

Addressing the Educational Needs of Culturally and Linguistically Diverse Learners With and Without LD

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Who is the culturally and linguistically diverse learner?

The term “cultural and linguistic diversity” stresses the relationship between language and culture and the characteristics of students who are ethnically, racially, culturally, and linguistically different from the mainstream population. A culturally and linguistically diverse (CLD) student, or English language learner (ELL), is one who has to acquire a second or additional language and culture, a process that can be very challenging. The degree of challenge will depend on the personal, experiential, and contextual factors students bring to the process as well as how well they regulate the linguistic, cognitive, social, and emotional tasks required in language and cultural acquisition.

The school-age population is becoming more diverse and education personnel must be more knowledgeable of their students’ needs. Educators need to recognize that the needs of CLD/ELLs go beyond English-as-a-second-language programs (Chamberlain, 2005; Fuste-Hermann, Silliman, Bahr, Fasnacht, & Frederico, 2006). Culturally and linguistically diverse students are acquiring a new language, a new culture, a new way of thinking, and a new way of behaving and communicating.

What is involved in acquiring a second language?

Acquiring a second language can be an arduous and slow process. Stephen Krashen and Tracy Terrell were the first to explore stages of second language acquisition and suggested there are five stages that an individual goes through in learning a second language: preproduction (0-6 months), early production (6 months-1 year), speech emergent (1-3 years), intermediate fluency (3-5 years), and advanced fluency (5-7 years) (Flynn & Hill, 2006). Many factors will influence the development of a second (or third) language such as age at arrival, first language proficiency, type of instruction including contextualized (i.e., supported by familiar situations and visual cues) and decontextualized instructional situations, and opportunities to use lan-

guage (Diaz-Rico & Weed, 2006). Students must be exposed to rich learning environments with regular opportunities to practice language and literacy skills in the new language.

Language and culture are interrelated. Learning a second language also means acquiring a second culture, which involves learning different ways of thinking, processing information, interacting, and communicating (Chamberlain, 2005; Westby, Moore, & Roman, 2002). For example, in some cultures people tend to value being part of a group or may be less bound to the monochronic, one thing at a time, concept of time. In other cultures, people tend to value individual achievement or may feel time is of the essence, that is, the faster the better (Hall, 1976, 1981). An awareness of these differences may help educators be more understanding of the English learners’ difficulties and more helpful to students going through the process of acculturation and second language acquisition.

Referral of a CLD/ELL student for special education assessment

The increase in the number of CLD/ELLs in our nation’s schools requires there to be a structure in place when referring, assessing, and identifying CLD/ELLs for special education services. Each school should have well developed referral guidelines and procedures as well as knowledgeable professionals who can examine academic and behavioral concerns from the context of language, culture, and disability. Many schools lack a comprehensive approach when assessing these students and educators have difficulties sorting out the multiple overlapping characteristics of CLD/ELLs and students with learning disabilities (Rueda & Windmueller, 2006; Sanchez & Brisk, 2004). Furthermore, many educators across the country concede that too few adequate programs exist to address the needs of CLD/ELL students with disabilities (Zehler, Fleischman, Hopstock, Pendzick, & Stephenson, 2003). Accordingly, this InfoSheet contains information drawn from federal regulations and other relevant sources for educators seeking to address the unique needs of CLD/ELLs with academic difficulties.

It is important to remember that CLD/ELLs are entitled to the same services and interventions as their non-CLD/ELL peers. This includes the notion of Response to Intervention (RTI), which requires that all children receive high quality instruction and intervention that is research-based. Furthermore, these instructional methods and interventions should be culturally sensitive and address the child's language needs. If after receiving high-quality instruction and intervention the CLD/ELL student does not demonstrate improvement, the student should be referred to a screening or intervention team to gather the following information:

- What is the student's level of English language proficiency?
Low – Median – High
- What has been the student's rate of English acquisition?
Low – Median – High
- Is the student struggling with cultural and affective issues?
Low – Median – High
- Has the student received instruction that addresses his or her language and cultural needs?
Low – Median – High
- What is the student's academic proficiency level compared to same-age peers?
Low – Median – High
- Has the student received quality instruction and intervention to meet his or her academic needs?
Low – Median – High
- Is there objective evidence of failure to respond to intervention?
Low – Median – High

If the intervention team determines the CLD/ELL's difficulties are not the result of language acquisition or acculturation issues, it would be appropriate to refer the student for further assessment in order to determine eligibility for special education services (Klingner, Artiles, & Méndez Barletta, 2006).

Once the intervention team formally refers the student, a full psycho-educational evaluation must be conducted. The following guidelines and requirements under the Individuals with Disabilities Education Act (IDEA-04) (U.S. Department of Education, 2006) must be met:

1. Parents should be notified of the proposed evaluation in their native language and they should be invited to be a part of the multidisciplinary team. The multidisciplinary team should, at minimum, include parents, general educators, special educators, and an ESL educator in order to assess whether the weaknesses evidenced by the student are attributable to inadequate instruction, limited English proficiency, or to a learning disability.
2. A variety of assessment tools and strategies should be employed when gathering relevant functional, developmental,

and academic information about the student. This includes information provided by the parent on how the child functions at home, developmental milestones, and physical and social behaviors compared to siblings and peers. Careful attention should be given to cultural differences and prior schooling experience as well as to relevant family medical, immigration, and acculturation history.

