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Mattie T Revised Consent Decree Compliance Rates in Selected Mississippi Delta Counties

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The University of Southern Mississippi

Mattie T Revised Consent Decree Compliance Rates in Selected Mississippi Delta Counties

by

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ABSTRACT

This is a study using archival data study that reflects the identification rates of Black students with Specific Learning Disabilities for four selected Mississippi Delta school districts. This study is relevant because of the court mandated requirements of the *Mattie T. Revised Consent Decree* (2003). There were no human participants involved in this study because the aggregated data was gathered from the Mississippi Department of Education (MDE) website. The data was analyzed for compliance to the *Mattie T.* goal of achieving a 1.85% or less differential between the Black and Other racial groups as well as changes within three reporting periods. The findings of the study indicate that there are school districts within the state of Mississippi that are successfully meeting state and federal mandates with their identification and evaluation processes. Further, the study identified trends that if not addressed in the future, will result in noncompliance for some school districts. The recommendations from this study serve as a guide for these school districts and which Mississippi policy makers can make future legislative decisions.

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CHAPTER 1
INTRODUCTION

Overview

Specific Learning Disabilities

Specific Learning Disabilities (SLD) is one of the fastest growing categories of disabilities being diagnosed in America today. Specific Learning Disabilities are defined by the *Individuals with Disabilities Education Improvement Act* (2004), commonly referred to as IDEA, as a “disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which disorder may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations. Disorders include conditions like perceptual disabilities, brain injury, minimal brain dysfunction, and dyslexia” (IDEA, 20 U.S.C. § 1401 (30)). This project will focus on the data from four Mississippi Delta school districts to determine compliance rates in regards to the *Mattie T. Revised Consent Decree* (2003) goal of 1.85% or less differential between Black and Other students identified as SLD.

According to the 2009 Digest of Education Statistics, in the 2007-2008 public education school year, there were 2,573,000 students with SLD being served under the Individuals with Disabilities Education Act (IDEA) in the United States. This is a dramatic increase from prior years. For example, the statistics from the 1976-1977 school year show that only 796,000 students were being served for SLD (U.S. Department of Education Institute of Education Sciences, 2009). On a more local scale, the U.S. Department of Education indicates that between the 1976-1977 year and the 1992-1993 year, a 17-year difference, Mississippi dramatically increased their numbers of students being served for Specific Learning Disabilities by over 1,000%. This was the largest percentage increase in the United States (Coffey, 2000). This project will focus on four Mississippi Delta school districts and the identification rates of Black

students with Specific Learning Disabilities. This project is designed to examine how well the four school districts comply with the goals set forth by the state of Mississippi required by the *Mattie T. Revised Consent Decree* (2003). The school districts included in this study are Clarksdale Municipal School District, the Cleveland School District, the Greenville Public School District, and the Indianola School District.

Mattie T. Revised Consent Decree

The *Mattie T. Revised Consent Decree* (2003), commonly referred to as *Mattie T.*, is an agreement between the state of Mississippi and the federal government that Mississippi will provide the necessary educational services for students with disabilities (Mississippi Center for Justice, 2006). It originated as a class action lawsuit that was filed on behalf of students with disabilities in 1975. A federal ruling stated that these students were not having their rights met because Mississippi failed to appropriately evaluate, identify, and provide necessary educational services. In 1979, the state agreed to address several violations. Specifically, these areas were to ensure that local school districts identify all students with disabilities, provide appropriate educational services to students in regular education classrooms, and end the disproportionate placement of Black students in special education across Mississippi. Because of its limited progress, the consent decree was renegotiated in 2003. The Mississippi Department of Education is now responsible for submitting an annual report to the Northern District Court of Mississippi showing the state's progress in meeting the decree's requirements (Mississippi Center for Justice, 2006).

Importance to Mississippi

Mattie T. holds Mississippi school districts accountable for meeting all of the requirements set forth in IDEA concerning the early identification process of Child Find,

Nondiscriminatory assessment/evaluation procedures, and providing services in the Least Restrictive Environment. Child Find requires states to identify and track children who have disabilities. Nondiscriminatory assessment and evaluation means that schools have to evaluate students for special education on a nondiscriminatory basis in the areas of language, culture, and student background. Least Restrictive Environment (LRE) is the technical term for the environment that students with disabilities are served that most resembles the environment of nondisabled students while still meeting each student's educational needs (Vaughn, 2008). This is very important to the schools within the state of Mississippi because certain goals must be met to prove *Mattie T.* compliance. These goals are carefully monitored and reported annually by every school district in the state. The Mississippi Delta school districts were chosen for this study because the original *Mattie T. Consent Decree* (1975) is named after a student with disabilities from the Delta. Greenville, Cleveland, Clarksdale, and Indianola were chosen due to population size.

Definition of Key Terms

Before entering into a discussion concerning special education evaluation and placement, it is important to understand what is being examined. Special education terms are difficult to define, but there are some things on which researchers have agreed.

1. Specific Learning Disabilities: is a disorder that causes a person to have specific kinds of learning problems. This can cause a person to have trouble learning and using certain skills. Reading, writing, listening, speaking, and doing math are the most often affected skills (NICHCY, 2011).

2. Individuals with Disabilities Education Act: is the landmark piece of federal legislation that made identification and services for students with mild disabilities the responsibility of schools, districts, and states (Raymond, 2008).
3. Mattie T. Revised Consent Decree: is an agreement between the state of Mississippi and the federal government that Mississippi will provide the necessary educational services to students with disabilities (Mississippi Center for Justice, 2006).
4. Black: the term used in the *Mattie T. Revised Consent Decree* is African-American, but the term Black is used throughout this thesis because the term is reported in the MDE reports as Black.
5. Differential- this is the difference received as a result of subtracting the percentage of White students with SLD from the percentage of Black students with SLD (Mississippi Department of Education, 2011).
6. Related Services: are the services that may be required to assist a student with a disability to benefit from special education. Services include but are not limited to: speech therapy, physical therapy, counseling, medical services, and transportation (Vaughn, 2007).

Discussion

This study determines which school districts identification rates for Specific Learning Disabilities (SLD) are in compliance with the *Mattie T.* goals set for the state. The researcher examines annual archival data from the Mississippi Department of Education's website. Specifically, the data being examined will come from the annual district data reports that each district must file with the state. Data for specific learning disabilities will be compared by looking at a sampling of available school year reports from the Clarksdale Municipal School

District, the Cleveland School District, the Greenville Public School District, and the Indianola School District. This project answers the following questions: How do the identification rates for each selected school district compare to one another? More specifically, how do the identification rates compare within selected school districts for each year? Which of the targeted districts are more likely to be in compliance with the *Mattie T. Revised Consent Decree* (2003) based upon the available data on the MDE website?

CHAPTER 2

LITERATURE REVIEW

The field of special education seems to be in a constant swirl of debate. There is an overabundance of opinions concerning the correct way to serve individuals with disabilities. This literature review discusses how students are identified as having a disability, how they are evaluated and assessed throughout the identification process, where the student receives services and finally issues with overrepresentation of minority students. The disproportionality within special education is of special importance to the state of Mississippi because of the *Mattie T. Revised Consent Decree* (2003). The *Mattie T. Revised Consent Decree*, commonly referred to as *Mattie T.*, is a result of a class action suit filed in 1975 regarding the provision of the federally required appropriate educational practices for individuals with disabilities. As a part of these negotiations and revisions, Mississippi is mandated to enact a more culturally equitable way of identifying students in specific disability categories. Specific Learning Disabilities (SLD) is a major concern as a result of *Mattie T.* and, therefore is the focus of this literature review.

Identification of Specific Learning Disabilities

Identification practices and placement for students with SLD has habitually been done inconsistently. There has been a limited universal identification process, resulting in a considerable difference between state processes (Raymond, 2008). One key reason behind this variance is that the definition of SLD was not universal until the *Individuals with Disabilities Education Act* (IDEA) (2004) established the federal definition. However, according to Ofiesh (2006), this definition was incorporated from a federal disability law dating back to 1969, which still left much operationally undefined for use in school districts. Crowe (2007) explains that over the years there have been attempts to define SLD with medical or psychological terms, as a

result of a developmental imbalance, and even as a category that does not exist. As a result, this has led to long-term effects on the federal and state mandates regarding funding and the identification of students with SLD. States vary in using a definition based on the discrepancy between a student's ability and performance or a definition based on a multidisciplinary, team approach definition of SLD. Crowe further explains that correct identification of students with SLD is an intricate combination of definition, identification, and eligibility determinations. Every state's identification process will be different depending on their interpretation of this intricate combination of definition, identification, and eligibility determinations.

