

KIRWAN INSTITUTE
for the Study of Race and Ethnicity



OHIO DISCIPLINE DATA

An Analysis of Ability and Race

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**PART OF THE
IMPLICIT BIAS IN
SCHOOL DISCIPLINE
SERIES**

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This report outlines discipline practices related to students identified with disabilities. The data are from the Ohio Department of Education Interactive Local Report Card and includes information from the 2005 to 2013 academic years.

The Kirwan Institute for the Study of Race and Ethnicity is an interdisciplinary engaged research institute at The Ohio State University established in May 2003.

Our goal is to connect individuals and communities with opportunities needed for thriving by educating the public, building the capacity of allied social justice organizations, and investing in efforts that support equity and inclusion. Here at the Kirwan Institute we do this through research, engagement, and communication.

Our mission is simple: *we work to create a just and inclusive society where all people and communities have opportunity to succeed.*

Executive Summary

Central to the mission of the Kirwan Institute for the Study of Race and Ethnicity is forging pathways to opportunity. As such, we are deeply invested in education and recognize its indisputable value in propelling youth toward a successful future. Of primary significance are the effects of K-12 school discipline on student opportunity. In light of research demonstrating the negative trajectories for students who are chronically suspended or receive similar consequences, we narrow our lens to capture the implications that discipline outcomes have on specific groups of students. The national educational landscape as well as our previous work has placed special emphasis on acknowledging the existence of racial disparities in school discipline. This report will advance the literature on racialized school discipline outcomes and will provide a framework for how these trends affect students with disabilities.

Key finding of this analysis include:

School Discipline Outcomes Vary Between Students With and Without Disabilities, and Within Disability Category.

- In general, students with disabilities received more disciplinary actions than their non-disabled peers did in Ohio from 2005-2013. Additionally, rates of discipline vary greatly between disability categories.
- Consistent patterns emerged between the amount and type of discipline used by each disability category across time. To illustrate, over the last five years, there were roughly 10 suspensions per every 100 students diagnosed with a Traumatic Brain Injury, but there were 20 suspensions out of every 100 students with a Specific Learning Disability across the same time span.

The Intersectionality between Disability Status and Race Affects Discipline Outcomes

- Black students are overrepresented in the disability categories of Intellectual Disability and Emotional Disturbance. While Black students only constitute approximately 15 percent of the non-disabled population and 20 percent of the population of students with disabilities, they comprise over 30 percent of those enrolled in each of those two categories. Conversely, White students were underrepresented in both of these categories.
- A complex relationship emerges when considering both race and ability status on trends in school discipline. To illustrate, the greatest discipline disparity between disabled and non-disabled peers exists for White students. White students with disabilities received 3.1 times more disciplinary actions than Whites in the general education population did. However, when comparing across racial groups, it is clear that ability status alone is only a small piece of the puzzle. Though Black students with disabilities were disciplined at rates relatively similar to the non-disabled population of Black students (1.6 times more), Black students without disabilities were disciplined nearly 40 percent more than White student with disabilities, on average. The intricate relationship between race and ability yields a wide continuum of discipline outcomes. In fact, when examining outcomes across the various intersections of both race and disability, discipline occurrences for every 100 Ohio students range from 5.7 to a startling 167.8 incidents.

Finally, individuals' implicit biases related to ability status and race contribute to the disparate disciplinary outcomes. These biases are part of an unfortunate and long history of diminished opportunity for students with disabilities and students of color. Thus, it is vital to consider the impact of these biases and utilize strategies designed to mitigate their effects in order to reduce disproportionate discipline, help divert students from the school-to-prison pipeline, and ultimately contribute to the success of our education system.

Introduction

Addressing and finding alternatives to exclusionary discipline is central to providing better educational opportunity for our nation's youth. Exclusionary discipline reduces students' meaningful participation in their educational experience by limiting their access to valuable instructional time. Effective instruction relates to positive academic and social outcomes for all students and is particularly important for those who are at-risk academically, such as students diagnosed with a disability (Bender, Vail, & Scott, 1995; Tomlinson et al., 2003). In fact, emphasis on the inclusion of students with disabilities in the general education classroom is related to better grades, higher test scores, and less behavioral incidents compared to students who were removed for resource room instruction (Rea, McLaughlin, & Walther-Thomas, 2002). Moreover, providing a meaningful classroom experience and reducing excessive discipline are fundamental components of the Individuals with Disabilities Act, which governs special education in the U.S. ("Individuals with Disabilities Education Act," 2004).

Negative Effects of Exclusionary Discipline

In spite of the evidence suggesting the importance of a meaningful classroom experience for students with disabilities, the U.S. education system has a history of increasing exclu-

sionary discipline practices; national discipline rates and the racial discipline gap have steadily grown since the 1970s (Losen, Hodson, Keith II, Morrison, & Belway, 2015). Over the last decade, one of these policies—Zero Tolerance—has been the focus of school discipline reform. Zero Tolerance requires mandatory removal via expulsion or suspension in response to specific violations. Although Zero Tolerance originated from the idea that uniform discipline for severe behaviors would lead to the equitable application of consequences (e.g., a teacher could not arbitrarily suspend a student), research demonstrated that this policy perpetuates the same inequality it was designed to prevent, especially for at-risk or minority students (American Psychological Association Zero Tolerance Task Force, 2008). These policies have a history of pushing out—rather than supporting—students who would benefit most from extra assistance. Thus, examining this exclusionary approach to discipline is particularly important when considering students with disabilities. To illustrate, national data demonstrated that students with disabilities were over two times more likely to receive an out of school suspension than their non-disabled peers were in 2009-2010 and 2011-2012 (Losen et al., 2015; United States Department of Education Office for Civil Rights, 2014).



Though many districts are eliminating Zero Tolerance in light of recent discipline reforms, the negative unintended consequences of this policy remain. Understanding how discipline disproportionality affects achievement through lost class time, diminished expectations, and

the compounding effects of being involved in a punitive system will help educators work toward creating more effective and safe schools for everyone, and may ultimately assist in closing the achievement gap.

Discipline Data for Students with Disabilities

Who Comprises the Disabled Population?

Before examining discipline trends in Ohio, it is necessary to clarify exactly who comprises the statewide population of students with disabilities. Figure 1 displays enrollment rates of students with and without disabilities from 2005-2013. National guidelines for disability identification include 13 categories for school-age children (“Individuals with Disabilities Education Act,” 2004). Of these 13 disability categories, this report will focus solely on the five categories that comprise the most discipline incidents: Emotional Disturbance, Intellectual Disability (Formerly Cognitive Disability), Other Health impairment¹, Specific Learning Disability, and Traumatic Brain Injury. Together, these categories account for approximately 70 percent of all disciplinary incidents gathered within this time span. Thus, only these five categories are included when referring to students with disabilities for the duration of the report.²

These disability categories are identified by following acronyms and are defined as:

- **Emotional Disturbance (ED):** Enduring difficulty related to a student’s mood, emotions, and/ or behaviors that adversely affect academic progress.
- **Intellectual Disability (ID):** Deficit in intellectual capabilities and adaptive behavior skills, often developmental in nature.
- **Other Health Impairment Minor (OHI-Minor):** A chronic or acute health problem that adversely impacts academic progress.
- **Specific Learning Disability (SLD):** Deficiency in one or more psychological processes related to learning.
- **Traumatic Brain Injury (TBI):** Damage to the physical structure of the brain, which inhibits learning or related skills.

See a full description of disability category definitions in Appendix A.

1. The Ohio Department of Education provides two datasets on the category of Other Health Impairment: OHI major and OHI minor. For the purpose of this report, OHI minor was the only set included for the Other Health Impairment category, as OHI major accounted for 0.0% of the state enrollment, with less than 1,000 students in this category each year.

