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THE SPECIAL EDUCATION REFERRAL AND EVALUATION PROCESS FOR
ENGLISH LANGUAGE LEARNERS

by

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A capstone submitted in partial fulfillment of the requirements for the degree of
Masters of Arts in Teaching English to Speakers of Other Languages.

Hamline University

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Research shows that there is a disproportionate number of English Language Learners (ELLs) in special education. The over and under representation of this population in special education can be linked back to issues within the referral and evaluation process. This project looks to answer the question: *What accommodations need to be made to the special education process to ensure that English Language Learners are appropriately referred and evaluated?* This project resulted in a flowchart for each step in the special education referral and evaluation process. Research-based practices are presented for each step of the process. The flowchart was created to be used by special education and general education teachers in any school district. School districts have varying, and at times vague, guidelines for assessing ELLs for special education. The goal of this project is to create an outline to aid in the process of implementing best practices, so that ELLs are appropriately being identified for special education and eventually eliminate the disproportionality amongst ELLs in special education. (167 words)

CHAPTER ONE

Introduction

A group of five students sit in a circle on the ground, they sing their alphabet song. “A is for alligator, /a/, /a/, A. B is for bear /b/, /b/, B...” I point to pictures of each letter and animal as they sing and do motions. When the song ends, then I point to the letter y with a picture of a yak below it and ask, “What letter is this?” No one raises their hand. As I wait for a response, I think about each of my students. Yesterday, my student who has Autism and is nonverbal showed me he knew this letter by writing it when prompted, but he cannot verbalize it. I am guessing that my student with a learning disability, is singing “Y is for whale, /w/, /w/, y in her head and remembering that it is not right, but can’t think of the right answer. My student with an emotional behavioral disorder, just ran out the door. My students wait as a I call the office for support, still thinking about each of their needs. I have no idea if my new student knows this letter, she’s been in three schools this year and it’s only January. I’m left wondering if my English language learner (ELL), remembers that the animal is called a yak. I call on her. “Do you know this letter? Maybe you remember the animal?” She asks if it’s a sheep. “Kind of. It’s like a sheep. It’s called a yak.” She lights up remembering that y is for yak, /y/, /y/, y.

The example above is from my own classroom, and like most classrooms is full of diverse students with distinct needs. As educators, we are called to meet their needs, so they can succeed academically. Having a background in both special education and English as a Second Language (ESL), my reading intervention groups attempt to service both sets of unique needs. To accommodate their needs, it is important for me to know if

it is a disability or language deficit that is impacting their learning. Too often, English Language Learners (ELLs) are misidentified and referred for special education because they continue to struggle academically. This can lead to ELLs being inappropriately labeled as needing special education services (Sullivan, 2011). At the same time, there are some students who are ELLs and have disabilities. With this project, I hope to answer the question: *What accommodations need to be made to the special education process to ensure that English Language Learners are appropriately referred and evaluated?*

As educators, it is our job to identify their needs and individualize their instruction to help them succeed academically. Identifying the needs of students can be difficult, especially when a teacher uses multiple strategies and the student continues to struggle (Ortiz & Yates, 2001). From my experiences, school systems have different protocols in place, but eventually if students continue to struggle, schools will evaluate a student for special education. However, this process is more complex if a student is an ELL. Students who have a learning disability and ELLs may appear similar and share many characteristics (Ortiz and Yates, 2001). These similarities can lead to students being inappropriately referred and evaluated for special education (Sullivan, 2011). This confusion leaves teachers asking, if students are continuing to struggle academically how do we decipher if a student is struggling because of second language acquisition or a possible disability? And if we do assess an ELL for special education services, are the assessments, assessment practices, and results valid?

These questions are answered in many different ways by school districts across the United States. These differences lead to discrepancies in the number of ELLs in special education. Some school districts have an overrepresentation of ELLs in special

education, while other schools have an underrepresentation. Factors like models for interventions, size of the ELL population, and unclear protocols impact the number of ELLs who are referred, evaluated, and receiving special education services (Sullivan, 2011). This first chapter will briefly examine the current issues surrounding the referral and evaluation of ELLs. I will also introduce myself and my rationale for choosing this topic.

English Language Learners are often inappropriately referred for special education evaluations (Sullivan, 2011). Language acquisition is a long process and students often appear to be proficient in English long before they reach proficiency, especially proficiency with academic English. This deficit in academic English can inhibit students from being successful in the classroom. Many teachers don't have the training to determine if a student is struggling because of a language deficit or a possible disability (Salend & Salinas, 2003). In addition, many schools do not have a system or guidelines in place for determining if an ELL should be referred for special education. This lack of training and inconsistent protocols for referring ELLs to special education can lead to ELLs being referred to special education without sufficient evidence for concern.

English Language Learners who are referred for special education and start the evaluation process face even more challenges. In my experiences, the special education and English language (EL) departments often work separately to provide students with the supports they need. However, when determining how to assess an ELL for special education, it is essential that the special education evaluation team works in collaboration with the EL teacher to determine what accommodations are needed to ensure that the

assessment results are reliable and valid (Kamps, Abbot, Greenwood, Arreaga-Mayer, Wills, Lonstaff, Culpepper, & Walton, 2007). Together they must determine which language to use when assessing. There is no language assessment that determines if a student is proficient enough in English to complete the special education assessments in English (Chu & Flores, 2011). If the evaluation team determines that the assessment should be given in the student's first language, the school is then responsible for finding someone who is proficient in the student's first language and qualified to give the exam (Ortiz, 1997). This can be a difficult, if not impossible, task for schools. In addition to language, the evaluation team must also consider the life and cultural experiences of students and how these experiences might affect some of their test results. There are many factors that need to be considered when referring and evaluating students for special education. In completing this project, I hope to address the current issues by creating a protocol that implements best practices when referring and evaluating students for special education.

