



Key Factors in Identifying and Assessing English Language Learners with Disabilities

The steady increase in the number of students in Ohio whose primary language spoken in the home is a language other than English has created a need for the appropriate identification and educational intervention for English Language Learners (ELL) and bilingual students with disabilities. There are many factors that can help in identifying and assessing these students.

Culture and Acculturation

Professionals involved with teaching, assessing, counseling or interviewing English language learners and their families need to develop an understanding of differences in culture and acculturation. Educators must take into account an individual's social status, economic condition, political views, family influences, personal characteristics, prior experiences, gender, sexuality, cultural background, and spirituality (Flores, Lopez, De Leon, 2000). School personnel need to be equipped with best practices for identifying and assessing students suspected of having disabilities. Not having an understanding of another's worldview can cause false perceptions, negative stereotyping, miscommunication, and bias in assessment procedures and interpretation which could result in incorrect results (Sattler, 1988).



**English Language
Learners**

NEWSLETTER SPOTLIGHT

Culture and Acculturation

Language
Acquisition Process

Nondiscriminatory
Assessment of
Culturally and Linguistically
Diverse Students

Norm - Referenced
Assessments

Criterion - Referenced
Assessments

Language Acquisition Process

Many educators have the misconception that if research indicates that it can take from five to seven years (or longer) to acquire cognitive academic language proficiency, they should wait that length of time before referring a student for special education. English language learners may exhibit disabilities at any point in the process of acquiring a second language. They are not required to be in the United States for a certain length of time, nor are they required to receive English-language instruction before special education assessments can be provided.

When a student is not proficient in English and is experiencing an unusual amount of academic difficulties, it can be a challenge to determine if the difficulty stems from the *language difference* or from a true *disability* that has an adverse impact on education, which would require the provision of special education and related services. There are recommended procedures to help reach the most accurate conclusions possible.

It is recommended that at every point in the process, the ELL staff *should* be involved. It is often the ELL staff that best knows the strengths and limitations of the ELL, and can help determine if the difficulties the ELL is experiencing are excessive when compared to other ELLs of similar background.

Because of the complexity of determining if an ELL has a disability, information should be collected from *as many sources and in as many ways as possible*, both at school and at home. All the information gathered should be used to determine if a referral to special education is warranted.





Nondiscriminatory Assessment of Culturally and Linguistically Diverse Students

The Individuals with Disabilities Education Act (IDEA) requires that ***nondiscriminatory assessment*** be conducted with students being considered for special education Services.

34 CFR § 300.304 Evaluation procedures, (c) (1) (i) (ii)

“ . . . (c) Other evaluation procedures. Each public agency must ensure that—

(1) Assessments and other evaluation materials used to assess a child under this part—

(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;

(ii) Are provided and administered in the child’s native language or other mode of communication and in the form 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 so provide or administer. . . .”

The standards for educational and psychological testing (American Psychological Association, 1985) and the Diagnostic and Statistical Measures Manual-IV (DSM-IV: American Psychiatric Association, 1994) both reference the need for assessment in linguistic factors before diagnosing individuals. This research continues to show that approximately five million individuals are inappropriately assessed each year (Padilla, 2001; Torres, 1991).

With the *Every Student Succeeds Act 2015*, also known as *No Child Left Behind Act 2001* (NCLB), school districts are required to show adequate yearly progress (AYP) for all students in all subgroups. Special education and ELL students typically test lower than non-ELL students and nondisabled students. The mandates of IDEA and the accountability requirements of ESSA demonstrate the need for improving the evaluation process to appropriately identify and instruct English language learners with disabilities.

The two key question checklists, ***Referral and Identification of English Language Learners with Disabilities*** and *Multi-Tiered Systems of Support Literacy/Reading Instruction for English Language Learners* are informal assessment tools developed by Ohio educators to provide more consistent and well-rounded assessment within the referral and identification processes established at the local level for ELLs and students with disabilities. These checklists are presented as a list of guiding questions developed by practitioners to support the provision of school intervention for English language learners with suspected disabilities.

http://education.ohio.gov/getattachment/Topics/Other-Resources/Limited-English-Proficiency/ELL-Guidelines/Guidelines-for-Referral-and-identification-of-Engl/ELL-SWD_partI.pdf.aspx

When it is not feasible to conduct procedures in a student's native language, all evaluation procedures, tests, and other evaluation materials must be selected and administered so as not to be discriminatory on a racial or cultural basis. Federal regulation states that children must be assessed in their native language. A child cannot be denied a full and individual educational evaluation based on limited English proficiency. Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parent of the child determine whether the child is a child with a disability.

A child "must not be determined to be a child with a disability if the determinant factor for that determination is ... limited English proficiency ..."
(34 CFR § 300.306 (b) (1) (ii)).



