Considerations for Nondiscriminatory Assessment and Addressing Educational Needs of
the English Learners Referred for Special Education Services

By

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Abstract

The goal of this study was to research the guidelines on nondiscriminatory assessment for placing English Learners (ELs) into special education programs in public schools. For the purposes of this work issues such as data on ELs and ELs with disabilities, factors influencing referral and placement decisions, assessment and evaluation techniques were reviewed in detail. Qualitative research methods were applied. Four questionnaires were sent out and three responses were received. The interview questions included subtopics such as pre-referral and referral process, evaluation and assessment tools for Learning Disabilities (LD) identification in ELs, participation of interpreters, parental involvement, and professional challenges and specific requests. The results of the study indicated that the process of pre-referral, referral, and evaluation of English learners for special education programs is a complex phenomenon. A variety of factors, which play a vital role in the process, must be considered before the final decisions are made. The principal conclusion included two major findings: a number of factors must be investigated for appropriate student placements; unbiased multidimensional evaluation needs to be conducted for the determination of a learning disability versus language acquisition issue.

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1. Introduction

The amount of learning taking place in my professional experience is enormous. Being born and raised outside of the U.S., I had to familiarize myself with a totally different educational system when I began my teaching career in the U. S. Starting at the significance of federal and state standards and finishing at the layout of a typical school day's schedule, I was noticing pros and cons of the American educational culture. Servicing of all types of students and their maximized inclusion in general education curricula captured my attention very quickly.

During my temporary work assignment in the Learning Disabilities (LD) Program for a part of the school year, I came to understand the process of identification and placement of native English speakers into special education programs. In order to receive additional academic assistance, students were extensively assessed in different areas. If they were falling into certain categories, they were identified as those having learning disabilities in one or multiple capacities. Subsequently, they were placed into Special Education Programs.

Once, in my second year of working as the English as a Second Language (ESL) Educational Assistant, I was asked to participate in an initial Individual Educational Plan (IEP) meeting that was discussing two third grade English as a Second Language students that I worked with. Both boys were referred to the Student Support Team (SST) because of their lack of progress in reading. At the time, I was not fully aware of the process on evaluation and placement of English learners (ELs) into Special Education services. I was asked to describe the students' work habits, attitudes towards learning, and any visible academic growth. I speculated that one of those students did not have LD because of the progress he made in my class. Later, both students were placed in the Learning Disabilities Program. Back then, I was confused by and disappointed by the outcome of the IEP mentioned above, but did not receive any

explanation or details on that topic. I was not in a position to argue the decision due to my inexperience and lack of knowledge. I did not think the students were identified incorrectly, but I wished I knew more about the placement process. The circumstances described above prompted me to explore the area of evaluation and placement of ELs into special education programs.

The second inspiration for writing this paper came later on, when one of our district administrators introduced me to a collection of forms and a sequence of steps used by a school district in Minnesota when evaluating and placing ELs into special education programs. I inquired about a similar packet in our district, but received a negative answer. My school district did not have specific guidelines for pre-referral, referral, and evaluation of English learners for special education. I knew it was my time to react. The creation of a simple binder with a collection of forms regarding an important (in my eyes) issue was my additional motivation for writing this essay.

After many conversations, classes, and workshops, I still do not think I have adequate answers to all of my inquiries. Extensive ESL teacher preparation and immersion into specific ELs' cases allowed me to present the following questions: What factors contribute to determine if an English Learner has an LD? How do the special education teachers and school psychologists know that the disability identified in ELs is not a language acquisition issue? In addition, not having enough training in pre-evaluation and assessment of students with learning disabilities, I wanted to know, what types of assessments are used during the process of identifying the disabilities in ELs? Is this process federally or state mandated? What procedures are used in our school district? In addition to addressing these questions, I would like to create a collection of documents guiding the team of school personnel responsible for evaluation and placement of English Learners in Special Education Programs.

That said, I became fully committed to researching this topic. My study covers the following: interviewing school psychologists, review of the works and the research regarding an overall picture of the relationship of ESL and LD, current assessments available for identifying LD in ELs, and readings on challenges existing in the field. Based on gathered information, I will both fulfill the requirements of a Master's Degree and create a handbook titled *Considerations for Nondiscriminatory Assessment and Addressing Educational Needs of the English Learners Referred for Special Education Services* for my school district. In addition to fulfilling my degree requirements, this paper may become valuable information for future ESL teachers, a part of a curriculum for the university's professors, or a base for development of relevant publications on the topic. The handbook will assist general and special education teachers, school psychologists and guidance counselors at times when English learners in my school district will be brought to Student Support Teams (SSTs) for special education referral and evaluation. My hope is to receive approval of the documents I am creating from the district's administration and to work with a team of individuals responsible for the testing and evaluation of English learners.

Because of a number of changes taking place in the area of teaching English as a Second Language, my references to certain works that may be more than 20 years old, and frequent inconsistency in the acronyms related to the topic of my paper, I would like to include a *Key to Acronyms* listing and defining all important terms used throughout this essay. The following list provides some of the primary terms:

<center>Key to Acronyms</center>

BICS   basic interpersonal communicational skills

CALP   cognitive academic language proficiency

ESL   English as a second language (refers to classes or programs)

ELL/EL   English language learner/English learner, may be used interchangeably

IEP   individual education plan/program

L1   native/home language

L2   target language

LD   learning disability

LEP   limited English proficient student

NS   native speaker

OELA   Office of English Language Acquisition

OCR   Office of Civil Rights

RD   reading disability

RTI   response to intervention

SIOP   sheltered instruction observation protocol

SLA   second language acquisition

SPED   special education

Probably the most controversial acronyms used in the list above and most frequently used in my paper are *LEP, ELL,* and *EL*. The term *LEP* (Limited English Proficient) was first used in 1975 by the Lau Remedies following a decision of the US Supreme Court. "No longer would limited-English-proficient (LEP) students be left to sink or swim, offered no help in understanding their lessons, and shunted onto dead-end tracks for slow learners" (languagepolicy.net/articles). Later, James Crawford of the Institute for Language and Education Policy changed *LEP* to *ELL* in an effort to label learners positively, rather than suggesting a deficiency. He suggested that an "ELL is a national-origin-minority student who is limited-

English-proficient" (ed.gov). This term is preferred over limited-English-proficient (LEP). Most recently, educators have shortened it to *EL* meaning *English learner*. Other acronyms that are used not as often as the ones mentioned above will be discussed as they occur in the sections of this paper.

One more clarification that I would like to make before proceeding to the next chapter is my choice of researching the evaluation of English learners for special education services, Learning Disabilities in particular. According to the Wisconsin Department of Public Instruction (WI DPI), "Special education and related services are designed to meet the unique needs of students with disabilities. Special education, however, is a part of the whole; it is dependent on the quality, philosophy and diversity of the total educational program for meeting the needs of all students and cannot be viewed in isolation from general education" (sped.dpi.wi.gov). Generally speaking, special education "covers the areas of autism, cognitive disabilities, emotional behavioral disabilities, hearing impairments, orthopedic impairment, other health impairment, significant developmental delay, speech/language impairments, specific learning disabilities, traumatic brain injury, and visual impairments" (sped.dpi.wi.gov/sped_eligibility). It would be very difficult to research and describe all of the categories mentioned above.

For the purposes of this paper, I decided to narrow my research down to the connection between areas of English as a Second Language (ESL) and Specific Learning Disability (SLD). I chose this particular branch of special education for several reasons. First, based on my own experiences, I have seen many English learners in Learning Disabilities programs. Those numbers definitely stand out compared to the numbers of ELs in other special education categories such as emotional disabilities, autism, hearing or visual impairments. Second, according to the *Descriptive Study of Services to LEP Students and LEP Students with*

Disabilities, "Higher percentage of all students than of LEP students were reported in each of the disability categories except the "severe retardation" category. The largest absolute difference in percentages was for the specific learning disability category" (Hopstock, Stephenson 9). Those are the two main reasons in making my decision on the disability category for this paper.

At the beginning of the essay, I review literature related to my topic. It includes the information on numbers and percentages of ELs and ELs with LD in the United States, important factors for consideration in the process of evaluation and referral ELs for SPED, and assessment and evaluation techniques used during the process. Next, I describe the interview that I conducted with school psychologists in my school district. Information regarding interview participants, setting, and tasks is presented. After that, I analyze the data found in the interview and interpret it for the purposes of this paper.

In the last part, I focus on simultaneously creating a set of documents for guiding the process of ELs' placement in special education and combining most of those documents into a handbook that I will later present to my school district as an assistive device in SSTs and school psychologists' work. A few focus areas of both the paper and the handbook are second language acquisition, pre-referral/referral forms, and evaluation and testing considerations. To sum up, I include a short conclusion that lists challenges in the field of my research and its advantages and drawbacks.

2. Critical Points

Identifying a Learning Disability (LD) in English Learners (ELs) is a difficult, challenging, and delicate process. Recently, it became a large dilemma in public schools throughout the United States because a number of certain factors influence special education referrals and the decision-making process for English language learners. In this part of my paper, I will evaluate, analyze, and reflect on key authors who have previously researched and published on the topic of non-discriminatory assessment of English learners for special education, learning disabilities in particular. First, I will explore the data on the EL/LD situation in the United States. Next, I will discuss factors needed to be considered throughout the process of evaluation and referral of ELs for SPED. Finally, I will look at the assessment and evaluation techniques used during the process of language learners' placement in the special education programs.

2.1. Data on EL/LD in the United States

The number of ELs in the United States is growing rapidly. According to the *National Symposium on Learning Disabilities in English Language Learners* (2003), "Nearly one in five Americans speaks a language other than English at home, and almost 45% of US teachers have at least one student with limited English proficiency in their classrooms"(iii). In addition, the Center for Research on Education, Diversity, and Excellence projects that by 2030, students whose first language is not English will make up 40% of the US K-12 population, and by 2020, one in five children is projected to be Hispanic (*National Symposium* 1).

A small number of research projects collected data on the prevalence and characteristics of ELs and issues that they encounter, especially when these students are identified as those with learning disabilities. The Office of English Language Acquisition (OELA) conducted a study

entitled *Descriptive Study of Services to Limited English Proficient (LEP) Students and LEP Students with Disabilities*. The Office of Civil Rights (OCR) directed a *2000 Elementary and Secondary School Civil Rights Compliance Report*, or the OCR Survey. The Descriptive Study produced four Special Topic reports: *Native Languages of LEP Students* (report #1), *Analysis of Office of Civil Rights (OCR) Data Related to LEP Students* (report #2)*, Issues in Studying Learning Outcomes for LEP Students* (report #3)*, and Findings on Special Education LEP Students* (report #4). Those reports present most recent research and a "rough depiction of ELL/Ds in U.S. public schools" (*National Symposium* 2). To date, an insignificant amount of information may be found regarding the explanation and features of English learners in American public education.

According to the OCR data, in 2002, "there were a total of 3,486,304 LEP students in the U.S. public schools; 52.5% of them were male and 47.5% were female" (*OCR Survey* 5). 60.7% were estimated to be in elementary schools, 15.6% in middle schools, and 6.7% in high schools. The students of California represented 40.9%, or 1,425,263 of the total number of LEPs. The students of Texas and New York represented the second and third largest numbers. Other items included in the OCR Survey measured the enrollment of LEP students in LEP programs; enrollment in gifted and talented programs; enrollment in advanced placement classes in high schools; statistics on discipline of LEP students; and data on graduation tests and diplomas for LEP students (*OCR Survey 7-9).*

As stated by Hopstock and Stephenson, the percentage of all LEP students receiving special education services was 7.9% of the overall LEP student population comparing to 12.4% reported to be in special education of all students. Data from the survey indicated that 66% of Special Education-LEP (SPED-LEP) students were male and 34% were female. Numbers of

students in each of the following disability categories were identified: emotional disturbance-

0.2%; developmental delay-0.1%; mild, moderate, and severe retardation 0.3%, 0.2%, and o.2%

respectively(three separate groups); and specific learning disability-4.7%. Higher percentages of

all students than of LEP students were reported in each of the disability categories except the

"severe retardation" category. Authors of this report made a remark regarding the statistics

mentioned above, "The percentage of LEP students in special education ranged from 0.0 to 17.3

percent. This suggests that schools in different states have varying levels of awareness of SPED-

LEP students" (Hopstock, Stephenson 7-9).

The Descriptive Study was piloted for the U.S. Department of Education, Office of

English Language Acquisition (OELA), Language Enhancement, and Academic Achievement of

Limited English Proficient Students in the winter and spring of 2002 with a goal of finding the

numbers and characteristics of ELs, their identification and instructional services, their

participation in state standards and assessments, and staff characteristics and training working

with LEP students and SPED-LEP students. The final report for the Descriptive Study contains a

total of eight separate documents.

Chapter Three of the report states that the numbers of ELs increased by 71.9% from the

previous decade. LEP students make up a greater percentage of the total student population in the

lower grades than in the higher grades. This difference may be mostly due to students exiting

from LEP status, but it may also reflect school dropout by LEP students (Zehler et al 18). The

Descriptive Study confirms that the number of students from Spanish backgrounds was 76.9% of

all LEP students, which is similar to the *OCR Survey's* data mentioned above. It states that the

next two largest language groups were Vietnamese (2.4%) and Hmong (1.8%), and that almost

half of LEP students (47.3%) were born in the United States (Zehler et al. 19-20).

The *Descriptive Study* linked the information found in the *OCR Survey* with the new information about SPED-LEP students. Zehler and colleagues noted that "many school districts and schools have difficulty in providing a count of Special Education LEP students," and "the data were not easily available" (22). The authors estimated 357,325 SPED-LEP students in public schools in 2001-2002, which was 9% of all LEP students in the U.S. public schools compared to 7.9% counted in the *OCR Survey*. A number of SPED-LEP students diagnosed with a specific learning disability came up to 5.16%. That number is larger than the number from the *OCR Survey* (4.7%), but is smaller in relation to the percentage of all students with specific learning disability (6.64%).

Data from student records showed that SPED-LEP students in elementary grades were more commonly in the "speech/language disability" classification than were SPED-LEP students in the middle and high school grades (Zehler et al. 23). In contrast, students in the middle and high school grades were more commonly in the "specific learning disability" classification than were elementary grades SPED-LEP students (Zehler et al. 24). Researchers related their findings regarding LEP placement in special education to the SPED-LEP students' English language proficiency. Consistent with the data, 11.4% of SPED-LEP students had very low scores on English proficiency tests (they were not able to communicate or function in the classroom using English); 23.9% had considerably low scores (difficulty using English in the classroom), and 64.7% had "limited proficiency" or some difficulty using English to function in the classroom (Zehler et al. 21-25).

Overall, data found in both the *OCR Report* and the *Descriptive Study* provides the most complete and detailed image of Limited English Proficiency students and Special Education Limited English Proficiency students. Dr Timothy E. D'Emilio, a research analyst in the OELA

used the information collected in those two studies in his presentation at the National
Symposium on Learning Disabilities in English Language Learners in October, 2003 in
Washington, D.C. The collected data provided a solid base for discussions held by the members
of the Symposium regarding identification and assessment of learning disabilities in EL students.

Peggy McCardle from the National Institute of Child Health and Human Development
presents available federal data on the number of ELs and SPED-ELs in the United States and the
services they receive. At the end of 2005, there were approximately five million students
attending U.S. public schools whose native or first language was not English. A total of 440
diverse languages were spoken in the U.S. at that time (2). The growth of the EL population in
American schools brings certain challenges for the school districts as unfortunately, with the
increase of the numbers of ELs in U.S. schools, the academic achievement of this culturally,
ethnically, and linguistically diverse group "has not kept pace with that of their White, middle-
class peers" (McCardle 2). The National Assessment of Educational Progress (NAEP) has
revealed that "there is a large achievement gap between minority students, many of whom are
ELLs, and White students" (McCardle 2). In 2003 only 15% of Hispanic students, 37% of
Asian/Pacific Islander students, and 16% of American Indian/Alaska Native students in fourth
grade read at the proficient or above levels, in contrast to 41% of White students (McCardle 2).

If, after a few years of instruction in both language acquisition and content areas, ELs do
not perform in school effectively, they are often referred for special education services. Issues
involving identification and services for Special Education ELs are very complex. As McCardle
says, "ELLs are underrepresented overall on special education rosters." Further, "District
personnel found it challenging to distinguish language differences from disability as the source
of academic difficulties for ELLs. They reported not having the tools, procedures, or qualified

staff to adequately identify these students" (2). In addition to the lack of particular assessments, "three-quarters of all districts reported a deficit in the number of teachers qualified to serve these students" (McCardle 3). The above conclusions imply that many ELs may be either over- or under-identified as having a learning disability, and that the issue of identification and assessment of ELs for Special Education services involves many important factors.