Personal and Professional Significance

Though my position title has changed during my five years of teaching, I continue to support the lowest students in kindergarten through third grade. I started my career as a special education teacher. My students had a variety of special education labels including learning disabilities, emotional behavioral disorders, and autism. I taught reading, writing, and math groups to meet individualized education plan (IEP) goals. I transitioned to an academic specialist in my third year of teaching and this is my current position. I continue to serve mainly special education students as an Academic Specialist, but I am not limited to serving only students with IEPs. I provide reading and math interventions

to the lowest 5 students in each grade level. In some grades this means, I only service students with IEPs. In other grades, I have a mixture of needs including ELLs.

When I started as a special education teacher, I had several students who had a dual label receiving both EL services and Special Education services. At first this confused me because I was coming from western Michigan, where the policy for evaluating ELLs for special education services is much stricter. In the Michigan school districts where I taught, an ELL may not be evaluated until receiving at least 4 years of instruction in English. I assumed this was a policy accepted by all districts in the United States. Realizing that I had students who did not meet these requirements led to me asking my colleagues about our district's policy on assessing ELLs for special education. The school psychologist, other special education teachers, speech teacher, and EL teacher shared that there was not a district policy. They attempted to share what had been done in the past, but we came to realize that the process looked different from child to child. With each evaluation the team attempted to do what they believed was best practice, but there were limitations such as time and resources.

As I changed positions within the same school district, I continued to question what the referral and evaluation process should look like for ELLs. In my new position as an academic specialist, I am no longer on the evaluation team. However, I still work with the most struggling learners to provide a reading interventions. Students who remain in my group and continue to make slow progress are often referred for special education. I am fortunate to have a background in both special education and English as a Second Language (ESL) because most of my students have IEPs, some of my students are ELLs, and a few of my students have a dual label. I was part of the referral and evaluation

process for the few students who do have a dual label of special education and ELL. The decision to refer and evaluate these students for special education was difficult, as I continued to question what the process should look like. I worked closely with the EL teacher to collaborate and do our best to determine what part of the students difficulties were due to language acquisition and which parts might be due to an undiagnosed disability. We did our best to provide the accommodations that were available to our school while evaluating these students. I am hoping this project allows me to create a plan for referring and evaluating ELLs for special education in my school district using best practices.

Summary

In summary, this project highlights the current issue of ELLs being over and underrepresented in special education. This discrepancy will be explained through the issues observed in both the referral and evaluation process. Using these issues and researched-based best practices for referring and evaluating ELLs, I created a plan that can be used by general education teachers and special education teachers. This plan outlines the process and accommodations that need to be made for ELLs to ensure their referral is appropriate and their evaluation provides valid data to determine if a student has a disability or not.

Chapter Overview

In chapter two, relevant research will be compiled to determine what accommodations need to be made to the special education process to ensure that English Language Learners (ELLs) are appropriately referred, evaluated, and diagnosed for special education services. An overview of the current over and underrepresentation of

ELLs in special education will be shared and the reasons for these discrepancies will be discussed. These reasons will be related to the issues that are specific to both the referral and evaluation processes. Then best practices will be shared for these processes to determine *What accommodations need to be made to the special education process to ensure that English language learners are appropriately referred and evaluated?*

In chapter three, I will respond to my research question and the research presented in chapter two with the creation of a flowchart. This flowchart outlines the referral and evaluation process for ELLs. It was created using my analysis of relevant research and best practices. In addition, this chapter will explain the research framework, setting, audience, and timeline for this project.

CHAPTER TWO

Introduction

What accommodations need to be made to the special education process to ensure that English Language Learners are appropriately referred and evaluated? This chapter will begin by examining the disproportionality of ELLs in special education. There is evidence for both an over and underrepresentation of ELLs in special education. Current issues with the referral and evaluation process may be the cause of this disproportionality. This chapter will analyze the issues with the referral and evaluation process for ELLs. These issues will then be contrasted with current research on best practice.

The Disproportionality of ELLs Represented in Special Education

Not only are English language learners the fastest growing subgroup within the student population in the United States, but they have also played an integral part in the history of education in the US (Linn & Hemmer, 2011). Over the past two decades, the number of ELLs in schools has grown by 169%, while school populations have only grown by 12% (Sanatullova-Allison & Robison-Young, 2016) . This growing population requires the education system to respond with supports and services that help them succeed academically. However, if we look at data from the National Center for Education Statistics in 2005, ELLs continue to struggle academically. 32% of fourth graders whose native language is English, scored at or above proficient in reading comprehension on a national assessment. Only 7% of fourth graders ELLs scored at or

above the proficient level (Samson and Lesaux, 2009). Schools acknowledge the academic gap between ELLs and native speakers in these assessment results, but continue to struggle to support the academic performance of ELLs. In addition to struggling to meet the needs of ELLs, schools have a disproportionate number of students in special education services. These two issues may be linked, as some schools have an overrepresentation of ELLs in special education.

Historically, there have been overrepresentation of several groups being serviced through special education. The most well researched is the overrepresentation of African Americans and Native Americans. Little research has been done surrounding the presence of ELLs in special education, but many believe that there is an issue of disproportionality. These speculations have led to several significant court and legal decisions in the past 50 years.

In 1970, an ELL named Diana qualified for special education and was placed in a classroom for students with developmental cognitive disabilities. She was placed in this restrictive setting because she performed poorly on the Intelligence Quotient (IQ). However, the court ruled the IQ test was not a valid representation of Diana's IQ. This resulted in the requirement that students be tested in their native language, tested using nonverbal tests, and other data must be collected to support the special education qualification (Artiles, Rueda, Salazar, & Higuera, 2005).