The following list contains some of the assessments available for gathering additional information to help in determining whether an ELL is eligible for special education.

Norm - Referenced Assessments

Aprenda

Aprenda is a Spanish achievement test for native speakers of Spanish from kindergarten through grade nine. It is available through Harcourt Assessment, Inc. Aprenda III was introduced in 2005. It is used to assess student achievement and critical thinking skills in reading, math, language arts, science, and social sciences.

Batería Woodcock Muñoz Revisada

This is a test in Spanish available through Riverside Publishing. It parallels the Woodcock-Johnson, which is described below, with both an academic (Pruebas de Aprovechamiento – Revisada) and a cognitive (Pruebas de Habilidad Cognitiva – Revisada) section.

Bilingual Verbal Ability Test (BVAT)

Available through Riverside Publishing, the BVAT is a test to evaluate a bilingual student's academic readiness, assist in placing a bilingual student in an appropriate program, and plan a suitable program for the student. The overall test score is based on the student's knowledge and reasoning skills using both English and his/her native language. It is available in the following 15 languages: Arabic, Chinese, English, French, German, Haitian-Creole, Hindi, Italian, Japanese, Korean, Polish, Portuguese, Spanish, Turkish, and Vietnamese.

Kaufman Test of Education Achievement, Second Edition (KTEA-II)

The KTEA-II, available in English only, is published by American Guidance Service, Inc. and is available through Pearson. It provides an assessment of academic skills in reading, math, written language, and oral language. The results demonstrate how a student takes in information and expresses ideas. It pinpoints an individual's difficulties and assists in placement decisions and instructional planning. There are two forms – the Comprehensive Form and the Brief Form. The Comprehensive Form provides composite scores for grade one students and older in reading, math, written language, and oral language. Six additional subtests measure reading related skills and provide diagnostic information. The Brief Form has subtests in reading, math, and written expression and can be used for a quick measurement of achievement. It also can be used after the Comprehensive Form for retesting.

Language Assessment System (LAS) Links in English or Spanish

Assesses English or Spanish language ability and proficiency from Kindergarten through Grade 12. Helps to determine primary language proficiency. Assesses listening, speaking, reading and writing skills in one or both languages.

Logramos

The Logramos is a Spanish achievement test for math, language, reading comprehension, word analysis, vocabulary, and listening comprehension. Spanish dominant students from kindergarten through 12th grade can be given the test to determine their native language proficiency and to help with their instruction. Logramos is a group administered assessment available through Riverside Publishing.

TONI-3

Available through Pearson, the TONI-3 is a language-free assessment of nonverbal intelligence and reasoning abilities. A culturally-reduced test, it is a measure of problem solving, abstract reasoning intelligence, and aptitude that does not require reading, writing, speaking, or listening. It is appropriate for those who have or are believed to have disorders of communication or thinking such as language disability, stroke, disease, head injury, or other neurological impairment. Responses simply require an individual to nod, point, or give a symbolic gesture to indicate a response.

Wechsler Individual Achievement Test, 2nd Edition (WIAT-II)

The WIAT-II is published by The Psychological Corporation and is available through Pearson. It can be used to assess an individual's achievement skills, in addition to diagnosing a learning disability, placing a student in special education, and planning curriculum. It can be given to ages four through adult. Only available in English, its subtests include: oral language, listening comprehension, written expression, spelling, numerical operations, and mathematics reasoning. The subtests include easier and more challenging items. The WIAT-II examines how an individual solves problems and uses strategies.

Woodcock-Johnson III NU Test of Achievement

Published by Riverside Publishing, this test measures academic achievement and is used to help determine if a student needs special services. In addition the test can be used to determine learning variations and to plan educational programs and individual programs. There are two parallel forms. The Standard Battery has 12 tests that provide a wide set of scores; the extended battery has 10 tests which produce more in-depth diagnostic information on specific academic strengths and weaknesses. The Woodcock-Johnson III Nu Test can be given from kindergarten through 12th grade. It tests oral expression, listening comprehension, written expression, basic reading skills, reading comprehension, reading fluency, mathematics calculation, and mathematics reasoning. Each individual test takes approximately five minutes to administer.

Criterion - Referenced Assessments

Brigance Diagnostic Assessment of Basic Skills (Spanish)

Published by Curriculum Associates, Inc., the Brigance Diagnostic Assessment of Basic Skills can be administered to ELLs from kindergarten through 6th grade. It is a test for students whose native language is Spanish, to determine whether a student's weakness is due to limited English proficiency or to a specific learning disability. In addition, it can be used to determine language dominance or to establish if a student is working at grade level in academic subjects in Spanish.



It is so important that English language learners are identified and assessed expediently and appropriately, in order to give these children equal opportunities for a quality education. With the number of English language learners in our schools continuing to increase, this is vital to our children and to our communities.

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