

Reducing Disproportionality in Special Education Discipline

Purpose & Overview

Students of color, particularly Black and Latino students, as well as students with disabilities, are disproportionately suspended, expelled, or referred for discipline.

This disproportionality is not explained by behavior alone; it reflects systemic inequities, bias, and inconsistent implementation of supports. IDEA and ESSA require schools to monitor and address discipline disproportionality.

This worksheet provides **data tools, practical strategies, and team discussion prompts** to help educators reduce inequities and create fair, supportive environments for all students.

Why Addressing Disproportionality Matters

- **Legal Accountability:** Districts risk corrective action plans under IDEA if disproportionality persists.
 - **Equity & Access:** Unfair discipline reduces instructional time and widens achievement gaps.
 - **School Climate:** Overuse of exclusionary discipline undermines belonging and increases dropout risk.
 - **Student Growth:** Restorative, supportive approaches improve academic and behavioral outcomes.
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Key Risk Indicators to Track

Indicator	What to Ask	Example
Out-of-School Suspensions (OSS)	Are students of certain racial/ethnic groups suspended more often?	Black students = 40% of suspensions, but 15% of enrollment.
In-School Suspensions (ISS)	Are some groups repeatedly removed from instruction?	Latino boys disproportionately placed in ISS.
Expulsions	Are expulsion rates disproportionate across groups?	Students with disabilities expelled at 3x the rate of peers.
Referrals to Law Enforcement	Who is referred, and for what?	Students with IEPs referred for behaviors linked to disability.
Disciplinary Referrals	Are referrals consistent across teachers/classrooms?	One grade level shows significantly higher referrals for students of color.

Practical Strategies to Reduce Disproportionality

1. Review Data Regularly

- Disaggregate by race/ethnicity, disability category, gender, and EL status.
- Use risk ratios (discipline rate of subgroup ÷ discipline rate of all students).

2. Implement Culturally Responsive Practices

- Incorporate student cultural/linguistic backgrounds in instruction.
- Use culturally responsive classroom management strategies.

3. Strengthen Tier 1 Supports (MTSS/SEL)

- Clear expectations taught schoolwide.
- Proactive SEL lessons, positive behavior supports, and relationship-building.

4. Train Staff on Implicit Bias & Equity

- Recognize how perceptions of “defiance” or “disrespect” differ across cultures.
- Use equity audits and self-reflection tools.

5. Ensure Consistent Implementation of Accommodations/BIPs

- Confirm that IEP supports are in place before discipline.
- Monitor fidelity (logs, walkthroughs, staff feedback).

6. Adopt Restorative Practices

- Use restorative circles, peer mediation, and re-entry meetings after suspensions.
- Focus on repairing harm and restoring relationships.

Case Scenario Discussions

Scenario 1: Disproportionate Referrals

- Data show Black male students are 4x more likely to be referred for “disrespect.”
- **Discussion Prompt:** What classroom management practices or biases may contribute? What Tier 1 strategies can reduce subjective referrals?

Scenario 2: Disability Misclassification

- Student with ED receives repeated OSS for “aggression,” but IEP review shows supports inconsistently applied.

- **Discussion Prompt:** How should the team address IEP implementation fidelity before disciplinary action?

Scenario 3: Restorative vs. Punitive Response

- Student with ADHD blurts out in class. Teacher sends referral for disruption.
- **Discussion Prompt:** How could a restorative conversation and Tier 1 classroom supports prevent removal?

Educator Quick Reference: Questions to Ask Before Discipline

- Was the student's IEP implemented as written?
 - Were accommodations or BIP strategies applied consistently?
 - Is the behavior directly linked to the student's disability?
 - Is the discipline response consistent with how peers are treated?
 - What restorative or instructional alternatives were attempted first?
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Data Tracking Template (Sample)

Incident Date	Student Group	Infraction	Teacher	Action Taken	Was IEP Support Applied?	Notes
9/12/25	Black male, SLD	Disrespect	Smith	ISS (1 day)	No	No visual support in place

9/13/25	White female, Gen Ed	Disrespect	Smith	Warning only	N/A	
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Action Starter: Try Tomorrow

- Review your most recent discipline data by race/ethnicity and disability status.
- Identify **one pattern** of disproportionality (e.g., referrals, suspensions).
- Choose **one proactive step** (e.g., staff PD on bias, restorative alternatives, fidelity checks).
- Share findings at your next Student Services or leadership team meeting.