2. The excluded disability categories include: autism, deaf-blindness, deafness, hearing impairment, multiple disabilities, orthopedic impairment, speech or language impairment, and visual impairment (Ohio Department of Education, 2012).



Differences in Discipline Between Disabled and Non-Disabled Students

Although students with disabilities constitute only 11 percent of the K-12 population in Ohio (Fig. 1), students identified as having a

disability receive a disproportionate amount of disciplinary actions in the state. In fact, students with disabilities received approximately 24 percent of all disciplinary actions recorded during the 2005-2013 school years (Fig. 2).

Fig. 1: Percent of Students With and Without Disabilities (2005-2013)

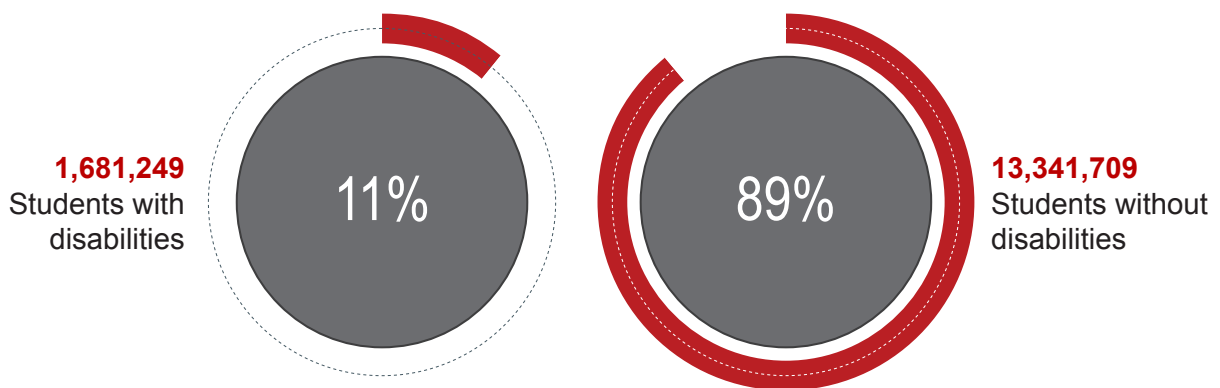
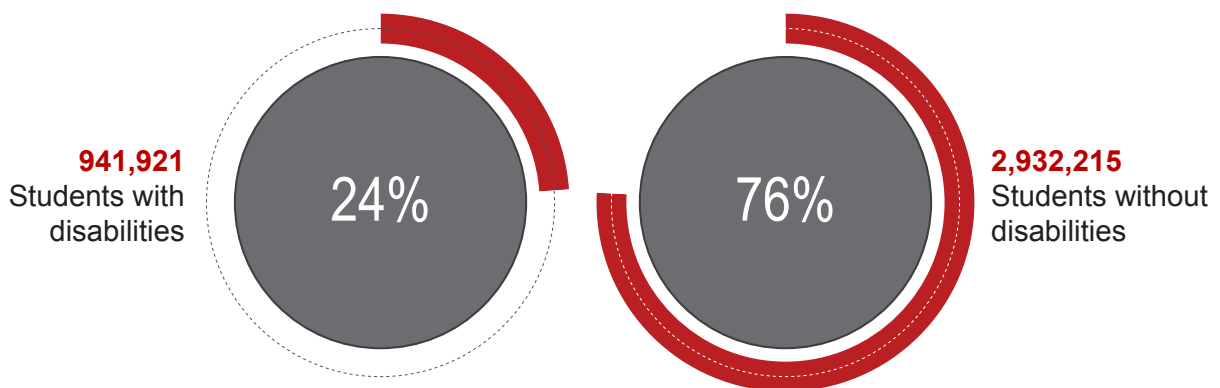


Fig. 2: Total Disciplinary Actions Recorded for Students With and Without Disabilities (2005-2013)



When considering both the enrollment and discipline data, approximately one in 10 students had a disability during these years. Yet, students with disabilities received one in four disciplinary actions.

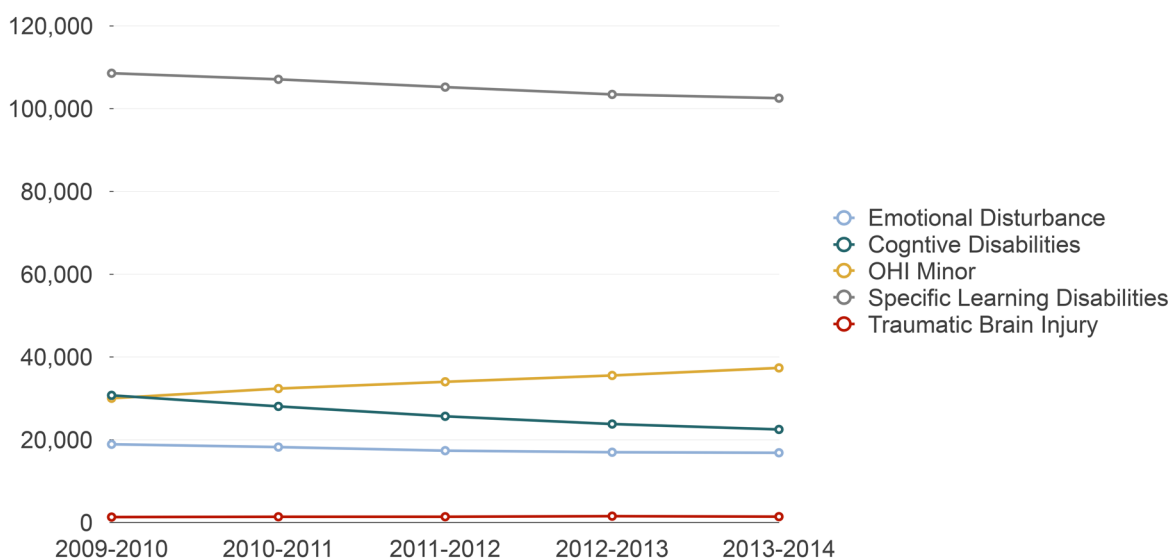
Notably, educators and policy makers alike have fought for the protections our education system has in place to ensure that students with disabilities are receiving equitable discipline. A primary example is requiring a manifestation determination hearing before a student with disabilities can be expelled to ensure the disability was not the cause of the behavior in question (Ohio Department of Education, 2012). However, this discipline data does not align with this explicit commitment to equitable discipline for students with disabilities. Moreover, important differences exist within

the population of students with disabilities. For example, the frequency and type of discipline students received related to their disability classification. Thus, in addition to examining outcomes for students with disabilities as a whole, it is also critical to track data from each disability category independently.

Disability Data Disaggregated by Category

Disaggregating data by disability category helps account for the immense variability between these groups. For example, each category has different diagnostic criteria, different forms of evaluation, and drastically different rates of enrollment, as indicated by Figure 3. Thus, viewing each as a separate entity provides meaningful disambiguation for examining discipline trends.