In the US Supreme Court case of *Lau v. Nichols* (1974), the court prohibited the discrimination of language-minority children by ignoring and not servicing their unique language needs within the school setting. This required schools to determine if a student

was an ELL and if they were, schools were then required to provide the appropriate academic supports and programming (Macswan, 2006). Soon after this ruling, the Chacon-Moscone Bilingual-Bicultural Education Act was passed in California. It required schools to give ELLs access to the general education curriculum. It also required schools to continue developing the English proficiencies of ELLs effectively (Macswan, 2006).

Even though the courts and legal system worked to give ELLs equal access to the education system and improve their academic success, they continue to struggle and they continue to be disproportionately represented in special education. Research shows that occurrence of disabilities should be equal across subgroups and that ELLs and other minority groups should not have higher incidence rates for disabilities (Ortiz and Yates, 2001).

Scientifically, there is no reasons for the percentage of ELLs with a disability to be different from native speaker. However, the number of ELLs in special education does vary from grade level to grade level, school to school, and district to district. These discrepancies may be due to the fact that it is difficult to determine if an ELL is struggling academically because of their language deficits or because of an undiagnosed disability. Many of the characteristics between the typical language deficits of a student learning a second language and those of a student with a learning disability are similar. Students with second language acquisition issues and those with disabilities may struggle with comprehension, following directions, grammatical errors, and completing tasks (Chu & Flores, 2011).

Little research has been done to determine the severity or degree to which ELLs are over or underrepresented in special education. Artiles et al. conducted a study to examine this issue in 11 California urban districts. These districts have a large ELL population with 42% of all students being classified as ELL. Of these students, 7.6% of them were receiving special education, which is consistent with the 7.2% of all students receiving special education. So from a district level, there does not appear to be an over and underrepresentation of ELLs in special education. However, when looking at the data on a smaller scale, like singular schools, there are inconsistencies in the representations of ELLs in special education. The results showed that ELLs who had limited proficiencies in their native and second language were most overrepresented in special education. The data also revealed that ELLs in English immersion programs had a higher rate of being placed in special education compared to those with language support programs. When looking at the representation of ELLs in special education at each grade level, the data indicated that ELLs are underrepresented in special education in kindergarten and first grade. Starting in third grade and continuing into high school, ELLs are overrepresented in special education. These results show us that the district and state level data may disguise the reality of disproportionate representation of ELLs in special education (2005). The need for more research is evident, but the need to determine the underlying causes of these disparities is also apparent.

There are many possible causes for the discrepancies found between the percentage of ELLs receiving special education and the entire student population. Rueda & Windmueller classifies these possible causes into three categories – knowledge based, motivational based, and organizational based (2006). The knowledge base causes are

rooted in not knowing enough about the language acquisition or the special education referral process. General education teachers and special education teachers typically do not have expertise in the area of ELLs and language acquisitions. This makes it difficult for them to determine if and when the special education referral process should start. This can lead to both over and underrepresentation of ELLs in special education. General education teachers might hesitate to refer students for special education until the student is more proficient in English. They may also worry about the student receiving a false positive diagnosis for special education (Hibel & Jasper, 2012).

Along the same lines, teachers may have other beliefs that might impact ELLs if they are referred for special education. These beliefs can cause motivational issues that impact the disproportionality of ELLs in special education. If a teacher believes a student cannot benefit from special education until they are proficient in English, that might impact when and if they refer an ELL for special education (Samson and Lesaux, 2009). A teacher might also fear the negative stigma that may affect an ELL who is inappropriately placed in special education (Donovan & Cross 2002). These factors would lead to an underrepresentation of ELLs in special education. On the other hand, the belief that language differences constitute a disability would lead to the overrepresentation of ELLs in special education (Artiles et al., 2005).

Finally, organizational issues may cause the disproportionate number of ELLs in special education. Organization issues can include state and district policies. We see in history, specifically in the *Lau v. Nichols* case, the United States requires a student's language needs be met through a school's accommodations and programming. However,

each district has its own policies. These different policies and procedures can lead to disproportionality among the number of ELLs in special education between districts (Rueda & Windmueller, 2006). Funding can also play a role in the referral and evaluation of ELLs for special education. The general education setting and ESL programming are less expensive than special education, so this could lead to an underrepresentation of ELLs in special education (Garcia & Ortiz, 1988). In addition to cost, the communication between a school and parents may lead to complications when and if students are evaluated for special education. If a parents' language or culture is different than English and American culture, the referral and evaluation process may be impacted.

Issues with the Referral Process for ELLs

When students continue to struggle in the classroom, even after interventions have been put in place, teachers typically begin the referral process. Most schools follow a similar process for getting students who are struggling the help they need. Individuals with Disabilities Education Act (IDEA) requires that students learn in their least restrictive environment, while receiving any support that they need. Most students will succeed in the general education setting. These students may need their teacher to reteach challenging new skills, but for the most part they are successful without additional support. For other students this is not enough, their teacher may bring them to a child study or multidisciplinary team, and as a team they will determine which interventions should be implemented. These interventions may be provided by the general education teacher or an intervention teacher. They provide the students with targeted and direct instruction. If these interventions are unsuccessful, the team may determine a student

should be evaluated for special education. This process can work well to provide early interventions and ensure the needs of all students are met. However, for ELLS this process becomes more complex and less consistent because of additional factors, like language acquisition and unique educational needs, that may impact the process.