2.2. Influential Factors

The issue of distinguishing learning disability from language acquisition problems is relevant to a variety of tasks and considerations such as first- and second language acquisition, literacy, English language learning, cross-cultural relationships, and learning disabilities research. As Virginia Shrader said," the twist is that you have to measure proficiency in the maternal language and in the second language. And you still have to rule out the ubiquitous factors, physical disabilities, insufficient exposure to a task; language or culture, emotional or behavioral disabilities, a mismatch between the child and the instructional environment; extreme environmental deprivation; disruptions in schooling" (1). Based on the readings, I suggest careful consideration of both the previously mentioned and the following specific aspects of diversity that would affect special education evaluation and eligibility determination: culturally related factors (culture shock, acculturation, parent attitudes, cross-linguistic transfer); academically related factors (students' previous schooling, native language and literacy level, length of stay in the U.S., current English language acquisition stage, current academic instruction and achievement); and socially and psychologically related factors (health history, socioeconomic status, motivation, confidence).

School districts generally identify students as English language learners before identifying their disability. At the same time, cases of student placement in special education

programs before identifying them as ELs occur. When students come to U.S. schools from very different environments and go through the process of adaptation to the new language and culture, a difference versus disability concern arises. "The manifestation of culture shock looks a lot like learning and behavior disabilities, and unaddressed acculturation and adaptation needs can concatenate into serious learning and behavioral problems later in the education experience," says Catherine Collier (6). Therefore, cultural shock awareness and a plan for newcomer adaptation and language transition should always be implemented by school districts. Blatchley and Lau agree with Collier: "Both language and cultural knowledge influence test performance. Intelligence tests reflect the values and beliefs of the culture in which they were developed and thus suffer from cultural bias. Therefore, the individual's degree of acculturation affects performance on these standardized measures" (3).

The school personnel must be aware of the fact that culture shock is cyclical and a normal part of a person's adaptation to anything new. Not all students experience an exact step-by-step process or experience it at the same time. Rhinesmith's ten stages of the roller coaster of cultural adjustment, which are described in Dr Deborah Swallow's article, is an excellent reference for educators trying determining learning disability availability in ELs. Dr Swallow reminds us that anyone merging into a new culture experiences high peaks and low troughs on his/her way. "The process is necessary in order to make the transition from one culture to another; it helps a student or traveler to balance out and adjust" (deborahswallow.com).

Dr Collier suggests keeping in mind four types of acculturation: 1) assimilation, where both native culture and native language are replaced by new culture and new language; 2) integration, when native language and culture are blended with the new language and culture; 3) deculturation, when an immigrant group strikes out against the larger society out of intense

identity confusion and alienation, loses both languages and both cultures, which leads to marginality; and 4) rejection, when both assimilation and integration are rejected, and a native culture is maintained (crosscultured.com).

Both ELs' cultural heritage and family outlook play an enormous role in the process of disability identification. Isaura Barrera advises that evaluators should be asking themselves to what degree and in what ways they are ensuring that selected assessment and instructional materials, procedures, activities and strategies reflect the diverse languages, values, beliefs and behaviors that define the identities of the students involved. That question is the starting point for any competent assessment or instruction. When a student is asked, "for example, to solve a problem or manage a task that is presented in a manner or language that is unfamiliar, not valued and/or not connected in some fashion to existing skills, accurate data on knowledge/ability cannot be obtained and optimal learning cannot occur" (16).

Title I and Title III of the No Child Left Behind Act of 2001 (NCLB) place an emphasis on the involvement of all parents and, in particular, English learners' parents in their children's progress in school. NCLB defines parental involvement as "the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities" (NCLB, Section 9101(32)). Furthermore, Title III of the law requires that schools provide "an effective means of outreach to parents of LEP children to inform them of how they can be active participants in their child's education to help them learn English and succeed academically" (NCLB, Section 3302(e) (1)). Schools must "hold regular meetings for these purposes, and the information must be presented in an understandable and uniform format and, to the extent practicable, in a language that the parent can understand" (NCLB, Section 1118(e) (5)).

Not many research studies have been conducted regarding ELs' parent involvement. It has been mistakenly assumed that parents of the ESL students are uninterested or ignoring their child's academic progress (Jones, Valez 5). However, parental involvement in the process of evaluation and referral process is a challenging, but valuable tool. Teachers and administrators may encounter numerous obstacles for ELs' parental inclusion such as work schedules, transportation and day care availability, sensitivity regarding their cultural beliefs, and, mainly, English language proficiency. Appropriately addressed, those challenges may be reduced and turned into successful home-school connections.

Klingner and Harry observed and reported several difficulties in the special education referral process regarding parental involvement and "noted several problems, including negativity [from teachers and school districts], a lack of consistent translation services, ignoring parents, lack of professionalism and insensitivity" (2271). Alba Ortiz in *English Language Learners with Special Needs: Effective Instructional Strategies* suggests viewing parents as capable advocates for their children. She cautions about cultural discomfort of some parents and the reflections from the educational staff on the account of family beliefs and values (31).

Keller-Allen describes seven states that were interviewed on initiatives and policies that focus on identifying ELs as students with disabilities. Four primary challenges related to involving parents in the special education process were identified and discussed:

- Adapting general information about the U.S. educational system and special education parent rights and responsibilities
- Cultural issues such as lack of trust of the educational system, fear of opening up or admitting a child has problems; being uncomfortable in the formal educational atmosphere (parents); difficulty in adopting culturally responsive practices (schools)

- Language barriers

- High mobility rates presented by migrant families (Keller-Allen 10).

In addition, while working with parents of ELs, school personnel often use interpreters' and translators' services. Learning how to work with interpreters is a critical skill for school psychologists, special educators, and others involved in assessment and planning for EL students. "During formal assessment, interpreters in partnership with school personnel can ensure that task directions are understood by the student and the responses are understood by the examiner" (Bletchley, Lau 2). In order to avoid an issue of confidentiality and insensitivity, it is important to use trained translators and interpreters and review the student's information before the interview or the test (*The ELL Companion*, Chapter 6). At the same time, by assessing English learners in their homes and communities and involving parents as active participants in evaluations, schools can minimize misdiagnoses and inappropriate special education placements (Artiles and Ortiz 23).

Other factors that are relevant to home culture assessment and parental involvement inquiry include research on the student's native language proficiency, or L1, both the quality and quantity of previous education, knowledge of general language acquisition principles, and the cross-linguistic transfer issues. These factors give similar valuable input in the process of evaluation English learners for special education. Several publications of empirical research recognize the relevance of students' native language to educational outcomes. Dr Collier emphasizes, "It is critical to assess to the extent possible the student's proficiency in their home language/communication mode" (3). If students have not mastered a language other than English and are not literate in that language, they may experience a delay in their English acquisition. At the same time, "they will score low on a standardized test in their home language because they

never received instruction in the language and have only an oral proficiency. Thus low primary language and low English may look like there is some language disability" (3). However, the possibility of assessment in the student's native language may be challenging due to the simple unavailability of assessments in foreign languages or due to the lack of specialists (or interpreters) trained in administering such assessments.

Each language of origin has a unique impact on the EL student. Dr Siegel presented her findings from a five-year, longitudinal study of 950 students from varied socio-economic backgrounds in thirty schools, approximately 20% of whom were ELs. All students were assessed in reading ability annually from kindergarten through fourth grade. The students spoke a total of thirty-eight different languages. In the word spelling measure, children whose native language was Tagalog, Slavic, Chinese, Japanese, French, or Farsi performed better than native English and native Spanish speakers. In pseudo-word spelling, English speakers had the third highest scores. In syntactic awareness, they had the second highest scores, after native Slavic speaking children. These results clearly demonstrate the native language's effect on reading (Chiappe, Siegel, and Wade-Wooley 369-396).

Manis, Lindsey, and Bailey investigated the effects of early instruction and achievement in Spanish on achievement in English reading. The researchers found that cognitive factors like phonemic awareness and rapid automatized naming (RAN) may be significant factors leading to the prediction of reading difficulties in L2 learners. Manis et al. reported that kindergarteners' L1 phonemic awareness and RAN predicted English letter-word identification in the second grade (482-494). The results of this study are consistent with the recommendation by Durgunoglu (described in the next paragraph) that investigations use information about L1 skills to examine instructional practices in L1.

An EL's first language may either positively or negatively transfer to English. Durgunoglu suggests that using information from cross-linguistic transfer can support assessment and distinguish students who are in the process of normal language development from those with learning disabilities. In addition, "their proficiencies in their L1 can be used as a facilitator or springboard to develop their proficiencies in their L2" (193). Students with low levels of metacognitive and metalinguistic awareness in their home language need more observation. They may have low home or school support in the L1 or possibly cognitive/developmental challenges that may affect both L1 and L2 acquisition. For that reason, it is necessary to consider cross-linguistic interference (sometimes negative, not supporting L2 learning) of language development when assessing an EL's L2 acquisition.

Catherine Collier's *Separating Difference from Disability* emphasizes the importance of gathering documentation about student's prior education, quality and quantity of the instruction, interruptions in schooling, the amount of time that the student spent learning English, his/her current English language proficiency and literacy, and the student's level and rate of current academic achievement. She recommends using Resiliency Checklist, Classroom Language Interaction Checklist, formal and informal interviews and observations as tools for determining learning disability availability (Collier 34-45).

Two additional considerations are relevant to the language acquisition versus learning disability question in ELs: first, the individual differences of ELs such as age, time spent learning second language (in some cases, L3, L4, etc.), acquiring academic language, learning styles, and socio-economic status; second, the behavioral factors such as health history, motivation, frustration, confidence, attention span, and problem-solving strategies. Some researchers (mentioned below) suggest that a critical period exists for acquiring a language,

defined as the period after which an individual can no longer develop another language with native like proficiency. The hypothesis was first proposed by Montreal neurologist Wilder Penfield and co-author Lamar Roberts in a 1959 paper *Speech and Brain Mechanisms*, and was later popularized by Eric Lenneberg in 1967 in *Biological Foundations of Language*. The theory is supported by the case of Genie, a thirteen-year-old victim of lifelong child abuse. She was unable to acquire language completely even with explicit intensive instruction.

Furthermore, Brown states, "some adults have been known to acquire an authentic accent in a second language after the age of puberty, but such individuals are few and far between" (56). He argues that there might be a critical period for the acquisition of pronunciation in a second language, but not in other skill areas. Birdson and Flege suggest that the "age of immersion in the L2 and degree of L2 mastery are negatively correlated" (125). Research on the critical period continues to provide insights on potential challenges for ELs of a variety of ages and language groups.

There have been many studies on issues related to the relationship between LD referral decisions and socioeconomic status (SES) of ELs. The authors of *The Effects of Gender, Socioeconomic Status and English Proficiency on Language Learning Strategies* on scrigroup.com summarized that those studies "have shown that students of a higher socio-economic status differ from those of a lower one." They explain, "Socio-economically advantaged parents often have more success in preparing their children for school, because they have access to a wide range of resources to promote and support their development. In contrast, when basic necessities are lacking, parents' major priority is survival, and usually there is no time, energy or knowledge to foster children's development and school readiness"

(scrigroup.com). These findings confirm the traditional point of view regarding SES' influence on the language learning process.

D'Angiulli, Siegel, and Maggi studied the SES and language acquisition issue in the context of learning and literacy instruction offered to ELs in Vancouver, British Columbia. They assessed letter-naming and word-recognition abilities in K-5 setting students. The researchers found that at the lowest and highest ends of the SES spectrum, the English language learning children improved their scores, even though in kindergarten they were the most at-risk for reading failure. The authors concluded that literacy-intensive programs that include regular assessments and balance direct and systematic instruction with training on basic reading skills could reduce the negative influence of SES in young ELs who are simultaneously learning English and acquiring foundational literacy skills (202-213).

Most of emotional or behavioral factors affect learning a language in general, not a specific area of learning. "It is important to eliminate the possibility that any of these factors is the cause of the learner's difficulties before arriving at a tentative finding of LD" (ldlink.coe.utk.edu). Cummins explains that adult ELs affected by fatigue, loneliness, trouble adjusting to food, weather, or any other aspects of life in a different country may appear as if they have a learning disability (1-4). Bialystok and Hakuta support the idea that attitude towards the new language and those who speak it can affect language acquisition, which, in turn, may lead to misidentification of an EL having a learning disability (161-181).

Physical and health issues listed below and their relationship to the student's present problem that are critical for exploring are as follows:

- The possibility that vision and hearing have not been checked due to economic or cultural reasons

- Medication use that compromises optimal learning, but has not been acknowledged as a potential source of interference

- Physical disabilities viewed as not adjustable

- Post-traumatic stress or domestic violence (ldlink.coe.utk.edu)

According to Dr. Catherine Collier, "Although the student needs assistance with managing or controlling his or her behavior, special education is not the appropriate placement if the etiology of the problem is an event or chronic stressor in the student's home or school environment" (5). Creating detailed profiles and discovering what the behavioral problems look like in English learners will clarify a learning disability presence. If a student has a learning disability, the difficulties are intrinsic to the learner and will be present for a long time. At the same time, a learner will need individualized support. In contrast, if an EL does not have a learning disability, the problems are extrinsic; the student will need time to develop further language proficiency (Abrams, Ferguson, and Laud 65). An instrument leading to the final decision on separating disability and language acquisition is a multiple assessment. Considering the factors listed above, I am ready to discuss information regarding measurement tools and assessments used for identifying LD in ELs.

<div align="center">2.3. Assessment and Evaluation Techniques</div>

Extant literature regarding assessment and testing of ELs for special education clearly suggests that there is no specific instrument or instruments available to the assessors for the purpose of obtaining a complete profile on an EL. Most of school districts throughout the U.S. use the same assessment tools for testing ELs as they use for testing native English speakers. "Evidence strongly suggests that testing and assessment practices currently used in special education do not benefit ELLs" (Artiles and Ortiz 5). The main challenge for the researchers is to

find a valid and reliable measurement tool for identifying English learners with disabilities. The lack of research has raised some concerns about common practices and suggested alternative assessment approaches (Notari-Syverson 42).

Psychological tests such as the Woodcock Johnson (riverpub.com) widely used by the U.S. schools examine the candidate's psychological processes that may erroneously appear as a reading disorder. The test's response format requires oral production. An EL's language proficiency might influence his or her ability to perform on this assessment. Nevertheless, the test is extensively used as the main measurement tool (qtd. in Shore, Sabatini 21).

Klingner and Harry (2247-2281) looked at issues related to referral in schools throughout the US. They conducted a 3-year longitudinal study on the possible overrepresentation of ELs in special education in twelve schools. They found that many referral teams used language proficiency as the only determinant of referral, and "only cursory attention was given to pre-referral strategies, and that most students were pushed toward testing based on an assumption that poor academic performance or behavioral difficulties had their origin within the child and indicated a need for special education" (2274). In other cases, educational teams referred English learners for special education services if they were not learning English at the rate of their classmates. In a small number of situations, if an individual did not have oral language proficiency in English, the team tended not to refer the student to receive special support services.

Finally, Klingner and Harry made several valuable recommendations for school districts regarding the referral process. First, a specific team member should receive the explicit responsibility of observing the child in his or her classroom prior to settling on an evaluation. Second, the members of pre-referral teams have to include primary general education teachers

and parents (not administrators). Third, the team should focus on collaborative problem solving and developing specific instructional objectives and a plan for each child using pre-referral strategies. Fourth, use of the Response to Intervention (RTI) models would be beneficial. Fifth, both school district personnel and parents must receive an overview of second language acquisition issues and their relation to the academic performance of ELs (Klingner, Harry 2274-2277).

Zehler et al.'s work, based on data collected from school districts across the United States, supported these recommendations and explained inconsistencies across states (2203). General results include the finding that students were first identified as limited English proficient (LEP) before they were identified as in need of special education services. Moreover, in both Klingner's and Zehler and colleagues' reports, lack of parental involvement and generalization of opinions of members of a referral team were found to be the main factors leading to the identification of LD in ELs (Klingner, Harry 2271-2274, Zehler et al. 27-30).

One promising experimental instrument being developed for use with ELs is the Diagnostic Assessment of Reading Comprehension (DARC) (Center for Applied Linguistics & the University of Houston 2002). August et al. administered the DARC to 28 fourth-grade students who had scored in the lowest third of 168 Spanish-speaking EL students on the Woodcock Language Proficiency subtest. Their findings revealed the value of this comprehension assessment, for which the students do not need extensive vocabulary knowledge and background information (August et al. 221-238).

Recent advances in technology have enabled researchers to document changes in neurophysiological function (*National Symposium* 18). This technology has not yet proven to be useful exclusively for the diagnosis of certain conditions such as reading or other learning

disabilities, but the technology itself and its usefulness in behavioral and educational research have been demonstrated. At the *National Symposium on Learning Disabilities in English Language Learners*, Dr Andrew Papanicoloau explained the advantages of Magnetic Source Imaging (MSI) for the study of brain mechanisms (explained in the next paragraph). It is safe and non-invasive, allows for a child-friendly environment, and permits the task to be repeated any number of times (18).

