

The over-classification of culturally and linguistically diverse students as special
education students:
trends, issues and recommendations

by

Denise Lara, B.A.

A Thesis

In

BILINGUAL EDUCATION

Submitted to the Graduate Faculty
of Texas Tech University in
Partial Fulfillment of
the Requirements for
the Degree of

MASTER OF EDUCATION

Approved

Dr. Zenaida Aguirre-Muñoz
Committee Chair

Dr. Leann DiAndreth-Elkins

Dominick Casadonte
Dean of the Graduate School

December, 2012

Copyright 2012, Denise N. Lara

ACKNOWLEDGMENTS

First and foremost I would like to thank my wonderful family for all of their love and support throughout this entire process, without you this would not have been possible. To my husband Manuel Lara, thank you for always believing in me even when I did not believe in myself. Your constant love, support and understanding made it possible for me to achieve my dreams. Mom and Dad, thank you for teaching me to be a strong woman and take pride in who I am, never forget where I come from and to never stop striving and working hard to be my best and achieve all that God has in his plans for me. A mi abuela Clementina y abuelo Bentio Perales, gracias por su trabajo y scarificios. Si no fuera por sus esfuerzos nuestra familia no estaría aqui. Muchas gracias por enseñareme quien soy y de dónde vengo. To my Lara and Mendoza family, thank you for always supporting me with your endless love, prayer and encouragement. Thank you to Jessica Salcido, Matt Castilleja, Mary Sanchez and Magaly Reyes who have been there for me throughout this entire process with love, laughs and words of encouragement.

I'd also like to thank all those who have given me support and guidance in my professional career. Nancy Parker, thank you for believing in me and introducing me to my passion, bilingual education. To my Atkins Middle School family, Chris Huber, Sarah Racz, Jennifer Rivas and Amy Eaton thank you for all of your caring support that kept me sane as I taught and completed my graduate work. My Texas Tech family

Delia Carrizales, Magda Pando and Cecilia Pincock, thank you for your guidance support and assistance as I researched and wrote my thesis. To my mentor Dr. Zenaida Aguirre-Munoz, thank you for believing in me, working with me, advising me and encouraging me to work harder and do things I never thought possible.

TABLE OF CONTENTS

ACKNOWLEDGMENTS.....	ii
LIST OF ABBREVIATIONS.....	iv
I. INTRODUCTION.....	1
II. HISTORICAL LITIGATION.....	3
Bilingual Education Act.....	4
The Individuals with Disabilities Act (IDEA).....	7
No Child Left Behind Act.....	9
III. NATIONAL TRENDS IN CLASSIFICATION.....	12
Population trends.....	12
Historical cases of misclassification.....	13
Current data trends.....	14
IV. SECOND LANGUAGE ACQUISITION.....	17
SLA theories.....	17
Patterns of behavior within SLA.....	20
External factors that can affect SLA.....	26
V. ASSESSMENT.....	32
Academic issues in assessment.....	34
Cultural issues in assessment.....	35
VI. RECOMMENDATIONS.....	37
Professional development.....	38
Classroom practice.....	40
The referral process.....	49
VII. CONCLUSION.....	55
Limitations.....	56
Future research.....	57
BIBLIOGRAPHY.....	58

LIST OF ABBREVIATIONS

AYP	Annual Yearly Progress
BICS	Basic Interpersonal Communication Skills
CALP	Cognitive Academic Language Proficiency
CLD	Culturally and Linguistically Diverse
ED	Emotionally Disturbed
ELL	English Language Learner
ELPS	English Language Proficiency Standards
ESL	English as a Second Language
IDEA	Individuals with Disabilities Act
IEP	Individualized Education Plan
L1	Native Language
L2	Target Language
LD	Learning Disability
LEP	Limited English Proficient
LRE	Least Restrictive Environment
NCLB	No Child Left Behind
SDAIE	Specifically Designed Academic Instruction in English
SES	Socioeconomic Status
SLA	Second Language Acquisition

CHAPTER I

INTRODUCTION

Historically, education in the United States has always mirrored the state of the nation at any given time. For example, the *Brown v. Board of Education of Topeka, Kansas* case, which established the segregation of schools unconstitutional and established the separate but equal clause, came on the brink of the Civil Rights movement that sought to gain equality for all citizens. As the nation's adult minorities were fighting for their equal place in society, the nation's children were fighting for their equal place in the classroom. Today it is more apparent than ever that our nation is a multicultural nation filled with citizens of all nationalities and cultures and it is becoming more diverse day by day. With the ever growing diversity within the country, comes a growing diversity of the students in the classroom. Those in education are now faced with the task of educating, to the very best of their ability, these culturally and linguistically diverse (CLD) students.

As the diversity of the nation's students grows, so must the manner in which the nation's schools educate them. Change is never easy or simple; the lineage of education itself is paved and shaped with federal regulations that have guided changes that meet the needs of a growing, heterogeneous population. A common theme throughout all of the mandates put in place over the past almost 60 years is the central belief that each student deserves a quality education, despite their ability level, race, nationality or first language. Along with the federal mandates put into place by the

Brown v. Board of Education of Topeka, Kansas case, the Individuals with Disabilities Act, the Bilingual Education Act and more recently, the No Child Left Behind Act, all put into place federal guidelines that guarantee equal access to a quality education for all students. Although some were originally put into place to protect a certain population of students, minority students (Brown v. Board), students with disabilities (IDEA) and English language learners (Bilingual Education Act), the classification of students is not always so cut and dry. There are students who may be protected under one or all of these.

The CLD students now populating schools across the country come in varying ability levels and are as diverse as the cultures they come from. There is a tendency in education to rush and classify a student based on their educational needs, gifted and talented, learning disabled, below grade level, to name a few. What needs to be understood though, is that classification is rarely this simple, and in the case of CLD students, it is going to take a change in educational practice and assessment to understand their specific needs.

CHAPTER II

HISTORICAL LITIGATION

Educators, like anyone else, fear what they do not understand, and currently there is a very disturbing, growing trend in education where CLD students are being classified as special education students because of the fact that their specific learning needs are not understood by the those charged with educating them. The process of language acquisition is unique to every student and if not interpreted correctly, can appear to be a learning disability, and this is how misclassification happens. In 1973 Mercer's study highlighted the relationship between minority and low socioeconomic status and special education classification. (Harry & The National Assnt. Of State Director of Special Education (NASDSE) , 1994) The misclassification of CLD students is not a new phenomena by any means, but is now being highlighted by the rapid growing number of immigrants into the country.

For a field built on the principle of fairness, formed in the wake of Brown v. Board of Education, and grounded in the rhetoric of the Civil Rights Movement (Blanchett, 2006), ongoing disproportionality strongly indicates systemic problems of inequity, prejudice and marginalization within the education system. (Sullivan, 2011, p. 314)

Educators must now bear in mind each key federal ruling that guarantees the right of equal education to all students and make it work for this unique group of students. The manner in which they are taught, assessed and ultimately classified needs a complete overhaul.

Bilingual Education Act

Bilingual education, although a fairly new area in terms of research, by no means a new topic in education. Dating back to the 1900's, bilingual education has been seen as a valuable tool in educating a nation of immigrants. With an influx of German natives in the 1900's, teachers sought a way to educate these students, and thus began to deliver instruction in their mother tongue of German. But, from its origin, the popularity of bilingual education has shifted with the attitude towards immigrants at the moment, and by the time the United States entered into World War I, an anti-German sentiment swept the country, and educating German natives in their home language was no longer popular and to an extent outlawed. Bilingual education was seen as "anti-American", and is still seen as so by many. With the rise of the Civil Rights Movement and the vast number of Cuban immigrants entering the country in the late 1940's and on, came a yet another push for bilingual education. The Civil Rights Act did prohibit schools from discriminating against students because of their race, or national origin, but this did not address their linguistic needs (Fernandez, 1992). Latino and Latina activist fought for equality for English language learners (ELLs) in education, and their hard work was only solidified by the National Education Association's report in 1966, documenting the negative impact English only programs had on Hispanic students. (San Miguel, 2004) The tireless efforts of Hispanic activist resulted in the Bilingual Education Act of 1968 whose purpose was:

- (1.) to encourage the recognition of the special education needs of limited English speaking children and
- (2.) to provide financial assistance to local educational agencies to develop and carry out new and imaginative public school programs designed to meet these special education needs. (San Miguel, 2004, p.16-17)

The initial Bilingual Education Act was established as an “opt-in” program and was harshly criticized for being too lenient, but it did begin a much-needed conversation and opened the door for the series of events that followed. Although this particular act was seen as broad, there were amendments, memorandums and court cases that followed its passage that together began to shape the legal perimeters of bilingual education as they stand today. Some of the key events in the history of bilingual education are:

- The United States Department of Health, Education and Welfare Memorandum (1970)
 - Put in place the requirement for schools to take “affirmative steps” (Artiles & Ortiz, 2002) towards establish programs for Limited English Proficiency (LEP) students. This memorandum also made it illegal to deny LEP students access to an education, any school program or place them on low achieving/minimum academic tracks based on their language ability.
- *Diana v. California State Board of Education* (1970)
 - Established that intelligence testing of any be given in the student’s native language, and that non-verbal tests also be given in order to determine a LEP students special education placement. (Figueroa & Newsome, 2006)
- *Lau v. Nichols* (1974)
 - This is one of the most influential cases in the history of bilingual education. This case was brought about by, Asian parents of an ELL student in California who

claimed that their son was being denied a proper education on the basis of his language ability. The ruling in this case stated that the access to equal textbooks, resources and facilities did not constitute equal treatment and gave the Office of Civil Rights the authority to dictate compliance guidelines. The Lau Remedies (1975) was a document created by the OCR to assist schools in abolishing practices that were ruled unlawful under the Lau decision and highlighted bilingual education as the only suitable means for educating ELL students.

