

*Limited English Proficiency and
Special Education Eligibility:
A Collaborative Guidance Protocol for
LEP/SPED Decision Making*

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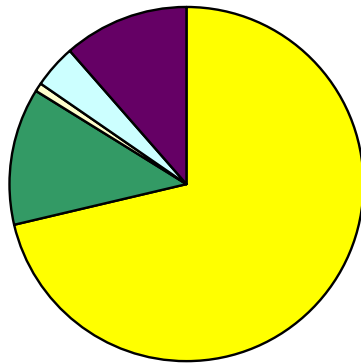


How we got here....

- Districts go through a 5 year cycle of monitoring in Special Education.
 - Wendell S.D. was in Year 1, which is Self Assessment.
 - Wendell identified early that LEP/SPED students were an area of concern.
 - Wendell began working towards a solution over the 2007-2008 school year.
 - What you about to see is the product of that work.
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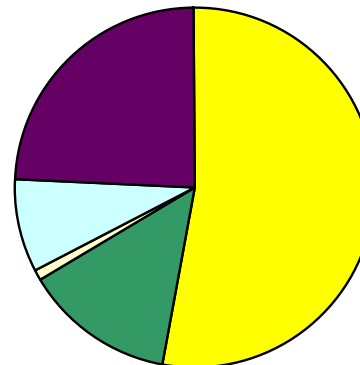
The Changing Population. . .

2000



- White
- Black or African American
- American Indian, Eskimo, Aleut
- Asian and Pacific Islander
- Hispanic origin (of any race)

2050



- White
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Disproportionality Definition

- Proportion: the comparative relation in size between two groups
 - Disproportion: the parts of 2 groups are not the same
 - Groups being compared are:
 - ✓ General district/school population
 - ✓ Special education population
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Disproportionality...

What's the Big Deal?

- It hurts kids.
 - It's the law.
 - There are consequences.
 - With the U.S. becoming more diverse, chances are this problem will increase.
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Past Research

- Wilkinson and Ortiz (1986)
 - Found that after 3 years of special education placement, Hispanic students classified as LD actually lost ground.
 - Both verbal & performance IQ scores were lower.
 - Achievement scores at essentially same level as at entry...3 years ago.
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Not a New Requirement PL-94-142

- Assessment Procedures & Instruments, Special Education Manual, p. 37
 - Tests are to be selected and administered so as not to be discriminatory...
 - Assessments must measure the extent to which the student has a disability, not his English language skills...
 - Tests must be validated for the purpose they are used...
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Exclusion Clause

IDEA mandates no Special Education label “if discrepancy is primarily the result of environmental, cultural, or economic disadvantage” or is caused by “lack of instruction in reading or math, or limited English proficiency”

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- **The Goal:**
 - Avoid over-identifying....**HOWEVER**
 - Avoid **denying** special education services to a student who has a true disability.
 - **Goal:** appropriately assess and identify students with cultural and language difference & give students APPROPRIATE services.
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Sounds easy enough....

Ask yourself some questions:

- Does it matter that my students speak a language other than English?
 - Does it matter that my student comes from a different culture?
 - Does it matter how long and to what degree of fidelity my student has been exposed to instruction and interventions?
 - Does it matter how my entire class is doing in comparison to my student I want to refer?
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The short answer... YES!!!

- To accurately assess a student's academic ability, we must take into consideration a number of important factors and considerations that will yield accurate information that will lead us to the best conclusions and recommendations...
 - For the student.
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Just the facts Ma'am...

- Approximately 14% of the total school population is identified as students with disabilities in the U.S, in Idaho 8.9% in 2008.
 - It is difficult to determine the proportion of ELLs with disabilities due to problems with:
 - Data collected during the referral *and/or*
 - Data collected during the assessment as a product of Title I and Title III services.
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More facts:

- Schools have a difficult time distinguishing between:
 - Difficulty acquiring a second-language
 - A language-based learning disability
- Most schools lack a comprehensive approach to assessing ELLs and appropriate professional development.
- Schools report inadequate services to address the learning needs of ELLs with disabilities.
- Teachers delay referring ELL students in order to provide ample opportunity to learn English.

How Did This Happen?

- Pre-referral was seen as a hurdle to jump through to get to special education vs. a true problem-solving process.
- Inappropriate assessments are used for evaluation.
- Failure to rule out “exclusionary” causes.
- All the above



Problem-Solving Considerations

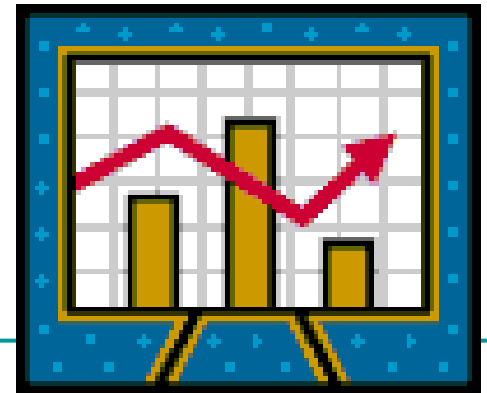
- Are environmental factors considered?
- Do teachers use effective instructional strategies?
- Has the student's educational history & attendance been considered? (*20 days absent/yr = significant impact*)
- Are classrooms accommodating individual differences?