Papanicoloau has mapped brain differences between normal readers and dyslexic readers, as well as changes in brain function among dyslexics after treatment. He found that those students identified as high risk for a reading disability showed similar brain map profiles as those identified as dyslexic (Papanicoloau 19). Symposium participants agreed that this trend is still in its infancy, requires additional studies and experiments to prove its usefulness, and may not be used to "profile" children. It could, however, be used in conjunction with other assessments as an additional tool and is a promising innovation (*National Symposium* 18-25).

Another new framework recently introduced to the U.S. school system and promising to address "socio-cultural and historical contexts and the ability to connect these contextual elements with students' academic needs and performance" is the Response to Intervention, or the RTI model (rti4success.org). According to RTI Action Network, Response to Intervention is a multi-tiered approach to help struggling learners. Students' progress is closely monitored at each stage of intervention to determine the need for further research-based instruction and/or intervention in general education, in special education, or both. RTI has been heralded by many as the long-awaited alternative to using a discrepancy formula for special education eligibility decisions (Brown, Doolittle 1-13). Moreover, RTI focuses on intervening early through a multi-tiered approach where each tier provides interventions of increasing intensity. It has the potential

to affect change for ELs by requiring the use of research-based practices based on individual children's specific needs (Brown, Doolittle 8).

An appropriate foundation for RTI must include knowledge of each child's particular set of life experiences, and how these experiences may facilitate learning in an American school system. Further, all educators must be knowledgeable in first and second language acquisition principles and culturally responsive pedagogy, as well as have access to specialists who are well-trained in differentiating cultural and linguistic differences from disabilities (Brown, Doolittle 10).

Despite the positive outlook and predictions regarding the RTI framework, the implementation of this method currently faces a number of challenges and limitations. Among these challenges and limitations are an inadequate research base; the absence of established practices known to be valid for ELs; shortage of teachers with sufficient training and experience; and, finally, demands of time and resources on the part of school and districts (Artiles 1-30).

As previously noted, the research on testing of English learners with disabilities is limited. More investigation is needed on developmentally appropriate benchmarks for growth in various subject areas in order to establish the differences that may exist between ELs with and without a learning disability. Such benchmarks are also necessary to identify a disability. Guidelines are needed to allow referral teams to make consistent decisions that are best for students. Guiding principles would support a system that summarizes early intervention efforts, documents assessment history, and provides information to the interdisciplinary team assessing an EL. The information has to be collected, and procedures need to be in place for evaluating the effectiveness of interventions. Before initiating formal testing for language learners, educational professionals need to know more about the pre-referral process and the special considerations

needed for students who are not making adequate progress. Opportunities for parental education and input are also necessary. In addition, psychologists and testing teams require assistance and training in working with ELs.

Ideally, research should provide a collection of detailed and comprehensive age/grade sensitive assessments for non-native speakers that demonstrate exact knowledge in all areas of English--oral proficiency, orthography, phonology, morphology, syntax, and lexical knowledge. Assessing a child who speaks more than one language in only one language may not give a complete picture of what that child knows and is able to do. On the other hand, using comparable assessments in multiple languages may be very costly to schools.

Accurate identification of language learners with disabilities is an essential first step toward making progress in better serving this segment of the English language learning population. Research on this topic will ensure that ELs with disabilities versus ELs without disabilities receive attention appropriately fitting their needs.

3. Methods

3.1. Inquiry

This chapter introduces the research methodologies used to complete my study. In the beginning of the research, I decided to conduct a written interview with school psychologists in our school district, as they are the leaders and managers of the process of identifying ELs for special education services. School psychologists are the most involved and knowledgeable staff members regarding the topic of my research. The questionnaires provided opportunity for anonymity to encourage participants to provide their candid views and to contribute information honestly.

Given my personal experiences with the district's policies, it has become apparent that there are no specific guidelines on ELs' assessment for special education services. However, at the same time, there are a fair number of English learners represented in the Learning Disabilities, Cognitive Disabilities, and Emotional Behavior Disabilities programs. I do not mean to imply that the existing specialists are doing a poor job providing much needed assistance to our students. My intentions are to learn about techniques they are using, to contribute to that process, and to give them valuable input from an ESL teacher's perspective.

My interest is geared towards questions such as, "How do the teams of professionals determine that a student's deficiency in learning is not a language acquisition factor?" and "How is an EL tested differently compared to a native English speaker?" I seek the special education trained specialists' view of the research topic and hope to integrate it with the ESL perspective. Together, those two visions should provide a complete matrix for meeting the needs of English language learners in our district.

My hypothesis is that our district uses general Wisconsin Department of Education guidelines on evaluation and assessment of students referred for special education and would benefit from a set of forms or documents geared towards ELs' evaluation for SPED services. At the end of my research, I will be able to create a set of guidelines on non-discriminatory assessment of ELs for Special Education and offer it to the district administration for review and approval. If approved, this newly created set of strategies could serve the district as a manual in the special education referral process. The manual would outline pre-referral procedures and clarify the steps needed to ensure an appropriate referral for an English learner.

3.2. Interview

A set of thirteen questions was created by the researcher for gathering data from the school psychologists (Appendix 1). My research is qualitative in nature since it is collecting perspectives and peoples' knowledge, but not quantifying variables. Merriam writes that in qualitative research "what is being investigated are people's constructions of reality—how they understand the world…how they have come to understand certain processes" (214). In this research project, I attempted to collect data on school psychologists' perspectives and experiences with the process of ELs' evaluation for special education. The psychologists were my primary source of data collection in the questionnaires, and their "interpretations of reality were accessed directly through their observations" (Merriam 214). Through these interpretations, I gathered the psychologists' perspectives on my research question: What are the guidelines on non-discriminatory assessment and evaluation of English learners for special education in our school district?

All participants of the study were given a signed consent form assuring their confidentiality. It was important to ensure anonymity of answers, which led to thorough and

complete responses. In addition, the voluntary participation in the interview was emphasized by consent form. As a result, three out of four questionnaires were completed and returned to the researcher. One person declined to participate in the study.

In addition to the issues of anonymity and confidentiality, I encountered some other challenges. First, I ran into the difficulty of creating good questions. As soon as I received completed questionnaires, I realized which questions needed more attention. Merriam explains "interviews are crucial for trying out your questions. Not only do you get some practice in interviewing, but you also quickly learn which questions are confusing and need rewording, which questions yield useless data" (Merriam 95). Second, the number of participants in the questionnaire was low due to the small size of the district in which I work. Although my intention is to produce a tool needed in my district only, I wish I could collect additional responses from a larger group of participants.

The objective of collecting data from the interviewees was to compare responses. The questionnaires were sent to the participants in paper form via interschool mail. After the subtopics from the questionnaires were identified, I analyzed them thoroughly. The answers provided some valuable information for the school district, Student Services Department, ESL teachers, and the school psychologists. Furthermore, additional need for professional development in the district regarding servicing English learners will be identified on the basis of this research.

It should be noted, that participants gave in-depth and detailed answers. A few factors may have played advantageous roles in this process: familiarity with the researcher, absence of a due date for completing the questionnaire, relevance of the topic.

3.3. Participants

The participants who responded to my questionnaire were four school psychologists--three females and one male. All respondents were Caucasian, born and raised in the United States, ranged in age between thirty-five and sixty years old, were in good mental and physical health with a variety of professional and life experiences. They all work with elementary and middle school English learners. The main factor joining the contributors was their direct correlation with the topic of my research. All participants play a vital role in the decision-making process of pre-evaluation, assessment, and placement of English language learners into special education programs.

3.4. Setting

The setting of this research was a rural school district in Western Wisconsin. The district serves 73 ELs out of a total of 5,541 students. English learners make up only 1.34% of the total student population. The school's student and teacher population is predominantly Caucasian. Common spoken languages other than English are Spanish and Hmong.

Each elementary school has a Learning Disabilities (LD) Teacher, an English as a Second Language (ESL) teacher, and a school psychologist. The middle school has three LD teachers, a Cognitive Disabilities (CD) Teacher, an autism specialist, and an ESL teacher.

3.5. Data Analysis

As data was compiled, it was analyzed to help guide my continued study. The responses to all questions were reviewed in detail and grouped into subtopics. The subtopics were: pre-referral and referral process in the district; evaluation and assessment tools for identifying learning disabilities in ELs; participation of interpreters; parental involvement; professional

challenges and specific requests. Summary notes were made to aid organization of the compiled

information. Section 3.6 describes and analyzes all of the subtopics mentioned above.

<div align="center">3.6. Pre-referral and Referral Process</div>

The first two items of the questionnaire, "What definition of learning disability do you

use? Where can I find it?" and "Please describe steps taken in LD identification process" asked

the participants about the definition of a "learning disability" used in our district and the general

steps taken in the LD identification process. All three participants referred to the Wisconsin

Department of Public Instruction (DPI) website as their source. I reviewed the definition and

noted that "the term does not include learning problems that are primarily the result of visual,

hearing, motor disabilities, cognitive disabilities, emotional disturbance, cultural factors,

environmental, or economic disadvantage" (dpi.wi.gov/sped). In my review, I was looking for

details related to English as a Second Language. The definition clearly states that cultural factors

need to be considered during the process of identification and evaluation of a student for special

education programs.

The answers regarding the steps taken in the LD identification process varied somewhat.

All three participants stated that after a student with a possible impairment is identified, he/she is

monitored and given interventions for targeting the exact skill or problem. A student's response

to those interventions is examined closely. The students who do not show adequate progress

despite intensive interventions are referred for special education evaluation. Two respondents

mentioned that the discrepancy model is used in testing currently. In this model, the evaluators

are trying to determine if a student has a discrepancy between his/her abilities (IQ) and

achievement. Individual standardized achievement and cognitive tests are used for determining

the discrepancy. In addition, all interviewees mentioned "ruling out" exclusionary factors.

The third respondent indicated that starting January, 2013, our district will use "intelligence testing to establish expected levels of academic achievement and norm referenced academic achievement testing to establish skill levels." That person also included a blank "Eligibility Checklist" (initial evaluation form from the WI DPI, included in Appendix 5) that gave me detailed information regarding documentation needed for determination of eligibility for special education services.

3.7. Evaluation and Assessment Tools for Identifying LD in ELs

All three interviewees justified using the discrepancy model as a main evaluation tool. It includes cognitive assessments and achievement tests and determines if a student has discrepancy between ability (IQ) and achievement. Intelligence (IQ) testing is used to assess current intellectual and cognitive functioning through an individual's performance on verbal and nonverbal tasks. The Wechsler Intelligence Scale for Children- Fourth Edition (WISC-IV) and the Stanford-Binet Intelligence Scale – Fifth Edition (SB-V) are two main cognitive assessments. In addition, the Kaufman Assessment Battery for Children (KABC), Woodcock Johnson Test of Cognitive Abilities, and Universal Nonverbal Intelligence Test (UNIT) may be used as needed.

Achievement testing is used to assess an individual's developed skill or knowledge. Common types of academic achievement tests include the Wechsler Individual Achievement Test – Third Edition (WIAT-III), Woodcock-Johnson III Tests of Achievement, Kaufman Test of Educational Achievement (KTEA), and Key Math Diagnostic Assessment. Ongoing assessments such as Fountas and Pinnell Reading Assessment and Developmental Reading Assessment (DRA) provide additional information for the evaluators. The results of progress monitoring tools such as Dynamic Indicators of Basic Early Literacy Skills (DIBELS),

a set of assessments used for universal screening and progress monitoring in grades K-6, and

Rigby Focus Forward Assessment are taken into consideration as well as are the results of other

standardized tests.

Also, teams of evaluators look into the English proficiency test (ACCESS) and the

student's proficiency in his/her native language. One of the questionnaire respondents mentioned

a Spanish version of an achievement test, and a Spanish speaking consultant administering it.

Others noted availability of the Spanish versions of the tests as well. However, none of the

responders have used tests in languages other than English.

3.8. Participation of Interpreters

The next two questions inquired, "Have you worked with interpreters? Does our district

have guidelines on working with interpreters?" Besides the fact that independent Spanish

speaking test administrators have participated in the pre-referral procedures, there was a 100%

"Yes" response to questions regarding interpreters' involvement. All interviewees commented on

previous experiences working with interpreters. One person specified an interpreter's assistance

in the process generally (I assume, during meetings), but not during formal assessments. None of

the interviewees were aware of guidelines on working with interpreters.

3.8. Parental Involvement

It was noted by the interview participants, that every evaluation includes gathering

information directly from parents in a parent interview, or from the student when possible. That

data includes cultural background and family history. In most cases, parental involvement

during pre-referral, placement, and while the student is in the special education program is

average. That is if an EL family is compared to a native speakers' family who has a child with an

IEP, parental involvement is nearly similar. One participant points out that sometimes it is

difficult to gauge the extent to which parents understand the test results, but this difficulty is also a common challenge with non-EL families.

<div align="center">3.10. Experienced Challenges and Specific Requests</div>

In response to question 11, "What struggles have you experienced in relation to testing ELs?" two interviewees gave almost identical answers: "determining role of language in school performance versus possible educational disability" and "understanding if their [students'] performance is innate learning problem or a result of language differences and experiences." In addition, two interview participants mentioned language barriers in communication with parents of ELs as an additional challenge.

In question 12 I asked, "In your opinion, does our district need a set of forms/guidelines assisting you in the process of evaluation and placement of ELs into SPED?" Again, the answers I received were very similar: "this is an area we need to focus on," "Yes! It would be very helpful." One of the psychologists noted that the district has some informal guidelines, but "something more formal may be helpful."

The last interview item stated, "Please, list any specific necessities that are currently unavailable, but that you could use while evaluating and placing ELs into SPED." The respondents made the following requests:

- Forms and questions (paperwork) availability in different languages

- Formal guidelines regarding the process of ELs' identification for SPED

- Availability of evaluators who speak the child's primary language

- Training for regular educators on the subject of second language acquisition

- Guidelines on work with interpreters

3.11. Inferences

The following inferences and conclusions were drawn from a formal interview summary, numerous informal conversations with school psychologists, and from personal observations.

School psychologists complete a portion of the intellectual and behavioral assessments, and the teachers complete the academic portion of the testing. Once testing is complete, the group of specialists compiles the test results as well as assessments completed by others and examines them to determine if a student falls within the qualification guidelines necessary to receive special education services. After assessments are conducted, the results are shared with teachers and parents. This process helps the specialists to make recommendations for how best to serve the student. It can be problematic when assessing an EL because there may be areas that are hard to discern due to deficient oral and written English skills. It is important to assess in both English and the student's primary language if at all possible. However, there may be situations where the student's primary language is so unique that standardized tests are not available in that particular language, and some tests become invalid.

A brief overview of the special education referral process may run as follows: first the classroom teacher must document a struggling student's academic progress or lack thereof, any behaviors exhibited, and interventions that have been implemented--successfully or unsuccessfully. Second, the student is referred to the Student Support Team (SST). If the SST recommends further analysis, there is a meeting set to plan the student's assessment process and gain parent approval. Once parents have approved of the testing, the school district has sixty calendar days to complete all assessments. Finally, the results are examined and discussed with the parents. If it is determined that the student is eligible for services, an IEP is created for that student and, again, shared with the parents for their input and approval.

As I reflect on the information I have gathered, I understand that the process of "identification and classification of students with learning disabilities is a complex, sometimes contested domain itself." "With ELLs, this determination is further complicated by the need to distinguish whether a learner's difficulties stem from a learning disability or are part of the process of language acquisition" (Shore, Sabatini 22).

The solutions for ELs' placement in special education programs are not clearly labeled or easily defined. Therefore, I am drawn and motivated to create a set of recommendations to assist teachers and Student Support Team (SST) in the special education referral process. From the first months I was hired, I have received frequent verbal requests from teachers and school psychologists for resources and procedures in the process of appropriate placement of English learners in special education programs. I am not saying that the former ESL teacher was not providing my colleagues guidance, yet I felt the need to be a part of a team of specialists. School personnel were looking for my input and current information.

I became particularly interested in pursuing this project, after I discovered that other school districts already use some sort of handbooks during this difficult process. As a part of my inspiration, I am going to use *Working Together to Meet the Needs of the English Language Learners Manual* created by a committee of school psychologists, ESL and special education teachers of Rochester School District, MN.

I chose *Considerations for Nondiscriminatory Assessment and Addressing Educational Needs of English Learners Referred for Special Education Services* as the title of my guidebook. After creating the manual, I am planning on presenting it to other ESL teachers in my district and the Student Services Director for approval. I am looking for constructive criticism and extensive feedback. Ruling out language and acculturation are important before moving forward with an

evaluation for special education. I am hoping to provide structure and consistency for SSTs across the district in addressing this concern.

In this chapter, I examined and analyzed the responses to my questionnaire and specified my intentions as a researcher. The next chapter will introduce documents I created and outline specific components requiring attention in pre-referral and referral of English learners for special education.

