MEETING DIVERSE NEEDS OF ELLS/MULTILINGUAL LEARNERS: LANGUAGE, DISABILITY AND OUR DECISIONS

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• **Technical Assistance in schools and NYC regions**
  - Review of CR Part 154 Plans
  - DTSDE-Diagnostic Tool School District Evaluation
  - NYSED OBE WL Title III Reviews
  - Collaborative Accountability –Renewal schools-on site support for teachers and administrators

• **Professional development-professional organizations, Regional PD sessions at Rose Hill Campus or Lincoln Center**
  - Next Generation Standards
  - Every Student Succeeds Act
  - New and Home Language Progressions-ENL and bilingual programs

• **Dissemination of Information**

• **New NYSED OBE WL Initiatives- Bilingual Special Education-** Disproportionality & Overrepresentation; Language vs Disability; ELL Dropout rates for ELs
NOTICINGS OF SPECIAL ED SESSIONS CONDUCTED 2017-2018

• ENL teachers were not always aware that they had a school team making decisions in their school on EL referrals
• Mainstream teachers were making referrals of ELs to Special Education and not necessarily ENL teachers
• ENL teachers were not always involved in the team meetings when recommendations were made for EL referrals
• ENL teachers were not familiar with Tier 1 instruction especially what constitutes a CORE program for ELLs in their school-stand-alone and Integrated ENL
• Many questions on what are appropriate interventions for ELLs

To Do List
2018-2019
ENL/bilingual teachers
Summary of studies on ELs with learning disabilities:

- Disproportionality and Over Representation
- Prevention and Early Intervention
- Referral and Decision Making-Language or Disability?
- Assessment Procedures
- Teaching Strategies
DISPROPORTIONALITY AND OVER REPRESENTATION OF ELLS IN SPECIAL EDUCATION

Exploration of the literature to get a better understanding of the disproportionality of ELs in special education

- Rueda and Windmueller, argue that over representation is an indicator of underlying problems in the education system (2006).

- Artiles, Rueda, Salazar, and Higareda (2005) explored the placement patterns of white English proficient learners and ELs and found that students whose native or primary language is not English are assessed for English proficiency.

English Proficient refers to: Students who indicated that their native language is not English but they met district criteria for proficiency and literacy in English.

ELs refers to: Students who did not meet district criteria
FINDINGS: ARTILES AND SULLIVAN

- They found that ELs were under represented at the elementary level but overrepresented at the secondary level (Artiles et.al., 2005).
- ELs with limited English (L2) were slightly overrepresented as Learning Disabled both at the elementary and secondary grade level (Artiles et.al., 2005).
- English proficient students were found to be underrepresented at both the elementary and secondary level (Artiles et.al., 2005).
- EL students in English immersion programs were more likely to be classified as special education than ELs placed in other language support programs (Artiles et.al., 2005).

  Suggests the importance of native language support and instruction

- The majority of EL students in LD programs are of low SES (Artiles et.al., 2005).
- When compared to white students, ELs were less likely to be placed in the least restrictive environment (Sullivan, 2011).
- ELs were more likely to spend at least part of their day in separate settings, such as resource rooms environment (Sullivan, 2011).
GUIDING QUESTIONS

• Why do you think ELs in English Immersion programs have a higher referral rate than those in other language programs?
• Why do you suppose those in language programs had less of a referral rate?
Determining whether a student’s speech and language errors result from influences from their native language or whether they are indicative of speech or language impairment is a challenge many educators face. One in every five children in the United States comes from a home in which English is not the primary language. In this book, we compare and contrast English with 12 other languages and African-American English. The information is laid out in charts and diagrams to facilitate the decision-making process about student needs.

Our goals are to:
– Help teachers know when a referral is needed
– Equip speech-language pathologists with information they need to accurately analyze speech and language samples
– Get students the support they need
– Reduce disproportionate referrals of culturally and linguistically diverse students for special education services

The development of this book stemmed from the needs of a group of speech-language pathologists evaluating the speech and language skills of children from many different linguistic and cultural backgrounds. The framework used to distinguish language differences from language disorders is beneficial for all educators, and the use of this framework will result in improved instructional targets for culturally and linguistically diverse students in the general education classroom, as well as more appropriate referrals for special education evaluations.

A communication difference is a variation of speech that is shared by a group of individuals within a particular region or culture. This should not be considered a disorder of speech or language. An accent or dialect, for example is simply a difference, not a disorder.