Problem-Solving Considerations cont..

- Are there opportunities for remediation or extra practice?
 - Is the curriculum adapted for English language learners?
 - Are students actively engaged?
 - Are students provided multiple opportunities to demonstrate proficiency?
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Problem-Solving Stage

- Give interventions enough time to show results
- Make decisions based on that data using a team approach



Understand Language Acquisition

- BICS – Basic Interpersonal Communication Skills (playground)
 - Takes 1-2 years
 - CALP – Cognitive Academic Language Proficiency (classroom)
 - Takes 5-7 (maybe 9) years
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What is Academic Language?

- Academic language is:
 - the language used in the classroom
 - the language of text
 - the language of assessments
 - the language of academic success
 - the language of power
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Academic language and ELLs

- The definition alone is not sufficient for ELLS
 - ELLs need to:
 - understand text and definitions
 - use the word correctly
 - produce accurate language with the word
 - understand the definitions of related words
 - discuss the text using target words correctly
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How Can We Properly Identify?

- Before a student is accepted for special education evaluation, make sure problem solving occurred and was done thoroughly.
 - Require a review of student records.
 - Require documentation of interventions attempted and the results of those interventions.
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So how do we do all of this?

- Lets look at the:
 - **Procedures for Diagnosing Limited English Proficient (LEP) SPED Students**
 - **AKA: The Wilcox Model**
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Step 3 Interventions

What does intervention look like?

- Grouping Arrangements
 - Multiple Opportunities for Practice
 - SBRR intervention taught with Fidelity
 - Explicit and Systematic
 - Assessment
 - Fluid groups
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Step 3 Interventions

What do students need?

- Visuals
 - Lots of repetition, rehearsal, and practice
 - Modeling
 - Peer learning
 - Direct, explicit instruction
 - Opportunities to interact socially and academically
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Step 3 Interventions

What can teachers do?

- Give wait time
 - Teach key vocabulary
 - Explicitly teach new skills, concepts, and English language structures
 - Provide practice and application
 - Use visuals, manipulatives, and non-verbal cues
 - Engage students
 - Pre-teach skills
 - Scaffold skills
 - Assess and progress monitor
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Step 3 Progress Monitoring

How do we know students are making progress?

- Data, data, data

 - AimsWeb probes, CORE phonics survey, observations, assessments, class work

 - Progress monitor strategic every 2-3 weeks

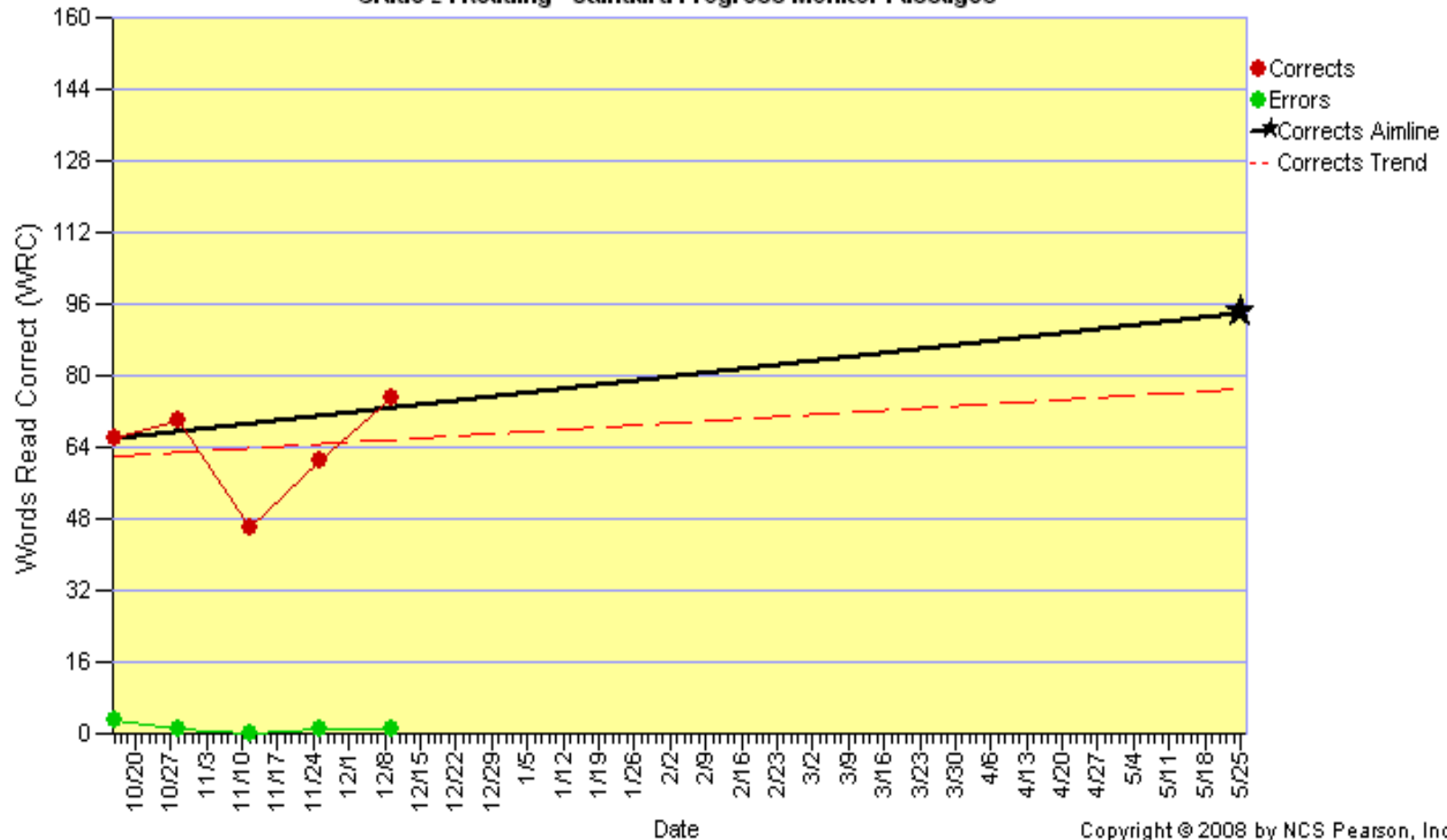
 - Progress monitor intensive every week

