

INFORMATION SHARING SESSION OCTOBER 11, 2004 SESSION ?

PRESENTATION BY DR. PEGGY MCLEOD, DMP ASSOCIATES

English Language Learners with Disabilities

Dr. Peggy McLeod's presentation focused on students who are English language learners and who are also suspected of having disabilities. Her presentation focused on what districts and states can do to promote more effective referrals, evaluations, and individualized education plans (IEPs).

The terms *English language learner* (ELL) and *limited English proficient* (LEP) are used interchangeably, but the term LEP is used in federal law. Although every state has a definition of LEP, it is not consistent across states.

There are over 5.5 million LEP students in the United States, according to the U.S. Department of Education. Spanish is the most common language of LEP students (80% of LEP students). Other languages include: Vietnamese, Chinese, Hmong, Khmer, Navajo, Haitian Creole, Korean, Arabic, Urdu, Russian, Tagalog, Lao, and Japanese. The state of California has the largest variety of languages of any other state. In addition, 77% of LEP students come from low-income families. So, poverty is another compounding factor for LEP students.

LEP students are among the most segregated students because they are often concentrated in schools that are linguistically homogenous and have high numbers of low-income students. More often, LEP students also attend schools with unqualified teachers, inadequate resources, and crumbling facilities.

Is there a disproportionate representation of English language learners in special education? It is difficult to say, Dr. McLeod explained, because there is not sufficient national data to answer this question. The question of how disproportionality is determined differs based on whether it is being examined at the state, district, school, or classroom level. Most recent data reported from states to the Department of Education is by race and does not include ELL/LEP designation. The Senate's bill to reauthorize IDEA '97 includes the provision to report students with disabilities who are also LEP. This would be useful information to have in answering the question of whether English language learners are disproportionately represented in special education. National data from 1997 indicates that 5.5% of LEP students received special education services; in 2001-2002, the percentage increased to 9%.

Dr. McLeod suggested that there are things that administrators can do before LEP students are referred for special education. The first strategy is to collaborate with each other and build a schoolwide intervention based upon teachers (general, special, or bilingual education) working together. This strategy also needs to include the appropriate language supports for the student. Teaming would mean that all teachers learn to work together and draw from their expertise to more appropriately support all students. The second immediate strategy is to involve both parents and the



community. Dr. McLeod suggested this could include learning more about a student's background by talking with the parents so that schools can better understand the students.

Dr. McLeod stated that general education teachers need to be trained for diverse student populations (ELL, diverse cultural backgrounds, poverty, etc.). This would entail improving teacher training to prepare teachers for these populations. However, Dr. McLeod also stated that it is not realistic to expect general education teachers to be specialists. If general education teachers could do it all, there would be no need for specialists (special or bilingual education). General education teachers are responsible for teaching ELL or students with disabilities in collaboration with specialists.

Additional pre-referral strategies include:

- Child study teams
- Informal problem solving
- Observation
- Parent interviews

However, Dr. McLeod noted there may be a need to begin testing immediately, and that in some cases, it is not appropriate to delay the process. Dr. McLeod dismissed the "myth" of the 2-year rule. She stated there is no rule that requires a school to wait 2 years before a LEP student can be tested for having a disability.

Dr. McLeod suggested a means for classifying English language learners that could be useful in analyzing the language in which the evaluation should be conducted. She proposed separating English language learners into the following groups:

- Limited English proficient— recent arrival (less than 1 year)
- Limited English proficient— 1 to 3 years
- Long-term limited English proficient— over 3 years (regardless of services)

Dr. McLeod said that it is common practice to perform a speech and language evaluation for LEP students, but she suggested that this is not needed in every case. Speech and language evaluations should be based on a suspected disability, not because the student is LEP. If language is part of the suspected disability, then it is appropriate to do this evaluation. If language is not part of the suspected disability (e.g., health impairment, orthopedic impairment, visual impairment, emotional disturbance), language testing is not necessary. Moreover, information about the child's English proficiency is already available from the Bilingual Education Department. Multidisciplinary teams should work with the bilingual education staff to share information and make decisions.

In what language should evaluations be conducted? The answer depends upon the ELL classification and whether the suspected disability has a language component. Dr. McLeod recommended testing all students who are recent arrivals in their native language. All other ELL students should be tested in both languages (native language and English), if appropriate and depending upon the suspected disability. If the disability has a language component to it (e.g., learning disability, speech and language, mental retardation, autism, traumatic brain injury, deaf or hard of hearing, deaf/blind etc.), it is necessary to test in the child's native language. In this case, the



same testing would be done as with non-LEP students, but the testing is done in both languages. Dr. McLeod stressed that these guidelines should be viewed in the context of individual information, not hard rules.

Some other strategies that Dr. McLeod suggested for the evaluation were:

- Gather as much background information (academic records and observations) on the student as possible;
- Conduct parent interviews;
- Use bilingual personnel or trained interpreters; and
- Use instruments normed on a sample that includes children similar to those being evaluated (e.g., if testing a child from El Salvador, sample should include children from El Salvador).

Because it is seldom possible to find instruments with exact sample matches (language and country), results should never be reported as scores, but should be reported descriptively as approximate measures. Item difficulty and language loading (amount of complexity of language) are other important considerations when interpreting the results, which is where bilingual staff can assist. It is difficult to find enough trained and qualified bilingual personnel, so it is important to use interpreters and train evaluation personnel in how to work with interpreters. Dr. McLeod believes that trained evaluation personnel working with trained interpreters could produce better results. Although she has no data to support this, data on interpreters working with the deaf, show it produces better results.

