When English Learners
Struggle: distinguishing
Language differences from
Disabilities

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Introduction

Warren County EL Programs

- Number of ELs in the district was not significant throughout the 90's. However, in the mid 90's, Bosnians began to be resettled to Bowling Green through refugee resettlement agencies, and our numbers jumped. Bosnia is a European, highly developed country. The families moving to Bowling Green were literate, educated, but traumatized by the war and the resettlement process.

- Our most significant- game changing- event was the resettlement of Burmese refugees in about 2006. The numbers of families arriving were staggering in some cases. Most were moved to an area of town that had been mostly middle class, and the populations of the schools that serve this area changed dramatically seemingly "overnight."

Warren County continued

- In January 2007, there were 650 EL students in the district, which was about 5% of our overall student population at that time

- We now have approximately 1550 EL students being served in our EL programs (11% of our total student population). **This is a 138% increase in 8 years.** We have students from over 30 countries and 51 languages being spoken in the district.

- Kentucky is one of the states in the US that has seen the most dramatic increase in number of immigrants.

Build Background Knowledge

- **Who are English Learners (ELs)**?

  ELs are individuals whose native language is a language other than English; they are in the process of acquiring the English language and have not yet reached proficiency, based on the results of an English language proficiency test.

  In Kentucky's schools, the ACCESS for ELLs is the English language proficiency test used to determine level of proficiency. It is given annually as required by federal law under NCLB.

EL is synonymous with **Limited English Proficient (LEP)**, which is the term used in federal laws, such as Title III, Title VI, and IDEA. It is also used in Infinite Campus.

EL and **English Language Learner (ELL)** are also synonymous.

Culturally and Linguistically Diverse (CLD)- This term acknowledges cultural and linguistic differences, but includes the spectrum of language proficiency, including full proficiency in speaking, listening, reading and writing in English.

- **Language Proficiency:** the level of skill a student demonstrates in a language or languages

- **Dominant Language:** the language in which a student is most fluent.

- **Note:** When considering both proficiency & dominant language, you consider all 4 domains of language (listening, speaking, reading & writing)

- **Language Preference:** the language that a student prefers to speak

- **Note:** A student's preferred language will differ according to context (e.g., home, school, community).

- **Simultaneous Language Learner**- learning two or more language from birth

- **Sequential Language Learner**- learning a second language after first year-

Most EL students in the U.S. are simultaneous language learners, and most "long-term ELs" (i.e., have received programming for 4 years or longer) are also simultaneous language learners.

The more proficient one is in their native language, the greater the outcome for bilingualism will be. International families should be encouraged to continue to speak and read in the native language at home.

Types of Language Proficiency (Cummins)

- **Basic Interpersonal Language Skills** (BICS)- social language

- **Cognitive Academic Language Proficiency** (CALP)- academic language

BICS (Social Language)

- EL students can demonstrate relative proficiency in BICS within 1-2 years

- High contextual, concrete

- May be very misleading in terms of others' perceptions of a student's English Language Proficiency

CALP (Academic Language)

- Development of academic language must be taught through purposeful, meaningful, explicit instruction.

- EL student must be given access to grade level appropriate, RICH language, along with opportunities to engage and practice language in order for academic language to develop.

- Depending on the research one reads, academic language proficiency can take anywhere from 4-7 years to develop

CALP (Academic Language)

- Academic language becomes a more critical skill as classrooms and instruction become increasingly decontextualized

- Academic language encompasses vocabulary and language structures that are common across content areas, as well as domain-specific vocabulary and language structures.

"That's the last time he'll disseminate disparaging remarks and slanderous disinformation through out-of-context misquoting in this town."

WIDA & Language Proficiency Levels

The state of Kentucky is one of 35 states that belong to the WIDA Consortium. Our state English language proficiency standards and our annual test of English language proficiency(i.e., the ACCESS Test) come from WIDA. Got to www.wida.us for more information.

The English Language Proficiency (ELPs) levels range from Level 1 (Newcomer) to Level 6 (Highly Advanced, native-like proficiency).

We exit students when they obtain an overall ELP Level of 5 and have a Literacy Score of 4 or higher. They are then monitored for two years.

WIDA & Language Proficiency Levels

- A screener of English proficiency called the WIDA ACCESS Placement Test or WAPT is given when students first enroll in school.
- There is another screening tool from WIDA called the MODEL, and it is a much more robust screening tool, mimicking the ACCESS questions and structure.
- The ACCESS is given annually in January and February, and the test results and reports come back in April. These results are used to determine continued eligibility and to develop Program Service Plans(PSPs) for the following school year.
- English Proficiency Levels (ELPs) 1 and 2 are the newcomer and beginning levels of proficiency, respectively. ELPs 3 and 4 are intermediate levels; ELPs 5 and 6 are advanced.

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- The ACCESS Test assesses listening, speaking, reading and writing. It also provides an Oral Language score (L & S) and a Literacy score (R & W). The Reading and Writing scores are 70% of the Total Score, given the importance of literacy skills in school.

Points to consider about second (or third) language learning

- Communication - conveying ideas to one another - is a fundamental human behavior. EL students almost immediately begin the process of seeking to understand the language in critical environments (e.g., the classroom). The "language processors" work all of the time (which can be exhausting, by the way).

- Second language acquisition is similar to first language acquisition in some ways (receptive language develops before expressive language), but the differences are significant. For example, ELs have already developed a first language to some degree, and these skills and schema can be transferred to the second language.

Points to consider about second (or third) language learning

EL will demonstrate certain language errors that are a very natural and useful part of the second language acquisition process; however, these errors are often misinterpreted by school staff and referrals result.