Fig. 3: Enrollment for Students with Disabilities from 2009-2010 to 2013-2014

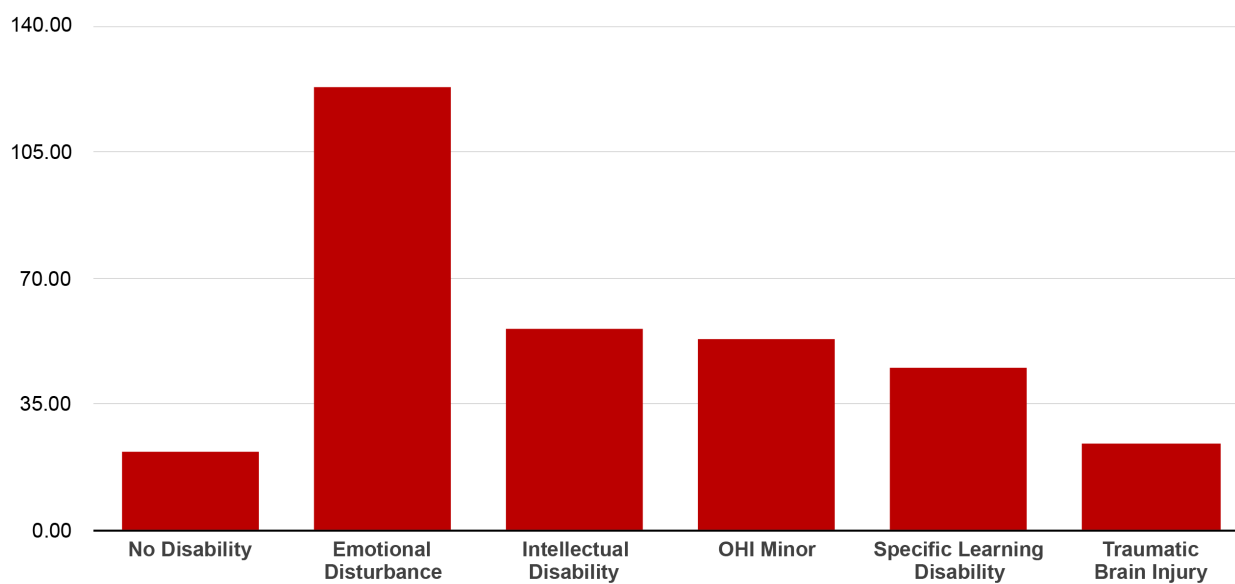


Although enrollment data remain fairly consistent within disability categories, Figure 3 demonstrates the variability in enrollment between the different types of disabilities. In line with this reasoning, the following graphs (Fig. 4 though Fig. 9) display discipline occurrences for each disability category across time. These

occurrences include the six disciplinary actions tracked by the Ohio Department of Education: expulsion, out of school suspension, in school suspension, in school alternative discipline, emergency removal by district personnel, and emergency removal by hearing officer.

Figure 4 represents the total number of dis-

Fig. 4: Number of Discipline Actions per 100 Students, by Disability Status (2005-2013)



cipline incidents per 100 students across the 2005-2006 to 2013-2014 school years. This graph illustrates some stark disparities in discipline between students with disabilities and non-disabled populations. In most of the disability categories there were more than double the number of disciplinary incidents compared to the non-disabled population.

Moreover, in the case of Emotional Disturbance there were more total disciplinary instances

than students enrolled (i.e., 123 incidents per 100 students). Table 1 further highlights these disparities between students with and without disabilities by showing the ratio of discipline occurrences between the two.



Table 1. Ratio of Discipline Actions Compared to non-Disabled Population 2005-2013

Disability Category	How many times more likely to be disciplined than non-disabled peers
Emotional Disturbance	5.6
Intellectual Disability	2.6
OHI Minor	2.4
Specific Learning Disability	2.1
Traumatic Brain Injury	1.1

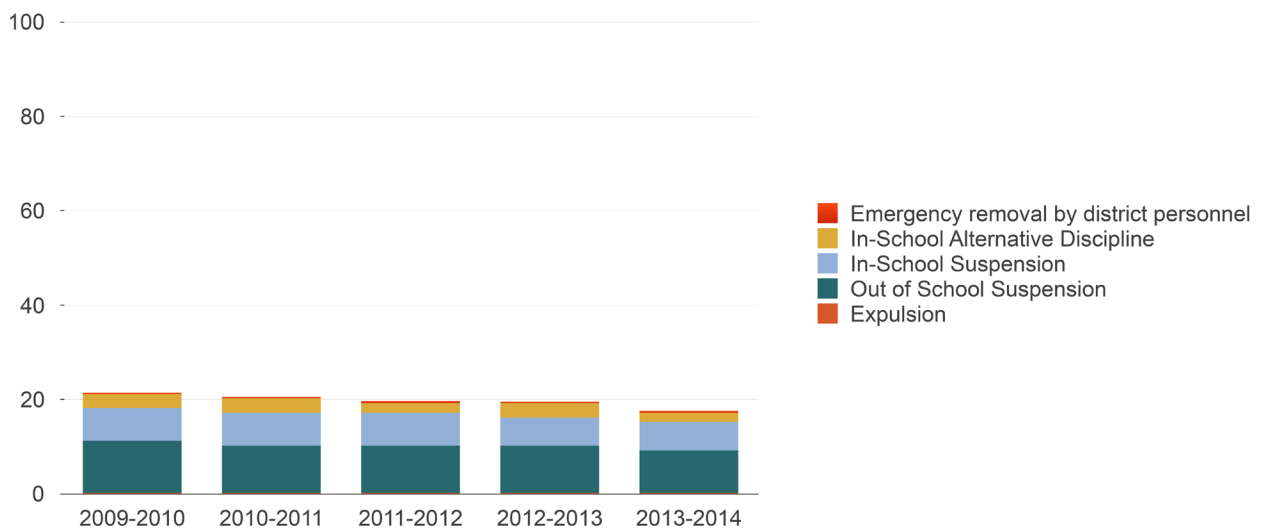
Illustrated by Table 1, students from all disability categories received more discipline on average than non-disabled students did. Moreover, these results echo the discipline disparities for students with disabilities found on a national level (Office for Civil Rights, 2015). However, the degree of this disparity varied between disability categories in Ohio; data ranged from a relatively small disparity (e.g., students with TBI were 1.1 times more likely to be disciplined than their non-disabled peers were) to substantial (e.g., students with Emotional Disturbance were 5.6 times more likely to be disciplined than non-disabled peers were).

Consistency within Disability Categories, Over time

The following graphs (Fig. 5 through Fig. 9) demonstrate discipline occurrences by frequency and type over the last five years (2009-2013 academic years). The majority of students with disabilities received discipline at a higher rate than non-disabled students did. Yet, the type and proportion of discipline employed varied across disability categories. Additionally, yearly trends suggested stable patterns of discipline when grouping by disability categories.

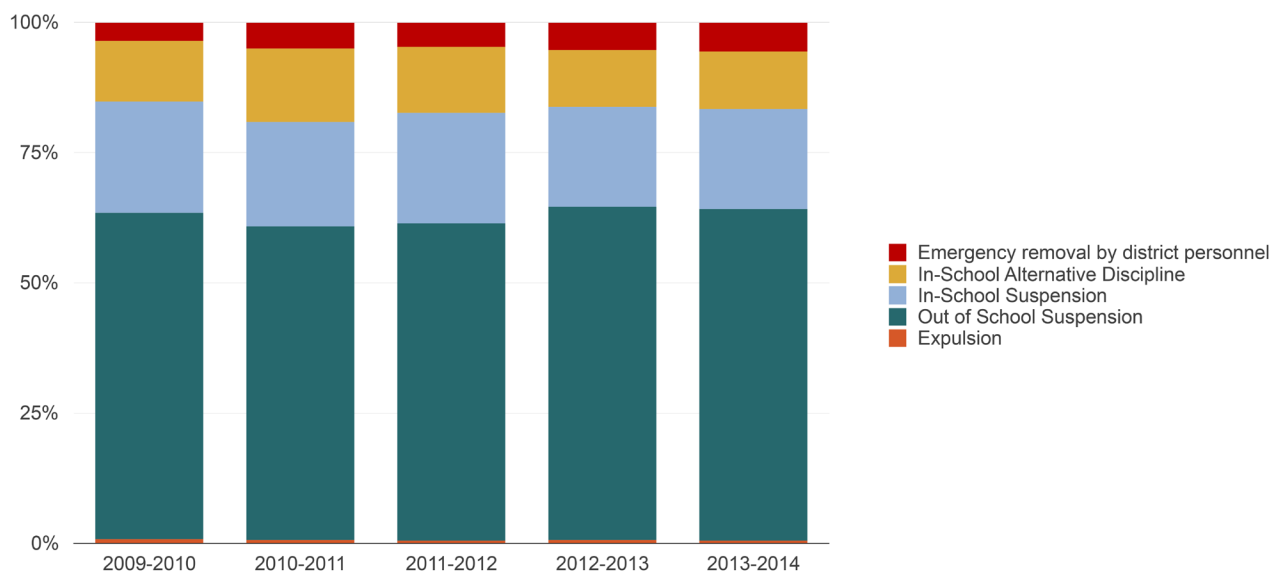


Fig. 5. Number of Disciplinary Actions for every 100 Non-disabled Students, by Type