Across the United States and even within states, the referral process can look very different for ELLs and the expectations are, at times, unclear for if and when ELLs should be referred for special education (Klingner, Artiles, & Barletta, 2006). Many districts agree that a student should not be referred because of insufficient interventions or due to their limited English proficiency (Chu & Flores, 2011). However beyond this process, expectations vary significantly when referring ELLs for special education. In one study looking at 12 schools, researchers, Harry and Klinger found that teachers were consistent in implementing interventions for struggling students. However, the quality of these interventions and strategies varied significantly from teacher to teacher. Their research revealed that many of the children were referred by teachers lacking strong instruction and classroom management. These teachers were not being observed, so districts were failing to ensure that students receiving adequate interventions before being referred for special education (2016). Gerber observed similar concerns and noted that a student's culture, home life, and the quality of interventions were often not considered during the referral process for ELLs (2005).

Many teachers feel like they do not have the proper training to address the needs of struggling students (Artiles & Ortiz, 2002). By the time teachers look to the multidisciplinary team for help, they often feel like they have tried every strategy and that

a student is not capable of succeeding in the general education classroom (Klingner et al., 2006). These ineffective interventions and teachers with defeated attitudes do not work to accelerate the learning of ELLs, rather they impede a student's learning and increase the likelihood that a student continues in the referral process for special education.

In addition to the effectiveness of the strategies and interventions, a student's limited English proficiency should not be reason for a special education referral, especially because ELLs often exhibit many of the same characteristics as a student with a learning disability (Ortiz et al., 2006). General education teachers are responsible for the majority of special education referrals. When referring a native speaking student, general education teachers usually have a good understanding of a typical child's development and the expectations for learning. They use this knowledge to inform their interventions and, if a student continues to struggle, they would refer the student for a special education evaluation. However, general education teachers rarely have training differentiating learning disabilities from language differences (Klingner, Artiles, & Barletta, 2006).

The inability to determine with certainty the root of the student's needs, may lead teachers to hastily refer or refrain from referring students from special education (Huang, Clarke, Milczarski, & Raby, 2011). In a study completed by Limbos and Geva, teachers in first and second grade were less likely to identify ELLs as at risk than their native speaking peers. This was attributed to the assumption that the teachers believed the students' difficulties were due to their limited English (2001). Research has shown that interventions are much more effective if they are started at a young age, so a teachers

hesitation to refer a student for special education can dampen their future academic success. On the other hand, referring students too hastily can also have negative effects. Artiles and Ortiz explain that some educators believe there is no harm to placing struggling learners into special education classes. They believe the individualized instruction will support and improve any learners' academic performance (2002). However, Wilkinson and Ortiz found that after 3 years of special education intervention, Spanish-speaking students with learning disabilities actually lost ground. Their verbal and full-scale IQ scores were lower than they had been at initial placement, and their achievement scores were at essentially the same level as at entry (1986).

Best Practice for Referring ELLs for Special Education

When discussing best practices for referring ELLs for special education, the goal is not to discourage special education referrals for ELLs, but to ensure that students are not inappropriately referred for special education (Artiles & Ortiz, 2002). To help ensure this goal is met, all educators must be knowledgeable in first and second language acquisition principles and culturally responsive pedagogy (Brown & Doolittle, 2008). In addition to making sure that all educators are knowledgeable, it is important that early, prereferral interventions for students who are struggling with reading are implemented with consistency (Klinger et al., 2006).

All educators need to be knowledgeable about the language acquisition process and strategies that are effective for ELLs (Salend & Salinas, 2003). If teachers lack a understanding of this process, more professional development is necessary in the areas of second-language acquisition, first and second language assessments, sociocultural

influences on teaching and learning, ESL teaching methodologies, informal progress monitoring for content and language development, and strategies for working with culturally and linguistically diverse families (Ortiz, Wilkinson, Robertson-Courtney, & Kushner, 2006). This professional development is a proactive approach, which will help ensure that the needs of ELLs are met in the classroom through instructional modifications and accommodations (Kamps et al., 2007).

However, the classroom teacher may have some students who continue to struggle. If this is the case, the teacher would look to the multidisciplinary team for support. It is essential that the referral team is also knowledgeable about the language acquisitions process. It is important there are specialists available who are trained in differentiating cultural and linguistic differences from disabilities (Brown and Doolittle, 2008). Together, the team will try to determine the cause of the students difficulties and will suggest additional strategies to be implemented by the classroom teacher or intervention teacher (Wilkinson et al., 2006). Once the teacher has started to implement these interventions, the child study team, should support the teacher and ensure the interventions are implemented with fidelity. Teachers need to monitor these interventions because if a student continues to struggle, despite significant interventions, the data can be used to help qualify a student for special education (Rock & Zigmond, 2001).

More recently, schools have been using the Response to Intervention (RTI) model as part of the referral process. The RTI model, if implemented by teachers who have training specific to supporting ELLs, can be an effective way of determining if an ELL should continue in the referral process for special education (Chu & Flores, 2011). By

using this model, the teacher can document the student's progress with a specific skill. The information collected should inform what additional strategies and interventions need to be implemented (Samson & Lesaux, 2009). It will also aid them as they analyze a student's strengths and needs.

For most ELLs RTI will be enough to ensure they are successful in the general education setting. However, some students will continue to struggle even with this added support. The documentation of strategies and interventions, along with the data showing a student's lack of progress is enough information to move forward in the referral process using the RTI model (Ortiz et al., 2006). Schools need to analyze their RTI model to ensure that it is inclusive of ELLs. This analysis will help ensure that if a student continues in the evaluation process, the federal law requiring the unbiased, nondiscriminatory, and appropriate evaluation of ELLs is met (Figueroa & Newsome, 2006). It is essential that a students' teachers understand the background of each student and their life experiences (Brown and Doolittle, 2008). For ELLs this means that teachers must understand students' proficiency in both their first and second language. Teachers must also understand the history of a student – including their education history and culture.