What's the difference?- (Jenny Lind School jennylind.mpls.k12.mn.us/differences vs disorder)
Understanding the referral and identification process for ELs classified
Referral committees decide whether students will be assessed for special education
Data gathered through the prevention, early intervention, and referral stages should be used to guide the decision
Consulting with parents and seeking perceptions problems faced by the child

This is what they found:

Parents are likely to consent when they understand and agree with problems under evaluation
Giving students time to acquire language
The longer El students who have LD go without services, the further they will get behind their peers-student can suffer emotionally and socially
Early Identification of the problems should be addressed at the onset
Being aware of those quick referrals without modifying instruction(Huang
Classification stays with the student leading to educators expecting less
About 7.6% of the ELLs in the U.S. are believed to have a disability (National Center for Education Statistics, 2009; Peña, Bedore, & Gillam, 2011). However, percentages vary greatly by state, from highs of 28.36% in California, 20.50% in New Mexico, 16.70% in Nevada, and 15.45% in Texas to a low of 0.35% in Virginia. Identification rates also vary within and across districts (Artiles, Rueda, Salazar, & Higareda, 2005; Sullivan, 2011). The majority (about 55%) of those ELLs identified with a disability are thought to have LD (Peña et al., 2011).
Most EL students were pushed toward testing because the school personnel believed that the poor academic performance or behavioral difficulties were indicative of the child needing special education services. Those meeting observations might be commonplace and will contribute to the disproportionate amount of ELs in special education.

83% of the assessment personnel decisions made with insufficient data:
- Defer Decision: language proficiency, environment, culture or lack of data

While educators may believe that there is no harm in placing ELs in special education for extra individual instruction, research has demonstrated that students who were inappropriately placed in special education actually regressed (Huan et al., 2011).
A panel of three bilingual special education faculty members reviewed the cases of 21 EL students with LD and differed significantly in their eligibility decisions.

Experts in the field can reach different decisions
SCHOOL TEAMS AND DECISION MAKING

Problem Solving/Decision Making

My problem-solving app is GREAT! It's not compatible with my decision-making app!

It's USELESS!
QUESTIONS ON REFERRAL AND DECISION MAKING FOR ELS

Getting to Know the Els languages and RTI services

- When did the student learn their language/s?
- Do they have opportunities to listen, speak, read and/or write their language/s?
- In what contexts do they use their language/s?


- Are Core ENL/Bilingual services being provided?
• Do you know what is happening in the mainstream classroom?
• Do you know what is happening at home?
• Have you gathered information about the students’ educational background/history?
• What is the student’s health history and current health status?
• Have you documented properly?
• **Have you completed and documented language proficiency testing in both native and English language?**
• Do you know your schools pre-referral and referral process?
• Sequential & Simultaneous bilinguals to determine LD

• Misconceptions on English learners which impact decision making

• Behaviors associated with LD-Similarities and Language acquisition
It’s important to...

Understand the second language acquisition process

- Oral language
- Written language
- Literacy (and what can be confusing)

Know possible characteristics associated with LD

Look at the quality of instruction and students’ opportunities to learn
It must be nice to be bilingual.

MEOW!
The following guidance is intended to assist Local Education Agencies (LEAs), school administrators, and educators in meeting the requirements set forth in the regulations and to clarify questions regarding their implementation. Topics covered include:

- Screening for (ELL/MLL) Status for Students Who Enter or Re-Enter School with an (IEP)
- Information that must be reviewed and considered by the LPT
- Principal and Superintendent Review of LPT Recommendation
- Review of ELL/MLL Identification Determination
- Participation of Students with Disabilities in the New York State Initial (NYSITELL) and Annual (NYSESLAT) Assessments of English Proficiency
- Notifications & Rights of Parents/Guardians of Students with Disabilities under Subparts 154-2 and -3
- ELL/MLL Program Placement & Services for Students with Disabilities
- ELL/MLL Exit Criteria
Guidance

Determining English Language Learner/Multilingual Learner (ELL/MLL) Status of and Services for Students with Disabilities

ELL/MLL ID PROCESS FOR STUDENT WITH AN IEP

The determination of English language proficiency (ELP) or ELL/MLL status for a student with a disability who initially enrolls or re-enters a NYS public school follows a multiple-step ELL/MLL identification process [CR section 154-2.3(a)]. The steps are:

1. Initial Screening: Administration of the Home Language Questionnaire (HLQ) to the parent/guardian1. The HLQ must be administered to parents/guardians to determine if a language other than English is spoken at home in the language or mode of communication they understand or with a qualified interpreter. If the HLQ indicates that a student’s home or primary language is other than English, an individual interview with the student (in English and in the student’s home language) is conducted by qualified personnel. If the results of the individual interview confirm that the student’s home or primary language is other than English, proceed to Step 2: Language Proficiency Team.