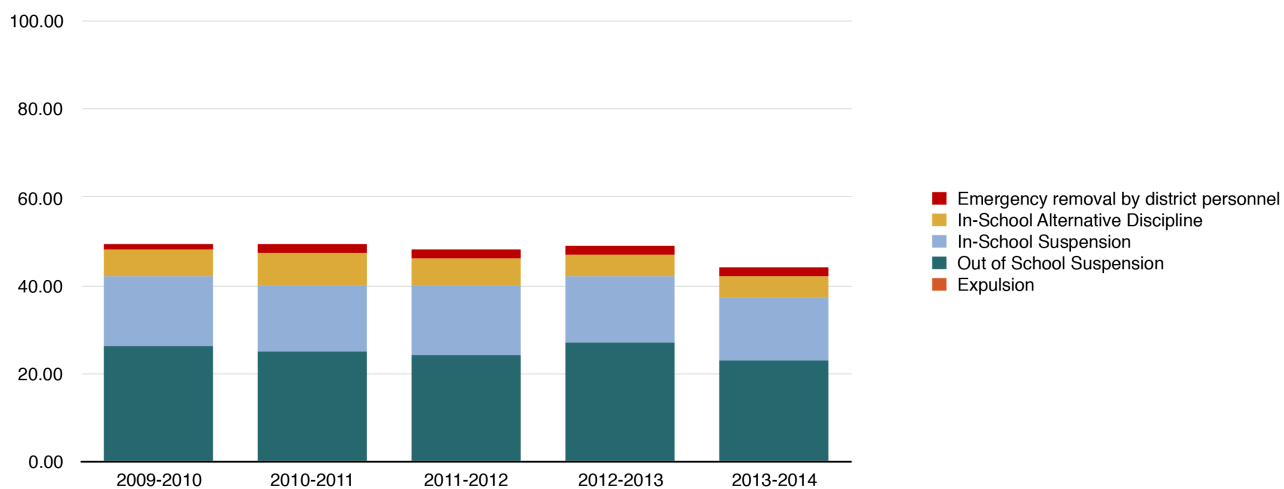
As shown in Figure 5, approximately 20 percent of students without disabilities received a disciplinary consequence recognized by the ODE during the last five years, with a marginally lower rate in the 2013-2014 school year. Approximately half of these incidents across all years were out of school suspensions.

Fig. 6. Number of Disciplinary Actions for every 100 Students with an Emotional Disturbance, by Type



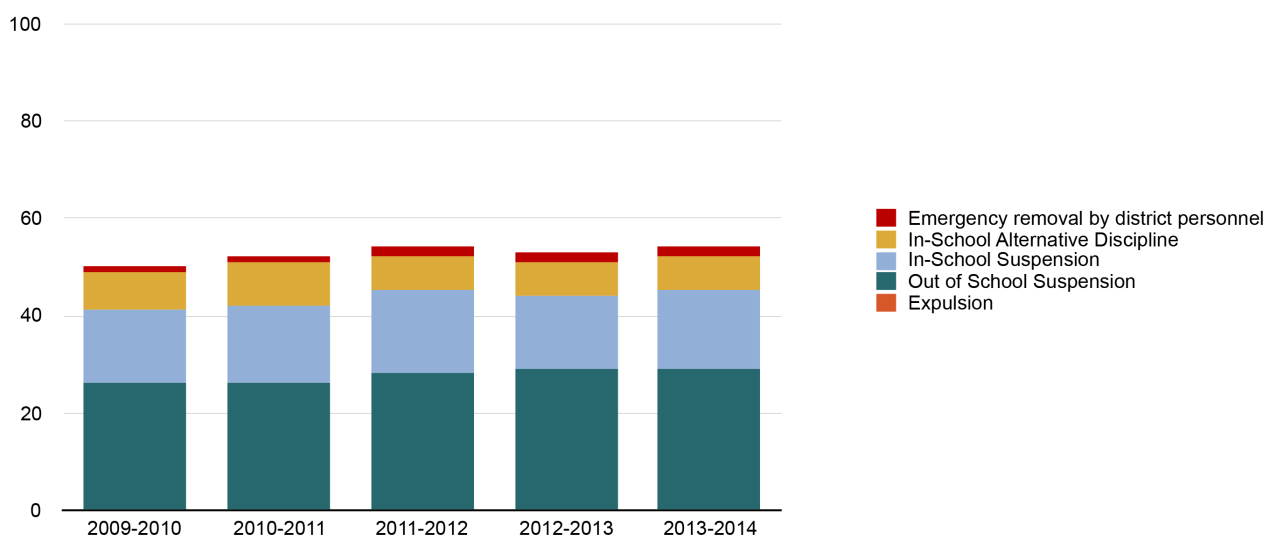
In a significant uptick from Figure 5, Figure 6 indicates that for every 100 students diagnosed with an Emotional Disturbance, there were over 100 disciplinary actions recorded. Moreover, the 2011-2012 to 2013-2014 school years exhibited nearly 130 disciplinary actions per 100 students. Notably, approximately three out of five of these incidents are out of school suspensions. Though the Emotional Disturbance category exhibits the most disproportionality, it does not diminish the significance of the patterns exhibited within the other disability categories to follow.

Fig. 7. Number of Disciplinary Actions for every 100 Students with an Intellectual Disability, by Type



Students with an Intellectual Disability received an average of 48 disciplinary actions for every 100 students over the last five years (Fig. 7).

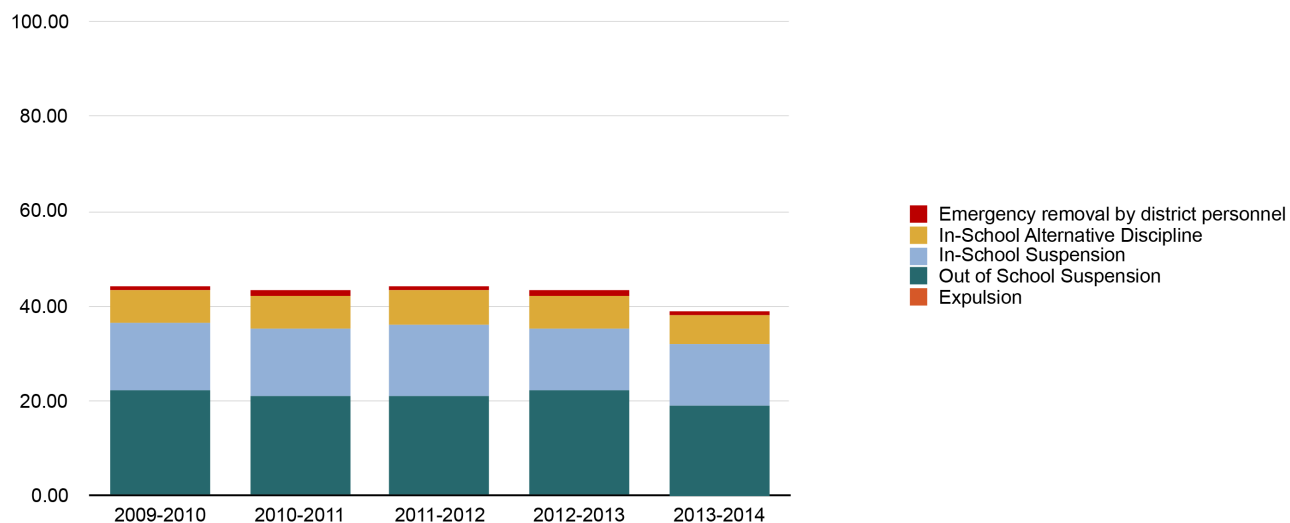
Fig. 8. Number of Disciplinary Actions for every 100 Students with an Other Health Impairment, by Type



Across these five academic years, there were roughly 50 disciplinary actions for every 100 students with an OHI diagnosis, with a slight upward trend in the last three years (Fig. 8).