- Progress monitoring meetings

 - Team approach

Step 3 Progress Monitoring

Lori Johnston (Grade 2)
Grade 2 : Reading - Standard Progress Monitor Passages



Step 3 Progress Monitoring

Goal Statement: In **31.7** weeks, Lori Johnston will achieve **94** Words Read Correct with **2** Errors from grade **2** Reading - Standard Progress Monitor Passages. The rate of improvement should be **0.90** Words Read Correct per week. The current average rate of improvement is **0.47** Words Read Correct per week.

Date	10/15	10/28	11/11	11/25	12/09
Corrects	66	70	46	61	75
Errors	3	1	0	1	1
Goal/Trend ROI	0.90/ 0.47				

Best Practice

- Problem Solving (such as RTI).
 - Get help started immediately.
 - Create an intervention plan (I-Plan or ELP Plan).
 - Help general ed teachers be aware of effective teaching strategies for ESL/ELL or culturally diverse students.
 - Document data & revise plan as needed.
 - Use data to support need for SpEd.
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What do we know that works?

- Use of a three-tiered model, with Tier 2 addressing the needs of ELLs in small group instruction, resulted in higher gains than ESL instruction alone.
 - Small group instruction of at-risk learners is a prereferral intervention that can significantly impact a student's educational outcome and reduce special education referrals.
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Tier 1 Considerations

- Regarding Interpersonal English Language Acquisition Difficulties:
 - What is the students level in English?
 - What is the students level in their native language?
 - Has bilingual ed or ESL made any recommendations?
 - Are those recommendations being monitored using informal measures?
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Tier 2 considerations:

- Regarding Academic Language Difficulties:
 - Is the student receiving instruction that addresses his language needs based on ESL recommendations?
 - What is the rate of progress and level of language proficiency since implementation?
 - What is the student's academic language proficiency?
 - What is the student's rate and level of reading and comprehension in the native language?
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Tier 3 Considerations:

- Regarding a possible learning disability:
 - Has the student received evidence-based instruction and intervention to meet his academic needs?
 - Is there evidence of failure to respond to intervention based on learning rate and level of performance?
 - Is progress monitoring addressing the students needs effectively?
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Points to Remember

- Academic language is highly teachable
 - ELLs are a hard-working group of students who can and have achieved great heights academically
 - One of the most effective and important ways to support their future success is by teaching them academic language
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Points to Remember

- ELL students who have been in the U.S. for a long period of time are the largest-growing student population that we have in the U.S.
 - Students need intensive instruction, as well as opportunities to practice with ongoing feedback, so that their language skills improve
 - These students will acquire the language of their peers and may have very proficient social language, but they need academic language so that they can succeed academically and fulfill their potential
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Points to Remember

- Use of RTI in Special Education typically lead to diagnosis of a Learning Disability.
 - This is only one of thirteen categories of exceptionality.
 - Rule out medical/physical limitations: Language/Culture may mask deeper issues.
 - Disabilities occur in all languages and in all cultures.
 - Look for concerns in both languages
 - Use parents as your historical/comparative resource.
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Thank you

- *We hope you found this helpful.*
 - *Rich, Anne, and Lori.*
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