associated with less time spent in the general education classroom, how mean achievement differs across low-income students and students of color and how gaps differ across schools and subject areas, and over time, the extent to which women and students of color enroll at equal rates in Advanced Placement science and math courses, and how course-taking patterns changed after a school implemented a summer bridge program for incoming students.

In completing this project, students learn basic statistical concepts such as the mean, median, standard deviation, and frequency distributions. The project also requires students to explore more advanced quantitative research concepts such as hypothesis testing, causal inference, bias, and precision. Students demonstrate mastery in data analytic techniques by using tables and graphs in their work and describing them in narrative format. Students demonstrate knowledge of quantitative research concepts by explaining in their work whether differences shown in tables or graphs are statistically and educationally significant. In their writing, students distinguish between

correlation and causation and discuss the conditions necessary to establish causal inferences from statistical analyses. By coupling lessons on basic and advanced statistics with data-based applied learning opportunities, students retain more of the content that traditionally makes up the quantitative methods course of an education leadership program (Bowers, 2016; Shulman, Golde, Bueschel, & Garabedian, 2006).

At the programmatic level, preparation programs could include data skills as a key learning objective. PhD or EdD programs can require students to develop quantitative data skills necessary to analyze district- or school-level data. By prioritizing data use for educational leaders at the program level, training on data use moves beyond the quantitative methods course and instead is emphasized throughout the curriculum. Embedding an emphasis on quantitative data in preparation does not preclude a focus on equity or social justice. The educational research paradigm wars of the 1990s and critical theorists' continued critique of positivism and large-scale quantitative data analysis has created the idea, at least in some circles, that social justice-oriented research is primarily qualitative. Our contention is that any research method can be used to advance equity. Qualitative researchers often pay close attention to the notion of cultural competence and social interactions, positionality, and the power dynamics between researcher and participant. Quantitative researchers can engage in research that advances a social justice agenda when they are strategic about the questions they seek to answer through data analysis. For example, many quantitative analyses focus attention on marginalized groups. In some cases, reports show clear cause-and-effect relationships that identify patterns of bias and discrimination in policy implementation or reveal the effects of systems of oppression on historically underserved students (e.g., Knight, 2017a, 2017b; Knight & DeMatthews, 2017). This work can be especially useful when reported to policy makers and educational leaders at the state and district level or distilled and translated for broad use through the media.

We argue here that emphasis on quantitative data analysis for social justice can and should be an essential feature of preparation programs. Researchers dispute the appropriate balance of research methods in doctoral education for practitioners (Dill & Morrison, 1985; Jean-Marie & Normore, 2010). The debate centers on whether and to what degree students should be able to consume versus produce research (Boote & Beile, 2005; Maxwell, 2006). Lochmiller and Lester (2017) argue that programs training practitioners should provide students with experiences "immersed in leadership practice and directly situated within schools and districts" (p. 3). Malen (2017) underscores the importance of providing students with the opportunity to engage in a "real" research project that provides districts with meaningful and formative evaluations of programs to guide policy and decision making. A thoughtful program can prepare students to be consumers of research, but also be able to access and analyze data to improve their organizations.

Other research explores the link between educational leaders' preparation and their performance as school or district leaders (Darling-Hammond, LaPointe, Meyerson, Orr, & Cohen, 2007; Merchant & Garza, 2015; O'Malley & Capper, 2015; Trujillo & Cooper, 2014). Extant literature demonstrates the importance of authentic learning opportunities for promoting effective educational leaders. Relatedly, principals in

particular have direct influence on educational equity in their schools (Brown, 2004; DeMatthews & Mawhinney, 2014). Although this article focuses on leaders at all levels of education, particularly those overseeing multiple schools or school districts, we recognize the direct influence of principals on social justice issues.

The highest quality preparation programs are often generated in collaboration with local educational agencies and other key stakeholders (Anderson et al., 2017; Orr & Barber, 2007). These partnerships, as well as faculty and student interests, can support the identification of relevant educational equity issues within a given community, region, and state. Partnerships can present opportunities for meaningful clinical experiences and internships where graduate students can support the social justice agendas of educational and advocacy-based organizations.

## Conclusion

Historically, data have played an important role in shining a spotlight on educational injustices. In *Brown v. Board of Education*, research was used to demonstrate inequitable educational opportunity for African American students in segregated schools (Bell, 1980; Orfield & Eaton, 1996). Prosecutors in school finance litigation use quantitative data to highlight disparities in educational resources across schools (Card & Payne, 2002; Jackson, Johnson, & Persico, 2015; Odden & Picus, 2014; Thro, 1990). While education leaders can use special education data to identify the learning needs of students with disabilities, district and state administrators can analyze these data to assess disproportionate enrollment rates or manipulation in special education identification. In short, educational data are a key element in efforts to support educational equity.

Today, educational data are increasingly accessible to the public. Developments in statistical software help streamline graduate students' learning of data analytic techniques. Our intention here is to encourage greater use of quantitative data among university education faculty and graduate programs in schools of education. Greater use of special education data may help prevent future systematic failures to identify and serve eligible students with disabilities. Wider use of quantitative data could uncover other inequities deserving of attention. Such analyses may encourage state and federal legislators to propose new policies that can ameliorate educational disparities.

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