Detaining the Usual Suspects:
charting the use of segregated settings in
New South Wales government schools, Australia

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ABSTRACT This article examines the increase in segregated placements in the New South Wales government school sector. Using disaggregated enrolment data, it points to the growing over-representation of boys in special schools and classes, particularly those of a certain age in certain support categories. In the discussion that follows, the authors question the role of special education in the development of new and additional forms of being ‘at risk’. In effect, they invert the traditional concept by asking: who is at risk of what? In focusing on the containment of risk, are modern practices of diagnosis and segregation perpetuating risks that already disproportionately affect certain groups of individuals? Do these perceptions of and responses to risk in local schools now place these students at greater personal risk of school failure and a future marked by social exclusion? And, finally, is that risk worth the cost?

Introduction

The segregation of students with additional support requirements was accepted practice in Australia throughout much of the twentieth century (Snow, 1990; Ladwig et al, 1999). Routine exclusions produced a parallel system of special schools and classes that continued to grow in strength and number until changes overseas brought the labelling and segregation of children into question (Parmenter, 1979). A promising new era began in the 1970s with the legislation of the Education for all Handicapped Children Act (1975) and Individuals with Disabilities Education Act (1978) in the United States, together with the release of the highly influential Warnock Report (1978) in the United Kingdom. Shortly thereafter, a number of Australian reports and studies contributed to a fledgling consensus that children with a disability have a right to attend their local school (McRae, 1996). Placement statistics would suggest that this sentiment was quickly embraced, with the number of students enrolled in government special schools across Australia dropping by 37% in the decade from 1982 to 1992 (De Lemos, 1994).

As Australia’s largest state, New South Wales (NSW) recorded a similar 30% decline in special school enrolments in the decade between 1985 and 1995; however, the McRae Integration/Inclusion Feasibility Study (1996) reported that approximately two-thirds of that fall had occurred between
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1985 and 1989 inclusive. In fact, despite the Commonwealth Government’s introduction of the Disability Discrimination Act in 1992, McRae (1996) found that New South Wales had seen very little real increase in the inclusion of students with a disability in mainstream classes since 1986. Instead substantial growth was noted in the placement of students in other forms of segregated placement such as support classes, which were said to be acting as ‘surrogate’ special schools within ‘mainstream’ school campuses (McRae, 1996, p. 23). Also of concern were newly emerging trends that pointed to increased diagnosis in particular categories of disability. Implicating shifts in funding policy as opposed to changes in incidence, McRae (1996) pointed to large and sudden increases in the number of students classified as disabled in NSW government schools. For example, between 1994 and 1995, the ‘identification of students with mild and moderate intellectual disabilities rose 4.8% and 8.1% respectively, and behaviour disorders rose 33.4%’ (McRae, 1996, p. 24).

Recent research by Graham & Sweller (in press) has found that these trends have since accelerated. Between 1997 and 2007, the percentage of students with a disability classification more than doubled in NSW government schools, rising from 2.7 to 6.7% of total enrolments. While enrolments in special schools did decline in the mid 1980s, this trend abruptly reversed just a decade later. As students with physical, hearing, vision and mild intellectual impairment moved out, larger numbers of students classified with moderate intellectual impairment and behaviour disorders moved in, leading to an overall increase in the student population enrolled in special schools. At the same time that enrolments in special schools were increasing, however, so too was the use of support classes (see Graham & Sweller, in press). The largest increase in any segregated setting was found in the enrolment of students in secondary school support classes under the category of behaviour disorder (a percentage increase in the order of 585%). While there was no significant change in the enrolment of students under the category of emotional disturbance (ED) in special schools [1], there was significant growth in the number of students classified as ED in both primary and secondary support classes (Graham & Sweller, in press).

As a result of these shifting diagnostic and enrolment trends, the student population in segregated settings has changed substantially over the last 15 years. A graphic illustration of the extent of this change is that one-third of special schools in the New South Wales government school sector are classed as ‘behaviour schools’ (NSW Government, 2010), while the number of ‘Learning Centre’ places for students ‘whose behaviour can no longer be supported by the students’ home schools’ has doubled from less than 500 to more than 1000 places since 2001 (Department of Education and Training [DET], 2009, p. 1). A less publicised issue is that these new student groups are disproportionately male.

