Spring March 2016

Disability and Power: A Charter School Case Study Investigating Grade-Level Retention of Students with Learning Disabilities

Esther Lorraine Perez
Loyola Marymount University

Spring April 2014

Disability and Power: A Charter School Case Study Investigating Grade-Level Retention of Students with Learning Disabilities

Esther Lorraine Perez
Loyola Marymount University, estherperez481@gmail.com

LOYOLA MARYMOUNT UNIVERSITY

Disability and Power: A Charter School Case Study

Investigating Grade-Level Retention of Students with Learning Disabilities

by

Esther L. Perez

A dissertation presented to the Faculty of the School of Education,

Loyola Marymount University,

in partial satisfaction of the requirements for the degree

Doctor of Education

2014

Loyola Marymount University
School of Education
Los Angeles, CA 90045

This dissertation written by Esther L. Perez, under the direction of the Dissertation Committee, is approved and accepted by all committee members, in partial fulfillment of requirements for the degree of Doctor of Education.

2/26/14
Date

Dissertation Committee

[redacted]
Antonia Darder, Ph.D., Committee Chair

[redacted]
Ernie Rose, Ph.D., Committee Member

[redacted]
Emilio Pack, Ed.D., Committee Member

ACKNOWLEDGEMENTS

I grew up in a small farm town that had its first stoplight installed when I was in middle school. Stereotypically, back then, many people who grew up in Coalinga, California, were not supposed to become highly educated in any scholarly field. Furthermore, people who grow up financially poor, of a minority label, and from single parent households are definitely not supposed to have success with higher education of any sorts. But, I have the ultimate Creator, God, as well as many people to acknowledge for escaping negative archetypal outcomes.

Firstly, I thank my mother, Ida, for, literally, forcing me to improve my reading through Bible studies and insisting that education was the only way towards true freedom. My sister, Elda, thank you for raising me while you were so young simply so that I could have a greater chance at success: mission accomplished. Coalinga school teachers who I am sure thought I was either a loose cannon or a future star and yet still taught me to love thinking, reading, writing, and diverse literary adventures: Mrs. Deborah Holland, Ms. Lisa Tompkins, Ms. Debbie Gallagher, and Ms. Susan Pinza (please forgive me if you have married name changes now). To my high school athletic coach who had more patience with students, than I think even she knows, Ms. Jeanne Snyder. And from my hometown high school, thanks to Mrs. Gina Dean for being the exact type of guidance counselor my sensitive *and* stubborn mind needed, all of which unknowingly set me up for success in higher education.

Throughout my career experience and college education, there are many people that I could thank but one stands out further than most. Antonia Darder. Yes, that is a complete sentence. Why? Antonia Darder embodies a complete thought. Through her purposeful design, she challenges students to focus on both theory and practice. Never have I ever been so pensive,

thoughtful, and encouraged to feel anger, sadness, *and* elation towards the phenomenon of systems that oppress us as well as the power to truly elicit change and ultimately challenge us to do better. The change that this work will create, along with my future endeavors, are intimately linked to the perseverance and wisdom that Dr. Darder personifies. This is why she deserves major adulation for this work's completion.

Credit is also warranted to the person that stood by my side when I temporarily loathed the world and was depressed at the blatant realities for the children that I advocate for on a daily basis (those with disabilities or as I prefer to call those with diverse abilities). To the astonishing and brilliant woman who vowed to not only love me for the rest of her life, but also to teach her friends and family how to use person-first language. Cassandra Campbell-Perez deserves acknowledgement for reading, occasionally adding thoughts, and in a positive way—challenging me to do better, stay strong, and keep up the fight for equality. And she did all this while still loving me when I was very difficult to love; my wife, Cassandra, deserves acknowledgment more than most.

Lastly, to the students that were retained, dropped out, and those who both were and continue to be seriously damaged by an unjust system—it seems unfair to thank them, but at the same time—thank you. You are acknowledged because your suffering is what will ultimately undo and end this flawed practice. It is not right that you endured what you did, but the world will learn better, ultimately, from it.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

Figure Page

ABSTRACT

Disability and Power: A Charter School Case Study

Investigating Grade-Level Retention of Students with Learning Disabilities

by

Esther L. Perez

Students attending charter schools, including those with learning disabilities, are subject to policies set by individual charter management organizations. One practice used within some charter schools is grade-level retention, or having students repeat a grade level. Literature overwhelmingly indicates that retention is associated with negative outcomes, yet the practice continues to be used. One particular charter school that uses a strict retention policy and retains students with learning disabilities was studied to understand how the process unfolds. Using the conceptual frameworks of critical disability theory and critical pedagogy, the study draws inferences regarding how this phenomenon blends with ableism and power imbalances. Six teachers (four general education and two special education teachers) participated in interviews for this qualitative case study. Through triangulation of findings from individual and group interviews, trends were identified. A major finding showed that although retention is conceptualized as beneficial for the school to threat unmotivated students, for students with learning disabilities, retention is still regarded as highly ineffective and harmful. Decision

making factors used with students with disabilities include particular individual characteristics, such as abilities and parental support. Discussion into participants' perception of students with disabilities as inferior, and how retention as punishment asserts the school's power, follows a review of concepts, effectiveness, and decision-making factors related to retention. Implications for educators to improve inclusive and fair school policies, in addition to rethinking traditional methods of analyzing school practices are discussed. Further research in various educational initiatives and areas of study are summarized.

CHAPTER ONE

Introduction: Flunking Students and Schools

> None of us got where we are solely by pulling ourselves up by our bootstraps. We got here because somebody—a parent, a teacher, an Ivy League crony or a few nuns - bent down and helped us pick up our boots.
>
> — Thurgood Marshall (as cited in Spanoudis, 2007)

Noticeably taller than everyone else, a young man, named Luis, sits in a classroom. His classmates are all about four years younger and markedly smaller in appearance. Luis is not cognitively disadvantaged, nor did he recently immigrate to the country and begin formal schooling. He started school at the same time as other children his age. Although Luis has a mild learning disability, at many other schools, he would not be surrounded by younger peers. Instead, for a total of four years at his charter school, he was held back, retained, forced to repeat grade levels, or non-promoted—all synonymous for flunking or failing to meet grade-level standards (Alexander, Entwisle, & Dauber, 2002). By not meeting promotion requirements, this young man became just one of the reportedly 2.4 million students, or 15% of all students in K-12 education to repeat a grade level each school year across traditional public and charter schools combined (Bornsheuer, Polonyi, Andrews, Fore, & Onwuegbuzie, 2011). Unfortunately, this young man dropped out of school at the age of 19 when he barely had the high school credits towards graduation of a tenth grader, who are on average only 16 years old. His whereabouts, at the time of this study were unknown by both staff and peers at the school he had attended for over six years.

On a personal level, I never repeated a grade level, throughout my elementary, middle, or high school years. However, as a child growing up in California's Central San Joaquin Valley, there was one specific moment in kindergarten where I can recall the teacher informing my mother that her daughter's reading level was far below that of her grade-level peers. The look of shock, fear, sadness, and even embarrassment on my mother's face was enough to permanently scar my memory. Excelling in education became an instantaneously cemented life goal. I learned to read fairly easily; I was not a student with any identifiable learning disabilities nor did I attend a charter school. These factors may have protected me from flunking a grade or subjecting me to other questionable interventions. Indeed, I know that I benefitted from resources and familial supports that many students, especially those in urban settings, might not have. In my ten years as an educator, I have frequently witnessed that students with disabilities are more apt to struggle with rigid school expectations and are usually the first to either get shortchanged or experimented upon with various interventions, all in the name of trying to help this population improve achievement.

As the special educator director for a charter organization that applied grade-level retention to all students, I have alarming memories of students being told that they would repeat a grade level: the look in a child's eyes as they plead and share their personal fears of shaming their family for being the only one to flunk a grade. Students have even said that education just is not meant for them because they cannot pass a grade level: as if the system is rejecting them. These memories are difficult to accept. I will never forget the amount of tears, anger, apathy, and anxiety that students have exhibited right after being told that they were not going to be promoted to the next grade level. If that was not hard enough, the eyes of students who have

been retained often tell a deeper story; I have seen retained students' eyes that appear glossy yet foggy, washed over or lost, fixated on blankness. The eyes of the humiliated and marginalized are unforgettable; they are the look of despair, as if all of society has given up on them. These disheartening images and the factors that cause them have served, partly, to fuel this investigation into the processes of retention, which appear to affect students with disabilities at alarming rates. Certain practices related to retention may be occurring with disadvantaged groups of students at charter schools with increasing frequency, possibly due to trends that reveal financial incentives for keeping high academic achieving students, while devising subtle yet suspicious policies to eventually counsel out lower ones (Howe & Welner, 2002). These concerns furthered the need for investigation and a better understanding of the practices related to retaining students with disabilities at charter schools.

Charter schools are often considered to be entrepreneurial, as each new school created are able to devise their own unique missions and goals; this variance in educational offerings may play an important role in reforming American education (Howe & Welner, 2002). As a form of school choice, they are perceived as encouraging innovation through lessened bureaucratic control (Estes, 2006). They are allowed to create their own promotional goals that may vary from those found within traditional public schools. Initially, the charter school movement was stimulated by fear-stricken reactions to a report published in 1983 by President Ronald Reagan's National Commission on Excellence in Education, *A Nation at Risk*, whereby preparing the nation's youth for competition in the global marketplace was linked to higher academic achievement for all students (Estes, 2004).

Students with learning disabilities (SWLDs) who are enrolled at charter schools are often expected to meet the same expectations and promotional criteria of all students, since operation under a specified charter contract means that these publicly funded schools must provide their exact proposed educational program (Rhim & McLaughlin, 2007). Thus, charter schools can mandate consequential policies for failure, such as grade-level retention if it is written into their charter contract. Although SWLDs must have their promotional goals and any possible grade-level repetition written into their legally binding Individualized Education Programs (IEPs), many charter schools are practicing a policy of retention for unmet goals. By incorporating this script into the student's IEP, charter schools can legally utilize retention with SWLDs, which may inadvertently lead to underachievement or even eventual dropout. Unfortunately, some schools are even practicing retention without mentioning the process in the student's IEP. Overall, whether legally written into the IEP or not, retention of SWLDs raises particular concerns that have served as the underlying impetus for this study.

Characteristics of Retention

Grade-level retention is not unique to charter schools. Across all types of schools, such as traditional, charter, and even private schools, nationwide, startling estimates from researchers have indicated that anywhere from 10% to 50% of students will repeat at least one grade between kindergarten and the time they either graduate high school or drop out altogether (Thomas, 2000; Tomchin & Impara, 1992). Statistics also showed that certain groups are retained at higher levels than others. Nancy Frey (2005) asserted that in 1988 the national retention rate was close to 19.3%, but nearly 29.9% of Black students and 25.2% of Latino students were retained, revealing that minority students were held back at higher rates than their Caucasian peers. While

these statistics were collected over 20 years ago, unfortunately, the discrepancy is at least as large in recent years. The U.S. Department of Education's Civil Rights Office collected data from over 7,000 school districts for the 2009-2010 school year and estimated that 56% of all fourth graders retained were Black students (Adams, Robelen, & Shah, 2012). Similarities amongst gender also revealed troublesome statistics, with males being anywhere from two to three times more likely to be retained than their female counterparts (Jimerson et al., 2006).

Much of the research in the field showed differences in estimates of students retained regardless of background. The frequent variance in results is often attributed to irregularities in data collection methods; school districts label retention in contrasting ways, taking age and date of initial school entry into account as well, making it difficult for researchers to collect reliable results uniformly (Frey, 2005). However, overwhelming research affirmed that minorities, males, and those from lower socioeconomic backgrounds have higher rates of grade-level repetition than all other categories of students (Fager & Richen, 1999; Frey, 2005). Strikingly, much of the research agreed in the sentiment that "retained students are worse off than their promoted counterparts both academically and personally" (Tomchin & Impara, 1992, p. 200), and studies reporting positive effects are few in number, showing diminished results over time, in which retained students usually only show academic strengths and growths for approximately one to two years after the repeated school year, returning to poor performance in the long term. As retention studies point towards negative outcomes for those retained, it is alarming that similarities exist in who is retained. Since grade retention appears to be a process that targets at-risk groups, one population that demands further inquiry is SWLDs.

SWLDs may be one such disenfranchised group for which retention has an adverse and intricate relationship. However, few studies have specifically investigated retention with this particular subgroup. Some literature in the field discussed how certain children, eventually referred to placement in special education settings, are often retained at least once in their educational history (Barnett, Clarizio, & Payette, 1996). Furthermore, James McLeskey and Kenneth Grizzle (1992) also reported that students who are retained are recommended for special education at higher rates. Shepard and Smith (1989) investigated explanations of retention and found that teachers reasoned that many students are retained in order to be evaluated for special education services mainly because if they were to promote, these same teachers fear the students would not get the special attention they need.

Anecdotally from experience, many fellow educators believe that retaining SWLDs is illegal. However, the Individuals with Disabilities Improvement Education Improvement Act (IDEIA, 2004), the nation's law guiding the educational processes and rights of SWLDs, does not clearly label retention of SWLDs as illegal, but rather clarifies what schools must do if academic success is not achieved through the student's IEP. The recommendation is simply that schools must convene amendment IEPs to alter, add, or enhance other services that will eventually help these students improve achievement. Thus, it is plausible for grade retention to be written as an intervention if approved and agreed upon by the student's IEP team members. Given the legal use of retaining SWLDs and the alarming statistics regarding retention, further inquiry is essential. Yet, understanding how promotion criteria are developed and executed, such as what decision-makers decide are equitable goals for SWLDs, is critical in determining

whether retention is applied to this marginalized group more liberally than others and whether it is truly a justifiable practice with any student.

Defense of Retention

It is vital to note that there are proponents and positive examples of retention. As with any intervention, some students will thrive and exhibit resiliency even when given overwhelming obstacles. Teachers at many schools that use retention and even parents of students who have been retained will often maintain that repeating a school year helped specific students get on track academically. One SWLD at Intelligent Charter Academy (ICA), the Los Angeles school that served as the field site for this study, warrants discussion. Jenny, a pseudonym to protect her identity, had a specific learning disability, which included auditory and visual processing deficits, and she required consistent instruction using multiple modalities. She was retained in the fifth grade when she enrolled at ICA, the charter organization where I served as special education director.

Jenny never failed a grade after that initial repeated year, and most teachers would have argued that she was one of the hardest working students they know. They often spoke of her as persevering over her disability and perceived her retention as a factor contributing to her eventual success. Unfortunately, most outsiders did not know that Jenny suffered from extreme anxiety. She started receiving counseling a few years after her grade retention experience. Her mother reported that every day after school when Jenny got home, she would fluctuate between violent rage and extreme depression; she felt she could never be good enough. She shared with her mother that she could never learn enough and that she had to work harder than all of her peers ever would in order to avoid being retained again. Many teachers still claimed that, even

given Jenny's battle with anxiety, which few teachers knew of, her grade repetition had a positive impact on her academic performance.

Retention also has proponents in the research community, including Karl L. Alexander, Doris R. Entwisle, and Susan L. Dauber. These scholars argued that retention can be successful, depending on the total number of students retained as well as the time frame of measuring academic achievement. For example, Alexander et al. (2002) claimed that retention may only appear negative when few students are retained, which makes the repeating students, sparse in number, feel embarrassment due to their uniqueness. These same researchers asserted that retention is successful for two to three subsequent academic school years. Nonetheless, very few scholars have been found to support retention, and many who originally favored retention have been found to reverse their support after additional longitudinal studies were completed (Owings & Kaplan, 2001). The reasoning behind why retention may be useful sounds logical enough: many educators have contended that it allows students to see the material twice and that the time they accrue in age, physically, will improve their ability to learn (Frey, 2005; Mantzicopoulous, 1997). Since some believe that repeating a grade can improve a student's education and because the process appears to be used by many schools, teachers, and administrators, there is a need to educate ourselves on factors driving promotion rates and whether those aspects are truly optimal for student achievement and success.

How promotion criteria and final decisions are made at autonomous educational institutions like charter schools is noteworthy to understand. Admissions processes that can possibly deter certain students like SWLDs from even applying, as well as counseling out those who may be more difficult or costly to educate, has been a controversial aspect of the charter

school movement (Estes, 2004). Given this history of deterring certain students, it is important to explore what values charter schools uphold, especially since using interventions that are typically associated with negative results and dropouts can potentially work to counsel out certain children. Such an exploration is vital to ensuring that all students, especially SWLDs, have access to appropriate and just educational programs. Since charter schools were designed to yield better educational experiences in comparison to traditional public schools (Rhim & McLaughlin, 2007), charter school decision makers must examine programs and policies that have such lasting consequences for students. Clearly, retention of SWLDs must be addressed, which this study aimed to accomplish.

Statement of the Problem

The small percentage of SWLDs who attend charter schools are provided with educational programs that often gear them for one specific mission (Quach, 2005), such as four-year college readiness. One such belief is that "charter schools can shape their student body through strategic planning of their curricular focus and location, advertising, and student counseling. First, many charter schools, by design, are intended to serve a targeted student population" (Ni, 2010, p. 221). Whether this is the reality for most SWLDs is still under debate (Ni, 2010; Quach, 2005). According to scholars in the charter school arena such as Mary Bailey Estes (2006), many charter schools have positively targeted university-bound students and high academic achievers. However, many SWLDs have academic needs and aspirations that may not easily align them with university attendance without considerable effort and costs. Alternative postsecondary options may be desired or easier to attain, based on students' particular abilities or limitations.

In addition to education, special education regulations call for individualized career planning for SWLDs. Nancy Huerta (as cited in Jimenez & Graf, 2008), a multi-state attorney specializing in special education law, summarized this concept succinctly in her explanation of IDEIA (2004), which characterizes the rights and responsibilities of people with disabilities and the school districts that educate them. Huerta specifically stated that IDEIA "raises the expectations for special education students" (as cited in Jimenez & Graf, 2008, p. 25). If repeating a grade is deemed as detrimental according to current studies, constructing an analysis of how retention is perceived and developed when it comes to SWLDs becomes important as this would not follow IDEIA's elevated expectations for this student population. Transitional programs, an added IEP component tailored to career and post high school living, also complicate the issue of retention.

As a requirement of the IDEIA, SWLDs who have turned 16 years old must receive student-specific educational supports and curriculum to help them transition into post-secondary life successfully, regardless of whether that means four-year university attendance, vocational programs, or building independent living skills. Ernest Rose (2008), a scholar and researcher in transition plans for SWLDs, noted that transition planning must include student preferences and interests. Yet, it is troubling that "many high schools pay little attention to this requirement and tend to rely primarily on the preferences of parents and teachers" (Field, Sarver, & Shaw, as cited in Rose, 2008 p. 246).

If a particular student is not university-bound whether as a result of abilities at the time of high school graduation or even personal choice, retention may oppose the student's ultimate educational and career aspirations. For instance, a SWLD may wish to enter a vocational

program for which a high school diploma may not even be necessary. Retaining a student in this situation would extend the time required to pursue their particular career aspirations, forcing them to postpone opportunities. In essence, retention may prove meaningless, harmful, and possibly in violation of a SWLD's personal rights, if university attendance is not one of their personal goals.

Nonetheless, it is important to acknowledge current educational initiatives that may fundamentally alter education for all students and lead to higher rates of retention. First, the demand for university-level preparation stated in legislation such as No Child Left Behind (NCLB) leaves nuances and disparities in academic and performance standards of all students, in that, they require these populations to strive for the same objectives as all others, something that may not be most appropriate or even wanted. The Common Core, a more recent development in the push for college preparedness, was birthed to ensure that all students across the nation would have a set of common, rigorous, and equity-enhancing standards to ensure the nation's competition in the global economy gains potency (Kornhaber, Griffith, & Tyler, 2014). Unfortunately, the standardization of education through the Common Core initiative may belittle and oppose the notion of individualized education for students with disabilities. This is not to say that SWLDs should not follow a set of rigorous expectations, but the Common Core may actually exacerbate problems related to retention. Since these standards work towards eventual college preparedness, then SWLDs who might require an alternative graduation or postsecondary pathway may be limited in their access and success on Common Core standards and subsequent testing. While most SWLDs are not given alternative pathways until they have been given ample time to attempt college-bound expectations, the chances for grade-level retention to be viewed as

one such intervention to support university preparedness just may become more appealing, given these educational pressures and structures.

Another educational factor that has recently been promoted within schools and may be unjustly leading to student failure is the concept of universal design. In order to adequately educate students with special learning differences and needs, universal design has been designed to rethink how educators create units and lessons. The goal of universal design is to ensure that all students can access and garner success with various instructional strategies versus simply creating lessons that, hopefully, will address most students in the classroom. While the concept is spectacular in terms of consistently addressing the needs of students who traditionally have not performed well, such as SWLDs and English-language learners, unfortunately its implementation may be flawed in some schools. For instance, professionally developing educators to understand and positively enact skills from universal design in their own classrooms has not been thoroughly applied; ICA is one such school that had not addressed universal design as of the 2012-2013 school year. Thus, a well thought-out skill and practice for educators to support SWLDs and those with intricate learning needs has not been utilized to where these students can ultimately have success with the curriculum. This in turn leads to higher rates of failure and subsequent retention. In some ways, then, the lack of professional development for educators to implement concepts of universal design may correlate both with higher rates of students flunking as well as teachers assuming that retention is needed in the first place.

There are potential flaws with assuming retention is a true intervention for struggling students such as those with IEPs. For instance, SWLDs have educational plans that require differentiated materials, curriculum, supports, and sometimes more. Thus, if a school is

supplying those accommodations and progress is still not being made, under IDEIA the school must follow the IEP process, which demands further IEP team meetings to discuss what other supports may be needed and to consider whether that particular school is even appropriate for the student's specific needs. This may be exactly why flunking a grade level is problematic for SWLDs, who often require differentiated or individualized interventions in order to have a fair chance of accessing and learning the curriculum. Hence, if the student is not making educational progress, this may demonstrate that schools were actually not supplying appropriate educational experiences and should really have incorporated additional instructional and academic supports. This type of proactive addition of supports could potentially circumvent grade repetition.

SWLDs may feel challenged by non-differentiated testing and classroom activities due to actual differences in memory deficits, physical challenges, or attention impairments. Optimal differentiated instructional experiences and resources can potentially level the playing field by creating a curricular program that meets a student's specific learning needs. The need for adapted curriculum, therefore, could supersede retention. Thus, repeating a grade level may hinder certain students if their school failed to offer appropriate and differentiated educational programs. Essentially, this is comparable to retaining students simply due to their disability; ignoring the fact that the school did not do as it was supposed to, retention may be working to decrease the chances of long-term academic success for students who require something different. This should be of major concern in the field of education. An investigation into how retention policies and practices with SWLDs are rationalized and implemented by school decision-makers may be critical in reforming education for this population and possibly other students as well.

Another aspect of controversy that could be linked to retention is whether charter schools have "cherry-picked" students who are easier and less expensive to educate (Howe & Welner, 2002). Anthony M. Garcy (2011) asserted that high expenses motivate most charter schools to minimize or halt the enrollment of students with moderate to severe disabilities. By utilizing retention, SWLDs may be more likely to drop out and attend other schools. Charter schools have been found to avoid the financial costs of educating students who require much more than general education supports under the guise of either not having the correct staffing or the program not-being a "fit" for that particular student (Estes, 2004). Given that, under the provisions of IDEIA publicly-funded charter schools must legally provide accommodations and resources for SWLDs (Grant, 2005), educators at these schools may need to reevaluate whether their program is adaptable to students' particular needs.

Charter schools like ICA can create different programs based on school missions. ICA, for instance, had a mission of having students strive for academic excellence, which the school's handbook labeled as "[accepting] responsibility for their futures," and embrace the school as a family. The notion of students accepting responsibility for their education was often tied to the concept of student accountability. Indeed, the school publicized this core value on its website when it said that one of the methods of ensuring there are high standards of accountability, is that they asked the school community to accept the idea of rejecting and avoiding any 'social promotion' of students before they meet grade-level standards. Social promotion assumes that the students will move forward in grade regardless of academic progress. Furthermore, the school also asserted, their culture of high expectations emphasized "character development and strong values." These core values, as ICA labeled them, revealed that the school held negative

views of social promotion and that students must be accountable when they do not meet their goals in order to develop their own strong values. This charter school framed its entire school program on the notion that retention was simply part of their high expectations. Also contributing to the overall problem of retaining SWLDs was the lack of oversight and tracking done by both the school itself and its authorizing school district, in this case the Los Angeles Unified School District (LAUSD).

Special education programs at charter schools authorized by LAUSD are consistently monitored (LAUSD, 2013). LAUSD must take the lead on ensuring that special education services are being adequately provided to not only avoid educational malpractice lawsuits, but most importantly to ensure that all public schools charter or traditional are educating students with special needs according to federal and state requirements. As a response to a court mandated set of improvement areas for LAUSD, referred to as the Modified Consent Decree (MCD), there are multiple data points that the district must thoroughly collect and analyze. For instance, some of the information that LAUSD must track in regards to special education includes enrollment statistics, education of SWLDs in the general education setting rather than segregated special education only classes, type and frequency of services provided, the population's suspension and expulsion rates at each school, and graduation rates in terms of diplomas and certificates of completion given to students with IEPs. While it appears on paper that LAUSD is strict in terms of checking and evaluating charter schools' overall special education programs and although they are indeed tracking graduation rates, there was no specific monitoring of how many SWLDs repeat school years at the time the study was conducted.

Possible reasons for the lack of oversight in this specific area may have stemmed from the major law that guides education for students with disabilities as well as the way retention is spoken about amongst many educational professionals. IDEIA stipulates that students with physical or learning disabilities may receive free, appropriate, and public education up until the legal age of 22. Thus, LAUSD and many other school districts may have found it irrelevant at what grade and age a particular student with a disability is in, since they may indeed take longer to graduate as opposed to students without labeled disabilities. Another reason SWLDs are not being monitored in terms of how many are being retained and why may be the message often paired with retention.

That is, retention is often spoken about as a means to ensure that students are becoming successful in their academics. Thus, many people may find it irrelevant to track since the repeated year is often assumed to be a good intervention. Quite simply, many educational professionals think that retention will give any student including one with disabilities another opportunity to review material as well as more time to grow and deny the possibility that it could do harm. Again, this adds to the problem of retaining SWLDs because it automatically assumes positive outcomes and overlooks the real, lived experiences of those students who are forced to repeat a grade level. To understand how a school can view retention as positive, the personal account of ICA's formation sheds light on why retention is often assumed to be beneficial.

ICA's school mission and core values can be framed in terms of the history of the school, and all of these aspects are intimately tied to retention. An article that was written about the school's retention policy and its efficacy in helping students learn summarized the history of retention at the school as being attributed to the founder of ICA. The founder, a White male who

was in his late 30s at the time the school opened its doors, recognized that a high proportion of students from the surrounding community were multiple grade levels behind their same-aged peers, who attended schools in more affluent areas of Los Angeles. In an attempt to ensure that these students were able to catch up and perform at their enrolled grade level, he created the policy of retention for any students who were not meeting grade-level standards. At the time, this was thought to be a radical change that could completely shift the ultimate educational outcomes of students and even success of the community. Indeed, there was a belief at ICA that retention raised expectations and kept students accountable for their own educational outcomes. Student accountability encompassed all students, including those with disabilities. Since ICA believed that retention helped students attain academic achievement, SWLDs had been retained, sometimes for multiple years, because they were unable to show the assumed level of performance needed to be ready for the next grade level.

Charter schools like ICA that use grade-level repetition to meet the needs of SWLDs raise nuanced questions. Does retention actually prepare SWLDs for college success, or does it ultimately impede postsecondary achievement? Does repeating a grade help students become stronger academically, or does it actually lead to eventual diminished outcomes? It is crucial to understand the perceptions and belief systems that decision makers use when answering these types of questions. At the time of the study, the treatment of SWLDs at ICA, in regards to retention, pointed to potential predicaments in the ethical and adequate schooling of SWLDs. On a larger scale, retaining in lieu of promises for college readiness is applied to more than just SWLDs. However, this particular study focuses on the phenomenon as applied to students with learning disabilities. This study investigated charter school retention practices for SWLDs as

they are portrayed by the school's decision makers, which in this case were the teachers. In doing so, the study explored several key questions.

Research Questions

In order to understand how school decision makers such as teachers and administrators have conceptualized retention of students who have learning needs, this case study employed focus groups, interviews, and document review. At ICA, the field site for this study, teachers had substantial influence in recommending grade-level retention. Therefore, participation from administrators, who usually follow teacher recommendations for retention or promotion, was not a requisite of the study. Teacher responses were gathered through interviews, to address the following research questions related to a high-performing charter school in southwest Los Angeles using grade-level retention:

1. What do teachers say about the practice of using grade-level retention on students with learning disabilities?
2. What do teachers say about the effectiveness of retention practices upon students with learning disabilities?
3. What decision making factors do teachers use to support the recommendation of grade-level retention for students with learning disabilities?

Role of the Researcher

As the special education director at a high-performing charter school in southwest Los Angeles, I have witnessed an alarming trend. Based on IEP reviews and discussions with teachers, and after looking at ages and grade levels, it became apparent that an overwhelming majority of SWLDs had been retained. Reasons for retention were often unclear or

undocumented. Furthermore, the rate of graduation or completion rate at this particular charter school had been historically low for all student populations, not just SWLDs. This study investigated the decision making and use of the school's no-social-promotion policy (See Appendix A) as it was applied specifically to SWLDs. Essentially, this policy meant that if a student did not master all of the school's promotional criteria for their particular grade level, then they were forced to repeat that grade level before moving to the next. Similarly, based on discussions with staff and students, IEP reviews, and behavioral records, the policy appeared to have had a history of negative effects on numerous students, not just those with learning disabilities. Graduation data from the school site showed that very few retained students actually graduated from the school. Annually, retention seemed to be a source of much controversy and disagreement among the school's teachers and administrators.

Was retention helping or hindering this school's success with SWLDs? As the special education director for the charter organization, academic outcomes of SWLDs were among my main charges. Hence, examining the beliefs, guiding principles, and factors teachers considered when making retention decisions might have an eventual effect upon educational outcomes. Furthermore, shedding light on the case of flunking SWLDs could help other schools that continue to practice similar retention policies. In the interest of transparency, it is pertinent to fully divulge the researcher's bias against most acts of retention, which could be a potential limitation of the study. During the 2011-2012 academic school year, there were many contentious discussions amongst staff members when it was found that almost 50% of all students, regardless of disability eligibility and status, in the seventh and eighth grades were going to flunk. Through data, conversations, and reflections with multiple parties, in advocating

for students who struggle, I was able to suggest and ultimately convince others to agree in promoting approximately 30-40 individual students, both with and without learning disabilities. Nevertheless, approximately 20% were still retained.

Equally alarming, the number of students and their parents who did not seek out assistance or other alternatives to retention was minimal. Common statements like "I'll be the first in my family to repeat a grade" or "My parents are going to be let down" were not easy to take when paired with the looks of disgrace coming from the students who were told they had to repeat a grade level. Thus, I was critically concerned about the actual ramifications as well as effectiveness of retention. Focusing on the simple data collection process and the data's relationship to the literature on the retention of SWLDs helped prevent any potential bias from skewing the study. Interview and focus group questions were both general and specific but asked in open ended ways to help avoid biased questioning (See Appendix B). Further explanation of questions will occur in Chapter Three.

Purpose of the Study

The purpose of this case study was to analyze beliefs regarding SWLDs with high rates of retention at one charter school site in the city of Los Angeles. The study attempted to clarify the rationale and decision-making factors that teachers used to support grade-level retention of SWLDs. In doing so, an understanding of how the charter school's key decision makers applied retention to a historically disenfranchised group was central to this investigation. Another crucial element of this study was how teachers perceived the effectiveness of retention for SWLDs. Providing clarification about perceptions and treatment of people with disabilities if or

when they fail to meet certain normal or standardized expectations was imperative in understanding the obstacles these students face in our educational system.

Educators who participated in the study were able to provide rich descriptions and explanations, based on their own histories and practices, of how and why SWLDs were recommended for grade repetition. These accounts were gathered in interviews and focus groups and then triangulated with document reviews. As such, the collected data highlighted trends about perceptions of students with exceptional needs. Most importantly, this study may be useful in that it revealed the need for some educators to recognize their own ingrained assumptions about SWLDs. Specifically, the study aimed to determine how SWLDs are perceived when they do not meet promotional criteria and learning difficulties persist, thereby leading them to be on the possible list of students who would repeat the grade level.

Significance of the Study

As the charter school movement continues to grow, more SWLDs attend these schools. In California alone, the California Charter Schools Association (2012) reported that in just one year, 2011, charter school enrollment increased by 17% or 70,000 students, with an estimated waiting list of another 70,000 students. SWLDs were part of this growth. With continuous pressures for charters to expand their rigorous educational programs, students with IEPs have been progressively placed into complex situations: an individualized education that must also work for school missions such as specific career routes or university preparedness. Meeting college-readiness goals and providing appropriate and effective instructional experiences may be difficult challenges for schools because SWLDs often require non-standardized teaching methods and resources. Thus, if SWLDs do not show academic mastery in subjects or areas the

charter school sees fit, it would be unsurprising that charter schools may resort to practices of retention in order to endorse notions of high expectations and results. This study is significant because it described how educational decision makers responded to complex situations such as educating SWLDs, who do not easily acquire academic mastery; the study also revealed clues as to whether schools are failing students or whether students are truly failing at school.

The notion that retention can supply extra time for students to meet particular achievement goals is significant to analyze. SWLDs may require extended time in general to complete certain academic or physical activities. However, an entire year of extra time, which has a host of other social and psychological factors paired with it, may not always be the wisest intervention or strategy to use (Tanner & Gallis, 1997). Unfortunately, retention "provides limited academic advantages to students, and yet the practice continues" (Witmer, Hoffman, & Norris, 2004, p. 173). In order to address those negative effects, this study aimed to clarify why teachers use retention as a viable intervention, despite research that consistently identified it as harmful for more students than just those with disabilities. Moreover, this study explored the possible institutional pressures faced by educational leaders that reinforce the persistent use of retention for students who do not meet certain promotional criteria.

This study is also significant because the opportunity to engage in discourse about the topic allowed school decision-makers to reflect on their choices in a more critical and student-centered manner. ICA's students benefitted from this research as teachers and administrators were able to improve their practices with increased awareness of underlying beliefs and an empirical basis to launch critical discussions about effective interventions, including but not limited to retention. The study also allowed educators to gain a heightened sensitivity,

awareness, and understanding of SWLDs. Since most teachers and even school administrators may not have had experience or an in depth knowledge of critical issues in equity and access for SWLDs, this study was noteworthy in this regard.

On a larger scale, this research helped teachers, educational leaders, and researchers better understand when and if retention should be used with SWLDs. The findings could be applicable for developing improvements across multiple school sites, including charter schools and other organizations, as many more students may benefit from a critical analysis of individualized interventions. Qualitative data gleaned from this study is also significant due to the possibility that the data uncovered and expressed patterns of thought towards people with disabilities, which must be deconstructed in order to create equitable educational consequences or interventions for all students. At a minimum, this study exposed school members to the importance of monitoring their rates of retention for all students, but especially for those with disabilities. Monitoring rates may at least open the door for eventual analyzing whether retention is truly an effective practice.

Educators for social justice must critically examine retention practices and how teachers perceive their effectiveness for SWLDs. Educational systems that are socially just in praxis would require leaders to decide whether interventions are truly useful or whether they act as short-term Band-Aids to appease staff members' anxieties about students who may not fit the normal prototype. Thus, understanding how the use of retention with SWLDs is delegated and developed within a school system is critical to analyzing whether the school policy is truly working towards educating students effectively or inhumanely excluding those who do not fit mainstream expectations.

Within the field of educational research, clarification on why retention continues to be used, especially when most research has found it to be correlated with negative educational outcomes, must also be achieved. Most importantly, the study investigates the finer details regarding why retention would be used with SWLDs when their learning needs are already intricately varied and simultaneously scrutinized by the larger society. This study adds to the limited research in the area of grade-level retention for SWLDs and at the same time attempts to understand how it is applied to students in this population who struggle to meet certain academic criteria. Furthermore, it sought to contribute to the current literature related to retention and outcomes for SWLDs, as the majority of the research regarding retention was conducted in the 1990s. As more research continues to evolve in the field with respect to the various populations affected by retention, hopefully all SWLDs may attain improved educational outcomes in which this study places significant value, while at the same time enhancing inclusive environments within school systems for all students.

Theoretical Frameworks

Issues of power and socially constructed demands could potentially be underlying causes of retention at charter schools. These concerns can be framed through a comingled interplay of two theoretical frameworks: critical disability theory and critical pedagogy (See Figure 1). While a visual diagram helps to show the parallels of both theoretical frameworks, one of the most crucial relationships between these two belief systems is that they place heavy emphasis on the existence of subversive prejudice and how it impacts socialized norms. The social construction of negative notions of disability as well as the intense suggestions to obtain reputation, money, and ultimately power may be the basis for using retention with SWLDs at

charter schools. More specifically, critical disability studies highlight how disability and ability awareness are socially constructed measures (Meekosha & Shuttleworth, 2009), whereby being able to master educational standards, for example, can be viewed socially and unfairly through the medical lens of linking disability to defects. Viewing a disability as a defect, therefore, could explain away challenges in mastering a certain set of tasks and belittle the potential of those who have disabilities, which disability theory argues is a socially accepted model of ableism or discrimination based on disability (Oliver, 1996).

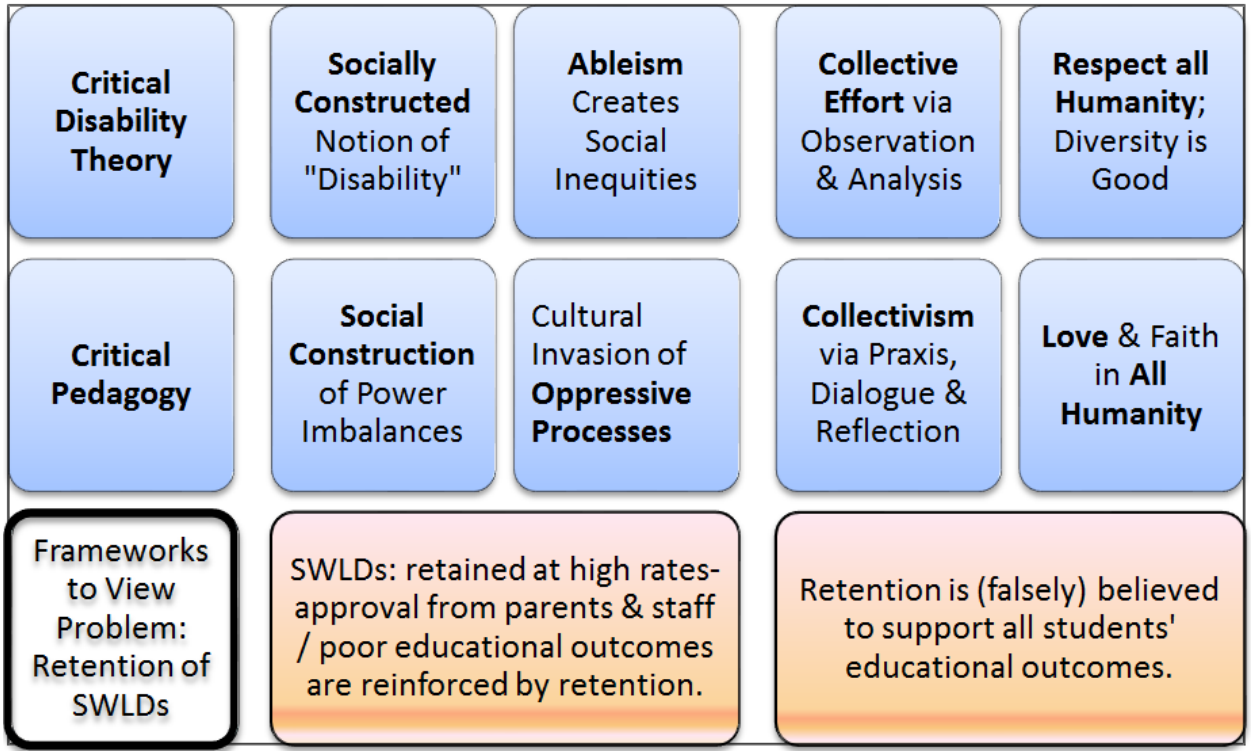

Figure 1. Similarities between the frameworks of critical disability theory and critical pedagogy show relationships to the issue of retention and SWLDs.