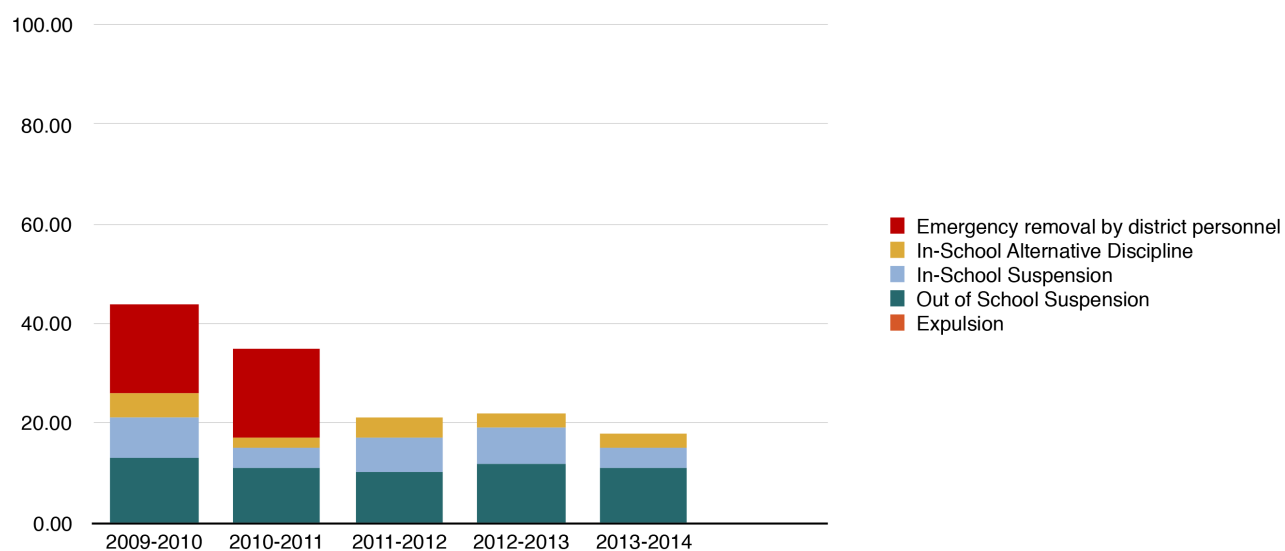


Fig. 9. Number of Disciplinary Actions for every 100 Students with a Specific Learning Disability, by Type



Slightly over 40 disciplinary actions were administered for every 100 students diagnosed with a Specific Learning Disability over the last five years, while the 2013-2014 school year exhibited a marginally lower rate. Yet, discipline trends in this category remained consistent in terms of the frequency and type of discipline (Fig. 9).

Fig. 10. Number of Disciplinary Actions for every 100 Students with a Traumatic Brain Injury, by Type



Discipline incidents for students diagnosed with a Traumatic Brain Injury have declined over the past 5 years; however, this is largely due to the decreased use of emergency removal by district personnel. Emergency removal is a relatively rare action and was less common within the rest of the student population (See Fig. 4 through Fig. 9). Despite this anomaly, students with TBI have demonstrated relatively similar patterns of discipline in terms of the more common categories of out of school suspension, in school suspension, and in school alternative discipline.

Intersection of Race and Disability

The inclusion of racial variables expands the discourse on discipline outcomes for students with disabilities. The intersection of race and disability has in the U.S. education system is part of a long and painful history. Schools have consistently failed students who identify as a minority in terms of race or ability level. Evidence of severe mistreatment, negligence, and disproportionate negative outcomes for these groups dates back to the beginning of our pub-

lic education system (For general overview, see *The History of Discrimination in U.S. Education: Marginality, Agency, and Power*, 2008; Kluger, 2004). Despite various efforts to reduce these effects, this systematic disadvantage steadily persisted into our current educational landscape. The most prominent of these adverse outcomes include overrepresentation of non-White students in special education, and higher amounts of exclusionary discipline used



for non-White and disabled students (see Artiles & Trent, 1994; R. Skiba, Eckes, & Brown, 2009; Zhang & Katsiyannis, 2002). Additionally, the pervasive and insidious nature of inequity in discipline has recently captured the focus of state and federal educational institutions, and initiatives directed toward unbiased discipline strategies have emerged as major priority of the U.S. Department of Education (U.S. Department of Justice & U.S. Department of Education, 2014; United States Department of Education Office for Civil Rights, 2014).

Documented Impact Race and Disability on School Discipline Outcomes

Though the empirical literature documents many instances of disparate discipline outcomes, the intersection of race and disability

on school discipline still an emerging area of interest. Notwithstanding, the existing research suggests a compounding effect of race and disability status on discipline outcomes (Losen et al., 2015; McFadden, Marsh II, Price, & Hwang, 1992). However, there is still much to learn about the collective impact of race and disability status on disciplinary action. Thus, the following portion of this report disentangles this complex relationship within the Ohio Department of Education discipline data.

Who comprises the Disabled Population by Race?

Figure 11 and Figure 12 illustrate the total Ohio enrollment data from 2005-2013, grouped by race for non-disabled students (Fig. 11) and those with disabilities (Fig. 12).

Fig. 11. Racial Distribution of Non-Disabled Students (total enrollment 2005-2013)