- Equal Education Opportunities Act (1974)
 - In the aftermath of the Lau decision, Congress passed the EEOA, which stated that no student should be denied the access to education on the basis of sex, race, color or origin. The EEOA also stated that the denial of access to programs that assisted ELL students in becoming more proficient in English was a denial of equal opportunity and therefore unlawful. (San Miguel, 2004)

- Jose P. v. Ambach (1979)
 - This ruling called for the hiring of bilingual diagnostic professionals, who would take into account a student's level of English proficiency and cultural norms, in assessment for special education services.
(Figueuroa & Newsome, 2006)

- Castañeda V. Pickard (1981)
 - Set into place standards for determining if an educational program was effective for ELLs.

- Proposition 227: English Language in Public Schools
 - This marked the passage of English-only instruction in California public schools.

While considering the most viable academic plan for CLD students, educators must not only bare in mind the legal requirements of bilingual education that they are

required to operate within, they also need to perform a full assessment of abilities in order to determine if the student may require other services covered under different legal sanctions.

Individuals with Disabilities Act (IDEA)

Along with the Bilingual Education Act, the Civil Rights Act of 1964 also opened the doors for the passage of other federal statutes that protect students such as the Education of All Handicapped Children Act of 1975. This act was the first federal measure that protected the rights specifically of special needs children. It has been amended many times, and as part of the 1990 amendments, was renamed the Individuals with Disabilities Act (IDEA). Included in the 1990 amendments, was Public Law 101-476, which addressed the needs of ELL students and Section 610 (i) (1) states:

“The limited English proficient population is the fastest growing in our nation, and the growth is occurring in many parts of our nation. In the nation’s largest school districts, limited English students make up almost half of all students initially entering school at the kindergarten level. Studies have documented apparent discrepancies in the levels of referral and placement of limited English proficient children in special education. The Department of Education has found that services provided to limited English proficient students often do not respond primarily to the pupil’s academic needs. These trends pose special challenges for special education in the referral, assessment, and services for our nation’s students from non English language backgrounds.” (Fernandez, 1992, p.123-124)

In 2004 IDEA was again amended, this time the changes reflected the newly enacted No Child Left Behind Act (NCLB), with a focus on assessment. As it stands today the IDEA act specifically outlines the rights of students with disabilities in the areas of:

- Equal opportunity & Free and Appropriate Public Education (FAPE)
 - Each child has the right to a free and appropriate education and shall not be rejected from any school or program on the basis of disability. (Byrnes, 2011)
- Appropriate education & Least Restrictive Learning Environment (LRE)
 - Students must have been given a “sufficient opportunity” to learn before they are diagnosed with a disability. (Klinger & Artiles, 2003)
 - When students are diagnosed with a disability, they must have an Individualized Education Plan (IEP) created for them, outlining their educational needs.
 - Students are to be educated in an environment with their peers with the necessary support and individualized attention as outlined in their IEP. This is different for all students and when determining the most appropriate LRE, all aspects of the students IEP must be considered.
- Non-Discriminatory Evaluation
 - Evaluations for disabilities should be catered to the students needs including language needs, in order for the results to be as reliable as possible.
- Parent Participation
 - Parents have full authority over their child’s education, are asked to attend all Annual Review/Dismissal meetings, are required to sign all consent forms, a required to be notified and informed during all stages of assessment for initial referral and have a voice in creating the student’s IEP.

(Byrnes, 2011)

With each new set of amendments, the IDEA legislation does a more complete job of legally protecting not only students with disabilities, but also those students who do not have disabilities and may be at risk of misidentification. Both the Bilingual Education Act and IDEA were put in place to safeguard the rights of a subpopulation of students, but the No Child Left Behind (NCLB) act was enacted to guarantee a quality education to all of the country's students. NCLB has had a significant impact on all aspects of education.

No Child Left Behind act (NCLB)

One of the most controversial and altering pieces of educational legislation passed in the past 20 years is the No Child Left Behind act. In an effort to ensure that American students were receiving the highest quality education and making adequate academic progress with every school year, the United States Department of Education reauthorized the Elementary and Secondary Education Act (ESEA) in 2001, and renamed it the No Child Left Behind act. In an effort to monitor the quality of education in the nations' schools, the NCLB act put in place a system of tracking the performance of students with a series of high stakes tests, this is the most contentious feature of the 2001 act. Each state is allowed to determine their own individual curriculum standards and individual high stakes test that measures the student's mastery of these standards. The results of each years summative assessment will be reported and this will determine in the school has met the Adequate Yearly Progress (AYP) standard. In order to monitor the progress of all students, NCLB has a series of

sub-groups that allow state agencies to dissect data in a variety of ways. These subgroups include, race, English language learners, special education, gender, socioeconomic status and at risk status. If schools fail to meet the AYP standards, state agencies will intervene and assist the school on improving. These interventions come in a variety of forms and are contingent upon the years the school has failed to meet AYP. They can range from anything from extra staff development to a complete rehiring process for all faculty and staff. Dependent on the schools yearly results, is also its enrollment status. If a school fails to meet AYP, they then are classified as an “open enrollment” campus, granting the parents of that district the option of whether or not to enroll their child at that school or not. Open enrollment status can have a detrimental affect on a schools population, funding and even student climate.

Jobs, enrollment, funding, school climate and even teacher moral, all ride on the scores of the summative tests each year, and therefore make assessment the center of education today. Schools take into account how each sub-population may affect their overall score and unfortunately in desperate situations do not follow the guidelines of federal mandates. It is very likely that accountability ratings play a factor in the overrepresentation of CLD students classified as special education students (Shepherd, Linn & Brown, 2005).

It is not only the legal, but the moral obligation for educators to work within each of these key pieces of federal legislation to ensure that the growing population of CLD students are getting the appropriate education and achieving to the highest of

their ability. Unfortunately though, this sense of legal and moral responsibility has escaped many educators, and as national trends show many CLD students are falling through the cracks of an educational system that is governed by accountability ratings.

CHAPTER III

NATIONAL TRENDS IN CLASSIFICATION

CLD students typically enter into the American school system with a variety of deficiencies including, limited knowledge, limited verbal skills and limited background knowledge (Cartledge & Kourea, 2008). In order to ensure that these students receive the proper education, they are quickly tested and classified. Issues arise when these students are enrolled in schools where the faculty is not familiar with the process of language acquisition, there is a disconnect between the English as a second language program (ESL) or there is a misunderstanding of culture. In these cases it is more likely they may be wrongfully diagnosed and misplaced into a special education program. “Disproportionate representation” occurs when, “unequal proportions of culturally diverse students are in a (special education) program” (Artiles & Trent, 2000, p.) Analysis of national data reveals that although there is no evidence of a disproportionate representation at the national level, at the state level there is an overrepresentation of ELL students in special education programs (Klinger & Artiles, 2006)

Population trends

The United States has long been recognized as the “global melting pot”, and currently there are more than 400 different languages spoken across the country (Spinelli, 2008). As enrollment in schools has always reflected the change in the

population as a whole, the student population in U.S. schools is equally diverse. CLD students embody more than 460 different language backgrounds, 76 % of these students are from Spanish speaking backgrounds (Zehler, Fleischman, Hopstock, Pendzick & Stephenson, 2003). According to the National Clearinghouse for English Language Acquisition and Language Instruction Education Programs 2007 report, ELL populations rose 57% from the 1995-96 school year to the 2005-06 school year. “It is estimated that by the year 2030, 40% of the school population will speak English as a second language.” (U.S. Dept. of Ed. & Natl. Inst. Of Child Health and Human Development, 2003) Unfortunately, the achievement rates of this rapidly growing population are not climbing along with the enrollment. ELL students account for the fastest growing student subpopulation, they also account for the lowest achieving and highest dropout student population (Albers, Hoffman & Lundahl, 2009).

Historical cases of misclassification

There have been many cases involving the lack of appropriate instruction for and misclassification of CLD students into special programs including: *Diana v. State Board of Education* (1970), *Lau v. Nichols* (1974) and *Jose P. v. Ambach* (1979), but despite the federal mandates put into place as a result each of these cases, misclassification still persists. The *Diana v. State Board* case was established on the basis of flawed intelligence testing; resulting in a misclassification of students as mentally retarded, and resulted in a ruling that stated that schools must use intelligence tests that have the ability to accommodate each student’s specific learning need. Yet,

Mercer reported in 1973, in California Mexican students were four-times more likely to be classified as mentally retarded when compared to White students (Artiles & Ortiz, 2002), and evidence of misclassification of CLD students was introduced into literature more than 90 years ago (Dunn, 1968). This is by no means a new issue, but it is a growing one that has an immense impact on education.