According to the U.S. Department of Education Office of Special Education Programs, IDEA (2004) has established a set of regulations regarding the identification process that states are to follow requiring that states must adopt a process for determining if a student has a Specific Learning Disability. However, states must not require the use of a determination based solely on the severe discrepancy between intellectual ability and achievement. The determination of a SLD must be based on the student's response to scientific research-based interventions, and use of alternative research-based procedures. (U.S. Department of Education, 2006). The determination is made by the student's parents and a team of qualified professionals including the teacher and someone who is trained to conduct diagnostic examinations. Observations must also be made of the student in the learning environment to document the student's behavior and academic performance in the area(s) of concern. The professional team must also produce documentation that the student has been determined to have a SLD. While this might appear to resolve the differing approaches in identification there is still a considerable amount of leeway in the actual application of the definition. So while the controversy has changed, it is still a current, on-going issue within the field of special education and disabilities in general.

One key current issue and major concern is the identification of students with SLD for eligibility for special education services using research-based procedures. According to IDEA (2004), correct eligibility and placement decisions must be based on progress monitoring (Crowe, 2007). Progress monitoring is a research-based method of curriculum-based measurement that enables educators to consistently and systematically monitor for student progress and instructional effectiveness (National Center on Student Progress Monitoring, 2006). Effective accommodations can be determined from the data collected in progress monitoring. In a classroom setting, progress monitoring appears in the form of weekly chapter tests or spelling tests that have a measured beginning and a set weekly goal for progress.

Each state has the flexibility to determine the criteria based on IDEA regulations for determining if a child has a SLD (Ahearn, 2009). State criteria is also subject to change if any of the federal legislation is changed or amended. Reschley & Hosp (2004) identified recent trends in SLD identification that have been reported by State Educational Agencies. These trends indicate that many states have now adopted the federal definition of SLD. The Individualized Education Program (IEP) team also must ensure that the student received adequate instruction that was determined by several assessments including progress monitoring data. Controversy and the lack of clarity in the actual definition of SLD set the stage for inconsistencies in the identification processes. Areas left to state discretion not only create a wide variance of programs from state to state but even within states. Also, as a result of definition variance, the evaluation process becomes inconsistent from state to state and district to district (Crowe, 2007).

Evaluation/Assessment

The *Individuals with Disabilities Education Improvement Act* (2004) regulates the ways that students can be evaluated for special education services. According to the U.S. Department of Education Office of Special Education Programs, the request for an evaluation for a disability

can be initiated by either the school or parent. There is a very specific time frame required to complete the evaluation to avoid a continued lack of student progress and/or failure. That initial evaluation must be conducted within 60 school days of receiving parental consent for the evaluation (U.S. Department of Education, 2006). Reevaluations must occur every three years, although, it is not necessary to replicate all previous assessments or to gather additional data unless parents or teachers feel that it is necessary (Raymond, 2008).

Evaluation materials must be provided in the student's native language and must be selected on the basis of providing the specifically needed data for this child in order to determine the presence of a SLD (U.S. Department of Education, 2006). This is further explained by Raymond (2008) who writes that because of changes to IDEA in 2004, schools are mandated to use a variety of assessment tools and information sources to gather data on student progress. Individualized Education Program (IEP) teams have the immense responsibility of determining if a student has a disability by using reliable and valid assessment instruments that take the student's abilities in the areas of cognitive functioning, physical abilities, and developmental progress into account. After making the determination, the team must develop an IEP for that student which dictates what content the student will be taught and the environment in which the student will receive services.

Nondiscriminatory Evaluation

Nondiscriminatory evaluation is the second principle of IDEA (2004) which federally mandates that states and educational agencies fairly evaluate all students in order to determine the presence of a disability. In order to obtain a fair evaluation, the school must assess the student across a variety of domains including cognitive, behavioral, developmental, and physical as well as the areas of suspected disability. The instruments used in the assessment must not

discriminate against students on the basis of race, culture, language, or disability. Accurate information and judgment provided by the IEP team composed of trained professionals which includes parental participation is the key to an accurate SLD identification and evaluation. (Mather, 2006). Mather also adds that evaluators should be able to compare, contrast, and interpret the assessment results with informal measures like classroom portfolios, teacher and parent reports, and comments from the IEP team. According to Mather (2006), researchers Kavale, Holdnack & Mosert explain that it is extremely difficult to make an accurate diagnosis of SLD without test data from a comprehensive evaluation that takes student strengths and weakness into consideration.

Flexibility in variance permeate the entire identification and assessment process. While this allows school districts to customize for unique areas, it also allows for less defined areas. This variance paired with the different models of assessment, fuel the controversy and inconsistency in the entire special education process of providing services.

Models of Assessment

There is a large debate within the special education community to determine if one model used in the evaluation process is better than another. Each state has the right to decide which models they would like to use when evaluating their students for disabilities. Fletcher & Reschley (2005) describe the most common models as follows: Severe Discrepancy Model, Low Achievement Model or the Response to Intervention Model (Fletcher, 2005).

The Severe Discrepancy Model

The severe discrepancy model is commonly referred to as the discrepancy model. It measures how far behind a student is academically from his/her peers by testing the IQ. This model is the traditional model that has been used to assess whether or not a student has a

disability and whether or not special education services are necessary. The discrepancy model assesses whether a substantial difference exists between scores on IQ tests and scores on areas of academic achievement (IRIS, 2006). The accepted criteria for identifying a student as having a disability is the difference of at least two standard deviations between the scores.

However, the validity of the discrepancy model has been challenged. Reschley & Hosp (2005) express concern about using the discrepancy model because of the significant delay of services provided to students caused by the amount of time needed to establish the discrepancy. Another concern is that the discrepancy model does not assess the quality of instruction received by students in the classroom (IRIS, 2006). Therefore, a student who is diagnosed with having a disability could simply be receiving poor instruction and be struggling academically instead of actually having a disability. Another concern is that students must first fail in order to be assessed using the discrepancy model.

The Low Achievement Model or Response to Intervention

The Low Achievement Model or Response to Intervention (RTI) shows that a student is a low achiever and could be used as a means of alerting teachers to a potential SLD. According to Zirkel (2010), since the 2004 IDEA was amended, there has been a movement toward using the RTI approach for identifying students as SLD. Some researchers suggest that RTI has the possibility of making the identification process more accurate if implemented as intended. It could also decrease the number of students identified as SLD from diverse backgrounds (Zirkel, 2010).

Response to Intervention is thought to be a universally beneficial approach because all students in the general education setting receive the high-quality instruction that this approach promotes. In this approach, struggling students are identified and monitored for progress after

receiving high-quality instruction. If the student continues to struggle, they are moved up onto the next tier of instruction where they receive more intensive, research-validated interventions. The tier system allows for students to receive varying amounts of individualized assistance depending on their needs at different times. The tier system is set up to allow fluid movement from one tier to another and not as a permanent placement. Decisions for movement are made based upon ongoing monitoring and assessment of data.

Only time will tell which of these models will work better for the identification of students with SLD, but in the meantime states are still allowed the option of deciding which model to follow within their own jurisdiction. Once again, inconsistency and discretion in the evaluation process like that of identification allows for variance in the placement decisions made from state to state and district to district.

Special Education Placement

After determining the eligibility based on the evaluation, decisions must be made in regard to which individual services would best serve the student. Critical to making placement decisions for students with SLD are the Free Appropriate Public Education (FAPE) and the Least Restrictive Environment (LRE) provisions of IDEA (2004).

Free Appropriate Public Education

According to IDEA (2004), the term Free and Appropriate Public Education (FAPE) means that any student with a disability between the ages of 3-21 has to be provided with a free public education at the state and federal government's expense. This includes special education and related services that are determined necessary for students to be successful regardless of the disability (Latham, 2008). Latham defines an "appropriate education" as one that includes the support and services that allow the student, through the vehicle of the IEP, to receive

individualized services that meet their needs. If a school district fails to provide a student with FAPE, they may be obligated to provide a range of compensations and restitutions.

Least Restrictive Environment

Turnbull (2011) explains that the principle of Least Restrictive Environment (LRE) obligates schools to educate students with a disability along with non-disabled students to the “maximum extent appropriate.” Federal definitions define the term “appropriate” as a range of locations that the student can be placed when removed from the regular education classroom based upon the nature or severity of the disability. According to Latham (2008), students are expected to be educated as much as possible in the general education classroom with their non-disabled peers, but other appropriate placement options are available based upon a continuum of services. A continuum of services means that the placement setting can range from least restrictive to most restrictive, with the least restrictive being the general education classroom.

Placement Options

When considering placement options, the principles of FAPE and LRE should be heavily considered because of the heavy impact that they will have on a student’s educational experience. Placement options have to be fluid and open to change as the student and situation change; this requires a continuum of service options (Crowe, 2007). Turnbull (2011) reinforces that students can only be placed in a more restrictive environment if it provides them an appropriate education. Placement should not be made based upon a student’s disability category, but rather the individual student’s needs (Raymond, 2008). That is to say, placements cannot be made based upon a disability label, because these decisions rarely meet the student’s needs appropriately.

According to IDEA (2004), the following sequence of events must occur in order to determine a student's placement: first, the student's needs should be assessed in relation to the general education classroom; next, those needs should be evaluated in relation to the general education curriculum and then goals should be developed that would allow the student to achieve in that curriculum; last, the student's placement is decided based on the foundation that services should be provided in the environment that offers the most access to the general education curriculum (Raymond, 2008). Turnbull (2011) stresses that a student's IEP must describe the extent a student will participate in general education, if any, and all special services that may be needed to make progress in the general curriculum.