Issues with Evaluation Process for Special Education

During the evaluation process the validity and reliability of the assessments is often compromised for ELLs. In Valde and Figueroa's research, they found teams rely heavily IQ tests to determine if an ELL qualifies for special education. However, research has shown that ELLs often score significantly lower on verbal IQ tests as compared to

performance IQ tests, even if they are proficient in English (as cited in Klinger & Harry, 2006). In addition, most of the assessments developed to determine the eligibility of a student for special education use a normative sample. This normative sample, helps the assessor compare a student's performance to his or her peers. However, ELLs were not included in the development of these normative samples, so it is invalid and unreliable to use these normative samples to determine if an ELL is eligible for special education (Artiles & Ortiz, 2002).

Linguistic and cultural differences also lead to invalid and unreliable data. When assessing an ELL for special education, the team needs to determine which language should be used during the assessment process. IDEA require students be assessed in their native languages when feasible and in a nondiscriminatory manner (Chu & Flores, 2011). However, it can be difficult to determine which language should be used to assess a student because there is no assessment to determine if a student is linguistically ready to be assessed in English (Ortiz, 1997). Students may appear to be fluent long before they are fluent in academic language.

Schools use several means to ensure that expectations of IDEA are made and students are assessed in the appropriate language. When an assessment is created in two languages, with the same academic materials used to evaluate a skill, it is called parallel development. This process is time consuming and very expensive (Butler & Stevens, 2001). It also is unfeasible to assume this could be replicated for all the first languages spoken in American Schools. The translation of preexisting assessments is more common. However, when translating an assessment, assumptions about linguistic

features, like word meaning and syntax, are made and can affect the validity of the test (Butler & Stevens, 2011). Assessments that are translated, even developed parallel to the English assessment, also assume that all children have the same school and life experiences (Artiles & Ortiz, 2002).

Some schools use interpreters as an accommodation for students who need to be assessed in their primary language. Sanchez-Boyce (2000) found the use of an interpreter affects the validity and reliability of an assessment. Her research found the interpreter and test administrator often did not follow the administration and setup directions of the assessment. During the assessment, the test administrator and interpreter have to communicate a lot. This communication can overwhelm the student being evaluated and lead to invalid testing results (as cited in Artiles & Ortiz, 2002).

The evaluation results are important, but a student cannot qualify for special education on assessment results alone. The child study team must review, analyze, and discuss the assessment results in order to determine if the student qualifies for special education. This decision should be made by looking at the student's education history and discussing the student's strengths and needs with all of his teachers, especially the ESL teacher. However, Gutkin and Nemeth, found through their research that many of the decisions made by the child study team, were not made unanimously. They noted that some members appeared to have more power than others, which allowed them to have stronger opinions in evaluation meetings (1997). Harry and Klinger found that teams often did not discuss an ELLs language needs, rather they talked about the students

struggles in terms more closely attributed to special education, like a deficit in auditory memory or the inability to follow directions (2014).

During the evaluation process, parents should be an integral part of the team, who brings valuable information about a student's home life and shares opinions about their child's future education. However, this is not always the reality for parents of ELLs. Throughout Harry and Klinger research, they observed parents of ELLs having little to no involvement in the special education referral process. They noticed negative attitudes towards culturally and linguistically diverse parents, inconsistent translation services, and a lack of professionalism (2014). Rather than viewing parents as a source of information about a student's home life, some teachers viewed them as the reason a student was struggling in school (Klinger & Harry, 2006). Most teachers lack professional development that could help them be more inclusive of culturally and linguistically diverse parents (Ortiz et al., 2006).

Best Practices for Evaluating ELLs for Special Education

Parent involvement in the evaluation process is essential and will help ensure the results are valid. Parents are often the only people able to provide vital information about a child's development and life experiences (Ortiz et al., 2006). This information is essential when trying to determine if a student has a disability. In order to have access to this information the child study team, must first develop a positive relationship with the parents. Artiles and Ortiz suggest a sociocultural approach, which is inclusive and respectful of all cultures (2002). This approach will help to build a positive relationship, where everyone feels valued and respected. In addition, it is important a translator is

readily available when having team meetings or talking to parents on the phone. By including the parents in the evaluation process, the team is more likely to come to an appropriate decision about the presence of a disability and the supports needed for that student to succeed academically.

The validity and reliability of assessments is often unknown when evaluating an ELL for special education, thus many researchers suggest the team should rely more heavily on observations when trying to determine if a student has a disability or not. By observing a student in the classroom, the team can eliminate the possibility that a student's difficulties are stemming from poor instruction or learning environment. Observations will also help the team determine strategies that support the student, strategies that are ineffective, and what the student needs in order to succeed. (Artiles and Ortiz, 2002). Figueroa suggest that we should move away from the traditional system of evaluating through assessments. He believes that the school psychologist should do less testing and more consulting. As a consultant, the school psychologist would spend more time observing the student and teacher. Based on the observations, the school psychologist would then help the teacher improve his or her own teaching and data collection. Knowing that the teacher has implemented the best instruction for each student and collected sound data, the evaluation process could be based more on teacher documentation and less on test scores (as cited in Artiles and Ortiz, 2002).

Determining if a student is struggling in school due to language acquisition or a disability is difficult, so it is important that the team put a lot of thought into the languages used during the assessment process. Some researchers suggest that assessments

performed in a student's native language may provide a more accurate analysis of a student's knowledge and skills (Wagner, Francis, & Morris, 2005). However, if a student received most of their academic instruction in English, being evaluated in only their native language may be a poor indicator of their ability. According to Artiles and Ortiz, being evaluated in both their native language and English will provide the most information about a student (2002). If a student is tested in both languages, the team must acknowledge a student's strengths and weaknesses in both languages (Artiles and Ortiz, 2002). The psychologist must also include information about these findings and how they may affect the students assessment results in the evaluation report (Harry and Klinger, 2006).

