

IDENTIFICATION, EVALUATION AND INTERVENTION FOR ELL STUDENTS WITH COMMUNICATION DISORDERS

INTRODUCTION

Public school systems in the United States have experienced a significant increase in the number of students from culturally and linguistically diverse populations who are developing English proficiency. The National Center for Education Statistics predicted that by the year 2010 there will be an increase of 50% or more in the numbers of Hispanic, Asian, Pacific Islander, American Indian, and Alaska Native students who attend public schools. During the same period, the monolingual English-speaking White population is expected to decrease by more than 10%.

Educators are committed to providing a quality education for all students. Speech-language pathologists (SLPs) and instructors of English as a Second Language (ESL) are experiencing the challenge of providing services to increasingly diverse populations of students. Frequently, SLPs are functioning in a role traditionally assigned to instructors of ESL. SLPs should not provide direct instruction in ESL, but should collaborate with ESL instructors in the identification of students with disabilities and provide only special education services as determined by the Individualized Education Program (IEP).

The central challenge facing SLPs working with culturally and linguistically diverse students is distinguishing communication *differences* related to linguistic or cultural factors from communication *disorders*. School districts may not assign students to special education programs based on criteria that essentially measure and evaluate English language skills. School districts may not refuse to provide alternative language services, such as ESL and special education, to students who need both. This document was developed to provide guidance in the identification, evaluation and intervention for English Language Learners (ELL) with communication disorders.

LEGAL BACKGROUND

- **The Individuals with Disabilities Education Improvement Act of 2004 (IDEA)** specifically addresses students who speak languages other than English. The "determination of eligibility" section of the law stipulates that "a child may not be determined to be eligible under this part if the determinant factor for that eligibility determination is limited English proficiency". The unique linguistic features that many ELL students exhibit are not considered a disability under IDEA.
 - IDEA further stipulates the "materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure they measure the extent to which the child

has a disability and needs special education, rather than measuring the child's English language skill" and,

- "Are provided and administered in the child's native language...".
- IDEA also requires that information provided to parents must be presented in their native language.

- **West Virginia Board of Education Policy 2419: *Regulations for the Education of Exceptional Students*** is the state policy addressing special education and reflects the regulations in IDEA with regard to students with disabilities.
- **The No Child Left Behind Act of 2001: P.L. 107-110 (NCLB) Title III** of NCLB requires that "children who are limited English proficient, including immigrant children and youth, **attain English proficiency**, develop high levels of academic attainment in English, and meet the same challenging State academic content and student academic achievement standards as all children are expected to meet" and that schools "assist all limited English proficient children, including immigrant children and youth, to **achieve at high levels in the core academic subjects** so that those children can meet the same challenging State academic content and student academic achievement standards as all children are expected to meet."

IDENTIFICATION

IDEA and Policy 2419 require school districts to implement child find activities to identify and evaluate students who may have a disability. Provisions in West Virginia State Code §18-5-17 stipulate that "all children entering public school for the first time in this state shall be given prior to their enrollments screening tests to determine if they might have vision or hearing impairments or speech and language disabilities..." ELL students must participate in the standard screening procedures. However, the following cautions should be observed:

- Preventing over-identification – if an ELL student has a suspected speech or language disorder that is not observable in the first language, the School Assistance Team (SAT) should convene with the ESL teacher, classroom teacher and principal to discuss possible interventions prior to referral.
- Preventing under-identification- if an ELL student has a suspected speech or language disorder that is observable in the first language, the student should not be denied access to the referral process based solely on his/her limited English proficiency.
- Parental Notification - the law requires that parents be notified, in a language they understand, that their child will be evaluated for special education.
- Referral timelines outlined in Policy 2419 should be followed.

EVALUATION

Materials and procedures used to assess a ELL student are selected and administered to ensure that the extent to which the student has a disability and needs special education is measured, rather than measuring English language skills. Factors to consider when evaluating a ELL student include:

- Collaborate with ESL instructor regarding student information that will facilitate evaluation procedures.
- Obtain information from classroom teacher and others who have frequent contact with the student.
- Conduct the evaluation over a sustained period of time.
- Involve an interdisciplinary team of professionals in the evaluation process.
- Evaluate the language learning ability of bilingual students through the use of dynamic assessment or other similar approaches that assess the student's ability to learn over time provided with instruction (especially ELL students who have recently entered school).

School districts are required to use culturally unbiased evaluation tools, and to rule out the presence of cultural and linguistic factors when evaluating students from diverse backgrounds for eligibility for speech-language services. Evaluation procedures should include:

- A variety of formal and informal assessments.
- The use of standardized, norm-referenced tests (and the application of test norms) with ELL students is extremely problematic, and should be avoided. Issues include:
 - Norms can only be applied to students in the test's normative sample; ELL students are almost never included in the normative samples.
 - When standardized tests have not been normed on ELL students' cultural/ethnic groups, computed or standard scores are likely to contain bias, and should not be reported nor used to determine special education eligibility.
- Assessments are provided and administered in the child's native/primary language to determine if a speech-language disorder exists in the student's native language as well as English.
- An interpreter/translator (I/T) who speaks the student's native/primary language should be used during all parts of the evaluation, including student testing, collecting communication samples, and communicating with the student's parents.
 - I/T must be adequately trained on specific procedures when assessing a student.

- County must provide the I/T with appropriate and necessary materials, such as dictionaries or access to Internet, to search specific references in a given language.
- Both the I/T and SLP should be present during assessment to allow for needed clarifications, modifications and observation of verbal and nonverbal communication.
- I/T and SLP review the assessment to discuss the effectiveness of the process and include any changes to improve the interpreting process in future meetings or assessment sessions.
- If interpreting services are declined by the parent, the school should provide additional time to review the necessary documents and encourage parents to ask questions about any aspect of the process.