According to statistics published by the NSW DET (2007), there has been a substantial increase in the number of boys enrolled in segregated settings relative to girls over the last decade. Although the gender distribution in the general school population has consistently averaged 51% boys to 49% girls, by the close of the twentieth century boys began to significantly outnumber girls in segregated settings. In 1997, boys constituted 61% of students in support classes, and 67% of students in special schools (DET, 1997, p. 17). Gender disparity continued to increase over the following decade and by 2007, boys accounted for 65.1% of enrolments in support classes, and 72.4% of enrolments in special schools. Together, these findings represent a significant departure from national trends reported by Dempsey & Foreman (1995) in the mid 1990s. Their analysis of national survey data found that boys were significantly over-represented in support classes (with 74% of enrolments) but more evenly distributed in both regular classes (56% boys) and special schools (31% boys).[2] The most recent trends suggest that gender disproportionality is growing in New South Wales and that boys are increasingly more likely to be enrolled in segregated settings than girls.

Method

In this article, we focus on the increase in the use of segregated settings by New South Wales government schools, investigating which students attend and with what diagnosis to identify patterns that cannot be fully explained by epidemiological factors (Organisation for Economic Cooperation and Development [OECD], 1999). To do so, we draw on annual student enrolment data published by the New South Wales Department of Education and Training, using descriptive
statistics to examine patterns in the data. Specifically, risk ratios were calculated to determine whether the probability, or ‘risk’, of being placed in a segregated setting is greater for one group of children than for another group. To calculate this risk ratio, using boys in segregated settings (special schools and support classes combined) as the target group, we use the following formula:

\[
\text{Risk ratio} = \frac{\text{Number boys in segregated settings}}{\text{Number boys total enrolments}} \div \frac{\text{Number girls in segregated settings}}{\text{Number girls total enrolments}}
\]

A risk ratio of 1 means the risk of being placed in a segregated setting is the same for each gender. A ratio of greater than one reflects a greater risk for boys, while a ratio of less than one reflects a greater risk for girls (see also Oswald et al, 2003). While the overall risk ratio listed in Table I is 2, meaning that boys are twice as likely to be enrolled in segregated settings as girls, the aggregate masks significant divergence by category.

<table>
<thead>
<tr>
<th>Classification code</th>
<th>Support category</th>
<th>Gender risk ratio by category</th>
</tr>
</thead>
<tbody>
<tr>
<td>JJ</td>
<td>Juvenile Justice</td>
<td>16.10</td>
</tr>
<tr>
<td>AU</td>
<td>Autism</td>
<td>8.90</td>
</tr>
<tr>
<td>BD</td>
<td>Behaviour Disorder</td>
<td>5.70</td>
</tr>
<tr>
<td>ED</td>
<td>Emotional Disturbance</td>
<td>5.50</td>
</tr>
<tr>
<td>L</td>
<td>Language Disorder (primary school support classes)</td>
<td>3.80</td>
</tr>
<tr>
<td>V</td>
<td>Vision Impairment</td>
<td>1.80</td>
</tr>
<tr>
<td>IO</td>
<td>Intellectual Impairment (moderate)</td>
<td>1.75</td>
</tr>
<tr>
<td>IS</td>
<td>Intellectual Impairment (severe)</td>
<td>1.73</td>
</tr>
<tr>
<td>IM</td>
<td>Intellectual Impairment (mild)</td>
<td>1.70</td>
</tr>
<tr>
<td>P</td>
<td>Physical Disability</td>
<td>1.64</td>
</tr>
<tr>
<td>H</td>
<td>Hearing Impairment</td>
<td>1.26</td>
</tr>
<tr>
<td>IE</td>
<td>Intensive English (secondary school support classes)</td>
<td>1.20</td>
</tr>
<tr>
<td>Overall risk ratio for segregated settings</td>
<td></td>
<td>2.00</td>
</tr>
</tbody>
</table>

Note: Students in support classes and Schools for Specific Purposes (SSPs), except those in Juvenile Justice (JJ) schools, are reported by the category of their primary need/disability, not by the type of class or school attended (DET, 2007, p. 18).

Table I. Gender risk ratios in segregated settings by support category.

The results for segregated settings listed in Table I show that gender disparity is lowest in secondary school support classes providing intensive English instruction to new arrivals from non-English speaking countries, and highest in juvenile justice schools. Moreover, Table I clearly illustrates that the disproportionate over-representation of boys in segregated settings is highest in more subjective categories of disability, such as behaviour disorder and emotional disturbance. The question is: to what extent and why?