Errors include:

- Silent Period (controversial)
- Negative Transfer or Interference
- Code-switching
- Over-generalization
- Simplification

Points to consider about second (or third) language learning

- Finally, the fact that ELs are in the lower level of English language proficiency, (i.e., ACCESS/WAPT Level 1 or 2) should not necessarily deter a problem solving team from moving up through intervention levels or considering a referral. Some ELs with disabilities will remain at Level 1 or Level 2 for a lengthy period of time, and their "flat trajectory" of gowth in English proficiency is a manifestation of their disability.

Activate background knowledge!

English Learners with Disabilities- How do we go about identification

- Immigrant students with moderate to severe cognitive impairments, physical and sensory disabilities are relatively easy to identify

- Our challenge is to determine those with mild disabilities: Specific Learning Disability (SLD) and Mild Mental Disability (MMD)

EL students are at-risk for academic failure. It is important to identify struggling ELs quickly & Intervene

- Why?

   - Because second language (or third, or fourth) acquisition takes a lot of time

   - Because academic language development requires really great teaching and an instructional setting with loads of   support

    - Because are generally lacking in the knowledge and skills in techniques to support ELs

   - ELs are doing double the work load of their monolingual English speaking peers. They are learning content in a language that they do not fully understand.

   - ELs have a great deal of ground to cover in order to   catch up with English-speaking peers

Language exposure statistics
(Ortiz, S. (2004). Presentation.at National Association of School Psychologists National Meeting; NASP Multicultural Resources Webpage)

- By the time they begin Kindergarten, native English speakers have approximately 21,900 hours of both active and passive (e.g., TV) exposure to the English language
- Given the same circumstances, Limited English speakers (i.e., simultaneous language learners who are growing up in a home where the primary language is not English) have on the average 3,650 hours of exposure to English when they enter Kindergarten
- Non-English speakers will enter Kindergarten with little or no prior exposure to English (21,900 hours less than native speakers!)

- After 5 years of instruction, native speakers now have 47,450 hours of English language exposure and instruction as compared to 23, 725 hours for the Limited English speakers and 20,075 hours for those who entered school with little or no exposure.

Significant Challenge to the Identification Process: Behaviors exhibited while learning another language are very similar to behaviors associated with SLD and MMD.

EL students may exhibit the same characteristics as monolingual, dominant culture students with mild disabilities - Artiles, A. & Ortiz, A. (2002)

- poor academic performance
- oral language errors
- poor prognosis for educational outcomes (graduation, post secondary education)
- attention problems
- impulsivity
- disorganization
- slow to begin & finish tasks/response latency
- unwilling to attempt to answer questions or otherwise engage in classroom discussions
- emotional & behavioral difficulties

Ortiz, S. (2004)

Characteristics and behaviors often associated with various learning problems	Common manifestations of English Language Learners (ELLs) during classroom instruction that may mimic various disorders or cognitive deficits.
Slow to begin tasks	ELs may have limited comprehension of the classroom language so that they are not always clear on how to properly begin tasks or what must be done in order to start them or complete them correctly.
Slow to finish tasks	ELLs, especially those with very limited English skills, often need to translate material from English into their native language in order to be able to work with it and then must translate it back to English in order to demonstrate it. This process extends the time for completion of time-limited tasks that may be expected in the classroom.
Forgetful	ELLs cannot always fully encode information as efficiently into memory as monolinguals because of their limited comprehension of the language and will often appear to be forgetful when in fact the issue relates more to their lack of proficiency with English.

Inattentive	ELLs may not fully understand what is being said to them in the classroom and consequently they don't know when to pay attention or what exactly they should be paying attention to.
Hyperactive	ELLs may appear to be hyperactive because they are unaware of situation-specific behavioral norms, classroom rules, and other rules of social behavior.
Impulsive	ELLs may lack the ability to fully comprehend instructions so that they display a tendency to act impulsively in their work rather than following classroom instructions systematically.
Distractible	ELLs may not fully comprehend the language being being spoken in the classroom and therefore will move their attention to whatever they can comprehend appearing to be distractible in the process.
Disruptive	ELLs may exhibit disruptive behavior, particularly excessive talking—often with other ELLS, due to a need to try and figure out what is expected of them or to frustration about not knowing what to do or how to do it.
Disorganized	ELLs often display strategies and work habits that appear disorganized because they don't comprehend instructions on how to organize or arrange materials and may never have been taught efficient learning and problem solving strategies.

Behaviors associated with SLD/MMD	Behaviors associated with language learning
Attention difficulties	Attention difficulties
Difficulties with phonological awareness	Difficulty with hearing and processing sounds that are not present in the students native language
Slow to learn sound/symbol correspondence	- Difficulties with new alphabet, if the native language orthography differs from English - Difficulty pronouncing sounds that are not present in the the native language
Difficulty with remembering sight words	Difficulty remembering sight words when word meaning is not understood
Difficulty retelling a story in sequence	May be able to understand more than they can express in English
Confused by figurative language	Confused by figurative language
Concentration difficulties	Concentration difficulties

Behaviors associated with SLD/MMD	Behaviors associated with language learning
Poor auditory memory	Poor auditory memory
Slow to process challenging language	Slow to process challenging language
Easily frustrated	Easily frustrated

- 3) The ARC may determine a child has a specific learning disability if:
  (a) 1. The child is provided with learning experiences and instruction **appropriate** for the child's age or state- approved grade level standards aligned with the Kentucky Program of Studies, 704 KAR 3:303; and 2. The child does not achieve adequately for the child's age or grade level standards aligned with the Kentucky Program of Studies, as indicated on multiple data sources, as appropriate, in one or more of the following areas:
- a. Oral expression;
  b. Listening comprehension;
  c. Written expression;
  d. Basic reading skills;
  e. Reading fluency skills;
  f. Reading comprehension;
  g. Mathematics calculation; or
  h. Mathematics reasoning;

4) The ARC shall not identify a child as having a specific learning disability if deficits in achievement are **primarily** the result of:

(a) A visual, hearing, or motor impairment;
(b) Mental disability as defined in 707 KAR 1:002(37);
(c) Emotional-behavioral disability;
(d) Cultural factors;
(e) Environmental or economic disadvantage; or.
(f) Limited English proficiency.