Current data trends

In 1997, the Office of Civil Rights published a report that showed “preliminary evidence that over-representation of English learners may be emerging in the Speech and Language Impairment category in some states” (Artiles, Harry, Reschly & Chin, 2002, p.85). “What we know about ELL’s identified as having special needs is that the assessment process results in under representation in districts with strong L1 [first language] support and overrepresentation in districts with no or minimal L1 support” (Artiles, Rueda, Salazar & Higareda, 2005 in Zetlin, Beltran, Salcido, Gonzalez & Reyes, 2011) This correlation is quite alarming, seeing as about 30% of ELL students are enrolled in states with English only legislation (Planty, Hussar, Snyder, Kena, KewalRamani, Kemp & Dinks, 2009). Legislation such as Proposition 227, has cut resources for ELL students and therefore has inversely increased the number of misdiagnosis.

“For example, Artiles, Rueda, Salazar and Higareda (2002) analyzed special education placement data for ELLs in several large school districts in Southern California after the passage of Proposition 227, or the Unz Amendment, which severely restricted bilingual education programs and native-language instruction. They found that students were underrepresented in elementary school but overrepresented in 6th through 12th grade. ELLs with limited language proficiency, whether in their native language or in English, were between 1.42 and 2.43 times more likely than English-speaking students to be placed in programs for students with mental retardation, learning disabilities, or speech and language impairments” (Kushner, 2008).

These alarming statistics serve as a warning that something needs to change in the instruction and the assessment of CLD students. If the prediction of the U.S. Department of Education and National Institute of Child Health and Human Development holds true and 40% of the nation’s school population will be comprised of ELL students those in education cannot afford to continue serving and classifying these students as it is now.

The referral/assessment and classification process varies from one state to another, as do data reporting agencies and because of this the data concerning ELL students in special education programs varies greatly. There is no specific mention in IDEA or NCLB on monitoring the number of ELL students enrolled in special education, and because both categories are considered subpopulations they are often reported in two separate pieces of data. In some cases, it may even help schools, in terms of their accountability ratings for NCLB, to report these two subpopulations in such a manner. In order to ensure that classification is consistent across the nation, there needs to be a standard process of referral, beginning with a standard research based assessment. But, before any congruent systems of referral can be put into place,

there must first be a distinct understanding of second language acquisition across the board, for this has been the point of contention in many situations of misclassification.

CHAPTER IV

SECOND LANGUAGE ACQUISITION

Before educators can adequately serve ELL students, they must first clearly understand the complex process and basic principles of second language acquisition. It is not enough to have a staff member who speaks the same language as the ELL student, there must be someone knowledgeable in the stages and patterns of second language acquisition to advocate for the best interest of the ELL students within the school and ensure that they are being tested in the most effective manner possible. It is also not viable to believe that someone with knowledge in first language acquisition would serve as an acceptable resource of second language acquisition (SLA); the two are very distinct processes with unique and complicated characteristics. Unfortunately, those who comprise the pre-referral teams are often not familiar with SLA and overlook the fact that the entire language (form, function and pragmatics) of a student and the patterns associated with SLA that can affect those areas must be carefully analyzed and considered before a proper referral can be made.

Second language acquisition theories

BICS v. CALP

This concept was introduced by John Cummins in 1979 to highlight the distinction between the two forms of language used to communicate, and distinctive time period in which they develop. Basic Interpersonal Communication Skills (BICS) are skills used for communication within a social environment, whereas Cognitive

Academic Language Proficiency refers the skills used to interact within an academic environment. From their exposure to the target language, it may take a student anywhere from a matter of months to two years to develop BICS. These skills will be evident in the interaction an ELL student has with those around him/her in a purely social context. For example, speaking to fellow students, negotiating meaning with others and participating in discussions about common topics, are all examples of the ways in which an ELL student uses their BICS. CALP takes much longer to develop, depending on the prior knowledge a student has, CALP can fully develop within 5-7 years of exposure to the target language. The amount of background academic knowledge a student has will have a profound impact on the rate at which their CALP develops. The proficiency of cognitive language is vital for the student to be able to fully participate in a class lesson. Some components may develop soon than others, for example a student may be able to comprehend a lesson before they are able to verbally demonstrate their level of comprehension. A student can be proficient in terms of BICS but still in the early stages of acquisition in terms of CALP. This is important for a referral team to consider because all academic testing requires academic proficiency in order to comprehend its content. A student with strongly developed BICS may completely fail an assessment, and if the staff is not knowledgeable about this process they may assume that the failure of the assessment was due to a lack of knowledge or inability to perform at grade level and not underdeveloped CALP.

First language influence

Naturally, as a student acquires a second language, there will be some influence from their first language. This interference may manifest itself in a verbal, oral or written form and educators must bare this in mind when assessing errors that students may make in the classroom. What may appear to be signs of a learning disorder, may actually be influence from a students first language. This is why a complete assessment of a student's language is absolutely necessary.

Threshold hypothesis

The threshold hypothesis is a theory established by Cummins, stating that in order to achieve acquisition in a second language, there must be a certain level of mastery of the first. If a student comes into a classroom without a solid foundation in their first language (L1) they will struggle to learn a second language (L2). The first language of a student serves as the base for what the target language is built upon. In a full review of a student's language, a referral team must consider to what extent the student has developed their first language and then review the affects the first language proficiency has on the second language acquisition. In considering this, educators must also consider if the L1 the student is equipped with is a standard form. For example, all along the south Texas-Mexico border, many families speak what is known as "Tex-Mex" (a non-standard form of Spanish), and this may affect their acquisition of standard English. Teachers must also bare in mind that some students,

although they are citizens, were born in the United States and have never traveled outside of the country, may not be fluent in a standard/academic form of English. For example, Ebonics is recognized as a non-standard dialect of English that began in the southern region of the United States and carries influences from Creole and Pigeon. This dialect is most often seen in low socioeconomic African-American students, and if teachers are not cognizant of this they may see a struggling student and refer them for special education, when in fact there is no learning disability present but an issue in language acquisition.

Patterns of behavior within SLA

The process of second language acquisition is a very complex one and unique for each individual learner. As a student is acquiring a language, they may demonstrate some very common behaviors in their language acquisition. To a professional trained in the theories of language acquisition, these patterns of behavior are common and do not reflect on the academic ability of the student in any way, but to an untrained educator the way in which these patterns manifest themselves appear to be an indicator of a learning disability. In Bilingual Phenomena: Determining a Communication Difference vs a Communication Disorder, the following 9 patterns of communicative behaviors are outlined and discussed as possible behaviors that may occur within the process of second language acquisition.

Arrest

Arrest is demonstrated when the L1 level of proficiency does not continue to increase after a second language is introduced. In considering the correlation between first and second language acquisition, this can be alarming to some educators but this behavior is normal for some second language learners. Taking into account how important the foundation and development of a student's first language can be in the process of their acquisition of their second language it is understandable why many would react in a drastic manner once they saw any sign of arrest because they fear that the student's SLA will be affected. It is important to distinguish that arrest occurs *after* the second language has been introduced, and the level of proficiency in the first language *before* the second language has been introduced is what is considered when assessing the whole language of a student.

Attrition

Attrition is a process in which the student demonstrates some sort of language loss. This process can vary, and although a second language learner may demonstrate some form of language loss (in either their L1 or L2), they may regain this at a later time. Attrition can manifest in either the learner's first language or target language, and although it is a scary behavior, it is recognized as a normal part of language acquisition.

Avoidance

It is very common for a language learner to avoid a certain aspect (articles, verbs, past tense) of their target language in order to communicate effectively. Avoidance can be predicted when comparing and contrasting the first and target language of a language learner. If the two languages are extremely different, there will likely be a great amount of avoidance. When looking at the mistakes a student is making, it is important to look at whether or not this element of language exists in the student's L1. The English language follows a strict subject-verb-object word order; this is not true for other languages. Spanish for example allows for more flexibility in its word order and Japanese has a subject-object-verb word order. It is crucial to pinpoint the exact mistakes that a student is making in the target language and analyze them separately in order to accurately diagnose the issue; it may just be a matter of avoidance rather than a disorder of some type.

Language Alternation/Code Switching

Language alternation or code switching, the shifting from one language to another while communicating, is very common among ELL students and even bilinguals who are fluent in each language. Code switching can occur in the same sentence or within the same conversation. For example, "*Quiero la ball*" uses both Spanish and English within the same sentence, *quiero la*= I want the & ball. "*¡Hola! How are you?*" is an example of using both Spanish and English across sentences,

hola=hello & how are you. Code switching can occur because of, lack of knowledge and to maintain fluency or comfort level. It is also important to remember that a language learner may not always code switch with standard forms of a language. “Voy a la troca.” is an example of code switching with standard Spanish and Tex-Mex (a non-standard form of Spanish) *voy a la=I’m going to the* (standard) & *troca=* the Tex-Mex form of *camioneta*. Krashen’s affective filter hypothesis states that ELL students acquire language best in an environment where anxiety is low. If a student is in an environment or situation where anxiety is high, they may be more apt to code switch at that point.

Silent Period

The silent period is the span of time in which the student is not communicating with language at all. The silent period may be an indicator that the student is still in the pre-production stage of language and since the process of acquisition process is different for everyone, the amount of time a student is in the silent period is also different. Another reason for a student to have a silent period may be because of a cultural shock or some other type of psychological trauma. Many CLD students come to the country because their parents were escaping unspeakable conditions of living and therefore students may come into a classroom with anxiety and stress because of what they have experienced and the fact that they have been uprooted from their culture and been placed in a brand new place. The silent period can be very misleading

to those who do not understand that it is an essential part of the acquisition process and can easily be mistaken to be an issue with speech and language production.