4. Implications and Outcomes

This chapter focuses on producing a manual called *Considerations for Nondiscriminatory Assessment and Addressing Educational Needs of English Learners Referred for Special Education Services*. The need for this manual is described below. At the present time, my school district uses standard forms created and approved by the Wisconsin Department of Public Instruction (WI DPI) for referral and assessment of native speakers for special education. English learners are automatically included in the group of general education struggling students. There are some guidelines and forms available on the DPI's website that must be used during referral process, but they are not specifically designed for English learners. Individual school districts create and use their own documents. Therefore, I developed this manual in response to general education and special education staff's request for resources and procedures to assist teachers and SSTs in the special education referral process of English learners. In the interview (described in part three of this paper), school psychologists indicated the need for some sort of regulations and considerations in a single reference.

In addition to meeting the staff's need indicated in the interview, the creation of this handbook fulfills my objective to serve the school district I work in with valuable ESL teacher's input. I should acknowledge the usefulness of current documents, for I am positive that our district staff uses them with their best intentions for serving the EL population. Sometimes, though, certain components of the student profile may be overlooked. For example, educational history information may not play as big of a role during assessment of a native speaker versus assessment of an English learner. This handbook gathers a set of factors necessary to know before the final decision of ELs' placement in special education. Finally, the manual outlines

pre-referral procedures and clarifies the steps needed to ensure an appropriate referral for an English as a Second Language student.

The chapter concentrates on three major procedural issues--information about second language acquisition; pre-referral/referral guidelines and forms; and evaluation plan and forms. It is organized as follows: first, an issue intended for inclusion in the guidebook is identified and its importance is described; second, the information regarding that topic is compressed and transformed into a short and useful form; third, the actual final file is presented. For better organization and convenience, in this paper, documents and forms are being numbered and presented in the form of appendices. Additionally, I used found, created, or adapted materials for arrangement them into a separate binder, which I will present to my school district for their approval.

Many forms in the handbook are original documents that I created. It should be noted, however, that some documents and terms included in this manual were introduced by various scholars and are already being used nationwide. Others are presented on the Wisconsin Department of Public Instruction website as "must use" forms during a formal evaluation process. I recognize the importance of those documents and strongly agree they should be included in the manual as valuable evidence to support appropriate decisions. Still others were generated by specialists in different school districts that proved to work well. In those cases, I used an idea of a document from another school district, but supplemented it with new material (suitable for my district) and, therefore, generated a new file. The sources of documents that I have adapted are acknowledged.

4.1. Second Language Acquisition

The first area addressed in the manual is the second language acquisition area. All participants of the Student Support Team and possibly parents need to be educated on basic second language acquisition concepts. These include Basic Interpersonal Communication Skills (BICS), Cognitive Academic Language Proficiency (CALP), stages of second language development, and English language proficiency levels.

The acronyms BICS and CALP refer to a distinction introduced by Cummins (123-124) between basic interpersonal communicative skills and cognitive academic language proficiency. The distinction was intended to draw attention to the very different time periods typically required by immigrant children to acquire conversational fluency in their second language as compared to grade-appropriate academic proficiency in that language. Failure to take account of the BICS/CALP (conversational/academic) distinction has resulted in discriminatory psychological assessment of bilingual students and premature exit from language support programs into mainstream classes (Cummins, *BICS and CALP*, wce.wwu.edu).

J. Haynes in her article *Explaining BICS and CALP* says that Basic Interpersonal Communication Skills (BICS) are language skills required in social situations. They include the day-to-day language needed to interact socially with other people. English language learners employ BIC skills when they are on the playground, in the lunch room, on the school bus, at parties, on the sports field, and on the telephone. Social interactions are usually context embedded and are not very demanding cognitively. The language required for those interactions is not specialized. Problems arise when teachers and administrators think that a child is proficient in a language when he or she demonstrates effective social English (everythingesl.net).

Thomas and Collier confirm that CALP refers to formal academic learning (thomasandcollier.com). It includes listening, speaking, reading, and writing about subject area content material. This level of language learning is essential for students to succeed in school. Students need time and support to become proficient in academic areas. According to ongoing studies by Thomas and Collier and their works published online, this usually takes from five to seven years (*Acquiring a Second Language for School*, thomasandcollier.com). Their recent research has shown that if a child has no prior schooling or has no support in native language development, it may take seven to ten years for ELLs to catch up to their peers (thomasandcollier.com).

According to Fothergill, academic language acquisition is not just the understanding of content area vocabulary. It includes skills such as comparing, classifying, synthesizing, evaluating, and inferring. Academic language tasks are context reduced. Information is read from a textbook or presented by the teacher. As a student gets older, the context of academic tasks becomes more and more reduced. The language also becomes more cognitively demanding. New ideas, concepts and language are presented to the students at the same time (Fothergill, *Generating Questions: Using Critical Thinking Skills,* colorincolorado.org).

There are a few different visual representations for BICS/CALP. One of them is often referred to as a "Cummins' iceberg." The surface area of an iceberg is the EL's social language that is visible to others and may be mistakenly taken for existent English proficiency. The two icebergs are separated at the top, representing the different surface features of both languages, the student's native Language (L1) and a new language (L2). Under the water, the icebergs are actually one large iceberg, symbolizing the central processing system that exists in bilingualism. The bottom part contains higher order thinking skills such as analysis, synthesis, and evaluation.

BICS is small and visible whereas CALP is a large hidden deep structure of language ability (Cummins 142).

The Cummins' diagram and its explanation are the first two documents included in my manual. It was adapted from Cummins' document *Bilingual and Special Education: Issues in Assessment and Pedagogy* (143). Second language acquisition data illustrated in this graphic reminds participants of the SST about the nature of the subject. The student they are about to discuss may be struggling with academic language acquisition as opposed to having a learning disability. I summarized the language learning theories of professor J. Cummins that I found on his website and incorporated my own interpretation of his findings in both this paper and the manual (Appendix 2). While significant professional development is necessary to gain a full understanding of second language acquisition theory, some key concepts can be quickly understood and applied in the classroom. The short explanation of BICS, CALP, and Cummins' Developmental Interdependence Hypothesis that I presented should give school professionals a quick but precise look at the second language acquisition process.

Language researchers such as Jim Cummins, Tracy Terrell, Lily Wong Filmore and Stephen Krashen have studied the topic of a continuum of learning a second language for many years. Their research has identified predictable and sequential stages of language development, in which the learner progresses from no knowledge of the new language to a level of competency closely resembling that of a native speaker. Judie Haynes identified these stages in her recent work as: the silent/receptive or preproduction stage; the early production stage; the speech emergence stage; the intermediate language proficiency stage; and the advanced language proficiency stage (*Stages of Second Language Acquisition*, everythingesl.net). I have condensed Haynes' five-stage detailed description and compiled available information into a one-page

easily accessible document (Appendix 3). Understanding that students are going through a predictable and sequential series of developmental stages will help teachers predict and accept a student's current stage, while modifying their instruction to encourage progression to the next stage.

Equally important to knowing the stages of English language development is the understanding of English language proficiency levels. There are two sets of English proficiency levels that ESL teachers in my school district operate with. One set that includes seven levels is identified by the Wisconsin Department of Public Instruction (WI DPI). Mainly, the ESL teachers in Wisconsin reference those levels while accepting or exiting ELs into and from the ESL program (docs.legis.wisconsin.gov). I have decided not to incorporate this information into the manual for the reason given in the paragraphs below.

The DPI definitions indicate parallelism of their levels to the second set widely used in thirty-one US states. A set of levels created by the World-Class Instructional Design and Assessment (WIDA) Consortium plays an important role in everyday instruction for both ESL and content area teachers. WIDA Consortium designs and implements English proficiency standards and assessments for students in grades K-12 who are English language learners. It also provides professional development to educators. All participants of WIDA, school districts from thirty-one states follow the same guidelines identifying and assessing ELs. I use descriptions of WIDA's levels frequently for the following purposes: setting up yearly goals, planning daily lessons, and monitoring progress of my students. Consequently, the description of all six English proficiency levels as identified by WIDA was included in the manual.

The main WIDA's test that measures ELs' English proficiency is *Assessing Comprehension and Communication in English State-to-State for English Language Learners*

(ACCESS for ELLs). According to the *ACCESS Interpretive Guide*, "At the given level of English language proficiency, English language learners will process, understand, produce, or use. . . " certain amount of the English language (20). Depending on the extent of language produced, WIDA has defined six English proficiency levels (ACCESS Interpretive Guide 21).

As it presented in *ACCESS Interpretive Guide*, Level 1, *Entering*, refers to students with minimal knowledge of English in the content areas with sensory, graphic, or interactive support. Level 2, *Beginning*, includes students that have some general English related to content areas with emergent level of reading and writing. Pupils classified at Level 3, *Developing*, start understanding some academic language of the content areas and use expended sentences in oral interaction or written paragraphs. Learners fitting into Level 4, *Expanding*, use a variety of sentences with minimal errors that do not impede the overall meaning of communication. Level's 5, *Bridging*, students use enough specialized or technical language of content areas, but still slightly below their grade level. They are approaching comparability to that of English-proficient peers. Students at Level 6, *Reaching*, are at grade level English proficiency in all four domains-listening, speaking, reading, and writing. They fully understand English within academic classroom setting and are automatically exited from the ESL program (ACCESS Interpretive Guide 21). The major difference between those two sets of English proficiency levels is the availability of one extra level in the WI DPI document. Level 7, according to the DPI consists of students that were never "classified as limited-English proficient" and do not fit the definition of a limited-English proficient student (docs.legis.wisconsin.gov). Familiarity with WIDA English proficiency levels is crucial to the SST team contributors.

4.2. Procedures for Pre-referral and Referral

When an English language learner is brought forward to the Student Support Team for the purpose of a special education evaluation, certain procedures and documents need to be completed. In my school district, a team of professionals gets together and determines what type of challenges the student faces, what possible interventions may be done, and how to assist the student with his or her struggles. Depending on the significance of the problem, the student may or may not be referred for full special education evaluation. According to current guidelines in my school district, parents of the student have to be notified of an existing problem. At the same time, the SST team is trying to answer questions such as: What is the reason for struggle in school? Is this a behavioral problem? Could it be an academic issue? Are there any health concerns? Then, several interventions are done in order to help with the student's deficits. Progress is monitored very closely at this time. If the cause of the problem is identified and the student is making progress, he or she continues his or her placement in general education classes and is observed frequently. On the other hand, when a few interventions were completed, but the student did not make any progress, a special education referral begins.

At the present time, to my knowledge, there are no documents used during the pre-referral and referral process in my district that are specifically ESL related. Instead, a general format for all students is followed. As I mentioned previously, those procedures are not harmful, yet, they do not analyze the EL's problems in full. Alba Ortiz, a professor from Texas, has conducted extensive research in the area of separating difference from disability in English learners. She emphasizes the importance of including the following factors during pre-referral and referral of ELs for possible placement in special education: "(1) a shared knowledge base among educators about effective ways to work with students learning English, (2) recognition of

the importance of the students' native language, (3) collaborative school and community relationships, (4) academically rich programs that integrate basic skill instruction with the teaching of higher order skills in both the native language and in English, (5) effective instruction" (Ortiz 2).

Moreover, when special education services are considered for ELs, "school personnel are urged to take a broad, ecological perspective, collecting data through a multidimensional, multi-task approach and interpreting results within the context of the students' unique cultural, linguistic, and experiential backgrounds" (Blatchley, Lau 1). I am in agreement with Ortiz, Blatchley, and Lau--in order to understand the difference between ELs acquiring a second language versus having a learning disability, many additional factors need to be taken into account. That is the reason why I created or adapted the following forms for presentation to my district for approval.

In my opinion, the Student Information Sheet, Parent Interview Form, Teacher Rating of Student Skills and Abilities, two documented interventions, Student Ability and Achievement Scores, and medical and attendance information are the documents that should be included into English learners' files during pre-referral and referral process. All forms mentioned above are to be attached to the Pre-referral/Referral Determination checklist and presented to the members of SST at their meeting along with Referral Form R-1(Appendix 4). This practice would ensure that as many factors as possible would be considered.

I am aware of the fact that my school district already uses some of the forms that I recommend such as two documented interventions, the information regarding students' attendance, medical and behavioral history, and, of course, academic history. My intention is to suggest a collection of forms to supplement procedures currently used in the district.

First, I suggest filling out a two-page Student Information Sheet (Form 1) that must be completed collectively by both classroom/advisory and ESL teachers. I created this document with the anticipation of collecting information regarding an EL from the perspective of people interacting with the student in a school environment on an everyday basis. The form gathers information on the student's ESL level and native language proficiency, areas of strengths and weaknesses, previous school experiences and progress in school currently. It also includes identified concerns (such as class failures) and conducted interventions (if any), and interactions and behaviors with classmates. This form, unlike a regular cumulative file kept in school, is an English learner's recent profile that combines all necessary information about the student from two main sources-- classroom/advisory and the ESL teachers. A regular cumulative file, on the other hand, is a student's full school history with a large collection of papers accumulating over the years.

Classroom and ESL teachers discuss data collected in Form 1 based on their informal observations. Only a few items in this form are specific and need to be checked such as "number of days of school missed this year," the student's demographic information, and his/her ESL level. Otherwise, the completed form would guide the conversation about the student during the initial SST meeting. After an initial discussion, the participants of the SST team (including classroom teacher and the ESL teacher) should have a broad idea and solid background information on the student. This form is the general description of the EL.

Form 2 (Appendix 4) represents information about the student from the parents' perspective. An inspiration for creation of this form came from a similar document used in Rochester School District, Minnesota. The prototype of the form was a part of *Working Together to Meet the Needs of the English Language Learners* handbook, a set of policies created by

Rochester teachers and school psychologists for assisting SSTs in their district. The Rochester's *Home and Family Interview* included medical/health history, school and bilingual information, communication history, and academic history. I used Rochester's example of the form, but added my own information regarding the student. My form has a short note to interpreters (if my district will have the need for them), a short explanation to parents about the reason of this interview, and the data on their child's strengths and concerns. It comprised of a list of questions related to different areas of the child's family life. The purpose of this questionnaire is to "see" the children and their actions and behaviors at home, through the eyes of their parents or guardians.

Following the initial part containing student and parent names, address, and phone numbers, the form is divided into five parts. First, background information on the family's experiences is requested: place of student's birth, time and place/places of residency in the United States, time spent in refugee camps (if any), and data on the siblings, their ages and education. Second, the student's communication skills are discussed: first language spoken, age of speech emergence, language used at home presently, student's language development compared with that of his/her siblings, and any noticed difficulties in speech and following directions. Third, the student's school and academic history is described. Questions are asked about beginning educational experiences, languages and programs used in previous schools, possible interruptions in schooling, homework performance and assistance, and afterschool activities. The student's academic performance is compared to that of his/her siblings. Fourth, insight into the student's medical/health history is given by his/her parents. Fifth, the social/adaptive sphere of the student's life is brought to attention. Here, the following behaviors in after-school setting are described: getting along with peers, displaying attitudes toward

school, and experiencing any possible fears. Additionally, everyday tasks like eating, sleeping, riding bicycle, writing, and coloring are examined.

There are a few items to consider while interviewing the parent/parents/guardians. First, administering all five parts of the parent interview requires a lengthy period of time. Therefore, an appropriate place and atmosphere needs to be set up beforehand. Next, the answers are anticipated to be as open and honest as possible, so the SST team gets a clear description of the student. In order to achieve this, the interviewer may be a person acquainted with the student's family, or somebody who knows and understands the family's culture. Sometimes, it may be possible to use an interpreter for this step of the pre-referral process. In that case, different guidelines need to be followed by the school personnel and the interpreter him/herself in order to get adequate results from the interview. The guidelines on working with interpreters will be addressed separately below.

The questioner has to create a friendly atmosphere during the interview because some topics may appear delicate and cause apprehension. Certain cultures are very sensitive to their children's educational experiences. The parents' attitudes may range from very open and helpful to aggressive and disrespectful. "In order to truly foster collaboration with families, educators must keep an open mind and remember that there is no one right way to provide an education and to raise a child well. For example, notions of independence, work, and self-advocacy may all vary cross-culturally, and educators must be careful that they are not imposing their own cultural values on EL students and their families. At the same time that we recognize that EL families may have different assumptions, beliefs, goals, and ways of expression from mainstream mores, we also must try to avoid stereotyping by assuming that all families from a particular cultural group will behave the same way" (crosscultured.com).

Most importantly, the interviewer's job is to explain the reason for this interview and its significance. The details and talking points to share with parents include the following:

- it seems that your child has difficulties in school in particular areas;

- teachers have some concerns regarding your child's progress;

- has anyone already discussed their concerns with you;

- there are many types of support for your child including special education services;

- special education means that your child could get additional help with their specific problems;

- the help could be in a classroom or a smaller group;

- this interview will assist the teachers at school to know your child better;

- if a formal assessment is needed, you will be notified separately;

- what type of communication do you prefer and what times and dates may work for you if a meeting is needed in the future.

All questions and comments need to be understandable, clear, and simple to follow.