In addition to determining which languages should be used during the assessment process, the team must also determine which accommodations are most appropriate based on each student's needs. Abedi suggests the language of the test be simplified as an accommodation for ELLs. He also suggests a dictionary be provided as an accommodation. In his research, these accommodations improved the student's performance on the assessments and provided a more accurate representation of their abilities (2006). Bulter and Stevens also suggest the language of the assessments be changed. In addition to making language accommodations, Butler and Steven suggest accommodations be made to the testing procedures. For example, allowing the student extended time (2001). There is limited researcher on how specific accommodations affect the validity and reliability each assessment, so more research is needed (Bulter & Steven, 2001).

In order for students to be tested in their native languages, school districts must have bilingual evaluator or translators available. Schools need to work diligently to provide bilingual evaluators because they will provide more accurate results. If a bilingual evaluator is not on staff, the school should attempt to contract a qualified professional from an outside service. Bilingual evaluators are not only fluent in the language being used for the assessments, but understand language development and the evaluation process (Artiles and Ortiz, 2002). If a school is unable to secure a bilingual evaluator for the assessments, a translator can be used. To ensure the results of the assessment are not affected by the use of a translator, the team should make sure the translator is familiar with the assessment content and process before working with a student (Leung, 1996).

After observations and evaluations, the child study team determines if a student is eligible for special education services. This team needs to be made of up professionals who are knowledgeable in the areas of special education and second language acquisition. In addition to being experts in one of those two areas, they should receive professional development in both areas. It is important they understand and value each other's perspective (Artiles and Ortiz, 2002). If they understand each other's perspective it will be easier to analyze the data collected and come to a unanimous decision about a student's educational needs.

Conclusion

In chapter two, the over and underrepresentation of ELLs in special education was analyzed. On the surface it may appear that the number of ELLs in special education

corresponds with the number of native speakers. However, looking at the ELL population in special education based on grade level reveals a more accurate view of the disproportionality. Many younger students are underrepresented and older students are overrepresented. These differences are caused by issues in the referral and evaluation process. The referral process for ELLs is more complex and teachers often feel ill equipped to fully understand and service a student's needs. Students are often referred for special education without sufficient evidence and before receiving appropriate interventions. The evaluation process also contributes to the disproportionality of ELLs in special education. Schools fail to provide appropriate accommodations to assessments, like testing in a student's native language, and this affects the reliability and validity of the results. In addition, important members of the child study team, like parents and EL teachers, are often undervalued or not invited. Changes need to occur in the referral and evaluation process for ELLs if schools hope to avoid the disproportionality of ELLs and provide the appropriate support for them to succeed academically.

Chapter 3 will provide an overview of the project I created as a resource for schools. My project presents the best practices for the referral and evaluation of ELLs for special education. I will use a flowchart to guide professionals through the process. The flowchart presents an outline of how educators can work together to refer and evaluate ELLs. My hope is that this tool will help educators determine if an ELL should be referred for special education and if they are referred, I hope that this flowchart will provide an outline for ensuring that the evaluation of a student is accurate.

CHAPTER THREE

Introduction

In this capstone, I investigated the referral and evaluation process for ELLs. The research suggested there is a disproportionate number of ELLs in special education when compared to all students. Researchers link this disproportionality to issues with the referral and evaluation process. After I analyzed the literature presented in chapter two, I realized that significant changes need to be implemented to appropriately refer and evaluate ELLs for special education. In order to address these changes and implement the best practices, I created a flowchart, which answers my research question: *What accommodations need to be made to the special education process to ensure that English language learners are appropriately referred and evaluated?*

In this chapter, I will further explain the flowchart, the research framework, setting, audience, and timeline. Researchers have identified many issues in the referral and evaluation process for ELLs. These issues stem from professionals lacking an understanding of special education or language acquisition, inappropriate and hard to obtain resources, and systemic problems. These concerns can be countered with best practices. However, most of these best practices involve a collaborative approach amongst all staff. Collaboration among professionals in different fields, like EL and special education, cannot be achieved unless there is a clear plan. I hope that my project creates a system for team members to understand their responsibilities in the process and

the responsibilities of others. This shared responsibility and understanding of the process will lead to better referral and evaluation practices for ELLs.

Project Description

I created a flowchart that systematically shows the process ELLs should go through when being referred and evaluated for special education. This flowchart begins when a teacher has concerns about an ELL student's academic growth. This first section of the chart has a description of best practices for all classrooms with ELLs. It also has a question to consider - Are the strategies being implemented in the classroom appropriate for the student's stage of language acquisition? This question is important to consider and guiding information related to this question is available on next page. Then the chart moves into the referral process, During the referral process, the classroom teacher will need to implement interventions. These interventions would be agreed upon by the classroom teacher and child study team. If the student continues to struggle, the chart describes how to move onto the evaluation process. The factors determining how to test the student are outlined in this section, along with appropriate accommodations. In addition, each section has a question to consider. These questions are important to consider before deciding if a student should continue in the referral and evaluation process. Guiding information is provided for each of these questions on the second page. Using this information, the team can make an informed decision on next steps.

Research Framework

The foundation of this project stems from the research I found regarding the disproportionality of ELLs in special education. My research paradigm is the critical theory, which looks at the current reality through research and proposes change (Cohen

and Crabtree, 2006). In this capstone, I connected the tension, which is an over and underrepresentation of ELLs in special education, to the process in which students are referred and evaluated. Critical theory proposes that the analysis of these implications, through conversations and reflections, can lead to change. I presented the current reality for struggling ELLs and in turn presented best practices.