One issue with placement is that many IEP teams decide where the student should go before they decide what goals the individual student has in regard to his/her strengths or weaknesses. According to Raymond (2008), after a placement decision has been implemented, it becomes the teachers' responsibility to provide services that will allow for fluid movement to a less restrictive environment likely in the future.

Conversely, IDEA (2004) requires the consideration of the service to be done before determining the place the services will be provided. That is to say that the placement decision should outline what the student needs as discovered in the evaluation process. Having established need, the determination is made as to the setting where these services can be delivered best keeping in mind the requirement of allowing students to be with non-disabled peers to the maximum extent possible. This is often considered to be "inclusion".

Inclusion/Mainstreaming

The concept of inclusion remains to be a controversial issue. The principle of LRE is often implemented by using techniques referred to as inclusion or mainstreaming. These terms

are not specifically used in IDEA but have been coined to describe “including” students with disabilities with typically developing students in general education settings. Raymond suggests that the reason for some of the confusion may be because inclusion is, like much else in special education and disabilities, defined differently by different groups. Confusion frequently surrounds the use of the two terms concerning the similarities and differences between inclusion and mainstreaming. Raymond (2008) defines mainstreaming as the concept of allowing students with disabilities to be educated with their peers without disabilities. Inclusion, on the other hand, actually implements the concept of allowing students with disabilities to be fully educated in the general education classroom with their non-disabled peers using individualized goals.

Holloway (2001) asserts that recent trends show students with Specific Learning Disabilities are increasingly educated in general education classrooms through inclusion and mainstreaming, and as a result, the number of students being educated in resource rooms or separate classes has decreased (Fore, 2008). Fore (2008) reports that possible effects on student learning and interactions with peers is an important issue surrounding placement of students with disabilities into inclusion classrooms. Educators are divided on which placement is actually better for students with disabilities. Supporters of inclusive practices maintain that students with SLD achieve more academically in an inclusive classroom versus a non-inclusive program because of several reasons; one being that they receive grade-level instruction and two being that students with disabilities have the opportunity to work with peers of varying levels. Fore also describes other views from researchers that include: students with severe disabilities may achieve more in a special education classroom, students may achieve more in a program that combines the inclusive classroom with a resource room, inclusive programs produce no difference academically over non-inclusive programs, and others even think that class placement is the

wrong thing to consider because it goes against the focus of an individualized education for each student.

Fore (2008) claims that because of the constant debate about this area of special education, it is safe to say that the only thing everyone can agree on is that there is no right answer. Fore concludes by saying that perhaps researchers need to turn their attention to other variables that also deeply influence student success rather than placement. Placement is an important aspect of student achievement in the classroom, but like the definitions and identification problems discussed previously, placement is an area that continues to have a great amount of variance which can result in inconsistencies at the expense of the student's achievement.

Disproportionate Placement in Special Education

Disproportionate placement is a serious issue within special education that stems from inconsistencies throughout the evaluation and identification process. Issues also continue because of the high disproportionality identification rates along the cultural and racial lines. This disproportionality issue become alarming not only to researchers but as litigation increases for educators.

Gravois and Rosenfield (2006) insist that the term disproportionate placement means that one group of students is represented at a different rate, most often at a higher rate, in special education than in general education. According to Losen & Orfield (2002), researchers have found that Black students are substantially overrepresented in special education in many of the states across the country. Research has also indicated that there are wide differences within each racial group that cannot be scientifically explained. An analysis of the research indicates that

these racial differences may be a result of many complex factors such as bias, overreliance on certain evaluation tools, and high-stakes testing reactions.

Parrish (2002) claims that in terms of disproportionate rates, Black students are the most overrepresented group in every disability category for almost every state across the country. Fierros and Conroy's (2005) research examines district-level data from selected U.S. cities and has suggested that when disproportionality research is examined, racial inequalities become apparent when categorized by racial subgroups, gender, placement, and disability groups. The Fierros & Conroy research determined that once Latinos and Blacks are identified as eligible for special education services, the possibility of returning to or being educated in a general education classroom is far less than that of Caucasian children. This data supports a trend toward less inclusion for minority children at the national, state, and district levels.

Oswald, Coutinho, and Best (2002) explain that the U.S. Department of Education Office for Civil Rights (OCR) is responsible for monitoring and enforcing statutes banning discrimination against minority students in education, but these researchers suggest that this strategy has been insufficient and ineffective due to several reasons. First, policy responses to overrepresentation in one disability category may lead to increased disproportional representation in another category; students are being provided an inferior education by staying in the general education system; estimates of disproportionate representation are rarely accurate for policy makers; and lastly, educators lack information about the influence of community, monetary, and school-related factors on identification rates. Parrish (2002) suggests that if policymakers were to directly address the academic needs of these students, it might be possible to decrease overrepresentation in special education services for underachieving minority students. Gravois and Rosenfield (2006) conclude that other research has indicated that a

decrease in disproportionate rates may be achieved if teachers were to receive training in supporting struggling minority students. Artiles, Harry, Reschley, and Chinn (2002) explain that the majority of research on this topic indicate that school and community contexts need to be thoroughly examined in order to understand disproportionate patterns.

Similar to the national studies and trends discussed above, Mississippi has its own trends as addressed in the *Mattie T. Revised Consent Decree* (2004). *Mattie T.* is a special decree for the state of Mississippi; no other state has one just like it. However, many states have pending litigation concerning the provisions of FAPE and LRE. Mississippi is unique in the fact that *Mattie T.* is a class action suit for failure to identify, evaluate and provide appropriate services for students with disabilities. The results from the lawsuit were that the two parties decided to come to an agreement about which areas would be the focus for improvement. Crowe (2007) summarizes the requirements by saying that the *Mattie T. Revised Consent Decree* (2003) requires close monitoring and remediation to avoid overrepresentation of Black males in the Special Education category of SLD and also in the decrease of placement in self-contained classroom settings. Also, *Mattie T.* requires Mississippi to report all statewide standardized testing to ensure that the Annual Yearly Progress is being met, and even goes as far as requiring Mississippi to reconsider and reconstruct special education service delivery.

Consistent with the national trends reported by Parrish (2002), Mississippi must address these issues because it is not only good educational practice and worthy distribution of resources, but because it is mandated by the federal court in oversight of the *Mattie T.* case. Since this has been an ongoing Consent Decree since 1975, Mississippi has obviously not met the letter of the law. The reports from MDE clearly show that some school districts are more successful than

others, but the state still struggles toward total compliance as a whole (Mississippi Center for Justice, 2006).

Conclusion

This chapter addressed the identification, evaluation, and placement process that must take place in order to determine whether or not a student has a disability. There is a general lack of clarity about this process because every state has the option of deciding which model to follow within their own jurisdiction. One issue that has arisen is the disproportionate number of Black students identified with SLD in Mississippi.

This research will examine identification and service data located in the archives on the Mississippi Department of Education (MDE) website and through the U.S. Department of Education Office of Special Education Programs in order to compare data for all four school districts in the areas of minority identification, specifically Black males, in the category of SLD. When conducting the literature review, there was an apparent lack of information about actual data from school districts. There were some references of school districts within the literature, but none dealt directly with the type of research that this project intends to conduct. This project is unique in that it examines archival data to determine if specific school districts are making attempts and being successful in meeting the requirements of identification and placement (provision of services) of students without racial disproportionality. Mississippi is unique because it is required to abide by the regulations set forth in *Mattie T.*, as well as the federal regulations and requirements. Educators in Mississippi need to be aware of the entire identification process for special education services so that they can help prevent this overrepresentation of minority students. This project will examine the selected school districts to gain a limited but very specific understanding of the trends of compliance within the districts and

compared between these districts. This literature review provides a backdrop for understanding the process of identification for services and the parameters of identification and placement.

Chapter 3 will explain the school districts and the methodology for the study in detail.

CHAPTER 3

METHODOLOGY

The Mississippi State Department of Education and thus all school districts in Mississippi are required to comply with the court decreed goals of the *Mattie T Revised Consent Decree* (2003). As a result, these goals are carefully monitored and reported annually by every school district in the state. Using selected identification and placement goals from *Mattie T.* (as commonly referred to in state reported data), the goal of this research project is to examine the progress specific school districts are making towards complying with the goals.

Sample

To complete this project, the researcher analyzed and compared annual archival data from selected school districts on the Mississippi Department of Education website. The researcher selected specific years to analyze but looked at the same selected years for all school districts. The researcher chose specific years to analyze based on the reporting method and format used in the MDE report, which included beginning, middle, and end sampling. The archival data currently available begins in the 2002-2003 school year because of the reporting requirements of other legislation, namely the *No Child Left Behind Act of 2002*. Reported data from 2002-2003 will serve as the beginning year, the 2006-2007 school year will serve as the middle year, and the 2009-2010 school year will serve as the most recent data that can be analyzed.