**Forgotten Exiles**

Disproportionality plagues judgmental but not nonjudgmental categories of disability ... Judgmental categories capture subtle disabilities for which there is usually no known organic cause and for which diagnosis rests on the ‘art’ of professional judgment ... Although children in the nonjudgmental categories usually start school with a disability determination, children ‘are referred to the judgmental categories ... only after they have failed to achieve in the general education classroom. (O'Connor & Fernandez, 2006, p. 6)

For the last 30 years, the international research literature has reported on the growing over-representation of boys in special education, particularly in ‘non-normative’ categories of disability (e.g. learning disabilities and emotional/behavioural disorders). Since the 1960s, research from the United States has reported that there are about two to three boys for every girl in special education
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(Oswald et al, 2003). Increasingly, however, the ratio for students classified as learning disabled or emotionally disturbed is much higher, where up to three-quarters of identified students are male. Yet, while disproportionate over-representation in special education is a consistent feature of the international research literature, Australian research is curiously silent on this issue. Most likely this is due to the lack of coordination between the various states and territories in terms of support classification, eligibility criteria, placement options, and reporting (Westwood & Graham, 2000). New South Wales is the most transparent educational jurisdiction in Australia, although even here only selected data sets are published. For example, disaggregated data are available for students with a disability or additional support need enrolled in segregated settings with breakdowns by gender and support category. Oddly, there are no comparable data available for students with a disability enrolled in regular classes. As such, our analyses are restricted to the data we can access. We cannot, for instance, calculate how many Aboriginal boys relative to other boys are enrolled in support classes and special schools by support category, although we can isolate the particular support categories in which boys (as a group) are significantly over-represented in segregated settings.

Chinn & Hughes’s (1987) criterion for determining substantial disproportionality establishes a bandwidth (+/-10%) around the general education enrolment proportion for the target group. According to Skiba et al (2006), special education enrolment rates that fall within that bandwidth are considered proportionate. Given that boys constituted 51.2% of total enrolments in New South Wales government schools in 2007, an appropriate bandwidth for proportionate enrolment in special education settings would be between 46.1% and 56.3%. Enrolments in special schools and support classes of either gender above or below these levels would indicate disproportionate representation. Our analysis finds that boys are over-represented in segregated settings in every category eligible for support in New South Wales government schools. Although a discrepancy might be expected in some categories, where genetic and other indices suggest genuine gender differences, these differences cannot fully explain our findings: not only is the discrepancy observed much more evident in non-normative or ‘judgemental’ categories of disability (as will be discussed later), but the proportion of boys in almost every category is also higher than that reported in the international literature. For example, Oswald et al (2003) note:

Of the three disability conditions, MR [Mental Retardation] has the most similar gender prevalence rates in the medical literature. Recent studies support a male to female ratio of about 1.5:1 (American Psychiatric Association, 2000). Thus, the stable gender disproportionality seen in MR special education services is entirely consistent with prevalence rates that emerge from epidemiological research. MR is also the disability condition for which the literature identifies the clearest genetic and metabolic etiologies, many of which are found exclusively or predominantly in males. On balance, then, the biological hypothesis for gender disproportionality has the strongest support in the case of MR. (Oswald et al, 2003, p. 232)

It is pertinent to note here that the term ‘mental retardation’ is outdated (Salvador-Carulla & Bertelli, 2008) and has been replaced by ‘intellectual disability’ in many countries around the world, including Australia. Children with an intellectual disability constitute the largest proportion of students enrolled in segregated settings in the New South Wales government school sector. In the 2007 census year for NSW government schools, there were almost twice as many boys for every girl with intellectual disability enrolled in segregated settings – a figure that is not entirely dissimilar to that cited by the American Psychiatric Association. While this might suggest that the gender distribution for intellectual disability in NSW government schools is in keeping with international standards, such broad analyses can obscure important detail. For example, research from the United States has found not only that some groups are consistently over-represented in special education programs, but further, that some of those groups are ‘overrepresented in more restrictive educational environments and underrepresented in less restrictive environments’ (Skiba et al, 2006, p. 413). Such findings have led some researchers in the field to argue that disproportionality in relation to placement is at least, if not more, important than disparity across the various categories of disability. Given the nature of the data at our disposal, we began looking for relationships between gender, age, support category and educational placement with two questions in mind:
(1) Who is more likely to be enrolled where?
(2) Is the risk of being enrolled in a particular setting higher for some boys than others?

