

Assessment of Second Language Learners: Prereferral to the Provision of Services

A Course Module
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Module Objectives

1. Application of Public Law 94-142, Individuals with Disabilities Education Act (IDEA), to ELL students.
2. Identify a referral process which differentiates appropriate and inappropriate ELL referrals for special programs
3. Define "least restrictive environment" as applied to special programs and/or educational support systems for ELLs.

Pre-Test

1. What does P.L.94-142 (later re-authorized as IDEA) mandate?
2. What is a cause of the over-representation of ELLs in special education programs?
3. What are two behaviors that could be indicative of either a handicapping condition or a language difference?
4. Name two factors which could be a cause of an ELL's lack of academic success, other than a handicapping condition.
5. What is language proficiency?
6. What is language dominance?
7. In what language must an ELL be assessed when being assessed for a possible handicapping condition?
8. If an ELL is identified as having a handicapping condition, in which educational setting should he be placed?

Public Law 94-142 (Re-authorized as IDEA) - Education of All Handicapped Children Act

P.L. 94-142 (Re-authorized as IDEA) mandates special education services for all children in the US who need them from birth to age 21. The law states:

Children must be fairly assessed in their native language

Children must be provided educational services they need to be successful in the least restrictive environment.

US schools have had a problem with over-referring English language learners for special education. In addition, there has been a problem with over representation of English Language Learners (ELLs) in special education classrooms.

The over-referrals result from educational personnel not understanding the language acquisition process and from English Language Learners (ELLs) being in education programs that do not meet their needs.

The students exhibit behaviors that are consistent with children with a learning disability but the behaviors may actually stem from being an ELL. The responsibility of the school is to determine whether an ELL's academic struggles stem from his level of language proficiency, a handicapping condition, or both.



Key Concepts

P.L. 94-142:

Federal Law passes in 1975 which made it MANDATORY that ELLs be tested in their native language and that necessary educational services must be provided in the LEAST RESTRICTIVE ENVIRONMENT.

Over Referrals:

Over referrals stem from 2 major factors

- (1) A misunderstanding of the language acquisition process
- (2) Educational programs not properly addressing the needs of the English Language Learner

Referral Process

Behaviors Frequently Demonstrated by ELLs

The following are behaviors that could signal a learning disability. However, they are also common behaviors of ELLs.

- Speaks excessively
- Speaks infrequently
- Uses gestures
- Speaks in single words or phrases
- Refuses to answer questions
- Does not volunteer information
- Comments inappropriately
- Poor recall
- Poor comprehension
- Difficulty sequencing ideas and events
- Unable to tell or retell stories
- Confuses similar sounding words
- Poor syntax/grammar

From: Ortiz, A.A. & Madlonado-Color, E. (1986)

Language Difference or Disorder

A language disorder is present when listening and/or speaking behavior is defective to such an extent that it interferes with one's ability to understand and/or to convey messages clearly and effectively during interaction with community members who speak the same language and dialect. Indicators of listening and speaking problems are:

- Articulation Disorders
Deficits in production of speech sounds, i.e., substitutions of sounds, omissions of sounds, additions of sounds.
- Language disorders
Deviation in the usual rate or sequence with which receptive and expressive skills emerge; i.e. deviations in syntax, difficulty with communicating clearly.
- Fluency disorders
Abnormal rate and/or rhythm of speech; i.e., dysfluency (stuttering)

These are types of language disorders. However, all of these behaviors are common with ELLs during their language acquisition process and may be occurring because of their level of language proficiency and NOT because of a handicapping condition

The students exhibit behaviors that are consistent with children with a learning disability but the behaviors may actually stem from being an ELL. The responsibility of the school is to determine whether an ELL's academic struggles stem from his level of language proficiency, a handicapping condition, or both.



Key Concepts

Behaviors Frequently Demonstrated by ELLs

English Language Learners frequently demonstrate some of the same behaviors that are common in Learning Disabled students. This makes identification of learning disabled ELLs more difficult.

Language Difference or Disorder?

A language disorder is present only when listening and/or speaking behavior is defective and interferes with ability to understand and/or convey messages to someone speaking the same language.

Guidelines for Distinguishing Differences from Disorders

Native Language

The primary distinguishing guideline to assess that a student has a disorder is that the disorder must be present in the student's native language. What appears to be a disorder in English may actually just be the result of being at a particular stage of language development.

Appropriate Assessment

Appropriate assessment in the student's native language and/or in both the native language and in English language proficiency must be determined.

Language dominance must be determined

Student's language performance must be compared to similar same language speakers.

Student's language performance must be compared to that of other ELLs who have had similar cultural and linguistic experiences

Interruptive Factors in Language Development

Factors which may contribute to interruption of native language development must be identified. Examples include instructional program placement and school attendance records, individual and family medical history, educational values, and home environment.