Overgeneralization

As students acquire the target language, they may begin to wrongly overuse or *overgeneralize* the language rules that they have learned. Because the English language can be so difficult to learn, due to all of the irregulars, this is very common for English language learners. For example, “She *goed* to the movies”, is an example of overgeneralization, *goed* is used in the place of went in a misuse of the rule of placing the suffix –ed at the end of a regular verb to indicate past tense.

Overgeneralization can be targeted as a specific mistake and with proper intervention can be eliminated. But, if overgeneralization is not corrected it can result in *fossilization*.

Transfer

While learning a language, students will activate their schema for knowledge they can use in their acquisition process. Language characteristics (phonological, morphological, syntactic or pragmatic) from the student’s L1 that they apply in their L2 is known as transfer. The transfer of language characteristic can be either negative or positive. Negative transfer occurs when the information that is being transferred interferes with the learning of the new information and disrupts learning. For example,

Spanish is a highly phonetic language and therefore many of the words in Spanish are spelled like they sound, English is not and consequently ELLs whose L1 is Spanish may attempt to spell English words in a phonetic manner as well. Overgeneralization of rules in L1 applied to L2 is another example of negative transfer. Positive transfer occurs when the information that is transferred benefits learning, this occurs when languages are closely related such as languages in the Indo-European language family. The level of transfer can be different for every learner and can occur at different stages, and like overgeneralization, transfer can be corrected with proper intervention but can be damaging and result in fossilization if left uncorrected.

Fossilization & Backslide

Fossilization occurs when a language learner fossilizes a language error and continues to use it even after intervention. The learner may fossilize errors that stem from negative transfer or just a misuse of L2 rules and thus they will continue to exhibit those same errors. This is a very common behavior and can happen at any point in the acquisition process. When a student exhibits fossilization of an error a teacher may intervene with the student to correct the issue, they may see progress and abandonment of the error, to only then see the student *backslide* and begin exhibiting the error again. This is a very common occurrence and it takes very persistent and intensive intervention to correct fossilization and therefore solidifies the importance of correctly addressing communicative errors when they are first seen.

U-Shape

Acquisition is a very complex process and at times students can be on target with the expected rate of acquisition, regress and then ultimately return to their original level of acquisition. This phenomenon is common in the language acquisition process and may or may not be exhibited by all students because SLA is so individualized. It is important for educators to take this behavior into consideration when assessing a student who may have demonstrated some regression in their acquisition. With careful assessment, intervention and time, it may become apparent that a student was simply experiencing a U-Shape trend. Because of phenomena like this, it is crucial that the referral process be as concise as possible in order to avoid misdiagnosis.

External factors that can affect SLA

Along with the common behaviors seen in second language acquisition, there are also many external factors that must be taken into consideration when evaluating a student's progress. These factors can be very personalized and therefore a full interview with both the students and parents/family is necessary in order to be aware of these. Because each learner is different, these external factors can affect everyone differently and one case should never be established as the set norm for everyone else. The progress of each child should be assessed taking into account their individual differences.

Experience

“Language is a system of symbols used to represent concepts that are formed through exposure and experience (Bloom & Lahey, 1978).” When students come into the classroom they bring with them a variety of different experiences that contribute to their distinct individuality. One of the first things to consider is the environment that they came from. Many students have moved to the United States as a means of survival, which can leave them extremely emotionally scarred. At the moment there is a drug war taking place on the streets of Mexico, many children are coming into the U.S. having seen horrific things happen to people they know and these events are engrained in their minds and will most definitely affect them. Children with this type of trauma may experience a longer silent period than others, may have more hesitation in expressing themselves orally or may just prefer to sit by themselves because they may be experiencing some form of post-traumatic stress disorder, stress, anxiety, depression or a mixture of all. Without considering the fact that a student’s emotional state may be contributed to their experience in their home country, educators could easily misdiagnose a student with some form of emotional disorder (ED).

When considering the environment a student is coming from, it is also imperative to consider their socioeconomic status (SES). Development in students from a low socioeconomic status differs from that of a student from a mid/upper economic status. (Garcia, Ortiz & Ntl. Clearinghouse for Bilingual Ed., 1998) English speaking students in the United States from lower SES enter into school with a

significantly smaller vocabulary than their mid/upper class peers, so when they enter classrooms that may be different from the environment they are accustomed to, they are acquiring a new language while playing catch up academically or trying to build an academic foundation. The United States offers a free public education to all its citizens, but this is not the case all over the world, so it is also possible that CLD students may be entering into U.S. classrooms with a limited amount of education. If a student is developing their target language slower than expected, it may not have to do so much with the language acquisition of the student but more so their academic development. While it would be expected for someone their age to be at a certain level academically, if they were not sent to school at all in their home country because of lack of resources or need at home, they will not be at this level and therefore must be intervened with and brought up to speed. Because a student is at a lower academic level than expected for their age does not always mean that they should be classified with some type of developmental or learning disorder, but rather in this case it is simply due to lack of education. Given the correct opportunity, these students could quickly catch up and become some of the brightest in the class, but that is the key, they must be given the opportunity. In considering the students level of education, teachers must also consider the students pattern of education. If the student was educated up to the grade which is appropriate for their age level, but moved around quite a bit and experienced significant interruptions to their learning, this will also negatively affect them.

Culture

Language is a key component to a culture, and a loss of a language can be a traumatic loss of identity for a student (Paradis, Genesee & Crago, 2011). Getting an insight to a student's culture can be extremely beneficial to teachers, due to the fact that culture is such a big part of who someone is, how they interact, what they believe and how they express themselves. The culture in American education is very different from many other educational systems throughout the world. For example, in many Asian classrooms, students have little personal interaction with their instructors and are not often asked for their opinion. As a sign of respect they never question their instructors; to expect a student from this culture to participate in class, speak up and ask questions would be unreasonable. Using U.S. norms to gauge the level of language acquisition solely based on language production has the potential to be extremely misleading, rather educators need to take into considerations a student's own cultural norms when assessing the progress of language acquisition. A student may be much more proficient than they are showing because of the fact that they are not accustomed to speaking in an academic environment, thus a full assessment of acquisition is absolutely necessary.

Environment

As stated in Krashen's affective filter hypothesis, students learn best in an environment that has a low level of anxiety. The higher the level of anxiety, the higher

the affective filter, which results in a lower level of learning. ELL students learn best in a structured and positive environment. Routine and structure are important because as the student learns new customs, a level of predictability is comforting to them. A chaotic environment can have a harmful affect on a student's acquisition process. Students must also feel comfortable in making mistakes as they acquire a language, therefore teachers must be sure that they are positive in their feedback and encourage as much practice of the language as possible. If a student is apprehensive about making mistakes in their L2 they will be less likely to practice out of fear of ridicule. The student must feel safe and comfortable in their language learning environment in order to make progress.

In order to fully understand a CLD student, educators must first fully understand the process that they are going through as they acquire a second language. The stages of language acquisition happen subconsciously therefore a staff member who was an ELL but never formally studied second language acquisition does not suffice as an expert on it. Because SLA is such an elaborate process, it is key that educators be familiar with it in order to avoid the mistake of misdiagnosing a student. The first step in the referral process is the identification of students who are struggling academically then begins the assessment that allows educators to pinpoint the exact issue. Familiarity with SLA would not only assist educators in correctly initially referring only those students who seem to be suffering from some type of disability, but it will also assist them in the process of assessing them in a manner that is

appropriate and will yield the best results. Initial misidentification followed by inaccurate assessment can lead to a wrongful diagnosis and ultimately to extremely damaging consequences for a student's academic career.

CHAPTER V

ASSESSMENT

The 1997 amended Individuals with Disabilities Act gave the following definition for learning disability (LD):

The term means a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia and developmental aphasia. (34 C.F.R. §300.7 © (10)i)
(Wilkinson, Ortiz, Robertson & Kushner, 2006)

In considering this definition, it becomes quite obvious why some educators, who know nothing about second language acquisition, could easily mistake a student who is moving through the process of SLA as a student struggling with a learning disability. For example, if a teacher were to see student struggling to comprehend material at grade level, an inability to listen and speak at the expected level of progress for acquisition or an unwillingness to communicate with others, based on their professional expertise the student is struggling with a LD and the next course of action would be to refer this student for special education assessment. Because this teacher has no knowledge of SLA or the external factors that could influence it, they may not consider that the student may not have been educated to their appropriate grade level, in their home country, that they may be going through a silent period, they may be in a U-Shaped developmental phase, that they may have some fossilized misconceptions or that they may be avoiding communication because of a high affective filter. Although

a wrongful referral like this may be done with the intention of helping the student, it can greatly hurt the student if not stopped before the student is labeled permanently with an LD. After the initial referral is the assessment phase, which if done correctly can rule out the possibility of a LD and force the staff to reconsider their premature diagnosis. Unfortunately, considering recent trends, the process of assessment of CLD students has only aided in their misdiagnosis.