Conclusion: The process of distinguishing disabilities from factors related to language differences is one of eliminating possibilities.

A student **can be** an EL and have a mild disability. The ARC must determine that the process of learning English is not the **primary** reason for the academic difficulties.

The $100,000 Question:

How do we do this?

Caveat

- You won't leave here with a clear cut, formula for distinguishing a disability from a language difference

- There are no tests which will definitively make this distinction

- Norm-referenced, standardized tests developed in the U.S. and eligibility formulas are not appropriate in many cases.

- We will firmly establish today that standard score cutoffs will not be useful in most cases. Gaining useful information through assessment with EL students requires interpreters and other modifications that breach the standardization procedures of norm-referenced tests.

The positions of several "thought leaders" in the field of ELs and disabilities

There is an overreliance on standardized tests in situations in which the tests are not technically adequate to provide the data needed to make eligibility decisions. (Harry & Klingner, 2006)

Problems with over and under identification of CLD students is particularly problematic in the high incidence categories. Very little study has been conducted on reasons for under-identifying CLD students with disabilities. It has been suggested that many districts nationwide are hesitant to allow referrals for students who are identified as ELLs (Artiles & Ortiz, 2002; Ortiz, 2002).

Several famous cases [e.g., Larry P. v. Riles (1972), PACE v. Hannon (1980) and Diana v. California Board of Education (1970)] examined the potential of IQ tests and other standardized tests to be biased against CLD/ELL students based on the cultural loading or the language of the test. The findings in each case stated that standardized tests do have the potential to be misleading, biased, and may lead to inaccurate eligibility findings in special education evaluations of CLD/ELL students (Figueroa & Newsome, 2006).

Performance on any given test is based upon the degree to which an individual possesses age-appropriate levels of language development and acculturation that include:

• *amount of formal instruction in the symbolic and structural aspects of the language of the test (e.g., reading, writing, grammatical rules).*

• *amount of formal instruction or informal experience in the general use of the language of the test (e.g., speech, pragmatics, semantics, syntax).*

• *amount of exposure during the critical period to the language of the test (e.g., fluency, pronunciation, automaticity, intuitive grammar, idioms, etc.).*

Second language learners rarely, if ever, develop age-appropriate levels of language development as compared to monolingual English speaking peers.

Ortiz, S. (2008)

"Probably no test can be created that will entirely eliminate the influence of learning and cultural experiences. The test content and materials, the language in which the questions are phrased, the test directions, the categories for classifying the responses, the scoring criteria, and the validity criteria are all culture bound."

Jerome M. Sattler, 1992

"In its current form, the assessment of students who are culturally and linguistically diverse is, at best, a work in progress, and, at worst, a biased and damaging process" (Rhodes, Ochoa, and Ortiz, 2005)

Federal & State Guidance Documents

The **Standards for Educational and Psychological Testing** (2002; American Educational Research Association; American Psychological Association; National Council on Measurement in Education) address several points with regard issues of cultural and linguistic appropriateness in the development of standardized tests, the selection of tests for particular uses and the interpretation of test results. Some key points:

• Practitioners should select tests that are valid and reliable for the purpose.

• Practitioners should endeavor to ensure "comparability" in that key characteristics of the student being tested are represented in the standardization sample of the test (Test publishers are also required to state all of the measures they have undertaken to ensure comparability of test results.)

APA Ethical Principals for Psychologists
9.02 Use of Assessments
(a) Psychologists **administer, adapt, score, interpret or use assessment techniques, interviews, tests or instruments in a manner and for purposes that are appropriate** in light of the research on or evidence of the usefulness and proper application of the techniques.
(b) Psychologists use assessment instruments whose **validity and reliability have been established for use with members of the population tested**. When such validity or reliability has not been established, psychologists describe the strengths and limitations of test results and interpretation.
(c) **Psychologists use assessment methods that are appropriate to an individual's language preference and competence**, unless the use of an alternative language is relevant to the assessment issues.

Ky. Administrative Regulations (KARs)
Section 4. Evaluation and Reevaluation Procedures. (1) An LEA shall ensure that a full and individual evaluation is conducted for each child considered for specially designed instruction and related services prior to the provision of the services. The results of the evaluation shall be used by the ARC in meeting the requirements on developing an IEP as provided in 707 KAR 1:320.
(2) Tests and other evaluation materials used to assess a child shall be:
(a) Selected and administered so as **not to be discriminatory on a racial or cultural basis; and**
(b) Provided and administered in the **child's native language** or other mode of communication most likely to **yield accurate information on what the child knows and can do** academically, developmentally, and functionally, **unless it is clearly not feasible to do so.**

(4) **Materials and procedures used to assess a child with limited English proficiency shall be selected and administered to ensure that they measure the extent to which the child has a disability and needs specially designed instruction and related services, rather than measuring the child's English language skills.**
(5) A variety of assessment tools and strategies shall be used to gather relevant functional, developmental, and academic information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general curriculum described in the Kentucky Program of Studies, 704 KAR 3:303.
(6) A standardized test given to a child shall:
(a) Have been **validated** for the specific purpose for which it is used;
(b) Be administered by **trained and knowledgeable personnel** in accordance with any instructions provided by the producer of the tests; and
(c) Be conducted under standard **conditions unless a description of the extent to which it varied from standard conditions is documented in the evaluation report.**

(7) Tests and other evaluation materials shall include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

(8) Tests shall be selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or **speaking skills**, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

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(3) Screenings conducted by a teacher or a specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for specially designed instruction and related services and shall not need parental consent.