To illustrate the investigative power of such an approach, we return briefly to the relatively stable category of intellectual disability. The New South Wales Department of Education and Training publishes the number of enrolments in segregated settings under three sub-categories of intellectual disability (IM: mild intellectual impairment, IO: moderate intellectual impairment, IS: severe intellectual impairment). While the gender distribution for intellectual disability as a whole may not appear much higher than that found internationally, further analysis finds that some boys face a significantly higher risk of being enrolled in more restrictive settings than girls of the same group. For example, under the IM category, the risk of placement in a special school was 3.4 times higher for boys than girls with an equivalent classification. Given that the vast majority of children with mild intellectual impairment have moved from special schools to support classes (Graham & Sweller, in press), it appears that a small but significantly disproportionate group of boys with mild intellectual impairment remains in the most restrictive setting available to NSW government schools. A similar pattern was reflected in the IO category, where boys were 1.7 times more likely to be in support classes but 2.1 times more likely to be enrolled in special schools than girls. Gender ratio discrepancies are also evident between settings under the category of hearing impairment (H), where boys are 2.5 times more likely to be enrolled in a special school than girls with the same support classification.

![Diagram showing composition of 2007 enrolments in segregated settings in NSW government school sector by gender and support category.](image-url)


Returning to our question of who is at risk and of what, it can be seen that the greatest over-representation of boys relative to girls can be found in what are commonly referred to as ‘non-normative’ or ‘subjective’ categories of disability (Tomlinson, 1982). These are categories in which diagnosis is made on the basis of ‘soft’ criteria that are much more open to influence by differences in professional perception and judgement, as well as pressure from political or institutional factors (see Skellern et al., 2005). Such enrolment categories represent children described as having social, emotional, behavioural and general learning difficulties; see, for example, behaviour disorder (BD), emotional disturbance (ED), autism (AU) and juvenile justice (JJ) in Figure 1. Over-representation of boys in subjective diagnostic categories has been consistently noted in research investigating disproportionate representation in special education,
although again the ratio of boys to girls in New South Wales appears higher than noted international standards.

Only for the disability condition of deaf/blindness are boys identified at about the same rate as girls (49.5%), whereas for hearing impairments, orthopedic impairments, deafness, other health impairments, and visual impairments the percentage of boys is slightly higher (52%, 54%, 54%, 56%, and 56%, respectively) ... Sixty percent (60%) of those identified as having speech impairments and about 65% of students with multiple disabilities are boys. The greatest disparities are found for students with LD [learning disability] and students with ED [emotional disturbance] where 73% and 76% of the students, respectively, are males. (Oswald et al, 2003, p. 224)

While it is possible that the overall ratio of boys to girls may even out slightly with the inclusion of data relating to students with a disability enrolled in regular classes, our analysis still shows that boys in New South Wales are significantly over-represented in segregated settings. This is particularly evident in certain support categories, yet in light of the international rates noted above, there appear to be some interesting anomalies by both category and setting. For example, in New South Wales, some 80% of students in primary school support classes with a language disorder (L) are boys (Figure 1). Therefore, even if the general prevalence of speech/language impairment does affect almost twice as many boys as girls, our study shows that boys with a language disorder who are educated in New South Wales face 3.8 times the risk of being segregated than girls with the same disability.

While classic autism (AU) would be classed as a traditionally normative category of disability ordinarily affecting boys more than girls, international prevalence rates posit a gender ratio of approximately three boys to every girl, with gender representation equalizing at the most severe levels of cognitive impairment (Nicholas et al, 2008). It seems that the latter (but not the former) pattern is repeated in New South Wales. Under the category of autism, there are nine times as many boys enrolled in segregated settings as there are girls with the same disability classification. This may well be because girls with autism are being included in mainstream schools more successfully than boys; however, without enrolment data relating to students with a disability in regular classes, Australian researchers can only speculate. Nonetheless, our analysis of the data available for enrolments under the category of autism indicates that gender disparity decreases in more restrictive settings. The risk of enrolment in a support class for boys with autism is 10 times that of girls, but in relation to enrolment in special schools, the risk for boys decreases to 4.2. In other words, gender disproportionality in segregated settings within the New South Wales government school sector appears to increase with the level of judgement involved in processes of identification, diagnosis and placement.

Such discrepancies in the traditionally ‘normative’ categories of disability are interesting. However, they pale in comparison to those relating to the more ‘soft’ categories of disability, particularly emotional disturbance (ED) and behaviour disorder (BD), where boys face more than five times the risk of being placed in a segregated setting than girls. Worryingly, prior studies have shown that a significant proportion of students graduate from support classes and special schools to juvenile justice centres for young offenders (see de Plevitz, 2006). The majority of these students would be boys, as boys face more than 16 times the risk of ending up in juvenile justice schools than do girls. Not surprisingly, juvenile justice (JJ) shows the greatest gender discrepancy across all DET support categories, as boys make up 95% of enrolments in juvenile justice schools (see Figure 1). This gross gender disproportionality continues into the adult prison population where some 93% of prisoners are male (Council of Social Service of NSW [NCOS], 2008).