Critical disability theory, also known as critical disability studies, demands an end to ableism with observation and analysis. The connections to critical pedagogy align with a critique of domination and discrimination, in addition to a universal demand for a consciousness of humanization that pedagogues like Paulo Freire have set forth (Erevelles, 2000). Through a

critical pedagogical lens, issues like retention may be viewed as acts of cultural invasion that help "those invaded become convinced of their intrinsic inferiority" (Freire, 1970, p. 153). These issues slowly become accepted by teachers, administrators, parents, and students as a means for becoming part of the mainstream, in this case, college-ready. In the case of retention, even SWLDs and their parents accept retention since it is assumed to allow them to gain academic mastery of grade-level standards and become closer to college readiness, which is socially accepted as success in American society.

Conceptualizing retention, its effectiveness, and the decision-making process towards recommending retention is often problematic; educators often disagreed with one another and final decisions were frequently made disjointedly. Therefore, just as in critical disability studies, change must occur in a process as illustrated in Antonia Darder's (2009) quote regarding a possible method for reformation and revolution, when she stated, "through praxis—the authentic union of action and reflection…education networks could enter into the re-making of a new culture" (p. 574). Dialogue or discussion, as this study utilized through interviews and focus groups, therefore, set the parameters for praxis and educational improvements for SWLDs. A deeper analysis of both frameworks helps clarify socially constructed connections and their ramifications for students.

Critical Disability Theory and Studies

Critical disability theory is the most fundamental framework for this study. Historically, it has been conceived as being born from disabilities studies (Meekosha & Shuttleworth, 2009). During the disability rights movement of the latter 20th century, the amount of research involving people with disabilities increased. Attention and understanding about this group

moved away from solely a medical model that views disability as a biological defect, towards understanding that the personal lives of those with disabilities and the social stigmatism they face is not simply an individual experience but rather a universal issue for all humans (Erevelles, 2000). Critical disability theory relies upon a social convergence that respects that all people have abilities and moves away from the notion that certain bodies are inferior. In other words, people should not be punished for things that they simply do differently than the majority.

One emerging trend in the last two decades within critical disability studies was the shift towards promoting a critical disability theory with the notion of complex embodiment as articulated by Tobin Siebers (2010). Siebers urged readers to understand that realism in critical disability theory entails accepting the disabled body as it is, especially when he stated that "an acceptance of the physical realities of the disabled body simply makes it impossible to view our society in the same light" (p. 67). This implies that society must socially do away with notions that people with disabilities are lesser; their bodies are human just like everybody else. If applied to the case of retention, not mastering certain promotional criteria must not be something to punish or fix, but rather something to realistically acknowledge, build upon, and in which to ultimately find value.

Critical disability theory is also applied in this study, in that it allowed teachers and educators to begin observing what and how they think about able bodies or minds and those commonly referred to as disabled, such as SWLDs. The theory also asks society to view disability as a collective; only through joining the efforts of both people with and without disabilities will problems of accountability, accessibility, and responsibility be appropriately and justly reconfigured (Devlin & Pothier, 2006). Through this collective action, socially

constructed views of ableism will be available for observation, analysis, and possible change (Siebers, 2010). This study, therefore, relied heavily on critical disability theory to analyze how teachers at charter schools show value and appreciation towards SWLDs when retention is at stake. Through focus groups and interviews, the study considered what students can do after retention has been applied. Through this line of questioning, the underlying belief system towards the retention of SWLDs, as well as its efficacy, may be attained. When participants were to be unable to describe any positive growth that SWLDs may have acquired the year they repeated, then dialogue along with the second framework became even more important.

Critical Pedagogy

Moving towards an exploration of the issue of retention for SWLDs also requires a framework that analyzes the power relations along social, cultural, and economic lines for those with power and those without. Antonia Darder (2012) contended that "those who fail are considered to lack the individual intelligence, maturity, or drive to succeed … Those unable to fulfill their designated roles within this process of accumulation are marginalized and deemed disposable, within schools and society" (p. 83). Hence, one way to explore the issue of retention amongst SWLDs is to consider to what extent they are deemed disposable. Given prior literature that stated retention works to weed out those that do not meet their expected potential, Freire's (1970) notion of *cultural invasion* becomes crucial at this juncture. Those students being retained often passively accept this so-called intervention and parents continuously enroll their children in schools that use such a practice because they believe or are convinced it will help their students eventually become academically prepared and college-ready.

A critical pedagogical framework suggests that dialogue has the power to break the barriers of oppression and dehumanization. The study at hand aimed to create the conditions for teachers to evaluate their decisions towards retention in terms of its effectiveness towards helping SWLDs become college-ready. Participants' accounts of what exactly teachers did throughout the year, such as what instructional methods and interventions were utilized, were important to analyze, especially since these strategies may have been ineffective if retention was still recommended.

Similarly, the study shed light on whether decision-makers hold the similar views regarding retaining SWLDs as contrasted to retaining students without disabilities when it comes to the educationally related societal value that is produced within schools. For instance, students who struggle to learn may be less desirable in American education. Given capitalist notions of maintaining "a competitive edge in global markets and to ensure that the capitalist class in the United States maintains global economic dominance" (Erevelles, 2000, p. 44), children with disabilities may not be thought of as college-bound. If they are not college-bound, SWLDs may be considered as less productive within a society that places college attendance and completion in high regard. Thus, retention may be working as a subtle method of segregation that perpetuates capitalist notions of limited human value and their relationship to production. But as noted with cultural invasion and principles of critical pedagogy, these hegemonic ideas function on an unconscious level for decision makers and students. This study revealed how the charter school followed "an ideology that reproduces dominant class relations, divisions of labor, and cultural hegemony present in twentieth-century America" (Erevelles, 2000, p. 44).

Focus group dialogue with participants about the value of SWLDs revealed what belief systems and decision-making processes were at work when they recommended retention for particular SWLDs. For instance, if participants stated that certain low-performing students need to be retained because they would be unprepared for the next grade level's standardized tests, this would definitely lend support to the notion that school employees are driven by America's financially-based schooling structure for charters, whereby lower test scores would lead to lower reputations, subsequent lowered enrollment, and, of course, less money earned. Throughout interviews and focus groups, dialogue and questioning investigated parameters of whether and how teachers based educational decisions upon institutional reputation and financial impacts versus the very real needs of SWLDs or even the negative impact the practice of retention often has on these students. This was the crux of the study and imperative for the education of SWLDs at charter schools, especially those that continue using grade-level retention.

Through an intricate mix of the two frameworks, social justice is called for, whether it is through equalizing concepts of abilities, economics, or sheer power balances. Through the visual representation that connects critical disability theory and critical pedagogy, the study sifted through the beliefs inherent in these two conceptual frameworks and allowed the school to become more cognizant of non-student-centered decision making. The frameworks mimic each other in many ways, in that both argue against similar discriminatory practices. Either through ableism or capitalist-based divisions of power, both frameworks suggest that discriminatory processes may be helping grade-level retention of SWLDs persist. As a means of collective action, both frameworks utilize aspects of dialogue and reflection in creating a base for loving and respecting humanity. These aspects are critical for any educational improvements for

SWLDs to occur, based on both belief systems. A closer look into the specific methodology of the study revealed more connections to the guiding theoretical frameworks.

Methodology

The study employed a qualitative case study approach to investigate how a charter school in Los Angeles utilized retention practices with SWLDs. As a case study of one charter school, it delved into the thought processes that affect one, often marginalized, group: students with disabilities. Six teachers were interviewed regarding their rationale and decisions regarding retaining SWLDs and its effectiveness. Since the target population was students with learning disabilities, two of the six teachers were special education teachers, also referred to as resource specialist teachers (RSTs). The remaining four were general education teachers from multiple subjects: an English teacher, a math teacher, a history teacher, and a science teacher. Using multiple focus groups, at least two individual interviews and a final exit interview, all participants dialogued about effective educational programs for all students, but mainly for those with learning disabilities. Individual interviews, both before and after the focus group interviews, took place during the latter half of the 2012-2013 school year, when decisions regarding retention were being made.

Guiding questions (See Appendix B) used during focus groups focused on factors of retention and SWLDs. Teachers were asked to identify what factors they considered when making the decision to retain a particular student with a learning disability, as well as whether having a certain deficit or need affected their decision. This included what promotional criteria they believed were most useful for the target population. Questions regarding the school's mission of college-preparedness and academic content were also asked: in particular, identifying

what goals SWLDs are usually given if, by chance, there happens to be any commonality in expectations. Similarly, asking participants whether they have experienced prior situations where a student with a learning disability was retained and whether they believe it was an effective intervention for the student was paramount in answering the research questions. Inquiring about how retained students performed, on average, yielded insight into any patterns about how retained students are perceived. Additionally, how the retention of a SWLD may affect their academic and social-emotional status was useful in understanding how participants process the notion of disability, in and of itself.

Document review was used to understand the phenomenon of retention. Reviewed documents included the school's mission and handbook, which outlined its no social promotion policy (See Appendix A). Additionally, examining records of SWLDs such as their IEPs, years of retention, grades, and behavioral records helped to identify trends in the retention process at ICA. Lastly, looking at promotional criteria that the school set for all students and comparing them to data derived from the interviews shed light on other trends. After coding all information from the focus groups and individual interviews, all documents were similarly processed. With all data points coded, they were then triangulated to determine similarities and differences in perceptions and results across teacher statements and official school documents.

Special attention must be paid to the fact that this qualitative study aimed at revealing the circumstances affecting the lived experiences of SWLDs. As an employee of the charter organization encompassing ICA at the time of the study, I had actual discussions with retained students (although these were not part of the data set for this study). While these statements were not a direct part of this study, interacting with the students definitely added to the need of

this research. A compelling aspect of learning about these students' factual accounts of being retained is that they all voiced how painful, tormenting, and mentally scarring their flunking had been. Nonetheless, their voices almost all gave way to a sense of understanding that they *deserved* it. Indeed, the word that I have heard many high school SWLDs who had been retained use when describing their retention was that they deserved the consequence. One can easily think that maybe these students were able to reflect that had they worked harder to master academic concepts, they would not have been flunked in the first place. Contradicting themselves by noting how shameful it was, yet how they deserved the punishment, these students had likely internalized their failure by believing in their inferiority. As an advocate for SWLDs, it was extremely disheartening for me to recognize that this population was often predisposed and tracked into self-loathing and self-deprecation. Thus, the qualitative nature of this study sought to understand how decision-makers can, unknowingly, promote devaluing and demoralizing practices.

Limitations and Delimitations

As with any research, this study had certain limitations. First, the teachers who participated in the study were asked to provide candid and honest responses to the questions asked of them during interviews. Since I was an employee at the school site, while also being the researcher in the study where this investigation took place, and since I served in an administrative position as one who oversaw special education, there were validity concerns regarding whether participants provided honest responses. The role of the researcher, itself, during the interviews was vital in remaining as open as possible. It was important for the integrity of this study to honor people's opinions as well as the research process. Therefore, the

researcher role was that of maintain an atmosphere of openness by allowing participants to talk freely, avoiding interjections, and remaining confidential about responses. Interviews and focus groups increased validity; participants became comfortable discussing the topic, even with the special education director present. Their responses were kept confidential, and participants were given participation consent forms that outlined how their responses were to be used. Pseudonyms were also used to protect anonymity.

There was initial concern that it would be impossible to acquire accurate data on past retentions of SWLDs for two reasons: the school had not accurately kept track of the reasons for retention, and many SWLDs who were held back eventually dropped out. The actual accuracy of the data obtain will be further discussed in future chapters. Additionally, it appeared that there would be difficulty in ascertaining the reasons *why* specific students were retained and what exact promotional criteria they did not meet. Ramifications of this concern are addressed further in Chapters Five and Six.

Lastly, the study took place during the end of the school year when decisions about grade-level repetition were at the forefront of students', parents', and teachers' minds. Thus, a threat to internal validity may be a possible historical threat. That is, the study took place when teachers may have been most emotionally charged regarding acknowledging how much time, effort, and learning a student had contributed throughout the school year. Nonetheless, by conducting interviews over a span of two to three months, the idea was that this type of limitation was minimized.

This research, however, also has some delimitations regarding generalizability. Most importantly, the school's particularly high rate of retention may have rendered the findings

inapplicable to other charter schools. While ICA was not the only charter school using retention, especially not even within southwest Los Angeles, complexities in race, ethnicity, socioeconomic status, school rules, expectations, and the like play a role in generalizability. The results from a single case study cannot be generalized to all charter schools, especially those that serve different populations nor have different school missions. Nonetheless, it can still serve as an example for schools to review and possibly to take away key points regarding retention. Lastly, it may be difficult to generalize results to other types of schools beyond charters, such as traditional public schools or religious institutions, but, this may also be mitigated by the possibility that charters may be urged to use retention more than other schools due to the political pressures for charters to perform at astounding rates, which will be further described in the literature review found in Chapter Two.

The study illustrates that charters must be wise in their choice of interventions, regardless of individual student ability. That is, again, using the critical disability framework, this study tried to help teachers clarify whether their intervention method is useful for all students. Although focused specifically on SWLDs, the research questions worked to see whether participants were using retention as: a reaction to disability, a consequence versus a real intervention, a tool to promote financial gains, or a type of Band-Aid for teachers who do not know how to differentiate instruction enough for this population of students to learn effectively. Nonetheless, the study does not debunk the practice of retention. Rather, it investigated whether it is an effective strategy to improve the academic outcomes for SWLDs, and under what circumstances it might be useful.

Definitions and Terms

A clear discussion of retention of students with learning disabilities required clear definitions. A student with a learning disability (SWLD) specifically refers to a student that is identified as eligible for some type of special education service or support, and therefore, has either an Individualized Education Plan (IEP) or 504-plan which are federally mandated documents and programs for students with physical, learning, and, or mental disabilities or deficits. Moreover, more than one SWLD or a group of this specific population will be denoted as SWLDs. Literature often uses different labels and even abbreviations to refer to this group of students. Many reports refer to *learning disabled* or *LD* population, and some use *students with disabilities* or *SWDs*. However, since this study aims to target learning disabilities versus physical differences, the abbreviation SWLD appears appropriate within this context.

Specific disabilities within this study may move across a spectrum of mild to severe, although most students at the proposed site of study had mild learning disabilities. Mild learning disabilities usually entail students with specific learning disabilities (SLD), such as those having processing limitations in attention, cognition, memory, or visual or auditory processing, to name a few. If literature or any interview or group discussions directly refer to students with severe disabilities, this will be clearly explained. Additionally, following the tenets of critical disability theory, language is important, and first person language is imperative in respecting the humanity in this type of difference. Thus, using phrases like *special education students* or *disabled people* follows an ideology of disability under the medical model, where a disability is something inherently wrong with the person. Therefore, a person with a learning disability is the current preferred terminology to use when referring to members of this population. It should be also

noted that the researcher prefers to labels students with disabilities as students with diverse abilities; however, for the purpose of ensuring that contemporary readers understand the study at hand, this research will refer to this population as students with disabilities.

Retention is the repetition of one grade level, usually for a consecutive year. Retention means the student is any of the following: being retained, flunking, repeating a grade level, held back, not promoted, experiencing a year of non-promotion, or repeating a grade. All of these terms may be used interchangeably. Comparable to the opposite of retention, social promotion refers to when students are moved to the next grade level regardless of meeting all criteria or standards. In this study, at ICA, promotional criteria referred to the various academic goals that a student must meet in order to move on to the next grade level.

Hypothetically, SWLDs should be able to learn given appropriate differentiated instruction. In this case, differentiation or differentiated instruction refers to teaching methods that are proven to meet the educational needs of SWLDs. Common differentiation techniques include accommodations such as extra time, providing copies of notes, kinesthetic or tactile learning, small group instruction, and many more changes in basic classroom strategies. While some researchers interchange the words modification and accommodation, this research will consistently use accommodation and not modification, because accommodations alter the way the instruction is delivered, not the standard or actual content, whereas modifications change what is actually being measured or presented (Elliot, McKevitt, & Kettler, 2002).

A student's Least Restrictive Environment (LRE) is the technical term used to describe the educational setting, or amount of time in a general education or special education setting that is most appropriate for each student to learn. LREs change depending on student need; where

many students with mild to moderate disabilities are in fully inclusive settings, many others with more severe needs are placed in fully specialized locations or nonpublic school environments.

Standardized testing refers to any testing method that maintains uniform content, administration processes, and equal scoring guidelines for all examinees (Sireci, Scarpati, & Li, 2005). This study occasionally refers to state-wide assessments such as the California Standardized Tests (CSTs) or college-entrance exams, all of which are examples of standardized testing.

Lastly, charter schools are educational schools that are publicly funded but operate autonomously; thus, they are free from many of the regulations and direct controls of traditional public schools (Zhang & Yang, 2008). Some believe that that charters "operate like private schools under the authority of a quasi-contract, or 'charter,' which is granted by a public body" (p. 571). Some charter schools are Internet-based schools, but for this research, the case study charter school is not an Internet-based school. In fact, the school actually rented an older, vacated property from the traditional public school district nearby: thus, making it appear like a traditional public school to many passers-by. At the time of the study, it had been chartered or in operation for approximately 10 years.

Organization of Dissertation

The background and introduction of this chapter, thus far, has situated the issue and problem of retention with SWLDs at one particular charter school. This section has outlined the need to qualitatively explore teacher conceptualization of the effectiveness and decision-making factors for use with SWLDs. In Chapter Two, an in-depth literature review further connects prior studies regarding retention and SWLDs at charter schools to the current case. Chapter

Three describes the study's methodology: a case study that uses focus groups, interviews, and document review. Results of the data collected are presented in Chapter Four, and these findings are discussed and analyzed in Chapter Five. The implications, conclusions, and recommendations of the study follow in Chapter Six.

CHAPTER TWO

Literature Review: Mismatched Research and Practice

Being oppressed means the absence of choices.

— bell hooks (p. 5, 2000)

Educators in the United States are driven to meet the needs of specific populations. In particular, school leaders must continuously alter and monitor programs, with an expressed commitment to issues of social justice, accessibility, and equity. The establishment of legal mandates such as those found in the Americans with Disabilities Act (ADA, 1991) have assisted people with disabilities in many settings, not just schools. In education, Students with Learning Disabilities (SWLDs) have been a highly monitored group, especially since the passage of No Child Left Behind (NCLB, 2002) and the reauthorization of IDEIA (2004). Together, these educationally related movements have helped contribute to education, suggesting that SWLDs need improved academic outcomes, just as all students do. Rigorous expectations along with high-stakes testing are goals and methods that schools have implemented, in order to raise and monitor the academic outcomes of this underserved population (Katsiyannis, Zhang, Ryan, & Jones, 2007). These internal pushes for change have aimed to raise access, achievement, and equity for disenfranchised groups like students with disabilities.

The Practice of Grade-Level Retention

Grade-level retention, a practice used with all students including SWLDs, may be a common consequence within charter schools, when students do not meet academic expectations. This may be linked to the fact that the charter school movement was born out of notions of school choice, which promised improved academic performance. As such, it has received

consistent pressure to raise student achievement, while increasing parent satisfaction (Estes, 2006). Schools have also advertised their use of grade-level repetition as an intervention, touting the practice as evidence that they have rigorous and high expectations. Hence, schools such as Intelligent Charter Academy (ICA), where the study took place, often described retention as a method that verifies their high levels of accountability and remarkable expectations of academic success. Understanding how retention has evolved, its effect on SWLDs, and charter school teacher involvement in the process of retention decision making was a pertinent aspect of this study in order to gain insight on its use at ICA.

This chapter presents a comprehensive review of literature on retention and SWLDs. First, the literature on retention and the political and social contexts in which this construct is situated are followed by an in-depth inquiry into two theoretical frameworks: critical disability theory and critical pedagogy. The literature on SWLDs and their education within charter schools, as well as teacher perceptions of both retention and the target population, are discussed throughout the chapter. Firstly, however, the historical development of grade-level retention is needed in order to obtain a larger understanding of how schooling in America has progressed throughout the last few centuries. This precedes the synthesis of how the two frameworks comingle toward understanding the historical background of retention, SWLDs, charter schools, and how teacher perceptions may be guided by prevailing societal forces. In reviewing this literature, the process of how retention has grown throughout the 20th century is uncovered in more detail and is equally important in understanding its potential function within charter schools.

In an analysis of how SWLDs are treated within educational settings, including charter schools, literature sources reveal educational practices with this population to be in a constantly evolving state. By analyzing the literature regarding the proposed goals of charter schools along with their history of serving SWLDs, a clearer idea of how retention has affected this population in charter schools also became evident. Teacher belief systems regarding retention and SWLDs added to the paradox between theory and practice within these areas. An investigation into the perceptions that teachers hold in regards to both SWLDs and retention was especially critical for the development of both interview questions for the study as well as possible ideas for the analysis of findings in Chapter Five. A critical approach was appropriate in that the study at hand required an understanding of historical forces that led to specific educational decisions and how belief systems are structured within the larger socio-cultural context. Therefore, this literature review begins with the history of retention, in order to grasp the larger forces that supported and reinforced the modern use of this controversial intervention.

Historical Background

Much of the literature regarding retention is consistent in its history and findings. First and foremost, retention is almost always presented as a historical repercussion to socio-political trains of thought such as religion or politics. America's earliest, yet informal, schooling system of the early 1600s ran on the notion of "The Old Deluder Law," aimed at ensuring children learned how to read the Bible as a means of avoiding the devil's ill intentions (Frey, 2005, p. 332). Pious children's academic shortcomings, including extreme deficiencies such as illiteracy, were typically overlooked. Thus, retention was unnecessary if an individual showed the strong religious devotion expected of children during that era.

Concrete retention policies have been linked to a later historical time period: the onset of the industrial revolution and urbanization. As urban settings began to undertake the task of educating large groups of children, uniformity and subsequent failure became fixed; the standard that all children should learn the same material in the same manner and at the same pace became overarching tenets of schools (Deschenes, Cuban, & Tyack, 2001). As standardization in curriculum and testing developed, flunking and repeating grade levels emerged and "[gradation] of classes became popular in large part because it promised to emulate the efficiency that came from the division of labor that was appearing in factories" (p. 530).

At the beginning of the 20th century, social Darwinism swept the country, and as immigration soared, the social belief that certain students simply were not ready to learn the same material prevailed (Frey, 2005). Hence, notions of grade retention presumed that learning the same content for an extra year would be productive in improving student performance (Picklo & Christenson, 2005). Johnson, Merrel, and Stover (as cited in Frey, 2005) estimated that retention rates in the early 1900s were nearly 50% and that 20% of all students dropped out of school altogether by the eighth grade. Interestingly, these rates have not changed dramatically throughout the last century.

Consistent with the beliefs of the times, IQ testing and the initial stages of separate learning environments emerged, along with increased rates of retention (Deschenes et al., 2001). With various advancements in psychology during the early to mid-1900s, emphases on emotional development gave way to social promotion, seeing that retention was thought to have negative social and psychological ramifications (Thomas, 2000). Civil rights movements throughout the 20th century reframed failure and retention as issues of prejudice. Despite

educational attempts to compensate for implied injustices, early compensatory educational programs, including social promotion, were based on notions of either genetic or cultural deficits (Darder 2012; Deschenes et al., 2001). In other words, the argument was that these students simply were unable to meet the criteria, thus promoting them might be the only available option. David Tyack (as cited in Carifio & Carey, 2010) offered another view on social promotion:

> It was not only easy to administrate: it also reduced costs … other emerging trends in schooling, most notably the legal segregation of that era's schools and the then-new practice of academic tracking, gave districts options beyond retention to separate and sort students. (p. 222)

Claims about economic implications have not been substantiated empirically; no research could be found that studied whether social promotion or grade retention was actually more costly in the long term. Nonetheless, separating and sorting students remained a recurring theme throughout the latter half of the 20th century.

With the publication of *A Nation at Risk* in 1983, schools were instructed to monitor achievement rates strictly and increase academic standards, which virtually eliminated social promotion, causing retention numbers to grow again (Thomas, 2000). From President Bill Clinton's 1997 speech that denounced social promotion and the passage of the NCLB initiative, the nation was pushing students to meet requirements or be, paradoxically, left behind (Jimerson et al., 2006). Multiple presidents during the last two decades have made revisions to educational acts. For instance, President Clinton revamped and set Goals 2000, which called for immediate improvement of standards and goals for American students, to ensure that the United States

become successful within a constantly growing global economy (Caples, 2005). More recent attention has been paid on movements like the Common Core initiative from President Obama.

The current state of retention policies and practices may lie between pro-retention and pro-social promotion stances. Although not the focus of this study, there may be a variation in the type of schools that believe retention is useful based on size, location, and other societal pressures. While some schools may rarely retain students, especially those with disabilities, they may be more likely to place such students on non-diploma bound tracks. Nevertheless, through the history of American education, retention and social promotion have both been constantly in flux, but the overarching denial or lack of optimal educational outcomes of those students who are deemed as inferior has continued, regardless of grade-level repetition.

Social and Political Context

Since the passage of NCLB, expectations and standards appeared to be on the rise. Harry Chandler (1984) asserted that after *A Nation at Risk* was published, many school leaders and districts were quick to jump on the bandwagon of policies like retention, in order to prove that they were being strict and maintaining high levels of accountability. Furthermore, there seemed to be outright popular approval of any practice that "gets rid of those who are trouble makers, not interested, or not very bright, and leaves those students who are easier to work with and who get higher scores on standardized tests" (p. 61). This statement, which Chandler directly quoted from an administrator, suggests that *difficult students* are assumed to be predisposed towards failure.

Unfortunately, the push for higher standards, outcomes, and accountability may also have created social contexts for individual and institutional cheating (Leckrone & Griffith, 2006).

Instances of students cheating on standardized tests and school districts misreporting graduation rates have increased. Mary Jane Leckrone and Bonnie G. Griffith (2006) summarized one of the most famous cases in Sharpstown, Texas, which was labeled the *Texas Miracle* by politicians and political pundits. This town was reported to have 1,000 students graduate from the high school, a perfect 100% of their incoming ninth grade class. Yet, upon closer scrutiny, fewer than 300 students actually graduated. Dropouts were erroneously coded as either having left the district or still being enrolled but in another grade, thereby incorrectly assuming that these students were completely on target and therefore non-dropouts. Similar misreporting and inaccurate representation of data was also discovered in New York, as reported by these same researchers. Popular media vilified Atlanta Public Schools after a 2011 standardized testing cheating scandal (Copeland, 2013). The push for higher achievement has often been linked to institutional cheating. Moreover, students were not being taught at high levels if dishonesty was the only way for school officials to present a picture of achievement. A social ramification of the push for higher academic performance, including grade-level retention, encompasses more than simple adult misreporting and cheating.

Retention may be politicized through measures such as NCLB; however, social ramifications may exist in the form of discrimination. One instance of this claim is evidenced by a class-based criticism of retention; poor and working class populations are affected by retention at much higher rates than more affluent groups (Moran, 1989; Thomas, 2000). Thus, social promotion became a response to claims of discrimination from rampant retention in the 1960s. Leckrone and Griffith (2006) summarized political reactions to retention as responding to social and public backlash. As an example, they described how the former Governor of Florida, Jeb

Bush, placed a mandate that county officials had the right to override tests scores after reviewing student work samples and grades that did not match official test results or even remotely close in score. This decision was in response to the parent demands of approximately 6,000 students who were initially on the list to repeat the third grade after failing state standardized tests. The mandate was given in response to fears that test scores were erroneously inflated or altogether inaccurate.

Political and social pressures set forth by retention have also pushed for the improvement of SWLDs' test results (Moran, 1989). While this could possibly explain the high percentages of SWLDs retained, little research exists on specific retention due to low test scores. Similarly, very few pieces of legislation or court cases regarding retention of this population could be located. Some researchers have suggested that retention must be clearly outlined in the student's IEP, and that grading should be based on IEP goals, not on standardized test results alone (Chandler, 1984).

Lastly, retention's financial realities warrant further discussion. The cost of retention is startling. Some estimates have suggested that as much as $14 billion annually can be traced to retention and that grade promotion coupled with job training may not be significantly better than repeating a grade level, while at the same time saving and possibly infusing billions of dollars into the economy (Leckrone & Griffith, 2006). These same scholars argued that social promotion paired with training may help avoid the high correlation rates among retention and high unemployment, reliance on public assistance, and incarceration: again, saving plenty of money from being spent on programs that often garner social disapproval. Furthermore, one

aspect of retention that may often be overlooked is the financial cost that comes directly at the expense of students.

Alex Molnar, in *Giving Kids the Business* (1996), suggested that the commercialization of public schools and retention are linked. Just as commercials can falsely advertise the positive benefits of products like sodas, fast food, or even clothing, retention may be falsely promoting the notion that academic success is a result of repeating a grade level. More specifically, proponents of retention have argued that financial prosperity can be the ultimate reward of retention because it will help a student be better prepared for the next grade. Preparedness for the next grade level implies that the student will have a higher likelihood of graduating from high school and getting into college, in the first place. Yet, there may be larger, demoralizing consequences and false promises that result from social contexts of retention when it comes to charter schools.

Molnar stated that school reform projects such as vouchers or privatization of schools, such as charters, have failed. He argued that performance contracting, the term used in the past to denote the privatization of schools, was "focused on schools attended by poor children. Back then, as it is now, it was argued that … competing for contracts would be the engine used to bring educational achievement to schools where it had previously been elusive" (p. 78). Thus, the link to contemporary charter schools exists in the notion that charters survive on the promises of having something better to offer students than the local public schools (Estes, 2004).

Retention is often viewed as promising in that it can help ensure students acquire the necessary skills and knowledge to succeed in today's era of high academic expectations. Consistent with Molnar's explanation of performance contracting, charter schools place a higher

focus on children from lower socioeconomic households, providing them with false promises of college and career readiness; one of those promises may be better achievement through grade-level retention. Other educational reformers have held the idea that practices like retention, although tough, are exactly the type of innovative and stern ideas needed to improve educational outcomes (Alexander et al., 2002).

Towards this claim, unorthodox ideas such as retention are not necessarily a cure-all for society's ills. Here again, Molnar's (1996) critique of commercialization and privatization in schools is applicable. For example, he described Channel One, a 1990s product that was touted as an *earth changing* daily 20-minute newscast that could drastically improve teenagers' awareness of current events. Yet, upon analysis of the profiteers and overall educational outcomes of Channel One, the unorthodox idea of a 20-minute newscast altering teenagers' knowledge of world events in a momentous manner was one that ended with meager, if not pitiful, results. If anything, this supposedly innovative newscast resulted in just a few people getting rich at the expense of thousands of students. The educational funds from which these students could have benefited were instead given to private businesses with flashy ideas and promises. Retention, with a promise of educationally improving the outcomes for the neediest of students, may be equally flashy with its promise of ensuring all students are performing on grade level.

While working at ICA, the researcher heard staff members say that if a year of failed educational attempts did not work, then retention was their only remaining option. Hence, it makes sense that retention seems promising, but critical theorists and experts in market-oriented reforms tend to consider this another unfulfilled promise about supposedly serving

disenfranchised groups, including SWLDs, but actually increasing the educational difficulties these students face. The social and political implications of this practice then can be better viewed through two theoretical lenses, in order to understand the beliefs and decision-making factors associated with grade-level retention of SWLDs.

Major Themes

Characteristics of Retained Students

Although it is difficult to obtain a precise estimate of the total number of students retained, the literature did identify patterns in the characteristics of students who are retained. C. Thomas Holmes (2006) reported that 15 to 19% of all American students in kindergarten through twelfth grade are retained annually, and approximately 22% of all eighth grade students have been retained at least once. Twenty years ago, Hagborg, Masella, Palladino, and Shepardson (1991) reported the lowest rate of retention (6%) in the late 1980s; but these numbers may be inaccurate, given unequal reporting methods across various states. Moreover, Alexander et al. (2003) lamented that, "astonishing though it is, no authoritative source monitors retention trends on a national level" (p. 2). Nonetheless, methods that involve both quantitative and qualitative data estimated that retention rates are closer to 50% for males and 40% for females (Adams, Robelen, & Shah, 2012). Veronica G. Thomas (2000) reported similar numbers: "at least 50 percent of students who enter kindergarten are likely to be retained at least once before they graduate or drop out of school" (pp. 30-31). Moreover, students who are retained differ systematically from the student population as a whole. As will be described in the following sections, Black and Latino students, male students, and economically disadvantaged students are over-represented among students who are retained.

Race and retention. Black and Latino students have higher retention rates than their Caucasian peers (Frey, 2005). Melissa Roderick (as cited in Frey, 2005) summarized census data from 1990 and reported that by the end of the ninth grade, the lowest retention rate was among Caucasian females at 15.8% to the highest rate for Black males at 52%. Interestingly, evidence has also been found that indicates that minority students who have teachers of the same race are less likely to be retained (Renaud, 2010). Nonetheless, minority students are still more likely to be taught by White teachers, more likely to be retained, more likely to drop out, and more likely to score poorly on state testing (Caples, 2005; Ferguson & Strieb, 1996; Frey, 2005). These racial patterns appear to intersect with gender (Ferguson & Strieb, 1996; Frey, 2005; Meisels & Liaw, 1993).

Unsettlingly, the amount of students retained is inextricably linked to characteristics of students in urban settings and to certain socio-demographic factors. Jimerson et al. (2006) reported that Black students are three times as likely to be retained in comparison to White students, with Latino students being twice as likely as their White peers to be retained. The numbers get more discouraging for minority males, as "numerous studies have suggested that boys are about twice as likely to repeat a grade as girls" (p. 87) and are more likely to have missed more school.

Gender and retention. Historically, males have had higher rates of retention. In one of the largest studies on retention, which included over 16,000 students in grades kindergarten through eighth grade, Samuel J. Meisels and Fong-Ruey Liaw (1993) found that many times school officials stated that they did not want to retain female students for fear of their emotional vulnerability. The consequence was that boys outnumbered girls in retention. Age and gender

interact to negatively impact school outcomes; both male students who were retained in younger grades and female students retained in older grades were found to have worse social and academic outcomes than non-retained students (Ferguson & Strieb, 1996). Individual student qualities are not the only patterns of retention; a family or school's financial stability is also linked to grade retention.

Class and retention. Socioeconomic status may also affect the chance of flunking a grade level. In multiple studies, students from economically disadvantaged backgrounds were found to have higher rates of retention (Gastright, as cited in Frey, 2005; Hagborg et al., 1991; Morris, as cited in Frey, 2005). Showing correlations between lower grade point averages (GPAs) and higher rates of retention, Ferguson, Jimerson, and Dalton (2001) also found an inverse relationship between mothers' education and children's chances of retention: the lower the mother's education, the higher the chances that her children would repeat a grade. Perhaps findings such as these are not shocking based on scholarly findings that propose student outcomes are not often different from parents, especially those coming from a lower socio-economic status (Bowles, Gintis, & Osborne, 2005). Some research summarized that it may not necessarily be solely a function of economics; genetics, role modeling, and environmental factors may also foster similarities between parental and child outcomes (Bowles, Gintis & Osborne, 2005). The impact of poverty is felt not only at the individual level, but also at the level of schools and school systems.

Alexander et al. (2003) postulated that in high-poverty school systems, at least half of the school population is likely to have repeated a grade level before entering high school. Urban schools with higher rates of teacher turnover tend to have higher rates of retention (Bornsheuer et

al., 2011). Transitions, such as teacher turnover, but also typical school-year changes such as starting high school, have been found to make it more difficult for students to avoid flunking. Transition shock may account for the higher rates of retention, especially at entry grades such as the ninth grade, where rates of retention have steadily increased in the last decades (Alexander et al., 2003). These similarities or patterns in the characteristics of those retained also have been found to be inextricably linked to poorer educational outcomes.

Students coming from impoverished communities are more likely to be retained and to drop out (Frey, 2005). Frey (2005) cited numerous studies including the National Educational Longitudinal Study that compared 88 school districts and confirmed that schools with a prevalence of low socioeconomic status had correlations to higher retention rates. Oddly, the cost of retention is not always considered to be efficient. Jimerson et al. (2006) wrote that "Retention is not an inexpensive intervention. For instance, at the end of the 2002-2003 academic year, 192,713 students were retained in kindergarten through third grade in Florida, which cost the state over 1 billion dollars" (p. 86). Retention is portrayed as subversively expensive, even if many educational financial advisors do not consider the long-term implications. Grade-level retention, according to the majority of the research, also has dramatic and oppressive effects, furthering the problem of educational inequity for SWLDs.

Educational outcomes. Unfortunately, retention is associated with lower chances of graduation, which stifles the educational and social progress that could otherwise be made by members of marginalized groups. After comparing multiple studies of both retention and social promotion, Frey (2005) summarized that "[retainees] are more likely to drop out of school, work at lower paying jobs, suffer from substance abuse problems, and spend time in jail" (p. 343).

The negative consequences of retention reach far beyond the repeated school year. With links to high school dropouts and flunking the ninth grade, retention is negatively associated with on-time graduation (Bornsheuer et al., 2011). In comparison to low-achieving students who are socially promoted, retained students experience larger academic disadvantages (Jimerson et al., 2006). Socio-emotional effects have also been noted, including poorer self-esteem, disdain for school, and worsened social and personal adjustment (Picklo & Christenson, 2005). Thomas (2000) claimed that almost any intervention, including remedial help, summer school, or peer tutoring has been proven to be more effective than retention. The issue of offering supports is extensive within the research, but there are further disparities in exactly who is retained.

In sum, retention is directly correlated with poor educational outcomes. Dropouts are five times more likely to have repeated a grade than high school graduates (Kalinsky, 2005). Similarly, an astounding finding claimed that repeating two grades nearly predicts with 100% accuracy that the student will drop out, according to the Association of California Urban School Districts (as cited in Kalinsky, 2005). Students who have repeated a grade level have been found to be more likely to drop out of school altogether (Bornsheuer et al., 2011; Frey, 2005; Jimerson et al, 2006; Kalinsky, 2005). With studies in the field yielding negative results with retention, it is important in this study to consider arguments made for why retention is a desirable intervention.

Defending Grade-Level Retention

One of the few primary sources to defend retention is Alexander et al.'s (2002) book, *On the Success of Failure*, which outlined how retention may not be as negative as majority trends suggest. This work argued that retention can help students in the year of repetition and perhaps a

few following academic school years. They also surmised that retention can be thought of as negative when fewer students are retained as it increases the likelihood that repeating students will feel singled out if they are one of a few who have to repeat a particular grade level. Interestingly enough, these authors explained how they had to write multiple editions of the book because they found evidence that their students in Baltimore revealed long term negative effects for many students in the form of elevated risks of dropout for retained students. Thus, even one of the most profoundly pro-retention sources has admitted that the process still has correlations with higher rates of educational failure. Furthermore, William A. Owings and Leslie S. Kaplan (2001), who completed a meta-analysis of 60 articles related to retention written during the 1990s, stated that only one article slightly supported retention. Two years later, "a follow-up evaluation refuted the earlier findings" (Owings & Kaplan, 2001, p. 13) of the earlier study that supported retention. This example is another case of scholarly proponents of retention who have been forced to alter, at least slightly, their positive ideas about retention after longitudinal data was found to oppose their initial findings.

Regardless of whether one is a proponent or opponent of retention, the reasons for believing that retention is useful may appear obvious. That is, repeating a grade level allows students to see the material again, as well as mature and become more likely to master tasks physically and cognitively at a lower grade level than average age. These beliefs are corroborated by Frey (2005) and Mantzicopoulous (1997), who expounded upon the societal belief that extra time will make up for academic deficiencies and help students be better prepared for upper grade levels; this is often referred to as the notion of the *gift of time* in scholarly work in the field of grade-level retention. Additionally, many educators may claim that retention

teaches children that they must earn their place in school in addition to mastering foundational skills such as functional literacy and basic math (Thomas, 2000). The need for all members of society to have a baseline of knowledge fuels a commonsense understanding of how retention can be useful.

One other way that retention may also be viewed as potentially positive is through the repercussions of a famous educational lawsuit. In *Peter W. v. San Francisco Unified School District* (1976), a former student sued his prior school district claiming that they passed him from grade to grade without truly educating him as he graduated high school with a fifth-grade reading level. Thus, schools may want to advocate that they use retention to ensure their students have acquired grade-level mastery to avoid educational malpractice lawsuits. However, Peter Doe lost his case because the court said that the school could not be completely culpable for multiple failed attempts, as if the school had at least tried and thus, was exonerated of all guilt. Thus, proponents of retention may believe that at least retention shows that the school tried to educate the student despite the poor outcome.