ELIGIBILITY DETERMINATION

When interpreting evaluation data, SLPs should be cautious in making assumptions about bilingual students using frameworks developed solely for monolingual populations. The following practices are recommended:

- Measure proficiency levels for all modes of communication.
 - It is important to know how the student is able to use the modes for social and academic purposes. Academic proficiencies may vary depending on subject matter, linguistic parameter (receptive, expressive, writing, reading) and pragmatics (e.g. answering a question vs. delivering an oral report).
- Rely on information about characteristics and strategies of bilingualism and second language learning including:
 - Transferring knowledge of rules from the native/primary language into the second code results in successful learning. When this transfer works unsuccessfully, student performance will reflect rules belonging to the native/primary language. They may look like pathologies, but they are not.
 - Making generalizations and simplifications and using prefabricated phrases until rules are learned.
 - Avoiding situations or topics that are not linguistically comfortable.
 - Relying on verbal, gestural or other types of verification.
 - Code-switching (using both codes at same time) for different purposes.

In order to determine the presence of a disability, the normal behaviors of dual code learners and users must be identified, and differentiated from disabilities. Information must be obtained regarding the linguistic systems the student uses to compare them to student performance. In this way, an attempt is made to identify expected behaviors. The SLP can then identify the residual behaviors as

resulting from a communication disorder. Contrastive analysis of both languages includes some of the following:

- Phonological system: the student may be pronouncing or deleting sounds using the rules and learned behaviors of another language.
- Grammar and syntax rules: the student's behaviors may only reflect the inappropriate transfer of previously learned rules. Also, inconsistent errors may appear as part of the normal learning process.
- Voice quality: harshness, breathiness, loudness, pitch and the production of clicks and glottal stops vary across languages.
- Semantic and vocabulary usage: the student might not be aware that in the second language there is only one word for a concept that uses two words in the first language.
- Dysfluent behaviors: hesitations, false starts, silent pauses, and other dysfluent behavior may be exhibited by a bilingual speaker due to lack of familiarity with English.

The IEP Committee must review evaluation data and other information to determine if the student qualifies for services as a student with a disability according to IDEA. Information from a variety of sources must be considered including:

- Test results, parent input, teacher recommendations, and other physical, social or cultural factors that may contribute to the eligibility decision.
- The length of time the student has been in the United States and the amount and consistency of formal education the student has received.
- Information regarding the student's community, past cultural experiences and family cultures when determining the need for special education placement and may include the following:
 - Behaviors incongruent with conventional behaviors. (Examples include different types of eye contact, the time it takes to answer questions, and language use with adults.)
 - Beliefs pertaining to reasons for being tested, beliefs about who should be doing testing, how much effort should be put toward assessment exercises, etc.
 - Expectations related to school and school personnel roles, what is required of child, use of information gathered from assessment procedures.
 - Degree of assimilation including exposure to school subject matter, level of comfort relating to new environments and persons, and adeptness at using methods to demonstrate learning.
- The IEP Committee must carefully consider and document the effect of a student being a second-language learner on his or her achievement and ability to be involved and progress in the general education curriculum.

- The IEP Committee must also consider what specially designed instruction will be needed for the student to benefit from special education and select the service delivery model for that student.
 - SLPs and ESL instructors play a critical role in this decision for the team must consider the student’s pragmatic, social, or interpersonal communication skills instead of the structural accuracy of the language.
 - A communication limitation can make it very difficult to determine if a student is primarily struggling with second-language learning or has one or more disabilities.
 - Once eligibility is determined, the SLP may work with the student because of communication disabilities related to a disorder or condition.

INTERVENTION

The SLP who is providing services for students identified as communication disordered must consider the following intervention strategies:

- Service delivery for children with a communication disorder must take the form of multidimensional sessions in the therapy room, in the classroom and in small interactive groups that encourage conversations.
- The SLP will need to move easily from one setting to another to encourage the adaptation necessary to fit into the dominant culture.
- The use of interpreters as needed in intervention.
- Active family involvement in intervention.

During intervention with students with communication disorders, the SLP should continue to consult with and collaborate with the ESL instructor. Collaboration is an essential aspect of the educational and therapeutic process and allows both professionals to share in planning, implementation and evaluation. This collaboration can occur in many ways, ranging from informal conversations to formal planned activities. Professionals should:

- Share ideas and resources and plan and work together to coordinate IEP goals.
- Evaluate progress toward speech and language intervention goals and English language development goals.
- Coordinate the instruction of English language development with the intervention for the communication disorder.
- Consider the cultural and linguistic factors that affect delivery.
- Prepare and participate in IEP reviews.

IDEA emphasizes that students with disabilities will have access and progress in the general curriculum. Intervention for ELL students in the classroom may include:

- Adapting instruction to meet the child’s specific needs such as modifying assignments, activities and tests.
- Consulting with the teacher regarding the student’s individual needs and learning styles.
- Selecting appropriate materials and instructional strategies.
- Helping students learn pragmatic and social-cultural aspects of language – eye contact that will enable them to participate in activities in classroom.

The provision of special education services for ELL students is a challenge for educators. School districts may not assign students to special education programs based on criteria that essentially measure and evaluate English language skills. School districts may not refuse to provide alternative language services, such as ESL and special education, to students who need both. It is essential that SLPs and ESL instructors work together to determine appropriate services for ELL students with communication disorders. Additional information regarding county policies and resources may be obtained from special education directors in each county. For questions regarding these and other concerns, contact Kathy Knighton (kknighto@access.k12.wv.us) or Amelia Davis Courts (aadavis@access.k12.wv.us), West Virginia Department of Education.