Indicators of a Language Difference

The following may appear to be characteristics of a handicapping condition but are also very common when acquiring a second language:

- Lower level of English proficiency
ELLs will likely have a lower English proficiency level than their monolingual English speaking peers, they will also vary in their rate of acquisition (i.e., one student may be at a higher level of English proficiency than is a peer who speaks the same first language and entered the bilingual program at the same time)
- Language loss
ELLs in bilingual and ESL programs may experience a decrease in their first language proficiency. This happens when opportunities to hear and use the first language are withdrawn (i.e., they aren't taught much in their L1). Their test scores in their L1 will be similar to those of ELLs who do have language disorders.
- Codeswitching
Switching back and forth between two languages when speaking isn't necessarily an indicator of language confusion or a disorder. Many fluent speakers of English and Spanish do this.

Implications

It is difficult to determine if academic struggles are the result of a language difference or an actual disorder; therefore, great care must be taken when assessing an ELL to determine educational needs. Some guidelines are:

Disorder must be present in native language

Appropriate assessment must be obtained

Language performance must be compared to similar speakers

Factors which may contribute to interruption of native language development must be identified.



Key Concepts

Characteristics of Language Differences:

- Lower level of English proficiency
- Language loss
- Codeswitching
- Linguistic borrowing/interlanguage
- Dysfluencies
- Lower level of English proficiency
- Language loss
- Codeswitching

- Linguistic borrowing/interlanguage
- Dysfluencies

Guidelines for Distinguishing differences from disorders:

1. Disorder present in native language
2. Appropriate assessment
3. Language performance compared to similar speakers
4. Other causal factors which may contribute to interruption of native language development identified

Characteristics of Language Handicapping Conditions

The following may appear to be characteristics of a handicapping condition but are also very common when acquiring a second language.

- Lower level of English proficiency
Deficits in production of speech sounds, i.e., substitutions of sounds, omissions of sounds, additions of sounds.
- Language loss
ELLs in bilingual and ESL programs may experience a decrease in their first language proficiency. This happens when opportunities to hear and use the first language are withdrawn (i.e., they aren't taught much in their L1). Their test scores in their L1 will be similar to those of ELLs who do have language disorders.
- Codeswitching
Switching back and forth between two languages when speaking isn't necessarily an indicator of language confusion or a disorder. Many fluent speakers of English and Spanish do this.
- Linguistic Borrowing and Interlanguage
A normal stage of second language development is characterized by pronunciation, syntax, vocabulary, etc. of the first language being used when speaking in the second language. For example, "I go to the house white."
- Dysfluencies
It is normal to experience dysfluencies associated with the lack of vocabulary, anxiety of how one appears to others, etc.

So, the question is - how can you distinguish between a student who is simply learning a new language and a student who has a handicapping condition? There is not one simple, easy way to determine this. Therefore, it is important to thoroughly investigate the child's background and determine if the level of

language development is the cause of the student's difficulties. The prereferral stage should focus on gathering as much information as possible.

Information Gathering in the Prereferral Stage

Experiential Background

Poor school attendance or frequent moves can affect a student's academic progress. In addition, being new to the US can bring up issues related to the student's family's acculturation to the US. Also, if a student lives below the poverty line, this could affect the student's academic progress. The following questions must be considered in the prereferral stage:

Attended school regularly?
Moved often?
Length of residence in US?
Income level?

Health Issues

Health issues need to be ruled out as well. A student must be screened for problems with:

- Vision
- Nutrition
- Hearing
- Trauma or injury
- Illness

From: Garcia, S, & Ortiz, A. (1988), Preventing inappropriate referrals of language minority students to special education.

There are other factors in health and family life that may contribute to the student's language problem, remember to look at factors outside of the student and family (i.e., don't blame the family).



Key Concepts

Characteristics of language handicapping problems are: (1) Lower levels of English proficiency, (2) language loss, (3) codeswitching, (4) linguistic borrowing/interlanguage, and (5) dysfluencies. However, in determining if such characteristics are the result of a language difference or actual disorder health factors such as hearing or vision problems, poor nutrition, illness, and/or trauma or injury must be ruled out as a causal factors. Experiential background factors such as school attendance, transience, length of residence and income level also are factors which may contribute to language problems; and must be considered when deciding if the handicapping characteristics are a result of a disorder or a language difference.

It is difficult to determine if an ELL student has a linguistic handicapping condition, so the prereferral stage must focus on gathering as much information as possible. Language Behaviors to Look for include: (1) Lower Level English Proficiency, (2) Language Loss, (3) Codeswitching, (3) Linguistic Borrowing / Interlanguage, and (4) Dysfluencies.

Language Proficiency

If prereferral factors still indicate that a referral is appropriate, it is necessary to decide in what language(s) the student should be accessed. To assess an ELL appropriately, the student's level of proficiency in his L1 (first language) and L2 (second language) must first be determined. Proficiency is an on-going process.