That court case, although not siding with the student, brought considerable attention into whether the school should have assessed for a learning disability that Peter Doe was later found to have had. Thus, in court cases like *Donahue v. Copiague Union Free School District* (1979), plaintiffs were able to successfully sue their former school districts for failure to correctly evaluate for the presence of potential learning disabilities. Retention, on the other hand, may confound the need for evaluation. Flunking a grade may simply extend the amount of time needed for the school to recognize that a learning disability and the lack of necessary instructional accommodations or services may be the true cause of that particular student's

struggle. Schools using retention may be simply adding an extra, possibly unnecessary, year of school for some students rather than identifying the accurate cause for educational inadequacy. Inherent to believing that retention is effective for ensuring students are capable of mastering certain learning goals, SWLDs easily become a targeted group because academic struggles are often linked with this population.

SWLDs and Retention

Few studies have specifically analyzed the retention of SWLDs. However, McLeskey and Grizzle (1992) conducted an investigation of more than 600 students in Indiana who were referred and identified as being eligible for special education. They found that 58% of these students had been retained at least one school year. In another study, Barnett et al. (1996) found that out of 344 students retained in Michigan during the 1990-1991 school year, an extraordinary 71.6% had been identified as having a learning disability. Unfortunately, these studies are nearly two decades old, and little research has attempted to determine whether the data have changed in recent years.

More recently, according to Adams et al. (2012), an analysis of national longitudinal data shows higher rates of retention for minorities, a large percentage of minority students were found to be identified as learning disabled: roughly 22% for Black students. Few studies exist that can shed light on whether students are referred for retention because they have not been identified as having a learning disability or whether it is precisely because they do have a learning disability that they are thought of as needing extra time to develop academically.

Laura Shifter (2011) analyzed the graduation rates of SWLDs and found that spending more than five years in high school correlated to extremely high rates of dropout or non-

graduation. In her study, 26.8% of SWLDs who had spent more than five years in high school (i.e., had been retained for at least one year) did not graduate. The study raises questions as to whether retention and grade repetition can potentially limit the educational outcomes of SWLDs.

Katsiyannis et al. (2007) did not specifically study retention with SWLDs but did stress that NCLB and high-stakes testing has made this population of students vulnerable to negative ramifications, such as devalued status from lowered test scores. These researchers all suggested that since SWLDs often score lower on these tests, lowered test results would make schools appear as if they are failing, which is another reason why enrollment of SWLDs may be inadvertently frowned upon by schools. Testing pressures may have led schools to believe that retention can help to reverse any potentially damaging results to their reputation. Altogether, the literature reveals that the topic of grade-level retention with SWLDs must be analyzed in more depth, particularly in terms of why the practice continues to be used. Similarly, the recent advent of the charter school movement means that these schools must also be evaluated further in terms of how well that they are able to serve SWLDs.

SWLDs and Charter Schools

The charter school movement has intensified within the last two decades. Charter schools differ from traditional public schools in that they can be created by anyone, are exempt from some state and local regulations, can be attended by any and all students, and yet must produce results in order to continue operations (Dearhammer, 2002). Charter schools are not always exclusively private entities but are allowed to establish their own concrete graduation and promotion criteria, and oftentimes their goals may not follow traditional school guidelines (Estes, 2006). Concurrently, many charter schools have specific missions or points of interest such as

preparing students for entry into a specific workforce or four-year university preparedness (Estes, 2004). While charter schools have more autonomy and choice, they are publicly funded with tax dollars, and thus must be open to all students, regardless of ability (Rhim & McLaughlin, 2007). SWLDs have, according to literature, an uneven history within the charter school movement.

SWLDs have not always experienced equal enrollment opportunities within charter schools, in comparison to traditional public schools. Indeed, there is fear expressed by some that charters have subversively discriminated against enrolling learning disabled students. Estes (2004) summarized this fear succinctly:

> To understand such fears, one might need to reflect on the roots of the choice movement, which emerged as one of the many reforms conceptualized amidst the panic triggered by *A Nation at Risk.* The purpose of such reforms was to "raise the bar" of academic achievement in order for the nation to compete in a global economy … As a result, students with disabilities may have been an afterthought to the movement. (pp. 257-258)

SWLDs, therefore, have only recently seen an increase in charter school attendance, and within the state of California percentages of enrolled SWLDs are slightly lower than in traditional public schools (Rhim, Ahearn & Lange, 2007).

Trends at special education programs in traditional public schools have indicated an overrepresentation of minorities such as Black students and Latinos being labeled as having learning disabilities; this trend is similar within charter schools (Grant, 2005). Garcy (2011) found that SWLDs enrolled in charter schools were more likely to be on the less severe spectrum and, thus, less costly to serve. In other words, charter schools were more likely to enroll SWLDs

who require fewer or more minimal accommodations. Furthermore, Yongmei Ni (2010) alleged that when comparing multiple year enrollment statistics for SWLDs, the percentages of students with disabilities at nearby traditional public schools increased following the creation of charter schools, suggesting that these new schools are apt to enroll higher preforming students, leaving more severe SWLDs to remain at local public schools. Hence, charter schools still have much work to do in terms of equity in educating SWLDs.

As previously mentioned, charter schools enjoy more autonomy in the policies they create and follow. The literature, however, suggested that charter schools may be in subtle conflict with special education policies. For instance, Lan Hue Quach (2005) suggested that charter schools may not be ready to serve SWLDs appropriately due to the fact that oftentimes charters act as their own Local Education Agency (LEA), which means that they endure costs to educate these students and may subtly avoid spending the necessary funds to educate adequately those students with pricier needs. She also states that charter schools have been found guilty of denying admittance to students who may not appear to fit the particular school's mission. Nevertheless, Quach admitted that traditional public schools have been found guilty of similar practices as well. For instance, some schools can work towards convincing parents and their students that they need either a special education based school or some type of continuation school rather than allowing them to be educated within the mainstream population.

Across the U.S., legislation has often been unclear regarding how charters are to enforce special education policies. Some researchers have also analyzed all states that have charter schools and found a lack of specificity regarding who maintains responsibility for ensuring accountability in special education, a finding that continues to hinder appropriate educational

programs for SWLDs (Rhim, Ahearn, & Lange, 2007). More specifically, they claimed that charter schools were often unclear as to how to interpret federal laws pertaining to special education. This lack of clarity may have been part of the reason why some charter schools have not only failed to report statistics regarding educational outcomes of SWLDs at their schools but also reduced the overall number of enrolled students in this subgroup. Furthermore, Nancy Dearhammer (2002) explained that charter schools consistently battle between autonomy and federal regulations. This question of autonomy, particularly in decision making about educational criteria, may make it difficult for charter schools to create optimal academic conditions for SWLDs.

Charter schools also have the freedom to dictate the number of people involved in making school-wide decisions. This feature of charter schools can ultimately lead to suspicious policies. For example, Lauren M. Rhim and Margaret McLaughlin (2007) revealed that many charter school policy and decision makers viewed special education regulations as too narrow or rigid, or as keeping the school from providing its individually tailored programs and services according to the school's mission. This means that some charter schools may be in opposition to the ideals and purposes of laws like the IDEIA, ADA, and Section 504 of the Rehabilitation Act, which call for free, appropriate, and equal educational provisions for students with disabilities. If charters are operating on criteria that oppose these laws, this could lead to negative attitudes towards enrolling SWLDs and questionable decisions about how to serve this student population.

Teacher Beliefs and Decision Making

Multiple studies have investigated basic teacher attitudes and how these may affect their views of and choices for students both in and outside of the classroom. Interestingly, some

studies have shown that discomfort with disability is a strong predictor of opposition to special education inclusion (Brandes & Crowson, 2009). This same study conducted with pre-service and newer teachers found that being less comfortable with disability issues correlated with negative attitudes towards this group of students, as well as a higher link to conservative ideologies regarding student self-determination and ability. Related to grade-level retention, teacher beliefs have also been found to be based on personal judgments about individual students characteristics (Witmer et al., 2004). The research in the field also suggests that teachers may have beliefs, such as dictating which students deserve to enroll in advanced placement courses, which already predetermines the particular students who are more likely to get a fair, appropriate, and equal education.

A study by Margaret D. Clark (1997) investigated teacher attitudes toward student attributes like effort and motivation based on vignettes. In this study, teachers identified students with lower outcomes as more likely to have a learning disability. Ironically, however, they also gave less harsh consequences to students with disabilities, whom teachers believed had failed because their disability was keeping them from achieving (as if it was a fixed disease that could not lead towards positive outcomes). Clark's study also revealed that some teachers may pity students with learning disabilities. This goes against the assumption that SWLDs may be retained at a higher rate, since under this pretense it could be argued that their disability hinders students from ever mastering the curriculum, therefore retention would be futile. Nonetheless, it could also be argued that at a charter school, test results and the pressure to do better than traditional public schools override pity and lead to increased rates of retention, which is a view more aligned with a critical pedagogical stance.

At charter schools, where teachers are more autonomous in their ability to set standards and participate in charter policies, potential problems could arise for typically marginalized student populations. Teachers, in general (but possibly more intensely at charters where pressure to perform is higher), are more likely to condone retention, according to a 1996 study conducted by Deborah A. Byrnes and Kaoru Yamamoto (as cited in Caples, 2005). Their study found that 65% of teachers agreed retention should be used for any student failing to meet grade-level expectations. Byrnes and Yamamoto contended that retention seems to "be a popular 'tool' because it places the blame of failure on the student and not on the school itself" (pp. 44-45).

While numerous studies have been completed that describe teachers' attitudes towards retention, few have been conducted within a charter school setting. Additionally, Pat Maslin Ostrowski (as cited in Caples, 2005) found that teachers' beliefs about the use and effects of retention were supported by the staff members and viewed in a positive light because the school had always followed the process and, therefore, since things had always been done this way, change would be improper. Some researchers make the argument that teachers generally are unaware of the long-term effects of retention and, therefore, usually utilize short-term positive gains as a rationale supporting retention with academically unprepared students (Haberman & Dill, 1993). Furthermore, Claire Xia and Elizabeth Glennie (2005) analyzed multiple studies on teacher perceptions of retention and found that teachers are apt to think that retention will increase the likelihood of having a homogenous group of student levels within a classroom, making teaching easier by reducing variance in students' abilities. Although these studies of teachers' beliefs add to the understanding of retention, specific analysis is still needed regarding charter school teachers, SWLDs, and grade-level retention.

The Role of the Special Educator

Special education teachers have multiple roles and responsibilities that are geared towards ensuring students with disabilities have their IEPs created and enacted fairly and appropriately. Unfortunately, according to Marilyn S. Kaff (2004), many special education teachers leave the field early because their roles entail not only teaching, but also co-planning with others teachers, collaborating with service providers such as counselors and therapists, managing paperwork and timelines, coordinating meetings with parents and staff members, and writing detailed reports on formal assessments. Moreover, special educators are often asked to work as professional development leaders for their general education teacher counterparts, and this often requires a high level of advocacy for both specific students and disability-related issues in general.

These concerns about working expectations and roles have been noted by Bonnie S. Billingsley (2003), who summarized multiple literature resources and data. Her synopsis of the data showed that special education teachers often leave the field or transfer to become general education teachers due to stress in terms of paperwork and difficult work environment factors. It is important to recognize that special education teachers are asked to be experts in their students' disabilities, academic content, and especially behavioral management on top of maintaining compliance with paperwork, and IEP writing. These expectations likely play a role in how special educators perceive retention for certain SWLDs as the workload and pressures to complete such a large number of complex tasks may take a toll on the appreciation that these teachers can extend towards the students they educate.

Theoretical Frameworks

Given the political and social contexts through which retention has been implemented and reinforced, issues of equity, power, and access become crucial in understanding how SWLDs are affected by retention. The issues of power and social conditions faced by SWLDs can be situated within two interrelated frameworks. Critical disability theory and critical pedagogy, which are both founded upon a critical social theory, engage issues of structural power in terms of how they are directly related to disenfranchised and marginalized populations. Diane Devlin and Richard Pothier (2006) stressed that critical disability theory does not simply clarify definitions of what it means to have a disability but rather pursues empowerment and equality for all people. Similarly, critical pedagogy aims to support "the empowerment of culturally marginalized and economically disenfranchised students" (Darder, Baltodano, & Torres, 2009, p. 9). Thus, these two perspectives provided an effective social justice approach for better understanding why SWLDs may be overly referred to repeat a grade level, along with other multiple factors associated with retention.

An underlying premise of this study, supported by both critical disability theory and critical pedagogy, is that a social cycle of asymmetrical power relations exists within schools that lead to SWLDs being treated with disdain. First, the conscious and subconscious commonsensical marginalization related to the mere fact of having a disability may lead to lowered educational opportunities. This, in turn, would lead to eventual lowered test scores that affect the organization's Academic Performance Index (API), which is essentially a school's overall ranking and symbol of reputation, something that charter schools are especially apt to protect. Given the effects of lowered API rankings and reputation, enrollment is likely to suffer,

which for schools is inextricably linked to financial gain. As this cycle suggests, SWLDs may unintentionally affect enrollment, which is the main source of income for schools and ultimately the power of reputation within the charter school world. In efforts to raise average test scores, it would be unsurprising then that retention is applied to the detriment of all populations, especially SWLDs. Detailed understanding of both pedagogies is warranted in order to adequately grasp how this process of retention is perceived, processed, and enacted with respect to SWLDs at charter schools.

Critical Disability Studies

The primary framework for this study, critical disability studies (also called critical disability theory), offers a critique of disability as socially constructed and shaped by power and other social factors. One of the leading scholars in the field of critical disability studies, Michael Oliver (1996), has summarized the historical growth of this framework. Oliver described disability rights movements globally as transitioning from a medical and individual model, whereby disability was viewed as one person's deficits and a singular plight, to a social model that still remains personal yet demands community care and political rights based on citizenship. More specifically, Oliver argued that critical disability theory is not simply a theory, but a call to disavow the notion of disabilities as deficits and to focus instead on fundamental global human rights for persons with disabilities.

Critical disability theory has taken multiple shifts and moved across various paradigms in its history. In order to understand the barriers that society has placed upon people with disabilities, critical disability theory has consistently battled the notion that disability is purely medically based. As this scholarly movement grew from the protests of the 1960s and 1970s,

many researchers attempted to summarize the needs of people living with disabilities (Ferguson & Nusbaum, 2012). With similarities in typical constraints and situations, the field of disability studies began to accumulate and moved towards an understanding of positive or added characteristics instead of only stressing negative experiences or deficits. This led many critical disability theorists to emphasize that all humans have differing attributes, and humans are all mortal (Anastasiou & Kauffman 2012). Sociologists identified commonalities between the root causes of why people with disabilities were limited in different social aspects. The social construction of disability by society and the faulty belief that the disabled are somehow inadequate became prevalent findings in this work. Disability studies scholars like Anthony J. Nocella II (2008) beheld the view that:

> Disability Studies reframes the study of disability by focusing on it as a social phenomenon, social construct, metaphor, and culture utilizing a minority group model. It examines ideas related to disability in all forms of cultural representations throughout history, and…does not signify a denial of the presence of impairments, nor a rejection of the utility of intervention and treatment. Instead, Disability Studies has been developed to disentangle impairments from the myth, ideology, and stigma that influence social interaction and social policy. The scholarship challenges the idea that the economic and social statuses and the assigned roles of people with disabilities are inevitable outcomes of their condition. (p. 78)

While placing heavy emphasis on understanding how society embeds and represses certain populations based on the social construction of the notion of disability, there has also been acknowledgement within disability studies that is intimately tied to one's physical being.

Although learning disabilities were the focus of this study, it is critical to discuss how the value of one's body is inextricably linked to how SWLDs are, or are not, valued. As mentioned in previously, Siebers (2010), a leading scholar on disability, used the idea of complex embodiment to analyze how people with disabilities have been socially constricted throughout society. Siebers argued that the disabled body is not accepted because of numerous factors such as difference, socially based limiting factors, as well as a lessened value in production. He noted that devaluing bodies (in this case, people) with disabilities is based in notions of narcissism and "represents perhaps the dominant psychological model used today to maintain the superiority of ability over disability, and there may be no more authoritative example of the logic of blaming victims for their own pain" (p. 34).

Thus, society has perpetuated the notion that disabled bodies are not as inherently good as so-called able bodies. This notion has been equally applied to cognitive disabilities or those that are not readily visible. Siebers argued that the psychological arrogance of assuming some bodies are not as good as others sets people with disabilities into an almost automatic and inherent state of demeaning depression, rendering them open to being oppressed and socially constricted. As people with disabilities call for rights and sometimes material support, narcissistic beliefs prevail, viewing this group of people as demanding more than their fair share. This creates disdain or further marginalization of disabled people, as their demands for rights are falsely portrayed as taking too much extra support, being selfish or even being too lazy to do what it takes to survive without help (Oliver, 1996; Siebers, 2010).

The unfortunate and further disabling psychological interpretation of blaming those with disabilities as lazy negatively impacts policies and practices, but also fundamentally overlooks

the American ideal of treating people fairly and with equal rights. Thus, scholarly work has explained that access to buildings, health care, and even education becomes hindered by society if these accommodations are perceived as underserved entitlements. Siebers' (2010) critique of the narcissism of *ableism* may be controversial and radical, but it drew necessary attention to critical issues of equity and justice for people with disabilities.

Critical disability theory also delves into issues of physical space. Brendan Gleeson's (2000) analysis in *Geographies of Disability* analyzed the history of disability, including both physical and cognitive disabilities, within various geographical contexts. For disability studies, this serves as a basis for understanding how various political and historical events have gradually marginalized those with disabilities. Gleeson (2000) wrote that social spaces have been the driving force for disabling people; he claims that it is important to acknowledge how history has affected the marginalization of people with disabilities in order to work on changing existing society's oppressive systems. In an analysis of feudal England and a shift from rural to urban settings, Gleeson noted that people with disabilities were not always relegated to lower-class jobs. In fact, he wrote that "bodily impairment was doubtless an accepted, prosaic element of peasant life" (p. 95).

The shift towards degrading people with disabilities grew as urbanization increased. Urban capitalist notions of increasing output with less space or faster production slowly took over England and Europe. Victorian societies began to shift people with disabilities from productive service jobs to lower-paying street jobs, such as selling small goods. Unfortunately, this move to the street, in terms of the need for jobs, may have related to diminishing the societal value of people with disabilities, according to Gleeson. That is, it may have been consequential

for many people with disabilities to turn towards activities such as begging for money, as their success with selling goods may have been hindered, lowered, or rendered nearly impossible due to their physical or mental impairments. In American history, the reduced social spheres for people with disabilities may have been accentuated as industrialization continued the push for faster, more efficient, and cheaper production. Under capitalism, people who are capable of efficient labor are perceived as more valuable workers within the labor market; thus, these workers would be considered more deserving of greater access to public space. Turning towards education, then, it is not surprising that critical disability studies often relate physical space to equitable education for SWLDs.

Critical disability theory examines how socially constructed ideologies can either empower or disenfranchise people with disabilities, especially through an analysis of the type of language or diction that is used to describe this population. The concept of how a person is represented by language shows how important language can be. Consider, for instance, the difference between the labels "autistic person" and "person with autism." The first phrase defines the individual in terms of the condition; the individual is a distinct type of person, almost nonhuman. However, "person with autism" puts the person first, emphasizing their humanity before introducing a characteristic that happens to describe them. Hence, the use of *person first language* has been promoted by critical disability theorists over the last decade, as this strategy acknowledges that our choice of words and phrases conveys powerful social meanings (Snow, 1991). Language and the power it denotes both play important roles in the analysis of participant's statements throughout this study on grade-level retention and SWLDs.

Critical disability theory highlights the need for understanding that the notion of disability is often used to symbolize inferiority or something dangerous (Ferguson & Nusbaum, 2012). Philip M. Ferguson and Emily Nusbaum (2012) argued, "The concept of disability is used to hide what scares us, to remove what repulses us, and to medicalize what shocks us … Disability was the ultimate 'other'" (p. 73). Thus, it is powerful that education is attempting to change this sense of otherness with the inclusion movement. The idea of inclusion and educating all students in the most general or least restrictive environment currently dominates modern K-12 education. In some studies, distinctions are drawn among inclusive pedagogies, special education, and true disability studies. For instance, Nocella (2008) described that disability studies calls for a complete revamping of the concept of the classroom, which aligns with calls for inclusion within education. However, he explained that inclusive education is often diluted by conservative educators who disavow truly inclusive movements for people with disabilities, in lieu of neoconservative initiatives that strive for individualistic growth and competition. The concepts of competition and hard work are important to address for critical disability theorists and advocates for equal accessibility and treatment of people with disabilities.

Students with diverse abilities and differing physical, emotional, and academic learning needs are often pressured to constantly work harder than others in other to somehow make their disabilities disappear. One example of this is the social messaging regarding children affected by physical disabilities from the effects of Polio. Joseph P. Shapiro (1993) summarized this history with an explanation of the 1940s posters and propaganda portraying those with physical differences, such as in wheelchairs, braces, or using crutches, as needing monetary donations to improve their happiness in life. The advertisements were meant to garner money to support

hospitals and clinics for children with specialized needs. However, they often showed an extremely happy group of children without disabilities paired next to awkward and unhappy looking photos of kids in wheelchairs and wearing braces. These images made disability appear as if one was miserable simply because of being different. Yet, in the 1950s publicly advertised images did not improve when they started depicting children in braces eagerly trying to walk. These visuals projected the imagery and symbol of the "valiant 'crippled' child on crutches, trying to walk" (Shapiro, 1993, p. 15). The symbolism of this type of prevailing belief exists in our schools according to a critical disability theory viewpoint. Specifically, students with disabilities must try harder if they cannot be cured with other means such as medication or simple tutoring.

Shapiro (1993) also focused on the fact that society's pressure to simply try harder to seemingly eradicate one's disability ends up leaving those with disabilities burned out and feeling like failures. He used the analogy of people in wheelchairs being asked by society to jump up stairs. In other words, society shames those with disabilities and urges them to work harder in order to fit in with the rest of so-called normal population but by doing so, creates a pipeline for failure and demoralization. Some educators may believe that advancements in special education have helped deter this false promise of hard work improving one's position in life because it allows SWLDs to have a more accessible, fair, and sometimes falsely believed to be easier educational program. Many critical disability theorists, however, often have reasoned that special education may still be considered controversial for the overall plight and liberty of those with disabilities, given certain social and political trends.

Social ramifications of special education relate to the actual versus perceived effects from special education settings and services while political implications are inextricably linked to economics and belief systems about how people deserve to be treated. As an illustration, Nocella (2008) explained that special education placements or segregated service provision can have adverse effects for students with disabilities because they often create a hidden disabling barrier between mainstream society, encourage the use of negative labels, stereotypes, and even suspicion, as well as the trend that many special education based schools provide inferior educational programs in comparison to general education settings. Special education that has been claimed as only promoting ideals of inclusion, have also been suspect due to governmental limits (Norwich & Lewis, 2007). This assumes that inclusion is a costly endeavor which is usually pushed aside in favor of cheaper or more easily administrated initiatives.

According to Dimitris Anastasiou and James M. Kauffman (2012), special education has had to struggle to survive both conservative and radical forces, especially in regards to funding. For instance, the higher cost of special education suggests that many schools would probably want to avoid or eradicate those educational needs and costs, sometimes excluding the students themselves, altogether. Yet, ideals of nurturing and educating SWLDs fairly contradict this capitalist driven push. Within this struggle, critical disability theory continues to argue that education must build upon the abilities of students versus a narrow focus on the disability itself, what these students cannot do, or, more ominously, how much they cost to educate.

Various scholars have noted that it is important to ensure that critical disability theory and issues of ability remain at the forefront of discussion in oppression since disability itself is evident across all cultural identities (Anderson, 2006; Bizzell, 1991; Nocella, 2008). This

suggests that ability discrimination occurs regardless of one's race, sex, and other identifying categories. These same scholars claimed that too often the notion of disability gets overlooked in favor of racial or sexual lenses such as critical race theory or feminist studies. And, unfortunately, this mixing of frameworks that address aspects of otherness slow and confound the growth of disability studies. Thus, it can be argued that for a true acknowledgment of the effects of ableism, critical disability theory should not be lumped in with other frameworks that address minority rights (Anderson, 2006; Bizzell, 1991; Nocella, 2008). As a theoretical framework, it is important to recognize that critical disability theory lies at the forefront of this study, although its similarities to critical pedagogy may warrant a hybrid of the two in future studies, as issues of disability and power are a unique construct altogether.

Disability and power. Critical disability theorists often call for a movement to overcome ableism by ensuring that a collective effort is made across all of society for equal rights and treatment. Specifically, those with disabilities should not consistently be perceived as lacking, limited, or devoid of power. The notion of ability equating with power should be dismantled into understanding that all populations have diverse abilities; therefore, all humans have unique traits that warrant equal respect and power (Nocella, 2008). Richard Devlin and Diane Pothier (2006) asserted that all people must work together to reconstruct notions of equity and access, in order to fully change the system. Oliver (1996) quoted the French philosopher Michael Foucault (as cited in Oliver, 1996) to conceptualize how change must be initiated: "It is a matter of participating in the formation of a political will, where [the intellectual] is called to perform a role as citizen" (pp. 169-70). In this case, the intellectual refers to people who want to initiate change.

In summary, disability studies emphasizes three tenets: challenging the notion of normalcy and labeling, promoting dignity and respect for people with disabilities, and dismantling the hegemonic practices that continue to segregate and devalue this population's lived experiences (Reid & Knight, 2006). These tenets all work together to restore, if not to create altogether, the notion that people with disabilities have inherent and equal power as all other humans. Furthermore, the idea of collectively changing or transforming society towards accepting and respecting diversity can be more easily understood through employing the second conceptual framework, critical pedagogy.

Critical Pedagogy

Critical pedagogy is often considered a theory that challenges tenets of mainstream social interactions that often result in nonequivalent power structures (Pishghadam & Naji-Meidani, 2012). Many critical pedagogues vehemently work towards deconstructing any form of socially constructed "indoctrination" (p. 465). Through an agenda of introspectively dismantling various modes of oppression, Paulo Freire, a revolutionary Brazilian educator and activist, is thought of as the leading intellectual on contemporary critical pedagogy (Bizzell, 1991). Critical pedagogy has its roots in Marxism and the work of the Frankfurt School, but has been finely tuned through the work of critical educational scholars like Henry Giroux, Peter McLaren, bell hooks, and Antonia Darder (Kincheloe, 2004). These scholars emphasized concepts such as empowerment, social emancipation, and social transformation based on the premise of critical pedagogy that power imbalances are formulated through social and political historical events (McLaren, 2009) versus singular motions.

The framework encourages collective action against many forms of oppression, especially the acknowledgement of the devastating effects of capitalism upon many populations (Darder, 2009). Critical pedagogy also opposes other forms of coercion and domination including authoritarianism, socially formed differences based on class, hegemony, multiple ideologies, rules regarding discourse, and many hidden curriculums that permeate our society's schools and other infrastructures (McLaren, 2009). Important to recognize is that critical pedagogy defies any oppressive features including disability discrimination and oppression. While ableism may not always at the forefront of most critical pedagogy works, it is another *-ism* that subjugates a population to inferiority and powerlessness, thus it is included in some relatable literature.

Although the framework provides theoretical guidance on the recognition of oppressive ideologies, it does not offer a blueprint, recipe, or map for societal change; quite to the contrary, uncertainty in the process of knowing is precisely what marks its critical nature and demands for a participatory and emancipatory approach to education, in order to create a truly equitable democracy (Darder, 2012). In other words, recognition of inconsistencies amongst freedoms and power create a critical consciousness that allows people to appreciate the notion of diversity amongst all types of cultures and subcultures (Bizzell, 1991). Furthermore, critical pedagogy strives to create a sense of consciousness against authoritarianism and meritocracies amongst students, which according to Freire, would be summarized as learning skills that allow for conscious understanding, assessing, and dismantling of social, political, and economic injustices (Pishghadam & Naji-Meidani, 2012). While numerous scholars have utilized critical

pedagogical stances, Freire provided the foundation for this framework and his writings are essential to the study at hand.

Oftentimes referred to as dehumanizing, oppression is defined by Freire (1970) in multiple ways, as acts of manipulation and conquest. In his writings, Freire articulated ideals of critical pedagogy that are still fitting to our global society, even decades after his major works were published. The impact of dehumanization among populations, including people with disabilities can be best summarized in his description of the oppressed:

> Self-depreciation is another characteristic of the oppressed, which derives from their internalization of the opinion the oppressors hold of them. So often do they hear that they are good for nothing, know nothing and are incapable of learning anything—they are sick, lazy, and unproductive—that in the end they become convinced of their unfitness. (p. 63)

These words are most pertinent to this study, as many of the same depictions that Freire used can and have been said by teachers and staff within the school where this study took place. This form of external and internalized dehumanization experienced by SWLDs may contribute to the difficulties these students face trying to achieve their true academic potential.

Critical pedagogy would maintain and explain this type of degradation with an explication of how schooling, in and of itself, replicates socially constructed forms of classism, hegemony, and truly antidemocratic ideals (Reid & Knight, 2006). For instance, setting up a school system that convinces students, parents, and staff that certain children deserve penalties, creates a hidden system of stratifying and codifying students. Examples of this include how students are referred to, evaluated, and ultimately served through special education, which is

especially dependent upon how they are labeled and to what degree of need their disability is considered (Norwich & Lewis, 2001).

Another force contributing to the educational marginalization of certain cultures and subgroups include the imminent stressors created and reproduced by capitalism, especially goals of wealth, power, and individualist trends. Capitalistic desires for individualist growth such as the persistent demands for increased test scores, therefore high API rankings, positive reputations yielding maximum student enrollment, and, therefore, the influx of money, all cyclically add to the acceptance of a hidden agenda seeking power in the main form of monetary attainment (Bowles & Gintis, 1976). Any hidden curriculum that focuses on reputation, enrollment, and earning monetary gains contradict schools' main overarching goal, which is to educate our students, not to make financial profits.

Critical pedagogy demands an understanding of these forces and a dismantling of the forces that work to enforce hypocritical contradictions related to power differentials. Moreover, to relate Freire's work to the retention of SWLDs, Freire's (1970) concepts of *cultural invasion* and *dehumanization* seem most applicable, particularly with respect to administrators, teachers, or others with power that make decisions about the use of this practice with students experiencing learning difficulties. Since students who are retained can presumably score better on tests the next year, links can be made to the API rankings, which affect enrollment and therefore economic prosperity of the charter organization.

While the costs of retention are rarely examined with regard to long term effects, as mentioned earlier, the correlation between retention and dropping out may point to the short-term reasons for the use of this policy. Critical pedagogy, which incorporates a critique of capitalism

as a material force that ultimately exploits and debilitates disenfranchised students and their communities (Darder, 2004, 2009, 2012), would also critique the use of retention as an economically-driven policy tied to ensuring financial gain for the school itself. In other words, if students who are retained are more likely to drop out, the financial burden for the school is minimized, since more difficult (i.e., costlier to educate) students would leave, regardless of the fact that taxpayers and society's long-term burdens increase.

The cycle of striving for aspects that ensure monetary profits and not educational growth, described above, serves as a prime example of Freire's (1970) notion of *cultural invasion*. Grade-level retention may be understood as a hegemonic practice since it is generally accepted as commonsensical by most parents and students despite research that emphasizes its negative effects. Freire stated that "[in] cultural invasion it is essential that those who are invaded come to see their reality with the outlook of the invaders … for the more they mimic the invaders, the more stable the position of the latter becomes" (p. 153). Hence, cultural invasion within grade-level retention works to repeat and reinforce itself through societal acceptance as parents and teachers believe retention is useful since it ensures that those students incapable of proving academic mastery are subjected to a consequence that essentially solidifies their failure and guarantees their loss of power and privileges. Precisely how humans inadvertently reinforce oppressive acts therefore warrants further exploration within the critical pedagogy framework.

The practice of retention is often sold as a method to ensure that students are prepared academically before they enter the next grade level. At many charter schools retention is linked to the idea that students must be college-ready. Thus, when parents are told that their child needs to repeat a grade level, they are more inclined to accept this recommendation, in the hope that

college and academic readiness suggest that their child will ultimately become more successful in American society. Therefore, the cycle repeats, as retention has been shown to have negative effects, and over time, results in the eventual dropout of many retained students.

Disability and power. Another important facet of critical pedagogy is that there are structural or hegemonic mechanisms that blindly create, maintain, and promote degradation of certain groups of people, including those with disabilities. The mere language we use may be one of these hidden strategies. Michael W. Apple (2013) concurred with this idea when he said that "[the] very ways we talk about students provide excellent instances of the mechanisms through which dominant ideologies operate" (p. 46). Thus, a critical pedagogical lens, specifically pinpointing language and the hidden curriculum behind people's specific statements, is able to delineate the differences in how people perceive abilities and power. For the study at hand, the manner in which people speak about retention and SWLDs, ultimately, revealed how teachers perceive the hypothetical educational, social, and inherent power that certain students have. Word choice of how SWLDs relate to retention revealed the hidden stratification that exists towards students who are considered 'disabled' and those who are not.

Furthermore, the manner in which people discuss treatment of SWLDs, especially as how this pertains to special education rights and laws, also played a critical role in revealing how people with disabilities are perceived as strongly negative in terms of when they are exercising their rights. For instance, if teachers complained about special education rights or even a fear of lawsuits for not enacting certain disability provisions, this would insinuate a negative view towards people with disabilities, such as that they are a nuisance and, again, an 'other' who is undeserving of such accommodations. Critical pedagogy would argue that these anti-disability

and hegemonic beliefs work in a cyclical fashion to solidify the imbalances of power amongst all people. This power imbalance is what this study attempts to unveil and through knowledge, hopefully deconstruct.

Critical Disability Theory meets Critical Pedagogy

Both critical pedagogy and critical disability theory place heavy emphases on the notion that various forms of meritocracy are socially constructed through historical, political, and economical constructs. Disability theory differs slightly in that more prominence is placed within how one's body and the complexity of societal development, such as explained through the industrial revolution, beholds one's physical and mental abilities (Gleeson, 2000; Siebers, 2010). Both recognize how power is allocated to certain people and how oftentimes the 'other' is subjugated to a lower social status (Bizzell, 1991; Rhodes, 1995). For example, authoritarianism and meritocracy relate to one another in the manner that they both promote blind indoctrination and following of one particular regime's principles, which are usually based on the degradation of one population or group over another. Processes described in the two frameworks that serve to subjugate certain populations include ableism for disabilities studies and cultural invasion for critical pedagogy.

Within these forms of oppression, the frameworks appear to unite in the need for engagement of people with disabilities (Reid & Knight, 2006). Specifically, people with disabilities are oppressed by cultural invasion in terms of negative viewpoints towards fixated notions of ability, as well as systems that negate access to people with physical and cognitive differences (Nocella, 2008). In order to deconstruct and dismantle both ableism and forms of cultural invasion that promote unequal relations of power, both frameworks demand that people

begin to "critique hegemonic ideologies in order to transform them" (Erevelles, 2000; Darder et al., 2009). With disability theory calling for self-advocacy and critical pedagogy demanding for advancement in critical thinking skills and praxis in order to reestablish more equal power dynamics (Nevin, Smith, & McNeil, 2008), both theories supply principles for praxis but not blueprints for action (Darder, 2012).

Analogous to critical disability studies, critical pedagogy argues that change occurs in processes and through multiple forms. Perhaps the most frequently discussed critical approach for breaking down societal barriers is praxis, which constitutes the relationship between reflection, dialogue, and action (Darder, 2009). Freire (1970) also claimed that praxis must be undertaken within the context of a collective movement that also involves organization and cultural synthesis, in order to carry out the work of transformation within schools. Critical disability theory upholds a similar call for collective movement, although critical pedagogy specifically mentions practices such as reflection, dialogue, voice, and participation in the process of cultural synthesis. Both theories demand a love of humanity's diversity.

Critical disability theory stresses that people with disabilities are simply different and diverse just as all humans have their own unique traits and preferences, whereas critical pedagogy holds a stronger emphasis on the ability to critically acknowledge, respect, and value differences. Disability scholars have reinforced the push for equal regard of diverse abilities in the realm of social contexts such as acknowledgement and accessibility (Norwich & Lewis, 2001). Critical pedagogues argue against forms of meritocracy and the reestablishment of empowerment where populations have been historically riddled with abuses of power (Bizzell, 1991). Through accepting humans as equivocally talented through their diversity, these two

theoretical frameworks value difference. While critical pedagogy calls upon education to teach vital principles for improving the treatment and educational experience of SWLDs, critical disability theory asks for communal acknowledgement of diverse abilities.

The study at hand was enhanced through the use of these two frameworks. Grade-level retention of SWLDs at one charter school was analyzed through these frameworks in an effort to examine social constructions of prejudice that lead to oppressive practices (in this case retention)—practices that ultimately have effects on the value and empowerment of people with disabilities. Figure 1 (See Chapter One) provides a visual representation of how critical disability theory and critical pedagogy are linked for the purposes of this study based on the possible relationship to grade-level retention. When viewing this issue through these lenses, socially constructed notions of oppression, including ableism could play a strong role in driving retention increases for SWLDs. At the same time, retention falsely promises that all students will acquire positive educational outcomes

Conclusion

The literature on the retention of SWLDs has been presented in this chapter in an effort to provide a clear sense of what constitutes the discourse in the field. With this, a rationale has been provided that attempts to make a case for the use of critical disabilities studies and critical pedagogy as the two major analytical frameworks for making sense of the literature and the data collected in this study. Given these discussions, it is evident that critical engagement into the process that teachers undergo in their decision to recommend retention with SWLDs can prove vital to informing more appropriate and compassionate approaches to meeting these students' needs. By analyzing how educators perceive the practice of retention, an avenue may be built

towards both dialogue and an eventual consensus on more effective methods of accountability and validation that might truly function in the interest of SWLDs.

With all this in mind, the proposed study sought to better understand those forces that *must* be confronted and transformed, in order to establish more just and equitable educational systems, which can support the academic development of all students, including students with disabilities. Moreover, learning about the perspectives of educators who make decisions yearly regarding the retention of students with disabilities at a charter school is an excellent place from which to launch a meaningful investigation into this phenomenon.

CHAPTER THREE

Methodology: The Plan to Understand Retention

> Freedom seems to be the only true negation of oppression. It is a condition free of oppression…Liberation and freedom must be understood as processes, for they transform the individual and collectives' material and spiritual necessity.
>
> — (Charlton, 1998, p. 159)

By returning to my earlier discussion of Luis, the young man who was held back multiple years and educated with students who were nearly four years younger, the context for this study's methodology can be found. This study sought to engage and understand the views and beliefs of teachers associated with grade-level retention of Students with Learning Disabilities (SWLDs). This study was not focused on finding increased rates of retention for SWLDs at this particular charter school, as this was already evident from school data that served as an impetus for this investigation. Thus, quantitative data was not a focus. "Rather than determining cause and effect, predicting, or describing the distribution of some attribute among a population, we [are] interested in uncovering the meaning of a phenomenon for those involved" (Merriam, 2009, p. 5). Using a qualitative design helps "in understanding the meaning people have constructed, that is, how people make sense of their world and the experiences they have in their world" (p. 14). At the charter school site of the study, there were multiple forces interacting between and linking retention, SWLDs, and teacher beliefs.

SWLDs who attend charter schools are also more subject to teacher-driven decisions. As noted earlier, charter schools can ultimately shape and control the characteristics of their school populations by establishing autonomous curricular goals, educational programs, and even

systems of behavioral conduct including consequences (Ni, 2010). Thus, when teachers alone can make such decisions, there may be unintentional negative effects, given the absence of multiple perspectives. Hence, at ICA, teacher recommendations for grade-level retention may be one such practice that has complicated educational outcomes for many students, especially SWLDs. As the director of special education for ICA, the researcher was privy to data on how many SWLDs had been retained. Noting the relatively high occurrence of retention among SWLDs, there became an immediate demand to investigate how teachers at charter schools perceived and made decisions related to SWLDs. These questions revolved around how teachers consider and recommend retention for students who have been identified with special needs. Specifically, the study asked the following questions regarding the practice of retention at a high performing charter school in southwest Los Angeles:

1. What do teachers say about the practice of using grade-level retention on students with learning disabilities?
2. What do teachers say about the effectiveness of retention practices upon students with learning disabilities?
3. What decision making factors do teachers use to support the recommendation of grade-level retention for students with learning disabilities?