Another important area demanding attention during the pre-referral/referral period of time is the student's academic achievement. In-depth analysis of the student's progress in Mathematics and Language Arts should highlight struggling areas and areas of strengths (Form 3, Appendix 4). Once more, I used Rochester's handbook as the basis for this part of my paper. In my opinion, "Teacher Rating of Student Skills/Abilities" created in Minnesota is an excellent document. I thoroughly evaluated the original form and modified it to fit my district's curricula and standards. I also changed originally suggested list of interventions from Rochester's manual to the list of interventions to address reading, writing, and math issues for struggling learners in

my school district. I reduced a short overview of behaviors observed in school listed in the original document, but supplemented the list of behavioral interventions as suggested in my school district. I also increased the space for writing teacher's comments compared to the space given in the original form for the accuracy purposes (rochester.k12.mn.us).

If the pre-referral/referral process takes place at elementary school level, the form must be completed by the classroom teacher. At the middle school level, subject area teachers will each fill out a section of the form. A behavior rating sheet should be given for completion to each subject area teacher as well. That way, at the middle school level, detailed observations will be made and complete conclusions will be formed.

General organization of the form allows teachers to rate the student's performance in specific subtopics of the core school subjects. The teachers are invited to rate the areas of concerns regarding the student's achievement on the scale of 0-3 where 0=no concern, 1= mild concern, 2 = moderate concern, and 3 = severe concern. In the "Comments" part of the form, teachers may describe additional observations, talk about interventions that already took place, or add any other valuable thoughts. Among suggested interventions, "The Pre-referral Intervention Manual" is mentioned for each subject area. That is a formally completed intervention that will be described below (Form 4, Appendix 4).

The Mathematics skills' rating sheet includes subtopics that are important in each grade level and are necessary for a secure understanding in order to complete mathematics class. Some examples include number recognition, remembering basic math facts, understanding abstract math concepts, inability to follow sequential steps in math problems, etc. Suggested math interventions are computer programs and drills, use of manipulatives, modified assignments, visual cues, reinforcement of skills at home, and forms of tutoring.

The Language Arts skills rating form consists of looking into areas of reading, fluency, comprehension, verbal expression, spelling, and written expression. The units of Reading curriculum provided for rating range from alphabet recognition to identifying a main idea and drawing conclusions. "Verbal Expression" focuses on speech sounds, mispronunciation, and completion statements when speaking. "Spelling" rates the ability to use spelling rules, omission of word-endings, and inconsistencies in spelling. Some topics from "Written Expression" are inability to copy letters, words, and sentences; difficulty using capitalization and punctuation; appropriateness of spacing between words and sentences; expressing complete thoughts; correct use of verb tenses; difficulty with paragraph organization. Suggested Language Arts interventions are reading aloud or listening to books on tape, referral to reading specialist, use of story starters, word banks, graphic organizers, modeling of written and spoken language.

Rating of behavior toward peers, authority, and academics; activity level; general school demeanor; and social/emotional behavior are the components of Behavior Rating part of Form 3 (Appendix 4). Again, on the scale from one to three, teachers will rate aggressiveness, social skills, peer relationships, rule following, concentration, ability to perform assignments, class attendance, self-control, frustration handling, etc. The list of interventions includes behavioral contracts, token systems, time-outs, counseling, and support groups.

Most importantly, while rating student abilities and performance in any area of academics or behavior, teachers must keep in mind a phrase listed at the beginning of each page of Form 3: "Slow academic achievement despite adequate academic English proficiency." In other words, English learners perform poorly in the area of concern not because they do not have enough academic English. Other factors such as quality of prior schooling, family or cultural history, certain medical issues, or first language background may block successful completion of certain

tasks. Bringing a student to the SST and evaluating his or her academic or behavior struggles through the set of forms that I recommend may help find those factors and assist teachers and students themselves towards better school performance.

After carefully examining the content of IQ tests, Gunderson and Siegel state that "Typically they consist of measures of factual knowledge, definitions of words, memory recall, fine-motor coordination, and fluency of expressive language. . . They assess only what a person has learned, not what he or she is capable of doing. An IQ test is not culture free, because background is important, nor is it language free, because it requires knowledge of English" (51). They continue, "An individual with a culturally based slow, deliberate style may not achieve as high a score as an individual who responds more quickly" (48). Consequently, the use of IQ test scores for learning disability finding is not reliable.

As mentioned earlier, "Teacher Rating of Student Skills/Abilities" (Form 3, Appendix 4) contains suggested interventions for certain area of academics and behavior. This information is necessary because in the past few years, the referral process in our school district has become more restrictive due to the RTI (Response to Intervention) framework implementation. This is an initiative focused on appropriately assessing students that are at risk for low performance as well as incorporating a behavior system that supports students in achieving their greatest potential. According to RTI Action Network (2011), Response to Intervention (RTI) is a multi-tiered approach to help struggling learners. Students' progress is closely monitored at each stage of intervention to determine the need for further research-based instruction and/or intervention in general education, in special education, or both. RTI is the long-awaited alternative to using a discrepancy formula for special education eligibility decisions (rti4success.org).

Currently in my district, which follows the Wisconsin state guidelines, qualification for a learning disability requires that students show a large and severe discrepancy (fifteen points, on average) between their ability level (an IQ test score) and a subject area achievement. It has been argued by Gunderson and Siegel that discrepancy-based models involving IQ scores should be replaced by other models (48) especially when working with English learners. As outlined in the U.S. Individuals with Disabilities Education Act (IDEA) in 1990, a learning disability exists if the student has "an IQ of 70 or higher and a severe discrepancy between intellectual ability and academic achievement in one or more areas" (Section 1401).

My school district's staff is being trained in early intervening services, the RTI model. RTI focuses on intervening early through a multi-tiered approach where each tier provides interventions of increasing intensity. The RTI framework has the potential to affect change for ELs by requiring the use of research-based practices based on individual children's specific needs (rti4success.org). According to the district's preliminary calendar, the RTI model will replace the discrepancy model in December 2013.

An appropriate foundation for RTI must include knowledge of each child's particular set of life experiences, and how these experiences may facilitate learning in an American school system. Furthermore, all educators must be knowledgeable in first and second language acquisition principles and culturally responsive pedagogy, as well as have access to specialists who are well-trained in differentiating cultural and linguistic differences from disabilities (nccrest.org).

Following those changes, my district has already started administering interventions and lining them up according to three tiers of the RTI framework. I suggest using *Pre-referral Intervention Form*" (Form 4, Appendix 4) included in this manual specifically with ELs. The form describes teacher's concerns, the actual intervention procedure, the anticipated goal of the intervention, and its outcomes. Importantly, the timeframe and the progress of the intervention

are underlined. After completion of one intervention and recording the progress, more interventions may take place.

Consistent with the multi-tiered approach, Tier 1 interventions focus on effective classroom instruction, modifications of content, and differentiation in teaching. When individual students fail to progress successfully within a given timeframe, the teacher (along with other team members) may determine that the student needs supplemental interventions such as those offered at Tier 2. If the intervention at Tier 2 is successful, it is discontinued or phased out, and the student returns to Tier 1. If it is not successful, the student will progress to Tier 3 to receive more intense and individualized interventions. Students at Tiers 2 and 3 are served in small groups or individually, so that the gaps can be pinpointed exactly, and so the instruction is individualized (Walker-Tileston 99-132).

Equally important to compiling essential information about students, rating their academic and behavioral performance, and administering interventions is monitoring students' test scores, grades, and attendance. The school district I work in has been including this data in all referrals for many years for all students. I agree with the importance of collecting the data and do not see the reason for changing this procedure. Main sources for getting attendance information and grade marks are the school attendance office, online grade books, and report cards. This information could be easily accessed and retrieved by any teacher interacting with the student. Accordingly, the standardized test scores may be found in the district's online database, "Skyward."

The only suggestion I have is that the test scores should be summarized in a single form and compared to the average scores of the same age group and to the other ELs of the same level in the district. I created Form 6, "Summary of District Test Information" (Appendix 4) to serve

this function. Additionally, Form 5, "Explanation of Acronyms" (Appendix 4) is provided. It clarifies the acronym of a test, states the type of an assessment such as district-wide, state-wide, or a grade-level specific subject area assessment, and identifies the subject area tested. Form 6 (Appendix 4) lists all state and district assessments given throughout the year. Scores recorded in the chart represent the past three years, which gives the SST team the ability to see the student's progress (if any). The form includes tests administered at both elementary and secondary levels. If a certain assessment was not taken by the student, the appropriate line should be marked "N/A." If there were additional assessments taken, they should be marked as well. Overall, the form is fairly easy to fill out and to follow.

A collection of the six forms described above along with the "Referral Form" (R-1) concludes the Pre-referral/Referral part of the student's evaluation for the special education process. The "Referral Form" is a part of the standard protocol explained in the Wisconsin Specific Learning Disabilities (SLD) Rule, a state statute for all participants of Local Educational Agencies (LEA). The form plays a final role in the document collecting and analysis stage of the process (dpi.wi.gov). It summarizes all the work done until this point regarding the student's performance and progress. It opens up the next part of the process-evaluation and formal testing.

With that said, based on my readings, interactions with school counselors, and personal professional experiences, the conclusion is that the main job of school personnel is to assist any student, English learner in this case, in his/her academic and behavior school life. Our mission is not to refer students for special education services and place them into learning disabilities programs as soon as we see a lack of progress. Our job as educators is to look through many issues related to possible disabilities and hopefully, by providing appropriate modifications, additional assistance, and differentiated instruction find the cause of the slow academic progress

of the English learner. As we evaluate the students' information, conduct parent interviews, study teachers' rating of student skills and abilities, document completed interventions, check students' test scores, their discipline, health, and attendance records, we should be able to come very close to accurate determination if an EL has a learning disability.

4.3. Evaluation

At the time of referral, the team of specialists must determine whether there is sufficient evidence to support an assessment or whether it is more likely that the student's difficulties are results of cultural, linguistic, economic or environmental issues. A thorough pre-referral process described in the previous part of this paper should play an essential role in decision making at this point of time. After collecting all the necessary information, conducting interventions, and inspecting the *Eligibility Checklist* (dpi.wi.us.), which should have ruled out exclusionary factors (L2 acquisition), the team makes the decision to refer the student to the special education evaluation and to obtain parental consent.

There are a few key questions that need to be addressed now: Do we need an interpreter? Can traditional evaluation procedures be used, or do we need to adapt standardized instruments? If so, how should procedures be adapted? Do we need to use any informal and/or supplemental procedures? What other factors do we have to consider? Those five questions have determined the structure of this part of my paper. First, guidelines on working with interpreters, translators, and cultural liaisons will be presented. I used two main sources for creating the guidelines such as *The ELL Companion to Reducing Bias in Special Education Evaluation* (from MN Department of Education, cited as *The ELL Companion* below) and the WI DPI website. Next, standardized assessments will be identified, and a summary of adaptations will be provided. After that, different types of informal, supplemental, and alternative test batteries will be

explored. Lastly, the material provided in this section will be summarized and combined into a list of "Considerations for Evaluation Process."

4.4. Guidelines on Working with Interpreters, Translators, and Cultural Liaisons

One important way of reducing bias in a special education evaluation is to involve culturally knowledgeable staff. The ideal approach to do this is to have licensed special educators who are knowledgeable and involved members of minority communities. Unfortunately, licensed special education staff is not always available to meet this need. Many times, even licensed translators and interpreters of certain languages are difficult to find. That is the time when cultural liaisons contribute to the process. In other words, clarification of those three titles needs to be made.

According to Wisconsin DPI's *Qualifications and Guidelines for Use of Translators and Interpreters in Wisconsin Student Assessment System*, "*translation* is the rendering of a written text from one language (source language) into another language (target language); *interpretation* is the immediate communication of language from the source language into the target language" (Evers). "Cultural liaison" means "a person who is of the same racial, cultural, socioeconomic, or linguistic background as the pupil" (*The ELL Companion* 146). Sometimes, a term *cultural advocate* is used interchangeably with *cultural liaison*. To clarify, an *advocate* is a person who speaks on behalf of someone else, a person who tries to influence the outcome. All parents have the right to involve an advocate at any point during a special education referral, evaluation, or placement.

An effective *cultural liaison* is someone who has community ties as well as good relationships with school personnel. This person may improve communication and the comfort level between minority parents and special education teams. However, in order to be truly

effective, cultural liaisons need staff development. Individual schools can also help train cultural

liaisons. For example, special education teachers can show liaisons how to conduct observations.

Speech clinicians can explain how to gather a language sample using pictures or other means.

Psychologists can go over the tests that they commonly use. Cultural liaisons are not required by

law, but they are recommended when teams are concerned when cultural or linguistic issues are

affecting the overall special education process (*The ELL Companion* 147). In Wisconsin, the use

of cultural liaisons is eligible for reimbursement through state aids for special education.

Next, the difference between a *cultural liaison* and an *interpreter* is discussed. A *cultural

liaison* is a person who has knowledge in the school system in general, special education and

disabilities, cultural background and acculturations issues, and the local community. He or she

has some autonomy to work independently. *Interpreters* are experts in languages, but not

necessarily familiar with school systems. Interpreters do not communicate autonomously: they

only convey information as directly stated by another person. Sometimes, people hired as

bilingual assistants or interpreters handle the duties of cultural liaison. Then, their purpose during

the special education process is clearly defined and specified. During meetings with parents,

their primary role is to serve as an interpreter (*The ELL Companion* 148).

As it was mentioned before, *interpretation* is the facilitation of oral communication from

one language to another. According to languagescientific.com, interpretation often goes beyond

word-for-word transfer. Experienced interpreters will convey the speaker's nuances, using

technical or colloquial language as appropriate. If the target language has no exact word or

phrase for a technical term, an experienced interpreter will give a brief explanation of what the

concept means. A message that requires several words in one language may require several

sentences in another, or vice versa. Good interpreters possess the ability to process oral information extremely quickly (languagescientific.com).

There are three ways of interpreting: *simultaneous, consecutive*, and *sight* (govtilr.org). During *simultaneous* interpretation, the interpreter listens through a headset or other means and interprets the message orally instantaneously. A simultaneous interpreter is able to listen and interpret at the same time and without pause. With *sequential* or *consecutive* interpretation, the speaker pauses every few sentences, allowing the interpreter to interpret what has just been said. Throughout *sight* interpretation, the interpreter reads and orally interprets a document written in English. Consecutive and sight interpretations are the most commonly practiced (govtilr.org).

According to finetext.de*, translation*, on the other hand, refers to written language. Good translators have excellent writing skills, as well as knowledge of both languages. A qualified translator is expected to carefully analyze the text at hand, to keep in mind the purpose of the translation and to subsequently produce a target group-oriented translation. Therefore, it can be said that a translator not only needs to grasp the meaning of the individual words, but must also take into account potential "hidden meanings" and stylistic devices in order to understand and consider the respective background (finetext.de). School districts may use translator services to provide translated documents for students' parents.

Several important issues need to be discussed while using interpreters and translators: neutrality and independence; confidentiality; accuracy; purposefulness; relation to student; bias (*The ELL Companion*, Chapter 5 n.p.). In order to keep interpretation and/or translation on professional level, it is important to follow certain guidelines. Based on the readings cited above, the information listed in *The ELL Companion*, and other sources listed below, the following documents were adapted that may assist my school district in working with cultural liaisons,

interpreters, and translators: "Steps in Working with an Interpreter" (Appendix 5), "General Principles for Working with Interpreters and Translators" (Appendix 6), "Sample Code of Ethics for Interpreters/Translators" (Appendix 7).

The American Speech-Language-Hearing Association's (ASHA) leader Henriette W. Langdon (asha.org) and professor of the School of Speech, Language, and Hearing Sciences Li-Rong Lilly Cheng developed the *briefing-interaction-debriefing* process in early 2000s and published their work in 2002 as a book titled *Collaborating with Interpreters and Translators* (Thinking Publications). Many school districts in California, Minnesota, and Illinois have used Langdon and Cheng's outline as a guideline for basic interpreter training. I have summarized the publication named above and the information found on ASHA's website (asha.org) and presented a very short description of the three components as a recommendation for my school district (Appendix 5). I think, it is important to follow a structured procedure while working with interpreters, which will increase a level of responsibility for both the school district and the hired interpreters.

In order to achieve greatest results during working with interpreters, I suggest following and considering a number of principles (Appendix 9). The principles may be used while preparing an interpreter for a pre-referral parent meeting or as a school's policy on interpreting any information to non-English speaking individuals. In *General Principles for Working with Interpreters and Translators (*Appendix 6), I combined the information found in *The ELL Companion* (Chapter 5) and *Tips for Working with an Interpreter* (asha.org). The material collected from those sources is noteworthy and useful. It covers the steps of the interpreting session; style of the language used during meetings; pace, and simple ethical considerations for both parties.