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(9) A single procedure shall not be used as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.

(10) The child shall be assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.

(11) The evaluation shall be sufficiently comprehensive to identify all the child's special education and related services needs, whether commonly linked to the disability category in which the child has been classified.

(12) Assessment tools used shall be technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

KLEA Criteria for the Selection of Evaluation Instruments

Tests and other evaluation materials used to assess a child shall be:

(a) selected and administered so as not to be discriminatory on a racial or cultural basis; and
(b) provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so.

Materials and procedures used to assess a child with limited English proficiency shall be selected and administered to ensure that they measure the extent to which the child has a disability and needs specially designed instruction and related services, rather than measuring the child's English language skills.
Tests shall be selected and administered so as best to ensure that if a test is administered to a child with impaired sensory, manual, or speaking skills, the test results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

Tests and evaluations are administered in the native language or other mode of communication used by the child unless it is clearly not feasible to do so.
The ARC makes sure that evaluators accommodate the mode of communication and language (e.g., signing, gesturing, English, Spanish, Japanese) used by the child and that results are non-discriminatory in terms of race, culture, sex, or disability. If the child uses a language other than English, or uses an alternate mode of communication (e.g., American Sign Language, Bosnian, communication board, etc.) components of the evaluation are conducted by a person fluent in the language used by the child in conjunction with a speech-language pathologist to determine the communicative abilities of the child in that language or mode of communication.

Within two (2) business days of an ARC determination that child evaluation information must be gathered in a language or mode of communication other than English, the KLEA Representative notifies the DoSE about the modification(s) needed. The DoSE arranges for a translator.

A determination that "it clearly is not feasible" to administer an evaluation instrument in the native language or to conduct an assessment in the mode of communication is only made if, after consultation with the Kentucky Department of Education (KDE) and each surrounding state supported institution of higher education within the State, no translator or interpreter can be found.

Tests must be selected and administered so as to ensure that when a test is administered to a child with impaired sensory, motor, or speaking skills, the test results accurately reflect the aptitude or achievement level of the child, or whatever factors which the test purports to measure, rather than reflecting the impaired sensory, motor, or speaking skills of the child (except where those skills are the factors which the test purports to measure). Therefore, the ARC must have appropriate information about the status of these areas before determining the need for further evaluation, e.g., an achievement test administered to a child with an unidentified vision or hearing impairment would violate the child's right to non-discriminatory evaluation.

So….

If the appropriateness of standardized tests and score cutoffs is in question, what can be done to distinguish language learning factors from a disability and determine the area of eligibility?

Back to the KARs…..

Section 1. Determination of Eligibility. (1) Upon analysis of **intervention and assessment data**, the ARC shall determine whether the child is a child with a disability as defined in Section 1(9) of 707 KAR 1:002 to the extent that specially designed instruction is required in order for the child to benefit from education. An LEA shall provide a copy of the evaluation report and the documentation of determination of eligibility to the parent. (2) **A child shall not be determined to be eligible if the determinant factor for that eligibility determination is:** (a) **A lack of appropriate instruction in reading**, including the essential components of reading instruction as established in the Elementary and Secondary Education Act, 20 U.S.C. 6301;
(b) **A lack of appropriate instruction in math**; or
(c) **Limited English proficiency and the child does not otherwise meet eligibility criteria.**

(3) In making eligibility determinations, an LEA shall draw upon information from a variety of sources, which may include:
(a) **Response to scientific, research-based interventions**;
(b) Vision, hearing, and communication screenings;
(c) Parental input;
(d) Aptitude and achievement tests;
(e) Teacher recommendations;
(f) Physical condition;
(g) Social or cultural background;
(h) Adaptive behavior; or
(i) Behavioral observations.
(4) An LEA shall ensure that information obtained from these sources as appropriate for each student, is documented and carefully considered.

Section 2. Additional Procedures for Evaluating Children with Specific Learning Disabilities.
3) The ARC may determine a child has a specific learning disability if:
(a) 1. The child is provided with learning experiences and instruction appropriate for the child's age or state- approved grade level standards aligned with the Kentucky Program of Studies, 704 KAR 3:303; and 2. The child does not achieve adequately for the child's age or grade level standards aligned with the Kentucky Program of Studies, as indicated on multiple data sources, as appropriate, in one or more of the following areas:
 a. Oral expression;
b. Listening comprehension;
c. Written expression;
d. Basic reading skills;
e. Reading fluency skills;
f. Reading comprehension;
g. Mathematics calculation; or
h. Mathematics reasoning;

b) The child fails to achieve a rate of learning to make sufficient progress to meet grade level standards aligned with the Kentucky Program of Studies, 704 KAR 3:303 in one or more of the areas identified in subparagraph (3)(a)2 of this section **when assessed based on the child's response to scientific, research-based intervention**; or (c) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to ability level or intellectual development, that is determined by the ARC to be relevant to the identification of a specific learning disability, using appropriate assessments consistent with 707 KAR 1:300,Section 4.

We have options to consider data beyond the aptitude-achievement discrepancy. I contend that we are **<u>compelled</u>** by KAR Section 4 (4) to use "materials and procedures" that ensure that we distinguish between disability and language difference as accurately and definitively as possible.

Therefore, for ELs, the option to consider data from RtI in eligibility decisions is an **incredibly** important development at the state and national level.

Score cutoffs are still a concern in EL student cases, but the ARC will have data from many sources in order to make a determination. Many districts are wrestling with using RtI data as the primary source of eligibility decision making.

In the cases of struggling ELs, there are so many potential factors that may explain the academic difficulties, multiple sources data of data (i.e., beyond RtI data) are essential to reach a valid eligibility decision.

The EL Evaluation Paradigm

RtI becomes a very central piece to identifying and measuring the significance and chronic, enduring nature of learning problems that persist despite interventions that are culturally & linguistically appropriate.