An Age-Old Problem?

The issue of disproportionate representation in special education has been a consistent feature of the international research literature for some three decades, particularly in the United States (Hosp & Reschly, 2001). While much research has focused on the over-representation of particular racial groups, the existence of and growth in gender discrepancies is now starting to attract attention (Wehmeyer & Schwartz, 2001). This has led researchers to question what other factors are at play, given that gender discrepancy is lowest between children with a diagnosis in the normative
categories of disability (moderate to severe intellectual, physical, hearing and vision impairments), where male chromosomal differences traditionally exert the most influence, and highest in non-normative or more subjective categories (mild intellectual impairment and learning disabilities, emotional disturbance, and behaviour disorder).

Very little research to date has focused on student age, although there is some acknowledgement in the literature that age does influence gender ratios. In their review of trends in the special education identification rates of boys and girls, Oswald et al (2003) note that disproportionality is most prevalent among children in the 5-11 year age group, due to a surge in the identification rates of boys. On either side of that age range, however, identification rates for boys and girls have been much more similar (Phipps, 1982). As the NSW DET does not publish data on students with a disability enrolled in regular classes, it is not possible to determine or compare overall identification rates in New South Wales. We can, however, investigate some of these issues in relation to enrolment in segregated settings, for as Hosp & Reschly (2001, p. 226) point out: ‘identification is not the only issue pertinent to overrepresentation. The placement of students in various programs must also be examined’.

Our analysis of enrolment data for New South Wales government schools finds that gender representation differs both between and within support categories according to student age and educational placement. When examined across the ages (Under 5 to 21 and Over), the highest proportion of boys in segregated settings relative to girls was in a similar age bracket (Under 5-12) to the age range reported by Oswald et al (2003). However, given that there are almost three times as many enrolments in support classes than in special schools, looking at gender/age distribution across enrolments in segregated settings (special schools and support classes combined) again obscures important detail. Disaggregation by placement type indicates that older boys in New South Wales are more likely to be directed to special schools than younger boys and girls of all ages. For example, in support classes, the highest proportion of boys relative to girls is in the 5-8 year age group; however, in special schools the greatest difference is between the ages of 10-14 years. To put this into perspective, the risk of being enrolled in a special school in the New South Wales government school sector was 3.3 times higher for 10-year-old boys in 2007 than 10-year-old girls. Boys aged 11-14 faced around three times the risk, 15-19-year-old boys around 2.5 times the risk, and 7-9-year-olds just over twice the risk compared with their female age peers. With respect to support classes, boys were found to have 1.8 times higher risk than girls across all ages but boys at 5, 6 and 8 years of age were almost three times more likely to be placed in a support class than girls.

When we further disaggregated by support category, we found that special school enrolments in the early years of school were dominated by students with a classification in the traditionally normative or ‘hard’ categories of disability (moderate to severe intellectual impairment), with enrolments in the non-normative or ‘soft’ categories of disability (emotional disturbance and behaviour disorder) building rapidly in the later primary/elementary school years. This picture resonates with trends described by Morrier (2008) in a doctoral study examining disproportionality in the United States.

Children tend to enter formal educational environments (i.e., elementary school) with a hard disability diagnosis, which was received during infancy, or the preschool years; whereas children often first receive a soft disability diagnosis once they are engaged in formal educational opportunities in the public school system ... most children who eventually receive an eligibility for EBD [emotional/behavioural disorder], LD [learning disability], and MMR [mild mental retardation] receive these labels in elementary school. (Morrier, 2008, p. 47)