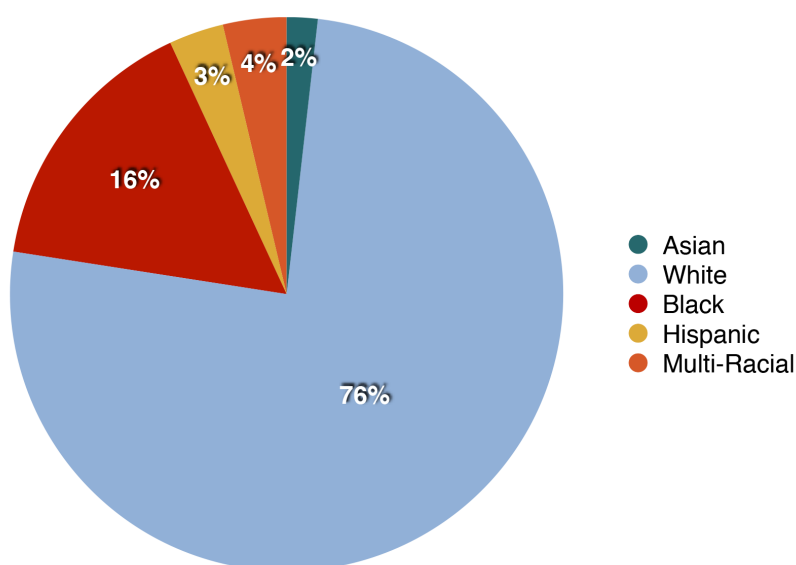
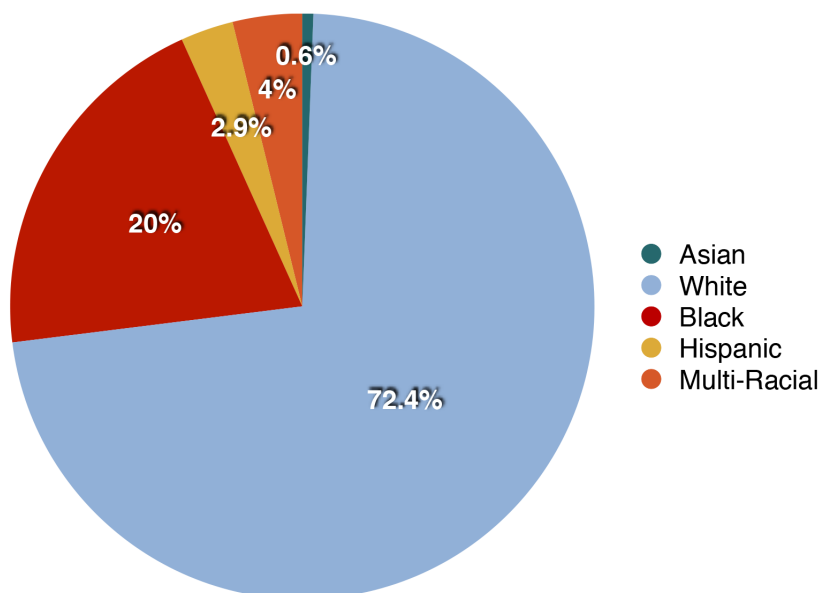


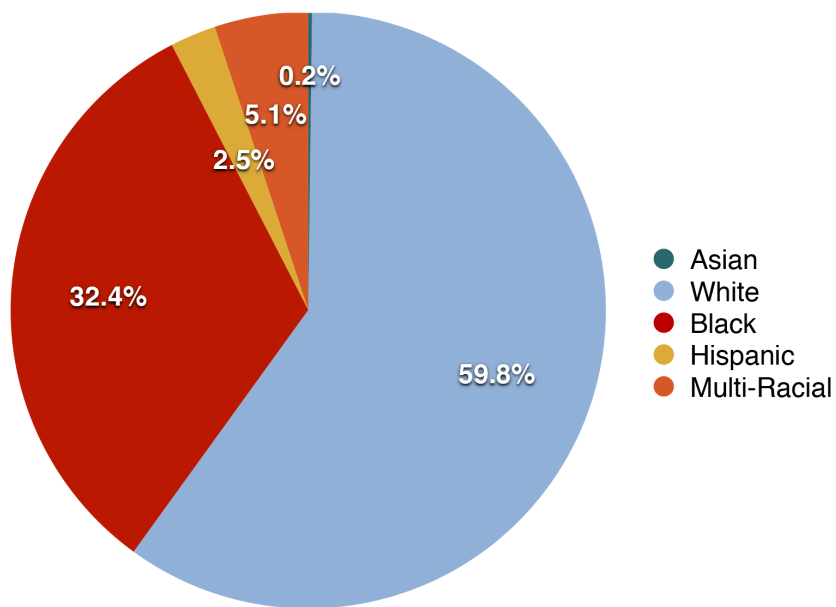
Fig. 12. Racial Distribution of Students with Disabilities (total enrollment 2005-2013)



These graphs demonstrate a relatively proportionate population composition for non-disabled students compared to students with disabilities, by race. Black students, who constitute 4.5 percent more of the disabled population than the non-disabled population, represent the largest difference.

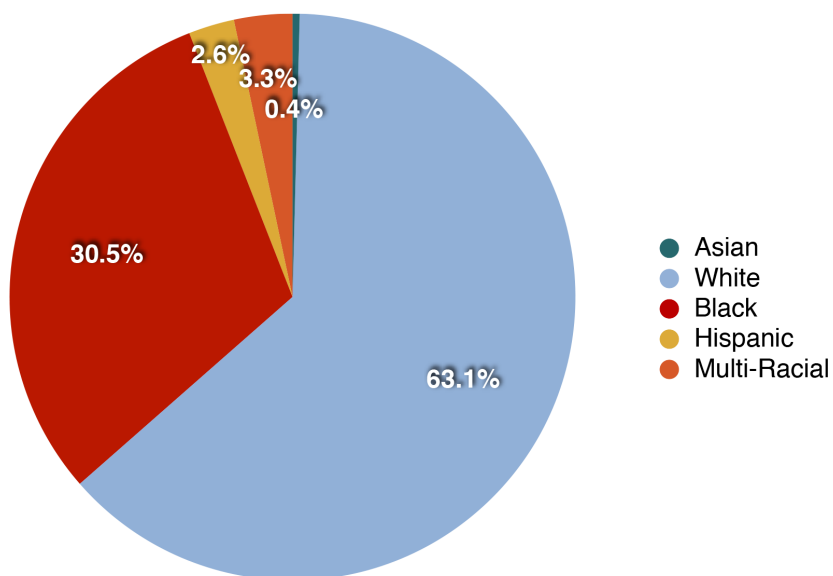
However, disaggregating the data according to specific disability categories reveals a higher degree of racial disproportionality. Specifically, the categories for Emotional Disturbance and Intellectual Disability showed a larger representation of Black Students when compared to their representation within the total disabled and non-disabled populations (as indicated by Fig. 13 and Fig. 14). Though one can certainly expect some variability in racial representation across categories, this concerning data depicts the persistence of an unfortunate phenomenon in the history of special education—the over-identification of Black students as Intellectually Disabled or Emotionally Disturbed (Fierros & Conroy, 2002; MacMilan & Reschly, 1998; Parrish, 2002).

Fig. 13. Racial Composition of Students with Emotional Disturbance (total enrollment 2005-2013)



In general, Black students comprise approximately 16 percent of the general education population, 20 percent of the population with disabilities, and 32 percent of the students with an Emotional Disturbance. Conversely, Whites account for 72 percent of students with disabilities but only 60 percent of those with an Emotional Disturbance.

Fig. 14. Racial Composition of Students with Intellectual Disabilities (total enrollment 2005-2013)



Similar patterns of disproportionality exist for those with an Intellectual Disability, indicating an overrepresentation of Black students and underrepresentation of White students (Fig. 14).

Discipline Data By Race and Disability

The enrollment data reveals aspects of the intertwined relationship between racial and disability status. Moreover, analyzing the intersection of race and disability on discipline outcomes paints a more complete picture than examining their effects in isolation. This intersection is particularly important when viewing Ohio trends in light of the national school discipline landscape. In 2011-2012, Ohio exhibited a racial discipline gap higher than the national

average, and is home to districts with some of the highest suspension rates in the country (Losen et al., 2015; United States Department of Education Office for Civil Rights, 2014). The following tables shed some light on who is most affected by these statewide trends. Table 2 illustrates the average number of discipline occurrences by racial and disability status from 2005-2013. The data reflect discipline occurrences per 100 students and merges all discipline types tracked by the Ohio Department of Education.

