



## Empowering Disabled Black Youth Through Equitable Education Policies

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Disabled Black youth face multiple, overlapping barriers to a fair public education. Research shows that school personnel such as teachers and administrators are susceptible to **implicit racial** and **disability biases** which make them more likely to overly discipline disabled Black youth. School personnel are more likely to arrest, beat, detain, expel, restrain, seclude, suspend, and ticket disabled Black youth than anyone else.

According to the **Learning Policy Institute**, "Black students with disabilities consistently have the highest risk of suspension, with almost 1 in 5 (19%) receiving a suspension in 2017–18." Moreover, **The74 reports** that in the 2017-18 school year, approximately one in four Black students with disabilities faced suspension, compared to just 11% of white students with disabilities. Black middle and high school students with disabilities have a suspension risk exceeding 40%, significantly higher than their non-Black counterparts. Additionally, Black students with disabilities experience higher rates of referrals to law enforcement than other student groups. This pattern of over-discipline can lead to decreased academic achievement and graduation rates, reduced college attendance, and increased likelihood of arrest and future incarceration.

The over-disciplining of disabled Black youth harms students, families, and communities. The increased school discipline of disabled Black youth is an unnecessary economic burden to U.S. taxpayers. **Many studies** show a relationship between a single suspension and the increased costs of juvenile and adult incarceration, lower state and federal tax revenues, and higher health and welfare costs. Conversely, increased school graduation rates among disabled Black youth provides multiple economic benefits. Ensuring the success of disabled Black students requires increased school support staff trained in crisis intervention, a greater number of special education teachers handling disciplinary actions rather than school law enforcement, and equitable access to Manifestation Determination Reviews to ensure fair disciplinary practices.

### Disparities in Education and Discipline

Disabled Black youth face many complex barriers to their right to a public education such as school personnel's implicit racial and disability biases, inadequate special education funds and resources, and school discipline being under the purview of sworn police officers instead of special education teachers.

Discriminatory laws and harsh school discipline policies further create a hostile environment for disabled Black youth. For example, zero tolerance policies such as policies that result in arrest referrals for cell phone use in class negatively impact disabled Black youth more than any other disabled group.

There have been plenty of viral incidents capturing how disabled Black youth are often overly disciplined. For example, six year old **Kaia Rolie** was handcuffed and five year old **Ja'eisha Scott** was zip-tied for throwing

tantrums in school in Florida. Such a harsh reality sets them up for failure, so that they are more likely to end up in the prison yard than the school playground.

Legal protections like Manifestation Determination Reviews (MDR) are meant to protect students from unjust disciplinary measures. Under the Individuals with Disabilities Education Act (IDEA), MDRs require schools to determine whether a student's behavior is linked to their disability before administering discipline measures. In practice, however, these reviews often fail the very students they're meant to protect— particularly students of color. This failure is largely due to the unchecked biases of the personnel conducting them and the lack of accountability built into the system.

When protections like MDRs are applied unequally, they reinforce existing disparities and only protect white children from high income families. Without proper oversight and equity-centered training for school staff, these safeguards can become yet another mechanism of exclusion.

## Policy Solutions to Address Educational Inequities

Though disabled Black youth only represent a small share of students overall, policy interventions which target their needs would support efforts to increase the positive school experiences of all disabled students and students of color who make up the majority of students in U.S. schools.

To create a fairer, more effective school discipline system, policymakers must implement comprehensive reforms that directly address these challenges:

- **Increase Investment in Special Education Support Staff:** Greater federal and state funds need to be reverted to special education programs to increase trained special education teachers. Part of that training should include sensitivity and implicit bias training so that every student can have access to a safe public education.
- **Reduce the Presence of Law Enforcement in Schools:** Most public school students attend schools with school resource officers and sworn police officers, but no counselors, psychiatrists, psychologists, nurses, or social workers. Funding that goes towards school resource officers or police officers should be redirected to mental health professionals and special education services who are trained to handle complex behaviors by students with special needs.
- **Strengthen Civil Rights Protections:** There is a need for increased civil rights protections for all students, but especially those in the most jeopardy, including disabled Black youth. For example, research shows that Manifestation Determination Reviews—a policy meant to help determine whether a child's misbehavior was due to their disability—is more protective of disabled white youth than disabled youth of color including disabled Black youth. A MDR can only help if school personnel are first trained to address their own biases. For example, a [recent study](#) found that providing teachers with more individuating information on a student can help reduce individual biases against that student's racial group. Also, teachers who are taught to believe that students can change are less likely to overly discipline misbehaving students.

The over disciplining of disabled Black youth has negative consequences for all students regardless of their race or disability status. By investing in support services, limiting law enforcement in schools, and strengthening civil rights protections, policymakers can create a more just and effective education system. The government needs to address the school to prison pipeline for innocent students whose behaviors are simply a direct result of their disability.

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**This brief highlights key findings from “The Immovable Veil of Black Disability: An Introduction to Black disability Threat Theory and its application to the school to prison nexus” by Dr. Da’Shay Templeton. The article is freely available to the public and can be found [here](#).**