Tests will still play a role, but test selection and administration considerations will be focused on ensuring that the assessment is culturally and linguistically appropriate. Norms, standard procedures and score cutoffs are dephasized or eliminated in some cases. This will necessitate training for the district assessment specialists.

In summary, the comprehensive individual evaluation is still a viable and important process, in my opinion, to tease apart disabilities and language differences.
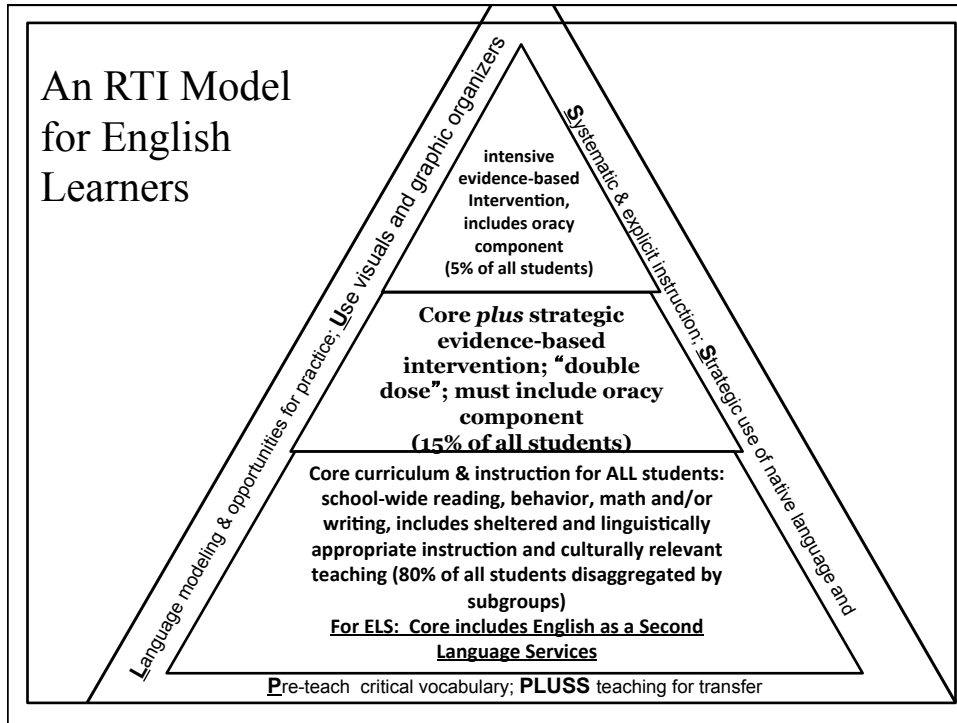
Types of Underachieving EL Students
(Alba Ortiz, 2002)

- Type I: The underachieving student will respond if the classroom instruction is altered to be culturally and linguistically appropriate. They are failing due to problems in the teaching-learning environment

- Type II: The underachieving student will respond when interventions are provided (thus, they are not disabled). Once the issues contributing to the underachievement are addressed, the teaching-learning process can proceed.

- Type III: The student has a learning disability or other disability that requires ongoing curricular and instructional accommodation.
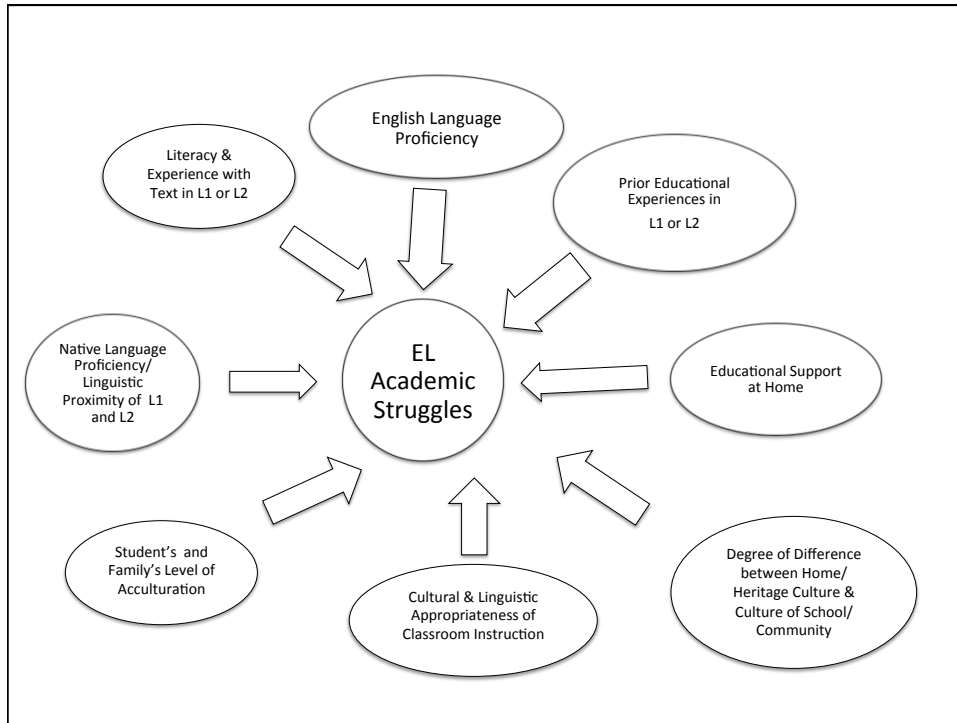
RtI with English Learners

- **Julie Esparza Brown, EdD**
- **Portland State University**
- **Linda I. Rosa Lugo,EdD, CCC/SLP**
- **University of Central Florida**

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An RTI Model for English Learners

Use visuals and graphic organizers

Systematic & explicit instruction;

intensive evidence-based Intervention, includes oracy component (5% of all students)