Four school districts were chosen in the Mississippi Delta Region of the state. The Delta is composed of primarily rural, agriculturally-based counties. The specific school districts were chosen because of the concentration of population, structure of MDE reporting, and availability of a relatively large sample size. Also, this particular region was chosen because *Mattie T.* originated from the Delta area. The selected districts are Indianola, Greenville, Clarksdale, and

Cleveland. The researcher focused on analyzing the data for the category of Specific Learning Disabilities and specifically for the Black ethnic group because of guidelines found in *Mattie T.*

The *Mattie T. Revised Consent Decree* (2003) is important to the state of Mississippi because it requires Mississippi schools to monitor placement rates for all students served in special education. Because of the established over representation of Black males specifically in the IDEA category of SLD, as discussed in Chapter 2, this project will focus on the related goals of *Mattie T.* Specific Learning Disabilities is one of the most diagnosed disability categories and compared to all of the other IDEA identified disabilities, close to half of the students identified for special education are SLD (U.S. Department of Education Institute of Education Sciences, 2009).

Data Collection

According to the actual *Mattie T.* case document, the state of Mississippi is required to collect and analyze data from every school district regarding the racial composition of the district's or agency's enrollment as a whole. The state also calculates each school's identification rate of Black students in the category of Mental Retardation and SLD. The difference between the Black identification rates and Caucasian students' identification rates is known as the SLD identification rate differential. This project will focus on the *Mattie T.* goal of achieving a 1.85% or less differential for Specific Learning Disabilities for all districts. For each school district this means that the percentage of students identified as SLD should only have a difference of 1.85% or less between the Black and Caucasian racial groups.

Data reported by MDE is most concisely available through U. S. Department of Education Office of Special Education Programs (OSEP). Once on the MDE website, a link is provided to the Office of Special Education data and reports section which provides the data.

Under this link, every school year is listed beginning with the 2002-2003 school year. This research focused on the information found on the District Data Profile Report which includes a population description and breakdown of total student enrollment. The report provides the total percentage of students with disabilities found in that particular district, and the percentage of individual with disabilities. The report also provides the total percentage of student enrollment in regard to racial composition. This particular data report focuses entirely on the enrollment and identification rates. This archival data does not identify any individual students so there is no conflict of confidentiality. No permission is required from individual school districts because the information utilized is available online and is considered public record.

Methodology

This study examined the compliance rates for the *Mattie T. Revised Consent Decree* by selecting pertinent reporting information from the data sets of the four selected school districts. The data (percentages) was compared individually using required compliance rates (differentials). School districts will be compared (intra) between years to discover the success of that specific school district in meeting the over-representation goals of *Mattie T.* Further, the four selected school districts will be compared to each other to determine which of the districts more closely complies with the required goal. Generalizations concerning compliance rates of participating school districts will then be determined. These comparisons are important because Mississippi will be required to show a “good faith effort” in meeting the *Mattie T.* goals.

Problems and Limitations

The potential problems for this project were minimal because there was no human contact involved. One limitation is lack of statistical research experience by the researcher. However this project had little actual statistical analysis required since differential/percentage

rates for each school district and the state were reported in a mode that required no other analysis. Graphs are utilized to further illustrate the data. Another potential problem is the lack of control over the reliability and validity of the actual data. It is assumed that information is coming from the state through the U.S. Department of Education (OSEP), was accurately collected and reported.

This methodology was used because the researcher compared identification rates for each school district and then determined if these percentages were in compliance. These requirements are important to analyze because of state monitoring. It is extremely important that Mississippi complies with all requirements in order to ensure that court mandates are met and, more importantly, all students are being provided an appropriate education. Findings will be discussed in Chapter 4.

CHAPTER 4

RESULTS

The actual results of the data comparison will be discussed in this chapter. The analysis was conducted specifically in regards to the identification rates of Black students with Specific Learning Disabilities. The data shows which of the selected school districts had the highest compliance rate for the three selected years. The data also shows how each school district compared from year to year. Each aspect of the data collection was done as discussed in Chapter 3. This project does not involve human subjects but rather public record archival data. It has nonetheless been reviewed and approved by the Institutional Review Board at The University of Southern Mississippi.

Research Design

The data used was accessed from the Mississippi Department of Education (MDE) through the U.S. Department of Education, Office of Special Education website for each school year and district. As discussed in Chapter 3, the selected school districts were chosen because of the relatively large population sizes. The collected data was already aggregated therefore, no further statistical analysis was necessary.

Data Analysis

The data was collected as described in Chapter 3. In each section, findings are reported by district and by each of the selected years beginning with a comparison of the district percentages for students with SLD rulings to the state percentage. Next it is reported comparing the district percentages for students with Other (disabilities). Each section closed with a comparison of the district differential to the state required differential. These findings are supported by the use of embedded Tables.

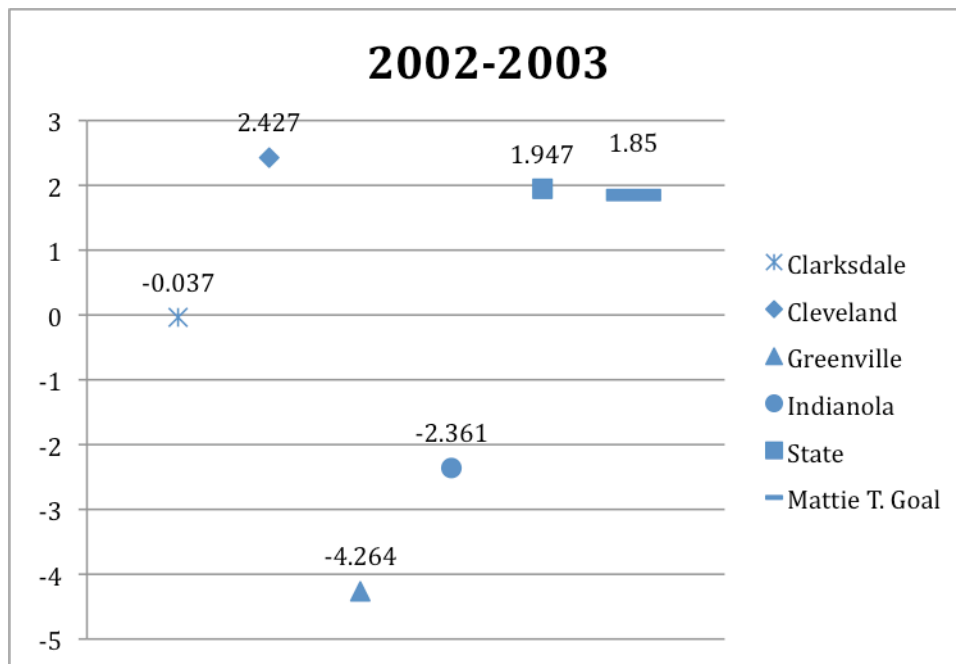
Comparing School Districts

Comparing Across Three Selected Years

The archival data collected encompassed three selected years as discussed in Chapter 3. One goal of this study is to compare the selected school years to determine which year each district accomplished the highest rate of compliance. The school year 2002-2003 was used as a baseline for data collection.

Table 1

Comparison of State and District Compliance Rates from 2002-2003

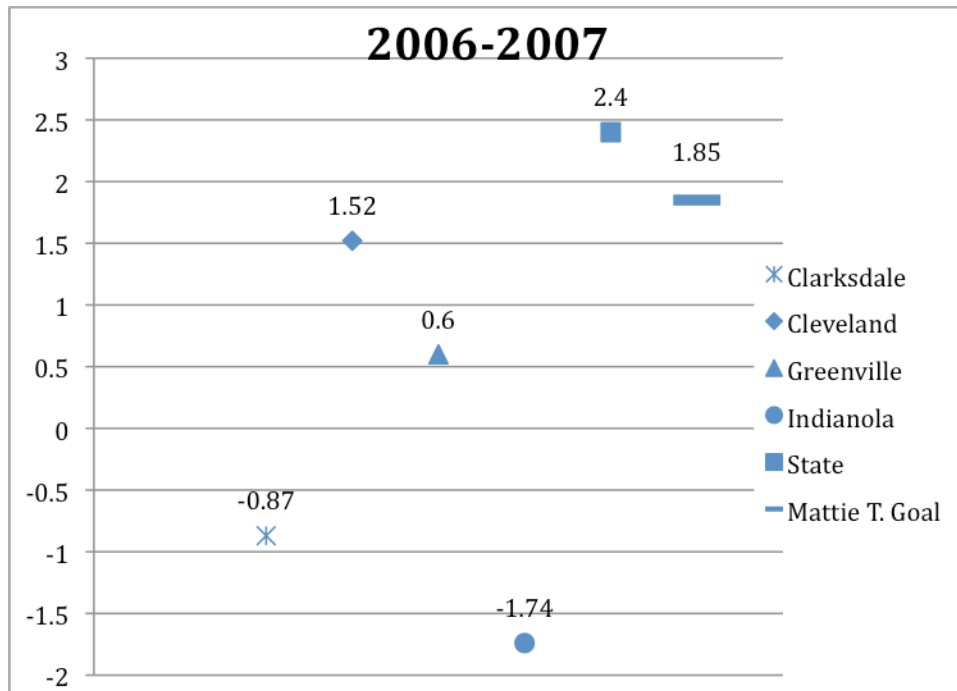


The 2002-2003 school year was the first school year that data was collected from each of the selected school districts. The goal of the *Mattie T. Revised Consent Decree (2003)* was to achieve a 1.85% or less differential for the entire state of Mississippi. This means that there should only be a difference of 1.85% or less between the Black and Other racial groups. The differential for the Clarksdale Municipal School District was -0.037%; therefore, Clarksdale met

the goal for the beginning data-reporting period. The differential for the Cleveland School District was 2.427%; thus, Cleveland did not meet the goal. The differential for the Greenville Public School District was -4.264%; consequently, this percentage indicates a successful goal fulfillment. The differential for the Indianola School District was -2.361%; therefore, Indianola met the goal for the beginning data-reporting period. Overall, for the 2002-2003 school year, Clarksdale appears to have been the most successful district in achieving the 1.85% or less differential. As a frame of reference, the differential for the state of Mississippi was 1.947%; indicating that the state was not successful in meeting the goal.