Several parameters have been put into place to ensure that the testing for CLD students is fair and nonbiased. The 1970 *Diana v. California State Board of Education* ruling established that academic testing should be done in a student's native language and nonverbally if needed. IDEA put forth specific guidelines for nondiscriminatory evaluation and the National Association of Psychology has published very strict Standards for Educational and Psychological Testing yet there is still very obvious bias and discrimination in the testing of CLD students (Figueroa & Newsome, 2006). In an era where standardized testing rules all, it is not surprising that they are used as a tool in the referral process. But, as expected these tests pose a number of issues for CLD students, and do not yield true results and therefore can assist in misdiagnosis. Standardized tests are readily available but nevertheless they lack in validity because they fail to truly test the academic ability of a student in a culturally competent manner.

Academic issues in assessment

When a student is struggling in the classroom and unresponsive to intervention, they are referred to special education testing to determine whether their academic issues are a result to a learning disability. Although this process may seem beneficial, it is not because often it is based in practices that are more times than not unaligned with SLA guidelines. The standardized tests that are used as one of the many tools to assess academic ability are often translated into the student's home language. Though this would seem to be consistent with proper protocol for testing CLD students, it is just the opposite. Translated tests are higher in difficulty, changed in meaning and in context from the original version; it is nearly impossible to translate a test without affecting these factors in some way (Huang, Clarke, Milozarski & Raby, 2011) Consequently, translated tests are assessing CLD students at a much more rigorous level than intended.

The L2 language barrier is often the catalyst for the gap in ability and achievement demonstrated by CLD students (Barrera, 2006). Students new to the United States get a grace period (1-4years) and may be tested in a language other than English until the fourth grade, but even this not sufficient for students to fully gain cognitive academic language proficiency. In order for this measure to be successful, the student would have to have entered into the country at the age of five, at the oldest, and been enrolled in an additive bilingual education program, sadly this is a very small number of students. Many students enter into the United States at a much older age and are enrolled in subtractive language programs, such as English only programs, that

have proven to be ineffective. If language is not taught properly a student will fail indefinitely (Garcia et al., 1988). The English assessments used to measure academic achievement, that a significant number of students will be taking soon after they enter the country, are for the most part very language dependent and therefore extremely difficult for ELL students (Spinelli, 2008). The only assessment that can give a clear, viable picture of the academic ability of a student is one that has been developed by native speakers, of the students L1, and at the appropriate academic level.

Regrettably, tests such as these are not as easy to access as English or translated standardized test, but when the success of students is on the line validity should outweigh availability.

Cultural issues in assessment

Language and culture are deeply interwoven and because of this culture should be as much of a factor in assessment as language is. A “one size fits all” approach is not viable for students who speak the same L1. For example, two students may speak Spanish as their L1 but one may be of Cuban descent and the other Mexican, which are two very different cultures. Thus, the same standardized test would not be suitable for both students because cultural differences can affect test results because the way in which a student processes information will greatly depend on their experience. Most assessments are based on English speaking cultures and hence will pose some difficulty for those from other cultures (Huang et al., 2011) English norms that seem to be commonplace for those who speak English may be completely new to an ELL.

For example, if a question were to say, “Louis went to recess at 2:00 and returned to the classroom at 2:30, how long was he at recess?”, if a student is not familiar with what recess is they may be so confused that they are unable to understand that this is a problem asking about elapsed time. Cultural differences can be as big of a limitation for a student as language can, two languages equals two cultures and educators must bare that in mind when analyzing a CLD’s performance on a standardized assessment.

Assessment can act as a fail safe to inappropriate referral and if done so correctly it can stop the process of misclassification of a student. If assessments are not valid and test students in a method that sets them up to fail, they then expedite not stop the process of misclassification. Inappropriate classification begins a negative series of events in a student’s life including a regression in academic ability, lowered self-esteem, change in attitude towards education, the denial of equal educational opportunity and limited access to post-secondary opportunities (Ortiz & Yates, 2002) Referral by the classroom teacher and assessment are the first steps in the classification process and as a result they are the most crucial in preventing the process of misdiagnosis. With the appropriate forms of classroom practice, language education programs, assessment and staff that is well versed in second language acquisition, CLD students will thrive in the classroom and no doubt close the long-standing, ever-growing achievement gap that exists in relation to their mainstream peers.

CHAPTER VI

RECOMMENDATIONS

In order to completely stop the process of misclassification of CLD students as special education students it is going to take a change from the bottom up, from university undergraduate programs to administrative views. This population of students is no longer one that can be ignored, they are growing at such an abrupt rate, that undeserving them is affecting American education as a whole. As students in the classroom they have a right to receive the best education possible, and although this will demand some changes from educators at all levels, ensuring the success of these students is worth the work.

Changes must first begin in the most crucial place in the entire school, the classroom. This is a home for students it shapes their views on education, build or destroy self-esteem and opens their minds to a new world of possibilities. It is in the classroom that educational decisions are made and implemented and where it first becomes apparent what is an effective method of instruction and what is not. Teachers must be masters of self-reflection and constantly seek to improve their practice. When working with CLD students it is essential that teachers have a solid foundation in not only the process of second language acquisition but also all the elements that go into affectively teaching these students.

Professional development

Teacher preparedness

The No Child Left Behind Act has put in place specific guidelines to ensure that general education classroom teachers are “highly qualified”; but what is put into place to ensure that they are as qualified to teach CLD students? With the rapid growth of CLD students in the nation, it is probable to say that at some point in their career all teachers will have at least one CLD student in their classroom at some point, therefore all teachers need to be prepared to affectively teach them. The classroom is the first place that an inappropriate referral can be stopped and thus this makes the teacher a gatekeeper of sorts and so must be as equipped as possible. Educational programs at the university level are so compartmentalized that rarely is there an opportunity to earn a dual certification and take all of the corresponding classes. The process of gaining another certification after teaching can be as simple as taking one day of professional development and then paying \$150 to take a test, but does this really qualify teachers to serve a specialized population? No. Teachers must take several courses on special populations of students (i.e. special education students & CLD students) in order to be fully knowledgeable of how to correctly serve them. If universities could offer a dual certification program within the elementary education program in the fields of special education/bilingual education this would fully prepare teachers to accommodate any student that walks into their classroom.

Identifying professional bias

As educators enter the profession it is important that they continuously self-reflect and identify, bias or judgment that may interfere with their instruction. Like students teachers beliefs are shaped by their experiences and they may have had experiences in the past that lead them to construct preconceived notions about CLD students. Recognizing any bias that may be holding them back will allow them to then focus on overcoming that and making a concentrated effort on not allowing it to influence their teaching. Valencia & Black (2002) discussed the harmful affects of a “Deficit View”, a belief that students do not achieve academically because their families are less than. Students are very sensitive to expectation and if a teacher expects them to fail this could be damaging to a student’s self-esteem and ultimately their academic performance. There must be a vested interest in the success of all students that is clear to the parents, students and the entire staff.

Collaboration

In order to build a climate of academic success it is absolutely essential that all faculty and staff work together. Because teaching programs tend to be so distinct, teachers must be accustomed to regularly sharing information and creating a knowledge base within the school. The general education teachers, special education teachers, ESL/Bilingual teachers, speech language pathologist, councilors and administration must all work as a team to share information, strategies, build

consistency, reduce redundancy and make fully informed decisions. For example, if the councilors know that a student is coming from a volatile environment, this will give the teacher insight as to why the student may be experiencing a longer silent period. Without a collaborative staff the school becomes a fragmented institution that fails to affectively meet the needs of this very unique population. With the support of the entire campus, teachers are then equipped to structure their classrooms in warm and supportive manner that makes curriculum accessible to all students.

Classroom practice

Culturally competent classrooms

Because language is so interwoven with culture, it is important for a teacher of CLD students to have a classroom environment that is culturally competent, welcoming and accepting of all cultures. Teachers must make the extra effort to understand the culture of each of their students in order to recognize how to best serve them. A student's

“cultural orientations are evident in their academic performance as well as behavior, including ways in which they process information, use logic (e.g., spiral vs. linear), interact with others (e.g., collectivistic vs. individualistic), communicate (e.g., holistic vs. analytical) (Hollins, 2008; Trumbull, Rothstein-Fisch, Greenfield & Quiroz, 2001 in Garcia & Tyler , 2010)

Therefore the better a teacher understands their student's culture and experiences the better they will understand them as a student. For example, if a teacher learns that a

student is coming from an environment where it is a sign of profound disrespect to question authority, they may gain an insight as to why a student is reluctant to participate in a classroom discussion. With this cultural information they can also structure lessons, activities, programs and incorporate the curriculum in a manner that supports and celebrates all cultures present. The loss of a language and inversely the loss of ones own culture can be distressing for a student, seeing their culture valued and celebrated will give them a sense of comfort and support and results in a lowered affective filter. A positive view of their culture from others may improve their own view of their culture, particularly for a student who is the minority in their new classroom. Ortiz (1999) outlines his own experience with feeling resentment and embarrassment of his own culture:

“Racism is often characterized, albeit facetiously, as an inherited disease – you get it from your parents. I guess I was lucky; I didn’t get it from mine. Like so many other unsuspecting children, I went out and got it from a more authoritative source, school...I was infected with a far more insidious strain that taught me to hate my *own* people because they were different than what society said they should be... speaking Spanish simply wasn’t allowed in school. Bilingual education was but a distant dream, and I was expected to learn English immediately upon entering kindergarten, never mind that my parents could barely speak it.... By second grade, my teacher placed me outside the classroom in a small group where I was teaching other Spanish-speaking children how to read in English. I distinctly remember feeling superior to these children aspiring to be as proficient as I was in English.. It wasn’t that anyone ever said anything to me overtly, and it wasn’t that my parents didn’t value their own culture or language. There just always seemed to be a clear, unspoken norm that English was *better* than Spanish and that being White was *better* than being brown. It wasn’t based simply on being different; it was a question of value. White culture was superior to all other cultures, including mine” (Ortiz, 1999, p.10 in Ortiz & Flanagan, 2002)

Teachers have the ability to foster a sense of pride, self-efficacy and love for education in students by celebrating their culture and making the classroom a comfortable place that they like to be.