Table 2. Mean of All Discipline Actions for Disability and Racial Group (per 100 students)

Disability Category	Asian	White	Black	Hispanic	Multi-Racial
Emotional Disturbance	98.0	98.7	167.7	116.7	139.1
Intellectual Disabilities	17.1	35.1	99	44.5	51.1
OHI - Minor	14.1	40.4	117.2	49	65.8
Specific Learning Disabilities	21.1	32.1	97.9	41.5	53.6
Traumatic Brain Injury	5.7	24.3	66	26.9	27.1
Disability: Average	31.2	46.2	106.9	55.7	67.3
No Disability Average	5.6	13.1	65.1	22.1	28

Looking across racial groups, Black students received the most discipline in every disability category. Additionally, Asian students received the least instances of discipline overall. To

illustrate the compounding effect of disability status and race, consider these contrasting rates displayed by Table 2 (above):



- Asian Students without a disabilities received 5.6 discipline incidents per 100 students
 - Black students with an Emotional Disturbance received 167.8 disciplinary incidents per 100 students, on average – equaling nearly 30 times more incidents than for the non-disabled Asian students.
- The continuum of frequency and type of discipline used with these students is too wide to simply ignore. Moreover, the consideration of race and specific disability compared to discipline for non-disabled students adds further complexity to the equation. To illustrate, Table 3 depicts ratios of discipline occurrences for students with disabilities compared to students without disabilities, disaggregated by race.

Table 3. Ratio of Discipline Compared to Non-Disabled Peers

Disability Category	Asian	White	Black	Hispanic	Multi-Racial
Emotional Disturbance	17.5	7.5	2.6	5.3	5
Intellectual Disabilities	3	2.7	1.5	2	1.8
OHI - Minor	2.5	3.1	1.8	2.2	2.4
Specific Learning Disabilities	3.7	2.5	1.5	1.9	1.9
Traumatic Brain Injury	1	1.9	1	1.2	1
Average Ratio of Discipline for Disabled Students compared to non-disabled peers	5.6	3.5	1.1	2.5	2.4



In general, students with disabilities received more discipline than their non-disabled peers in the same racial group did. As shown in the bottom row of Table 3:

On average

- Asian students with disabilities were disciplined 5.6 times more than non-disabled Asian Students.
- White students with disabilities were disciplined 3.5 times more than non-disabled White Students.
- Black students with disabilities were disciplined 1.7 times more than non-disabled Black students.
- Hispanic students with disabilities were disciplined 2.5 times more than non-disabled Hispanic students.
- Multiracial students with disabilities were disciplined 2.4 times more than non-disabled Multiracial students.

One of the alarming statistics on this chart is that Whites with Emotional Disturbance received 7.5 times more disciplinary actions than Whites without a disability did. Even more shocking is that Asian students in this same category received 17.5 times greater discipline than their non-disabled peers. However, all occurrences of discipline disparity for disabled students are noteworthy, especially when considering the benefits that special education services (e.g. tutoring or one-on-one instruction)

afford students who are present in school.

Though it is very concerning to think that White students with disabilities were 3.1 times more likely to receive disciplinary action than their non-disabled peers did, the more troubling fact is that Black students without disabilities received more discipline White students with disabilities did. This evidence suggests that disability status has a greater degree of influence on disciplinary outcomes for White students because students of color were already disciplined to a much greater extent.

This disconcerting finding aligns with research from the last decade indicating that greater discipline for minority populations is regrettably common. In fact, multiple states have demonstrated near identical patterns of disproportionate rates of discipline for children of color (Children's Defense Fund: Ohio, 2012; Krezmien, Leone, & Achilles, 2006; The United States Department of Justice, 2013; United States Department of Education Office for Civil Rights, 2014). Nevertheless, there is hope. As many understand that this discipline gap may be immune to traditional interventions it inspires the creation of new insights in individualized education (see, Levine, Mayle, & Tillar, 2010). One example is an increased understanding of the effects of implicit bias on school discipline.



The Influence of Implicit Bias

In light of the evidence demonstrating disproportionality in school discipline, the question emerges: how can policies meant to create equal treatment have the opposite effect? Understanding implicit bias and its effects in the field of education provides one explanation for this conundrum. Implicit bias research sheds light on how these seemingly counterintuitive results can arise from educational policy. Moreover, implicit bias insights can inform how educational agencies move forward in developing discipline and behavioral support practices that benefit all students.

Implicit bias refers to the associations or stereotypes that affect our understanding, actions, and decisions in an unconscious manner (Staats, 2013). These biases, which encompass both favorable and unfavorable assessments, are activated involuntarily and without an individual's awareness or intentional control (Dovidio, Kawakami, Smoak, & Gaertner, 2009; Greenwald & Krieger, 2006; Rudman, 2004). Though many of these biases manifest themselves in subtle ways, they can have long lasting impact on outcomes, particularly concerning education. For example, implicit bias have been shown to affect teachers' perception of students' intelligence, endorsement of instructional practices, and disproportionate school discipline outcomes (see, Carter, Skiba,

Arrendondo, & Pollock, 2014; Hannon, 2014; Hannon, DeFina, & Bruch, 2013; Kumar, Karabenick, & Burgoon, 2014; Wald, 2014). Therefore, assessing implicit bias can act as a critical first step in understanding how disparate impact originates.

How Does Implicit Bias Affect Outcomes for Students with Disabilities

Empirical assessments of implicit attitudes have helped shed light on how bias influences adverse discipline outcomes for minority students (Staats, 2014). However, the link between implicit bias and discipline outcomes for students with disabilities has yet to gain a significant amount of attention in the field. Currently, the most common method for assessing one's implicit biases is through the Implicit Association Test (IAT) (Greenwald, McGhee, & Schwartz, 1998). Project Implicit, the online venue for the IAT, catalogues implicit bias scores across multiple domains, including people's implicit biases towards minority individuals and those with disabilities (Project Implicit, 2011). According to over 38,500 disability IAT test scores, individual responses indicated (Project Implicit, 2011):

- 33 percent of test takers exhibit a strong implicit preference for images associat-



ed with no-disability (e.g., person skiing) as opposed to images associated with disability (e.g., person in wheelchair).

- 27 percent of test takers showed a moderate preference for images associated with no-disability.
- 16 percent of test takers showed a slight preference for images associated with no-disability.
- 15 percent of test takers showed no preference for disabled or non-disabled associations.
- Five percent of test takers showed a slight preference for images associated with disability.
- Three percent of test takers showed a moderate preference for images associated with disability.
- One percent of test takers showed a strong preference for images associated with disability.

Altogether, 76 percent of test takers showed slight to strong preference for stimuli associated with non-disabled individuals opposed to stimuli associated with individuals with disabilities (Project Implicit, 2011). Given this incredibly high degree of negative implicit associations toward individuals with a disability, one is compelled to consider implicit bias' role when interpreting differential degrees of discipline with this population.

Moreover, when weighing educational outcomes, implicit bias against individuals with disabilities affects more than just discipline.

To illustrate, one study suggested implicit bias was linked to the underrepresentation of disabled students admitted into nursing programs (Aaberg, 2012). Additionally, teachers' implicit associations toward students with dyslexia was a better predictor of academic performance for students with disabilities compared to teachers' explicit attitude ratings (Hornstra, Dennesen, Bakker, Bergh, & Voeten, 2010).

Importantly, implicit bias not only affects outcomes for the individuals with a disability, but also affects the professionals working with these populations. A study measuring the implicit attitudes of educators working alongside students with Autism revealed negative associations toward individuals with disabilities was related to higher ratings of professional burnout and psychopathology (Kelly & Barnes-Holmes, 2013). Therefore, addressing implicit bias not only promotes equal treatment for students, but may also lead to higher ratings of satisfaction for school personnel.

These documented instances of implicit disability bias certainly illuminate why this group continues to experience disparate discipline outcomes, despite the existence of procedures and safeguards to eliminate excessive exclusion. Understanding the consequences of



these implicit biases can help bridge the gap between our explicit intentions to empower students with disabilities and the reality of our education system's proclivity to discipline these students more than their non-disabled counterparts.