This inquiry attempted to reveal whether teachers hold beliefs about disabilities that may be tied to subtle prejudices as well as economic and social pressures. The design for this study was chosen specifically because it provided an effective structure for capturing subtle thoughts or beliefs and their relation to actual practice. Figure 2 shows how the frameworks outlined in Chapter Two relate to the methodology of the study. Essential to this study is the relationship

that all four aspects have to one another: charter schools, SWLDs, teacher beliefs, and retention are all linked via societal pressures and stereotypes. These pressures were made evident through the specific data sources listed in each section. In essence, Figure 2 summarizes the design of the case study.

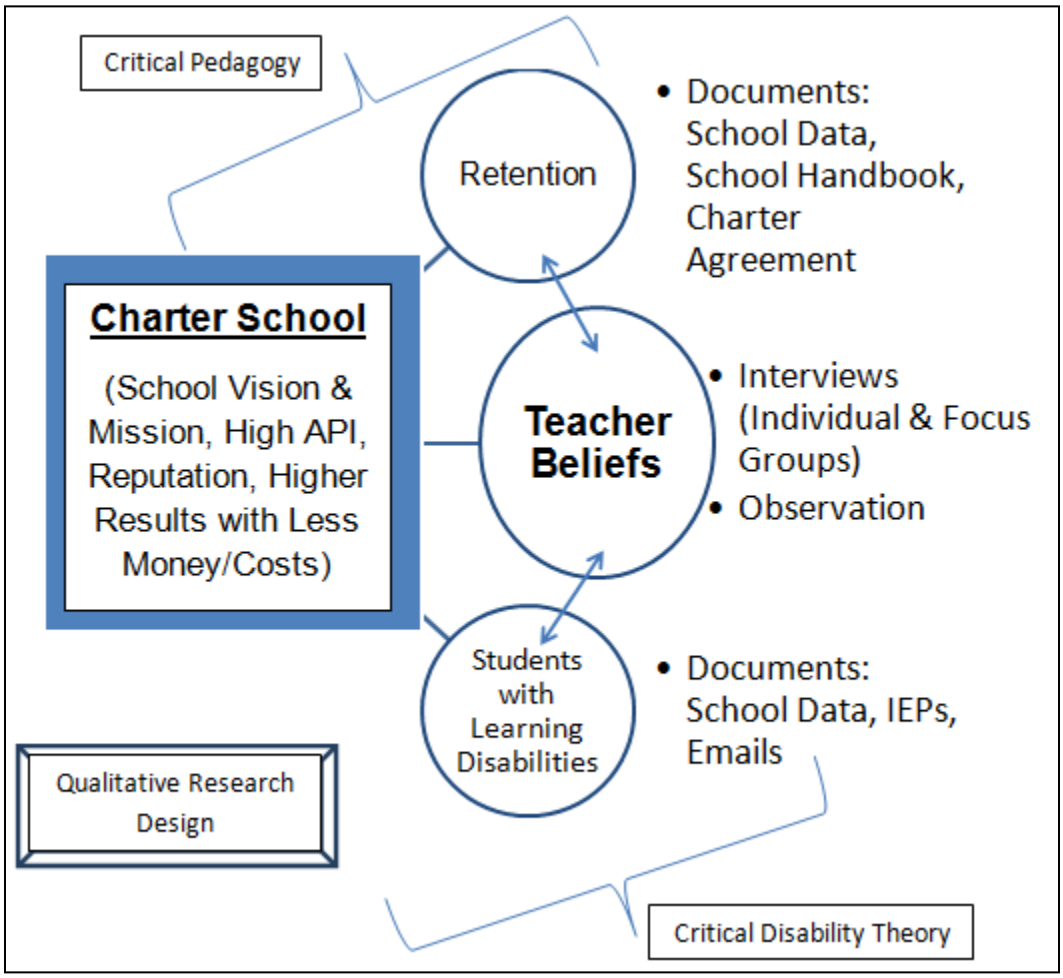

Figure 2. Qualitative research design: Connections amongst the two frameworks are situated within the key processes of the study, including interviews, retention data, and other school documents collected during the study.

Research Design: Case Studies

Grade-level retention remains a frequently used, yet controversial, technique, despite research that denotes its negative repercussions. The majority of grade retention studies were quantitative in nature, describing the number of students retained, statistical relationships

between retention and graduation or completion rates, surveys about social-emotional effects, or financial ramifications. Few studies in the field have focused specifically on individual charter school sites that have retention policies. More specifically, few studies have used in-depth qualitative approaches to investigate the practice of retention and how adults make decisions to retain students. Case studies are employed in qualitative studies in order to study a phenomenon in the real world setting (Yin, 2012) and allow for investigations into the holistic and meaningful characteristics of real-life events (Yin, 2004). Ideally, this study seeks to provide "new learning about real-world behavior and its meaning" (Yin, 2012, p. 4) in relation to how teachers rationalize retention of SWLDs.

Given that few case studies have been conducted on retention, the need exists to look at more than just at the statistics of who is retained or their ultimate educational outcomes. On the contrary, the need exists for a study that is particularistic, descriptive, and heuristic (Merriam, 2009). Particularistic means that this study focuses on the policy of no social promotion and retention of SWLDs within one school setting and the teachers at that school site. With a critical and descriptive end product, this type of research can help provide rich data of a construct, such as retention, that truly requires understanding multiple variables, which affect teacher decisions regarding the use of this practice with a particular student population. However, the setting is not as crucial as are the insights gained about what factors support the use of retention with SWLDs. As such, the study can be considered to be an instrumental or evaluative case study. Lastly, heuristic implies that this case study can "illuminate the reader's understanding of the phenomenon under study … [and] bring about the discovery of new meaning, extend the reader's experience, or confirm what is known" (Merriam, 2009, p. 44). The applicability and

importance of using case studies for the research at hand are amplified by the research questions. As all research questions focused on what factors teachers are using to recommend retention or whether the intervention was effective altogether, the questions sought to understand the perspectives of teachers regarding SWLDs and retention.

The end product of this case study was an analysis of how statements from interviews and quotes from policies in decision making came together to provide a sense of the total phenomenon of retention and SWLDs at one charter school. The results revealed connections between whether ableism prevails in this school site and whether economic pressures reinforce the retention of SWLDs, regardless of their abilities or actual needs. Individual interviews and focus groups described how SWLDs are perceived in comparison to students without disabilities and how retention was applied to this population.

Context

The study took place at Intelligent Charter Academy (ICA), an independent charter school in southwest Los Angeles that has a history of extremely low graduation, high retention, and high dropout rates for SWLDs, despite its reputation as high performing. For instance, the school's Academic Performance Index (API) was 842 in 2012, while neighboring public schools were still in the mid 600 ranges. ICA boasted a graduation rate near 98% in their brochures, but used numbers based on the start and end of twelfth grade enrollment only, not counting students who dropped out at any point between fifth grade (the charter's lowest grade level) and the beginning of twelfth grade. A more accurate graduation rate would have included students who dropped out at any point between the beginning of ninth grade and at the end of twelfth grade. State CST test results from the end of the 2012 school year for this school had shown few

students scoring below the basic level. During the same year, the school's demographics included 63% Latino and 39% Black student populations with over 80% of all students receiving free or reduced lunch. Parental involvement was limited due to location and language barriers but appeared welcomed and required as described in school policies and brochures. Parental volunteering could actually be waived in lieu of various contributions or donations to the school.

The staff was also overwhelmingly young with few experienced teachers who have worked for more than seven years. The leadership showed similar trends in youth; at the time of the study, administrators had five or fewer years in their positions, as well as less than five years of teaching experience themselves. Teachers at the school represent varying ethnicities, including Caucasian, Latino, Black, Asian, and Eastern European. The majority of teachers are either single or newly married, with only a handful having children of their own. Many teachers were former Teach For America (TFA) corps members, which is a national organization that places recent college graduates in teaching positions at schools with relative histories of academic and community struggles. TFA trained these new teachers mainly through partnerships with local universities in order to acquire state mandated teaching credentials which allow these corps members to educate. Thus, many of the staff members were either TFA alumni themselves or had an intimate awareness of what the organization entails. It should be also noted that the founder of ICA was also a former TFA corps member himself.

Policies in the setting appear regimented and strict. For instance, the school had a room in the 2011-12 school year, called "the Connecting Place" (CP) where students were sent for common misbehaviors such as being out of uniform, forgetting supplies, or not following directions. Interestingly, the students refer to it as "Children's Prison." Students were sent to the

CP for misbehaviors off campus as well, such as while waiting for the bus (as the majority of students are bussed in from the location where the charter organization's main middle school is located). For the 2012-13 school year, the room was renamed "the Dean's office" with a push for fewer students to be sent there for minor infractions. The notion of strict adherence to rules, however, was evident within various school documents.

For instance, the school's no social promotion policy was often the first characteristic mentioned by staff members (See Appendix A). The school states in its website and other school documents like their handbook that to maintain high levels of accountability, they do not promote students socially. It is important to note that students were given promotion goals each year, which included both academic class grade components and outside-of-school reading requirements. Thus, if a student did not complete their outside reading requirements and pass a web-based test to ensure they read and understood the content inside the books, then this would have resulted in the student being held back. As an employee of the school, I heard students proclaim that they were held back in previous school years for not passing these tests called *Reading Counts* with at least an 88% score. As the tests included only 10 questions, students who missed more than one question were at risk of failing, not getting credit for outside reading, and thus being retained.

In the last two years, many SWLDs had been given a 70% passage rate as written into their IEPs by their resource teacher. Thus, the chances of a SWLD being retained for not passing *Reading Counts* tests have decreased. Nonetheless, as some students have been promoted under lower passage requirements than others, heated discussions among staff ensued. Strict adherence to meeting certain academic goals was set in place during the 2012-13 school year, and school

officials demanded that these be placed into IEP documents during annual meetings with parents. These types of school expectations and requirements added to the overall rigidity and demanding nature of the school, but at the same time could be characterized as maintaining high expectations for all students.

Participants

Teachers were recruited by soliciting participation through an email from the researcher (See Appendix C). The researcher followed up with potential participants within 3 days of sending the email. The email explained that participation was completely voluntary and involved participating in approximately two group interviews, to be followed by two individual interviews and possibly more depending on outcomes. Teachers who completed all interviews received a $25 gift card. The rationale for giving the gift card was due to the busy schedule that the teachers have, since ICA's schedule is longer than many traditional public schools. Hence, the external reward was meant to provide a small incentive for their participation. Upon selection, four general education teachers were selected (out of a staff of approximately 15 general education teachers). Two resource or special education teachers were selected because they were the most knowledgeable about the passage of grade levels for SWLDs (as their students were all in the middle school level with IEPs). At the first individual interview with each participant, they were then given the formal required and approved Institutional Review Board (IRB) documents such as an informed consent form (See Appendix D).

Documents were also reviewed in order to compare and contrast sentiments expressed in interviews and focus groups to official school policies. Documents for review included the school handbook, website, and other publications created by the school to advertise their

curricular program, including their policy of retention. For the SWLDs who were retained, their IEPs were reviewed simply to gather quantitative data on promotional criteria. The few emails that discussed the entire list of students to be retained per grade level were collected; the researcher only reviewed emails that had been sent out to all staff and analyzed them with the principal's permission.

Data Collection

The process of collecting data involved multiple steps. Over a span of six months, data collection entailed scheduling and conducting interviews, along with collecting vital documents. Between March and June of 2013, interviews were conducted with six teacher participants. Obtaining participants involved following Institutional Review Board (IRB) policy. Specifically, approval to conduct the study was ascertained the first week of March 2013. Within a matter of days, an email to all middle school staff at ICA, grades seven and eight, was sent requesting participation. This email explained the purpose of the interview as exploring how teachers perceive and describe the use of retention with students with learning disabilities. Teachers were notified that there would be at least three individual and two group interviews. The time expectation of each individual interview, including the first, second, and final session, was set at 45 minutes. The focus groups ended at after 60 minutes had passed to ensure teachers' time was being respected. After the study, potential participants received a gift card worth $25. Respecting the teachers' minimal free time and rapid paced schedules served as the basis for using a gift card incentive.

Participant rights were explained in this email notice. Specifically, teachers were made aware of their right to confidentiality and anonymity, including the researcher's process of audio

recording interviews and maintaining privacy of records. Teachers were notified that they were free to withdraw from the study and had the ability to revoke their statements at any point throughout the study. Additionally, interviewees were informed that they could request a copy of the findings after the study's completion. Lastly, the request for participation email also highlighted that the study had been approved by the school's principal and charter management organization's Head of Schools. Requesting a response at their earliest convenience, four general education and two special education teachers volunteered to participate within approximately one week of sending the original email.

After accepting to participate in the research study, the six teachers were then sent a list of approximately 14 specific dates and times during which they could sign up for their first individual interview over email. The dates ranged across one week and varying times, some beginning at 7:15 A.M. and others at 4:30 P.M. The variance in time served to ensure that teachers' busy schedules and varying conference periods were accommodated. If participants could not make one of the times given, they were asked to send another time of their preference that they might be able to meet. Rationale for the time frames in interviews included maintaining sensitivity and understanding that teachers were extremely busy. Teachers were notified that they were welcome to bring food to any of these group interviews in order to increase participation and comfort with the interview process. Ground rules were set to demonstrate respect for others' viewpoints and to ensure the strict confidentiality of all statements collected from interviews. After the initial focus group, any questions that were not addressed in the first meeting (See Appendix B) were addressed in subsequent meetings.

Questions for individual interviews and focus groups were directly linked to the primary intent of the study. Each round of interviews worked in the same fashion whereby a set list of dates and times was sent with an option for teachers to indicate if they needed an accommodated date and time to meet. Some participants took advantage of the ability to set their own time frame from one that may not have been listed, but for the most part, teachers were able to agree to the proposed time schedules. Data collection began in March of 2013 and concluded in July 2013. Interviews were conducted from early April to mid-June. Interviews were transcribed fully by the researcher using a basic playback, pause, and type method. This was done to ensure that the research could review the statements, tones, and overall sentiment from the interviews. Analysis of the data was carried out from July until November of 2013.

Throughout the individual and group interviews, the researcher acted as an observer first and foremost, while acting as the interviewer. The researcher participated only when a staff member asked a direct question to the researcher, such as inquiring about the legality of any processes regarding SWLDs. If opinions were inquired of the researcher, the researcher notified participants that their own views were the focus of the study. Participants were told that they could ascertain the researcher's opinions once all focus groups and individual interviews had concluded. Additionally, during interviews, semi-structured questioning methods were used, where the researcher interjected with a follow up question, if it appeared that it would enhance answering of the larger research questions.

Since the interviews followed a semi-structured format, not all question sets were the same for every interview. This procedure helped ensure the organic nature of the interviews, thereby increasing validity because respondents felt comfortable enough to give honest and valid

responses. However, each interview started with a set of foundational questions. For the initial round of interviews, the questions included a general overview of the participants' background of working with SWLDs, as well as some of their basic assumptions about grade-level retention. Related to the research questions, the first interview sought descriptors on retention such as which academic subjects were most important in determining retention decisions, other factors regarding retention such as behavior and possible effects on social emotional development, as well as some general statements about the policy's effectiveness.

The second round of interview questions aimed at gathering further details on key findings from the first round, which examined participants' overall sentiments regarding grade level retention. During many of the initial interviews, participants asserted that it was necessary to ensure student accountability and understanding of life's consequences. Thus, a deeper investigation was needed to discover how retention developed for both students with and without learning disabilities. By asking participants to ground their statements in concrete examples of students that had been retained, the second round of individual interviews allowed respondents to truly think about how retention seems to unfold with real students, in a more grounded manner.

A total of four group interviews with were conducted; participants were asked to attend at least two. The reason for having mixed group interviews was to accommodate the teachers' extremely busy and irregular schedules. The group interviews mixed some of the same questions from individual interviews with queries that may have arisen from the dialogue, also following a semi-structured format. Along with the interviews, specific documents were obtained to support the goals of the study.

All documents needed for the review were secured throughout the same time frame as the focus groups and interviews, with a few documents collected in July and August of the same year. It should be noted that most of the documents were easily accessible to the public. That is, the school's handbook, which contains the policy on grade-level retention and the press kit that describes how the school's use of this practice evolved, are both available on the school's website. Emails that listed and discussed students who were about to be retained were obtained using an email search function since many of the messages were sent to me, the school's special education director. Students' IEPs were selected on the basis of retention; the documents chosen were for five students with disabilities who ended up being retained for the 2013-2014 school year. The students' names were not mentioned due to confidentiality. However, as discussed later, the students' ethnicities and disabilities are noted in order to glean possible trends or relationships within statements and actions. If any emails were sent throughout the timeframe of the study that addressed promotion of SWLDs, permission was requested and approved by the email senders and recipients, in order to use them in the study, while again adhering to strict confidentiality.

Instrumentation

The units of analysis, including participant interviews, documents for review, and observation field notes, were triangulated in a pattern. Specifically, all interviews were transcribed and then coded according to categories that appeared to reoccur. Similarities with documents reviewed were noted in overarching categories. The following categories relating to retention of SWLDs were found and then analyzed through the data from interviews, observation field notes, and other documents:

1. Concept of retention (needs, threat of retention, social messaging of retention)
2. Effectiveness of retention (SWLDs, ability, individual factors)
3. Decision making (factors, process, members)
4. Time dynamics (maturity, attendance, gift of time)
5. Legal issues (lawsuits, financial ramifications)

Additional codes were added due to unexpected findings or topics that arose throughout interviews. The first step in data analysis began with reviewing interview statements to code statements directly related to the aforementioned categories. Codes were then analyzed to ascertain major recurrent themes and patterns. For instance, retention of SWLDs due to behavior was placed anywhere that a participant or document appeared to discuss behavior of retained SWLDs. By then reordering and looking at all instances where this code was given, patterns became evident. Coding of observations and document review followed the same process. Themes that emerged were then linked to constructs from the theoretical frameworks.

Data Analysis

Following case study models for data analysis, the research study followed a series of steps using the general strategy of relying on theoretical propositions (Yin, 2012). This included determining whether teacher-based retention decisions for SWLDs were driven by a concept of inferiority or ableism, as is suggested by critical disability theory. In sifting through the data, content analysis served as a vital function of all interviews, observations, and document reviews. Yin (2012) denoted that this type of analysis was a form of pattern-matching called *explanation-building*. With respect to explanation-building, Yin stated that "the goal is to analyze the case study data by building an explanation about the case … [and] better case studies are the ones in

which the explanations have reflected some theoretically significant propositions" (pp. 110-111). Hence, findings should link to theoretical frameworks that would support the case study in contributing to future studies, development of retention policies, use of retention practices, and possible theory-building related to charter schools and the teachers in these schools who deliver educational programs to SWLDs.

Limitations

As with any study, there were limitations to using this research design. The most evident limitation was the reliance on candid participant responses. As an employee of the school, the researcher had to create trust and honest participation by beginning every interview with reminders of confidentiality and voluntary participation, as well as supporting open and non-judgmental discussion at all times. All participants were given pseudonyms in order to protect their anonymity. Ideally, conducting multiple interviews worked to combat the potential limitation of simply reflecting a single momentary perspective or feeling of teachers, by gathering numerous data points and finding similarities as they arose.

The analysis was also limited by gaps in the school's official records on retention in recent years. Therefore, there was a chance that some teachers may have inaccurately remembered information about past retentions or may not have remembered why particular students were retained.

Another potential limitation was the time frame of the study. At the end of the school year, teachers were more likely to be frustrated by particular students and whatever had transpired throughout the school year. That is, as a potential historical threat, frustration levels are usually highest at the end of the school year in anticipation of summer vacation and, of

course, due to accumulated dissatisfaction that may have occurred throughout the year. Additionally, interviews at the end of the school year may have created a sense of rush or urgency for participants, despite their efforts to be truthful and provide fully accurate responses. For example, participants may have been more inclined to rush through responses, which could have limited reliability. Nonetheless, the use of more than one interview helped to reduce limitations in this area. The researcher conducted the interviews before the end of the school year, in March and April, in an effort to combat this accumulation of irritation and sense of being pressed for time at the end of the school year.

Like nearly all case studies, this research is limited in its generalizability because all the data were gathered from a single site. Grade-level retention occurred at a high rate at one particular charter school. Although other schools may use this type of policy, the history of this particular school and its core values of accountability based in no social promotion make this case ideal for studying retention. However, using a case study approach may also have limited how these results compare to other charter and traditional public schools. Nevertheless, since the research questions are mostly geared towards beliefs, perceptions, and rationales regarding retaining SWLDs, the results from the study should be more generalizable to teachers with similar backgrounds.

Summary

This qualitative case study aimed to investigate why teachers may recommend retention for SWLDs at a Los Angeles charter school. Using a case study to investigate recommendations for retention as well as effectiveness of the practice is vital in understanding the concept as a whole. The research design and analysis of teacher belief systems was appropriate for learning

about how teachers perceive SWLDs when it comes to difficulties in meeting promotion criteria. This study was important in beginning to understand how an often-marginalized population of students is treated within this charter school and to determine whether retention has any links to discrimination against people with disabilities or is utilized as a method to further limit the potential outcomes of this population. Chapter Four reveals the study's findings.

CHAPTER FOUR

Findings: What about the Students with Disabilities?

> The radical, committed to human liberation, does not become the prisoner of a 'circle of certainty' within which reality is also imprisoned. On the contrary, the more radical the person is, the more fully he or she enters into reality so that, knowing it better, he or she can better transform it. This individual is not afraid to confront, to listen, to see the world unveiled. This person is not afraid to meet the people or to enter into dialogue with them. This person does not consider himself or herself the proprietor of history or of all people, or the liberator of the oppressed; but he or she does commit himself or herself, within history, to fight at their side.
>
> — (Freire, 1970, p. 39)

This chapter describes the findings that were obtained through the careful and systematic coding of multiple individual and group interviews along with comparison of the school's handbook, special education manual (See Appendix E), email communication to all staff, and a few other public documents on the school's public website. The Individualized Education Program (IEP) documents of students recommended for retention at the end of the 2012-2013 school year were also included in the data analysis.

The discussion here begins with profiles of the individuals who participated in this study, by including basic demographic data and central assertions made by each teacher in terms of their experiences educating Students with Learning Disabilities (SWLDs) and knowledge of retention. Summaries of the interview findings follow the participant profiles. This section is broken into the three critical areas of focus according to the research questions that interrogate

the concept of retention, effectiveness, and decision-making factors. Documents are referenced when they coincided with statements from interviewees. By arranging data into the main three research categories, including concept, effectiveness, and decision making, a complex understanding of grade-level retention of SWLDs at this charter school evolved from the data.

Overview of Participants

All participants were full-time employees of Intelligent Charter Academy (ICA) at the time of their participation in the study. The sample consisted entirely of teachers, with four of the six being general education teachers and two of the six being special education teachers. Based on the type of credential they hold, the special education teachers are referred to as education specialists under the state of California. This particular role is also commonly referred to as a resource specialist teacher (RST). Participants are numbered with the corresponding letter indicating whether they were special or general educators with an "A" denoting the former and a "B" signifying the latter. Each participant possessed unique qualities and traits that are important to explain in order to understand and eventually analyze possible trends from their responses to the interview questions.

Participant 1A: Jason

As one of the two special education teachers, Jason was a 34-year-old male who self identifies his ethnicity as "White" (Jason, Individual Interview One). He had a special education teaching credential that was obtained in another state. He did not have a master's degree, and his bachelor's degree was in a field related to physical education. Jason had only recently joined ICA; in fact, with an unfortunate turnover in special education teachers, he joined the school in January of 2013, as the school's sole seventh grade RST. While having ten years of total

experience in education, he revealed that most of his experience was working as a special day teacher. This entailed teaching core classes that had fewer students, all of whom had disabilities. He had only recently switched to the type of special education teacher referred to as an RST. This model requires students with disabilities to have their core classes taught within the general education setting, whereby the RST will provide individual consultation as needed. Consultation may be provided in different ways, such as pulling students out of class to reinforce any skill gaps, working within the general education setting to provide specialized academic supports without removing the student from class, and via a co-teaching model, where both general teachers and RSTs instruct all students in a collaborative manner. Throughout the interviews, Jason demonstrated an affinity for teaching mathematics and felt strongly about creating specialized programs to address struggling math learners.

Overall, Jason explained that his experience in special education had been a mixture of excitement but also frustration. In regard to grade-level retention, he consistently stated that students should only be retained if schools were going to change the services, supports, or program style for those students who would repeat. That is, Jason felt strongly that schools should not have a student repeat a grade level if they were not going to make key changes in how the curriculum was delivered to those students who had flunked. In the final interview, Jason did share that he felt as if the interviews were useful not only because they allowed him to process critical thoughts, but also because the group interviews helped to affirm many of his beliefs. He also stated that he felt as if the interviews allowed all participants to be completely honest about a topic that is often thought of as controversial.

Participant 2A: Hillary

The second RST, Hillary, was a 22-year-old Black female. She obtained her special education teaching credential in 2012 at a local university. Hillary earned both the teaching credential and master's degree in special education for students with mild to moderate disabilities. She had only taught at one school before and for only one year, but was displaced due to a drop in student enrollment. Interestingly, Hillary was also originally a Teach For America (TFA) corps member. TFA is a national organization that places recent college graduates in teaching positions for two years at schools considered as struggling or tough. Usually this means that the schools are in neighborhoods often labeled as "tough" or "high risk," meaning that they are affected by crime, gangs, and high levels of poverty. She chose to exit the program after only one year due to a disapproval of the training process. At her prior school, she was also an RST and similar to her colleague, Jason, had just joined the school in January of 2013, because of the turnover in special educators. Her title was the school's lead eighth grade RST. Hillary's interviews often showed a great awareness of legal processes to which SWLDs are entitled, while equally acknowledging a strong need for compassionate educational experiences in order to foster success.

Altogether, Hillary summarized her relatively brief experience in special education as having taught her a good deal about herself while broadening her knowledge about what students are truly capable of learning. She seemed nostalgic in explaining that special education can be both challenging but also extremely rewarding. As for grade-level retention, she definitely asserted negative sentiment about the effectiveness of this practice. She thought that it often appeared punitive and left a damaging mark on students' social and emotional development.

Nevertheless, she did acknowledge the usefulness of retention as a potential threat to students who may have been hoping to move to the next grade level without truly working. Hillary noted that the group interviews were a safe place to share her feelings but that she was shocked with some of her colleagues' statements at times.

Participant 3B: Steven

Steven, a 26-year-old Latino male, was one of the four general education teachers in the study. He earned his general education teaching credential along with his master's degree in urban education at a local university. Steven taught seventh grade history at ICA, where he had spent the last five years. He was also enrolled in classes at a local university to earn his administrative credential at the time of the study. Steven was also a former TFA corps member. ICA was the school at which he was placed for his two years of TFA, and he has remained there since that commitment ended. Throughout the interviews, Steven often lauded the importance of students with qualities such as good school attendance, perseverance, and the school's willingness to try new things. Steven described his experience with teaching as a learning process filled with many trials and errors. For example, he noted that many times he would try one-on-one support with students, during which he would figure out what specific supports the students needed. He noted that his experience in teaching SWLDs has been generally based on finding commonalities with the students, such as finding a way to pique their interest. At the same time, however, he revealed that oftentimes the biggest challenge in working with SWLDs is that their academic levels may have been at a substantially lower rate than expected for their age or grade level, making it more challenging to meet their needs in a classroom of 30 or more students.

Steven's responses regarding grade-level retention mainly revealed the sentiment that retention may not always be effective, but that it should still be an option for some students who appear to need it. Exactly what is entailed in needing retention is often student specific or related to individual attributes, according to Steven. Steven did feel strongly that academics and attendance were the most important factors in deciding upon grade-level retention for all students, regardless of ability. In his final interview, he did appear comfortable and confident in his statements, even when differences arose among his colleagues.

Participant 4B: Nancy

A 27-year-old female, Nancy, had the most experience at ICA out of all the participants. She had been working within ICA for six years, with four of those years, specifically, in the role of a teacher. Identifying herself as a Latina, she was one of two female general education teachers in the study. At the same local university as many of her colleagues, she earned both her teaching credential and master's degree in secondary education. Nancy taught eighth grade English, and she felt strongly about how the school appeared to be changing in student population and was not truly able to address the ever-increasing variance in needs of its student body. Her experience in teaching SWLDs was described as "challenging, confusing at times and … a little sad." Despite these seemingly pessimistic experiences, she also reveled in the fact that she loved the "aha moment" when students come to understand challenging topics and feel inspired in achieving their goals.

Nancy's assertions about grade-level retention usually deemed it an unfortunate, but a necessary practice. In other words, she stated that although it often had negative effects, it was something that a school must be able to use in order to show students that there are consequences

when they do not try to achieve their goals. She also affirmed that literacy was one of the most important aspects of deciding whether a student may benefit from repeating a grade level. In her final interview, she also appeared quite confident and was quite assertive in disagreements with her peers. Occasionally, Nancy's phrases and choice of words may have been perceived as pessimistic based on the researcher's memo notes of other participants' reactions, but this may simply be due to Nancy's comfort and confidence in her perceived seniority at ICA.

Participant 5B: Frank

Frank was a White, 23-year old, general education teacher. This eighth grade math teacher earned his teaching credential along with a master's degree at a local university. Also a former TFA corps member, Frank had taught for three years, all of which he had spent at ICA. During the study, in late April 2013, Frank was appointed assistant principal of ICA for the 2013-2014 school year. Similar to Steven, Frank was also enrolled in an administrative credential program during the time of the study. His statements about teaching SWLDs ranged from extremely positive to highly challenging. He declared that many of these students were able to excel if they were given appropriate supports but also that many of them required teaching strategies that took some time to master. Frank also revealed that his knowledge of special education changed as the entire program had grown and changed throughout his time at the school.

For Frank, grade-level retention of SWLDs was a practice that appeared to be evolving. That is, he believed that the school was improving its ability to establish individualized goal systems and tracking methods to meet students' unique needs. However, like many of his other general education colleagues, he felt that retention was a necessary practice despite the many

negative aspects of its use. Academics and individualized growth were important for him in making grade-level retention decisions, but he did not agree that attendance or behavior should be key factors. Frank's final interview statements contended that he felt free to give honest responses, although he was rather surprised at some of his peers' viewpoints, especially those regarding attendance and the general direction of the school. The fact that Frank was planning to move to an administrative role might be important in understanding the differences between his statements and those of the other participants in the study.

Participant 6B: Dianne

Dianne was a 28-year-old female general education teacher with three years of full time teaching, one of which was spent at ICA. Dianne also identified herself as being a Latina. She was one of the few general educators that taught more than one subject; in the eighth grade, she was assigned to teach both math and science classes. While Dianne completed her teaching credential with a master's degree at the same local university as all the other general education teachers, she was the only participant that had already earned a master's of science before becoming a teacher. Also a former TFA corps member, Dianne shared that her passion for teaching SWLDs was somewhat related to the fact that she had a family member who grew up with a physical disability. She was candid in noting that she felt strongly about supporting all students in their own educational journeys, by recognizing that learning can be positive and fun. Altogether, Dianne felt that teaching SWLDs was important in more contexts that just at the school. For example, she shared that she worked at summer camps for students with autism, as well as helping students with disabilities at a college-counseling department.

Dianne's beliefs regarding grade-level retention were based on the notion that students must understand they will have to face consequences for goals they do not achieve. Her explanation of grade-level retention was given in comparison to the consequences of not getting a promotion at a job or even losing one's job, if one's work performance was subpar. She did assert that unfortunately many students see promotion goals as just "an extra thing to do" (Individual Interview One), rather than understanding how important they are as a life lesson. Academics and individualized growth were the key factors that Dianne thought should be used for making retention decisions. However, the importance of offering a portfolio, project, or community-based decision as a last resort was also something that she felt should be offered to all students who were possibly going to flunk. Throughout her final interview, Dianne felt her responses were open and honest; Dianne did not believe that her peers had any reason to hide their true thoughts or feelings.

Major Findings

Findings from the interviews revealed that many participants held similar beliefs about which factors should be used in decision making, but that some disagreed on attendance and behavior. Participants seemed to believe that the effectiveness of retention varied based on individual aspects of the child, such as parent support, personalities, and general abilities. Teachers shared their beliefs about flaws in either the promotion policy or other relatable school practices and also described other methods that would improve the school's retention policy. Group interviews also revealed similar beliefs. The next section will discuss the general findings from individual and group interviews and documents that were related to each of the key aspects from the three research questions.

As the research questions sought to explore teachers' concepts of retention, views on its effectiveness, and decision-making factors regarding the retention of students, each category revealed similarities and differences. These specifics are explained in the following sections by highlighting participant responses as well as references to documents and general researcher memo notes when applicable. As a general overview of the findings, participant's inherent beliefs and overall thoughts regarding retention were often the main force in guiding guide their underlying beliefs on its effectiveness, as well as which factors to use in decision making. A visual representation of how these overarching ideas may relate to one another is shown in Figure 3, which depicts how all areas affect the conceptualization of retention and come together to shape final retention decisions.

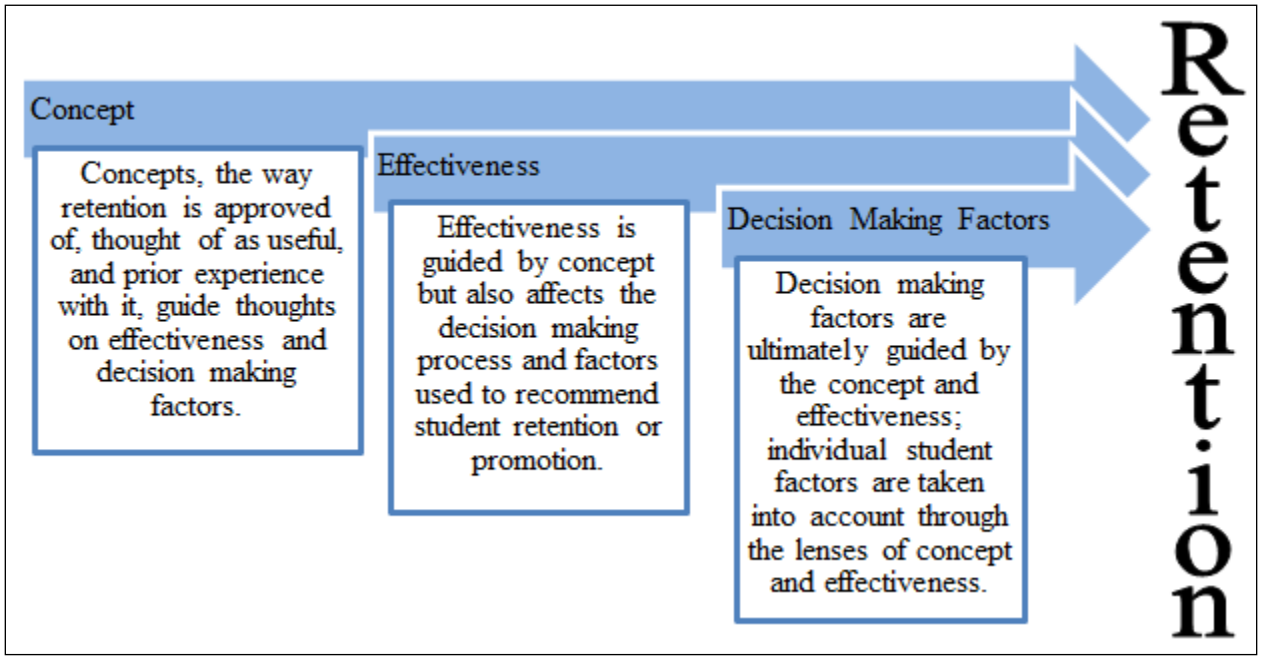

Figure 3. Conceptualizing layers of retention. This figure portrays the overall concept of retention as the base for effectiveness and decision making factors of retaining SWLDs.

Figure 3 shows how teachers' concepts of retention drove their perception of its effectiveness and thoughts on decision-making factors. Analysis of each area of focus is needed in order to

clarify the study's findings. Each section begins with a direct quote from a participant that sheds light on an overarching theme of the research.

Concept of Retention

A major finding from the interview process was that retention is often problematic, as illustrated in the following quote from Hillary:

> I think that a lot of times it is used to weed out students that they don't want or make it to where it's passed so long to the point where they just want a certificate of completion versus a diploma. I think it's sad but it's a reality, you know, the disparity that children with disabilities or children who are considered undesirable at schools face. (Hillary, Individual Interview One)

Her words echoed the belief that retention often worked against SWLDs or those that can be perceived as more difficult to educate. Even so, Hillary noted that she thought retention was important to ensure accountability of student performance. Nancy put it succinctly: "It is a necessary evil" (Nancy, Individual Interview One). None of the participants agreed with the concept of social promotion, and all believed that the school should be commended for, at least, having retention as a consequence. This is a major finding in that support of retention policies are often linked to threatening students who are unmotivated. Retention, thus, is used as a threat in efforts to acquiesce their effective movement through the curriculum.

Many participants expressed the belief that retention works as a useful threat that ultimately pushes students to meet their goals. However, this threat of retention was discussed as being negative for students and powerful for teachers. For instance, Steven noted that if the school did not have a retention practice, "I think tons more kids would not do their work. That

fear would be gone … A lot of kids are like 'I don't want to be retained, so I gotta do my work'" (Individual Interview Two). Through triangulation of the data, a school document related to this statement requires attention. The school's website had a document that it touts as proof that retention works. In this editorial-like article, a student was interviewed about the threat of retention, stating, "In the first semester, I found out that I wasn't 'On Target' and my dad was mad at me. I had to have a self-realization. Over the break, I got caught up on reading." This student, although he did not have an IEP, appeared to identify the fact that his father's anger about the possibility of him repeating created a moment of self-realization. Ultimately, this threat helped motivate the student to do his work and get back on schedule for passing the grade. Thus, Steven's statements that fear motivates students is corroborated by this student quote from the school's press kit located on the school's website. Thus, when participants noted that retention works because it requires the individual student to come to terms with their individual weaknesses, school documents upheld these beliefs.

Details about the threat of retention require further inspection. Nancy's words sparked intrigue when in her first individual interview she stated the following regarding retention: "Assuming that everything was done and the student just didn't meet their needs, sometimes a little fear of God needs to be put into them." First, she spoke of the school providing all necessary supports for students, but that if they failed to make it, then they may benefit from the "fear of God." Attention should be brought to the word choice; Nancy stated that the students themselves did not meet their own needs. Thus, these statements insist that students who do not take care of themselves or who are not self-sufficient ultimately need to be scared into working.

Similarly, Nancy's quote makes it appear as if students choose to fail, and thus deserve a negative consequence.

However, participants also noted that the fear of retention did not really increase learning even if it did encourage work completion. Jason summarized that "[retention] motivates some students to participate more and do more work. I'm not sure that retention, or lack thereof necessarily, is attached to learning. I don't think that students make the connection to learning" (Individual Interview Two). Other participants noted that retention gets students to work, like Dianne's comment that "[students] can go to extreme measures to, like, try and ensure that they will be moving on the next year, whether it's learned or not" (Individual Interview One). Thus, the statements showed a belief that retention is something to strike fear into students' minds that will ultimately get them to produce work.

Interviewees shared the belief that retention is a life lesson. Without it, social promotion was discussed as a process that creates the false idea that everything in life should be free or easy. Nancy believed that having students in "A grade level where they just aren't capable [is] … just fueling the self-defeating behavior" (Focus Group One). The finding that retention can ultimately be extremely positive or detrimental to a student's ultimate educational outcome was relayed in multiple interviews. Multiple participants expressed sentiments such as *retention teaches students the harshness of real life* or that it *ensures students get a reality check when needed*. In terms of life lessons, many participants believed that retention could potentially help raise a student's maturity because of the concept that adding time affects student age. When students are "given another chance, an opportunity to relearn" (Focus Group Two), Dianne

believed that the second time around could be beneficial for some students. Increasing student age is a natural and unavoidable consequence of adding an extra year to a student's education.