Core *plus* strategic evidence-based intervention; "double dose"; must include oracy component (15% of all students)

Core curriculum & instruction for ALL students: school-wide reading, behavior, math and/or writing, includes sheltered and linguistically appropriate instruction and culturally relevant teaching (80% of all students disaggregated by subgroups)
For ELS: Core includes English as a Second Language Services

Language modeling & opportunities for practice;

Strategic use of native language and

Pre-teach critical vocabulary; **PLUSS** teaching for transfer

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Intervention/Pre-Referral Considerations: Understanding the Contributing Factors for Struggling ELs

English Language Proficiency

Literacy & Experience with Text in L1 or L2

Prior Educational Experiences in L1 or L2

Native Language Proficiency/ Linguistic Proximity of L1 and L2

EL Academic Struggles

Educational Support at Home

Student's and Family's Level of Acculturation

Cultural & Linguistic Appropriateness of Classroom Instruction

Degree of Difference between Home/ Heritage Culture & Culture of School/ Community

The PreCELL is a document that can help guide problem solving teams determine what the contributing factors are to guide decision-making. There are other similar documents available, and districts can develop their own.

Tier I

- Absolutely critical for EL success, of course. But effective Tier I instruction is essential for assuring that the process of distinguishing language differences from a disability is both efficient and accurate.
- Yet, teachers receive little to no pre-service training in instructional strategies to support ELs. Additionally, there are many antiquated and erroneous beliefs about language and content learning, and in-service training for teachers is often scant.
- Teachers and administrators must have an understanding of the most recent research in this area, particularly with new language rich standards and assessment / accountability.

Dispelling Myths

- Instruction in English is the responsibility of ESL teachers
- ELs must acquire the language of instruction first and only then can they benefit from for content instruction
- Having strong social language in English means that a student can understand the instructional and content language of the classroom
- ELs need time to acculturate, become comfortable, learn vocabulary for common objects and the language for social interaction.

Kenji Hakuta Slides

- The Common Core and Next Generation Science Standards have ushered in not only more rigorous standards, but also an unprecedented emphasis on academic and social language.

- The handout that includes slides from a presentation by Kenji Hakuta at Stanford University will highlight the shifts.

Five Very Important Considerations

1. **Teachers should endeavor to know their classroom "community" well.** In the context of English Learners, one should know:

    - Educational history
    - First (and second) language
    - Something of their culture
    - Proficiencies in the first language (L1)
    - English language proficiency (L2)

Resources to Assist for #1

- Information about educational, linguistic and cultural background is sometimes available from enrollment information. It can also be gathered by setting up parent meetings and developing a questionnaire to gather this.

- Bilingual adults in your community who can serve as interpreters and "cultural brokers" are invaluable. Find these people and recruit them.

- Language proficiency information is available from the ESL teacher. Teachers should also have a copy of the annual Program Services Plan, which describes the goals for instruction and accommodations for classroom instruction & testing.

Considerations Continued

2. Seek First to Understand-

Educators must seek out information about topics such as second language acquisition, effective practices for ELs in the areas of instruction and assessment, fostering academic conversation in the classroom. These are the skills that must be learned, but there are MANY resources:

- Colorin Colorado (www.colorincolorado.org)
- Understanding Language (ell.stanford.edu)
- Blog.colorincolorado.org
- Teaching Channel (Search ELL)
- What Works Clearinghouse (http://ies.ed.gov/ncee/wwc/)
- WIDA (www.wida.us)

Considerations Continued

These last three considerations are foundational beliefs that are so important when we consider the instructional needs of EL students in content classrooms

3. **ELs are often considered "difficult to teach," liabilities, etc., when in fact they bring tremendous linguistic and cultural resources and experiences to bear in our classrooms.**

Considerations Continued

4. **The language emphasis of the CCS and the Next Generation Science standards creates opportunities to teach language through content.**

We are seeking to teach or "apprentice" our students to use the language of content as they explore and construct knowledge within each discipline. In the end, we want them to be able to describe, explain, analyze, synthesize, debate in articulate ways.

Considerations Continued

5. **Do not "coddle" the EL by seeking to water down the content and language demands in your classroom. Maintain high expectations and provide high support .**

Academic language can only be learned by engaging with rich, academic, grade appropriate text (when appropriate support is provided by teachers who know how to support the language).

Tier I Conclusion

- The importance of ensuring that Tier I instruction is as robust as possible and culturally/linguistically appropriate can not be overstated.

- Districts that serve ELs should be placing a top priority on in-service training for their teachers.   Resources such as Colorin Colorado, The Teaching Channel and Understanding Language can provide a great deal of information for teachers and administrators. KDE provides training with WIDA trainers, and speakers from outside the district can be a great support in the training initiative.

- Also, the PLUSS framework described by Julie Esparza Brown in the webinar referenced earlier can be a great tool for enhancing Tier I instruction and Tier II/III interventions.

Table 1

PLUSS Framework for Research Based Instruction for ELLs

PLUSS Framework	Definition	Evidence
Pre-teach Critical Vocabulary	Identify and explicitly teach vocabulary that is unknown and critical to understanding a passage or unit of instruction	Calderón, 2007; Carlos, et al. 2004; Echevarria, Vogt & Short, 2008; Linan-Thompson & Vaughn, 2007
Language modeling and opportunities for practicing	Teacher models appropriate use of academic language, then provides structured opportunities for students to practice using the language in meaningful contexts	Dutro & Moran, 2003; Echevarria, Vogt & Short, 2008; Gibbons, 2009; Linan-Thompson & Vaughn, 2007; Scarcella, 2003
Use visuals and graphic organizers	Strategically use pictures, graphic organizers, gestures, realia and other visual prompts to help make critical language, concepts, and strategies more comprehensible to learners	Brechtal, 2001; Echevarria & Graves, 1998; Haager & Klingner, 2005; Linan-Thompson & Vaughn, 2007; O'Malley & Chamot, 1990
Systematic and explicit instruction	Explain, model, provided guided practice with feedback, and opportunities for independent practice in content, strategies, and concepts	Calderón, 2007; Flaggella-Luby & Deshler, 2008; Gibbons, 2009, Haager & Klingner, 2005; Klingner & Vaughn, 2000; Watkins & Slocum, 2004;
Strategic use of native language & teaching for transfer	Identify concepts and content students already know in their native language and culture to explicitly explain, define, and help them understand new language and concepts in English	Carlisle, Beeman, Davis & Spharim, 1999; Durgunoglu, et al., 1993; Genesee, Geva, Dressler, & Kamil, 2006; Odlin, 1989; Schecter, & Bayley, 2002