3. No single measure or assessment can be used as the sole criterion to determine whether the child has a disability or for determining an appropriate educational program. Teams should gather multiple sources of information about the student because of the challenges associated with differentiating between language acquisition difficulty and disability-related characteristics when determining the cause for low achievement.

The instruments used in the assessment must be technically sound and help in determining how cognitive, behavioral, physical, or developmental factors contribute to the child's learning. This requires that the team members be knowledgeable about the instruments and their usefulness when assessing CLD/ELLs.

It is also the responsibility of team members to ensure that the assessments and other evaluation materials selected and administered are not racially or culturally biased. Team members should gather information from parents and others familiar with the student so they can better understand the family's racial and cultural background, and thus rule out assessments and materials that are inappropriate.

Assessment and other evaluation materials must be provided and administered in the child's native language and/or other mode of communication (e.g., sign language) and in the modality and language most likely to yield accurate information about the child's abilities. The majority of evaluation materials in the U.S. are available only in English; a few are available in Spanish. Translation of standardized- and norm-referenced tests is not considered best practice (Salvia & Ysseldyke, 2007) because translation affects a test's validity. In many instances, alternative assessment techniques such as structured observations, informal inventories, dynamic assessment, and diagnostic assessment should be incorporated into a comprehensive assessment.

Team members should ensure that the assessments and measures are used for the purposes for which they are designed and thus reliable and valid. Thus, a verbal intelligence measure administered in English should not be used to assess intelligence if the student has not yet developed adequate verbal skills in English.

The assessment and other evaluation materials must be administered by team members who have been trained and are knowledgeable of both the instruments and the nuances associated with assessing CLD/ELL students. Schools often lack school-based professional training in the assessment of CLD/ELL students. Consequently, team members with limited knowledge about the acquisition of a new language and a new culture often confuse differences with disabilities (Rhodes, Ochoa, & Ortiz, 2005). Therefore, it is important that educa-

tors be trained to recognize these differences and exercise caution when interpreting test results.

The student should be assessed in all areas of a suspected disability including health, vision, hearing, general intelligence, academic performance, communication skills, and/or motor abilities. The assessment is a collaboration amongst all team members, each contributing unique information on the student to help determine eligibility and an appropriate educational program.

Determining eligibility

Once the assessment is complete, the team must determine if the CLD/ELL meets the criteria for special education services. These criteria include (a) having a disability, (b) experiencing adverse educational effects as a result of the disability, and (c) requiring specialized instruction that cannot be provided within a general education program. If the child is eligible for special education services, the team must begin to structure a program that meets the child's academic needs while still providing access to the general curriculum. This means the team will discuss the best instructional methods that will help the child to continue to develop English proficiency as well as improve academic skills that will ensure that the child meets the general education curriculum standards to the greatest degree possible. In some cases, this may include providing special education services in the native language before transitioning to English academic instruction. Once this information is determined, an Individualized Education Program (IEP) will be written.

Developing an IEP

If the student is found eligible for special education, the next step is to develop an IEP. Information that was gathered during the evaluation phase should be used to describe present levels of performance, areas of strengths and weaknesses, the nature of the disability, and its impact on the student's education. For CLD students, the assessments results should also provide educators with accurate diagnostic information about the degree to which the ELL's level of English proficiency and rate of acquisition can negatively impact performance in the general education classroom. Furthermore, it should provide information on the student's academic and ability levels in his or her primary language and how these compare to those in English. This should result in developing a program that will make use of the student's strengths in his or her native language and skills before transferring those skills to English learning when appropriate. Each case of a CLD student will be unique and the IEP will be individualized for assessment and instruction, but caution should be used when making decisions about the language of special education instruction. Furthermore, the IEP should clearly document goals and objectives, the educators responsible for providing the services, and which language will be primary in instruction

Guidelines for ethical practices

According to Rhodes et al. (2005), school-based professionals who serve on or inform multidisciplinary teams should follow three common guidelines for ethical practice when evaluating CLD learners for special education eligibility:

1. School-based practitioners should have a comprehensive knowledge and understanding of the federal law, federal regulations, and state regulations before assessing any student for eligibility determination. Schools should provide special and general educators with professional development opportunities where they can become familiar with the law as it pertains to students with disabilities as well as English language learners.
2. School-based practitioners should maintain a current copy of IDEA and related regulations like those for the Individuals with Disabilities Education Improvement Act of 2004; this can be found at the U.S. Department of Education's website: <http://www.ed.gov/policy/spced/guid/idea/idea2004.html>. The regulations provide a useful guide to practitioners as they consider referral, evaluation, eligibility, IEP development, and services for ELLs.
3. Members of the multidisciplinary team should keep abreast of the individual student's history, skills, progress, and needs. Collaboration amongst general educators, special educators, ESL teachers, and parents is necessary in order to provide the most comprehensive and effective IEP for CLD/ELLs. The types of services that are needed will vary based on each child's individual needs.