In New South Wales, however, this trend is even more pronounced for boys (see Figure 2). Boys enrolled in special schools under the IO and IS categories (moderate and severe intellectual impairment) generally enter around age 5 and exit around age 18, reflecting relatively consistent engagement in special schooling across the full 13 years of education provision (K-12). However, the categories of ED, BD and JJ indicate a very different enrolment profile characterised by later entry (starting in Years 3, 5 and 8 respectively), coupled with much earlier and more sudden exits; particularly with regard to boys in the behaviour disorder (BD) and juvenile justice (JJ) categories.
Despite their later visibility in the middle years of schooling, these students appear relatively invisible in the early years of primary (K-4); despite these being among the most crucial. While important steps are being made to provide quality early learning experiences for disadvantaged children through universal access to preschool and other measures aimed at equalising the starting-gate (OECD, 2006), boot-strapping individual children for Kindergarten does not forestall the effects of exclusionary forces inherent to modern systems of schooling (Bouhours, 2006; Graham, 2007a). Ultimately, what policy makers appear to miss is the role of the academic school curriculum in the frustration and attrition of students who may not learn as quickly or easily as others (Teese, 2000). A push-down, crowded curriculum has amplified the challenge in recent years (Rimm-Kaufman, 2004) as there is less time for K-4 teachers to teach fundamental concepts and skills and much less opportunity for students to consolidate them. For those with receptive and expressive language difficulties, wandering attention, variable motivation and better things to do, upper primary represents the first stage of a long walk through educational purgatory. While these students begin to stand out in the middle years, too often it is for all the wrong reasons and, in many cases, too late.

By the late elementary years, difficulties accessing the curriculum become compounded and dreamy, distractible children become difficult and disengaged. When they hit high school, they see no point in being there and, let’s face it, why should they? What relevance has school to a student for whom everything uttered between the hours of 9 a.m. to 3 p.m. is white noise? (Graham, 2010, p. 219)

While some students disengage silently and simply fade out of secondary education, others register their discontent through actions that place them firmly within the disciplinary gaze of the school (Slee, 1994, 2010). These are the students who show up in DET enrolment statistics detailing suspensions, exclusions and, as we describe here, learning centres, support classes and special
schools for students with emotional disturbance and behaviour disorder. The focus of such responses is to contain the perceived risk posed by angry, disaffected young people in schools (DET, 2010); yet the risk borne by the response itself remains under-researched and conveniently submerged.

In the United States, forensic analysis of educational databases by researchers has pointed to the existence of what some call the 'school-to-prison pipeline' (Wald & Losen, 2003). Early academic problems manifest in behaviour problems which result in a range of educational responses (e.g. time out, withdrawal for remedial instruction, ability grouping, and segregation) that further widen the gap between the student and an ascending curriculum, thus perpetuating a downward spiral (Bouhours et al, 2003). The existence of this phenomenon underscores the importance of the early years of primary school (K-4), for 'ground that is lost at the elementary school level cannot be made up easily in the later grades' (Christle et al, 2005, p. 85). Over time, negative teacher perceptions of student character and ability, as well as the use of sarcasm, put-downs and victimisation intensify disaffected students’ dislike of school, which results in even more rebellious behaviour and the scaling-up of school disciplinary responses (e.g. suspension and greater restriction in placement). This, however, is counterproductive for time away from school provides fertile ground for inappropriate peer association, as well as anti-social and risk-taking behaviours, which can land young people in trouble with the law. As Christle et al (2005, p. 71) describe: 'a snowball effect occurs as the risk factors pile on ... and if no protective factors are present to slow the momentum ... what begins with hope at the schoolhouse door may end at the prison gate'.

Our analysis of DET educational statistics suggests that a similar school-to-prison pipeline could also be in operation here. Corresponding with findings from the United States, our research indicates that, rather than returning to mainstream schools, students exiting special schools under the BD category may be re-entering special education via juvenile justice (see Figure 2). Indeed, despite the three-year difference in age group, the trend-line for enrolments in the JJ support category is similar to the diminishing enrolment trend for behaviour disorder (BD) immediately preceding it: students tend to enter behaviour schools around 9, 10 or 11 years of age, hit peak at 13 years but then suddenly begin to exit. An inverse trajectory of enrolment is reflected in juvenile justice schools which begins at 13 years and peaks at age 17. Interestingly, a similar enrolment profile is reflected throughout the 1997-2007 decade; however, during this period an intriguing exchange takes place between enrolments under emotional disturbance (ED) and behaviour disorder (BD). In 1997, ED enrolment trends map onto those of juvenile justice (JJ); in effect, ED mimics the profile later inhabited by BD in 2007 (see Figure 3). Quite simply, in the years following 1997, enrolments under the category of behaviour disorder (BD) catch up and overtake those in the evolving category of emotional disturbance by 2002. It should be noted, however, that enrolments in both ED and BD categories increase significantly over the 1997-2007 period (Graham & Sweller, in press).