Moreover, these implicit negative associations toward disabled students compound with the ubiquitous pro-White bias in this country. (For more on the pervasiveness of implicit pro-White bias, see Nosek et al., 2007) It is undoubtedly an arduous process to unpack the implications of implicit bias on the dual identities of race and ability. Nevertheless, it is an imperative for researchers and practitioners to examine this relationship to provide opportunities for those who would benefit most. Thus,

Recommendations

Awareness of how implicit bias affects the discipline process informs the creation of school policy that benefits all students equally. By thinking more critically about disparate treatment through the lens of implicit bias, we can understand the importance of developing concrete, comprehensive supports instead of reacting punitively. For example, implementing proactive, school-wide support practices as an alternative to Zero Tolerance has demonstrated success in decreasing discipline rates of all students, not just for students with disabilities or students of color (Capatosto, 2015; Contrac-

recognizing our implicit biases is just one of many steps to implementing effective educational and discipline policy that supports the potential of all students.

Finally, we acknowledge that addressing implicit bias alone is not sufficient to counter the structural and historical inequality waged against these groups. At the Kirwan Institute, we see the structural and cognitive contributions to opportunity access as intricately intertwined. It is impossible to solve inequity in one domain without addressing both. To that end, interventions to counter the school discipline gap must ultimately consider each individual act of discipline as well as the culture of the school as a whole.

tor, 2014; R. J. Skiba & Rausch, 2006). Listed below are recommendations specific to policy makers, educators, and parents and advocates to promote systemic equity in schools and reduce the effect of implicit bias:

Policy Makers

Policies to Improve Data Access

Without the adequate documentation and tracking of disparities, these negative consequences will often go unchallenged. Thus, Ohio's policies regarding open reporting of dis-



Discipline data serves as an immense advantage for those who research and devise solutions for disproportionality in student discipline and achievement. However, most states do not have mandatory reporting of education data. Thus, an integral role for state and federal legislators is to ensure that data be publically available, accurate, and timely as a means of promoting transparency and accountability. Open access is especially relevant for addressing the role of implicit bias in educational disparities. Given that individuals are unaware of the biases they implicitly possess, data can shed light on trends and disparate treatment that may otherwise go unnoticed.

Educators

Decrease Ambiguity in Behavior Management and Discipline

Increased reliance on implicit biases occur when there is high ambiguity when making decisions (Levinson & Young, 2010). Thus, creating concrete discipline expectations, such as defining all infractions and designating and appropriate response, can equip teachers to diffuse behavior before it occurs (American Psychological Association Zero Tolerance Task Force, 2008).

Promoting Intergroup Contact

Facilitating meaningful intergroup contact is shown to reduce intergroup prejudice in a va-

riety of settings (Pettigrew & Tropp, 2006). As schools provide extensive opportunities for students to interact with peers from different backgrounds, educational settings may be the most beneficial atmosphere for youth to develop cross-race friendships, thus creating the opportunity to reduce implicit racial biases (Telzer, Humphreys, Shapiro, & Tottenham, 2013). Moreover, heterogeneous, cooperative learning groups such the Jigsaw Classroom, has been shown to improve educational outcomes, reduce intergroup competition, and reduced racial bias (For a brief overview of Jigsaw Classrooms, see American Psychological Association, 2003).

Parents and Advocates

School-Community Support

Parents and advocates are uniquely positioned to help schools establish meaningful connections with their community. As such, they often act as a powerful voice for education reform. Parents and advocates can champion the implementation of less punitive discipline policy through raising public awareness and support. To do so, requesting discipline data and calling for revisions of the school code of conduct are two among many recommendations given by Losen et al. (2015) for parents and advocates to help close the school discipline gap.



Conclusion

The educational system is a complex organism where the interactions of policy makers, teachers, administrators, and parents can either assist or hinder students' trajectories. The disproportionate discipline of students with disabilities and students of color is a fundamental barrier to educational opportunity access, and one cannot dismiss the challenge of ensuring equitable discipline and academic benefit for all minority youth. However, the degree of local and national investment in discipline reform strategies indicates a unified commitment

to ensuring the access to opportunity for all students in the U.S. Therefore, confronting the implicit and structural biases that perpetuate inequality can contribute to meaningful progress in the field and increase the presence of opportunity for future generations. The Kirwan Institute commends those who have made education and youth empowerment their main priority by devoting countless hours to preparing students for successful futures.



APPENDIX: RELEVANT TERMINOLOGY

Disability Categories

Current disability definitions as provided by the Ohio Department of Education. All definitions in this appendix are quoted directly from *Whose IDEA Is This? A Parent's Guide to the Individuals with Disabilities Education Improvement Act of 2004 (IDEA)* (Ohio Department of Education, 2012, pp. 62-63).

Autism

A developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age 3 that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines and unusual responses to sensory experiences. The term does not apply if a child's educational performance is adversely affected primarily because the child has a serious Emotional Disturbance. A child who manifests the characteristics of autism after age three could be identified as having autism if the requirements of the first two sentences of this definition are satisfied.

Cognitive Disability

Significantly below-average general intellectual capability that exists along with deficits in adaptive behavior. It is demonstrated during the child's developmental period and negatively affects a child's educational performance.

Deaf-blindness

Hearing and visual impairments occurring together. The combination causes such severe communication and other developmental and educational problems that the child with deafblindness cannot be accommodated in special education programs designed only for children with deafness or only for children with blindness.

Deafness

A hearing impairment that is so severe that the child is unable to process language through hearing, with or without amplification, and the child's educational performance is affected.

Emotional Disturbance

A condition showing one or more of the following characteristics over a long period of time



and to a degree that it affects a child's educational performance, resulting in:

- An inability to learn that cannot be explained by intellectual, sensory or health factors;
- An inability to build or maintain satisfactory relationships with peers and teachers;
- Inappropriate types of behavior or feelings under normal circumstances;
- A general pervasive mood of unhappiness or depression; or
- A tendency to develop physical symptoms or fears associated with personal or school problems. The term includes schizophrenia. The term does not apply to children who are socially maladjusted, unless it is determined that they have a serious Emotional Disturbance.

Hearing Impairment

Impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance, but that is not included under the definition of deafness.

Multiple Disabilities

Impairments that occur simultaneously (such as cognitive disability-blindness and cognitive disability-orthopedic impairment), the combination of which causes such severe educational problems that they cannot be accommodated in special education programs solely for one of the impairments. The term does not include deaf-blindness.

Orthopedic Impairment

A severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by congenital anomaly (e.g., clubfoot, absence of some member), impairments caused by disease (e.g., poliomyelitis, bone tuberculosis) and impairments from other causes (e.g., cerebral palsy, amputation and fractures or burns that cause contractures).

Other Health Impairment (OHI)

Having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems such as asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever or sickle cell anemia and Tourette syndrome; and adversely affects a child's educational performance.



Specific Learning Disability

A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, write, spell or to do mathematical calculations. The term includes such conditions as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. The term does not include children who have learning problems that are primarily the result of visual, hearing or motor abilities, of cognitive disability, of Emotional Disturbance or of environmental, cultural or economic disadvantage.

Speech or Language Impairment

A communication disorder, such as stuttering, impaired articulation, language impairment or a voice impairment that adversely affects a child's educational performance.

Traumatic Brain Injury

An injury to the brain caused by external physical force or by other medical conditions, including but not limited to stroke, anoxia, infectious disease, aneurysm, brain tumors and neurological insults resulting from medical or surgical treatments. The injury results in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. The term applies to open or closed head injuries, as well as to other medical conditions that result in acquired brain injuries. The injuries result in impairments in one or more areas, such as cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. The term does not apply to brain injuries that are congenital or degenerative, or brain injuries induced by birth trauma.

Visual Impairment

Including Blindness Impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness. Visual impairment for any child means:

- A visual impairment, not primarily perceptual in nature, resulting in a measured visual acuity of 20/70 or poorer in the better eye with correction; or
- A physical eye condition that affects visual functioning to the extent that special education placement, materials and/or services are required in an educational setting.



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