The concept of time and age dynamics arose multiple times; Jason, Nancy, and Steven all revealed how the increase in age actually created negative dynamics. That is, Nancy shared about a student she knew, referred to as Gary, who had been retained multiple years. Nancy laughed after exclaiming that Gary "is the oldest kid I know who's still in high school … he's, like, 30 years old and a senior" (Focus Group One)! She commented on how legally dangerous it can be for the school to have a student who could potentially have a romantic relationship with a much younger student or who could purchase tobacco and possibly persuade younger students to use drugs. As an extreme example, not at the middle school level, Nancy's scenario mirrored Steven's phrases about how awkward it is to have a student who is visibly bigger than other kids in the grade level because of retention. Jason noted that retention could have long-term effects, because it might affect at what age one embarks on college or a career. Participants also discussed the appropriateness of retention at certain grade levels. For instance, Dianne noted that retention can be better at younger ages, although it still is situational and dependent on each student's individual responsiveness.

Attention should be drawn to the pattern in which teachers spoke about retention. Participants frequently spoke of retention in binary terms. Dianne, Frank, and Steven all disclosed examples of retained students that either had extremely positive or negative outcomes from retention. Frank described one positive example of retention in which the parent and student realized that repeating a grade level would help "develop the capital and the capacity to do well for the next 6 years" (Individual Interview Two). In contrast, Steven noted that

sometimes retention "gives students the kick that they need" (Individual Interview One), but that some react well and others completely give up. In all of the general education teacher interviews, when respondents were asked to share examples of students that may have appeared to react positively to retention, every single participant gave the same positive example about a student referred to as Richard. Nancy was the only teacher who shared information about both Richard and one other student called Michael who had a disability. However, when asked about students who may have reacted adversely to retention, all teachers, including the RSTs, were able to share multiple examples. Most of the participants' student examples of negative retention involved students with disabilities.

Participants differed in their beliefs regarding attendance and behavior. For example, attendance was important to Steven because he viewed attendance as mandatory for learning. However, Frank stated some students may have poor attendance yet are still able to do well on academic tests and therefore should not be penalized for problems with absences. This finding may be linked to the participants' stances on behavior. Nancy viewed behavioral maturity as critical because students must be able to understand why retention is important for them. She stated that retention could "completely destroy their morale or like belief in school or in themselves" (Individual Interview Two) if retained students did not comprehend why repeating the grade level would be beneficial for their ultimate outcome.

Related to the school's educational program, teachers often concurred on statements such as Frank's, in that if students seem to need retention then "we need to determine if this is like a least restrictive environment for them" (Focus Group Three). Both resource teachers also called for the importance of ensuring a student's appropriate least restrictive environment (LRE) which

refers to the type of placement the students would be best served in be that a special education course or fully mainstreamed setting. Participants all applauded the idea that small class sizes help all students but said many SWLDs need one-on-one aides or even different educational settings. In Nancy's second individual interview she described larger classes by saying "If you have one teacher with almost 40 kids, can't work miracles! [Laughter] Little so and so might be struggling because he can't read a sentence and can't write a sentence, but I have thirty nine other kids who need me so…" It should be noted that she did not provide a response about what happens to "little so and so" other than the implication that this child might not end up getting the attention that they truly need. Even the resource teachers implied that if the school truly followed the educational laws protecting SWLDs, failing would imply that the student is just not fit for the school.

Lastly, teachers often believed that retention had little financial effect. When asked whether there were any economic implications from retention, all participants were confident that it was not capable of creating a negative financial pattern for the school or even larger society. Although they did believe that many SWLDs were not receiving increased supports when repeating a grade level, because those were too costly, participants thought that retention would actually save the school money. The complete lack of knowledge regarding financial ramifications was evident amongst all participants. Table 1 summarizes general notions regarding the conceptualization of retention related to SWLDs.

Table 1

Major Concepts Regarding Retention

Participants	Change of setting may be needed	Subject level retention not whole grade	Retention as tough life lesson	Gift of time	Negative concept of retention	School's need for retention policy
Jason	Y	Y			Y	Y
Hillary	Y		Y		Y	Y
Steven	Y		Y	Y		Y
Nancy	Y		Y	Y		Y
Frank	Y	Y			Y	Y
Dianne		Y	Y	Y	Y	Y
Total	83%	50%	67%	50%	67%	100%

Note: Y denotes that participants did expound upon the idea in the column header as being a major concept of retention. A blank field indicates that that participant did not mention the concept directly or indirectly.

Effectiveness

In regards to effectiveness of retention and SWLDs, the following quote from Jason revealed a major finding: participants overwhelmingly believed that retention has the potential to harm SWLDs more than students who do not have disabilities. Teachers generally contended that lower--performing students are less likely to be motivated by retention because they are already frustrated with school.

> From what I have seen, I would say that it does not help them, because I've seen a lot of apathy among students whom I know I have been held back, so in my limited experience with that, I have not seen it be positive. It could only be effective if you have a combination of an improved or a different approach from a teaching standpoint and also when you have buy in from the student who has been retained… if they haven't already shut down. (Jason, Individual Interview One)

Retention can make students with disabilities think, according to Jason, "Well if I failed that grade, I guess I'm just a failure" (Individual Interview One). In the same interview session, he

also stated that students interpret the world differently than adults: "It's more of a black and white world when you're young, and so if you fail a grade and don't pass a grade, then it's like, 'I'm bad, I failed.' That's all they really see." Retention was described as extremely dangerous to a student's socio-emotional well-being. On this topic, participant statements must speak for themselves. Jason appeared nervous when describing the emotional consequences of retention: "psychologically, they're like damaged in that way" (Individual Interview One). Hillary argued:

> When you're set back, students are going to judge you, and they don't want that judgment they're going to receive from their peers, and also, they may be worried about it from their teachers and their parents and their family members … All of those things can make a student not feel smart or not feel capable versus making them feel inspired. (Individual Interview One)

Hillary also asserted:

> I think retention hurts their confidence more than anything. I think more than anything that if they work harder it's because they don't want to be in the grade level for the second or third time. I don't think it makes them work harder because they really want to go the next grade. Like, I don't think it sparks any intrinsic motivation. (Individual Interview Two)

Frank, in a lowered voice during his second individual interview, shared "If they're retained they're going to think they're a failure, they're going to be older than everyone and they're going to stick out. Kids are going to tease them." Nancy gave this example:

> If we held back certain kids, it might make them feel worse, like Jack [student pseudonym] is so sensitive. If we held him back … He already thinks he's a dummy, and

> he's like, "Ah I don't get it," and he gives up so easily on himself that I felt like if we held him back it would just destroy him, emotionally. (Individual Interview One)

Additionally, she gave this candid response about retention:

> It's a very fine line between it completely demoralizing a person to a very, very slim chance sometimes of maybe getting that student to, to increase in motivation, which seems like a weird thing to do. Kind of like, "Oh we're going to make you feel failure, and hopefully you will want success even though they didn't already want it. (Focus Group Three)

Steven agreed somewhat, stating:

> For a student with a disability it's probably like another, I mean obviously they've been unsuccessful in the past, because obviously something triggered it for them to be tested so for them it's probably like, "Oh wow just another thing I'm not good at." It kind of makes them associate school with, you know, that failure stuff. (Individual Interview Two)

Lastly, in her first individual interview, Dianne gave a personal example about a family member who was retained:

> But they moved her for social ramifications of being retained. They moved her to a different elementary school in the same district and kept her in second grade so that way she didn't feel like the shame of her friends and like her cousins and everybody.

Overwhelmingly, the sentiment that retention can be utterly damaging to a student's psychological well-being prevailed. On the one hand, participants were arguing that students were negatively reinforced by retention, yet they also mentioned how this process yielded poor

levels of success. Additionally, participants spoke about retention as being less effective with SWLDs, and mentioned how often it can make a student disassociate from school because it seriously harms their self-esteem. These negative thoughts about retention prevailed throughout nearly all participants' interviews.

Yet, despite beliefs about retention's negative effects, potential damage to students' self-esteem, increased family shame, and disdain for school, participants still conveyed that the practice was necessary and useful overall. Nancy believed that retention helps students learn much-needed life lessons and Frank shared that he was pleased to work for a school that set such high expectations for students. Dianne explained that without retention, social promotion practices would send the message that the school does not truly care about students, since they would just be passed along for not doing anything. When reflecting upon the fact that ICA has a retention policy while many other schools do not, she compared the school's retention policy with future life lessons for students, in that, "To move forward, whether it be a job promotion, or getting into certain classes … they need to know what they're working for and work hard for it so that things don't just come easy" (Dianne, Individual Interview One). The special education teachers also noted that retention was a needed practice to avoid social promotion, which all participants spoke about in negative terms. Although these specialists often portrayed retention as an extremely difficult practice to get right and that it had a trend of hurting students more than it helped them, social promotion was still shunned and thought of as lessening high expectations for students.

Beliefs about the effectiveness of grade-level retention within the group interviews ranged from *extremely useful* to almost *an insanely horrible practice*. Nonetheless, most

participants were able to expound upon the notion that retention had the potential to improve outcomes although negative impacts were far more common. Overall, participants asserted that the retention policy was useful for all students, although once retained, the actual year of repetition was rarely as positive as originally hoped.

Participants believed that SWLDs benefited less from retention than students without disabilities. Interviewees made multiple statements related to how SWLDs require either differentiated promotion criteria or how processes for SWLDs must be viewed differently. However, many mentioned the concept of disability as something that truly confounded the practice of grade-level retention. When asked whether ability or motivation impeded SWLDs' progress, both Steven and Hillary noted that capability had the potential to impede their progress. Even though they agreed that motivation seemed linked to progress because it could potentially improve one's abilities, they did believe that a student's skill level could make it nearly impossible to reach grade-level mastery. Nancy's statements showed agreement with this sentiment:

> We'd have to find out whether the student- does the student possess the- maybe not academic ability, but the drive to continue pushing forth at a different grade level. Like, I see somebody like Richard [pseudonym] who is academically not where he should be and who knows if he ever will be, probably not, but he has the drive. And, he has the want. So, I would feel okay putting him in a higher grade level … he's not the kind who's going to let those scores bring him down basically. (Individual Interview One)

Respondents offered contradictory sentiments such as *motivation supersedes ability* and that *ability seems fixed in some SWLDs* which became major codes found during the coding and

triangulation processes. The first sentiment suggests that motivation is more important than raw ability, and through motivation, obstacles may be overcome. In contrast, the second sentiment implies the opposite: that some students would never be capable of truly gaining necessary abilities. These ideas permeated the notion of retention's effectiveness. Based on participants' statements, the negative ramification upon a student's overall psychological well-being seemed to be linked to their viewpoints that retention is less effective and potentially dangerous for the ultimate success of SWLDs.

Individual SWLDs at ICA who were on the list for possible retention at the end of the 2012-13 school year deserve attention in this discussion. Five seventh graders with IEPs were on the list to be retained in June 2013. All of these students were males: four were of Latino descent and one Black student. Three of the Latino students had SLDs, with one having multiple disabilities related to speech and language impairment (SLI) and the fourth Latino student had an Autism (AUT) diagnosis. The fifth student, a young Black man, had the special education eligibility of other health impairment (OHI) for having attention deficit hyperactivity disorder (ADHD). None of their IEPs mentioned grade-level promotion goals. More specifically, there was no discussion of what would constitute these students' advancement to the next grade level. Furthermore, all IEPs were under general education placements. This means that all of the students had the large majority of their special education services supplied to them inside the general education classroom. In fact, none of their IEPs held services that would require more than seven percent of their total educational minutes outside of the general education setting. Four of the five SWLDs did not have any amendment IEPs throughout the entire year; only their legally obligated annual IEPs were completed. For the one student who had a second IEP, the

purpose was to add the extra eligibility of SLI and provide speech and language therapy services. Three of the students had behavior support plans to address organization, on-task time, and work completion.

All five of these students with IEPs ended up being retained to repeat the seventh grade in the 2013-14 school year, even though no IEP amendments or additional supports had been devised for them during the school year. These students all had individualized education goals for academics, but not for grade-level promotion. Their unique abilities may require extended time, as this was one of their accommodations, yet an extra year of repetition may be linked to their abilities more than an IEP-based support.

A student's individual factors often played a role in how teachers perceived which students should be retained. One illustration of this is how Nancy explained what factors should be considered in retention decisions. When asked what were the most important factors to look at when determining retention she equated academic ability to potential when she said the most crucial pieces were "Academic ability or even potential because, like, some students that I know now could be doing so much better, … But, I think if they pass, I don't think they would be struggling as much as other students" (Nancy, Individual Interview Two). She even added that retention may be pointless if it does not match with a student's ultimate career goals, such as with a particular student who only dreams of being an athlete and who chooses to disconnect himself from academics since he only cares about physical exercise. Even a resource teacher, Jason, acknowledged that consideration must go into whether "the student is just refusing services either by not showing up or refusing to cooperate with people who are trying to help them" (Individual Interview Two). The general statement that students refuse supports and

deserve retention prevailed. However, this sentiment is paradoxically related to the secondary claim that teachers made in terms of some students, including SWLDs, needing to just be passed along because they truly were incapable of meeting grade-level standards anyhow. These two general thoughts regarding when to retain and when to possibly social promote were made by at three general education teachers and one RST.

Whether a teacher believed that retention would be effective for a particular student was related to other individual-level aspects such as parental support, personality, and personal abilities. For instance, multiple participants shared that parents may check their students out of the school completely to avoid being retained. In these cases, the student simply moves to another school and continues with the next grade level. In reference to one student who was checked out because of the threat of retention, in his second individual interview Steven stated, "We lost the kid to another school and … it was definitely not ability or the lack of content. It was just emotional and other issues that were getting in the way." Richard, the student that many general education participants spoke about as having a positive experience with retention, was described as if he was a good example of retention because his mother was in support of it and truly believed it would help her son.

Another student who also had a learning disability and did not seem to have much parental guidance was frequently described as not having an effective year of retention because of a lack of at-home support. This SWLD was described as if he truly did not care about his education. Regarding this student's performance, Frank stated, "I don't know if it was because of the retention or something else but, either way, the performance level and attitude towards learning has definitely reached towards the negative end" (Individual Interview Two). He also

noted in that same interview that the student would claim, "'you know me, you know I'm not going to put in any effort,'" when asked to complete classwork. Dianne summarized, "I honestly think a lot of this stuff is truly individual, like just based on the student's personality and support system" (Individual Interview Two). The effectiveness of retention was also linked to potential ways to improve ICA's current practices.

Both special education teachers discussed the topic of improving retention practices at ICA. For example, many participants noted that the school seemed fearful of potential lawsuits for retaining SWLDs. The teachers noted that if the school was doing what it needed to do in terms of appropriate educational programs, supports, and services, then retention should not matter for students with or without learning disabilities. Overwhelmingly, participants noted that the repeated year of a particular grade level must be differentiated for retained students. Jason believed that a marked change in how the educational curriculum is presented must be implemented within repeated school years. Steven explained that many SWLDs had been retained in prior years because they were not receiving either appropriate supports or the best educational program possible to meet their individualized needs.

Despite numerous declarations of how retention should be enacted, many of which do not match with ICA's current system, participants still favored the practice. Some participants were adamant that its use was crucial for education while others mildly approved the practice. When asked whether retention is improving the system of education at ICA, Nancy affirmed, "I think [retention] works because some people can and will learn from it" (Focus Group Four). Resource teachers also believed that without it, some students might be inclined to take advantage of the system and try to slide by without showing any effort. Claims that the process

of retention is highly needed but still needs individualization begins to shift the discussion construct of retention into the final area of the research study: decision making. Table 2 summarizes the major trends in beliefs regarding effectiveness of grade-level retention in a concise manner.

Table 2

Major Findings in Effectiveness of Retention

Participants	Retention is potentially positive	Retention is more detrimental to SWLDs	Retention has small chance of success	Summer school, other interventions are better than retention	School's need for retention policy
Jason	Y	Y	Y	Y	Y
Hillary	Y	Y	Y		Y
Steven	Y	Y		Y	Y
Nancy	Y	Y	Y	Y	Y
Frank	Y	Y		Y	Y
Dianne	Y	Y	Y	Y	Y
Total	100%	100%	67%	83%	100%

Note. Y denotes that participants did expound upon the idea in the column header as being a major assumption about the effectiveness of grade-level. A blank field indicates that that participant did not mention the idea directly or indirectly.

Decision Making

The following quote from Nancy connects many of the general findings from decision making factors regarding retention at ICA. This includes the fact that most teachers claimed academics were the main decision-making factor for recommending retention.

> Even if the student has the academic ability, if they don't have the effort…or have any motivation to do well, what's the point of having them in the eighth grade versus twelfth grade? Like, if they don't care at any grade level where they're at, then why does the grade level matter if they don't even want to be in school? Like is that just for the school's gain to say like we've promoted or is it, is it really what the kid needs? I don't know. I think it gets into this really scary gray area. (Nancy, Focus Group Two)

For instance, Jason, Frank, Nancy, and Hillary all asserted that literacy and growth in English language arts classes may be the most important in promoting student success. It is important to recognize that Frank is not an English teacher, yet he believes that these skills may be the most important in ensuring student success at the next grade level. Many teachers did not think that behavior should be used as a factor in promotion decisions. Steven summarized the idea that retention should never be based on behavior because "it doesn't fit the crime, there's no, that's not a reasonable or logical consequence" (Focus Group One). Other participants echoed these types of statements that describe retention as a consequence, rather than a support, when they noted that students often needed to be threatened by retention to become motivated to work harder.

At the time of data collection, Steven had accrued five years of experience working at ICA. In one of his individual interviews, he shared that, in a prior year, the school had a higher amount of retained students who displayed behavioral problems. The school had attempted to create a smaller, special class for them to get individualized attention. However, "It became like a nightmare" (Steven, Individual Interview One) because of the high level of misbehavior in the class, and the school ended the small class structure after one year. This suggests that ICA has used retention as a consequence for students with behavioral concerns, not solely for those with academic deficiencies.

When asked what factors should be considered in order to determine promotion decisions in the second round of individual interviews, participants reiterated that academics play a large role. However, interviewees were asked what, if any, non-academically based factors might be critical in decision making processes. In response, standardized testing, behavior, effort,

motivation, and ability were also noted as potential criteria. Hillary believed the amount of effort a student showed, which related to their total motivation, was important in promoting SWLDs because sometimes their disability may impede academic progress, which does not warrant retention, in her opinion. Frank spoke about how some students may seem to do poorly on class grades, yet when state standardized testing results come out, occasionally, these same students do well enough to deserve to be promoted. He also noted that with respect to students with disabilities or those with suspected disorders, promotion may be more appropriate. Frank asserted that school must always ask: "In the long term, is that going to be the best move for the student" (Individual Interview Two)? Asking this question, he believes, may help determine whether motivation, effort, and ability can be affected positively by retention.

Throughout the second round of individual interviews, a key finding became apparent regarding decision-making power at ICA. Although the school upheld numerous promotion criteria, ranging from academics to extra reading requirements, teachers truly felt that they did not have decision-making power. Even though they assign final grades to students, the teachers still felt that they did not have a large part in determining who was promoted. Steven laughed after stating that retention decisions were never within his power. Nonetheless, participants all noted that a comprehensive system of agreeing upon promotion and retention would be more effective. "In looking at what would make retention successful for certain students versus others … it would have to be a plethora of things" (Individual Interview One), was Dianne's belief on decision-making members and process. She further summarized that comprehensive panels, interviews, discussions, and looking at all subjects could improve the process. Both Frank and Dianne, as science and math teachers, appeared to share the idea that oftentimes performance in

their classes may not match performance in English classes and that discussing these differences is needed before making final retention decisions.

Group interviews revealed multiple decision-making factors, processes, and members that should be involved in recommending promotion. All participants concurred that academics played a pivotal role and should be the main criteria for setting student goals. At least half of the participants liked the idea of having a skills-based type of retention; whereby students only had to repeat the specific subject areas that they failed the first time around, such as with many students who at excel at reading and writing but not in math or vice versa. Secondly, students must exhibit a sense of social-emotional growth that is appropriate for their grade level. Some teachers described this as "character development," although there was a general consensus in the interviews that measuring character development is highly subjective and difficult to quantify. Nancy explained that it could be weighted less, but that social emotional growth is important because teachers "can't hold their hand forever" (Focus Group Two). When asked whether social emotional growth may be more important for students with lower academic levels, participants asserted that all kids benefit from advocacy and independence skills, which may be linked to social emotional levels. Academics were framed as being more important for the school to teach, but that a school is still failing its students if they do not help teach overall social skills. She stated that some students may have "perfect grades, take AP exams, and they're crappy human beings" (Focus Group Three). In other words, their academics were too high to retain and retention would not fix their personalities.

When deciding on a student's possible retention, participants shared that alternative assessments, portfolios, projects, and other application-based measurement systems should be

utilized. Specifically, SWLDs should also be given individualized supports to meet their IEP goals. For instance, IEP goals should be used to determine promotion decisions as well. Although most IEP goals are related to grade-level content, some goals may not fully and completely align to grade-level requirements and, or do not directly link to state educational standards. The RSTs and one general education teacher, Steven, added that, for older students, transition goals should be addressed in the decision-making criteria. For example, if a student is on a certificate of completion plan and not diploma bound, then retention may be inappropriate. In noting a student's individual needs, participants were adamant that a SWLD should have a differentiated process of retention. Jason shared in his first individual interview that one must look at "to what degree did their disability play a role in maybe not meeting promotion goals." During one of the third group interview, Frank argued that when asked to decide tough retention decisions he thinks it is critical to ask oneself "what does your gut tell you?" Many participants nodded in agreement to this statement.

Similar findings from individual interviews were discussed in group interviews in terms of decision-making members and processes. Many claimed that teachers truly do not have decision-making power when it comes to retention decisions, although they think that comprehensive panels that include all of a student's teachers should be held. Participants recommended using promotion rubrics that include academics, social-emotional assessments, self-advocacy skills, and a list of interventions previously tried. Acknowledging the need for parent involvement, participants agreed that retention decisions are difficult and require extensive data and analysis in order to find the best option for the student involved. Lastly, many participants alluded to the notion that sometimes performance-based tasks are more

important than testing and standards-only analysis. That is, teachers noted that seeing how students could apply skills often seemed more important than their basic knowledge recall. One of the documents analyzed and used for triangulation stated that the founder of ICA created the retention policy based on the fact that many students did not pass their CSTs, even those that may have had mediocre class grades. Thus, the founder "called the parents of almost 15% of the total student population to inform them that their children did not pass and consequently would not be eligible for promotion … Most of the parents trusted the school's decision." This opposes teachers' belief that oftentimes standardized testing should only be used as a small factor for some students, not for all students. Altogether, the decision-making factors and process at ICA do appeared flawed according to participants. Again, the policy of retaining students, including those with disabilities, was still strongly supported by the interviewed staff members. Table 3 contains the major findings in the area of decision-making factors related to retention.

Table 3

Major Decision Making Factors of Retaining SWLDs

Participants	Academics	Standardized Testing	IEP Goals	Social emotional Growth	Group Decision
Jason	Y	Y	Y		Y
Hillary	Y		Y		Y
Steven	Y		Y	Y	Y
Nancy	Y	Y		Y	Y
Frank	Y	Y	Y	Y	Y
Dianne	Y		Y		Y
Total	100%	50%	83.33%	50%	100%

Note. Y denotes that participants did expound upon the idea in the column header as being a major decision making factor regarding retention and promotion. A blank field indicates that that participant did not mention the idea directly or indirectly.

Validity and Reliability

Validity and reliability, respectively, ensure that the findings are actually measuring what they intended to and ensure that the results are stable enough to be replicated, without the

possibility of researcher bias affecting outcomes. To increase validity, the researcher acted as an observer during the interviews, only participating to answer questions or clarify any information that, as the director of special education, would be important for the overall knowledge regarding SWLDs and special education knowledge such as regarding federal laws including the Individuals with Disabilities Education Improvement Act (IDEIA) and the Americans with Disabilities Act (ADA). To check validity, final interviews asked participants to explain whether they felt they were able to give open and honest answers in all parts of the study. Overwhelmingly, teachers claimed that they felt completely safe being honest in their statements throughout the interview process. Frank believed everybody was honest and that even when disagreements arose, people were open enough to speak calmly. Of the interviews, Dianne said:

> I feel like, we all felt, safe enough given that we all know each other on a personal and professional level so … if anything I think that it provided more depth and context for us to be able to really share our thoughts and sometimes other people mention things that, it can only further your, your own thoughts, or you can take a complete different approach. So, I think it either reinforced our own thoughts or brought about new ideas. And, in that case, I think it was very beneficial. (Final Individual Interview)

None of the participants shared any possible fear about being honest nor did they think that their colleagues were holding back or being dishonest with their responses. Both Hillary and Jason agreed that as special educators, it was a relief to have time to speak with general education teachers regarding some of their beliefs about SWLDs.

In terms of reliability, certain questions were asked multiple times both in the same interviews as well as in second, third, final individual, and group interviews. An example of this

was asking teachers what criteria should be used to assess whether a student should promote to the next grade level. Throughout multiple interviews participants relayed the same criteria. Even those who believed in using criteria that differed from their peers were consistent in their beliefs: they stated the same factors throughout all interviews. For instance, Steven was one of the few participants that noted attendance as being important. Although other teachers stated that attendance ultimately plays a role in mastery of academics, no other participants stated that attendance was a factor to use in deciding whether to retain a student. Nonetheless, when asked in group interviews, Steven still mentioned attendance as a vital factor even though his peers disagreed. This finding both portrays an instance of reliability as well as possibly lending to validity, in that Steven felt comfortable enough to maintain his stance even when others differed. Another example showing reliability may be that participants enjoyed the group interview processes and shared beliefs similar to Jason's, in that "If retention policy is the discussion, then I think we need to open up the entire discussion and look at retention as a whole" (Focus Group Three). In other words, participants noted that a group discussion was needed about how the current system could be fruitfully revised. Relating to reliability, this means that teachers wanted to dialogue through the current system and, thus, were more than likely giving candid responses that they would repeat given multiple and continued opportunities. Thus, the study's reliability and validity appear to be strong.

Triangulation

The process of triangulation to find patterns in the data as well as to be able to make sense of the overall concept of retention at ICA was done in a three-step process. First, the researcher coded the interviews in terms of the major categories:

1. Concept of retention (needs, threat of retention, social messaging of retention)
2. Effectiveness of retention (SWLDs, ability, individual factors)
3. Decision making (factors, process, members)
4. Time dynamics (maturity, attendance, gift of time)
5. Legal issues (lawsuits, financial ramifications)

After coding the interviews, the researcher also analyzed the documents using the same codes. For instance, students' IEPs were analyzed in terms of individual factors while the school's handbook contained many codes related to the decision-making process and factors. Once all documents and interviews had been coded, they were organized in the spreadsheet software Microsoft Excel. By placing both the code and the specific quote to which it applied along with from whom or where the quote originated, the researcher could sift through data more easily to find trends. Using Microsoft Excel, the researcher discovered trends were revealed through various search functions with this data organizing program. As an illustration, when all entries were placed in the computer program, the researcher could search for all codes labeled as *decision-making factors*. Furthermore, all codes from individual interviews could be found as well. Findings from individual interviews could be compared and contrasted to those from group interviews, just as all quotes regarding effectiveness or usefulness of retention could be searched and aggregated accordingly.

The following titles were used as column headers in Microsoft Excel to organize the data: Interviewee, Interview Type, Document (if applicable), Quote, Code, Page Number, and Related to research question. These columns allowed for quick and efficient data management when looking for trends in data. By using a sort filter, the researcher was able to easily filter out and

closely examine all quotes from various interviews and documents that were related to the same code or whether they were related to the research question at hand. Themes that emerged were then analyzed according to found trends as well as constructs from the theoretical frameworks. The analysis of interviews and their link to frameworks will occur in Chapter Five, as the trends still require attention as part of the general findings.

Trends

Based on all of the interviews there were collective trends regarding the concept of retention, perceived effectiveness, and decision-making factors. Most obvious was that the concept of retention and SWLDs reveals that some students may need alternative schools or varied educational placements. All participants noted that ICA may simply not be the right school for students who require high levels of support. Another trend that came about from triangulation is that retention is a necessary life lesson, according to the participants and school documents. The notion that students could potentially just promote for not meeting a specific goal seemed to discourage and sometimes infuriate participants; the idea that a student could be promoted without meeting goals bothered *all* of the participants.

Similarities in effectiveness also exposed how teachers often recognized how negative the act of repeating a year for a student really could be, especially at the middle school level. However, despite overwhelming agreement that retention can have seriously detrimental effects on students, which are believed to be amplified for SWLDs, it still was discussed as if it had the slim possibility of helping students become better prepared for academics in future grade levels. Lastly, teachers believed that, regardless of student ability level, academics should always be at the forefront of retention decisions. Decision-making factors included standardized testing for

50% of the participants, as did social-emotional growth, although all participants shared that they were unaware how that growth could be measured accurately. By making retention decisions as a group, participants believed that improved final retention decisions would be made that could account for individual student factors including parent support, which was described as vital for positive outcomes from repeating a grade level.

Figure 4 depicts the relationships among some of the major findings from triangulation. In this three circle Venn diagram, the concept of retention guides the majority of thoughts regarding effectiveness and decision making factors, yet the latter two overlap as well. In other words, participants believed that students need interventions, such as retention, that send a tough message. At the same time, participants approved of using retention as a threat, regardless of the negative social messaging it may have. Decision-making factors include many individual student characteristics such as age, maturity level, and aspects such as determining which members should be involved in making the decisions, as this differs for SWLDs and those without disabilities.

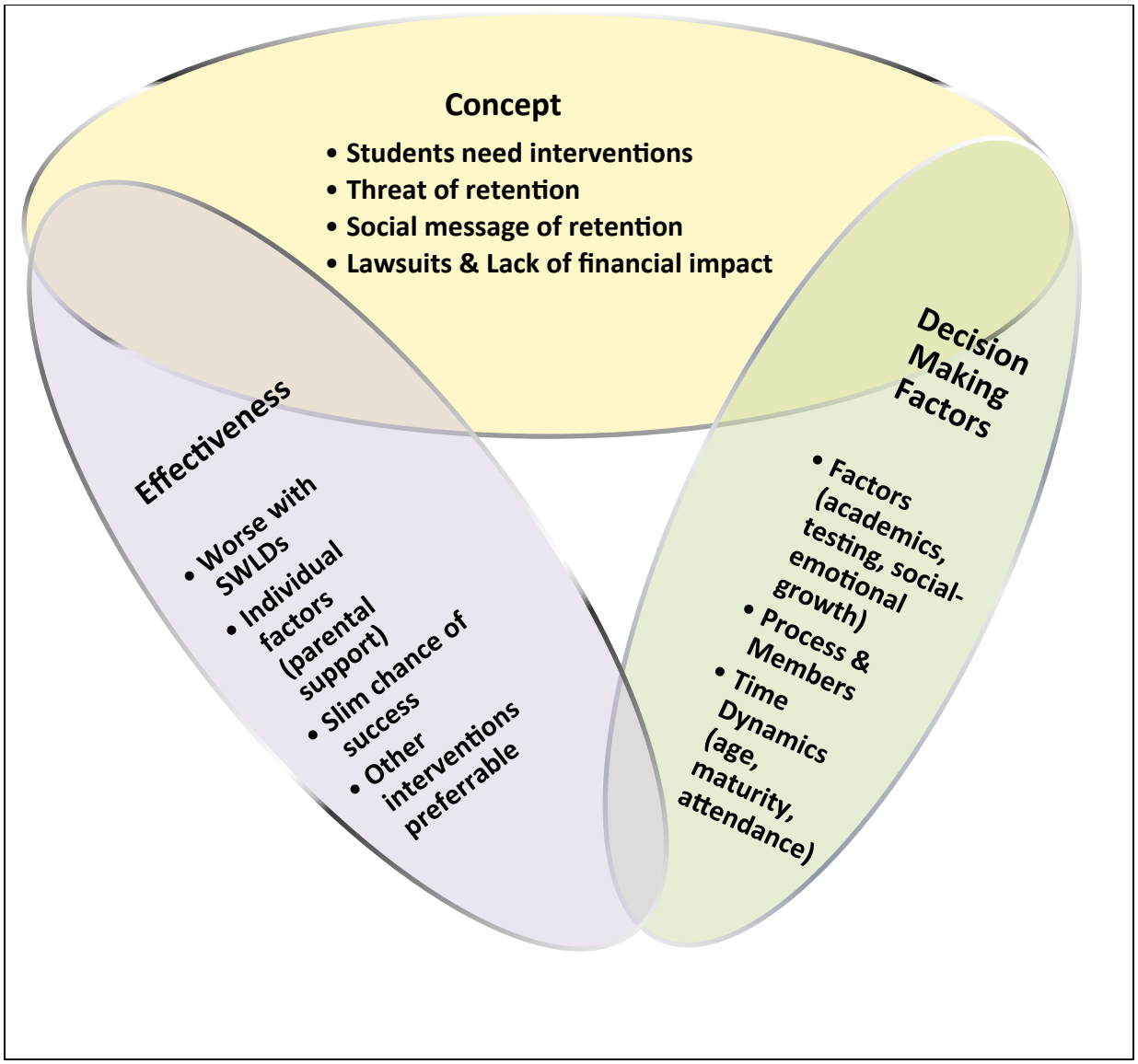

Figure 4. Similarities amongst concepts, effectiveness and decision making. The diagram shows how concept supports effectiveness and decision making but also that the lower circles also share beliefs as well, which impact participants' recommendations of retention.

Figure 4's Venn diagram is only one method for conceptualizing the findings. However, there is another method of representing the findings visually that can serve as a bridge to the analysis of the data, which will follow in Chapter Five. In this portrayal, Figure 5, the overall pie graph represents the use of retention with all students.

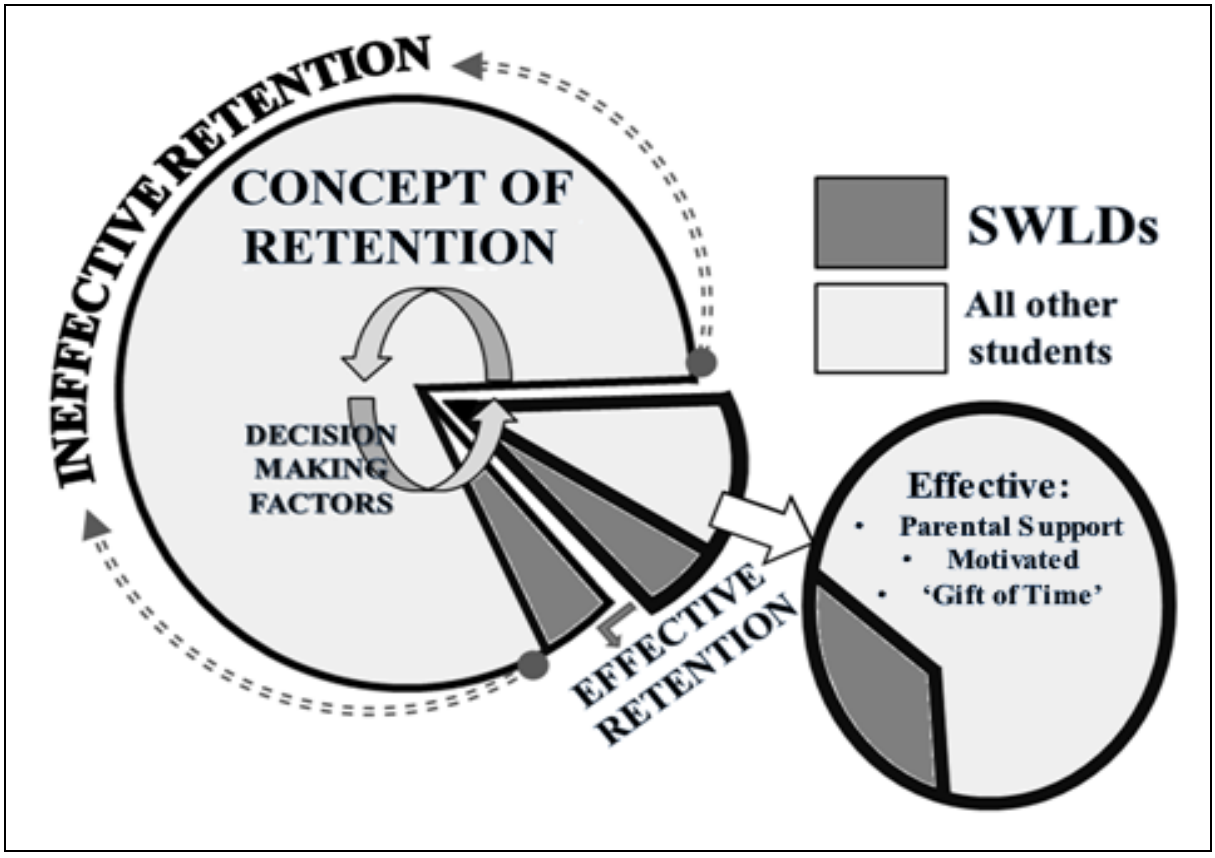

Figure 5. Belief systems affecting retention. The diagram shows how concept guides effectiveness and decision making factors. SWLDs are denoted as usually not experiencing positive results from being retained.

The light gray denotes those students without disabilities. All respondents agree that retention is much more ineffective than it is effective, especially for SWLDs (as illustrated in dark gray). As the average school population is approximately 10% SWLDs, the pie chart shows how even fewer students with disabilities are supported effectively by the use of retention as an intervention. Structurally, decision-making factors revolve around how effective participants believe retention can be for certain students. At the same time, how participants conceptualize grade-level retention also guides decision making, as it simultaneously affects views on effectiveness. This is also linked to how staff members viewed the rare, but often touted as important, cases where retention is effective. In the small subset pie chart, which signifies the

cases where retention may be effective, participants noted that parental support was critical in creating the positive experience of repeating the grade level. Equally important was the belief that motivated students and those who finally got the *gift of time* would be able to benefit and grow from retention, instead of having a negative outcome from repeating a year.

Summary of Findings

The study at ICA yielded findings showing overall support of retention despite numerous problems regarding its use, especially for SWLDs. Of greatest importance is that the concept of retention is viewed as "a necessary evil" to ensure that students are treated properly for lack of academic growth. Effectiveness of retention is generally low, although the few cases where it is useful are widely lauded and used to counter arguments about its negative effects. Decision-making processes and factors were noted as contingent upon individual student aspects including personal capabilities, which were portrayed as static or chosen for many SWLDs. These findings indicate many interesting themes regarding issues of disability and power that are explored and discussed further in Chapter Five.

CHAPTER FIVE

Discussion and Implications: Do those Students Really Matter?

> Take the blinders from your vision take the padding from your ears and confess you've heard me crying and admit you've seen my tears.
>
> — Maya Angelou (p. 12, 1997)

The practice of retaining students in American education has been in place since the latter half of the 1800s and was designed to ensure that students acquire the necessary skills to become productive workers in jobs, such as those that were in greatest need at the onset of the industrial revolution (Deschenes et al., 2001). Owings and Magliaro (1998) asserted that although retention was also designed to decrease the variance of abilities found within any one classroom, this objective has not been met. Since the 1920s, retention has not decreased "the variation in student achievement levels and [has had] no positive effect on educational gain" (Owings & Magliaro, 1998, p. 86). Since the 1950s, developments in the field of psychology have concluded that retention has a detrimental impact, from holding students back from their regular grade and age group, on children's social-emotional development and health (Hagborg et al., 1991; Holmes, 2006; Jimerson et al, 2006).

Nonetheless, retention is still consistently used as a standard educational intervention (Frey, 2005). Students with Learning Disabilities (SWLDs) are also included in this practice, occasionally without any hesitation or careful thought of learning differences they experience, both based on my personal experience in the field and corroborated by scholarly work (Leckrone & Griffith 2006; Renaud, 2010). The accounts of students with Individualized Education Programs (IEPs) with whom I have worked and the incredibly high level number of these

students that are retained initially incited my interest in and concern regarding this educational practice. Of particular importance was how such a practice had developed and been exercised at the charter school where I had witnessed such a higher number of SWLDs retained.

Review of Problem Statement

During my first year at Intelligent Charter Academy (ICA), I witnessed and listened to many SWLDs who were about to be retained. Some angrily declared that they would leave the school if they were forced to repeat the grade level, but the majority of others, despondent and despairing, expressed how pathetic they felt. More importantly, they vocalized how school and education was not for them, and to my knowledge, most other adults knew how despondent these children felt after being told of their failure. Teachers and parents both saw and heard how distressed students were at the mere threat of retention and how depressing the results usually were for those who did not promote. Given that the majority of these same teachers and parents spoke positively of retention and how effective it was in creating a system of accountability for these students, it was surprising rates of retention going under the radar untracked. Without really acknowledging these students' experiences, a problem became clear as my quick analyses of SWLDs and retention revealed high rates of flunking within this population. This realization along the painful experiences and memories of SWLDs who were retained served as the impetus for examining the perspectives that underlie the school's retention policy and its overall implementation.