This exchange between ED and BD is not necessarily restricted to a shift in annual enrolment patterns, as there may be some cross-over occurring between age groups as well (see Figure 2). By 2007, enrolments in special schools under the ED category begin at age 7 and rise relatively quickly to age 9, before losing some momentum at age 10 (Year 5). Given that ED enrolments in support classes also begin to increase around age 10, some ‘ED’ students in special schools may be transferring back to support classes. Coincidentally, however, BD enrolments in special schools begin to outstrip those under the category of emotional disturbance at precisely the same age.

Incidentally, enrolments under the BD category for support classes in mainstream schools are not only lower than those for emotional disturbance, but also lower than BD enrolments in special schools. As a consequence, the risk of being enrolled in a special school as opposed to a support class is 2.5 times higher for children with a BD classification. This risk increases with age, which suggests that disruptive students either enter behaviour schools directly during Years 5-10 or that they are graduating from other types of segregated setting, e.g. support classes and ‘ED/BD’ special schools catering to students in the early to middle years of primary school. Either of these prospects is a cause for concern. The former would suggest that, in the main, students with challenging behaviour are more likely to receive a ‘Go to jail, do not pass go’ card that effectively bypasses support classes in mainstream schools. The latter proposition suggests that intervention via support
classes in mainstream schools is relatively ineffective anyway. Given that support class enrolments for BD also increase at age 10 (from a relatively low base), it is very unlikely that all new behaviour school entrants are coming from support classes in mainstream schools. This prompts the question as to whether some students classified as ‘ED’ in K-4 special schools are being reclassified as ‘BD’ on graduating to behaviour schools in Year 5? If this is possible, then the school-to-prison pipeline could begin as early as Kindergarten for some children.[4]

![Graph](image)

Figure 3. Number of boys in emotional disturbance (ED), behaviour disorder (BD) and juvenile justice (JJ) support categories by age in 1997.

It is important to recognise that these particular age/grade profiles reflect DET support criteria and growth in placement availability, rather than real increases or shifts in the incidence of psychiatric disorder (McRae, 1996; see also Westwood & Graham, 2000). This is particularly the case with behaviour disorder (BD), where even the NSW Government notes that increases should be ‘attributed to initiative funding rather than growth in student numbers’ (NSW Government, 2010, p. 51). Between 2001 and 2005, 19 new behaviour schools and 24 new tutorial centres were established for students with challenging behaviour (NSW Government, 2010). Shortly thereafter in 2002, BD enrolments began to overtake ED enrolments. In an apparent response to ongoing union campaigns aimed at ‘forcing the Government to announce the establishment of approximately 30 additional special education settings with 1400 additional placements for students with behaviour disorders’ (NSW Teachers Federation, 2004), between 2005 and 2008, the New South Wales Government again increased the ‘range of placement and support options for students with disruptive behaviour’ (NSW Government, 2010, p. 28). In a classic case of supply-fuelled demand, the government school sector now has a total of 35 behaviour schools, 40 tutorial centres and 22 suspension centres (NSW Government, 2010, p. 28), but even these do not seem to quell calls for an even greater number of alternative placement options (McDougall, 2010).

The possibility that some students with challenging behaviour may be graduating from support classes to special schools to juvenile detention raises serious questions, not only about the increased use of segregated settings for children with emotional and behavioural difficulties in New South Wales, but (a) whether these responses add any value; and/or (b) whether, rather than altering the negative trajectory of some students, they may in fact precipitate movement down our own school-to-prison pipeline. Research shows that children and young people who enter the correctional system through juvenile detention seldom make it out (Bouhours, 2006). More often
than not, their next stop is adult prison and a life of crime, punishment and despair, which then
tends to be visited upon their own children and grandchildren in the most corrosive form of
cyclical disadvantage (Vinson, 2007a, b). However, the above trends also point to a clear moment of
opportunity shrouded by neglect. Judging by enrolments across all segregated settings, before
the age of nine the majority of boys do not appear to have graduated to the seriousness of
behaviour required to trigger enrolment under the BD classification. From the age of nine years
onwards, however, students with emotional and behavioural issues are entering special schools and
support classes with increasing speed. The question is: what happened in the early years of
mainstream primary schools, if anything, to prevent that outcome before it became inevitable?