Curriculum modification

General education teachers are responsible for delivering the outlined district curriculum and modifying it for those students who need it. Though districts have varying rates of flexibility that they allow the teachers when changing the curriculum, modifying to accommodate special populations is acceptable and required by law across the nation. The key is for teachers to know how to accommodate a curriculum for CLD students. Accommodation does not by any means constitute “dumbing down” the information or student expectations, Vygotsky’s (1962) theory of the zone of proximal development states that teachers must do the exact opposite. This theory states that students need to be challenged and with support should be presented information at their next level of development. The accommodations that teachers make should only change the way the information is presented to the class, not the information itself. To a student who is struggling academically, a accommodated curriculum may be the difference between misclassification as LD or academic success. For a guide, teachers should consult instructional practices that are consistent with credible second language acquisition research. If it is determined that a student is experiencing one of the trends common to SLA, a teacher could modify their lesson to ensure comprehension. For example, a teacher may allow a student going through a

silent period to demonstrate comprehension in a way other than a class presentation. Educators must also be aware of the fact that one set of accommodations is not viable for all CLD students or even all students with the same L1. It is important to consider the modification of curriculum on an individual basis. Classroom teachers must consider the regulations in their district, the ELL program in their district and their curriculum and make educated decisions on how best to present the information to their CLD students.

The definition for what a “strategy” varies quite a bit, but what is evident is that the most experienced and effective teachers have a variety of strategies they use to plan for and present information to their students (Thurlow, Albus, Shyyan, Lui & Barrera, 2004) Using a variety of teaching and learning strategies, teachers can ensure that the presented information is comprehensible for all students. Sheltered Instruction or Specially Designed Academic Instruction in English (SDAIE) techniques are recognized teaching strategies for presenting information to ELL students in an interactive manner. Some SDAIE techniques include:

- Interactive lessons
 - The use of interactive elements within a lesson will assist students (particularly those in the beginning stages of acquisition) in constructing meaning of the information. Gestures, props, maps, videos and other forms of concrete materials can assist students in grasping both complex and basic material.

- Incorporation of English Language Proficiency Standards (ELPS)
 - Teachers must integrate ELPS and academic standards. In doing so, within the lesson there will be ample opportunity for the student to practice language and receive feedback.

- Teaching study skills
 - Along with presenting academic information, teachers can also model several techniques that students can use to monitor their own comprehension. A checklist of guiding comprehension questions can be taped at the corner of a student's desk for them to use when they do not understand something. Empowering CLD students to monitor their own comprehension before asking for help, will help them to become a self-sufficient learner. Caution must be taken not to exude an air of intolerance for lack of comprehension but support for independent learners.

- Using learning styles
 - Planning activities that address various learning styles is a way to engage all students. Though it may be impossible to address all learning styles in one lesson, it is possible to alternate the targeted learning styles within lessons throughout the day. Using various learning styles will allow each student to display their strengths and thus enhance their self-efficacy.

- Mini-lessons
 - Mini-lessons are short previews/reviews of concepts done before the actual lesson. These should be very short, no longer than 5 minutes.
 - A mini-lesson to preview new vocabulary will give CLD students some extra time to make meaning of the new term and perhaps activate the students schema. This also allots time for any questions that the students may have concerning the vocabulary, that otherwise would be distracting during the lesson.

- Mini-lessons can also be utilized to preview the information that is going to be presented in the subsequent lesson. This will also allow time for students to activate prior knowledge. CLD students thrive in structural environments, and mini-lessons offer them a bit of comfort in knowing what is next.

- Additional time
 - Not all CLD students in one classroom will be at the same level of proficiency, hence teachers must be cautious when assigning timed individual assignments that are rich with academic language. Designating additional time for those who need it, without making it obvious why you are granting them the time, may be helpful to many CLD students.
 - For example, one common form of testing reading comprehension in standardized testing, is to give the student a reading passage with multiple choice questions and allocate an amount of time the student has to complete it in. This may not be a valid method for testing reading comprehension for some CLD students. First, the allotment of time may make them nervous and negatively affect their performance. Secondly, depending on their unique proficiency level, they may need more time than allowed to complete the assignment but be too embarrassed to ask for it.

- Accessing prior knowledge
 - Research shows that students retain information better when they are able to connect it to prior knowledge. Scaffolding a lesson and guiding students through the process of the activation of prior knowledge will assist them in retaining the newly presented information.
 - Planning lessons that builds on student's prior academic knowledge and personal experience will allow them to have a sense of ownership in the lesson. Students with established BICS but weak CALP will be able to share their personal experiences in the class discussion, even though they do not yet have the academic language to participate in other conversations.

- One approach to accessing prior knowledge is to build a lesson with the specific culture of a student. This will give the student a sense of pride in seeing their culture highlighted and celebrated and give them a sense of ownership in allowing them to act as the expert in the topic.

Correctly implementing these and other research based strategies for CLD students will allow teachers to tailor instruction to students without lowering expectation or rigor. Struggle demonstrated by CLD students is often due to inaccessible curriculum; it is not that these students do not understand the curriculum but that it is out of reach for them because of the language barrier. Misinterpretation of why a student is struggling is what leads to misclassification.

Intervention

If a student is struggling in the classroom, intervention should be offered immediately. When considering what form of intervention is most appropriate for a student factors including, but not limited to, proficiency level, background, culture and specific areas of difficulty, in order to be affective (Garcia & Ortiz, 2006). Like learning strategies, interventions do not work on a “one size fits all” basis, and although one intervention may work for a large group of students, if it is ineffective for one student this does not necessarily indicate a learning disability is present. Interventions should be varied, fluid, temporary and working in conjunction with not in the place of general instruction. Teachers should not be afraid to try several

methods of intervention for one student and although a student may go through the process of intervention and phase out does not mean that they will never again need specialized attention in the future. By the time a student reaches the referral phase all possible interventions should have been exhausted, therefore it is imperative for teachers to fully recognize the importance of high-quality early intervention for students. Several forms of intervention are:

- Small group intervention
 - With small group intervention a student can get specialized attention outside of general instruction with a small group of their peers. General concepts are reviewed in detail in an attempt to make them clearer for struggling students. A student is able to get individualized attention without feeling singled-out.

- Peer tutoring
 - Peer tutoring has academic and social benefits (Cartledge & Kourea, 2008). The highest level of comprehension entails the ability to teach someone else the concept; therefore having one student teach another benefits both students. Peer tutoring also offers the opportunity for students to have language practice with someone they are comfortable with.

- Teacher assistance teams
 - With teacher assistance teams, teachers along with aids or coaches are able to form small groups or give specialized attention during general instruction time. Students benefit from intervention while the concept is covered during general instruction because they are able to receive assistance as the concept is being covered. This may not be appropriate for students with major gaps in understanding, but beneficial for those who need minor assistance or language assistance.

- Special programs
 - Special programs in which students receive the intervention they need while socializing with other students have the potential to be extremely beneficial for students who need ongoing assistance. An after school reading program, for example, could serve as an intervention for students who would benefit from some extra attention in reading. Special programs may not be affective for those students who have misconceptions that prevent them from moving forward, but can help those students known as “bubble students”, who are at the lower end of passing.

- Response to Intervention (RTI)
 - The response to intervention model is one of the most popular forms of intervention in education today and is replacing the “wait to fail” model with immediate intervention (Brown & Dolittle, 2008). This model is comprised of three tiers which students may move back and forth between based on their academic need.
 - Tier I encompasses tailored classroom instruction. All students essentially are in tier I, but if a student is not responding to tier I intervention they are then moved to tier II.
 - Tier II intervention is specialized attention, tutoring, special programs etc., that are still part of general education. If a student does not respond to tier II intervention they are then moved to Tier III intervention.
 - Tier III intervention is where the referral process and assessment begins to determine LD.
 - An RTI team monitors student progress and determines if students need to move to a different tier or are ready to be phased out.
 - In order for the RTI model to be affective for CLD students several provisions must be met:
 - The classroom instruction that students receive in Tier I must be affective classroom instruction for CLD students.

- The RTI team must be familiar with the SLA process and the difference language difference and language disorder.
- Interventions must be tailored to meet all needs of CLD students.

The intervention process is crucial because it is what determines if a student is assessed for a LD or returned to general education. Intervention must be tailored to meet the needs of every CLD students who is struggling in the classroom and must be documented at every stage. For a student who does not have a learning disorder, intervention can prevent a wrongful referral. For students who do have a learning disorder, the process of intervention will serve as documentation to be used in the assessment process, but it is by no means the last stop. The assessment process must also be constructed in a manner that rules out any misclassification with proper assessment and knowledgeable referral teams.