Table 2

Comparison of State and District Compliance Rates from 2006-2007

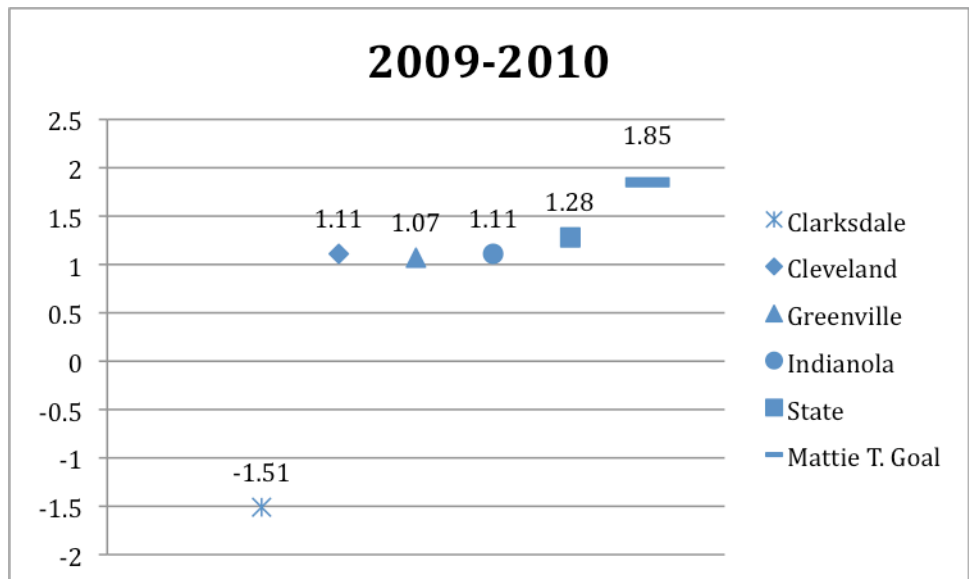


The 2006-2007 school year was the second year that data was collected for each of the selected school districts. The Clarksdale Municipal School District achieved a differential of

-0.87%, indicating another year of successful goal fulfillment. The Cleveland School District achieved a differential of 1.52%, which shows significant improvement over the 2.427% attained during the first data-reporting period. The Greenville Public School District achieved a differential of 0.60%; therefore, Greenville showed an immense change from the -4.264% achieved during the 2002-2003 reporting period. It is important to note that both years were successful in meeting the goal. The Indianola School District achieved a differential of -1.74%, indicating another year of successful goal fulfillment. Overall, Cleveland appears to have achieved the percentage closest to the goal of 1.85% or less. In comparison, the differential for the state of Mississippi was 2.40%, indicating that once again they were not successful in meeting the compliance rate goal.

Table 3

Comparison of State and District Compliance Rates from 2009-2010



The 2009-2010 school year was the final year that data was collected for each of the selected school districts. The differential for the Clarksdale Municipal School District was

-1.51%, indicating a successful fulfillment of the required goal of 1.85% or less. The differential for the Cleveland School District was 1.11%; therefore, Cleveland met the compliance goal with success. The differential for the Greenville Public School District was 1.07%; thus, Greenville was successful in meeting the compliance goal of 1.85% or less. Finally, the compliance rate for the Indianola School District was 1.11%; indicating, that Indianola was also successful in meeting the compliance goal. All four of the selected school districts were successful in meeting the compliance goal for the 2009-2010 school year. As a frame of reference, the differential for the state of Mississippi was 1.28%, indicating that the state was also successful in meeting the compliance rate goal.

Comparing the Four School Districts:

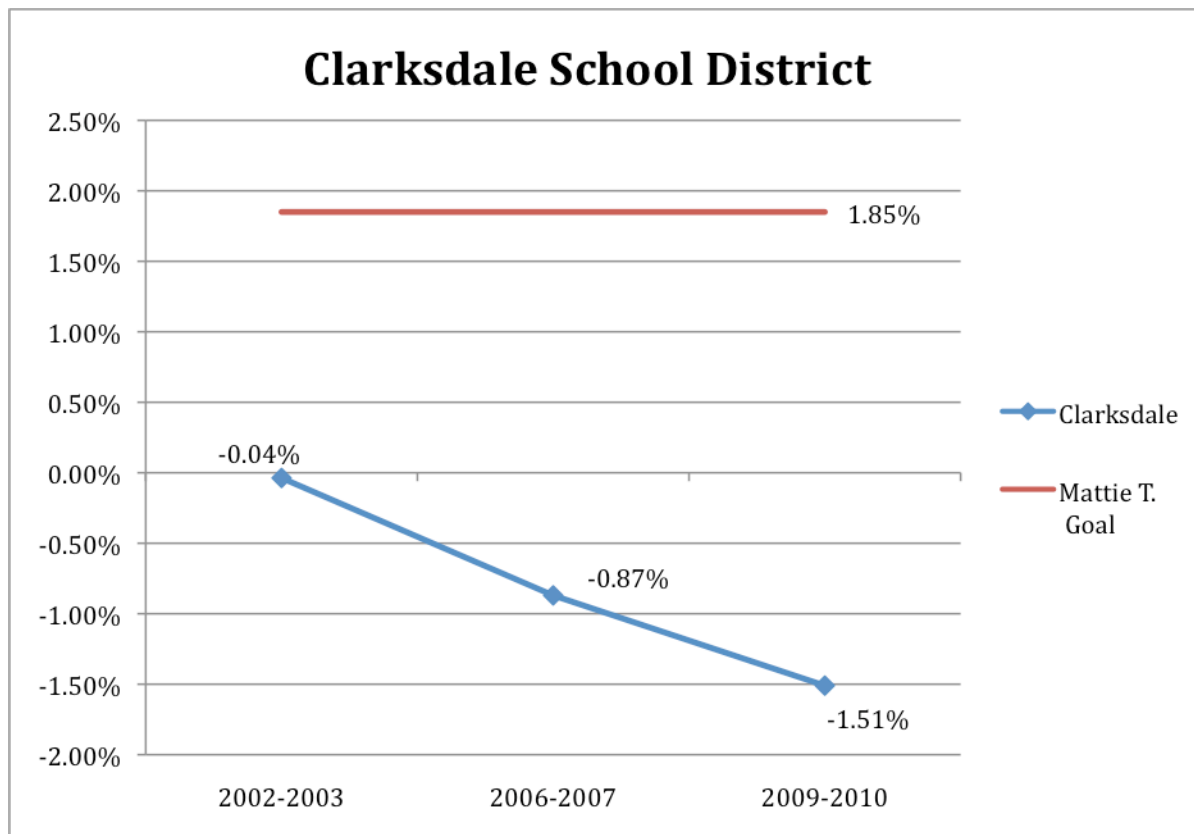
The purpose of this study was to determine if the selected school districts met the goal of achieving a 1.85% or less differential for Black students identified with Specific Learning Disabilities for the most recent reporting dates. The collected data indicates that the Clarksdale Municipal School District has the highest compliance rate as indicated in Table 4. The data reported for Clarksdale fell within the 1.85% for all three of the selected school years. This means that Clarksdale met the *Mattie T.* required compliance differential for the most recently reported school years.

However, data for the overall-state compliance rates were slightly above of the 1.85% goal indicating that the total differential of all schools in Mississippi did not meeting compliance requirements for all of the selected years. Clarksdale had the highest rate of compliance, the data indicates that by the school year 2006-2007, Cleveland, Greenville, and Indianola School Districts all fell within the *Mattie T.* 1.85% or less differential goal but at a lower rate of compliance. All of the selected school districts were, unlike the state, at the beginning of the data collection period in compliance except for Cleveland. Cleveland was in compliance by the second reporting period of school year 2006-2007. This indicates that all of the selected school districts are in compliance with the *Mattie T.* requirements with Clarksdale doing the best job by the last data reported. All four of these districts are doing a better job of meeting the requirements that the state as a whole. These findings will be further discussed in Chapter 5.