Although there has been a significant increase in the use of segregated settings to respond to
students who display challenging behaviour in mainstream schools, there is a surprisingly large gap
in the knowledge base (Thompson & Russell, 2009). While the international research literature
does provide insight into the impacts of challenging behaviour in mainstream settings (Daniels et
al, 1999; Heath et al, 2004), and on the types of strategies used in segregated settings (Meo &
Parker, 2004), no comprehensive study has critically analysed the use of segregated schooling from
the perspective of the students themselves. Further, no study has systematically analysed what
effect the attribution of a psychiatric diagnosis and referral to alternative settings has on individual
children and the way in which they view themselves, the value and purpose of schooling, their own
‘fitness’ for school, and their future prospects. Certainly there is little reliable research to gauge
whether these schools have led to an improvement in the educational experiences of disaffected
children and young people, relative to the experiences of similarly diagnosed and/or undiagnosed
children enrolled in mainstream schools.

While there is certainly no indication from the New South Wales Department of Education
and Training that students in segregated settings are graduating to juvenile detention centres, and
nor do we make this claim, it is nonetheless worth asking the question: what educational
backgrounds do these new entrants to juvenile justice have? If those same students who are leaving
special schools are indeed re-entering the system via juvenile justice, then we must also ask
questions about the efficacy of the intervention available in segregated settings, as well as the
ability of special schools and classes to avert the negative trajectory of these students. Further, we
need to better understand what first characterises the early educational experiences of the students
who end up in these settings, and second, what affected their interactions with the system in such a
way that their outcomes are consequently so poor? To date, no research has investigated this
critical question.

Conclusion

Despite strong evidence that segregated settings are becoming ‘holding areas for students that
regular schools are either unable to or unprepared to work with’ (Dempsey, 2007, p. 76), education
policy decision-making in Australia tends to overlook the spiralling rates of ED/BD diagnosis and
use of segregated settings for students that are difficult to teach (Graham & Sweller, in press). For
example, while DET has acknowledged that there have been no evaluations of these settings or the
outcomes for students that attend (Dempsey, 2007), the New South Wales Government recently
amended the Education Act 1990 to allow ‘greater powers to enforce the removal of students with
potential and/or demonstrated violent behaviour’ to ‘the education setting which can best
eliminate or control the risk posed’ (DET, 2010, p. 1). Leaving aside questions of how schools
might accurately and fairly determine a student’s ‘potential’ for violence and what the effects of
that may be (see Graham, 2007b), our research indicates that such policy responses may lead to
further acceleration in the use of segregation, particularly for students who are already ‘at risk’ by
virtue of their gender, race and socio-economic background. Essentially, by focusing on the
containment of the potential risks posed by the ‘usual suspects’ (principally disadvantaged and
disaffected boys), current education policy in New South Wales appears to ignore the risks posed to
a vulnerable group of students who already face a disproportionate risk of educational and social
exclusion (Dodge & Pettit, 2003; Macrae et al, 2003). Further, our analysis suggests that
containment in segregated settings may concentrate and compound these risks, potentially
enrolling children who experience difficulty in schools and with learning in a home-grown school-
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to-prison pipeline. Surely this risk far outweighs the cost of ‘front-loaded’ educational support structures (Graham & Jahnukainen, in press) that are capable of supporting these children and their teachers in the early years of school – well before they become the ‘usual suspects’ – or worse, our next prison detainees?

Notes
[1] There was a slight increase in the raw number of students but this was not statistically significant. Students enrolled in the ED category constituted 12.7% of enrolments in special schools in 2007. Enrolments of students in this category are growing, however. In 2008, ED enrolments made up almost 16% of enrolments in special schools.

[2] Since the Commonwealth Government no longer publishes disaggregated data on special school enrolments, we are unable to compare recent trends in New South Wales against those in other Australian states and territories. In the last year of national collection, however, the distribution of boys to girls in special schools was remarkably constant; averaging 61% boys to 39% girls across all states and territories of Australia (Australian Bureau of Statistics, 1990).

[3] We draw here on Sally Tomlinson’s (1982) seminal work in the ‘sociology of special education’ to distinguish between normative and non-normative categories of disability. Normative disabilities are those that few can or would argue with as requiring additional support or adapted instruction: severe intellectual impairment, cerebral palsy, classic autism, and vision and hearing impairment. The non-normative category of disability is not so clear-cut. Many of these children could be described as ‘canaries in the coal mine’, for their ‘disability’ has been formed through negative and repeated ‘experiences of failure in their early encounters with the educational system’ (Farran & Shonkoff, 1994, p. 148).

[4] While ‘behaviour schools’ target Years 5-10, ‘ED/BD’ schools cater to a number of different year groups (K-4, 3-12, 5-8, 5-10, 7-10), with some enrolling students from Kindergarten to Year 12.

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