This study investigated the perceptions of teachers, who usually make the ultimate decisions on whether a student will move on to the next grade or not, in order to understand how such a retention policy can be implemented given its high level of controversy and the many

mixed emotions it seems to provoke for educators, students, and parents. Through this qualitative study, individual interviews, focus groups, and various school-related documents were aggregated and sorted to analyze the concept of retention, effectiveness, and decision-making factors. With these findings and data, one can now look at some of the underlying forces that may be supporting ICA's use of grade-level retention.

Equally vital to note here is how certain theoretical frameworks may be related to this construct. Based on findings, each of the focus areas in the three research questions reveals thoughts and responses related to the overall phenomenon of retaining SWLDs at ICA. Although the significance of the findings is discussed in each section below, an overall summary of the study's significance at the end of the chapter provides a synopsis of the research, prior to moving to the recommendations and conclusions of the study.

Discussion

The following sections discuss findings related to each of the three research questions about how retention is perceived and processed at ICA. While relating the concepts regarding retention of SWLDs to the study's theoretical frameworks, discussion and analysis work towards making sense of how this process is enacted at ICA. Significance of relationships found throughout the data is discussed within each respective section; references to prior literature discussed are included when appropriate.

Concept of Retention

The manner in which participants conceptualize retention appears to drive the majority of beliefs regarding effectiveness and decision making. This finding relates to the first research question:

1. What do teachers say about the practice of using grade-level retention on students with learning disabilities?

In the manner that teachers spoke about retention, clear inconsistencies, in terms of the effectiveness and the overall concept of how it affects students, were noted in their discussion of the topic. Nonetheless, respondents expressed clear approval of ICA's retention policy, even as they offered suggestions to improve it. The concept of retention appears to serve as the basis for what drives participants' notions of its effectiveness, as well as decision-making process. Thus, introspection into the major findings from questions regarding the overall concept of retention yields critical findings, including: retention as a necessary evil, retention as life lesson, retention as a gift of time, and the contradictory binary nature of retention.

Retention as a necessary evil. Several participants agreed that retention is a necessary evil. Teachers spoke easily about how retention drastically limits the chances of success for all students, especially those with disabilities. They were, moreover, inclined to claim that retention had many more negative results than positive ones. As an illustration, Hillary noted regarding retention that, "it's not what I would want to happen, and I don't think it's the most ideal situation. It's very punitive" (Hillary, Individual Interview One). In the same interview session, she even went so far as to assert, "I don't think my students being retained, any of them being retained, would help. I think it would be more like 'This is your punishment because you didn't do what you could have done.'"

Yet, when participants were asked whether they thought retention should not be used at all, interviewees expressed that it should always be used at least as a threat. Like all the other participants, Hillary appears to have contradicted herself in her subsequent response to a group

interview question regarding how to describe retention to a friend who may not have any knowledge of the system. Specifically, Hillary stated, "I can't make it so black and white … I mean, I would hope that students never had to be retained but in certain cases it's necessary and needed" (Individual Interview One). The notion that retention is needed, despite its devastatingly and overwhelmingly negative effects, was consistently claimed throughout all participant responses. The conundrum here is why does this discrepancy exist? Why do participants describe the negative aspects of retention, yet, vehemently defend its use?

Critical pedagogy asserts that asymmetrical power systems often work to devalue and subordinate certain students through various oppressive school and classroom practices. Paulo Freire (1970) contends that oftentimes these practices enact forms of cultural invasion, whereby those with less power are convinced to reproduce the same oppressive forces that render them less powerful in the first place; this is done by disavowing and negating the true strengths and abilities these students innately have and bring to the learning context. Indeed, if grade-level retention is a necessary evil, then teachers are affirming a policy that they already know is more often oppressive than productive. Promoting support for a highly regarded policy that actually hinders student progress is not only cunningly manipulative but also a form of oppressive violence (Freire, 1970).

Hence, the hidden agenda behind retention is dehumanizing to not only the retained students, but also the teachers that promote its use, since they themselves become the promoters of a false promise. Moreover, by perpetuating the legitimacy of a hegemonic practice like retention, critical opportunities for exploring (in dialogical way) more effective interventions to serve students who are experiencing difficulty with learning are, wittingly or unwittingly,

sidelined altogether. One would wonder why teachers or schools would continue to use such a harmful policy. Perhaps participant responses regarding the belief that retention can help teach students what the real world is like, a form of authoritarianism, can help shed some light on this paradox.

Retention as life lesson. Retention was often conceptualized as a life lesson in participant statements and published school documents. For instance, Dianne said of retention:

> I do really think it's a good thing because it kind of mirrors what they're going to see for the rest of their lives … to move forward, whether it be a job promotion, or getting into certain classes, or going to college, they need to know what they're working for, and work hard for it so that things don't just come easy. (Individual Interview Two)

This perspective is reflected throughout many participant interviews; by viewing individual hard work done by the student as the primary reason for any positive outcomes, the assumption fails to recognize outside factors. For SWLDs, this assumption of hard work being a life lesson, fails to acknowledge the contextual factors surrounding their achievement including physical, biological, familial, community, and social forces, just to name a few. Robert C. Anderson (2006) discussed that viewing those with disabilities as a "valuable source of lived experiences, rather than … something to be accommodated," (p. 369) is preferable in the process of restoring respecting treatment to all people with diverse abilities.

In relation to participant statements, it is evident that the lived experiences of SWLDs are not being acknowledged. Indeed, with retention at ICA, this is true for all students, not just for those labeled as having disabilities; all students' unique experiences are devalued. Even though there may be some truth to the relationship between hard work and success, this narrow view

promotes a form of authoritarianism, specifically a hegemonic belief in the equality and neutrality of education. Here too, advocating this authoritarian doctrine ultimately works to reproduce the existing asymmetrical relations of power in schools and the larger society.

ICA's school manual and website, for example, touted that high expectations can be met through "avoiding 'social promotion' of our students before they meet grade-level standards." Thus, teachers who recommend retention are simply reproducing this commonsensical notion that social promotion simply passes students on to more difficult grades, before they truly have the academic skills to even access curriculum at higher levels. In this assumption, there is no dialogue or engagement with the larger processes and structural reasons regarding why SWLDs may not be garnering academic success. This is a deeper concept than simply denying voice.

Blaming students, including SWLDs, for their own failure essentially terminates the possibility of any critical reflection on how teachers might support these students in ways that enhance their educational outcomes and school experiences, without reproducing marginalization and dehumanization. Furthermore, this type of narrow thinking enhances the idea that segregation may seem appropriate (Reid & Knight, 2006). As an illustration of these, by using retention, "a student [at ICA] may be considered to be impaired in one school setting but not in another" (p. 19), because the setting for containing students' power is created by the policy, thereby creating a divide between those who can and belong here, versus those who cannot and therefore need another school or placement. Thus, the absence of dialogue and respect to all abilities results in unsurprising contradictions, such as noting retention is a necessary evil. In many ways, the participants were simply propagating a hegemonic and quintessentially American notion that hard work always pays off and that nothing should be obtained for free.

The belief that hard work is fruitful reveals a hidden sense of moralism regarding the concept of production and productivity under capitalism. Gleeson (2000) described a historical change for people with disabilities at the onset of industrialization which connected human production to ultimate societal value. Thus, by agreeing with the notion of hard work paying off, equal agreement with the notion that people are only worth what they can produce is corroborated. This veiled moralism perpetuates asymmetrical power relationships for SWLDs and, frankly, all students. Similarly, beliefs like hard work builds character, or that learning from one's mistakes is necessary for students who are or were retained also perpetuate dehumanizing capitalist notions of self-value being found primarily through production-based measures. Furthermore, it is especially interesting to note how retention is perceived when participants discuss the difference between hard work and actual learning.

A concept regarding retention that echoes this dynamic is that it potentially creates students who simply want to do the basic amount of work to pass, rather than striving for real learning or superb levels of performance. Frank summarized this view when he elaborated this mindset, "There definitely is that mindset that 'I just need to pass' and so it becomes this double-edged sword of 'I need to pass' because 'As long as I pass, that's my standard of satisfactory,' versus 'I need to be excellent'" (Individual Interview Two). Although Dianne and Steven expressed similar beliefs, Nancy's response pointed to a highly problematic and blatantly contradictory relationship between retention and its impact on students:

> It's a very fine line between it completely demoralizing a person to a very, very slim chance sometimes of maybe getting that student to, to increase in motivation, which seems like a weird thing to do. Kind of like, "Oh we're going to make you feel failure

and hopefully you will want success even though they didn't already want it." (Focus Group Three)

Here, a veiled mechanism of cultural invasion is again at play. Students know that retention is for those who have failed, but the idea that learning motivation from failing is more than likely a hard sell for children and especially early teenagers in middle school. Yet, seldom is there any mention about why students have failed in the first place. Nonetheless, rhetoric to blame the student, buttressed by the school's "no social promotion" policy as well as pressures for charter schools to yield high-performing students, prevailed in participant responses.

Also missing here is an understanding that, for SWLDs, retention is further problematized because failing a grade level can have a greater negative impact than simply reinforcing student's feeling of failure (Ferguson, Jimerson, & Dalton, 2001; Jimerson et al. 2006; Shepard & Smith, 1989; Tanner & Gallis, 1997). For people with disabilities, this practice solidifies the notion that those who are perceived as not being able are inadequate workers, are simply lazy, or are permanently incapable of performing mainstream tasks (Brady & Woolfson, 2008). Adding to the denial of capability, assuming a population is innately flawed automatically creates hypotheses regarding which students should be educated using inclusive models (Brandes & Crowson, 2009).

As dominant cultural beliefs, the views that hard work is laudable and those who do not meet society's academic expectations are blameworthy may be experienced very differently and may have very different consequences, given a child's class and cultural location in society (Darder, 2012), all of which contribute to problematizing retention for all students, especially those with disabilities. Similarly, Brady and Woolfson's (2008) study of teachers' perceptions of

retention also upheld the idea that teachers are willing to support students more when they take care of themselves. In other words, when students have a higher level of self-efficacy, teachers are more adaptable and patient with extraneous needs. Again, this promotes the view that students should be self-sufficient and that those who are not, such as some SWLDs, have an inherent problem that exists solely within the student, not the system of schooling.

If retention is covertly working to promote and perpetuate the hegemony of Euro-American, middle class, and ableist ideals that have been shown to marginalize oppressed groups, then people with disabilities, unfortunately, are another target (Gleeson, 2000). This phenomenon is alluded to in participant sentiments. For example, Hillary stated:

> I think that a lot of times it is used to weed out students that they don't want, or make it to where the student is passed along to the point where they just want a certificate of completion versus a diploma. I think it's sad, but it's a reality. You know the disparity that children with disabilities or children who are considered undesirable at schools face. (Individual Interview One)

And, although Frank and Steven did not believe that retention works to harm one set group of students, they both did acknowledge that the practice seems to affect SWLDs students at a higher rate. Perhaps beliefs like those verbalized by Hillary are more widely held by special educators or those with more experience working with SWLDs. This aligns with findings from multiple scholars that found experience and time working with SWLDs increased both the chances that these students were more positively regarded and expected to maintain high academic outcomes (Brady & Woolfson, 2008; Quach, 2005; Reid & Knight, 2006).

The amount of experience teachers had in general terms, such as how much time teaching and whether they had taught at different school settings is also beneficial to review. For instance, many of the teachers who had taught full-time only at ICA, not including other possible school sites for student-teaching assignments when they were in the process of becoming teachers, were much more adamant about the importance and usefulness of the practice of retention. Steven, Nancy, and Frank were in this category and often used phrases including the following words: accountability, lessons, effort, and necessary. On the other hand, teachers who did not start at ICA were still supportive of retention, but were also cognizant of other methods to intervene. Unsurprisingly, the two special educators in the study, Jason and Hillary were part of the three teachers who had previously taught at other school sites that did not adhere to any retention policies. These participants were more likely to note that while retention could be a life lesson, there were multiple ways that the process could either be improved or conceptualized differently to address the varying needs of SWLDs. The similarities among teachers who had only worked at ICA as opposed to those who had served at other schools suggests that simply being exposed to different ways of thinking may help educators understand that there is no single ideal method of intervention at the end of year. While this seems commonsensical, considering how controversial retention can be, it does raise questions about whether retention plays a larger role in the school culture for both employees of the school site as well as students and parents.

Even in a context like ICA, where retention is viewed as a positive and unique selling point, the teachers who work with and advocate for SWLDs were more than other respondents to recognize and openly acknowledge how demoralizing retention is to their students. This dynamic of dehumanization also links to prevailing notions about retention that place the

majority of blame for academic failure on the students, rather than the systemic conditions, including teacher competency and knowledge, which practically create students' total educational experience.

Critical disability theory asserts that the medical model of disability views challenges as inherent problems within the individual rather than simple differences (Ferguson & Nusbaum, 2012). Traditional ableist perspectives of retention blame the student for inadequate academic performance in comparison to the academic level of students without disabilities. Thus, it parallels thought processes that tend to see something wrong within students, rather than perceiving them as simply having different abilities and strengths (Anderson, 2006). Most importantly, it does not seek to contend with structural and pedagogical problems within the school's educational program and classrooms themselves.

In agreement with this construct, Jason expressed that retention problems may actually demonstrate that students "did not have an appropriate academic program where they got what they needed to succeed" (Individual Interview One). This view was somewhat echoed in a different way by the general educators, in that they felt that students may not "be right" for this school, in that the school cannot sufficiently meet their needs. Steven agreed by saying, "we told them they're being retained and they checked out [left the school], and I think that's in those situations it's been a good thing because I think there are certain students who've, who just, this is not the place for them" (Individual Interview Two). The issue of student fit is inconsistent amongst the different types of teachers: general or special education teachers.

Again, the concept of retention for special education teachers may be seen differently than their general education counterparts, given that they have more experience and comfort with

SWLDs and also because those in this study have had less experience working at ICA than the other participants (Brady & Woolfson, 2008; Brandes & Crowson, 2009). Therefore, it may be easier for the newer special education teachers to consider that a school program can change, rather than being set in their ways or finding it more difficult to believe that ICA can change its current retention policy—as was the case with the more veteran teachers. However, even though the resource teachers could more easily delineate the difference between the school's appropriateness for SWLDs students or not, their underlying attitudes about retention still tended to blame the student, rather than the school system or the larger structural factors that ultimately shape the lives of students and families. As a consequence, the hegemonic practice of retention frees teachers from thinking critically about the results of their instruction or the need for systemic restructuring or reinventing (Darder, 2012) of the overall school program, in order to better meet the needs of SWLDs.

Gift of time. Many educators believe that repeating a year of school gives students extra time, which will somehow help improve their academic abilities. Discussing time as if it were a gift matches the research of previous retention scholars (Frey, 2005; Mantzicopoulous, 1997). Whether they assert that it is because of mere differences in biological maturation of the brain or just having a second opportunity to review the same concepts, proponents of retention believe that the gift of extra time is what makes retention appealing (Frey, 2005). Participants in this study often noted this same belief in their responses. They argued that having more time would help students see the material again, as well as provide them the opportunity to realize that they want to pass the grade, given their growth in maturity. This assertion warrants attention, given

that the same participants who laud retention for providing students extra time also note that repeating a grade level can promote immaturity. Hillary explained:

> If they're retained, they're gonna be with younger peers. And they're going to stay with the younger mindset they were in before. They don't have the opportunity or even a reason to mature. Like their mindset could be "Why do I need to act older when I'm in the same grade that I was in before?" And, that attitude can carry on into the future. (Individual Interview Two)

This type of contradictory thinking, often associated with hegemonic views (Darder, 2012; Freire 1970; McLaren, 2009) prevailed among participants. This contradictory approach to retention may also point to another plausible interpretation: that retention occasionally works for few students, despite the abundance of research in the field that speaks to it deleterious effect. Successful examples of retention, even though extremely sparse in number, positively support the school's status quo view of the practice. This creates a tendency to support retention as a school policy. This phenomenon is consistently documented in the tendency of participants to default their responses back to Richard, the student for whom they claim retention was positive, whenever they considering its potential benefit. Therefore, it is essential to recognize that perspectives about retention are often plagued with a myriad of opposing views. This binary nature of the discourse supports a lack of criticality in the views of many educators (Darder, 2012).

Contradictory binary nature of retention. Retention was conceptualized by educators at ICA as a helpful process for the school but also as something that can damage students. Often it was described as if it increased student learning, but then it was also presented as creating

students who simply want to do the bare minimum to pass rather than actual achieve high-level learning. Participants also seemed to hold paradoxical views of retention. Another way to make sense of the participants' perception of retention is to also view it in terms of binary opposites, where any critical and dialectical sense of the phenomenon is absent. As such, participants often spoke about retention as if it was either positive or negative, with little room in between. Frank, for example, in his first individual interview, described students who had been retained with opposing outcomes, as if these outcomes existed within "two polar extremes."

Thus, an upsetting trend here is that, although teachers clearly speak about retention as having two opposite effects upon students and clearly identify that more of the outcomes are negative than positive, they nevertheless defended the belief that retention is indeed a fair, just, and legitimate practice in the education of SWLDs. Legitimizing the practice and disregarding the need for analysis of the larger population of students who do not benefit from retention disrupts opportunities for growth and advancement for SWLDs (Anderson, 2006). Again, the consequence here is that as long as one solitary student benefits from retention, any discussion about discontinuing the school's policy of flunking students is automatically overridden.

The practice of retention, then, functions to further disable and marginalize students with disabilities more than to assist them in their educational process and personal well-being. One reason these retention practices may persist, as repeatedly noted in this study, is that educators still hold the belief that retention is potentially helpful and, thus, do not want to cease doing something that might assist their students. It is as if they sincerely believe that the rewards of student retention outweigh the risks of repeating a grade level. Yet, when they were asked about

its effectiveness, they most often insist that most students had negative repercussions from repeating a grade level.

This finding indicates that there is only slim a chance that SWLDs will succeed if retained and it highlights that there is a greater chance of these students experiencing greater social and emotional harm from being retained. Unfortunately, when educators favor the miniscule chances of positive outcomes and disregard the gravity of enormous risks, they easily become ignorant to the long-term negative effects of this intervention. Such a phenomenon points to the function of contradictory viewpoints, which can preserve the hegemony of existing social and material relations (Darder, 2012; Freire, 1970). Therefore, this explains why teachers in this study claimed that there is no financial cost to retention: since the school is still earning payment for the students who are physically attending school another year when they repeat.

However, this view, which suggests benefit for the school, ignores the tremendous economic implications of educational failure. When asked about the potential cost of retention for the larger society, teachers were unable to recognize that retention could damage both the larger structure of education and future labor markets. It was almost as if the new year of retention cleans the financial state, since it is simply seen as another student attending another year of school. Perhaps it is difficult to consider that the money needed to educate SWLDs must come from somewhere, particularly when charter schools must constantly enroll new students in order to keep their doors open. Most disheartening is the manner in which the contradictory discourse regarding the nature of retention may actually reinforce deceptively powerful teacher perceptions of deficit, rooted in an underlying belief that certain students (in this case, some SWLDs) are not meant to succeed.

The binary nature of retention also creates a divide between perceptions about the type of students who succeed and those who do not. For example, SWLDs who are considered to need retention were often described in the study as if they truly need another placement or even another school. Frank questioned whether SWLDs who have had supports increased over time through their IEP and who continue to struggle after all available supports have been offered, should be placed into another Least Restrictive Environment (LRE) which may not be the fully mainstreamed setting that ICA offered. Nancy took this view even further, asserting that students who are not ready for college-prep courses may need to find a different school entirely. She maintained that these students should be sent to another popular charter school in the Los Angeles area that has a better reputation for doing well with children with disabilities. She had actually visited this particular charter school earlier in the year to see examples of co-taught classrooms. She described this school as having the resources and structures to better support students who may not be college bound, whereas ICA was purely a college preparatory school. These beliefs regarding needing different educational settings due to unjust beliefs regarding student abilities mirrors the findings from researchers who had interviewed other teachers regarding SWLDs and educational placements (Brady & Woolfson, 2006; Brandes & Crowson, 2009; Quach, 2005; Reid & Knight, 2006; Thomas, 2000).

The sensible acknowledgment that ICA only offers college preparatory classes, and that students who cannot succeed at this level should go to another school, completely ignores the fact that ICA is a public charter school with a responsibility to educate all student populations, regardless of cost or need. Leckrone and Griffith (2006) estimated that billions of dollars are spent on retention annually, yet the people who make retention decisions, for instance the

participants at ICA, are completely uninformed about this hefty cost. The implications of these costs, along with the fact that many educators are unaware of them, is problematic in that this money could potentially be invested into critical interventions that have proven success rates, rather than to persist with dubious educational practices, particularly with such a vulnerable student population. At a minimum, the expenses could be reallocated towards other educational programs serving SWLDs that can benefit from additional resources.

Effectiveness

The degree to which and likelihood that a retained student will make educational improvements from their repeated year appears to be intimately tied to teacher conceptions of retention (Witmer, Hoffman & Norris, 2004). With this in mind, the second research question was formulated:

2. What do teachers say about the effectiveness of retention practices upon students with learning disabilities?

According to participants, retention is a useful threat. Overall, they all acknowledged that retention was a noteworthy aspect of the school's program and that it was good for students to know that consequences could come from failure. The effectiveness of the promotion policy for individual students at ICA, however, was also seen as highly dependent upon students' unique characteristics. For SWLDs, it was noted that repeating a grade level is much more dangerous, problematic, and ineffective than with other students. The major triangulated findings in regards to effectiveness include: detrimental to SWLDs, social messaging of retention, and educational goals and outcomes.

Detrimental to SWLDs. Participants fully concurred that retention is highly detrimental to SWLDs. Steven noted that for SWLDs, spending another year in the same grade can be "a little bit harsher because it's like they've probably already dealt with a lot of failure, and now it's like another thing. So definitely, I can see them being more unmotivated because of it" (Focus Group Three). Neither one of the special education teachers could recall a single student with an IEP who had benefitted from retention. In this area, the general education teachers did question whether the school was truly capable of providing supports for SWLDs before retaining. Three out of the four general educators wondered whether the school had done all it could to support those retained SWLDs, while two of them noted that many of these students probably were not in the correct educational placement in the first place. The ineffectiveness of retention with SWLDs appeared to be thought of as another weakness for this population, thus making them feel even less successful in the academic world. If educators know that there is often a history of educational struggles and failure for any group, the real question is why they would continue to enact educational practices that subject students to greater failure and emotional suffering?

Self-deprecation is an attribute that Freire (1970) claimed can be internalized by oppressed populations. This internalization fuels a cyclical pattern; if a student believes in their incapability, the student may fail to even try to be capable, rendering them more marginalized in the process. For retained students, the demoralizing effect of retention may actually hinder them further from being successful, even after the repeated year. For SWLDs, this may explain why participants believe they are even more hurt by retention, since they may be more likely to have internalized repeated school failure.

The effect of flunking a year of school on a student's self-esteem and its relationship to the deeper social meaning of failure that permeates among students might be the ultimate driving force for disillusioned and unmotivated students. Within this notion of fatalism, which Freire (1970) explains, students should not be blamed for lowered self-esteem using the medical model, nor should we automatically assume that SWLDs are more inclined to depression or self-hate. Rather, as Freire noted, the root of these problems lies in the destructive impact of schools' dehumanizing practices for managing certain subjugated student populations.

Because the school faculty finds retention useful, the practice continues, despite its negative repercussions. Most research reveals strong correlations between retention and negative outcomes such as high dropout rates, failure, behavior problems, low employability, and even incarceration; yet, ICA's teachers appeared to have completely overlooked this research. Even when these details were shared after initial interviews or through some of the discussions in the group interviews, participants continued to believe in the possibility that retention can be good for students. Why would participants support something that most research vehemently warns against? James I. Charlton (1998) offered an explanation that aligns with both critical disability theory and critical pedagogy:

> Oppression is a phenomenon of power in which relations between people and between groups are experienced in terms of domination and subordination, superiority and inferiority. At the center of this phenomenon is control. Those with power control; those without power lack control. Power presupposes political, economic, and social hierarchies, structured relations of group of people, and a system of regime of power.

> This system, the existing power structure, encompasses the thousands of ways some groups and individuals impose control over others. (p. 30)

Within this argument, it is clear that retention ensures that the school and its teachers are in full control and have ultimate power over students.

Since SWLDs appeared to be retained at higher rates than others, there is something to be said in terms of how students with disabilities are perceived. It may be that SWLDs are thought of as requiring more control and supervision from authority figures. Teachers and schools may thus impose greater control over SWLDs, thus perpetuating their powerlessness. Similar to Freire's notion of cultural invasion, Charlton (1998) gave a useful explanation of how those with disabilities are more often antagonized and subjugated to near worthlessness by society: "The message can be simplified: disability = invalid; invalid = inferior; inferior = disability. The logic is circular, but it works" (p. 68). If society reproduces the hegemonic and cyclical assumption that those with disabilities are inferior, the explanation for why this occurs is equally cyclical in nature and linked to those in power.

If those in power can ensure that this system of devaluing disabilities continues, then those in power can maintain their elevated social status. By flunking SWLDs at a higher rate, educators can maintain a system in which there are some winners and some losers. In this case, the losers are those SWLDs who are different, who require too much money to educate, and who may ultimately tarnish the school's reputation, simply because of their otherness. The cyclical reproduction of harming SWLDs, as evidenced by retention at ICA and attested to by the study's participants, is related to the social message that retention sends to not only students, but parents as well.

Social messaging of retention. The meaning of retention at ICA is well internalized among both adults and students. Respondents reported that retained students often felt shame and would do anything to conceal knowledge about repeating a grade if possible. This further elaborates the cycle of hegemony as explained in the previous section. Steven's comment illustrated how shaming retention can be, the lengths to which students will go to conceal this knowledge among their new, younger peers, and how it impacts their feelings about school overall:

> Well it's easy to do in seventh grade because they're coming from a new school and they can easily be the kid who enrolled and lives nearby. So I know I've heard of teachers saying "Oh this is why you repeated," and the kid is just kind of like [gasps]. And everybody's like what, and that kid being really embarrassed because nobody knew at the time. Things like that, so I definitely see them trying to hide it most of the time … and with one student who has an IEP, in particular, it's made him, like, he does not want to come to school. He doesn't want to be here; he finds any excuse not to come to school. And it's kind of like he hates school and doesn't want to be here. (Individual Interview One)

This description of a student's embarrassment about their social acceptance at school following retention also reveals a deeper issue: the devaluing of certain types of students.

Retention is often characterized as ineffective by the same participants who support its use because it may be subtly promote the value of those students who are able to get with the program: as if struggling, students should be able to just snap out of it and start performing better instantaneously. For SWLDs, the fact that they have been retained more often than students

without disabilities points to a clear distinction in both the ineffectiveness of the school's special education program as well as the ineffectiveness of retention as a practice. Regarding the first issue, the rate of SWLDs who have been retained at ICA since 2011 has drastically decreased. This is due to improved and more accurate IEP writing along with an understanding that retention of SWLDs should be used extremely rarely, in cases where a parent's request concurs with IEP team approval. Secondly, the effectiveness of retention with SWLDs has proven to be extremely poor. By acknowledging its ineffectiveness, yet continuing to use the practice and despite lowered incidences of retention within the last two years, continues to disavow issues of difference, especially in learning (Oliver, 1996; Owings & Magliaro, 1998; Rhim & McLaughlin, 2007).

Retained SWLDs typically follow one of three trajectories: they move to another school, they continue to repeat multiple grade levels until they have drastic behavioral problems leading to suspension, or they drop out of school altogether. All of these routes are highly problematic for charter schools. These trajectories increase student attrition, decrease student enrollment, tarnish the school's reputation, and compromise funding due to a drop in average daily attendance, which in California is how schools earn the majority of their daily funds. Since money and reputation are potentially lost due to the retention of these students, the easiest and most logical assumption is that these students truly are not considered worthy of the cost it would require to provide effective supports, which could genuinely assist them, before retention even becomes an option (Quach, 2005; Rhim & McLaughlin, 2007). Simply put, schools would rather retain their lower-level students until they opt to quietly transfer to a different school rather than provide the comprehensive range of supports needed to succeed. Again, this trend shifts

responsibility away from the school and places it on students and families, who must make decisions about where to enroll.

The findings confirm that retained students internalize shame and blame and accept it without questioning its legitimacy. The student quote from the school's press kit regarding how the student did not want his father to be mad at him because of the his self-perceived laziness, mentioned in the prior chapter, illustrates a level of self-apprehension and doubt. These commonsensical claims in the student's statements relate to Byrnes and Yamamoto's (as cited in Caples, 2005) argument that retention works to place blame on students, thereby making them personally at fault for academic failure and taking attention or responsibility away from the system of education, including teachers. Thus, students either must "pick themselves up by the bootstraps," so to speak, or they must leave the school. For those that are systematically, albeit unwittingly, pushed out of school, it is framed as the student's choice to leave, ignoring that the school has made it clear, legally and culturally (in both covert and overt ways), that struggling students are not wanted. This may seem like a bold claim, but critically speaking, the veiled power of a school to decide who succeeds and who fails is predicated upon its meritocratic culture—a culture that formidably defines its self-serving dominant practices of promotion and retention (Bowles & Gintis, 1976; Darder, 2012).

The social validation associated with social promotion or the lack of validation associated with retention may also promote an ideological message that confirms those with power and success with the most social value and, thus, legitimates the privilege they hold as most deserved. Apple (2013) summarizes this concept by describing how educators have been conditioned with categories and labels that are both historically and ideologically rooted:

> The categories that we employ to think through what we are doing with students, their and our success and failure, are involved in a process of social valuing. The guiding principles that we use to plan, order, and evaluate our activity—conceptions of achievement, of success and failure, of good and bad students—are social and economic constructs. They do not automatically inhere within individuals or groups. (p. 46)

This critical analysis of social valuing applies to retention because schools like ICA often advertise the idea that students who pass their grade levels are successful; those who do not are deemed as not ready, unsuccessful, or even not appropriate for the school. This automatically creates a dichotomy of capable/incapable. Unfortunately, SWLDs are usually lumped into the incapable category from the start. The manner in which participants discussed SWLDs offers further evidence of this devaluing of SWLDs at the school.

SWLDs were often discussed with discouraging statements that might not be direct or blatant but which definitely implied a negative appraisal. For instance, one general educator said that a student without a disability who does not want to be retained might think, "it's like, first time [of seeing academic content]. 'I get it. I'm going to come in. I'm going to do x, y, and z,' and, he just doesn't let it get to a point of being so far behind" (Frank, Individual Interview Two). This statement inadvertently implies that students who have disabilities do not come to class thinking that they are going to understand the material. Rather, it suggests that SWLDs are not going to do their work and that they will either helplessly or purposely get behind. The notion that students with disabilities will purposely engage in unwanted activities, in this case not learning nor doing class work, is best expressed by Hillary in her assessment of what can happen when SWLDs fail during her first individual interview:

> They can begin using their disability. "Oh this happened to me because I have a disability." It encourages them to use their disability as a crutch or as an excuse as to why they were or weren't able to do something versus more self-ownership. So, to me, I think a lot of time I see that with students with learning disabilities, they're like, "Oh well I repeated this grade, but I have a learning disability, so it's okay." It just makes it too, makes it too accepted.

The message is clear: SWLDs are devious and irresponsible, so they will blame their disability for any shortcomings, not their own actions. To add to this, a secondary message becomes that accepting one's disability is something that should not be accepted, as if it is a dirty and definitely unwanted blemish.

Viewing SWLDs as defective denies the impact of disabilities upon student learning experiences and completely negates the impact of the larger societal forces and individual lived experiences of students (Anderson, 2006). Student coping mechanisms (e.g., stating that their disability requires them to use a specific accommodation, even when educators unfamiliar with instructional differentiation perceived that accommodation as a "crutch") may simply be a vital aspect of the process of their survival within the context of the school culture. One participant went so far as to claim that disabilities such as short-term memory loss or learning disabilities that feature memory deficits must be due to a lack of individual effort on the part of the student and, thus, should not be explained away as a disability.

Respondents' remarks also often revealed ways that teachers perceive SWLDs' positive traits, despite their learning difficulties. As an illustration, Nancy explained that one of her students with disabilities possessed the motivation to do well even though his academic levels

were significantly lower than his grade-level peers. Yet, when asked whether she would recommend retaining him, she said "no" because he demonstrated such a high level of motivation that she believed he would not stop trying, despite his learning difficulties. It is noteworthy that this particular student did not exhibit any behavioral problems; rather, he was quiet, calm, well behaved and never showed resistance to standard classroom regulations. For "good" students—those who behave, show sufficient effort, and do not pose any behavioral problems—achievement levels and disabilities are not a big concern. In this example of a "good" student, students who acquiesce to the school's implicit culture of power can prevent being retained, even if they are struggling with academic achievement. Thus, retention appears to be applied as a punishment for "bad" behavior or "bad" students. Moreover, it also points to the regulating function of the school culture, which often is unknowingly violated by SWLDs, given the emotional discomfort or boredom that they may experience and reveal to adults, in response to pedagogical practices that are simply contrary to their intellectual development and social well-being (Darder, 2012).

This also points to a contradiction in what participants had to say about the effectiveness of retention. Overwhelmingly, educators in this study identified academic achievement as the primary reason why students might benefit from repeating grade levels. However, Nancy's statements above, and the nods of agreement by fellow group participants, revealed that well-behaved students, those who follow the rules and do not resist the leadership of their teachers, are bound to be rewarded with social promotion (Rhim, Ahearn & Lange, 2007; Rhim & McLaughlin, 2007). This is a common practice that the researcher has personally observed, specifically, in decisions made about whether a student should or should not be retained.

Oftentimes, shy but obedient SWLDs may struggle mightily to read, sometimes with levels as low as the first grade. Yet, at the end of the year, these same children are recommended for promotion from seventh and eighth grade, because their effort shows promise. This may or may not be a positive practice, but does shed light upon the implication that well-behaved students are perceived as worthy enough to promote. Again, this suggests that following the rules, not being a problem, and simple blind obedience is actually valued more than a student's academic performance, irrespective to what teachers in this study claimed. To be specific however, this does not meet that promoting the motivated students who still do not meet grade levels is unfair or a bad practice, but simply that there are discrepancies in what teachers say and do when it comes to this particular school's retention policy.

At this point, it should be said that not all responses about SWLDs were disparaging or prejudicial. Both Dianne and Hillary shared that most SWLDs were extremely hard workers. Dianne contended in her initial individual interview that she realized that many of them had to work with "150% effort" in order to master concepts. Hillary described how amazing both she and her students felt after finding out they had achieved their individual promotional goals, since it required strong effort and hard work to finish. The prevailing sentiment that many SWLDs can persevere seems to be in direct opposition to many of the more problematic statements made regarding this group of students. However, even with the more complimentary testimonials, aspects of the hidden curriculum (Apple, 2013; Darder, 2012; Freire, 1970) may still be at work. Many of phrases used by the participants continue to subtly assert what they particularly consider as valuable: following directions and working hard—not truly learning.

In terms of retention, teachers tend to praise students who simply do what they are told, not those who think critically or resist the standard or who think outside the box. As noted earlier, Frank asserted that retention works to support mediocrity or coddle students who simply want to do the bare minimum. This perspective suggests that although retention may have garner approval from schools like ICA, the practice may actually work to hinder the academic progress and empowerment of more students than merely those who are retained.

Educational outcomes. When discussing the effectiveness of retention, participants often conveyed that a student's ultimate career or educational goal may be critical in determining whether retention can be thought of as effective. For instance, when participants could foresee a student being able to survive in college, they were more likely to suggest retention because they thought the extra time would support the student in acquiring necessary academic skills. However, if a student had an educational goal that was linked to an immediate career, such as one obtained through vocational or technical programs, teachers were less likely to recommend retention because they felt students should be allowed to start a career route quickly, since attending a university would more than likely not be their ultimate educational outcome. When participants agreed that some students should not be at ICA because of its retention policy, they were unintentionally implying that those students needed programs that do not involve college preparation.

While many people would cringe at the thought of tracking students into different careers, many of which do not involve college, the data here implies that this is precisely what takes place, particularly with students who are not considered to comply with the schools' norm. Here too, this covert method of tracking can be thought of as a hegemonic mechanism related to

meritocracy and even authoritarianism as discussed previously. Making arbitrary decisions about which school or program is considered best for a student, without the involvement of the student or parent, constitutes a form of disempowerment, that functions to limit the social and educational opportunities open to SWLDs (Bowles & Gintis, 1976; Bowles, Gintis & Osborne, 2005; Darder, 2012).

SWLDs are often thought of as needing vocational or technical preparation that does not involve attending a four-year university. By asserting that some students need different environments, programs, or even educational goals than the rest, schools and teachers portray SWLDs as fundamentally inferior to their peers without disabilities. As noted earlier, *A Nation at Risk* and NCLB demanded that all students increase their academic achievement (Estes, 2004). However, generalized statements by teachers about which students do not benefit from retention due to presumed educational ability implicitly propagates the notion that some students simply should not ever be expected to achieve the same level of achievement.

This phenomenon is reminiscent of historical examples where Chicano, Black, and Native American students in past eras were labeled mentally retarded, despite normal intelligence (Darder, 2012; Valencia, 2010). Oftentimes, these students were placed into special education as punishment for unruly behavior rather than true academic deficiencies. Often much of the same sort of commonsensical rhetoric used to retain SWLDs today was used in the past with similar consequences. It also mirrors Bowles, Gintis, and Osborne's (2005) explication of how students from certain socioeconomic backgrounds usually are expected to and ultimately do achieve only the same levels of education and income as their parents. Thus, retention is often

applied to those students whose parents were retained, maintaining the cycle of subjugation for people of specific traits and abilities.

Decision-Making Factors

The study sought to clarify useful promotion criteria for SWLDs by asking:

3. What decision-making factors do teachers use to support the recommendation of grade-level retention for students with learning disabilities?

General findings about decision-making factors included teachers' genuine belief in the importance of the entire process. Rather than just basing decisions on basic criteria, it is vital to have an overall seamless system that maximizes efficiency and fairness, when making decisions about student promotion or retention. Major findings after triangulation of responses and data related to decision-making revealed factors used in the process of recommending retention to be further expounded upon below. A pervasive fear of lawsuits was also identified.

Factors. For both SWLDs and other students, teachers in the sample claimed to place heavy emphasis upon academics in their decision-making processes. When asked whether making academics a criterion for promotional decisions should differ between SWLDs and those without disabilities, participants gave similar responses: academics are always considered in terms of retention. Interestingly, teachers deemed certain academic subjects more important than others. For example, they overwhelmingly spoke about the importance of English and mathematics. Even Steven and Dianne, who taught history and science respectively, shared the belief that reading, writing, and essential math skills are more important to students' long-term development than courses such as history or science. Similarly Frank, head of the math department, attested to the importance of "literacy, which can be taught in all subjects, but

generally gets taught in the ELA [English Language Arts] class and, um, that's just a part of life. You know you have to learn how to read and write" (Individual Interview Two). While participants avowed the importance of academics, they clearly believed that students need literacy and basic math skills to increase their chances of life success. This is noteworthy because it lends itself to the understanding of how retention has changed at ICA over the past few years.

According to a press kit document on ICA's website, multiple factors are used in making retention decisions for all students. Thirteen specific criteria are noted, including formative and summative GPA; scores on grade-level writing exams; state test scores for both English and math; having less than two missing assignments in any class; completing an online testing program called Study Island; being involved in an after school club or sport; completing independent reading to earn a grade-specific amount of points; memorizing grade-level topics in math, maps music, and science; completing a fitness goal in running, pushups, and sit-ups at least three times a year; completing a specific amount of community service hours; and something called *school-wide conscientiousness and attendance grade* (SCAG). This rubric was used for more than five years. Slowly, however, the school realized that the requirements were nearly impossible for students to complete. Frank, Nancy, and Steven all alluded to the school's old requisites and acknowledged them as excessive. Nonetheless, they still defended the use of grades and test scores, along with some independent reading expectations, in the decision-making criteria for retention decisions.