Comparing the Four School Districts

Table 4

Clarksdale Municipal School District Differential Compliance Rates



Comparing Clarksdale across three school years:

The Clarksdale Municipal School District data indicated significantly higher rate of compliance in this first year than in the other two years as indicated by a differential lower than the required 1.85%. In the second school year, the 2006-2007 year, Clarksdale made slight improvements in the district percentage of Black students identified with SLD. The school district met the *Mattie T.* goal of a 1.85% differential or less with a percentage of -0.87%.

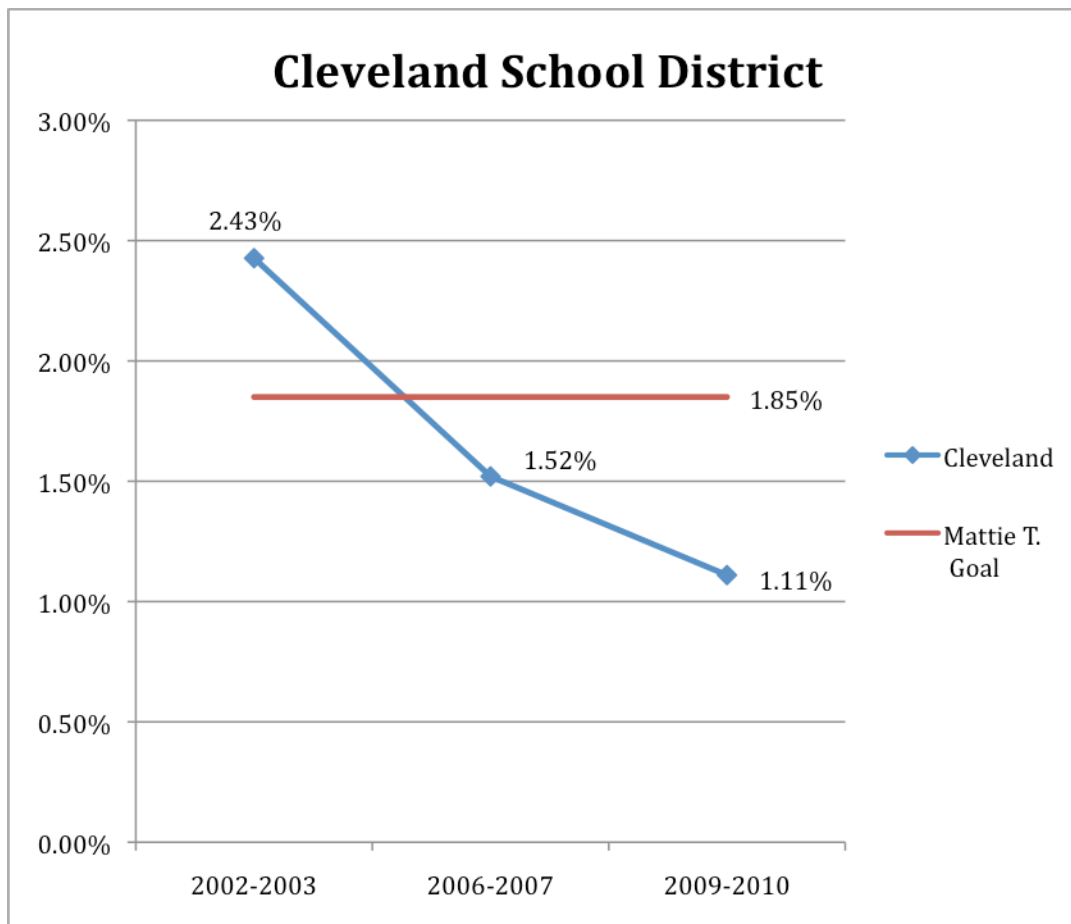
The 2009-2010 school year data indicated the greatest improvements of all three selected school years as illustrated in Table 4 All of the percentages were lowered significantly

from the 2002-2003 school year completing a steady pattern of improvement over the selected years. More importantly, the Clarksdale Municipal School District and the State of Mississippi both met the *Mattie T.* goal of a 1.85% or less differential.

Comparing Cleveland across three school years:

Table 5

Cleveland School District Differential Compliance Rates



In the school year 2002-2003 Cleveland School District reported differential data, while within compliance range, that was significantly higher in this first reporting year than in the following two years as indicated in Table 5. The 2006-2007 school year data shows that

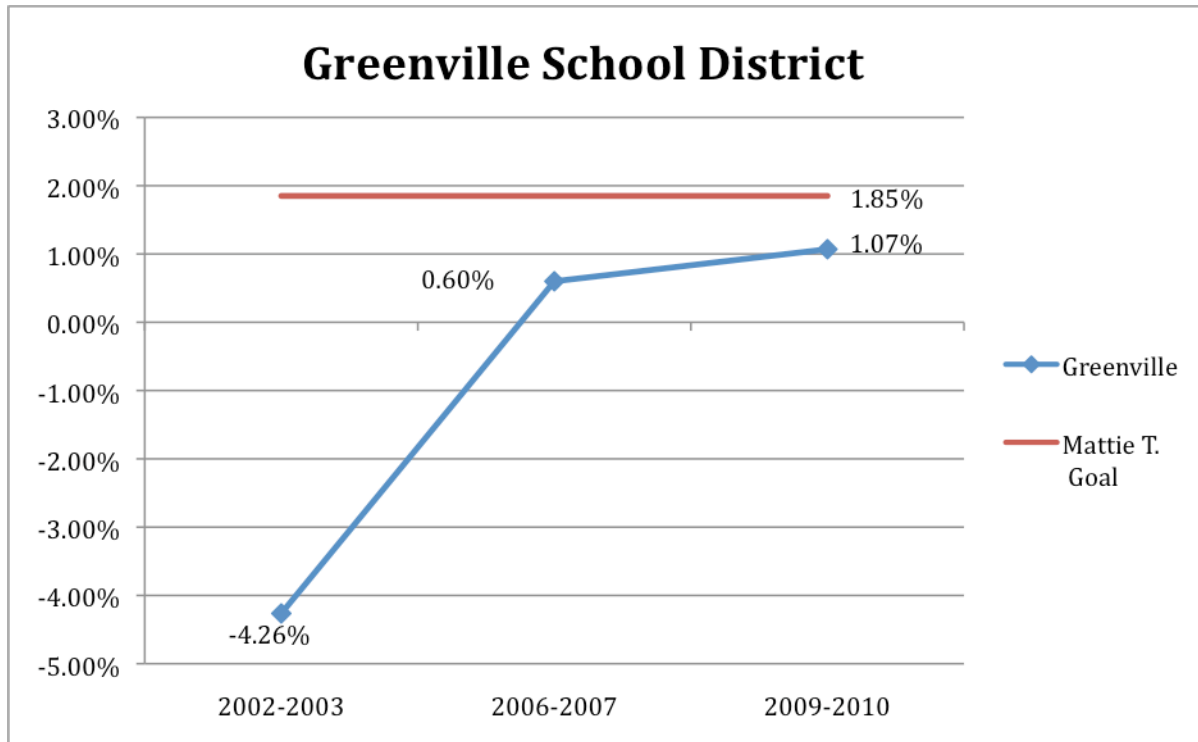
Cleveland reported a lower differential of 1.52%, which is within compliance range and lower than the reported differential of 2002-2003.

The most recently reported year of 2009-2010 indicates a still lower differential of 1.11% as compared to the state differential of 1.28%. This trend of decreasing differentials shows that significant improvements were made across the three selected school years in meeting *Mattie T.* compliance rate. In 2009-2010, both the District of Cleveland and the State of Mississippi achieved the *Mattie T.* goal of a 1.85% of less differential.

Comparing Greenville across three school years:

Table 6

Greenville Public School District Differential Compliance Rates



In the first reporting school year of 2002-2003, Greenville reported the lowest differential for the three selected school years. For the school year 2002-2003, Greenville reported a

differential of -4.26% which is well below the required compliance rate of 1.85%. This steady trend of increase in differential as illustrated on Table 6. This compared to the state compliance rate for the same time of 1.947% shows that the Greenville is doing a better job of meeting the compliance requirements for *Mattie T* than the state.