The analysis of the tension between the current process for referring and evaluating ELLs for special education led me to create a flowchart which addresses this problem through research based best practices. This analysis fits the model of action research. Action research works through a cycle starting by identifying the problem (Ferrance, 2000). I identified the problem, which is a disproportionality of ELLs in special education. From here, I gathered research and data. In turn, I analyzed this data and presented both the data and analysis in chapter two. I acted on this evidence by creating a flowchart to address the problem. In the future, I can evaluate and refine the flowchart based on its effectiveness in the classroom. If needed, I will start at the beginning of the cycle again by identifying any new problems. My hope is that my flowchart works to eliminate the over and underrepresentation of ELLs in special education.

Setting and Audience

I created this flowchart for my school district, but hope it can be used by any school district. My school district follows a similar model to most schools, in that the classroom teacher is typically the person starting the referral process. This process begins with the solutions team. This team creates interventions with the classroom teacher. After collecting data and trying several interventions the team meets again to determine if the

student is continuing to struggle. If this is true, the team would then begin the evaluation process to determine if the student is eligible for special education. This process involves a lot of people, so it is important that everyone understands the process. My flowchart can be used to ensure that everyone understands the process and their responsibilities. This flowchart can also create a sense of shared responsibilities because team members would understand each other's roles. There is also the opportunity to ensure the chart is implemented with fidelity through observations.

Timeline

I finished this capstone during the summer of 2018. I hope to be able to present this flowchart to the special education director in August. My hope would be that the flowchart could be presented during the first few months of school. The chart could be presented along with resources, to help teachers get started. At the end of the first trimester, I could survey the staff on the success of their implementation. This survey would help determine which areas need to be addressed in future professional development. I could repeat the survey at the end of the second trimester. If more professional development is needed, it can be provided. During the third trimester, my hope would be that district coaches and school psychologists can complete observations to ensure and support staff in the implementation of this flowchart.

Summary

In this chapter, I described the project I created along with the research framework, I used to support it. I outlined the purpose of this project and my desired result of a more appropriate means to identifying ELLs for special education. The special education referral and evaluation process involves a lot of people, so this flowchart would

be utilized by each team member. In addition to the audience, this chapter outlined my timeline for completion and implementation. The goal of this project is to help answer the question, *What accommodations need to be made to the special education process to ensure that English language learners are appropriately referred and evaluated?* In chapter 4, I will discuss what I have learned through my completion of the capstone project. I will also describe what I have found as most valuable throughout this project and my next action steps.

CHAPTER FOUR

Introduction

In this chapter, I will reflect on my experiences while completing the Capstone Project which strives to answer my research question - *What accommodations need to be made to the special education process to ensure that English Language Learners are appropriately referred and evaluated?* I will revisit and review some of the important information presented in my literature review. I will discuss how that information helped me design and create my project. In creating this flowchart, I realize that it is only a small step in solving the issue of ELLs being over and underrepresented in special education. Knowing this, I will also discuss the benefits and limitations of my project, along with future research opportunities.

In chapter 1, I discussed my background and reasons for asking my research question and creating my project. Chapter 2 then analyzes the issues in the current referral and evaluation process. These issues are then compared to the best practices recommended in research. Chapter 3 uses the research presented in chapter 2 to explain the process for creating a flowchart displaying the steps to the referral and evaluation process. It also explains the research framework, setting, audience, and timeline for this project.

Major Learnings

This capstone project has allowed me to examine an issue in education that has been prevalent in my teaching experiences. As a new special education teacher, several of

my students had a dual label of ELL and special education. I was excited to work with these students, because I knew that I eventually wanted to get my masters in Teaching English as a second language. When working with these students, I used all the special education strategies I had been taught in my undergrad program, but they did not seem to be enough for my ELL students. The strategies did not have the same success as they did with my native speaking special education students. I was under the false impression that special education strategies and ELL strategies must be similar because they are both designed to support academic success.

After starting my masters in Teaching English as a Second Language, I quickly realized how different the strategies were for each population. Thinking back on it now, the notion that these strategies would be so similar seems limiting. The needs of special education students and ELLs are so different. For example, in kindergarten, we use animals to learn our letter names and sounds. This is helpful for a native speaker because they are able to make a connection to something familiar, animals. However for ELLs this strategy doubles the amount of information they need to learn. They would need to learn the animals, which is new vocabulary, and the letter names. Without prior knowledge of animals, this strategy is not effective. Now I realized that I am probably not alone in making this assumption. I think about the challenges teachers who do not have a background in special education and ESL must face each day in their classrooms, which are filled with diverse students who have unique needs.

The comparison of special education and ESL continued as I completed my coursework for my masters in Teaching English as a Second Language. I noticed there were discrepancies in when and how struggling ELLs were referred and evaluated for

special education. I noticed that between states and school districts, policies could be different. Even between schools in the same district, the protocol for referring and evaluating ELLs for special education could be different. I started to wonder how these different protocols were affecting the students' academic success. How do teachers decide if an ELL should be referred for special education if they do not understand second language acquisition? Will the assessment results be valid and reliable for ELLs? If an ELL was misidentified as having a disability, are their needs being met? All of these wonderings and experiences led me to ask my research question - *What accommodations need to be made to the special education process to ensure that English Language Learners are appropriately referred and evaluated?*

This capstone project allowed me the opportunity to delve into these questions and seek clarity. This process has left me acknowledging the reality of this disproportionate number of ELLs in special education. Before completing this project, I thought about this issue in the context of my own school. However, this project highlighted the extent of the disproportionality. Realizing that this issue of disproportionality was so widespread, I was surprised to find that the research was very limited. As I continued to research the disproportionality, I realized that major changes needed to occur at the district and state level, not just within my school. Up until this point, I had spent my energy making small changes to the special education process within my school and with the students I worked with. This realization motivated me to be detailed in my analysis of the data and create a project that was clear and descriptive.