The referral process

When a student is referred to special education, the referral process should be a very detailed to ensure that the appointment is correct, because this is the point where a student will either be labeled LD or returned to general education. It is important for educators to dispose of any bias they may have at this point and do all they can to advocate for the student because the consequences of misdiagnosis can forever alter the course of a students life.

Assessment

In this era of high-stakes, standardized assessment it may make many educators uncomfortable to stray away from it during the process of special education referral, but it is absolutely necessary. Standardized tests have proven to be ineffective for CLD students, therefore in this phase of referral a holistic collection of data needs to be considered in place of standardized scores. Comprehensive data collection gives a comprehensible picture of student ability rather than a single snapshot. Collective data gathered from informal assessments, in-class work samples, formal assessments that are tailored to CLD students, informal observation, language proficiency tests and interviews can build a complete portfolio for a student that can then be used as a guide to build assessment around. In reviewing a comprehensive portfolio the referral team will have all the information necessary to fully evaluate the student's academic abilities, culture and linguistic ability and determine if they need further assessment, they are struggling with some form of LD or can be dismissed from the referral process all together. Collective portfolios combine formal and informal assessments to give the most precise account for a student's abilities, providing the referral team everything they need to make an informed decision.

Referral team

Referral teams must be precise group of knowledgeable staff members selected to subjectively assess student's abilities. It is vital to consciously staff a referral with

varying experts. With CLD students, at the very least, one member of the team must be knowledgeable with the process and stages of SLA. The CLD expert will be able to discredit any claims that confuse a language difference for a language disability and offer insight on any obstacles in acquisition the student may be experiencing.

Collaborative teams comprised of teachers, specialist, diagnosticians, administrators and councilors work together on referral teams to make the best decision for the student. Members of the referral team must also be well versed in the federal and local mandates in which they must operate and guide their decision with the legal regulation and the student's best interest in mind.

Parents also need to play a considerable part in the referral process and need to be involved with the team. Educators must understand that the decision that some parents make to be minimally involved in the education of their children may stem from a cultural belief and not an attitude of indifference. For example, respect is a central pillar of the Hispanic culture and many traditional Hispanic parents see educators as the experts and would find it disrespectful to impose their opinions on those whom they consider experts. Because the parents of CLD students may have a different set of beliefs schools must go out of their way to make them familiar with the American education system, make them feel part of the educational community and show them what an asset they are. Parents can offer insight that would otherwise be undetected, but cultural differences often keep them from being involved. It is important for faculty and staff members to keep in mind that an uninvolved parent does not necessarily constitute an indifferent parent, many CLD parents are more

supportive than parents of mainstream students because they have first hand, home country experience, of the limited opportunity offered to those with no education. Staff members who act as cultural liaisons could assist in building relationships with the parents and community of a CLD student (Delgado, 2010). The entire referral team must be committed to making a decision that is in the best interest of the student, not most accommodating to Annual Yearly Progress measures and not to ease the workload of teachers, but the decision that will ultimately provide the student with the best possibility for success.

Considerations

Along with assessment and review of academic performance several outlying variables need to be considered when evaluating CLD students. Background, culture, proficiency, learning style and motivational influences all have the ability to impact academic performance and therefore must be considered. Interviews and other forms of informal assessment can provide this information, but it may not always be readily available. Having a checklist of these additional considerations would serve as a reminder for the referral team when evaluating a student.

The staff of the referral team must bare in mind the difference in communication differences and communication disorders. Often times the stages of SLA mask as LD and can lead teachers to believe that a student is struggling with a learning disorder. The importance of a faculty member that has studied SLA is

absolutely essential in order to avoid misclassification due to a misunderstanding of second language acquisition. In looking at a student's proficiency, educators must also take into consideration the developmental stages of language in the student's L1. If a student is unable produce a certain sound in English (their L2) it may be due to the fact that within their L1 that sound is not developed until a later time.

Lastly, educators must take caution when comparing the academic performance of CLD students to their mainstream peers. These students are so unique in their development and have so many unique features that need consideration; it is difficult to find exact peers to compare them to. Comparing CLD students to monolingual peers will produce a false conclusion that can be harmful to students. In this data driven education system, educators feel the need to cross reference data in order to understand it, but in the case of CLD students, teachers must carefully choose the method in which they analyze performance data.

This renovation in classroom practice, methodology, referral and assessment is not a simple thing by any means but make no mistake that it is absolutely essential if unlawful misidentification is to be avoided. A complete change in education such as this will take the commitment of all levels, university undergraduate programs, schools, districts, regions and states; but at this point an overhaul of this magnitude is no longer an option. Administrative teams and educators have the option of investing the time and training required to serve the culturally and linguistically diverse students filling the classrooms all across the country or will inversely pay for the wrongly

misclassification of students into special education programs by feeling the effects of a lower graduation rate and a higher unemployment rate due to the fact that wrongful placement has been linked to regression of academic ability. The mounting CLD student population now has the potential to either be a destructive force in education or an incredible asset, but the role it plays will be dependent on the manner in which this unique population of students is educated.

CHAPTER VII

CONCLUSION

Substantial strides have been made in the past 44 years to ensure that the educational rights of CLD students are protected, but sadly the passage of these legal statutes does not guarantee that these students will receive the quality education that they are promised. There are several reasons why over-classification takes place, but the root of them all is a lack of knowledge. The ignorant theory that immigrants will be the demise of this country and teaching anything but English is somehow “anti-American”, effects support for bilingual education and programs that train educators in SLA. The lack of knowledge and familiarity with the SLA process causes teachers to assume that students have a LD that needs to be accommodated. The lack of training in how to teach CLD students produces ineffective instruction, which causes students to struggle, and ultimately leads the teacher to make a wrongful referral. It is not enough for educators to be familiar with the legal guidelines that they must follow, but they also need to know how to teach in a way that satisfies legal requirements and is truly effective for CLD students. Social progress must be paired with advancements in the educational system. The CLD population of students is growing at an astonishing rate and is only growing with every passing day, so those in education have a choice of how to respond to this phenomenon; they can continue to under serve, misclassify and send these students into society ill-equipped or they can invest the time it will take to learn how to successfully educate these students so that they may become thriving members of society. Education must distance itself from its

current wait to fail way of operating and move towards more of a preventative framework.

Limitations

Although the areas of special education and CLD students are highly researched, there is a limited amount of research that combines both areas. In the past the two areas have been seen as two separate subpopulations and therefore have been researched and are reported individually. Under NCLB each state is given the authority to set their own educational standards, choose their own accountability test and each district is allowed to set their own curriculum, which makes reporting across states difficult to compare because of the lack of uniformity. Accountability reports across the nation states cross reference race with subgroups of students, but fail to report the specific performance of students who fall under more than one subpopulation such as ELL/Special Education students. Trends in classification are available, but specific data is not as accessible.

Many of the CLD students entering into the country are suffering from very deep emotional issues because they are coming from tumultuous home countries. Regrettably, there is a limited amount of published psychological research that examines emotional issues in CLD students. This research could give educators a much needed insight to a portion their the CLD students thus allowing them to better serve them.

Future research

As this unique population of students grows, hopefully so will the areas of research concerning how best to serve them. As the pendulum of the country swings back towards an anti-immigrant attitude, English only laws, such as California's Proposition 227, are becoming more and more popular. Those familiar with SLA know that these English only mandates are completely against prominent research that equates successful L2 acquisition with a strong foundation in L1. Removing programs that build L1, and eventually benefit the acquisition of the target language, will indefinitely cause CLD students to struggle more academically. With English only laws in public school districts, it is unclear if undergraduate pre-service students will see the advantage in studying second language acquisition, the question can be posed; if these English only regulations are retracted, will education professionals be adequately prepared to fittingly educate CLD students? Future research on the correlation between English only programs and special education classification of CLD students may help in repealing the damaging directive.

BIBLIOGRAPHY

Abedi, J. (2009). English language learners with disabilities: Classification, assessment, and accommodation issues. *Journal of Applied Testing Technology*, 10 (2), 1-30.

Albers, C., Hoffman, A., & Lundahl, A. (2009). Journal coverage of issues related to English language learners across student-services professions. *School Psychology Review*, 38 (1), 121-134.

Albus, D., & Thurlow, M. (2005). *Beyond subgroup reporting: English language learners with disabilities in 2002-03 online state assessment reports (ELLs with Disabilities Report 10)*. University of Minnesota . Minneapolis: National Center on Educational Outcomes.

Anderson, M. E., Minnema, J. E., Thurlow, M., & Hall-Londe, J. (2005). *Confronting the unique challenges of including English language learners with disabilities in statewide assessment(ELLS with disabilities report 9)*. University of Minnesota. Minneapolis: National Center on Educational Outcomes .

Artiles, A. J., & Ortiz, A. A. (2002). English language learners with education needs: Context and possibilities. In A. J. Artiles, & A. A. Ortiz, *English language learners with special education needs: Identification, assessment and instruction* (pp. 3-27). McHenry, IL, USA: Delta Systems and Center for Applied Linguistics.

Artiles, A. J., & Trent, S. C. (1994). Overrepresentation of minority students in special education: A continuing debate. *The Journal of Special Education*, 2 (4), 410-437.

Artiles, A. J., Harry, B., Reschly, D. J., & Chinn, P. C. (2002). Overidentification of students of color in special education: A critical overview. *Multicultural Perspectives*, 4 (1), 3-10.