Proficiency is a continuum from non-proficient to proficient. However, even someone proficient in a language continues to develop that proficiency as new vocabulary is added. ELLs will go through levels of proficiency including:

- Preproduction
- Early Speech
- Speech emergence
- Intermediate fluency.

The factors considered when assessing language proficiency are:

Level of skill demonstrated in a language

- Ability to understand messages
- Ability to express meaning effectively
- Ability to use language fluently across a variety of contexts
- Ability to correct own mistakes

from Ortiz, Learning Disabilities Occurring Concomitantly with Linguistic Differences. 1997



Key Concepts

Language proficiency progresses through the stages of (1) preproduction, (2) early speech, (3) speech emergence, and (4) intermediate fluency. With addition of new vocabulary, proficiency improves to a greater level.

Proficiency is an ongoing process which is assessed by looking at a student's level of skill in a language, the abilities to understand messages, to express meaning effectively, to use language fluently across a variety of contest, and to self correct for mistakes made.

Steps For ELL Special Education Identification

- Determine in which language(s) to assess the child.
- Select appropriate assessment instruments and procedures.
- Qualified examiner then assess the student.

From: Schnell, R., & Vasquez-Chairez, M.

Assessment Language

The law states that the tests must be administered in the child's native language. However, the native language may not be the child's dominant language (i.e. for an older student). Administering tests in both languages will give the clearest indicator of a student's actual strengths and weaknesses.

Appropriate Assessment Instruments

Both informal and formal assessments should be utilized. Informal assessments include: parent interview, review of educational history, review of health history, etc. Be careful of using translated tests. They often do not provide the normative information needed. Even tests in the student's native language may be normed on a different population. For example, the test may be normed on a population of native Spanish speakers in Spain which would be different from native Spanish speakers in the United States.

Qualified Examiner

A qualified person needs to administer the tests. That is, someone professionally fluent in the student's L1 and who is familiar with the test and the testing procedures needs to administer the test. If a qualified person is not available in the district, the district needs to seek out a qualified person from the community.



Key Concepts

Steps for Identification for Special Education of an ELL Student

From the point of referral:

- Determine in which language(s) to assess the child
- Select appropriate assessment instruments and procedures
- Qualified examiner assesses the student

Least Restrictive Environment

If it is determined that an ELL student does qualify for special education, this special education MUST be provided in the "least restrictive environment." This is covered by Section 504 of the Rehabilitation Act of 1973. The National Clearinghouse for English Language Acquisition (NCELA) has a wonderful search engine which will help you find answers to any questions you might have concerning ELL students and assessing their needs.

There needs to be collaboration between special education and bilingual/ESL education. The student's Individual Education Plans (IEPs) must include:

- duration of services
- persons responsible
- language use plan.

For in-depth information on formulating an IEP for a bilingual/ESL student see LDOonline. <http://www.ldonline.org/>



Key Concepts

Least Restrictive Environment

Section 504 of the Rehabilitation Act of 1973 dictates that students MUST receive services in the "least restrictive environment."

IEPs (Individual Education Plans) must include (1) duration of services, (2) person(s) responsible, and (3) a language use plan. Least Restrictive Environment

Section 504 of the Rehabilitation Act of 1973 dictates that students MUST receive services in the "least restrictive environment."

IEPs (Individual Education Plans) must include (1) duration of services, (2) person(s) responsible, and (3) a language use plan.

Post-Test

1. What does P.L.94-142 (later re-authorized as IDEA) mandate?

Special education services for all children in the US who need them from birth to age 21.

- Fair assessment
- Educational services in the least restrictive environment

2. What is a cause of the over-representation of ELLs in special education programs?

Result of inappropriate education programs

3. What are two behaviors that could be indicative of either a handicapping condition or a language difference?

- Speaks excessively
- Speaks infrequently
- Uses gestures
- Speaks in single words or phrases
- Refuses to answer questions
- Does not volunteer information
- Comments inappropriately
- Poor recall
- Poor comprehension
- Difficulty sequencing ideas and events
- Unable to tell or retell stories
- Confuses similar sounding words
- Poor pronunciation
- Poor syntax/grammar

4. Name two factors which could be a cause of an ELL's lack of academic success, other than a handicapping condition.

- Not educated in L1
- Income Level
- Length of time in US
- Whether or not has attended school regularly

5. What is language proficiency?

- Level of skill student demonstrates in a language
- Ability to understand messages
- Ability to express meaning effectively
- Ability to use language fluently across a variety of contexts
- Ability to correct own mistakes

6. What is language dominance?

- Better developed language
- Language in which student shows greatest skill
- Language first learned (usually)
- Language student prefers to use
- Language student consistently chooses to use when speaking with bilingual individuals
- Language that seems to have a greater influence on the other language

7. In what language must an ELL be assessed when being assessed for a possible handicapping condition?

Native (L1)

8. If an ELL is identified as having a handicapping condition, in which educational setting should he be placed?

The one that best fits his needs.