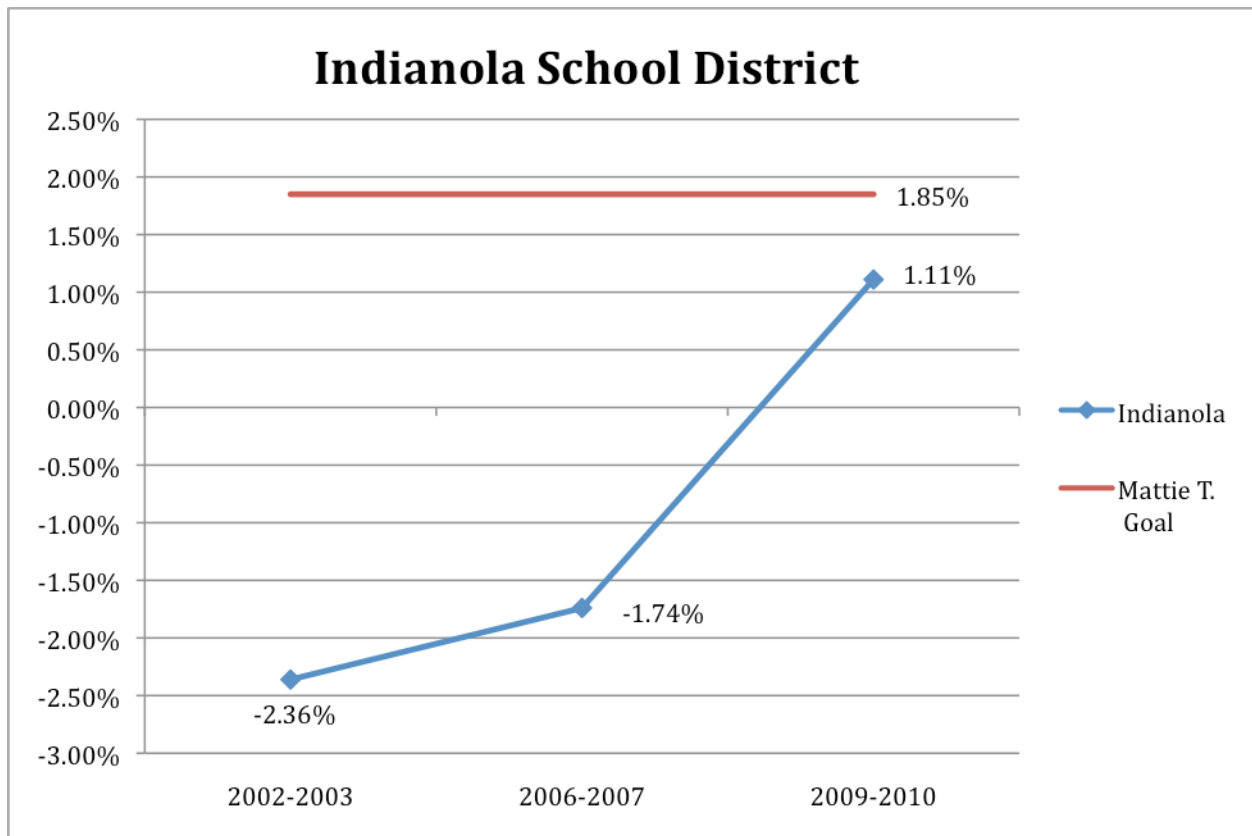
In the school year 2006-2007, an increasing differential trend was begun with a differential of .060%. While this rate is still in compliance, it indicates an increase in differential. This differential for Greenville compared to the state differential of 2.40% or the same time period indicated that the Greenville is doing a better job of *Mattie T* compliance than the State.

The reported differential for Black Students with SLD was reported to be higher in the school year 2009-2010, continuing an increasing trend begun in the 2006-2007 reporting period. More importantly, in 2009-2010, both the Greenville and the State of Mississippi met the 1.85% differential of less.

Comparing Indianola across three school years:

Table 7

Indianola School District Differential Compliance Rates



In the 2002-2003 year, the Indianola reported, as a baseline, reported the lowest differential and highest rate of compliance of the three reporting periods for Indianola. Indianola reported a differential of -2.36%. This compared to the state differential of 1.947% for the same reporting period indicates that Indianola did a better job of compliance. This is the best reporting period for Indianola and is followed by increasing differentials.

The second reported school year, 2006-2007, showed a slight increase in the percentage differential. Indianola reported a differential of -1.74%. This is a very good differential for compliance; however, it is an increase. This compared to the state differential of 2.40% for the same reporting period indicates that Indianola did a better job of compliance than the overall state as illustrated in Table 7.

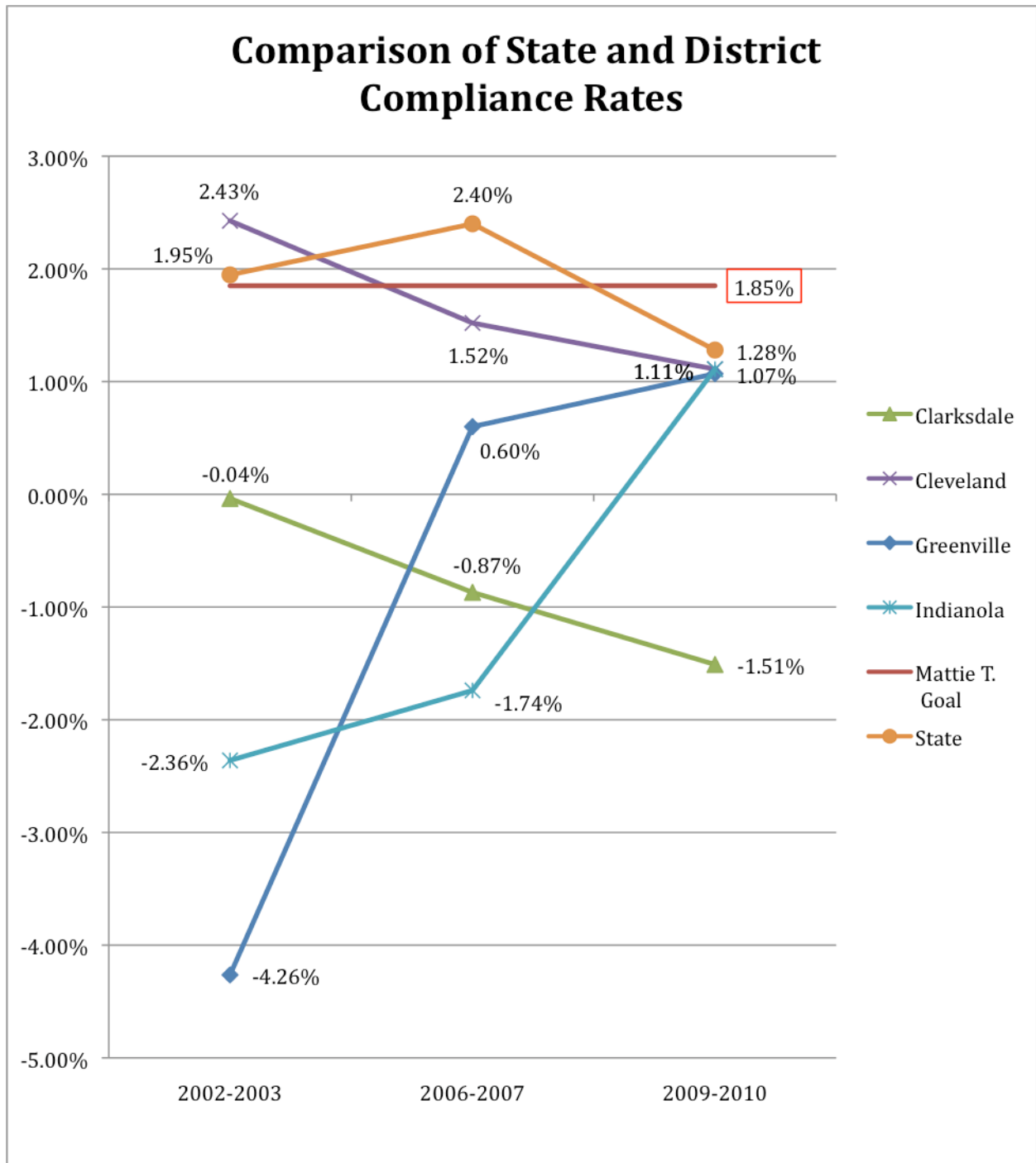
In 2009-2010, the third of the selected reporting periods and the latest of the periods, showed the most significant change of differential throughout the three selected school years. Like Greenville, this change in differential indicates an increasing trend which if not changed will ultimately result in noncompliance by being above the required differential. Both Indianola and the State of Mississippi achieved the *Mattie T.* goal of a 1.85% of less differential in 2009-2010.

Summary

In this chapter, process of data analysis was reported and discussed. Tables were provided in support of the data. Table 8 provides an overview of all of the State and School District percentages for each reporting period. In the next chapter, the results from the archival data collection will be used to determine what implications can be drawn from the data collected.

Table 8

Comparison of State and District Compliance Rates



CHAPTER 5

DISCUSSION

The purpose of this archival data study was to compare compliance rates for the *Mattie T. Revised Consent Decree* (2003) (commonly referred to as *Mattie T.*) for the selected school districts. Compliance was dictated by the *Mattie T.* legislation, as discussed in Chapter One, which stated that Mississippi must provide the necessary educational services for students with disabilities (Mississippi Center for Justice, 2006). As a part and one measure of proof indicating compliance with *Mattie T.*, individual school districts must stay below the differential of 1.85%. The specific section of *Mattie T.* that is relevant to this study is the section specifically focused on the category of Black students with special education rulings of Specific Learning Disabilities (SLD).