On account of duties and responsibilities of an interpreter/translator or a cultural liaison, I created a *Sample Code of Ethics for Interpreters/Translators* (Appendix 7). The document contains directions on following and accepting the school district's work ethics and guidelines. After reading the information on professional competence, impartiality, confidentiality, and accuracy, a person that agreed to work with the district will sign *Code of Ethics*. That way, an agreement is set between the district and the translator/interpreter/cultural liaison regulating an essential issue of privacy.

Frequently, cultural values, personal pride and the desire to not create a burden for the school may lead some parents to claim a greater degree of English proficiency than they actually possess (*The ELL Companion* 155). There may be situations where the parents refuse the right to an interpreter, but staff members suspect that they do not fully understand the complex information being presented. In these cases, the district may wish to try the list of steps presented in *When the EL Families Refuse the Right to an Interpreter* (Appendix 8). In all cases, it is important for the school staff and parents to take some time to get to know each other and develop a trusting relationship (*The ELL Companion* 155).

4.5. Assessment and Adaptions

According to Blatchley and Lau, "when special education services are considered for ELL students, school personnel are urged to take a broad, ecological perspective, collecting data through a multidimensional, multi-task approach and interpreting results within the context of the students' unique cultural, linguistic, and experiential backgrounds" (1). Currently, evidence strongly suggests that assessment practices of EL's compromise validity and diminish reliability; non-reference tests do not provide complete profiles of the student's language skills because they do not assess language in a natural communication situation; verbal IQ tests become measures of

the student's language proficiency; interpreters adversely affect validity and reliability (Artiles, Ortiz 5). That is why my school district along with other districts use data collected from a combination of standardized cognitive, academic, social-emotional behavioral assessments and informal or supplemental testing procedures. All testing takes place with special considerations and adaptations for testing English learners. In the next three parts of this research, I will describe the testing procedures used in my school district and present a document listing adaptations and considerations during testing.

First, the team of specialists determines if an interpreter is needed for the evaluation process. If the decision has been made about an interpreter/cultural liaison assisting with the evaluation, the guidelines on working with interpreters/cultural liaisons have to be reviewed and followed closely. After that, with caution, the team moves on with selecting standardized tests. The "appropriateness of standardized norm-referenced tests for a given student depends on the similarity of that student's experiences to that of the test's standardization population" (Blatchley, Lau 1). If the learner's background experiences are very different from that of the group on which the test was normed, it is inappropriate to use the normative scores to draw conclusions (2). In addition, current standardized tests do not involve the use of interpreters as part of their standardization procedure. More than that, some test items cannot be translated from English to another language without seriously distorting their original meaning or without suggesting the correct or expected response (Blatchley, Lau 2).

Communication assessment is essential for evaluating the learner's language development and understanding the relationship between the learner's language and academic performance. Blatchley and Lau underline the importance of communication assessments. The value of these assessments is as follows: they rule in or out a potential language disorder in the

native language; they provide evidence of the strength of native language skills, an important

foundation for the development of English; they explore the potential relevance of bilingual

instruction, especially for newcomers and very limited English speakers; and they aid

interpretation of data from other areas of assessment (2). A variety of tasks is sampled

throughout communication assessment: language functions, vocabulary, grammar, semantics,

and pragmatics (2).

The language development in English learners is a complex and individual process in

which at least two languages (sometimes even more) might not be equally present in a student's

life. In addition, the student's language skills reflect socioeconomic circumstances involving

learning environments and educational opportunities that are different from a traditional middle

class context (*The ELL Companion*, Chapter 9 n.p.). As a result, the validity of standardized

language assessment may be compromised. It is recommended to assess English learners'

language skills by evaluating them monolingually in each language. For example, the *Clinical*

Evaluation of Language Fundamentals-3 (Semel, Wiig, & Secord) is the test that exists in both

English and Spanish forms and is available in my school district.

Similar contemplations are vital for intellectual or cognitive assessment. As it was

mentioned above, currently, a standard score is derived from a discrepancy formula. Problems

with standardized cognitive measures are not solved by simply administering the tests in a native

language or by using interpreters (Blatchley, Lau 3). Intelligence tests reflect the values and

beliefs of the culture in which they were developed and thus suffer from cultural bias. Therefore,

the individual's degree of acculturation affects performance on these standardized measures

(Blatchley, Lau 3). Those two scholars suggest using Universal Nonverbal Intelligence Test

(UNIT), the Leiter International Performance Scale, Revised (Leiter-R), and the nonverbal

component of the Differential Ability Scales, 2nd edition (DAS-II) in preference to such measures as the Wechsler Intelligence Scale for Children III Performance Scale and the Kaufman Assessment Battery for Children, Second Edition (KABC-II), which are currently used in my school district. These tests contain minimal cultural content, and the examiner may exclude subtests which measure verbal ability; the KABC-II includes a nonverbal test (3).

Assessments used to evaluate ELs for disabilities often fail to identify the level of ability of the student in each language. Students with limited academic proficiency in both their first language (L1) and their second language (L2) are more likely to be misclassified as learning disabled (Reynolds et al. 95). This means that some individuals probably have been mistakenly identified as having a disability when in fact they do not. Likewise, inequitable evaluation has led to under-representation which suggests that some individuals who have a disability and are in need of services have not been so identified (*The ELL Companion*, Chapter 10 n.p.). And further, although nondiscriminatory assessment is viewed in the larger sense as a process designed to reduce disproportionate representation, the actual goal has more to do with differentiating cultural and linguistic difference from disorder (*The ELL Companion*, Chapter 10 n.p.).

Along with the importance of intellectual and language assessments, academic assessment reflects instructional needs. Academic assessments used frequently in my school district are Woodcock-Johnson III Test of Achievement, Wechsler Individual Achievement Test, Kaufman Test of Educational Achievement, and Key Math Diagnostic Assessment. A major complication of academic assessment of ELs, in the words of school psychologists, is their varying stages of second language acquisition and academic experience. If a student has recently received instruction in his or her native language, it will be important to assess the skills in the

student's native language. However, if a student has only received instruction in English, it is not useful to evaluate the skills in the native language.

L. Blatchley and Y. Lau suggest that norm-referenced, curriculum-based, and criterion-referenced tests may be used either as whole assessments, or administered in parts. Norm-referenced achievement tests are often not very useful in assessing ELs because the norms do not adequately represent EL populations. Curriculum-based measurements provide direct measures of the academic skill of concern, allowing error analyses on samples of the student's work to determine if linguistic or other factors may be affecting the student's performance. Criterion referenced measures of achievement can collect more specific information on student's skill development (1-7).

The last part of the assessment package is the social-emotional academic assessment. The behavioral testing procedures have the advantage of being less subject to bias. On the other hand, students who are undergoing the stress of acculturation and accommodation to a new culture may present symptoms which can mimic disabilities or mental health disorders. For some immigrants, life in a new place may seem familiar in many aspects; for others, everything might be a new experience. Some skills may be easily transferred from one culture to another versus others may be in complete opposition. The same is happening with cultural values, education, socio-economic status, work and family ethics, etc.

According to *Mental Health and ESL Classroom* (uscrirefugees.org), immigrants and refugees may have experienced one or more of the following events before moving to a new country: torture, famine, malnutrition, assault, loss of homeland and loved ones. When they are here in the United States, they may develop behavioral and substance abuse problems because of past trauma and current adjustment problems. As a result of exposure to violence, forced

displacement, civil conflict and loss of family, refugees and immigrants are at higher risk for developing psychological and mental health problems such as post-traumatic stress disorder, depression, and anxiety (*Mental Health and ESL Classroom* 4-10).

Many immigrants come to the United States with a myth of the American dream that includes wealth, unlimited employment opportunities, and easier life and education. After the initial honeymoon phase ends, they most likely experience disappointment due to unrealistic expectations. They confront language barriers, transportation limitations, difficulties with obtaining legal status, and possibly racial insults. The roles of household might dramatically change in the new country. For example, a well-respected male figure in his home country may feel ashamed of his new job as a janitor.

Children of immigrants may become caught up between the two cultures. They are usually better adapting to surroundings as compared to adults. Many times, they become translators for their families due to their better English understanding, which makes them great family assets. Some, however, will require assistance that may take the form of mental health services, special education, or both.

To conclude, understanding the behavioral and emotional needs of immigrant and refugee children is not a quick and easy task. The teams of educators must determine whether specific behaviors of concern are typical of the student's cultural background. An article *Mental Health and the ESL Classroom: A Guide for Teachers Working with Refugees,* produced by the International Institute of Boston, assisted me in creating *Reminders for administering behavioral assessments to ELs* (Appendix 9). The behavior may be an indicator of the stress or adapting to a new environment, not of the student's native culture. That is why I divided my recommendations into two groups- *changes associated with moving to a new country* and *mental health awareness*

reminders. The role of the Student Support Team is to determine whether the problems are worth evaluation for special education.

As it was reported before, some standardized assessments already exist in Spanish. Yet many of them still need to be examined for possible biases and weaknesses. We can only hope that future research will bring these batteries in other languages. Due to the multilingual population with great cultural and linguistic diversity attending schools in the United States, developing formal tests that can universally be used with all of them is an impossible task.

In the meantime, other modification and adaptations to formal standardized test procedures may be implemented. In fact, Centeno and other researchers declare that modifications of these tests are necessary for distinguishing language differences from real language disorders (79). Examples of legal test modifications may support school personnel tremendously. Young and King in *Testing Accommodations for English Language Learners: A Review of State and District Policies* describe research conducted by Educational Testing Services (ETS) on testing accommodations for ELs. A list of possible adjustments during testing is identified and presented in Appendix A: *Accommodations Designated for ELLs in States' Policies, Classified by Traditional Accommodation Categories* (Young, King 6-7). The document illustrates possible assessment modifications in timing/scheduling, setting, presentation, and response.

So far, the traditional approach to the special education evaluation has been described. Administering of a standard set of tests that include cognitive, academic, communication and behavior assessments is the main guideline followed by school districts including the district I work in. These are federal and/or state parameters that all SST teams, school psychologists and school counselors are required to fulfill. Because of the unique and complex nature of assessing

English learners for special education and a lack of valid and reliable standardized assessments geared toward ELs' evaluation, a use of multiple data sources is recommended for complete and thorough analysis. Among these sources are alternative, informal, or non-standard assessments.

Informal testing and performance measures are encouraged because they can measure specific behaviors not possible for measurement by standardized procedures. According to O'Malley and Pierce, "Teachers question the overdependence on a single type of assessment, because test scores sometimes disagree with conclusions they have reached from observing how students actually perform in classrooms" (2). These two authors describe a variety of informal approaches currently available and analyzed by researchers providing valuable evidence for a holistic approach to testing of ELs. I have put together a list of approaches described in *Authentic Assessment for English Language Learners* by O'Malley and Pierce (Appendix 10), which they labeled the *authentic assessment*.

"We use the term *authentic assessment* to describe the multiple forms of assessment that reflect student learning, achievement, motivation, and attitudes on instructionally-relevant classroom activities," explain O'Malley and Pierce. Throughout their book, the two authors present an overview of a variety of informal evaluation tools that may be used in cases where there is no appropriate standardized instrument or to supplement standardized test utensils. They describe different types of portfolios, their purposes as assessment tools and suggestions for using portfolios. Later, the writers of the book focus on assessment in oral language, reading, writing, and assessment in content areas. Those include student checklists, interviews, observations, inventories, hands-on tasks, cloze procedures, retelling assessments, and self-assessments. Most importantly, O'Malley and Pierce "emphasize uses [of assessments] to

monitor student progress" (8), a central requirement of the process of EL's referral for special education.

Most often, observations are used on everyday basis as informal testing procedures. Teachers observe their students during different classroom tasks, occupations, and activities. In order to turn those observations into assessments, "teachers need to record observations systematically over time to note changes in student performance" (O'Malley, Pierce 14). Systematic observations usually take form of personal notes. However, during the process of special education evaluation, organized and thoroughly completed observations will add a valuable data to other administered procedures. Documentation of observations can take the form of "rating scales, rubrics, checklists, or anecdotal records (O'Malley, Pierce 89).

I know that in my district, a documented observation is a part of the assessment procedure. At the same time, the district does not require recording observations in standard format. Agreeing with O'Malley and Pierce's suggestion to use different forms of documenting observations and agreeing with my district, I would supplement a *Sample Observation Form* document (Appendix 11) to already existing forms. I have adapted this file from the *Working Together to Meet the Needs of English Language Learners* packet mentioned earlier. The use of the form does not have to be an obligation, but could be an option due to its organization and meeting all the formalities of effective recorded observation.

The *Sample Observation Form* (Appendix 11) is made up of a number of parts. First, general information about a student and a teacher is provided such as student's name, birth date, grade, and teacher's name. Then, more specific data on the beginning and ending time of observation, student/teacher ratio, class where this observation takes place, and the name of the observer are recorded. Next, three very specific details must be described-- reason for referral,

setting, and task- which take the form of anecdotal records. After that, the layout of the document changes to a rubric that uses storage (S), organization (O), acquisition (A), retrieval (R), expression (E), and manipulation of information (M) as assessment measures. These measures are retrieved from the areas of academics, behavior, and information processing. It should be noted here that not all details listed on the form are mandatory to observe and record in one session. Depending on the goal, the time, and the setting of observation, some parts may be omitted. In cases of omission, corresponding notes should be made in the *Comments* section of the form.

In the last part, the form's design changes back to anecdotal records. As I present my handbook to the school district, I would ask for extensive feedback on the last question listed on this form. Answering the final question, the observer is required to state his/her opinion on the connection between the observation behavior and the student's academic functioning. I see the importance of this opinion, but at the same time, I recognize the partial subjectivity of the question.

For increasing reliability of observations, engaging other observers may be beneficial. This will help make everybody's ratings more accurate. Although, comparing a number of students may be tempting, O'Malley and Pierce strongly encourage observers to limit their ratings to the criteria on the scoring rubric in order to maintain the reliability and validity of the assessment (89). Finally, recorded data from observations will assist the SST team in gaining a better understanding of the student's strengths and educational needs.

4.6. Considerations

School psychologists consider all information in the context of the student's socio-cultural background and setting in which the student is functioning when evaluating and identifying students for special education eligibility. Therefore, a variety of assessment batteries should be used. These assessments must include emphasis on student strengths and maximize students' opportunities to be successful in the general culture, while still respecting their ethnic background. Ethical guidelines specify that communications are held and assessments are conducted in the client's dominant spoken language, and all student information is interpreted in the context of the student's sociocultural background and the setting in which the student is functioning (Bethesda 4).

In order to conduct an effective and culturally responsive assessment of an ESL student for special education services, an evaluator must consider several important issues related to diverse populations and the evaluation process. Ethical considerations include recognizing stereotypes and prejudices, understanding the biases related to measurement tools, and learning language backgrounds. Practical considerations consist of involving an interdisciplinary team of professionals in the evaluation process, utilizing a combination of culturally fair assessments and techniques with nonverbal tests, informal assessment information and non-standardized procedures, and using interpreters/translators. In addition, a set of necessary considerations during the actual assessment administration is needed. An excellent resource describing considerations mentioned above was created by West Virginia Board of Education in 2002-2003. *The Identification and Evaluation of Exceptionalities in Students with Limited English Proficiency* responds to many essential issues regarding servicing English learners. Based on the document from West Virginia, I generated *Ethical Considerations During Testing and*

Evaluation (Appendix 12) and *Practical Considerations During Testing and Evaluation* (Appendix 13).

In *Ethical Considerations* (Appendix 12)*,* the evaluators' attention is directed toward recognizing stereotypes and prejudices, understanding the biases related to the measurement tools, and considering language background variables. As is quoted in *The Identification and Evaluation of Exceptionalities in Students with Limited English Proficiency,* "Regardless of an individual's ethnic background or identity, prejudices and stereotypes are buried deep within every person's mind. These unacknowledged prejudices often interfere with our work. Subconscious biases can hinder the flow of an evaluating session" (15). In other words, sometimes a test administrator subconsciously makes assumptions that may question the test results. That is why it is important to stay attentive of one's biases and to separate them from the evaluation setting. I believe, including this document in my handbook will support intentionally keeping evaluators' dispositions neutral during testing procedures.

Practical Considerations during Testing and Evaluation (Appendix 13) were based on *The Identification and Evaluation of Exceptionalities in Students with Limited English Proficiency* created in West Virginia as well*.* I agreed with most statements listed in their document, but I added one more valuable point to my file-- professional development in the area of ELs' evaluation. As a result, my *Practical Considerations* include the use of an interdisciplinary team of professionals; utilization of a variety of assessments including non-verbal, non-standardized, and informal assessments; involvement of interpreters/translators; importance of ongoing parent communication; and professional development in the area of ELs' testing and assessment. All five parts of the document are defined in the next paragraphs.