Resources for Teachers

The following is a list of selected informal assessments for determining English language proficiency and acculturation status of CLD/ELLs. The assessments are recommended by professionals in the field of bilingual and ESL education (Collier, 2001; Gottlieb, 2006; Peregoy & Boyle, 2005) for use by classroom teachers. Also, the assessment tools may be used by the intervention team when compiling information about a CLD/ELL student who is being considered for a special education evaluation.

1. *Acculturation Quick Screen* (2003). Published by Cross-Cultural Developmental Education Service, Ferndale, WA. Available at www.crosscultured.com
2. *Checklist of Language Skills for Use with Limited English Proficient Students* (1992). Developed by Bernhard and Loera. Available at <http://www.u98.k12.me.us/files/spserv/ELLChecklist.doc>
3. *Classroom Language Interaction Checklist* (2002). Published by Cross-Cultural Developmental Education Service, Ferndale, WA. Available at www.crosscultured.com

4. *Resiliency Checklist* (2002). Published by CrossCultural Developmental Education Service, Ferndale, WA. Available at www.crosscultured.com
5. *Sociocultural Checklist* (2002). Published by CrossCultural Developmental Education Service, Ferndale, WA. Available at www.crosscultured.com
6. *Student Oral Language Observation Matrix (SOLOM)* (1985). Developed by San Jose U.S.D., San Jose, CA. Available at <http://coe.sdsu.edu/people/jmora/LangAssessmtMMdl>

REFERENCES

- Chamberlain, S. P. (2005). Recognizing and responding to cultural differences in the education of culturally and linguistically diverse learners. *Intervention in School and Clinic, 40*, 195-211.
- Collier, C. (2001). *Separating difference from disability: Assessing diverse learners* (2nd ed.). Ferndale, WA: CrossCultural Developmental Education Services.
- Diaz-Rico, L. T., & Weed, K. Z. (2006). *The crosscultural, language, and academic development handbook: A complete K-12 reference guide* (3rd ed.). Boston: Pearson Education, Inc.
- Flynn, K. M., & Hill, J. D. (2006). *Classroom instruction that works with English language learners*. Alexandria, VA: ASCD.
- Fuste-Hermann, B., Silliman, E. R., Bahr, R. H., Fasnacht, K. S., & Frederico, J. E. (2006). Mental state verb production in the oral narratives of English- and Spanish-speaking preadolescents: An exploratory study of lexical diversity and depth. *Learning Disabilities Research & Practice, 21*(1), 44-60.
- Gottlieb, M. (2006). *Assessing English language learners: Bridges from language proficiency to academic achievement*. Thousand Oaks, CA: Corwin Press.
- Hall, E. T. (1976). *Beyond culture*. Garden City, NY: Anchor Press.
- Hall, E. T. (1981). *The silent language*. New York: Doubleday.
- Klingner, J. K., Artiles, A.J., & Méndez Barletta, L. (2006). English language learners who struggle with reading: Language acquisition or LD? *Journal of Learning Disabilities, 39*, 108-128.
- Rhodes, R., Ochoa, S., & Ortiz, S. (2005). *Assessing culturally and linguistically diverse students*. New York: Guilford.
- Peregoy, S. F., & Boyle, O. F. (2004). *Reading, writing, & learning in ESL: A resource book for K-12 teachers* (4th ed.) Boston: Addison Wesley Longman, Inc.
- Rueda, R., & Windmueller, M. P. (2006). English language learners, LD, and overrepresentation: A multiple-level analysis. *Journal of Learning Disabilities, 39*, 99-107.
- Sanchez, M., & Brisk, M. (2004). Teacher's assessment practices and understandings in a bilingual program. *NABE Journal of Research and Practice, 2*(1), 193-208.
- Salvia, J., & Ysseldyke, J.E. (2007). *Assessment in special and inclusive education* (10th ed.). Boston: Houghton Mifflin.
- U.S. Department of Education. (2006). Assistance to states for the education of children with disabilities program and preschool grants for children with disabilities: Final rule. Federal Register, 34, CRF Parts 300 and 301.
- Westby, C.E., Moore, C., & Roman, R. (2002). Reinventing the enemy's language: Developing mainstream narratives in Native American children. *Language and Linguistics, 13*, 235-269.
- Zehler, A. M., Fleischman, H. L., Hopstock, P. J., Pendzick, M. L., & Stephenson, T. G. (2003). *Descriptive study of services to LEP students and LEP students with disabilities*. (No. 4). Arlington, VA: U.S. Department of Education, Office of English Language Acquisition (OELA).