Over identification of Black students is a pressing matter because it is a consistent nationwide problem that has persisted over many years. According to the U.S. Department of Education, Black students make up 32% of the special education population nationwide (Edwards, 2006). In addition, research conducted by Parrish (2002) indicates that Black students are the most over-identified group in every disability category across nearly every state in the country. Also, other researchers have found that Black students are almost 1.5 times more likely to be identified with a Specific Learning Disability than any other racial group (Edwards, 2006).

Specifically, the compliance rates of the Clarksdale Municipal School District, the Cleveland School District, the Greenville Public School District, and the Indianola School District as well as the compliance rates for the State of Mississippi were compared. The data was collected from the Mississippi Department of Education (MDE) as accessed through the U.S. Department of Education, Office of Special Education Programs to include a selected three

reporting periods. Those years were the 2002-2003, 2006-2007 and 2009-2010 school years. It should be noted that this data was reported digitally only beginning in 2002-2003. The data was discussed in Chapter 4. This chapter, Chapter 5, discusses the findings, interpretations, and limitations that may have influenced the study with recommendations for future research or district practice.

Findings and Interpretations

Connections to Research

The *Individuals with Disabilities Education Act* (2004) (IDEA) required a nondiscriminatory evaluation of any student being considered for special education services. That, according to IDEA, to achieve a fair evaluation, schools must assess a student across a selection of areas including cognitive, behavioral, developmental, and physical. Furthermore, Mather (2006) states that the instruments used in the assessment must not discriminate against students on the basis of race, culture, language, or disability. The concern in the special education community is that there appears to be a trend of overrepresentation of Black students identified in the IDEA category of Specific Learning Disabilities (SLD). Researchers Gravois and Rosenfield (2006) clarify that the term disproportionate placement refers to the inconsistent representation of one group of students in special education versus the representation of that same group of students in general education. In Mississippi, this concern is reflected in *Mattie T.* (Mississippi Center for Justice, 2006). This study does not answer whether or not a nondiscriminatory evaluation process was used in the four selected Mississippi Delta school districts, but it does provide the compliance rates and trends of compliance for the districts as compared to State compliance rates and mandated compliance rates.

Overall Findings

Comparison of Districts and State Compliance Rates

The Clarksdale Municipal School District appears to have the lowest consistent compliance rate (differential) of the four selected school districts. From the beginning of the reporting period, Clarksdale stayed very steady in its in compliance reporting. In comparison, Cleveland reported a higher differential in the beginning of this reporting. However, the next reporting showed a still lower differential still within compliance. This decrease began a downward trend to even better compliance differentials or rates. These two districts, Clarksdale and Cleveland, show healthy compliance rates that continue to improve, often besting the State level of compliance.

In comparison, the Greenville Public School District and the Indianola School District compliance rates indicate a different trend. Greenville reported the lowest differential of the group indicating the best level of compliance for all of the selected school districts in the first reporting year. However, there was a significant leap by the second reporting period. The compliance rate was still within acceptable limits but the increasing trend continued through the last reporting period.

Indianola reported the same increasing trend as Greenville. For the first reporting period, Indianola was within a very acceptable range. The differential increased in the second reporting period of 2006-2007 indicating compliance but at a lesser level. In 2009-2010 the differential increased dramatically.

It should be noted that both Greenville and Indianola are within acceptable limits as of the last reporting period. However, if current reporting trends continue, the next reporting period

may show noncompliance for Greenville and Indianola. This should be an area of concern for these two school districts.

The state of Mississippi made inconsistent changes across the three selected years. In the 2002-2003 reporting period, Mississippi reported a differential slightly above the goal. However, for the 2006-2007 reporting period Mississippi's trend raised significantly, putting them well outside of the acceptable limits. This was the year of highest noncompliance. The 2009-2010 year made significant improvements towards compliance. The differential fell well within the acceptable limits of compliance, giving Mississippi a very satisfactory compliance rate.

Pertinent to the individual school districts are trends between the reporting periods for the specific school district. The Clarksdale Municipal School District reported a very satisfactory compliance rate from the very beginning of the reporting. This continues and unless something very dramatic happens within this next reporting period should be within compliance in the next reporting period. This indicates that the Clarksdale district has the procedures in place for evaluating and placing Black students with SLD with some level of appropriateness.

The Cleveland School District reported out of compliance in the first reporting period. However, this was dramatically changed by the next reporting period. The trend continued until the next reporting period. This indicates that, like Clarksdale, the trend was recognized by the district and it now has in place appropriate measures to achieve compliance with *Mattie T.*

The Greenville Public School District reported compliance in 2002-2003. That level of compliance changed dramatically over the next two reporting periods. The trend is suggestive of increasing rather than decreasing placement of Black students with SLD. It might appear that Greenville addressed this to some degree because of the significant change from 2002-2003 to

2006-2007. This should be of concern for Greenville because even a slight increase will put them dangerously close to noncompliance.

The Indianola School District very closely resembles the Greenville Public School District. Indianola reports a very acceptable level of compliance in 2002-2003. Although, that compliance rate continues to climb closer to the mandated level each reporting year. Indianola also needs to consider measures to halt this upward trend. Based on past data it is reasonable to assume that Indianola could be at or out compliance by the next reporting period.

All of the selected school districts are within compliance of this requirement from the *Mattie T. Revised Consent Decree (2003)* in the reporting period of 2009-2010. All districts have made obvious effort by continued and improved compliance rates to meet this mandate.

However, Greenville and Indianola have trends that suggest a need for concern on the part of those school districts.

Recommendations for Present Practice

The changes that are reflected across the three selected years, which span across an eight-year period, show that significant improvement is possible in a relatively short span of time. However, only time will tell if the districts will continue to make progress towards meeting the compliance rate goal set forth by the *Mattie T. Revised Consent Decree (2003)*. The Clarksdale Municipal School District and the Cleveland School District should continue measures in practice to maintain the level of compliance. These measures appear to be successful. Greenville and Indianola many need to re-examine those practices to see what can be done to decrease the rising trend of compliance in their districts.

Suggestions for Future Research

A suggestion for further research would be to increase the number of districts that the study collected data. Instead of just choosing four school districts from one region, additional research might expand to include one district from every congressional region of the state of Mississippi. This would provide a better picture of the rates of compliance across a range of geography and would allow lawmakers to make better-informed decisions about future educational legislation.

Another area of recommended research would include breaking data down further into male and female categories instead of reporting the data as a collective group. The research reported in Chapter 2 indicates that there are wide differences between Black boys and Black girls. By breaking the data down, future research may be able to better target this area for improvement. Further, the research could be enhanced by extending the research to larger population sizes.

Conclusions based on the results are limited because the amount of time measured was only three specific years out of the eight that are available on the MDE website. The districts' gains could have been more or less significant over a longer period of time had the research been extended. This time frame was chosen to provide longitudinal data that met the constraints of an Honor's Thesis.

Another area that became evident in the analysis of the data was that the steady trends was that Clarksdale and Cleveland are geographically close to each other in the Mississippi Delta and did a better job of compliance. Indianola and Greenville are close to each other but more distant from the other districts. Consideration of the impact of geographic location might merit some further investigation and research.

Summary

The research of this study was meant to examine the reality and implications of compliance data as required by the *Mattie T. Revised Consent Decree* (2003). Based on a literature review, the researcher described all of the different components of the identification and evaluation process that are required by IDEA (2004) when determining if a student has a disability qualifying that students for special education services. Mississippi is not only bound by federal law but also the Consent Decree specific to Mississippi. The overall results indicated that some school districts are more successful than others in meeting the mandates. These results are not conclusive as to which school district is overall the most on track with their identification and evaluation process, but the results do indicate which of the selected school districts are achieving greater compliance rates. The data collected also indicated the State of Mississippi, as a whole, has more to do in ensuring compliance rates. These results support other research conducted that reports findings of inconsistent and scattered data as discussed in Chapter 2 (Crowe, 2007; Fore, 2008; Gravois & Rosenfield, 2006; Losen & Orfield, 2002; Mather, 2006; Oswald, Coutinho, & Best, 2002; Parrish, 2005; Raymond, 2008).

Conclusion

Fair evaluation and identification processes need to become extremely important aspects of determining whether or not a student has a disability. This is a determination that cannot be taken lightly because it will have long-term effects on a student's educational experiences. As supported by this research, states and school districts have been given discretion as to how they identify and evaluate their students. This lack of national clarity has set the stage for inconsistencies in the identification process. Although the research in this study does not provide

extensive proof that the choices made by one school district or state are better than the others, it does show significant differences between the differential rates of Specific Learning Disabilities for Black students. This study also verified and provided empirical evidence that there are school districts that are successfully meeting state mandates with their identification and evaluation processes. A conclusion of this study would be that Mississippi needs to focus more on which students are being identified and work towards eliminating the disproportionality that is found within special education for Black students with Specific Learning Disabilities.

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