From my own experience, many professionals work with English learners on an everyday basis in a school setting. For example, comparing observations and ongoing progress monitoring results from classroom teachers, ESL experts, reading instructors, and native language specialists will allow the construction of a detailed response on the assessed student. The more professional opinions and data the school psychologists will receive on the student, the clearer profile could be drawn. In addition to the use of a range of professionals, it is important to administer a variety of assessments. The value of assessment variety was already mentioned in this paper. Now, I want to direct the evaluators' attention to the list of very specific practical considerations regarding assessment utilization. I outline the appropriateness, sustainability, vigorousness, and wholeness of the testing procedures.

Other practical considerations listed in the document are parent communication with the utilization of translators and interpreters and the evaluators' professional development. First, without ongoing parent communication the evaluation process is not legitimate. By Wisconsin law, parents of a student referred for special education services have to be notified of each step of the evaluation process. In cases of ELs' referrals, parents may not be able to read or understand certain notices. School officials should find out what language is preferable for parents of the referred student and then follow up with either translations of the documents or with reviewing the necessary information throughout the entire evaluation process. Second, "evaluators should promote their knowledge and understanding of the students' cultural background as well as their own capacity in the use of culturally competent evaluation practices" (Cook et al. 16). The evaluators' continuing training will aid them in ruling out cultural and linguistic factors when assessing English learners as well as avoiding biases during formal evaluation.

Overall, at this point of time, assessment of English learners for special education encounters many shortfalls. It does not "cure" the students and does not eliminate existing problems. At the same time, new studies bring innovative valuable points to the past research and convert the standard understanding of assessment procedures for English learners. As summarized in *Communique Online*, "Once an assessment for special education eligibility is underway, each procedure should have multiple components and be conducted with modifications and cautions appropriate to the individual student. All of the information collected should be integrated and interpreted by the assessment team to ensure the most nonbiased conclusions possible. Practices that address students' performance in the context of their culture and language backgrounds and their response to appropriate instruction will help ensure fair, effective, and efficient assessment and intervention procedures for ELL students" (27).

This chapter summarized my findings regarding the process of pre-referral, evaluation and testing of English learners for special education. Numerous documents and forms were reviewed, adapted, and created; a variety of recommendations and considerations was identified and proposed for application in my school district; many important factors were emphasized as key points during the complex process meeting the needs of English learners during identification of learning disabilities. In addition to writing this paper, I also created a handbook *Considerations for Nondiscriminatory Assessment and Addressing Educational Needs of the English Learners Referred for Special Education Services* that I am going to present to my school district for approval and use. Forms included in the pre-referral part of the process investigate all possible aspects leading to ruling out the language acquisition issue as a possible deceptive identification of learning disability.

As of now, a set of suggested documents for the evaluation and testing stage of the referral process is going to be challenging for approval in my school district. I see at least two reasons associated with this situation. First, the district is moving toward the RTI implementation. The discrepancy formula for learning disabilities identification is still in effect, but, at the same time, the use of interventions is already happening as well. The application of the RTI process will change many testing procedures and the process of evaluation itself. Second, major research in the area of testing and assessment of English learners is currently happening. New types of testing batteries are emerging and are being translated into languages other than English. Many standard traditional tests are being transformed and checked for biases. So, the system of testing and evaluation is undergoing some big changes.

With this in mind, the outcomes of my research regarding testing and evaluation will be presented to the appropriate group of specialists in my school district as a set of valuable suggestions and considerations. Most of the forms listed as appendices in this paper will be duplicated in the handbook mentioned above. My major goal is to assist the Student Support Team in my school district with my ESL teacher expertise in the areas of pre-referral/referral, evaluation and testing English learners for special education. This will increase the members' understanding of the evaluation process from the ESL specialist's point of view and support their decision making process. At the same time, I understand that produced documents are not in their ultimate form. They are going to be altered and adjusted due to a variety of additional independent factors.

5. Conclusion

Every year, several English learners in my school district are brought to the Student Support Team for suggestions regarding their lack of progress in mainstream classroom. Cases involving English learners are more difficult to process versus profiles of native speakers. Over the time of this research, I have learned that assessment of an EL for special education placement should be a very delicate process. I agree with the statement of Blatchley and Lau, who confirm my thoughts, "Prior to initiating a nondiscriminatory assessment of an ELL student, school personnel should implement careful screening and appropriate classroom instructional and behavioral interventions. Further, before planning a formal assessment, educators must gather information through interviews with parents, teachers, and the student; through classroom observations; and through the collection of educational, developmental, and medical histories" (7). Implications of this paper reflect Blatchley and Lau's reasoning.

Literature reviewed at the beginning of my work gave me solid background knowledge on my research topic. First, I looked into data on EL/LD population in the United States' schools. I found that overall it was difficult to collect the data due to inconsistencies throughout the districts and varying levels of awareness of special education of English learners in schools in different states. Many students in elementary grades were placed into *speech/language disability* programs, but, middle and high school ELs were overrepresented in the *specific learning disability* category.

Second, a wide range of factors must be considered through the process of ELs' evaluation and referral for special education. I tentatively divided factors influencing the SSTs' decisions into groups of cultural, academic, and psychological factors. Issues of cultural differences, levels of acculturation, cross-linguistic transfers, and levels/stages of second

language acquisition are all included in cultural factors group. Native language base, time staying in the U.S., prior schooling, and current level of English are encompassed in academic factors. Socio-economic status, health history, and students' life styles make up psychological factors.

Third, I reviewed measurement tools' system used during ELs' assessment and evaluation for special education. I have learned that there are no specific assessment batteries that would give evaluators a clear profile identifying a learning disability in English learners (Collier 5). However, it is suggested by many researchers that a multi-dimensional approach to testing is most beneficial and appropriate for language learners referred for special education (Blatchley, Lau 7); the use of a collaborative team of professionals will yield the best results (Harry, Klingner 2278); implementing of the RTI framework should prevent overrepresentation of ELs in special education programs (Esparza-Brown, Doolittle 56); and informal testing procedures' supplement would add an extra dimension to assessing the knowledge and abilities of English learners (O'Malley, Valdez-Pierce 3). Once I reviewed literature on the topic of assessment English learners for special education, I decided to narrow down the topic I selected earlier. Instead of researching the ELs' placement into all special education programs, I chose one area of special education in which English learners are usually overrepresented-- Specific Learning Disability (SLD) category. That way, in addition to being more detailed, my research also became more productive.

The next part of my work brought me to the final decision of creating a handbook that may serve my school district in the process of identification, referral, and evaluation of English learners for SLD. In the second part, I described the interview that I conducted with school psychologists throughout the district. I was able to collect data on the psychologists' opinions on

serving English language learners in the process of referral for special education in our school district. The interview gave me a valuable insight on the process from the perspective of an evaluator. I have learned the steps for students' pre-referral and referral process, accepted an update about the district's shift to the RTI implementation, gained information regarding parental involvement into the procedures, and increased my awareness of guidelines on working with interpreters. As I was studying and evaluating the interviews, I came to the conclusion that my school district would benefit enormously from a manual called "*Guidelines on Non-discriminatory Assessment of English Learners for Special Education.*"

Finally, I created or adapted a set of forms, recommendations, and notes on second language acquisition, pre-referral and referral procedures, and assessment considerations. In addition, I combined all essential documents into a handbook that I am going to present to my school district for approval. During creation of the manual, my knowledge regarding the topic grew substantially. At the beginning of the study, I aimed to understand the problem of identification of a learning disability in English learners. At present time, I do not think, I could promptly recognize if an EL struggling academically has a disability, simply because that is a very complicated process with many dependencies. However, I am aware of certain factors that will guide my colleagues and me through the process of identification and assist us in making proper decisions.

Among other implications of my study is the fact that various school districts may use the information from my study and my handbook for creation their own forms. I am aware that not many school districts possess data for ELs' assessment and evaluation for special education. Also, my paper may serve as a base for subsequent studies and research.

There were some limitations to this study. First, according to the literature that I have read, the area of learning disabilities identification in English learners undergoes reformations. The terminology changes very quickly, which brings confusion to readers. If I were to present some journal articles to my colleagues at school who do not have an ESL background, they would be perplexed by terminology. Second, my workplace is a suburban school district with unsubstantial EL population. Therefore, issues related to English learners are valued, but are not significant on the district spectrum.

As I started collecting data for my interview, I realized that I had trouble creating some questions, or some questions needed clarifications. Additionally, due to the size of my district, I had only limited amount of interview participants. It was also difficult to collect the answers to my questionnaires, because I started interviewing at the beginning of the school year, a very busy time for all staff. I did not want to pressure my interviewees and did not assigned a returning due date for the questionnaires, but, at the same time, wanted to move forward with my research. That created a small glitch in the research process.

The need for clarifications in learning disabilities' identification in ELs is crucial and relevant. Much more could be achieved at personal, classroom, and school district levels in increasing awareness and clarifying confusions regarding evaluation and assessment of non-native speakers for special education programs. I know, I will inform other ESL teachers, school psychologists, school counselors, and administrators in my district about what I have learned. I am hoping to bring the manual I created to the student services director and with his approval present it to the district specialists as a professional development opportunity. I would like to distribute my knowledge and expertise throughout the community of specialists serving in best interests of English language learners.

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Appendix 1

School Psychologist Interview Questions

Hello,

For my MA in TESOL(Teaching English to Speakers of Other Languages, UWRF) I am researching the guidelines on non-discriminatory assessment for placing English Learners into special education programs. I ask you to participate by completing the following questionnaire. Please do not write your name on the questionnaire; this study is meant to be anonymous. It is completely voluntary; if you are willing to participate, please answer the questions to the best of your ability.

If you have any questions/comments, please use this contact information:

dorwein@hudson.k12.wi.us*, 715-377-3820, ext 4226*

If you choose not to participate, please return the questionnaire to the researcher:

Nataliya Dorweiler, Hudson Middle School.

Thank you in advance.

P.S. It should take 15-20 min.

EL= English Learner

Interview Questions

1. What definition of "learning disability" do you use? Where can I find it?

2. Please describe steps taken in the LD identification process.

3. What screening tools and assessments are used in our district to identify a learning disability? Please make a connection between the test and the area it assesses.

4. What tests does our district use for identifying LD in <u>English Learners</u> (ELs)?

5. Have you used any tests/forms for assessments in languages other than English? If "yes," please indicate which one/ones.

6. Have you worked with interpreters?

7. Does our district have guidelines on working with interpreters?

8. What steps (if any) were taken for gathering cultural background and family information about ELs in the LD identification process?

9. Please, circle one.

In most cases, how would you rate ELs' parental involvement?

     During pre-referral: Poor   Average   Excellent

     During placement procedure: Poor   Average   Excellent

While the ELs are in Special Education Programs: Poor   Average   Excellent

10. Please, circle one.

How many interventions (if any) were conducted before the final decision about placement of ELs into special/general education was made?

0

1-5

6-10

11. What struggles have you experienced in relation to testing ELs?

12. In your opinion, does our district need a set of forms/guidelines assisting you in the process of evaluation and placement of ELs into Sp Ed?

13. Please, list any specific necessities that are currently unavailable, but that you could use while evaluating and placing ELs into SPED?

THANK YOU!

Appendix 2

BICS versus CALP

Basic Interpersonal Communication Skills **BICS**	Cognitive Academic Language Proficiency **CALP**
➢ Language used in everyday conversations, or social language	➢ Language required for academic success, or advanced language
➢ Takes 1-3 years to develop	➢ Takes 5-7 years to develop
➢ Involves gestures, facial expressions, concrete objects	➢ Involves abstract concepts
➢ Does not include unscaffolded, academic tasks	➢ Required for academic success
➢ Associated with speaking and listening	➢ Associated with speaking, listening, reading, and writing

Adapted from http://iteachilearn.org/cummins/bicscalp.html

Appendix 3

Predictable Stages of Second Language Acquisition

Stage I: The Silent/Receptive or Preproduction Stage: Learners are mostly silent and hardly produce their own language. They are slowly building their receptive vocabulary, which contains around 500 words. Actions such as pointing, labeling, and drawing are common in this stage. In addition, students repeat English words and phrases and copy English words off the board, but do not create their own writing. This stage can last up to six months or longer.

Stage II: The Early Production Stage: During this stage, students start producing short phrases and sentences. They may answer simple yes/no and some when/where/who/what questions. The comprehension is still limited. Students make mistakes, but move to the next stage through repetition and practice. The time period for this stage is between six months and a year.

Stage III: The Speech Emergence Stage: English learners begin to speak in this stage and may participate in some social conversations in the classroom. They may ask simple questions. The comprehension increases as the errors decrease. Students' vocabulary contains up to 3,000 English words. This stage may last up to a year.

Stage IV: The Intermediate Language Proficiency Stage: Students demonstrate good comprehension of both oral and written language. The amount of complex sentences while expressing their opinions, sharing their thoughts, and asking for clarifications significantly increases. Learners operate with about 6,000 words.

Stage V: The Advanced Language Proficiency Stage: Learners are very fluent and comfortable in all contexts including new academic information. Their writing is well developed, and grammatical and syntactic errors are minimal. Reaching this stage may take from five to seven years, or sometimes longer.

Adapted from J.Haynes work

Appendix 4

Pre-referral/Referral Determination

Documents needed for Student Support Team

TO BE COMPLETED PRIOR TO STUDENT SUPPORT TEAM MEETING

- Student Information   Form 1

- Parent Interview   Form 2

- Teacher Rating of Student Skills/Abilities   Form 3

- Two documented interventions completed   Form 4

- Explanation of Abbreviations (state and district tests)   Form 5

- Summary of District Test information   Form 6

- Health, discipline, attendance, and grades from Skyward and/or
  last report card.

- School records from a previous district have been obtained

  Yes ☐   No ☐

- Complete Referral Form (R-1) and Eligibility Checklist SLD- Initial Evaluation
  from WI DPI website and attach above listed documents.

STUDENT INFORMATION

TO BE COMPLETED PRIOR TO REFERRAL TO SST
BY CLASSROOM AND ESL TEACHER

Completed by classroom/content area teacher.

Student's name: _____ Date of Birth: _____

Grade Level:_____ Age: _____

Language (s) spoken at home: _____

How many years in this district? _____ How well has the student adjusted to school culture?

_____

_____

What is the student's previous experience with schooling?

_____

_____

How much time does the student spend interacting with peers?

_____

Is the student making progress in general education (what subjects/areas)?

_____

List classes the student failed and the reason for failure:

_____

Areas of strength for the student:

_____

Describe your concerns:

_____

_____

Is the student regularly on time to class? _____Number of school days missed this year: _____

What are the current supports in place for this student (academic, behavioral):

_____

_____

What interventions are being implemented?

_____

_____

What does the data show?

_____

_____

Has this student ever been evaluated for special education?

□ Yes   □ No

If "yes," please explain:

_____

_____

How does the student compare to other students who have been here the same length of time

(academically, socially, and behaviorally)?

_____
_____

Completed by the ESL teacher

Student's ESL level: _____ How many years in ESL? _____

Describe the gains made by the student in ESL over the last year? (data from ACCESS test, samples of daily work, etc.)

_____
_____

What significant differences have been noted when comparing this student to his/her cultural/linguistic peers who have similar backgrounds and length of time in the United States (social, language, behavior, etc.)?

_____
_____

Where is the student academically in relationship to his/her peer group (years in the U.S., age, second language acquisition, etc.)?

_____
_____

What level of home language is maintained by the student?

First language proficiency	Not at all	Some	Fluent
Comprehends in first language			
Speaks in first language			
Reads in first language			
Writes in first language			

Adapted from *Working Together to Meet the Needs of English Learners*, Rochester, MN

PARENT INTERVIEW

TO BE COMPLETED WITH PARENTS PRIOR TO REFERRAL FOR SPECIAL EDUCATION

Note to Interpreters: You may adjust the questions to make them culturally appropriate; when you do, please make a note by question.

Please leave a blank space if question does not apply.

Student name: _____

Date: _____ School: _____

Grade: _____ Male or Female (circle) Date of Birth: _____

Father: _____ Mother: _____

Step-father: _____ Step-mother: _____

Address: _____

2 best phone numbers: _____

Interpreter: _____

Completed by: _____

Explain the following to parents:

- Your child has difficulty in school.
- The school can offer many different types of support for your child, including special education. SPED means that your child may get additional help with specific subject areas. The help could be in a classroom or in a smaller group. All additional services are free.
- This interview will help teachers at school to know your child better. I will share this information with the school staff. The teachers may need to test your child formally. You can come to school for an evaluation planning meeting, or you can be informed by phone. More meetings may be needed in the future.

STRENGTHS: What are your child's strengths? What does he/she like to do? What does he/she do well? What are his/her favorite activities?

_____

_____

CONCERNS: Are you concerned with your child's learning or development? What tasks are difficult for him/her to complete? Please give some details.

_____

I. BACKGROUND INFORMATION.
1.   Where was your child born? _____

2. How long has the family been in this country? _____

3. Where have you lived in the United States? _____

    a. Did your child ever live in a refugee camp? _____

    b. How long? _____ Where? _____

4. How many children are in the family? _____

5. What are their ages? _____

6. Have all of your children had similar educational experiences?

_____

II. COMMUNICATION SKILLS

1. At what age did your child first begin to talk? _____

2. Do you think he/she started to talk earlier or later than your other children, or did he/she start to talk at about the same age as your other children?