The change in requirements may be part of an understanding that very few students, with or without disabilities, can meet these expectations. This difficulty may also explain why,

according to some of the data obtained from graduation records, the number of students that joined ICA in the fifth grade, which was approximately close to 100, resulted in a graduating high school class in 2012 of 17 students, comprising a staggering decrease of more than 80%, which far surpasses the typical dropout rate of the larger surrounding Los Angeles Unified School District (LAUSD), whose dropout rate is estimated at slightly over 20% (Jones, 2013). Even if one excludes students that do not graduate but do not drop out, such as students that take more time to graduate or are working on certificate of completions in LAUSD, 40% of students do not earn a diploma at LAUSD. Markedly different, the 2012 snapshot of ICA graduates showed that 83% of students did not receive a diploma: that means twice as many students did not earn a diploma at ICA, in comparison to LAUSD students.

This, however, does not mean that these students may not have completed their diplomas at other schools, but considering that many of the students who left the school went to other places due to academic failure, the hope of positive educational outcomes is minimal. These startling statistics raise questions regarding how participants determine which academic factors are most important to use as promotional criteria. While ICA no longer has the 13 categories for promotion, and many more students promote to the next grade, the factors that participants claimed to use in making retention decisions are still inextricably linked to academic performance. Other factors that participants noted as being occasionally important included standardized testing and attendance, yet they concluded that behavior should almost never be used. However, these claims blatantly contradict the findings discussed earlier that noted the positive impact of good behavior on social promotion, even when accompanied by poor academic performance.

The respondents' claim that behavior is rarely used as a promotional factor seemed inconsistent with the high value they seemed to place on student maturity, including social emotional growth. Many times, participants indicated that behavior and maturity were important in a roundabout manner. However, when explicitly asked whether behavior should be used as a factor in determining student retention, all of the participants explained that it more than likely should not be a determining factor. As an example of a these roundabout way of revealing their perceptions about the importance of behavior, Nancy described Mario (pseudonym), a SWLD who had been retained, in the following way: "He really had matured so much, and, yes, he would still be oppositional and defiant and whatever, but it was that he had grown so much that I think he was actually able to learn more than be involved in behavior issues" (Individual Interview Two).

Nancy's statement reveals the idea that misbehaving is either a clear choice for students or purely a result of age-appropriate development, even for students like Mario who had been identified as exhibiting oppositional defiant disorder (ODD). Steven's comments further support the notion that age helps children, because maturity usually grows with age: "I think with maturity, I mean you can see it, usually when it hits them … I would just say it hits them at different times" (Individual Interview Two). However, when asked whether behavior and corresponding levels of maturity are factors to use in determining retention, all six participants declared that it should never be used to make final retention decisions.

It is interesting to note the quandary of viewpoints regarding behavior and maturity when making retention decisions at ICA. On the one hand, teachers state that these factors should not be taken into consideration, yet they all are quick to praise the behavioral maturity and growth

that some students make after they are retained. Pertinent to this discussion, several of Jason's comments warrant explicit mention. When asked whether behavior should be taken into account, he was adamant that it would be an unfair criterion because it could be subjective. On the other hand, when discussing SWLDs that he thought might benefit from retention, he explained the different needs of two students, Malcolm and Jose (pseudonyms) in the following way:

> I think Malcolm could benefit from being held back because I see a lot of maturity issues with him. I see a lot of issues in terms of knowing how to be a good student … A student whom it would be good to go ahead and promote, Um, I would say Jose because I think that for him, a lot of it is internal, a personal decision. Is he gonna, is he going to be able to? Is he going to be willing to kind of do what he needs to do and allow us to help him? Is he going to be willing to receive help? Um, so I mean, he can move on because I think that whatever grade level he's at it's probably going to be the same. (Jason, Individual Interview One)

To clarify, at the end of every question about Jose, Jason thought retention would be unnecessary because his behaviors were either chosen or not perceived as immature. Yet, for Malcolm retention was perceived as useful because of his behavior and lack of maturity; this contradicts what Jason noted towards retention being improperly applied because of behavior and subjectivity. Ultimately, both Malcolm and Jose were retained at the end of the 2012-2013 school year. Furthermore, according to IEP records, Malcolm had much higher academic levels in comparison to Jose. Both students exhibited behavioral problems, although Malcolm's behaviors included defiance in terms of arguing, talking back, and sometimes cursing. Jose's

behaviors included refusal to work, but he was not aggressive with adults. Thus, this statement reveals a potentially deeper issue at ICA: the underlying function of retention.

When participants state that behavior should not be used to make retention decisions yet recommend retention for students with behavioral problems, the actual impact of student misbehavior upon retention decisions becomes clear. Malcolm's behaviors threatened teachers' power, whereas Jose's appeared harmless or nonthreatening at least, thereby rendering him as less in need of retention, because he was not assumed to be in need of enhanced maturity or improved behavior. Unfortunately, this type of reasoning is problematic because it implies not only that students who challenge a teacher's authority must be retained to learn a lesson (using retention as a punishment), but also that certain student misbehavior reveals a level of hopelessness, as with the explanation of Jose not needing retention. While the dominant decision may be either poor academics or bad behavior in order to warrant retention, the ultimate result is that retention is used as a punishment for some lack of expected result. Unfortunately, teachers' statements appeared to deny the use of retention of misbehavior altogether.

Retention serves to punish those who are different, such as those that challenge the dominant culture of the classroom. It also implies that certain populations are worthless if they do not follow the expectations attached to the power structures of the school. Decision-making factors at ICA may have some unintentional aspects that work towards punishing certain students, such as SWLDs both with and without behavioral differences. These consequences, specifically the negative effects of retention, do not focus on academic needs or basic human differences, nor do they work towards critically engaging the reasons why misbehavior has become the student's default response to the classroom environment. Returning to the notion of

the hidden curriculum or veiled authoritarianism discussed earlier, often when "teachers exercise power oppressively in the classroom" (Bizzell, 1991, p.55), it results in precisely the sort of oppositional behaviors reported in this study, such as student disengagement, apathy, and eventual lowered educational performance and outcome.

Fear of lawsuits. Participants also asserted that decisions need to be made with a keen eye on potential litigation against the school. There were two facets to this concern, based on triangulated data; first, the school could be held liable for a lawsuit if appropriate accommodations are not provided to SWLDs who are to be retained; and, second, teachers believe that all too often ICA does not want to retain students because they fear lawsuits from savvy parents. Both of these overarching notions imply that court cases drive the school to do what is just, even though lawsuits may also be warranted if the school does not comply with the needs of students with disabilities.

More specifically, litigation will force the school to what it should do although the school sometimes acts on fear rather than confidence. Nancy summed the school's legal preoccupations by stating that she thinks "the school definitely gets more concerned about getting sued, you know like if a parent decides to sue the school or you know bring it up to the school board" (Focus Group Four). This sentiment reflects the idea that retention decisions can be altered, in response to parental reactions. The implications of this finding are immense because parents more likely to threaten a lawsuit or complain to the school board may share characteristics that actually harden the structure of power and privilege, rather than transform them. Specifically, parents that are more likely in this context to argue with the school tend to be those who are

more educated about their rights, and assumingly, possess greater wealth and power themselves. The concept of parent support, hence, surfaces yet another paradox.

Teachers were apt to describe retention decisions as dependent upon parent support of the intervention. In other words, participants believe that without parental support of retention decisions, the chance for the extra year of schooling to be effective becomes minimal. Thus, parents need to approve retention in order for it to be positive, which means that a major factor in decision making for these teachers was simply parent support and participation in the process. At the beginning of each school year, all parents sign a form that condones retention. While many parents say they disapprove of retention, if it becomes a reality at the end of the school year, ICA uses its leverage to garner parent approval and support. While parents can refuse to sign, it is often handed out with other important legal documents such as lunch applications, bell schedules, and other important paperwork that many parents assume must be completed for their child to remain enrolled in the school. This approach stands in alignment with both the school's mission and vision, along with participant viewpoints regarding parent support of the school policy on retention.

As mentioned previously, retention is thought of as effective when parents agree on the decision and support the school. However, if there is disagreement between the school and parent, the parent's potential threat of a lawsuit can override the school's recommendation, even when it is in the best interest of the student. If retention is truly harmful for students based on research and the real statements of participants in this study, the threat of a lawsuit may actually protect students. However, most parents do not use legal threats. Traditionally, many parents believe that the school is considered the ultimate authority. Oftentimes, any people who oppose

the school may be seen as troublemakers and are seen as obstructing the organization from doing what it presumes to be right for students. Inherent in this belief is a subtle devaluing of those who critique or disagree with the school's decisions.

As charter schools must constantly work for students to enroll in order to continue developing their funds, devaluing parent participation or prospective students is not only unethical but also can be disastrous to the organization's longevity, from a business vantage point. Within this particular contradiction, it is important to remember that no educational practice or form of participation can be encapsulated as either all good or all bad. Instead, what must be considered are the democratic consequences of decisions and participation upon students and the larger school community (Darder, 2012; Darder, Baltodano, & Torres 2009; McLaren, 2009).

Implications of the Study

The findings of this study lead to several important implications. Major inferences include the manner in which retention is used as a show of power over students, the consistent contradictions in beliefs about retention, the manner in which SWLDs are discussed, the school authority as righteous, and the notion of standardized IEPs. Each is discussed separately here in order to understand how all relate and how they may be at work in the culture of the charter school which serves as the context for this study.

Retention as Show of Power

When participants spoke about retention being used as a threat or to "instill the fear of God" in students, they made an implicit assumption about a hidden curriculum that is enacted at ICA. Freire (1970) suggests that this tactic is rooted in the authoritarianism of a banking model

of education, in which teachers are the masters who do things to, on, or upon students; the learners are not treated as if they are incapable of learning, without the dispenser of knowledge who pours this knowledge into students. When ICA touts that it uses retention as an intervention, this does not appear fair to SWLDs and perhaps any students, since it is analogous to using a weapon. Specifically, it serves as a hidden curriculum or veiled tactic meant to devalue certain students and preserve and protect the school's total authority as reproduced and propagated by school staff.

Since retention has been traditionally employed more vigorously with students from Black backgrounds, Latino backgrounds, and poor and working class households, as well as students with disabilities, this may expose a larger issue of institutional discrimination, which plays out at ICA and in other schools across the nation. This raises question as to whether certain populations are considered to require institutional "weapons" of containment used upon them. Do SWLDs need to be punished, castigated, or harmed in order to *fix* them or resolve their *differences*? A critical analysis of participants' word choices reveals the use of retention as a show of power over students, since SWLDs may be considered a group that needs to change, be fixed, or contained within the mainstream. Since retention has a host of negative effects linked to its use, its use ensures that this student population remains marginalized, as opposed to creating conditions for empowerment and fully including SWLDs despite differences. Sadly, the consequences of how retention is used as power over students are shocking, depressing, and infuriating, especially those who advocate for students with disabilities.

Contradictions

The unexamined hypocrisy of certain responses regarding retention is confusing and disconcerting. Retention was described as more detrimental to SWLDs, but participants still advocate its use. Behavior should not be used as a promotional criterion, but maturity is considered to play an important role. ICA should work to meet students' needs, but some students appear to need a different school. These are just some of the powerful inconsistencies in participants' responses. Altogether, these contradictions have two implications: first, educators find it easier to blame the student (rather than themselves or the school system) for academic failure, and second, they write problems off with the belief that not all programs work for all students. It is then much easier to think that a student's immaturity caused them to not learn or that some students just need a different school than it is to think that ICA needs to make some fundamental changes to how it serves the needs of SWLDs. Perhaps these are fundamentally human responses to frustration. People do not usually want to blame themselves, especially if they have tried over and over again, to help certain students to no avail. After a year of struggling with a student, a teacher may easily think that they have tried every possible support for a child. Yet, as the IEPs of the five SWLDs retained in the 2012-2013 school year reveal, none of these students had more than 7% support in a special education placement.

Considering this issue from purely a special education time percentage, at least 88% more support could have been offered or different types of accommodations and interventions tried with SWLDs, before resorting to grade-level retention. Secondly, some of the contradictory comments express attitudes that not all students are deserving of the same resources, if they are not accomplishing the expectations of the school. Perhaps, these statements are confirmed as the

school rewards those students who have passed their grade-level goals with wonderful opportunities, some even including overnight and out of state trips. These rewards do not take into account a student's effort or a student's individualized growth. Nevertheless, when a school designs policies that all students must work towards, a division is created between students who meet its expectations and those who do not. This division within the culture of the school may explain the contradictory responses of participants in the study.

It is useful to acknowledge what dire consequences can result when teachers are not prepared to be more critical and aware of how power operates within schools and how educational policies have very real social and material consequences (Darder, 2009). These teachers can easily adopt hegemonic views that seem commonsensical yet are laden with contradictions. Unfortunately, given the manner in which these practices work to promote and preserve the institutional culture, teachers are generally not encouraged to assess these consequences more carefully or to be more vigilant about how their own views and practices negatively impact students with disabilities.

Descriptions of SWLDs and Difficult Students

SWLDs and other students who do not appear to learn efficiently or in the school's expected manner were often described negatively. For example, Hillary constantly spoke about SWLDs as "depending on their disability" or taking advantage of it "as a crutch." Her words imply that these students may be purposely scheming against the educational system. Even the manner in which both Nancy and Hillary described how SWLDs must feel when they "finally get it," insinuates that this group of people is markedly different than those without disabilities. On the other hand, returning to Nancy's comments about how even academically advanced

students can be perceived as "crappy human beings" also point to a marginalization of a characteristic, at minimum.

In other words, not only are SWLDs described as if they are sneaky, untrustworthy, or slow, even students with personalities that are deemed selfish or immature are inappropriately and disrespectfully labeled as being deficient. Establishing clear delineations between what is right and what is wrong, what teachers say and what students do, creates an *us versus them* mentality, which furthers the structures that render SWLDs less worthy than those with perceived power, in this case the teachers. Furthermore, the notion of disability itself is treated commonsensically as a factor to differentiate students in dehumanizing and disempowering ways. The implication here is that perhaps SWLDs and students that are thought of as difficult or different should simply be seen and treated as lesser human beings and, thus segregated. The consequence then is that retention serves as a hegemonic mechanism to sift the troublesome or unruly *others* out of the supposed-full-inclusion or mainstream classrooms, preparing them to simply accept and normalize such segregation in the larger society as commonplace.

School Authority as Righteous

Participants defended the no social promotion policy and the use of retention, while nearly vilifying parents and students who did not agree with the school recommendations. Retained SWLDs who did not improve from repeating a grade were described as if they were uncaring or even lazy, blaming their parents for the negative qualities exhibited by their children. These comments distance the teachers and the school from responsibility for a student's failure to benefit from a year of retention. Those who disagree with the school's actions are deemed automatically wrong. This pits schools and families against each other, rather than fostering

community and collaboration. Antagonisms between school employees and families whose children attend the schools suggests that schools like ICA have much more work to do in developing collaborative institutions and genuinely democratic relations of power.

What also seemed evident in this study is that retention appears to be one educational policy that furthers the divide, although it may empower teachers to assume a greater role in decision-making. For example, assuming there truly is a power struggle between teachers and students or even teachers and parents, if teachers recommend retention, dissenters who oppose are seen as troublemakers incapable of listening to reason. Again, participant comments about retention suggest that some schools may set policies that, if disagreed with, automatically places the authority of the school as all knowing or righteous, whereby those who do not listen are inherently considered inferior and wrong.

Hence, this raises the question as to how much freedom teachers actually have in the school's decision-making process. Furthermore, if the decisions they deem wisest were to contradict the policy of the school, and this opposition became widely known, what consequences would these teachers face? (None of the participants in the study raised this concern or any possible fear that their beliefs could potentially contradict the school's policy.) Lastly, part of the problem is the lack of oversight from both the school and district. If teachers overwhelmingly favor retention, and there is no set structure for monitoring retention, the practice may very well have been over-used and often utilized for unjust reasons. For instance, retaining students for not meeting additional reading requirements underlies core grade-level standards, such as for the amount of students that were passing their classes but simply did not do extra reading. Teachers in this study expressed that the school needs to rethink these

decision-making factors. Nonetheless, it was clearly evident that the authority of the school and the teachers plays a significant role in the decision-making process that determined the school's overall retention practices.

Standardized IEPs

Students with disabilities, learning or physical, have the legal right to an IEP that provides supports and services to meet their diverse needs (IDEIA, 2004). The IEP is intended to be individualized for each student's unique set of strengths and challenges. However, school wide policies are intended for all students, not just for individual students who might need something different. A school-wide policy of retention works the same way. Participants in the study believed that creating individual promotion goals for all students was practically impossible. Steven said the following regarding this individualization process: "Yeah, I mean it sounds good for everyone I think, but, feasibility, it doesn't, I don't see how we would do that for every single student … Just being trying to be realistic, I don't see it happening" (Focus Group Three). Jason, Frank, Dianne, and Nancy concurred with the infeasibility of making education truly individual to students' needs.

As a special education teacher, I may be biased in believing that every student deserves education specifically tailored to their uniqueness in some manner, even if it be small. Thus, implications about the impossibilities of individualizing a retention policy are intimidating because they hint at even SWLDs not being able to receive a specialized promotion plan that would support their effective academic growth and development. Moreover, it infers that schools are not places that value students' individuality; rather, they are mimicking facets of industrialization whereby schools are factories that simply produce the same product, not unique

students with critical abilities or democratic citizens, genuinely capable of democratic participation.

Summary

The discussion and implications of this study hint at numerous and significant needs in the field of education as well as an overall testament of how SWLDs are perceived and treated within schools. Consequently, there are clear significant points brought out from the study. These conclusions, along with recommendations for future work and a consideration of the study's limitations are discussed in Chapter Six.

CHAPTER SIX

Recommendations and Conclusion: How to Resist Retention

If we must die, let it not be like hogs

Hunted and penned in an inglorious spot,

While round us bark the mad and hungry dogs,

Making their mock at our accursed lot.

— Claude McKay (1919)

This study investigated grade-level retention of Students with Learning Disabilities (SWLDs) at Intelligent Charter Academy (ICA), a charter middle school in Los Angeles. Unfortunately, charter schools have been found to deny equal access and treatment to students with diverse learning needs (Ni, 2010; Quach, 2005). Concurrently, SWLDs at ICA had a higher rate of retention, which matched findings from multiple research studies noting that these students were held back more frequently than their peers without disabilities (Adams et al., 2012; Barnett et al., 1996; McLeskey & Grizzle, 1992). Furthermore, retention has been correlated with lower educational outcomes for students both disabled and not (Bornsheuer et al., 2011; Frey, 2005; Jimerson et al., 2006; Picklo & Christenson, 2005; Thomas, 2000).

Thus, it was imperative to investigate how a process with links to lowered educational results would continue to be used with an already marginalized population. Through a qualitative investigation, teachers were interviewed about the manner in which retention is conceptualized and viewed as effective and what decision-making factors play a role in recommending grade promotion or flunking of SWLDs. The study's significance is noted in the subsequent sections, including a review of social justice implications of this study and how a

specific "disability pedagogy" may be relevant, followed by limitations, recommendations, and concluding commentary.

Significance

According to the California Charter Schools Association (CCSA, 2012), charter school enrollment is increasing on almost a daily basis. Students with various learning needs, including those with disabilities, are part of this increase in population. Difficulties in educating students with disabilities in comparison to the majority population are unsurprising given that many charter schools are newer, smaller, and less exposed to a diverse range of specific needs. Nonetheless, charter schools compete for students in order to earn funding through enrollment and attendance (Ni, 2010). Thus, it would be logical that they need more students and would want to dissuade students from checking out of their schools.

Yet, grade-level retention appears to work against many students in that once told they must repeat, many often decide to change schools or end up dropping out altogether. Since the charter school in the study had a high rate of SWLDs who were retained and had dropped out, this study was significant in describing how educational decision makers justified their retention policy. Participants often defended retention, even with SWLDs, when they could expound clearly upon how negative results were commonplace with retained students. Their defense of retention was often grounded in a disdain for social promotion and the idea that students could simply pass grades without earning the privilege of moving up in levels. Believing that promotion was reserved only for worthy students yields significant insight into what educators value in students.

For the study at hand, it was important to understand how favorably educators saw students who worked hard, learned quickly, and followed rules. It was also crucial to recognize that this school, and possibly many others, creates structures that emphasize students' responsibility to change or improve, rather than for the school to evolve in order to better meet student needs. In other words, retention of SWLDs places blame on students and not school systems and processes, which might not be truly accessible or effective in the first place. Since many participants described occasions when SWLDs were retained and even though they had probably not received access to fair and appropriate instruction based on their disability and inherent needs, there appears to be indirect acknowledgment that the school may have failed these children. Nonetheless, retaining SWLDs was still defended on the grounds that the school has improved its provision of special education supports. Unfortunately, this negates many of the tenets of Individuals with Disabilities Educational Improvement Act (IDEIA, 2004), which calls for amended Individualized Education Programs (IEPs), not necessarily retention, when SWLDs struggle. This study's significance partly lies in the realization of how little educators know about special education laws, regulations, and appropriate steps when students with disabilities struggle academically.

As participants relayed the notion that SWLDs were often at a greater risk for negative repercussions of grade-level retention, the simultaneous belief that students cannot move up in grades without certain baseline skills persists. This construct is essential in highlighting many of the institutional pressures that educators face since schools are highly scrutinized for creating high student achievement, usually in the form of test results. Hence, when participants shared ideas about how retaining SWLDs could potentially improve their academic levels as well as

maturity as a result of retention, a subtle message is being sent about the importance of time and age. In this study, it became evident that time and age, which would usually result in maturity growth, was tied to worthiness in promotion. If SWLDs are retained at a higher rate, yet again, there is a hidden sentiment that points towards this population of students as being perceived as childlike, immature, and unready: thereby defective and needing correction.

Critical disability studies and critical pedagogy frameworks illuminate the negative, socially created stigma that people who are different, such as those with disabilities, often experience. These negative perceptions were apparent in the ICA data. SWLDs appeared to be devalued and given fewer options to gain power based on differences. Yet, both frameworks argue for a radical change in these stigmas and oppressive systems through advocacy, dialogue, and critical engagement of difference. Thus, the study was also significant in that it allowed participants to truly dialogue and voice their beliefs about the retention policy at ICA. Although many defended retention and might not have truly understood all components of special education rights and advocacy, there were moments of intense learning. When participants were able to recognize that amending IEPs and consistently recognizing the evolving needs of all students, especially those with disabilities, may be a potentially better option than grade-level retention, the discussion may have been effective in promoting an intervention process that could potentially result in better educational outcomes than retention.

The study's main findings uncovered how educators conceptualized retention of SWLDs. Teachers approved of its use as a threat to hold over students. Simultaneously, retention was viewed as ineffective and even damaging. Finally, academics ware considered most important in guiding retention decisions, but maturity levels ware also sometimes considered. These findings

are significant because they point to the underlying power structures that retention reinforces. A power dynamic between teachers and students fostered by divisive policies can undermine collaboration between these parties. Additionally, it was significant that teachers know retention is usually ineffective, but they still continue to use it because they espouse commonplace beliefs that students actually could benefit from retention and that schools might eventually change their ineffective policies. Lastly, behavior played an important role in how educators assess students' potential and value.

This study may help educators and policymakers recognize the incongruence of the nation's push for academic perfection in relation to what people actually find worthy and respectable in others and ultimately themselves. The study's significance also lies in the fact that it investigated a topic that is often controversial, especially at a charter school with such high expectations. Trying to change a system that has been in existence since the school was founded more than a decade ago, based on the actual statements of the people who continue to run the school, is significant if it helps improve educational outcomes for any of its students.

This study added to the limited research regarding retention of SWLDs, especially research of a qualitative nature. By investigating the phenomenon through the real lived voices of people who enact often-controversial interventions like retention, a greater awareness of forces that surround educators in the status quo can be developed. Additionally, this research is crucial for any school employing grade-level retention of SWLDs. SWLDs require evolving programs, and retention has not created optimal outcomes for these students. Diverse programs for students may be needed, and no single path or method is going to help all students, especially students with disabilities. In other words, there is no cookie cutter model that is going to work

for all children, as they are all unique to some extent. Educational leaders should critically evaluate their policies, including retention, before automatically applying them to all students, especially SWLDs.

Social Justice within Retention and SWLDs

This study attempted to understand the retention of SWLDs and possibly create an avenue for change and improved educational outcomes by examining the views of charter school teachers on this important issue. One strategy of undermining oppressive acts in education, such as retention, may be simply to create the conditions for open dialogue among teachers, parents, and administrators. There is a need for more critical discourse that addresses why retention continues to be used, despite negative outcomes. Critical engagement with the process that teachers undergo in their decision to recommend retention with SWLDs can prove vital in forming more appropriate and compassionate approaches to meeting the needs of students with disabilities. By analyzing how educators perceive the practice of retention, an avenue may be built towards both dialogue and an eventual consensus on methods of accountability and validation that truly function in the interest of this vulnerable population**.**

Furthermore, since oppressive educational practices such as retention are commonplace and require critical intervention, Freire's (1970) call for openness is useful to this work:

> The revolutionary process is dynamic, and it is in this continuing dynamics, in the praxis of the people with the revolutionary leaders, that the people and the leaders will learn both dialogue and the use of power … The road to revolution involves openness to the people, not imperviousness to them; it involves communication with the people, not mistrust. (pp. 137-138)

This process calls for a critical understanding of the historical, political, and socio-economic factors that have led society to use harmful practices within education, in order to transform the system. Educational leaders must dialogue in order to help SWLDs and all students. Most importantly, educators must cease reproducing practices of hegemony. If we assert that schools are more than factories to produce our nation's next generation of workers, and we want schools to educate truly free human beings and citizens, then the system must completely overhaul archaic yet insidious practices that consistently devalue those that are perceived as different and thus presumed inherently inferior. We cannot overstate the importance of communication in this process, of awareness and collective action. Critical dialogue about the lived experiences of those who have already been disenfranchised by school and community practices must occur, in order to genuinely eradicate the myriad of hegemonic societal hurdles SWLDs face.

Future research is needed to investigate processes of dialogue that can be helpful in promoting positive outcomes for disabled students. Perhaps studies can determine when, where, and how dialogues about contentious policies including retention can be facilitated. More importantly, there needs to be an analysis of how disabled populations are represented within school settings. Analyzing the outcomes from those conversations can be equally important in determining power structures at schools, dominant political views, and how change is initiated and enacted within educational settings. Critical investigations in the field may yield glimpses into the forces at work that limit the academic opportunities of SWLDs.

Critical Disability Pedagogy: Retention

Retention, just like standardized testing, may be thought of as a measure for ensuring academic mastery and accountability of both students and teachers. Some schools, such as ICA,

use test results as a means to decide whether students promote or not, which is considered to prove that they have or have not made educational goals. Unfortunately, this practice has resulted in SWLDs and other marginalized groups being pushed into de facto tracks as a result of failing or low scores on tests, which further segregates students (Ysseldyke et al., 2004). Since students may be placed into remedial courses as a result of test scores, they will be less likely to receive higher-level curriculum, thereby increasing their chances of retention. According to Deschenes et al. (2001), retention spikes in historical moments when business and industry take precedence. Thus, it is conceivable that retention serves as a mechanism that separates those who hold power from basic workers or the under classes in society. Furthering the division between those who are successful and those who are not, retention functions as a hegemonic mechanism in society's battle for power, status, and even financial gain.

From a critical disability theory standpoint, retention of SWLDs functions to remediate learning differences that are not truly problematic, as well as ultimately further the divide between bodies perceived as abled and those perceived as disabled. From a critical pedagogical view, retention may be used as a form of meritocratic validation, which assumes that students will learn by making them repeat. In essence, retention works to further the divide between the easily educated and those who may need additional assistance for any reason.

When students who need extra support inside the classroom or different modes of assessment are forced to spend extra years in school, their ultimate outcomes are affected, as they must contend with the shame of seeing their chronological age peers advance past them. Furthering the predicament here is that policies such as retention may make politicians and school leaders appear more caring to the public, in that they want all students to achieve at a

certain level (Molnar, 1996). Unfortunately, the promises of educational prosperity often go unfulfilled as the use of such programs or policies can result in lower graduation outcomes, greater unemployment, and higher rates of youth incarceration (Frey, 2005).

Therefore, retention can result in harming those it seeks to help. From this stance, it is alarming that such practices continue to be used on a daily basis throughout the nation, despite research attesting to their harmful effects (Leckrone & Griffith, 2006). Equally alarming, is the fact that oppressed populations sometimes applaud the use of such means, as they too have bought into the commonsensical notion that testing and retention can *level the educational playing field,* so to speak. Darder (2012) summarized this intricate and complicated phenomenon succinctly:

> People will use whatever means at hand or whatever power they can employ to meet their needs and assert their humanity. But, unfortunately, since the solutions they often select arise from the ascribed beliefs and values of the dominant society, they may in fact lead themselves and others deeper into forms of domination and oppression. (p. 92)

Similarly, Freire (1970) posited that oppressed populations often accept certain misconceptions that ultimately support their conquest and division. Furthermore, society's use of policies (in this case retention) that result in false promises may be an example of this phenomenon. Freire argued, "Manipulation is accomplished by means of pacts between the classes. In reality, however, these pacts are not dialogue, because their true objectives are determined by the unequivocal interest of the dominant elites" (p. 147). In this case, retention ultimately limits the creativity and imagination of certain children, stifles equity within schools, and makes education meaningless, especially for SWLDs. Nonetheless, for the dominant, non-disabled, non-minority,

population of students, it perpetuates their educational advancement, prosperity, success, and overall power.

The amalgamation of the concepts brought forth by critical disability studies and critical pedagogy form a uniquely vital piece of advocacy needed for SWLDs. While there are scholars that promote emerging frameworks such as a disability pedagogy (Nocella, 2008) or inclusive theories (Reid & Knight, 2006), there are few that solidly focus on the issue of ability using a critical pedagogy lens. If retention practices use the concept of (dis)ability to ultimately further societal divisions and propagate certain divisions of power, then there is a need to engage students with disabilities in ways that cease to make an "other" of them. Hence, engaging critically the many forms of diversity that society labels—such as disabilities, learning deficits or differences, or even other types of physical challenges—is tantamount to enacting transformative change in policies that, wittingly or unwittingly, reproduce inequalities.

In other words, a framework that critically analyzes how the idea of disability unfolds throughout schools and society, which challenges hegemonic notions of ableism and transform disability into a kind of diversity, is paramount. In utilizing such an approach, a theory of 'critical disability pedagogy' can be conceptualized in ways that honor the strengths and dignity of all students with disabilities, both cognitive and physical. Figure 6 shows how the two frameworks of critical disability theory and critical pedagogy intersect, in order to form an emancipatory alliance between the two perspectives. The outline of Figure 1 (See Chapter One), can then be used to create another manner of viewing the frameworks in terms of retention, as noted below in Figure 6. Here, the Figure now includes a final category that effectively incorporates both frameworks into the foundation for a critical disability pedagogy. As such, a

substantial development based on this foundation constitutes another important direction for future research.

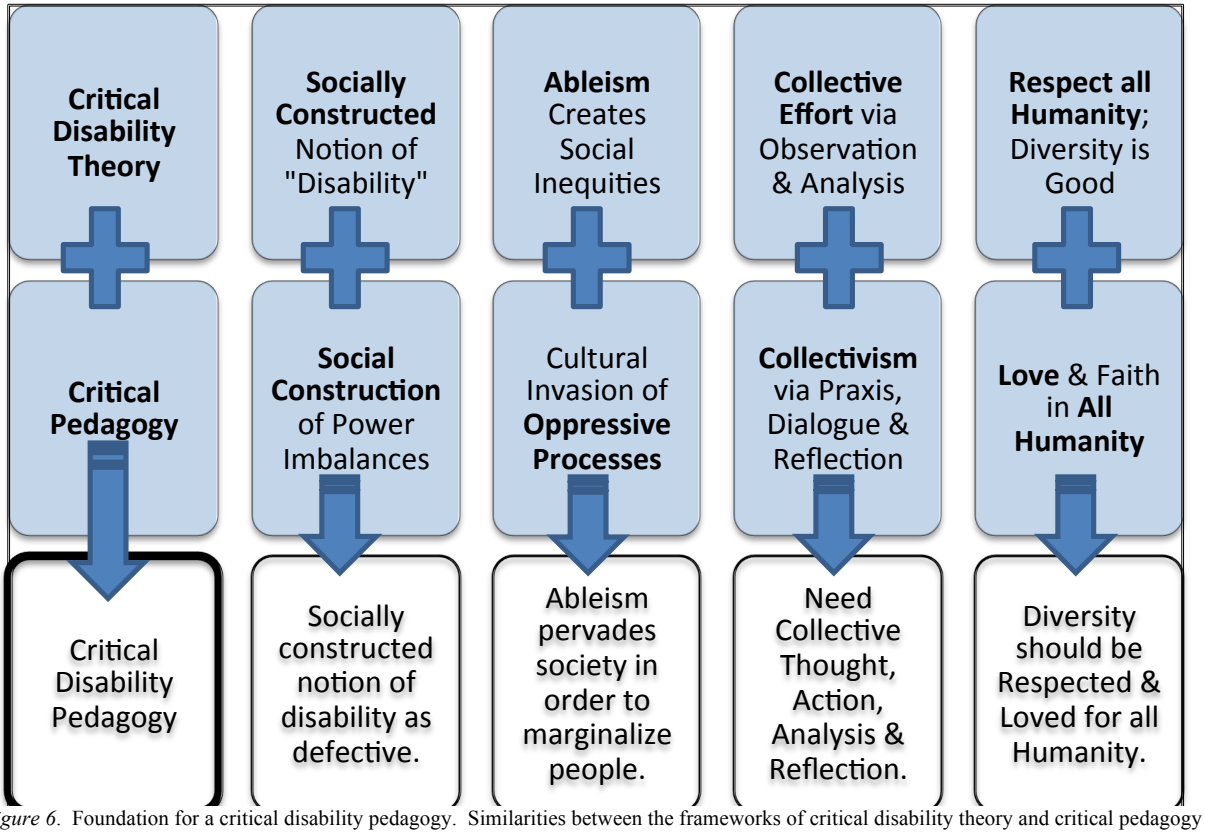

Figure 6. Foundation for a critical disability pedagogy. Similarities between the frameworks of critical disability theory and critical pedagogy come together to form a critical disability pedagogy.

Limitations

At the time of data collection, the researcher was a colleague of the participants included in this study and served a role as an administrator. Thus, teachers may have felt some nervousness about providing truthful responses, thereby affecting the study's validity. However, this perceived threat to validity was minimized with multiple rounds of interviews as well as the researcher taking the role of an observer rather than a participant. In the final interviews, when asked about this concern, all participants stated that they felt comfortable and were truthful in their statements. Based on some of the participants' candid and occasionally shocking

statements, the chance that validity of responses was jeopardized based on the researcher's perceived role is minimal. Possible bias on the researcher's part was also challenged by relying on observation and remaining silent even when differences of opinion were mentioned. Remaining professional regarding recording of interviews and creating a set structure for noting the date, time, and participants when interviews were commenced, helped to reinforce the scientific aspect of the investigation and may have helped to decrease potential bias by both the researcher and the participants.

Collecting data regarding the school's prior retention practices proved to be a slight limitation because teachers had to rely on memory of why a particular SWLD was retained, versus having the information easily accessible. Thus, there is some question as to whether the educators accurately recalled students' cases from previous years. For instance, when discussing a student who was retained and had behavioral problems, the participants may have been more likely to recall the student's misbehaviors rather than any true academic weaknesses. Nonetheless, this limitation does not change the entire basis of the study, as it simply implies that teachers are more likely to remember frustrating emotional occurrences rather than dry facts.

Concerns regarding the timing of the study being close to the end of the school year when promotion and retention decisions are stressful for both teachers and students did not appear to be as problematic as first assumed. Moreover, interviews started as early as March 2013. All interviews were concluded by early May 2013. The final time frame for students to find out whether they would repeat or not was not finalized until the end of May. Hence, participants did not appear to be emotionally charged about retention decisions, even in the final interviews, as was originally thought.

Lastly, regarding participants, it is important to understand the possible effects to reliability in terms of their ages. As a whole, the entire ICA school staff was young. Of all the teachers in the study, none was older than 34, with most in their 20s. The majority of teachers had experience of between three and five years: a relatively short span of time in the field of education. Thus, beliefs towards retention may be apt to change with age, experience, and overall growth. This is important to remember when attempting to generalize results.

Generalizability may still be a factor to acknowledge for this study. ICA was just one charter school that uses retention; not all charters or traditional public schools use the same policy as an intervention. ICA also had an enigmatic founder that praised retention as a unique factor, and so employees may have been conditioned to think or feel certain ways about retention that staff at other schools may not. Nonetheless, as innovating charters are constantly in development, even with limitations in generalizability, the study is still significant in that it provides insight into ways that SWLDs may be perceived and accentuated through retention, and how their ultimate outcomes may be affected by teachers' beliefs.

Recommendations for Further Research

The investigation at ICA yielded further questions and lines of inquiry. Future research areas may be found in an array of fields, from finance to student perceptions. Recommendations for future research include studying schools that change policies from using retention to avoiding it at all costs. If possible, this type of study could potentially show what happens when educators are not given such a tool with which to threaten students. Most importantly, however, a deeper analysis of the true financial cost of retention at charter schools, in specific, might deter schools from utilizing it, assuming the costs are as high as previous research denoted. Additionally,

long-term costs of retention, such as potential need for public aid as well as possible incarceration, should be evaluated. At a minimum, research is needed to monitor rates of retention and investigate rationales for why some schools and districts do not keep track of these data.

Teachers and students were studied in this case, yet parents would definitely add a significant factor into the overall understanding of grade-level retention. Further research into how their degree of support for retention affects experiences of retained students may be essential since teachers at ICA noted parent support played a positive role. Perhaps what parents believe their children will gain from retention is also important to analyze in future studies. It may be significant to understand parents' beliefs about the anticipated benefits of retention and how these are associated with parents' own educational experiences. While many studies have reviewed student outcomes after retention, it may be useful to investigate what former retained students think about retention for their own children.

Future studies could also put more emphasis on the differences in beliefs about SWLDs between special educators and general education teachers. Analysis of the diction and verbiage used to describe this population, along with curricular programs to educate people about the proper person first language manner to describe them, may be imperative in moving schools, and ultimately society, toward more inclusive patterns and greater acceptance of diversity. Investigating how the concept of race is conceptualized within charter schools using retention could also be a future investigation. Differentiating between decisions of retention based on race and perceived behavioral differences would shed light on the true impetus for retaining students.

Since teachers in the study who had previous experience teaching at different schools were able to recognize that options other than retention may be applicable and were slightly less likely to favor retention, future investigation is needed in terms of understanding how educators are shaped by their initial teaching assignment. Specifically, it is questionable as to whether experience at other school sites allows educators to conceptualize multiple ways of addressing student failure or whether some part of a school's culture amongst its staff members are shaped by certain more authoritarian policies of grade-level retention.

Lastly, examining students' IEPs in terms of how promotional criteria are discussed and agreed upon would also help the field of special education. On a larger scale, studying how different districts address the legal paperwork while ensuring ethical treatment, high academic achievement, and matching individual student needs would indeed bring attention to what happens when students with IEPs are expected to succeed. The method by which schools document their retention process within the IEP would help clarify possible links between provision of special education services and supports associated with both promotion and retention.

Conclusion

This study sought to explore what teachers believe about retention, including its perceived effectiveness and decision-making factors that support grade-level retention of SWLDs. Apple (2013) may have summarized policies like retention and their effects in the same manner that this study found when he wrote:

> Policies that were put in place to raise standards, to increase test scores, to guarantee public accountability, and to make schools more competitive had results that were more

> than a little damaging to those students who were already the least advantaged …Yet it was not only the students who witnessed these negative effects. The voices of teachers and administrators indicate what happens to them as well. They too begin to harden their sense of which students are "able" and which students are not. (p. 230)

This qualitative investigation found that larger issues of disability, hidden ableism, and ultimate authority and power may be manifesting through school retention policies. Overall, the findings indicate that schools may enact policies that reinforce negative belief systems about people with differences and those who follow different paths or go against the grain.

Educational leaders must be diligent about critically evaluating programs and consequential processes such as retention before utilizing them at any school site and especially before using them with a disenfranchised group such as students with disabilities. In evaluating the thought processes and rationales used by educators to defend retention, leaders must take a serious look at how policy makers, administrators, teachers, students, parents, and the community at large are framing and treating students with differences. Moreover, school leaders must be prepared to educate colleagues and acquaintances regarding hegemonic patterns of thought that marginalize or segregate certain populations. Toward this end, social justice for SWLDs in school settings can be better enacted as educational leadership evolves towards educating society on matters that are crucial in terms of graduation outcomes and postsecondary options.