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Tier II and III Interventions

- The most important consideration for popular intervention programs is the degree to which they have been researched for ELs. Most have not, and will require some modification in order to make them more "culturally and linguistically appropriate."

- The What Works Clearinghouse is a great resource for determining the programs that do have a research base with ELs

- Again, the PLUSS model seems to be a great model for making these modifications. More information can also be found on Colorin Colorado. Jeff Zwiers' website Academic Language & Literacy is also a great place for intervention ideas.

Data Collection

- Collecting reading, math, speaking and writing progress progress data on ELs is essential. There are lots of options for ELs:

    - WIDA tools such as the WIDA MODEL, a screener that will provide proficiency scores in listening, speaking, reading and writing

    - a homemade formative assessment of Speaking and Writing using teacher-developed prompts and the Speaking/Writing Scoring Rubrics from WIDA

    - benchmark assessment tools, such as STAR, MAP, DIBELS, AimsWeb, etc.   DIBELS and AimsWeb have Spanish versions, which could be exceedingly helpful.

    (Modifications/accommodations must be made to all assessments to ensure that you are testing content and not language, unless you want to measure language, that is.)

Data Collection

- It is very important for us to understand as much as we can about EL students' proficiencies in their native language. This can be accomplished by interviewing the parents, using interpreters to ask questions on screening or other assessments in the native language to see if they are able to respond or purchasing assessments in the native language if they are available.

- If an EL student has a disability, it will manifest in both languages. They only have one brain. Thus, if they are struggling in English settings, but they're Burmese is very proficient, there is no disability.

Data Collection

- A final important note is that the results of assessments conducted in both languages should be considered cumulatively. In other words, consider bilingual students as having competencies in both languages that should be interpreted collectively, rather than a student who has some limited competencies in one language, and some limited competencies in another.

- When concepts/schema/content knowledge cannot be accessed in English, there is a possibility that they can be accessed in the native language. This is essential knowledge to have in distinguishing language differences from disability.

Referral

- For our purposes today, the most important issues to discuss here include language access for parents, data analysis and assessment design.

- **Language Access:** All important communications with parents must be provided in the primary language. Districts can accomplish this with translation (written) and interpretation (oral). Written is best. KDE doesn't have forms in other languages. Procedural Safeguards are available in Spanish and English. I rely on other states to get other languages. Interpreters must be trained and understand confidentiality. There is a great deal of work to be done in this area.

Referral

- **Data Analysis:** A lot of progress data will be on the table as problem solving teams determine that a referral may be appropriate. This is a good thing, and that data will be pivotal when the ARC is faced with making eligibility decisions.

- Data about the student's linguistic and cultural background must also be considered in determining whether a disability is suspected and a referral for testing is warranted. This is **critical** information. The PreCELL can help manage that data and assist teams in making decisions. Again, there are other forms like the PreCELL, or you can make your own.

Referral

- **Data Analysis continued:**

The bottom line for problem solving solving teams or other referral sources is that there must be a final determination that a disability is suspected, **and even though there are linguistic and cultural differences,** the belief exists that these differences are not the **primary** reason for the academic/behavioral struggles.

The BIG question…. How long do we have to wait with ELs? Do we wait until they are Level 3 (intermediate) proficiency? Do we wait until they have been in the U.S. a year? (I have heard them all!!!!)

There is no set in stone waiting period.   Please don't go there.

Referral

- **Data Analysis Conclusion:**

I once asked a famous researcher in the field, Alba Ortiz, "How long should we wait before we refer?"   She told me that you wait as long as it takes to determine that an EL student has had the opportunity to learn something, including multiple opportunities with culturally/linguistically appropriate interventions, and they are not demonstrating learning.   This can be a matter of weeks or months.

Finally, it is important to consider EL student progress relative to similar peers. These can be students from the same language/ culture, students who immigrated at about the same time and students with similar ESL services and time in service. Siblings are an excellent point of comparison as well.

Assessment Design

- At the outset, it is very important for ARC members to understand the impact that the cultural and linguistic status of the student will have on the "standardized" part of the evaluation. The ARC members should know what they are "in for;" that there probably will not be a tidy score cutoff of discrepancy formula table on which they can make a decision.

- The assessment design will be based on accepted theories and principles of the various disability categories. We've been considering mild disabilities in today's presentation.

Assessment Design

Mild Mental Disability – The team will want to have data collected to determine (roughly) the level of cognitive functioning and will be looking for relative consistency in adaptive behavior and achievement skills.

So, in theory, this kind of evaluation looks very familiar. Just remember that "clean" norm-referenced standard scores are not going to be present, due to the issues regarding norm population/ EL student similarity and modifications to standardized administration procedures (extended time limits, interpreters, rephrasing questions, testing limits, etc.)

In end, the eligibility process will look basically the same. The ARC members will be looking for consistency in cognitive assessment results, adaptive behavior results and achievement assessment results. The RtI data will probably show a very low, flat trajectory.