_____

3. What language did your child speak when he/she first began to talk?

_____

4. When did your child first begin to learn English? _____

5. At the present time, does your child talk using:

☐ one word at a time ☐ a few words at a time ☐ many words/sentences at a time

Explain if needed:

_____

_____

6. Which language do you use when speaking with your child? _____

7. Does your child seem to understand you? ☐ Yes ☐ No

a. Does he/she answer you in English or your home language?

_____

b. Does your child ask questions? ☐ Yes ☐ No

8. Which language does your child use at home? _____

a. With parents _____

b. With friends _____

c. With brothers and sisters _____

    9.   Which is your child's strongest language?

_____

    10.   Do you feel your child follows directions well?   ☐ Yes   ☐ No

☐ One direction at a time   ☐ A series of directions (example: take your glass to the kitchen and put it in the sink)

    11.   Sometimes, children do not say sounds of words correctly, and it is hard to understand what they are saying. Do you think your child has a difficulty like this?   ☐ Yes   ☐ No

If yes, give examples: _____

    12.   Does your child repeat words or sounds, or struggle to get words out when he/she is talking (example: I… I…. I…. and… and… and…)?

_____

    13.   Does your child lose his/her voice? _____

How often? _____

    14.   Does your child play and talk like his/her siblings?

_____

III. SCHOOL HISTORY.

      1.   How old was your child when he/she started school? _____

      2.   Where was this school? _____

      3.   How long did he/she attend the school? _____

      4.   What language was used to teach classes? _____

      5.   How did your child do in school? _____

      6.   Did he/she receive any special help for learning? _____

    7.   Describe the school program:

_____

_____

    8.   Please name all schools your child has attended:

_____

_____

9. Have there been interruptions in schooling? _____

a. For how long? _____

b. What was your child's age when this happened? _____

10. Have all of your children had similar educational experiences?

_____

11. Compared to siblings, how would you describe your child's academic performance?

_____

_____

12. Who is at home when your child gets home from school? Who helps at home with school work?

_____

_____

13. What are your child's favorite afterschool activities?

_____

14. Does your child like to listen to stories or look at books? _____

15. Can your child read in any language? _____

16. How does your child learn best?

_____

17. What thoughts and feelings about school has your child expressed to you?

_____

IV. SOCIAL/ADAPTIVE

1. Have you observed differences between this child and his/her brothers/sisters in behavior or development? _____

Describe the differences (if any):

_____

_____

2. Can your child go to the store or a friend's house without behavior problems?

_____

3. Are there any behaviors that your child has that concern you? _____

☐ getting along with other children, ☐ obeying parents, ☐ unusual fears, ☐ anxiety, ☐ eating,

☐ difficulty sleeping, ☐ not wanting to go to school.

Please mark all that apply and/or add your own: _____

4. What kind of assistance does your child need or request in performing daily tasks?

☐ dressing ☐ bathing ☐ preparing and eating food ☐ toileting ☐ taking care of their belongings

☐ playing with friends or siblings

Please mark all that apply and/or add your own: _____

5. How well does your child climb, ride a bike, or throw a ball?

   _____

6. How well does your child write, cut, color?

   _____

7. Is there more information that you could give us that would help us understand your child better?

   _____
   _____

8. Do you have any other concerns about your child's behaviors that were not mentioned?

   _____
   _____

V. MEDICAL/HEALTH HISTORY

1. Was your child born more than three weeks early or late? _____
2. Were there any complications? _____
3. Have you been told by a doctor that your child has a specific illness?

   _____

4. Has your child been hospitalized? _____

    a. For what? _____

    b. When? _____

    c. What do you think was the cause of this condition?

    _____

    d. What has been done to treat this condition?

    _____

5. Does/did your child have any medical, physical, or psychological conditions? Please check all that apply even if they are not currently present. For items checked, please provide short explanation and indicate medication if applicable.

Condition	Concern	Explanation	Medication
ADHD	☐		
Allergies	☐		
Asthma	☐		
Diabetes	☐		
Frequent sadness	☐		
Head injury or accidents	☐		
Hearing/frequent ear infections	☐		
Hospitalized/ operations	☐		
Over active	☐		
Problems with attention and concentration	☐		
Seizures	☐		
Serious illness	☐		
Vision	☐		
Walking, balance, coordination	☐		
Other	☐		

Adapted from *Working Together to Meet the Needs of English Learners*, Rochester, MN

DISTRICT PRE-REFERRAL INTERVENTION FORM

(Complete one form for each intervention)

Student _____Grade _____
Date of Birth _____School _____
Referring Person _____ Date _____

Are parents/guardians aware of your concern?   ☐ YES   ☐ NO

Before an intervention started:

Define the student's problem and your concerns (What, when, where, how)
_____
_____
_____
_____

Description of Intervention (dates of completion):
What will be done?
_____
_____

How will the progress be measured?
_____
_____

What would be acceptable improvement? What goals do you want to reach with this intervention?
_____
_____

After the completion:
Results: ☐ improved   ☐ maintain plan   ☐ exit intervention   ☐ no improvement

Date of Review _____

Data:

_____
_____
_____

Explanation of Acronyms.

ACCESS- Assessing Communication and Comprehension in English State-to-State for English Language Learners; state test given to all ELLs annually; assesses listening, speaking, reading, and writing.

NWEA- Northwest Education Association; district assessment for all students; administered twice/year in areas of Math, Reading, and Language Arts.

WKCE- Wisconsin Knowledge and Concepts Examination; state test given to all students in grades 4, 8, and 10 in areas of Math, Reading, Language Arts, Science, and World Studies.

DRA- Developmental Reading Assessment; helps identify students' reading level, defined as a text on which students meet specific criteria in terms of accuracy, fluency, and comprehension; given to all students in grades 3-5.

DIBELS- Dynamic Indicators of Basic Early Literacy Skills; district assessment used for universal screening and progress monitoring in grades K-6; given to all students.

Pre-referral/Referral
Form 6

NPR= National Percentile Rank

LPR= Local Percentile Rank

SUMMARY OF DISTRICT TEST INFORMATION

(check Skyward for Student test scores for the past 3 years)

Test	Date taken	Type	Most current scores	Last year scores	2 years ago scores	NPR	LPR	Compared to similar ELs
ACCESS		state						
NWEA Math		district						
NWEA Reading		district						
NWEA Language Arts		district						
WKCE Reading		state						
WKCE LA		state						
WKCE Math		state						
WKCE World Studies		state						
WKCE Science		state						
DRA		district						
DIBELS		district						

Appendix 5

Steps in Working with an Interpreter

Briefing:

- Involves meeting with an interpreter to discuss the purpose of the interaction and the anticipated style of interpretation; to review any materials, background information, and terminology that will be used. Seating arrangement may be discussed.

Interaction:

- Introducing an interpreter and explaining that his or her role is to help the English-speaker who does not speak the subject's language. Interpreter stays neutral and acts as a connector between the two parties.

Debriefing:

- This step should always be included as a review of the process. Depending on the purpose of the interaction, some interpreter's observations may be shared and future follow-up sessions may be arranged.

Adapted from *Language Interpreters and Translators*, asha.org/publications

Appendix 6

General Principles for Working with Interpreters and Translators

Interpreters and translators should be considered team members.

1. The "Steps in Working with an Interpreter" (Appendix 8) need to be reviewed ahead of time: the purpose of the meeting, the interpreter's role; materials and terms; seating arrangements; the interpreter's role.
2. The time for the interpreting session must be planned sufficiently. Interpreted dialogues usually run longer as every statement is said two times.
3. Every person present at the meeting has to be introduced; their roles and occupations need to be explained.
4. Excessive use of terminology, slang or idioms should be avoided, but any important procedural terms should be explained.
5. Double negatives, passive voice or ambiguous language are suggested to avoid.
6. Clear speech and frequent pauses are recommended.
7. The interpreter is allowed to take notes to help with the interpretation.
8. A special signal has to be arranged for the interpreter to stop the speaker if something is not clear, or if the speaker needs to pause for interpretation.
9. First-person form of address and direct eye contact must be used in dialogue between both native and non-native speaker. This shows respect.
10. Only one person speaks at a time; side conversations should be avoided.
11. If inaccuracy in translation is suspected, questions or statements need to be rephrased, or what was being said may be repeated back to the speaker for clarification.
12. The same sentence may be restated in different words if it is misunderstood.
13. During the debriefing, it is recommended to *privately* ask interpreters for feedback on the interaction or their observations.

Adapted from *The ELL Companion*, Chapter 5, asha.org

Appendix 7

Sample Code of Ethics for Interpreters/Translators

Directions: Please read the following information, and, if you agree to follow these guidelines, sign your name at the bottom.

1. I certify that I possess skills, knowledge, or even credentials necessary for this interpretation/translation. I am committed to serve in a respectful and honest manner.

2. I assure the confidentiality of all information shared during the interpreting session.

3. I demonstrate respect for all present at the meeting. I remain clear on my responsibilities and do not engage in other duties such as advocacy, guidance, or advice.

4. I am impartial and unbiased during the period of translation. I am not responsible for what the parties communicate, only for complete and accurate message transfer.

5. I constantly assess my own ability to provide services. If I have any doubts about my ability to fulfill an assignment competently, I will immediately inform the appropriate person.

I have read, understand, and agree to the above description of the requirements for interpreting and translating.

_____

Interpreter's signature and date

Adapted from *The ELL Companion*, Chapter 5, certifiedinterpreting.com, asha.org

Appendix 8

When the EL families refuse the right to an interpreter

(suggestions for teachers, school psychologists, and administrators)

1. Schedule a meeting with the ESL staff. Typically, they have information on the family's conditions and affiliations.
2. Check on family's relationship with current interpreter. Be culturally sensitive and educated. Certain intercultural connections including gender roles may create anxiety and stress during meetings.
3. Clarify the purpose of special education and its advantages. Very often, parents may not be aware of the availability and may not understand the significance of special services programs in American public schools. Underline that there is no cost for additional school support.
4. Shift responsibility for communication barriers from the family to the school.
5. Refer parents to resources which provide information and assistance to parents in languages other than English.
6. Consider that having an interpreter does not always guarantee good communication.
7. Think about serving the best interests of the student, which sometimes do not comply with the parents' interests.

Adapted from *The ELL Companion*, p.155

Appendix 9

Reminders for administering behavioral assessments to ELs

Changes associated with moving to a new country:

- Living experiences
- Socio-economic status
- Cultural values change
- Educational differences
- Acculturation phases
- Family roles transformation
- Language barriers
- Stressful events before life in the U.S.

Mental health awareness:

- Child's coping abilities
- Child's personal character traits
- Post-traumatic stress disorder, depression, anxiety symptoms
- Cross-cultural beliefs about mental health
- General warning signs (inability to concentrate, irritability, fears, hyperactivity, increased aggression, weight loss, alcohol and/or drugs abuse).

Based on *Mental Health and the ESL Classroom: A Guide for Teachers Working with Refugees*, The International Institute of Boston, 2000

Appendix 10

Examples of Informal Measures

- Portfolios and self-reports

- Student completed checklists

- Structured interviews

- Informal questions

- Hands-on tasks

- Observations

- Inventories

- Cloze reading procedures

- Retelling assessments

- Teacher rating/checklists

- Student self-ratings

- Portfolios with work samples

Based on J.M.O'Malley, L.V.Pierce's *Authentic Assessment for English Language Learners*,
1996

Appendix 11

SAMPLE OBSERVATION FORM

Student's Name:	
Birth Date:	**Grade:**

General Education Teacher:		**Date:**
Student/Teacher Ratio:		**Class:**
Observer:	**Beginning Time:**	**Ending Time:**

Reason for Referral (very specific):

Setting (describe):

Task (describe):

Academic Areas	No Problem	Some Problem	Significant Problem	Not Observed	Comments
Basic reading skills	☐	☐	☐	☐	
Reading Comprehension	☐	☐	☐	☐	
Mathematical calculation	☐	☐	☐	☐	
Mathematical Reasoning	☐	☐	☐	☐	
Written Expression	☐	☐	☐	☐	
Oral Expression	☐	☐	☐	☐	
Listening Comprehension	☐	☐	☐	☐	

Behavior	No Problem	Some Problem	Significant Problem	Not Observed	Comments
Hyperactive	☐	☐	☐	☐	
Hypoactive	☐	☐	☐	☐	
Impulsive	☐	☐	☐	☐	
Distractible	☐	☐	☐	☐	
Disruptive	☐	☐	☐	☐	
Uncooperative	☐	☐	☐	☐	
Overly Compliant	☐	☐	☐	☐	

Information Processing	No Problem	Some Problem	Significant Problem	Not Observed	Comments
Follows Directions (S)	☐	☐	☐	☐	
Remembers visual material (S)	☐	☐	☐	☐	
Remembers Auditory material (S)	☐	☐	☐	☐	
Brings classroom materials (O)	☐	☐	☐	☐	
Begins task promptly (O)	☐	☐	☐	☐	
Completes Assignment (O)	☐	☐	☐	☐	
Uses planning skills (O)	☐	☐	☐	☐	
Understands Visual material (A)	☐	☐	☐	☐	
Comprehends Information ®	☐	☐	☐	☐	
Responds in timely manner ®	☐	☐	☐	☐	
Uses srrategies to recall ®	☐	☐	☐	☐	
Writes legibly (E)	☐	☐	☐	☐	
Participates in Class (E)	☐	☐	☐	☐	
Demonstrates Fluency in Speech (E)	☐	☐	☐	☐	
Applies Information (M)	☐	☐	☐	☐	
Makes Inferences (M)	☐	☐	☐	☐	
Interprets information (M)	☐	☐	☐	☐	

S-storage, O-organization, A-acquisition, R-retrieval, E-expression, M-manipulation of information

Does the general education teacher think the observation behavior relates to the student's academic functioning?

Other comments:

Adapted from *Working Together to Meet the Needs of ELLs*, Rochester School District, MN, 2010

Appendix 12

Ethical Considerations during Testing and Evaluation

(for evaluators)

1.   Recognizing stereotypes and prejudices:

Our natural cultural worldview, as created by our values, belief systems, lifestyles, and decision-making process affects how we see each other. Subconscious biases and prejudices can block the flow of an evaluating session. All people are prejudiced. When evaluating a child from a linguistically and/or culturally diverse background, the evaluator should make every effort to separate his/her biases from the evaluation setting.

2.   Understanding the biases related to the measurement tool:

From the evaluator perspective, it is important to realize that there may be biases related to the measurement tool when drawing implications for EL students.

3.   Considering language background variables:

It is noted in many studies that English learners generally perform lower than non-ELs on reading, science, and math—a strong indication of the impact of English language proficiency on assessment results. Moreover, the level of impact of language proficiency on assessment of EL students is greater in the content areas with higher language demand. That is, the language background of students may add another dimension to the assessment outcome that may be a source of measurement error in the assessment for English learners.

Adapted from *The Identification and Evaluation of Exceptionalities in Students with Limited English Proficiency*, WV, 2002-2003

Appendix 13

Practical Considerations during Testing and Evaluation
(recommendations for evaluators)

1. **Involve an interdisciplinary team of professionals in the evaluation process.**

It is recommended that evaluators refer to classroom teachers, ESL specialists, native language specialists, or any other professionals interacting with the student on a daily basis. This collaboration yields great results.

2. **Use a variety of assessments and techniques including nonverbal tests, informal assessments, and non-standardized procedures.**

The test data should include progress monitoring and intervention response information. Administration of standardized, norm-referenced tests with EL students is often problematic and should be used with extreme caution. Interviews with the students' families should be regarded as valuable contributions. Intelligence testing and its results should be carefully considered with EL students as it may be influenced by cultural experiences. It is important to review the test's manual to determine item bias and any recommendations for use with EL students. Some testing tools are less culturally biased than others. A nonverbal intelligence test may be better fit for EL students than a verbal intelligence test due to its lack of verbal directions and verbal content.

3. **Utilize an interpreter/translator's services.**

When interpreters or translators are used in the evaluation process, they should be fluent in English, fluent in student's native language, and also have knowledge or training in assessment administration. Specific attention and guidance may be necessary in the area of maintaining student privacy rights.

4. **Keep ongoing communication with parents.**

The parent should receive notices of all procedures. Many of these forms are available in translations of commonly spoken languages on the Wisconsin DPI. Sometimes, parents are more comfortable reading documents in English than in their native language.

5. **Pursue professional development opportunities.**

Evaluators should promote their knowledge and understanding of the student's cultural background as well as their own capacity in the use of culturally competent evaluation practices. The main goal of evaluators' professional development is to learn how to rule out the presence of cultural and linguistic factors when evaluating students from diverse backgrounds for eligibility for special education.

Adapted from *The Identification and Evaluation of Exceptionalities in Students with Limited English Proficiency*, WV, 2002-2003