2. Language Proficiency Team (LPT): The LPT will consider evidence to make a recommendation as to whether the student may have second language acquisition needs and must take the NYSITELL OR makes the recommendation that the disability may be the determinate factor affecting the student’s ability to demonstrate proficiency in English. If LPT notes no second language needs, a recommendation that the student should be designated English proficient is made to the Principal.

3. Principal Review: Principal disagrees with LPT and refers student for NYSITELL OR agrees with the LPT that there are no second language needs and makes a recommendation to the Superintendent.

4. Superintendent Review: Superintendent rejects Principal recommendation and student will take the NYSITELL OR superintendent accepts the recommendation that the student is not an ELL/MLL.

If student takes the New York State Identification Test for English Language Learners (NYSITELL) and does not demonstrate ELP, student is an ELL and parents/guardians must be notified within five school days of determination and of their right to request a review. If student demonstrates ELP, student is not an ELL. If it is determined during any of these steps that a student is not an ELL/MLL, the remaining steps of the initial enrollment and/or reentry process to identify the student as an ELL/MLL stops. For more information regarding the screening process for all new entrants, please refer to NYSED’s July 2015 guidance, English Language Learners (ELLs), Screening, Identification, Placement, Review, and Exit Criteria.

1 Parent/guardian refers to “parents or persons in parental relation.”
Language Proficiency Team (LPT)

Beginning in the 2015-16 school year, when the results of the Individual Interview of the ELL/MLL Identification Process are inconclusive NYS school districts must use LPTs to screen new entrants and re-entering students who have already been identified as students with disabilities. The LPT was created to ensure the appropriate initial identification of English proficiency for students with disabilities by requiring a committee of individuals with expertise in the areas of second language acquisition and disabilities in the screening process.

The LPT is minimally comprised of:
- a school/district administrator;
- a teacher or related service provider with a bilingual extension and/or a teacher of ESOL;
- the director of special education or individual in a comparable title (or his or her designee); and
- the student’s parent or guardian.

A qualified interpreter or translator of the language or mode of communication the parent/guardian best understands, as defined in CR section 154-2.2(t), must be present at each meeting of the LPT.

The LPT must review relevant information from the student’s record to determine whether:
- a student who has been identified as a student with a disability appears to have second language acquisition needs; or
- there is evidence that the student’s disability is the determinant factor affecting whether the student could demonstrate proficiency in English during Initial Screening.

Prior to the start of each school year, each school district must develop a Subpart 154-2 Comprehensive ELL/MLL Education Plan (CEEP), including the district’s administrative practices to screen for English language proficiency (ELP) and identify and place ELLs/MLLLs, including those with previously-identified disabilities. In appropriate programs [Section 154-2.4(b)(2)]. Each school district should designate an individual or individual(s) at the school or district level with administrative responsibility to ensure that the ELP screening and identification process for ELLs/MLLLs is carried out in a timely and appropriate manner. This includes procedures for determinations of English proficiency for students with disabilities, which include reviewing the recommendations of LPTs and making final determinations of a student’s ELL/MLL status.

Information That Must be Reviewed and Considered by the LPT

When recommending that a student with a disability should not take the NYSITELL because the disability is the determinant factor affecting whether the student can demonstrate English proficiency, the LPT should have evidence that the student has no second language needs, requires no second language supports, and does not meet the federal definition of English Language Learner (ELL).

This entails ruling out that the student meets the four criteria from the federal definition of an ELL student under Elementary and Secondary Education Act (ESEA) Section 8101[20] as an individual:
CONCLUSION

• Educators are striving to be knowledgeable in the pre-referral process and non-biased assessment to avoid over-identification.
• Educators must consider effective instructional strategies that are related to the cultural environment and prior knowledge the student brings.
• Integration of language strands and high expectations
• Using home language to bridge to English and access to academic content

Not enough emphasis in the teaching of rigor for ENL
Do not provide staff development for bilingual special education teachers
Teachers working without a structured curriculum
Teachers pulled out to do assessment tasks
FOR A FAIR SELECTION EVERYBODY HAS TO TAKE THE SAME EXAM: PLEASE CLIMB THAT TREE
THANK YOU

Please complete the two questions in supporting the work with parents and families of multilingual learners for 2018-2019.