Issues of disability and power, especially as they pertain to SWLDs, can be summarized by Jason's statements regarding retention:

> To put it that way, in like a medical issue, if somebody has a heart condition …"Let's put a cast around their leg!" Uh, the cast around their leg is not going to help the heart condition. You're treating the wrong illness. (Individual Interview One)

Unfortunately, retention may be working as a metaphorical cast, one that restrains students from reaching their true potential. Rather than treating people with disabilities as incapable, educators and society at large must truly give them a chance to perform, instead of disabling them further. Like all people, students with disabilities, learning or physical, deserve equal rights and access. We must radically change how we label and discuss this population. Perhaps, reframing the labels to focus on diverse abilities rather than special needs or disabilities can begin to move the dialogue away from a medical model and toward a humanizing perspective, where all are equal regardless of their particular characteristics.

As for this charter school using retention with SWLDs, based on the findings from this study, it is unclear whether these students are being treated as equals. If retention continues to manifest in the way it did at the time of the study, then justice, integrity, and equality are at risk for future students. Hopefully, with the conclusion of the study and further critical developments in the field, what must be done will be done, resulting in a change where all people with diverse abilities are accepted, respected, and regarded with the same inherent respect, dignity, and power as all others.

Epilogue: One Year Later

To investigate the long-term effects of retention, to determine the impacts this study may have had on ICA's retention policy, and to provide a glimpse into the current lives of students who have been affected by retention, I offer a review of what happened after the study

concluded. This epilogue acknowledges the hard work that schools like ICA must undergo in order to change and also pays homage to students who were undoubtedly harmed by a flawed practice.

Changes at ICA

After the 2012-2013 school year, a transformation of ICA's retention policy began. The change in the retention practices were the outgrowth of a few key factors. Perhaps the initial change in the retention policy came from a rather large increase in student population including a markedly higher enrollment of SWLDs compared to previous years. When initial estimates came out of how many students were going to be recommended for retention, charter management officials recognized that it would be nearly impossible—both fiscally and feasibly, in terms of staffing—to continue to retain at such high rates. This came in conjunction with the findings from the study and my work as the director of special education in calling for a change in the method of retaining SWLDs.

During the summer of 2013, I proposed a policy change for retaining students with IEPs whereby school administrators and special education teachers had to ensure that specific accommodations were added as soon as students began to fail. Thus, the school would have regular meetings to add or alter supports, services, accommodations, and in some cases even modifications to ensure that SWLDs were able to access the curriculum and, ideally, garner success with their now-also-individualized promotional goals. All IEPs began to include promotional requirements after training special educators how to adequately address a student's specific learning goals while also maintaining high scholastic achievement. Additionally, all ultimate retention decisions had to be made in an IEP meeting. This essentially changed the

power-making agent into the IEP team, not individual teachers or administrators. Although at the time of this dissertation's publication, exact numbers for students to be retained had not been not finalized, initial estimates were greatly lower than all prior years with many grade levels at various schools, including one grade level at ICA not having any students with IEPs up for retention—meaning that more students with disabilities were meeting their goals and showing academic success. Most impressively, the administrator at ICA recently acknowledged that retention is rarely useful as she had personally seen the negative effects witnessed through Jose, Malcolm, and many of the others retained during the 2013-2014 school year.

Although seemingly great changes were made to the retention policy and practice of retention at ICA, more changes are in line to follow. A protocol is in development that will ensure that all students, not just those with disabilities, are given a systematic checklist of interventions designed to increase overall performance. Most importantly, the protocol, which is planned to be finalized for use during the 2014-2015 school year, will critically analyze how a particular student's education is (or is not) meeting their academic needs. In doing so, this will hopefully maximize student performance without resorting to punitive practices like retention. While supervisorial organization leaders do not want to remove retention from possible use, they have acknowledged that flunking students is not the most effective way to educate students.

SWLDs: A Year after Flunking

The outcomes of students mentioned in this study show the consequences of the overall practice of retention. Five SWLDs were retained at the end of the 2012-13 school year. All five (referred to here by pseudonyms) have experienced negative outcomes since flunking the seventh grade.

Malcolm, a young man with ADHD, was unenrolled from the school by his legal guardian before December 2013 when he began engaging in serious misbehavior including violence, vulgarity, and drug use. In a meeting with the parent before checking him out of ICA, it was revealed that Malcolm had begun using drugs. The parent expressed fear that due to repeating a grade level, Malcolm was attempting to deal with his shame, stress, and academic challenges by resorting to drugs and attempting to get into more trouble. It is unknown whether Malcolm is having success at the school he checked into after ICA, but it is known that he checked into a traditionally large public school with low rates of academic success based on API score, which was over 150 points lower than ICA's rating.

Daniel, another SWLD retained, a Latino male who had a Speech and Language Impairment (SLI), also checked out of school after he was admitted to a hospital for both suicidal ideations and plans to bring weapons to school. Daniel had admitted to counselors that he felt dumb, ashamed, and ridiculed by certain peers to the point where he wanted to bring a weapon to school to get revenge on those students, as well as end his own life. He was admitted to a hospital in October 2013 and did not return to ICA at any later point. Last discussions with his parent revealed that he was admitted to a nonpublic school agency that could monitor his new medications and give him more attention due to his recent obsession with suicide.

Kevin was retained and has the eligibility of autism. For him, the school year has been problematic from the start. He began cursing at teachers during the year he repeated and then began getting violent with his peers. After ICA conducted a functional behavior assessment, Kevin began receiving instruction removed from the general education setting due to threats to particular teachers. He currently receives instruction in the special education room for two out of

his six class periods. Furthermore, he is not meeting promotion goals, but it is unknown as to how ICA, his teachers, administrators, and special educators will address this at the end of the year, as certain members have expressed the need to promote him regardless of moving on in grade level because his behavior is too difficult to handle. The severe behaviors such as aggression and cursing at teachers were nonexistent during the year that he initially failed, and although it is unclear whether repeating was a major force in creating those specific actions, it would be naïve to think that there was no relationship between the two at all.

Jonathan has a specific learning disability, and as one of the retained SWLDs, his behavior at school has not worsened like Kevin's. He did not drop out, nor has he had any intense social emotional needs that have warranted IEPs. However, his attendance records paint another picture. Jonathan has over 25 absences for the 2013-2014 school year. Although he is not defiant or rude to either his peers or teachers, there is something to say about his ultimate demeanor. He changed from a louder and seemingly happier child, to a reclusive and almost depressed-looking student. Again, it is impossible to tell whether retention could have caused this, but it is not far-fetched to believe that it plays some type of role in the child's obvious sadness.

Jose, also with a specific learning disability, is the last SWLD to be retained at ICA to repeat the seventh grade in the 2013-2014 school year. Labeled as having a specific learning disability and receiving resource specialist supports and counseling services, Jose was retained based on academics, even though he did have a habit of refusing to start and complete tasks. Nonetheless, he just might represent the best case against retention. Jose is visibly bigger and taller than most ninth graders. Thus, in repeating the seventh grade, he appeared much older

than to his peers simply because of physical size. At the beginning of the repeated school year, Jose's misbehaviors increased much like Malcolm's. He showed intense bouts of anger with both teachers and peers. After beginning a functional behavior assessment and even after increasing other services, improvement did not seem to be occurring as of early October 2013.

In late October 2013, after being suspended for pushing and then punching two other students, Jose's behaviors intensified when he chased another seventh grader during lunchtime while threatening physical harm. During the chase, ICA's principal intervened and got the chased student to safety. But, in the process of shutting a door whereby the chased student could be safe, Jose, in a fit of rage, pushed the administrator, who was markedly smaller than he. While the administrator did not fall, she was shaken to the point that she felt intimidated and threatened by this rather large seventh grader. She immediately called police while multiple staff members failed to calm him down. Police immediately came to the school site and placed Jose in handcuffs. As the director of special education, and one who is not a proponent of retention, I urged the school site to at least try to move him into the eighth grade for certain courses such as PE, history, and science whereby he could be with grade-level peers and hopefully not demonstrate such anger towards others. The student was then placed into eighth grade courses in a desperate attempt to try anything to improve his behavior. Jose has not been suspended once since that date. While he does have occasional moments where he does not want to complete classwork, he has not physically threatened any peers or staff members for that matter since the unfortunate day that he was placed in handcuffs. One can easily attribute the fear of being arrested as initiating a change in behavior.

Considering Jose's behaviors greatly improved when he was reinstated into his original grade, it must be acknowledged that the promotion in grade level must have had some effect on his overall behavior change. Perhaps the greatest proof that retention may be a flawed practice is the fact that Jose is currently meeting promotion requirements to move onto the ninth grade. This opens the discussion as to whether Jose was truly that behind academically during his first year of the seventh grade or whether he was retained for other reasons, such as those implying that SWLDs have lesser potential and value. In sum, two out of the five retained students left ICA for intense and unfortunate reasons, one continues to struggle with attendance issues, another with intense behavior problems, and the last one had severe behavior problems until his retention was overturned and he was moved back in with his original classmates. Retention, therefore, had clear negative effects on this group of retained SWLDs at ICA. Educational leaders would benefit from being aware of these types of scenarios.

Most importantly, the study has brought a heightened sense of the dire need and importance of advocating for students with special learning needs with a social justice outlook and mindset. Since ICA had been operating under a very strict retention policy and flunking students for sometimes seemingly asinine reasons, it is shocking that staff members and parents never stood up and argued against a faulty system. It is equally alarming that these same people internalized the system as a positive attribute of the school and continue to defend its use. Due to the lack of resistance and subsequent admiration for a practice that, in my professional and personal opinion harms children, the investigation at ICA has highlighted how social justice advocates and educational leaders must evaluate programs and promote those that further the advancement of opportunities and success for students. Since the retention at policy is

continuing to change and transforming into a strategy that will rarely, if ever, be used, this study proves that advocating for options that elevate students' well-being versus those that work towards punishing them is imperative in creating educational change.

A year after the study at ICA, change has been evident in regards to retaining SWLDs. Furthermore, although change sometimes appears slow for advocates of those with diverse learning abilities, the most critical aspect lies in the fact that the change occurred as a result of the study. This change will undoubtedly improve the education of SWLDs at ICA now and in the future. In returning to the notion of disability and power, and ensuring that retention does not insidiously rob certain children of their inherent agency and power, the changes resulting from this study are working to restore the equity and equality of education for students with learning disabilities. As an educational leader, advocate, and researcher, this is the most important change that could ever happen.

APPENDIX A

No Social Promotion Policy

Taken from Parent Handbook:

Admissions

"Admission to all grade levels other than fifth is also done by public random lottery but those lotteries are not held until the end of the year (generally the second-to-last week in June.) Each year, there may or may not be a limited number of spaces at each grade level other than fifth. After a student has been accepted into the school through the lottery, he or she will need to take a grade-level placement test. We have a no social promotion policy which ensures that all returning and new students are placed into the appropriate grade level. Upon admission, a new student will be given a test on the most basic skills from their previous grade level. If the student is not at least 70% proficient in those basic skills from the prior grade level, they will be given a test from the grade level prior to that one. If they show minimal proficiency (70%) in that grade level, they will be offered a space in that class. If not, they will continue to test until the correct grade-level placement can be made. Even if they are not proficient in their fifth grade skills, they will still be offered a space in our fifth grade, entry level, class."

Pupil Promotion & Retention Policy (PPR)

"One of the core founding principles of our schools is that no child will be promoted to a grade level for which he or she is not adequately prepared. _____Schools commits to giving each child the time and resources needed to succeed at each grade level. At the same time, our students and parents must commit to ensuring that each student is willing to work hard and achieve mastery of certain minimum standards each school year. Through this policy, we create a series of classrooms where teachers can teach the requisite grade-level skills at each grade level because the students in those classrooms come with the necessary background needed to be successful."

"Near-final decisions about grade-level promotions are made at the end of April. Parents who wish to appeal these decisions may set up a conference with the child's principal and teachers in early May (before the 10th) to discuss the possibilities of their child completing their goals and still being promoted for the upcoming school year. Should parents wish to seek a secondary review of the appeal, they may make a written request to the _____ CAO by May 20th. A meeting may or may not be arranged, based on the nature of the appeal. Final decisions will be made by the CAO by June 1st."

Taken from school website under schools' "Core Values" tab:

All of our programs are rooted in four core values:

- Our culture of **high expectations** emphasizes character development and strong values.
- Our **attention to detail** in all programs ensures we are thoughtful and effective in all we do.
- Our high **standards of accountability** ask the entire school community to strive for our shared success. One way we do this is by avoiding "social promotion" of our students before they meet grade-level standards.
- Our openness to **continuous improvement** creates an atmosphere comfortable with change. We constantly evaluate and improve our curriculum and experiences.

Note. The name of the charter school organization has been deleted to protect confidentiality and anonymity.

APPENDIX B

Guiding Questions for Interviews & Focus Groups

Focus Group Questions

1. What factors should be considered when retaining a student?
    a. What factors should be considered when retaining a student with a learning disability (SWLD)?
2. How does a student having an IEP affect your decision to retain? 504 plan?
3. Does the school organization follow a protocol or guideline system for retention with all students? Why or why not?
4. Have retained students benefitted from retention? Why or why not?
5. How do you think grade retention affects a child socially and emotionally?
6. Are the answers to 3-5 the same for SWLDs? If not, why or how so?
7. Do SWLDs need retention at a higher rate? Why or why not?
8. Would a SWLD benefit from retention more than a student without a learning disability?
9. How does grade retention affect a child socially and emotionally (both before and after the year(s) of retention)?
10. What do you believe is the perceived relationship between grade retention and testing?
11. Is there any relationship between grade retention of SWLD and family involvement?
12. What should the school do to decrease the number of students who are retained? What about SWLDs being retained, how should the school decrease that statistic?
13. Are there other interventions that should be used with SWLDs that may be effective?

Interview Questions

1. What factors are most important when considering whether to retain a student or not?
    a. Are these the same factors for SWLDs?
2. Do SWLDs benefit more from retention that a student that did not have a disability?
3. What affects, positive or negative, does retention have for SWLDs and all students?
4. Describe a SWLD who was retained. Describe a profile of a SWLD who was retained.

    ***Individual interviews will also use some of the same focus group questions varying on response.

APPENDIX C

Email Request for Participation in Study

Hello Teachers,

I am currently in the process of conducting research for a doctoral study. The research that is needed for my dissertation involves teacher interviewing. My research project is exploring grade-level retention of students with learning disabilities. The title is "Factors affecting grade-level retention of students with learning disabilities." I hope to explore how teachers perceive, process, and describe the use of retention with students with learning disabilities.

I was wondering if you would be willing to be interviewed, at least 2 times individually and at least one group interview, both at times and places convenient to you as part of that research. The interview should take no longer than 40 minutes for each individual session and 60 minutes for group interviews. In return for your participation, you will receive a 25$ gas-gift card (or other comparable gift card of your choice). Attached to this email are specifics about what questions would be given through the interview as well as participant rights for participation in the study.

Before you agree to the interview I can confirm that:

1) The Principal and Head of Schools have given permission for the research to be completed.

2) With your permission will the interview will be recorded and later transcribed.

3) Your anonymity will be maintained at all times and no comments will be ascribed to you by name in any written document or verbal presentation. Nor will any data be used from the interview that might identify you to a third party.

4) You will be free to withdraw from the research at any time and/or request that your transcript not be used.

5) A copy of the interview questions will be sent to you seven days before the interview although follow up questions that arise from the interviews may also be used.

6) I will write to you on completion of the research and a copy of my final research report will be made available to you upon request.

7) Your participation in this study is completely voluntary and has no bearing upon employment in any manner whatsoever.

I sincerely hope that you will be able to help with my research. If you have any queries concerning the nature of the research or are unclear about the extent of your involvement in it

please contact email me at either this email address, my personal email through the university, XXXXX@lion.lmu.edu, or my phone XXX-XXX-XXXX.

Finally, the study needs at least six participants (4 general education teachers and 2 resource teachers to be specific). Thus, the first to respond will be given priority for participation. I thank you for taking the time to consider my request and I look forward to your reply.

Respectfully,

Esther L. Perez

APPENDIX D

Institutional Review Board (IRB) Informed Consent Form for Participants

LOYOLA MARYMOUNT UNIVERSITY

Informed Consent Form

Date of Preparation January 23rd, 2013; Sent Via Email on March 3, 2013

1) I hereby authorize Esther Perez, Doctoral Student (Ed.D.) to include me in the following research study: Factors Affecting Grade Level Retention of Students with Learning Disabilities: A Case Study.

2) I have been asked to participate on a research project which is designed to find out how teachers describe grade level retention when it is applied to students with learning disabilities and which will last for approximately 10 weeks (2 ½ months).

3) It has been explained to me that the reason for my inclusion in this project is that I am a current middle school teacher who is familiar with the process of grade level retention and have educated students with learning disabilities.

4) I understand that if I am a subject, I will be asked to participate in approximately 2-4 individual interviews and approximately 2-3 group interviews. Group interviews will have no more than 5 other teachers participating. The investigator may audio record the interviews in order to transcribe responses at a later time. As a participant, I know that I am allowed to discontinue participation at any time, if I so choose. These procedures have been explained to me by Esther Perez, Doctoral Student (Ed.D), MA in Sp.Ed, MA in Educational Leadership.

5) I understand that I will be audiotaped in the process of these research procedures. It has been explained to me that this audio-recording will be used for research purposes only and that my identity will not be disclosed. I have been assured that the tapes will be destroyed after their use in this research project is completed. I understand that I have the right to review the tapes made as part of the study to determine whether they should be edited or erased in whole or in part.

6) I understand that the study described above may involve the following risks and/or discomforts: I may be asked of personal opinions regarding my personal opinion about the practice of grade level retention as it is practiced at the school site.

7) I also understand that the possible benefits of the study are determining when or whether grade level retention is thought of by teachers as best practice when used with students with learning disabilities.

8) I understand that Esther L. Perez, who can be reached at (323) 243-6328, will answer any questions I may have at any time concerning details of the procedures performed as part of this study.

9) If the study design or the use of the information is to be changed, I will be so informed and my consent re-obtained.

10) I understand that I have the right to refuse to participate in, or to withdraw from this research at any time without prejudice to (e.g., future relationships with LMU.)

11) I understand that circumstances may arise which might cause the investigator to terminate my participation before the completion of the study.

12) I understand that no information that identifies me will be released without my separate consent except as specifically required by law.

13) I understand that I have the right to refuse to answer any question that I may not wish to answer.

14) I understand that I will receive a 25$ gift card for my participation in this study; I further understand that if I withdraw before the study is completed I will receive only $15. I understand that in the event my participation is terminated through no fault of mine, I will be compensated in the amount of $ 15.

15) I understand that in the event of research related injury, compensation and medical treatment are not provided by Loyola Marymount University.

16) I understand that if I have any further questions, comments, or concerns about the study or the informed consent process, I may contact David Hardy, Ph.D. Chair, Institutional Review Board, 1 LMU Drive, Suite 3000, Loyola Marymount University, Los Angeles CA 90045-2659 (310) 258-5465, david.hardy@lmu.edu or Antonia Darder, Dissertation Chair & Dept. of Education Professor at Antonia.darder@lmu.edu.

17) In signing this consent form, I acknowledge receipt of a copy of the form, and a copy of the "Subject's Bill of Rights".

Subject's Signature _____ Date _____

Witness _____ Date _____

APPENDIX E

Role of Special Education Teachers

Taken from the school's special education manual:

EDUCATORS

Educators include any individual may be employed by the school to foster the academic and, or physical growth of students. Educators also include certain individuals approved by the school to participate in educational activities such as sports coaches.

General education (GenEd) teachers must teach students that have disabilities, if such students are in their regular-day classroom, which [ICA] students (currently) are expected to be in for all or the majority of their school day. A GenEd teacher must follow the accommodations set forth in an IEP, which they are notified of by the special education teachers. With the inclusion of students in SPED through IDEIA and No Child Left Behind (NCLB), teachers now must be trained on how to teach students with special needs to be considered "highly qualified."

SPECIAL EDUCATION TEACHERS (SPED) – SPED teachers must also through NCLB and amendments to IDEIA in 2004, secure (1) a full state certification as a special education teacher or pass a state examination to hold a SPED teaching license; and (2) have a bachelor's degree.

Both the GenED and SPED teachers must work together to educate a student with special needs. SPED teachers, specifically called Resource Specialists, work with GenED teachers to train them on accommodations use and specific teaching strategies that will help certain students. Through the collection of data, observations made and assessments-given, SPED teachers work collaboratively to create an academic program that is individualized and can best educate a student with a disability.

REFERENCES

Adams, C. J, Robelen, E. W., & Shah, N. (2012). Civil rights data show retention disparities. *Education Week, 31*(23), 1-18. Retrieved from http://www.edweek.org/ew/articles/2012/03/07/23data_ep.h31.html?tkn=UPUFuAmn%2FcwP%2FQ0zRHlWyo%2F9Aj8fzU8c4Zpy&cmp=clp-edweek

Alexander, K. L., Entwisle, D. R., & Dauber, S. L. (2002). *On the success of failure: A reassessment of the effects of retention in the primary grades* (2nd ed.). New York, NY: Cambridge University Press.

Americans with Disabilities Act of 1990, Pub. L. No. 101-336, § 2, 104 Stat. 328 (1991).

Anastasiou, D., & Kauffman, J. M. (2012). Disability as cultural difference: Implication for special education. *Remedial and Special Education 33*(3), 139-149. doi:10.1177/0741932510383163.

Anderson, R. C. (2006) Teaching (with) disability: Pedagogies of lived experience. *Review of Education, Pedagogy, and Cultural Studies, 28*(3-4), 367-379. doi: 10.1080/10714410600873258.

Angelou, M. (1997). *I shall not be moved: Poems by Maya Angelou.* Maryland: Random House.

Apple, M. W. (2013). *Knowledge, power, and education: The selected works of Michael W. Apple*. New York, NY: Routledge.

Barnett, K. P., Clarizio, H. F., & Payette, K. A. (1996). Grade retention among students with learning disabilities. *Psychology in the Schools, 33*(4), 285-293. doi:10.1002/(SICI)1520-6807(199610)33:4<285::AID-PITS3>3.0.CO;2-M

Billingsley, B. S. (2003). *Special education teacher retention and attrition: A critical analysis of the literature*. Retrieved from The Center on Personnel Studies in Special Education Website: http://copsse.education.ufl.edu//docs/RS-2/1/RS-2.pdf

Bizzell, P. (1991). Power, authority, and critical pedagogy. *Journal of Basic Writing 10*(2), 54-70.

Bornsheuer, J., Polonyi, M. A., Andrews, M., Fore, B., & Onwuegbuzie, A. J. (2011). The relationship between ninth-grade retention and on-time graduation in a southeast Texas high school. *Journal of At-Risk Issues, 16*(2), 9-16. Retrieved from http://www.dropoutprevention.org/journals

Bowles, S., & Gintis, H. (1976). *Schooling in capitalist America: Educational reform and the contradictions of economic life.* New York: Basic Books, Inc.

Bowles, S., Gintis, H., & Osborne, G. M. (2005). *Unequal chances: Family background and economic success*. New York: Russell Sage Foundation.

Brady, K., & Woolfson, L. (2008) What teacher factors influence their attributions for children's difficulties in learning? *British Journal of Educational Psychology, 78,* 527-544. doi:10.1348/000709907X268570

Brandes, J. A., & Crowson, H. (2009). Predicting dispositions toward inclusion of students with disabilities: The role of conservative ideology and discomfort with disability. *Social Psychology of Education: An International Journal*, *12*(2), 271-289. doi:10.1007/s11218-008-9077-8

California Charter Schools Association. (2012). C*alifornia charter schools grow to over 1,000 for the 2012-13 school year while student enrollment grew by an unprecedented 70,000 students.* Retrieved from http://www.calcharters.org/blog/2012/10/california-charter-schools-grow-to-over-1000-for-the-2012-13-school-year-while-student-enrollment-gr.html

Caples, B. L. (2005). *Grade-level retention: A handbook for educators.* Lexington, KY: Educational Leadership Press.

Carifio, J., & Carey, T. (2010). Do minimum grading practices lower academic standards and produce social promotions? *Educational Horizons, 88*(4), 219-230. Retrieved from http://pilambda.org/benefits/publications/educational-horizons/

Chandler, H. N. (1984). Retention: Edspeak for flunk. *Journal of Learning Disabilities, 17*(1), 60-62. doi:10.1177/002221948401700118

Charlton, J. I. (1998). *Nothing about us without us: Disability oppression and empowerment.* Berkeley, CA: University of California Press.

Clark, M. D. (1997). Teacher response to learning disability: A test of attributional principles. *Journal of Learning Disabilities, 30*(1), 69-79. doi:10.1177/002221949703000106

Copeland, L. (2013, April 14). School cheating scandal shakes up Atlanta. *USA Today*. Retrieved from http://www.usatoday.com/story/news/nation/2013/04/13/atlanta-school-cheatring-race/2079327/

Darder, A. (2009). Teaching as an act of love: Reflections on Paulo Freire and his contributions to our lives and our work. In A. Darder, M. Baltodano, & R. D. Torres (Eds.), *The critical pedagogy reader* (2nd ed., pp. 567-578). New York, NY: Routledge.

Darder, A., Baltodano, M., & Torres, R. D. (2009). *The critical pedagogy reader* (2nd ed.). New York, NY: Routledge.

Darder, A. (2012). *Culture and power in the classroom: Educational foundations for the schooling of bicultural students.* Boulder, CO: Paradigm.

Dearhammer, N. E. (2002). *The state of special education practices within our nation's charter schools* (Doctoral dissertation). Available from http://www.researchgate.net/publication/232735985_The_State_of_Public_Education_Within_Our_Nation's_Charter_Schools/file/9fcfd5092bb3180853.pdf

Deschenes, S., Cuban, L., & Tyack, D. B. (2001). Mismatch: Historical perspectives on schools and students who don't fit them. *Teachers College Record*, *103*(4), 525-547. doi:10.1111/0161-4681.00126

Devlin, R., & Pothier, D. (2006). *Critical disability theory: Essays in philosophy, politics, policy, and law.* Vancouver, Canada: UBC Press.

Donahue v. Copiague Union Free School District, 47 N.Y.2nd, 440, 391, N.E.2d 1352, 424, N.Y.S.2d 376 (1979).

Elliott, S. N., McKevitt, B. C., & Kettler, R. J. (2002). Testing accommodations research and decision making: The case of "good" scores being highly valued but difficult to achieve for all students. *Measurement and Evaluation in Counseling and Development, 35*(3), 153-167. doi:10.1016/j.jsp.2013.02.004

Erevelles, N. (2000). Educating unruly bodies: Critical pedagogy, disability studies, and the politics of schooling. *Educational Theory, 50*(1), 25-47. doi:10.1111/j.1741-5446.2000.00025.x

Estes, M. B. (2004). Choice for all? Charter schools and students with special needs. *Journal of Special Education, 37*(4), 257-267. doi:10.1177/00224669040370040501

Estes, M. B. (2006). Charter schools: Do they work for troubled students? *Preventing School Failure, 51*(1), 55-61. doi:10.3200/PSFL.51.1.55-61

Fager, J., & Richen, R. (1999, July). *When students don't succeed: Shedding light on grade retention.* Retrieved from the Northwest Regional Educational Laboratory Web site: http://educationnorthwest.org/webfm_send/455

Ferguson, P. M., Jimerson, S. R., & Dalton, M. J. (2001). Sorting out successful failures: Exploratory analyses of factors associated with academic and behavioral outcomes of retained students. *Psychology in the Schools, 38*(4), 327-341. doi:10.1002/pits.1022

Ferguson, P. M., & Nusbaum, E. (2012). Disability studies: What is it and what difference does it make? *Research and Practice for Persons with Severe Disabilities, 37*(2), 70-80. doi:10.2511/027494812802573530

Ferguson, P., & Streib, M. M. (1996). Longitudinal outcome effects of non-at-risk and at-risk transition first-grade samples: A follow-up study and further analysis. *Psychology in the Schools, 33*, 38-45. doi:10.1002/(SICI)1520-6807(199601)33:1<38::AID-PITS5>3.0.CO;2-S

Freire, P. (1970). *Pedagogy of the oppressed.* New York, NY: Continuum.

Frey, N. (2005). Retention, social promotion, and academic redshirting: What do we know and need to know? *Remedial and Special Education, 26*(6), 332-346. doi:10.1177/07419325050260060401

Garcy, A. M. (2011). High expense: Disability severity and charter school attendance in Arizona. *Education Policy Analysis Archives, 19*(6), 1-27. Retrieved from http://epaa.asu.edu/ojs/article/view/908

Gleeson, B. (2000). *Geographies of disability*. New York, NY: Routledge.

Grant, P. A. (2005). Restrictiveness and race in special education: Educating all learners. *Learning Disabilities: A Contemporary Journal, 3*(1), 70-74. Retrieved from http://www.ldworldwide.org/research/learning-disabilities-a-contemporary-journal

Haberman, M., & Dill, V. (1993). The knowledge base on retention vs. teacher ideology: Implications for teacher preparation. *Journal of Teacher Education, 44*(5), 352-360. doi:10.1177/0022487193044005005

Hagborg, W. J., Masella, G., Palladino, P., & Shepardson, J. (1991). A follow-up study of high school students with a history of grade retention. *Psychology in the Schools, 28*, 310-317. doi:10.1002/1520-6807(199110)28:4<310::AID-PITS2310280405>3.0.CO;2-J

Holmes, C. (2006). Low test scores + High retention rates = More dropouts. *Kappa Delta Pi Record, 42*(2), 56-58. Retrieved from: http://www.kdp.org/

hooks, b. (2000). *Feminist theory: From margin to center* (2nd ed.). Cambridge: South End Press.

Howe, K. R., & Welner, K. G. (2002). School choice and the pressure to perform: Déjà vu for children with disabilities? *Remedial and Special Education, 23*(4), 212-221. doi:10.1177/07419325020230040401

Individuals with Disabilities Education Improvement Act. (2004). 20 U.S.C §1413.

Jimenez, T. C., & Graf, V. L. (2008). *Education for all: Critical issues in the education of children and youth with disabilities.* San Francisco, CA: Jossey-Bass.

Jimerson, S. R., Pletcher, S. W., Graydon, K., Schnurr, B. L., Nickerson, A. B., & Kundert, D. K. (2006). Beyond grade retention and social promotion: Promoting the social and academic competence of students. *Psychology in the Schools, 43*(1), 85-97. doi:10.1002/pits.20132

Jones, B. (2013, April 8). LAUSD graduation rate increases to 66%. *Los Angeles Daily News.* Retrieved from http://www.dailynews.com/general-news/20130409/lausd-graduation-rate-increases-to-66

Kaff, M. S. (2004). Multitasking is multitaxing: Why special educators are leaving the field. *Preventing School Failure, 48*(2), 10-17. Retrieved from: http://www.tandfonline.com/toc/vpsf20/current#.U2sV2_ldWSo

Kalinsky, R. (2005, September 27). *Retention: A controversial decision*. Retrieved from: http://www.mspa-online.com/PDF_files/MSPApp_Retention.pdf

Katsiyannis, A., Zhang, D., Ryan, J. B., & Jones, J. (2007). High-stakes testing and students with disabilities: Challenges and promises. *Journal of Disability, Policy Studies, 18*(3), 160-167. doi: 10.1177/10442073070180030701

Kincheloe, J. L. (2004). *Critical pedagogy: Primer.* New York, NY: Peter Lang.

Kornhaber, M., Griffith, K., & Tyler, A. (2014). It's not education by zip code anymore -- but what is it? Conceptions of equity under the common core. *Education Policy Analysis Archives, 22*(4), 1-26. doi: 10.14507/epaa.v22n4.2014

LAUSD Division of Special Education (2013, July 1). LAUSD progress in the provision of special education. Retrieved April 15, 2014, from http://sped.lausd.net/about/lausd-progress-provision-special-education

Leckrone, M. J., & Griffith, B. G. (2006). Retention realities and educational standards. *Children & Schools, 18*(1), 53-58. doi:10.1093/cs/28.1.53

Mantzicopoulous, P. Y. (1997). Do certain groups of children profit from early retention? A follow-up study of kindergartners with attention problems. *Psychology in the Schools 34*(2), 115-127. doi:10.1002/(SICI)1520-6807(199704)34:2<115::AID-PITS5>3.0.CO;2-P

McKay, C. (1919, July). If we must die. *The Liberator.* Retrieved from http://www.marxists.org/history/usa/culture/pubs/liberator/1919/07/v2n07-w17-jul-1919-liberator.pdf

McLaren, P. (2009). Critical pedagogy: A look at the major concepts. In A. Darder, M. Baltodano, & R. D. Torres (Eds.), *The critical pedagogy reader* (2nd ed., pp. 61-83). New York, NY: Routledge.

McLeskey, J., & Grizzle, K. L. (1992). Grade retention rates among students with learning disabilities. *Exceptional Children, 58*(6), 548-554. Retrieved from: http://www.cec.sped.org

Meekosha, H., & Shuttleworth, R. (2009). What's so "critical" about critical disability studies? *Australian Journal of Human Rights, 15*(1), 47-76. Retrieved from: http://www.austlii.edu.au/au/journals/AJHR/

Meisels, S. J., & Liaw, F. R. (1993). Failure in grade: Do retained students catch up? *Journal of Educational Research, 87*(2), 69-77. doi:10.1080/00220671.1993.9941169

Merriam, S. B. (2009). *Qualitative research: A guide to design and implementation.* San Francisco, CA: Jossey-Bass.

Molnar, A. (1996). *Giving kids the business: The commercialization of America's schools.* Boulder, CO: Westview Press.

Moran, J. J. (1989). Professional standards for educators making retention decisions. *Education 109*(3), 268-275. Retrieved from: http://www.projectinnovation.biz/index.html

Nevin, A., Smith, R. M., & McNeil, M. (2008). Shifting attitudes of related service providers: A disaiblity studies & critical pedagogy approach. *International Journal of Whole Schooling* 4(1), 1-12. Retrieved from: http://www.wholeschooling.net/Journal_of_Whole_Schooling/IJWSIndex.html

Ni, Y. (2010). The sorting effect of charter schools on student composition in traditional public schools. *Educational Policy, 26*(2), 215-242. doi:10.1177/0895904810386598

Nocella, A. J. (2008). Emergence of Disability Pedagogy. *Journal For Critical Education Policy Studies (JCEPS), 6*(2), 77-94. Retrieved from: http://www.jceps.com/PDFs/6-2-05.pdf

Norwich, B., & Lewis, A. (2001). Mapping a Pedagogy for Special Educational Needs. *British Educational Research Journal, 27*(3), 313-329. doi:10.1080/01411920120048322

Norwich, B., & Lewis, A. (2007). How specialized is teaching children with disabilities and difficulties? *Journal of Curriculum Studies 39*(2), 127-150. doi: 10.1080/00220270601161667

No Child Left Behind Act of 2001, Pub. L. No. 107-110, 115 Stat. 1425 (2002).

Oliver, M. (1996). *Understanding disability: From theory to practice.* New York, NY: St. Martin's Press.

Owings, W. A., & Kaplan, L.S. (2001). *Alternatives to retention and social promotion*. Bloomington, IN: Phi Delta Kappa Educational Foundation.

Owings, W. A., & Magliaro, S. (1998). Grade retention: A history of failure. *Educational Leadership, 56*(1), 86-88. Retrieved from: http://www.ascd.org/

Peter W. v. San Francisco Unified School District, 60 Cal. App. 3d 814, 131 Cal. Reptr. 854 (1976).

Picklo, D. M., & Christenson, S. L. (2005). Alternatives to retention and social promotion: The availability of instructional options. *Remedial and Special Education*, *26*(5), 258-268. doi:10.1177/07419325050260050101

Pishghadam, R., & Naji Meidani, E. (2012). A critical look into critical pedagogy. *Journal For Critical Education Policy Studies (JCEPS), 10*(2), 464-484. Retrieved from: http://www.jceps.com/

Quach, L. H. (2005). A paradox of care: [Re]-Examining education for students with diverse needs. *Educational Foundations, 19*(1/2), 67-85. Retrieved from: http://intraweb.stockton.edu/eyos/page.cfm?siteID=144&pageID=10

Reid, D. K., Knight, M. G. (2006). Disability justifies exclusion of minority students: A critical history grounded in disability studies. *Educational Researcher 35*(6), 18-23. Retrieved from: http://edr.sagepub.com/

Renaud, G. (2010). *Grade retention: Elementary teacher perceptions for students with and without disabilities* (Doctoral dissertation). Available from Proquest Dissertations & Theses. (UMI No. 3398380)

Rhim, L. M., Ahearn, E. M., & Lange, C. M. (2007). Charter school statutes and special education: Policy ambiguity? *The Journal of Special Education, 41*(1), 50-63. doi:10.1177/00224669070410010401

Rhim, L. M., & McLaughlin, M. (2007). Students with disabilities in charter schools: What we now know. *Exceptional Children, 39*(5), 1-12.

Rhodes, W. C. (1995). Liberatory pedagogy and special education. *Journal Of Learning Disabilities, 28*(8), 458-462. doi: 10.1177/002221949502800801

Rose, E. (2008). Transition services and education for all. In T. C. Jimenez & V. L. Graf (Eds.), *Education for all: Critical issues in the education of children and youth with disabilities* (pp. 241-266). San Francisco, CA: Jossey-Bass.

Shapiro, J. P. (1993). *No pity: People with disabilities forging a new civil rights movement.* New York, NY: Three Rivers Press.

Shepard, L. A., & Smith, M. L. (1989). *Flunking grades: Research and policies on retention.* Barcombe, UK: Falmer.

Shifter, L. (2011). High school graduation of students with disabilities: How long does it take? *Exceptional Children, 77*(4), 409-422. Retrieved from: http://www.cec.sped.org

Siebers, T. (2010). *Disability theory*. Ann Arbor, MI: University of Michigan Press.

Sireci, S. G., Scarpati, S. E., & Li, S. (2005). Test accommodations for students with disabilities: An analysis of the interaction hypothesis. *Review of Educational Research, 75*(4), 457-490. doi:10.3102/00346543075004457

Snow, K. (1991). *People first language*. Retrieved from http://www.disabilityisnatural.com

Spanoudis, S. L. (2007). African American expression. Retrieved May 7, 2014, from http://www.theotherpages.org/quote/quote-27mn.html

Tanner, C. K., & Gallis, S. A. (1997). Student retention: Why is there a gap between the majority of research and school practice? *Psychology in the Schools, 34,* 107-114. doi:10.1002/(SICI)1520-6807(199704)34:2<107::AID-PITS4>3.0.CO;2-N

Thomas, V. G. (2000). Learner-centered alternatives to social promotion and retention: A talent development approach. *Journal of Negro Education, 69*(4), 323-337. doi:10.2307/2696248

Tomchin, E. M., & Impara, J. C. (1992). Unraveling teachers' beliefs about grade retention. *American Educational Research Journal, 29*(1), 199-223. doi:10.3102/00028312029001199

Valencia, R. (2010). *Chicano Students and the Courts: the Mexican American Legal Struggle for Educational Equality*. New York: NYU Press.

Witmer, S. M., Hoffman, L. M., & Norris, K. E. (2004). Elementary teachers' beliefs and knowledge about grade retention: How do we know what they know? *Education, 125*(2), 173-193. Retrieved from: http://www.projectinnovation.biz/index.html

Xia, N., & Glennie, E. (2005). *Grade retention: The gap between research and practice.* Retrieved from http://www.childandfamilypolicy.duke.edu/pdfs/pubpres /FlawedStrategy_PartThree.pdf

Yin, R. K. (2012). *Applications of case study research*. Los Angeles, CA: Sage.

Yin, R. K. (2004). *Case study research: Design and methods* (2nd ed.) Thousand Oaks, CA: Sage.

Ysseldyke, J., Nelson, J. R., Christenson, S., Johnson, D. R., Dennison, A., Triezenberg, H, Sharpe, M., & Haws, M. (2004). What we know and need to know about the consequences of high-stakes testing for students with disabilities. *Exceptional Children 71*(1), 75-94. Retrieved from: http://www.cec.sped.org

Zhang, Y., & Yang, K. (2008). What drives charter school diffusion at the local level: Educational needs or political and institutional forces? *Policy Studies Journal, 36*(4), 571-591. doi:10.1111/j.1541-0072.2007.00284.x