Assessment Design

Specific Learning Disability- Again, the basic theory of a learning disability will be followed.   SLD is essentially "unexplained underachievement." Cognition and adaptive behavior appear normal, but there are problems with processing in one or more areas of achievement or language.

The issues mentioned with regard to standard scores with MMD evaluations apply here as well. The ARC will not be able to consult the discrepancy formula tables. RtI data will be critical to demonstrating that the amount of growth and rate of growth is far below expectations, compared to age/grade peers and peers with similar cultural/linguistic and language acquisition backgrounds.

Other Test-Related Issues

EL Student/Test Norm Sample Match

There is a great possibility that the cultural/linguistic characteristics of the EL students are not represented in the norm samples of the tests we generally use to assess intelligence, achievement, adaptive behavior, etc.   The mismatch can occur in the following areas:

- country of birth
- socio-economic status
- cultural background
- educational background
- circumstances of immigration
- sequential vs. simultaneous bilingualism
- level and degree of acculturation

Nonverbal Assessment of Intelligence

Many try to avoid the obvious language proficiency problems by administering nonverbal tests to assess intelligence. There are three primary problems with this practice:

  * A significant amount of language may still be required in the administration procedures

  * Nonverbal intelligence is only one aspect of overall intelligence

  * EL Student/Norm Sample mismatch may still be an issue.

Formal Translations

Can be very useful. Here are some considerations:

The vocabulary and language structures of the test are generally regionalized, and common Spanish vocabulary and phrases in Latin American countries can vary widely.   For example, a test may be written using Spanish vocabulary/ phrases common in Mexico, and the student being tested is from Guatemala.

Tests can be available in different languages, but this will not reconcile probematic comparability issues (e.g., circumstantial vs. simultanous bilingualism, immigration circumstances, acculturation, etc.),

Using interpreters to ask or translate test questions

This is almost always tremendously useful, almost indispensable, but you must be aware of the shortcomings. You cannot assume that items are being conveyed in the manner in which they were originally intended

Additionally, standardization procedures have been altered, which impacts the interpretation of the test scores.

Interpreters must be trained and must be fluent in student's native language and English

Instruments/Strategies for Gathering Data

Intelligence:

- Informal Parent Interviews

- Observations in the school, home, community

- Instruments, such Wechsler, KABC, Stanford-Binet, & Woodock-Johnson Tests of Cognitive Ability

- Nonverbal instruments, such as the UNIT

- Instruments available in multiple languages, such as the Bilingual Verbal Ability Test (BVAT). Riverside Publishing. Assesses verbal ability in many languages.

Note: Culture plays heavily into notions of intelligence, mind, spirit, etc. For example, some cultures consider cognitive deficits as a curse.

Instruments/Strategies for Gathering Data

- Achievement:

  - Common instruments, such as the Woodcock-Johnson Tests of Achievement, Various Reading and Math Inventories, etc. can be appropriate.
  - Test in the language of instruction
  - Supplement some content assessments by retesting in native language, in order to determine "cumulative" knowledge.
  - Ensure that the test is measuring only the desired content and not English proficiency.

Instruments/Strategies for Gathering Data

- Adaptive Behavior:

  Probably the most problematic area, as child-rearing practices, expectations based on age and gender, prenatal care, etc. differ so widely across cultures.

  Various questionnaires and common assessments (e.g., Vineland) can be useful to a degree, but the scores are very problematic.

  Gather informal parent input and observations to document factors of independence in home, school and community in the areas of self-care, communication, social skills, etc.

Instruments/Strategies for Gathering Data

Language (L1 and L2)

- Student Oral Language Observation Matrix   (SOLOM) Developed by the San Jose Area Bilingual   Consortium. Available on line for free download. Assesses general oral language.

- Woodcock-Muñoz Language Survey Revised.   Riverside Publishing. Assesses CALP in English and   several   other languages

- Wordless books are a great tool for assessing oral language in L1 and L2

- Recording language samples and sending the ecording to a bilingual speech pathologist or even a trained   bilingual staff member who can evaluate the sounds and   vocabulary of the the student.

- The formative speaking and writing assessment (provided)

Instruments/Strategies for Gathering Data

Acculturation in School/Performance Relative to EL and Non-EL Peers:

Bilingual Classroom Communication Profile (BCCP) Academic Communication Associates. Structured interview to assess performance of referred ELL student in relation to other ELL students

Multidisciplinary Evaluation Report & Eligibility Considerations

- The report will be lengthy, of all of the elements described to day are completed. The thoroughness of the report will greatly aid the ARC members as they weigh the data to make an eligibility determination.
- The report should contain the following elements:
    - Description of the linguistic and cultural background of the student
    - Description of findings regarding the student's native language proficiency
    - Description of the modifications and accommodations made in the evaluation process and the impact on standardization procedures and interpretation of results
    - Statement of the degree to which the student is or is not represented in the norms samples of the tests used in the evaluation
    - Statement of caution regarding the interpretation of standard scores

Multidisciplinary Evaluation Report & Eligibility Considerations

- As we all are aware (but don't want to admit always), it is very easy for the school psychologist to be the primary decision maker when it comes to eligibility determination. The school psychologists know and understand the standard score criteria and SLD discrepancy tables. The nature of EL disability evaluations makes this approach impossible. All specialists and persons knowledgeable about the student- particularly parents –should be weighing into the decision. Additionally, an individual who is knowledgeable in the areas of second language acquisition and instruction for ELs should be a part of the problem solving team and the ARC.

Conclusion

Great resources exist for you to continue your learning in this area. Some great places to start looking include:

RTI/EL Webinar & Other EL Presentations: tapestry.usf.edu
www.colorincolorado.org
www._blog.colorincolorado.org (Search ELL)
www.teachingchannel.org
Understanding Language- ell.stanford.edu
Academic Language & Literacy: www.jeffzwiers.com

Thank you!

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