Revisiting Literature Review

In order to answer my research question, I needed to find research discussing the current referral and evaluation process for ELLs, the issues with the process, and the best practices. I quickly realized that Ortiz, Klinger, and Artiles were the main researchers on this topic. Their research highlighted the overrepresentation and underrepresentation of ELLs in special education. Researchers can trace this discrepancy back to the different referral and evaluation processes used by each school district. Research from Sullivan shows that there are necessary accommodations that need to be made, if we hope to correctly identify ELLs with special education (2011).

The discrepancies in the representation of ELLs in special education can be linked back to issues within the referral and evaluation process. Research provides solutions for each of these issues through best practices, like testing accommodations and teaching strategies. However, in order to implement these best practices, team members for both special education and ESL need to be aware of each other's process. This led me to want to create a flowchart that displayed the best practices and the responsibilities of different team members at each stage of the process. As I researched and created this flowchart, I was excited to share my favorite articles and, eventually, my completed project with my colleagues. Having spent much time contemplating the discrepancies of ELL and special education dual referrals, they were excited to see the answer to my research question in a flowchart. They offered helpful suggestions that guided my revisions and allowed me to create a more useful tool.

Benefits and Limitations

By researching and analyzing the issue of disproportionate numbers of ELLs in special education, I identified common problems within the special education process for ELLs. I hope that my research highlights the expanse of this issue so that school understand the need for major changes to the process. These changes can be seen through my literature review, where I state the issues and then present research-based best practices. I also created a chart that aligns with this research and presents it in a step-by-step process. Each step is described and the team members needed for each step are listed.

Educators can use this chart to make small changes to their current practices. The chart gives teachers a better understanding of their responsibilities throughout the whole process. It also provides information about second language acquisition and appropriate accommodations. However, in order for the process to be fully implemented and changed to meet the identified best practices, school districts need to approve significant changes to the process. For example, in my current school district, money would need to be allocated to special education for additional testing materials and language proficient test administrators. Currently, we order all of our assessments in English, however research suggest that it can be beneficial to evaluate a student in both their native language and English (Ortiz, 1997). These funding changes are also influenced by the state and federal government. My research and project, highlight an issue that needs to be addressed on both a small and large scale. My project provides guidelines to start that process within individual schools, but without the support of administration and the government these changes will be difficult to implement with fidelity.

Future Researcher

In reviewing the research and creating this project, I realize that more research needs to be completed in regards to the special education referral and evaluation process for ELLs. When determining if there is a disproportionate number of ELLs in special education, researchers, like Artiles, Rueda, Salazar, and Higuera, have found varied results (2005). The results of these studies are not only varied, but dated. I would suggest that researchers collect data on a larger scale to determine the extent of this disproportionality. Using this information, I think that researchers could then taking a closer look at specific school districts to determine the causes and effects of the current special education referral and evaluation process for ELLs.

In addition, more research needs to be done on the validity and reliability of the schools' referral and evaluation process for ELLs. The referral system looks different from school to school, however there are common practices between schools, like implementing small need-based intervention. More research needs to be completed on the effects of these interventions, including Response to Intervention (RTI), to determine if they are best practice and if they will positively impact the disproportionality of ELLs in special education.

Unlike the referral system, the evaluation system must meet state requirements and look very similar between schools in the same state. Most schools used norm-referenced assessments to determine if a student will qualify for special education. The results of a norm-referenced assessment allow educators to compare a student's score with peers of the same age. However, these tests rarely make accommodations for English Language Learners. These assessments do not consider the cultural and

educational background of a student or the student's second language acquisition. If these assessments do not make these considerations, are the assessments reliable and valid? More research needs to be done to determine the reliability and validity of existing assessments. In addition, more research needs to be done to determine the most appropriate way to assess if a student is struggling because of a language need or a disability.

It was surprising how limited the research was regarding the special education referral and evaluation process for ELLs. It is clear that more research needs to be done to determine the current reality and how to positively change the system. Without current data on the disproportionality of ELLs in special education, school districts are unlikely to identify this as a urgent problem and to change the system, you need the school district support.

Recommendations for Implementation

My primary purpose for creating this flowchart is to provide an easy to use framework that provides guidelines and direction to help bridge special education and ELL professionals when referring and evaluating an ELL for special education. However, this framework cannot be implemented without the support of the district. I plan on sharing my project with my district's special education director and EL director. I hope that by sharing my research and project with them, we will be able to discuss areas of improvement that need to be made within our system to ensure that ELLs are appropriately referred and evaluated for special education.

Throughout this process, I have discussed my project with many educators. Many of them responded with a lot of interest and expressed how they have often questioned

the current practices within their school. I hope that by sharing my flowchart with other educators, they will have a better understanding of the process. They may want to share this flowchart with district level employees, but even if they do not, positive changes can be implemented on a smaller scale.

Conclusion

In this chapter, I have reflected on the process of finding the answers to the question, *What accommodations need to be made to the special education process to ensure that English Language Learners are appropriately referred and evaluated?* In response to the research I found answering this question, I created a flowchart outlining the research-based best practices. This flowchart describes the steps that need to be taken and who is responsible for each step to appropriately accommodate the needs of ELLs in the special education referral and evaluation process. This chapter also reviews the benefits and limitations of my project. With these benefits and limitations in mind, I made recommendations for how and who should use this flowchart. I also made suggestions for further research based on my findings.

The capstone project process has encouraged me to examine an issue that is directly impacting my students' learning and take action steps to solve the problem. Through this process I have a deeper understanding of the issue and what it will take to ensure that ELLs are referred and evaluated for special education appropriately. I created a project that addresses this issue and takes steps towards improvement. I hope that by sharing my work with my colleagues, I can play a role in solving the issue of disproportionality of ELLs in special education.

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