Once the eligibility determination has been made, Dr. McLeod suggested:

- Linking the evaluation results to developing the IEP
- Linking the language(s) of the evaluation to the language(s) of the services
- Continuing to provide language support services (e.g., bilingual instruction or ESL services)

Dr. McLeod also suggested that the delivery of special education and related services be based upon a team approach, especially for students that need special education services and language support services.

Dr. McLeod cautioned that if LEP students are not receiving appropriate services, then referrals to special education will increase. Schools that have appropriate language supports will find it easier to attract bilingual staff.



FACILITATED DISCUSSION

English Language Learners with Disabilities

California

The state has English language development standards. When an English language learner becomes proficient, they participate in regular English classes. The challenge is that there is no alternate assessment for English language learners, so California uses multiple measures. They are currently revising their handbook about providing services to students with disabilities who are English language learners. The Office of Civil Rights has advised districts that it may never be appropriate for students with significant disabilities, who are also English language learners, to be reclassified. These students may need to use their native language to thrive.

Ohio

The Ohio team shared that their state has two LEP consultants who work with the Special Education Department. These consultants contribute to the development of standards and assessment. The Ohio Department of Education has produced family guides in English, Spanish and Samoan, which inform parents of what their children should be able to do at each grade level.

Louisiana

The Louisiana team mentioned that they have a small LEP population in their state, with the largest population being Vietnamese. Louisiana conducted a 3-day summer training that focused upon effective assessment practices and procedures. A handbook based upon this summer training is being developed.

North Carolina

The North Carolina team said that they are the second-fastest growing state for Hispanic population. The state assessment is used for English language learners. The North Carolina Department of Public Instruction has ELL consultants, but they are not part of the special education department. These consultants review every test item on the state assessment for vocabulary and language loading of test items. This year, North Carolina plans on having a 2-day conference on English language learners with disabilities. Resources will be available after the conference.

Kentucky

The Kentucky team shared that their department of education has two LEP consultants.

Challenges:

- There is limited research on this topic.
- Research needs to be put into accessible format for educators or administrators.



- Resources on how to work with all English language learners and other diverse students needs to be made readily available.
- Teachers should continue to be train so they can be more effective in dealing with the cultural diversity of students.
- Bilingual and special education staff need to collaborate and communicate to provide the best support for LEP students with disabilities.
- The appropriate language supports should be given to children even when children are found to have a disability.

Resources:

- WestEd has developed a handbook on English language development. It clearly defines English language development and English language acquisition.
- John Miller developed a guide on how to get a language sample.
- California has produced key performance indicators. This information is available on the California Department of Education Web site at <http://data1.cde.ca.gov/dataquest/>.
- North Carolina has produced a state report card that can be found on the North Carolina Department of Public Instruction Web site at <http://www.ncreportcards.org/src/>.
- National Center for Culturally Responsive Education Systems is an OSEP-funded Technical Assistance Center. For more information go to <http://www.nccrest.org>.
- The phone company assists in finding translators to translate phone conversations.
- National Association Bilingual Educators produced a guide to help determine appropriate referrals of English language learners to special education. This guide and other links are available on their Web site at www.nabe.org.
- Dr. Sandra Fradd from University of South Florida developed a manual on how to train interpreters. The guide provides additional resources on English language learners with disabilities and can be found at <http://tapestry.usf.edu/Fradd/outline.html>.
- The Bueno Center at the University of Colorado at Boulder has resources about interpreter training and multicultural education resources available at <http://www.colorado.edu/education/BUENO/html/home.html>.
- Collinswood Elementary School in Charlotte, NC is a magnet school with a dual language Spanish immersion program. Information about the school and this program is available at <http://www.cms.k12.nc.us/allschools/jump/jump.asp?Courier=344>.

FACILITATED DISCUSSION

Next Steps or Plans for State Teams

Kentucky

They plan to take this information to supervisors, content consultants, and division directors within the state. The division directors will decide how to best disseminate the information.

Ohio

Their next steps will be to pair English/Language Arts content specialists with special education consultants to determine how to assist students with language and reading difficulties, especially to become more proficient in writing. The same pairing will be made with math content specialists and special education consultants. The work these teams do will be disseminated to regional improvement teams in the late spring/summer. The regional teams will disseminate this information to buildings via training and workshops. Follow-up will be conducted to determine the impact.

Washington

They have finished a manual about connecting systems, which is a summation of the work based upon aligning IEPs with state standards. They are trying to determine how to disseminate this manual and conduct training on connecting systems. This product is based upon the seed that California planted for them at last year's meeting.

California

The California team plans to disseminate information learned from the meeting through articles in the SIG grant publication. California has plans for a special education summit and a high school summit. The associations in California are another means that will be used to disseminate the information from the meeting. A toolkit has been developed and is being rolled out.

Louisiana

State staff are currently giving presentations on scientifically based research. They will incorporate information from the meeting into these presentations. Louisiana disseminates information through their regional service centers. The state would like further information on strategies and school improvement plans.

Alabama

They gleaned a lot of information from the meeting and plan to incorporate this information into their trainings. The state is developing training on standards-based instruction. They will use a train-the-trainer model to get this information to schools and teachers. They plan to gather the feedback from the training and see what impact it has.



North Carolina

They plan to share the material and information with state and district administrators. Information from the meeting will be shared at an annual conference and through regional meetings.

How can we get this information to principals and teachers so that there will be school-level impact?

- Contact Principal Associations about disseminating the information via conferences, regional meetings, newsletters, e-mail, and listserv.
- Develop a training module (presentation and notes) that can be disseminated.
- Develop a CD.
- Replicate an Information Sharing Community in your state for both administrators and teachers to share information and help build a sense of community.