Baca, L. M., Cervantes, H. T., Council for Exceptional Children, R., & ERIC Clearinghouse on Handicapped and Gifted Children, R. (1991). Bilingual special education. ERIC Digest # E496. 1-10.

Barrera, M. (2006). Roles of definitional and assessment models in the identification of new or second language learners of English for special education. *Journal of Learning Disabilities*, 39 (2), 142-156.

Blanchette, W. (2006). Disproportionate representation of African American students in special education: Acknowledging the role of White privilege and racism. *Educational Researcher*, 35, 24-28.

Blatchley, L., & Lau, M. (2010). Cultural competence assessment of English language learners for special education services. *Communique*, 38 (7), 25-27.

Brown, J. E., & Doolittle, J. (2008). A cultural, linguistic and ecological framework for response to intervention with English language learners. *Teaching Exceptional Children*, 40 (5), 66-72.

Brown, H. D. (2007) *Principles of language learning and teaching*. (Fifth ed.). White Plains, NY: Pearson/Longman

Byrnes, M. (2011). *Taking Sides: Clashing views in special education*.(Fifth ed.). New York, NY: Pearson

Cartledge, G., & Kourea, L. (2008). Culturally responsive classrooms for culturally diverse students with and at risk for disabilities. *Exceptional Children*, 74 (3), 351-371.

Ceballo, R. (2004). From barrios to Yale: The role of parenting strategies in Latino families. *Hispanic Journal of Behavioral Sciences*, 26 (2), 171-186.

Delgado, R. (2010). Poco a poquito se van apagando: Teachers experience educating Latino English language learners with disabilities. *Journal of Latinos and Education*, 9 (2), 150-157.

Department of Education, W.C. (1996). Number and characteristics of students with disabilities in inner-city districts. In *To assure the free and appropriate public education to all children with disabilities (Individuals with Disabilities Act, Section 618). Sixteenth Annual Report to Congress on the Implementation of Individuals with Disabilities Act*.(Chapter 4). Retrieved from:
<http://www2.ed.gov/pubs/OSEP96AnlRpt/Chap4a.html>

Dunn, L. M. (1968). Special education for the mildly retarded: Is much of it justifiable? *Exceptional Children*, 35, 5-22.

Fernandez, A. T. (1992). Legal support for bilingual education and language appropriate related services for limited English proficient students with disabilities. *Bilingual Research Journal*, 16 (3 & 4), 117-140.

Figuroa, R. A., & Newsome, P. (2006). The diagnosis of LD in English learners: Is it nondiscriminatory? *Journal of Learning Disability*, 39 (3), 206-214.

Garcia, S. B., & Ortiz, A. A. (2006). Preventing disproportionate representation: Culturally and linguistically responsive prereferral interventions. *TEACHING Exceptional Children*, 38 (4), 64-68.

Garcia, S. B., & Tyler, B. (2010). Meeting the needs of English language learners with learning disabilities in the general curriculum. *Theory Into Practice*, 49 (2), 113-120.

Garcia, S. B., Ortiz, A. A., & National Clearinghouse for Bilingual Education, S. (1988). Preventing inappropriate referrals of language minority students to special education. Occasional papers in bilingual education. *NCBE New Focus* (5), 1.

Genesee, F., Paradis, J., & Crago, M. (1945). *Dual language and disorders: A handbook on bilingualism and second language learning*. Baltimore, MD: Paul H. Brooks Publishing Co.

Hary, B. (1994). *The disproportionate representation of minority students in special education: Theories and recommendations*. The National Association of State Directors of Special Education, A.A.: Project FORUM.

Harry, B. & Klingner, J. (2006). *Why are so many minority students in special education?* New York, NY: Teachers College.

Hollins, E. (2008). *Culture in schools learning: Revealing the deep meaning*. New York, NY: Routledge.

Honnert, A. M., & Bozan, S. E. (2005). Summary frames: Language acquisition for special education and ELL students. *Science Activities*, 42 (2), 19-29.

Hoover, J. J., & Patton, J. R. (2005). Differentiating curriculum and instruction for English language learners with special needs. *Intervention In School and Clinic*, 40 (4), 231-235.

Huang, J., Clarke, K., Milozarski, E., & Raby, C. (2011). The assessment of English language learners with disabilities: Issues, concerns and implications. *Education*, 131 (4), 732-739.

Johnson, R. & Intercultural Development Research Association, S. X. (2008). *High school attrition rates across Texas education service center regions*. San Antonio, TX: Intercultural Development Research Association.

Klingner, J. K., & Artiles, A. J. (2003). When should bilingual students be in special education. *Educational Leadership*, 61 (2), 66-71.

Klingner, J., & Artiles, A. (2006). English language learners struggling to learn to read: Emergent scholarship on linguistic differences and learning disabilities. *Journal of Learning Disabilities*, 39 (5), 386-389.

Kushner, M. (2008). Preparing highly qualified teachers for English language learners with disabilities and at risk of disabilities. *Multiple Voices for Ethnically Diverse Exceptional Learners*, 11 (1), 42-57.

Ladner, M. & Hammoms, C. (2001). *Special but unequal: Race and special education*. In Finn, C. E., Ratherham, A. J. & Hokanson, C. R. (Eds.), *Rethinking special education for a new century*. (pp. 85-110) Washington, DC: Thomas B. Fordham Foundation and the Progressive Policy Institute.

Lasky, B., & Karge, B. (2011). Involvement of language minority parents of children with disabilities in thier child's school achievement. *Multicultural Education*, 18 (3), 29-34.

Lyons, J. J. & American University, W. R. (1989). *Legal responsibilities of education agencies serving national origin minority students*. National Origin Desegregation Assistance. Technical Series.

Matson, S. C., & Haglund, K. A. (2000). Relationship between scholastic and health behaviors and reading level in asolescent females. *Clinical Pediatrics*, 39 (5), 275-280.

McLean, Z. Y. (1995). History of bilingual assessment and its impact on best practices used today. *New York State Association for Bilingual Education Journal*, 10, 6-10.

Minnema, J.E. Thurlow, M.L. VanGetson, G. R. & Jimenez, R. (2006). *Large scale assessments and English language learners with disabilities: A case study of participation, performance and perceptions, "Walking the talk!"*. (*ELLS with disabilities report 9*). University of Minnesota . Minneapolis: National Center on Educational Outcomes .

Mueller, T. G., Singer, G. S., & Carranza, D. F. (2006). A national survey of the educational planning and language instruction practices for students with moderate to severe disabilities who are English language learners. *Research and Practice for Persons with Severe Disabilities*, 31 (3), 242-254.

No Child Left Behind Act (NCLB), (2002). Retrieved from:
<http://www2.ed.gov/policy/elsec/leg/esea02/107-110.pdf>

Ortiz, A. & ERIC Clearinghouse on Language and Linguistics, W.C. (2001). English language learners with special needs: Effective instructional strategies. *ERIC Digest*.

Ortiz, A. & Yates, J.R. (2002). Considerations in the assessment of English language learners referred to special education. In A.J. Artiles & A. Ortiz (Eds.), *English language learners with special education: Identification, assessment, and instruction* (pp.65-85). McHenry, IL: Center for Applied Linguistics and Delta Systems Co., Inc..

Ortiz, S. O. (1999). You'd never know how racist I was, if you met me on the street. *Journal of Counseling and Development*, 77, 9-12.

Ortiz, S. O., & Flanagan, D. P. (2002). *Best practices in working with culturally diverse children and families*. In A. Thomas, J. Grimes (Eds.), *Best practices in school psychology IV*(Vol. 1, Vol.2) (pp.337-351). Washington, DC US: National Association of School Psychologist.

Paradis, J., Genesee, F., & Crago, M. (2011). *Dual language development and disorders*. Baltimore, MD: Paul H. Brookes.

Peregoy, S. & Boyle. (2008). *Reading, writing and learning in ESL* (Fifth ed.). New York, NY: Pearson.

Reyes, L. (2006). The Aspira consent decree: A thirteenth anniversary retrospective of bilingual education in New York City. *Harvard Educational Review*, 76 (3), 369-397.

Region 4 Service Center (2005) *Bilingual phenomena: Determining a communication difference vs a communication disorder*. Houston, TX: Region 4 Education Service Center.

Rinaldi, C., & Samson, J. (2008). English language learners and response to intervention: Referral considerations. *Teaching Exceptional Children*, 40 (5), 6-14.

Roseberry-McKibbin, C. (1995). Distinguishing language difference. *Multicultural Education*, 2 (4), 13-16.

Roseberry-McKibbin, C. & O'Hanlon, L. & Brice, A. (2004) *Service delivery to English language learners in the public schools: A National Survey*. The ASHA Leader.

Rueda, R., & Windmueller, M. P. (2006). English language learners LD, and overrepresentation: A multiple level analysis . *Journal of Learning Disabilities* , 39 (2), 99-107.

Sadker, M. P. & Sadker, D. M. (2005). *Teachers, schools and society* (Seventh ed.). New York, NY: McGraw Hill.

San Miguel, G. (2004). *Contested policy: The rise and fall of federal bilingual education in the United States 1960-2001*. Denton, TX: University of North Texas Press.

Shepherd, T. L., Linn, D., & Brown, R. D. (2005). The disproportionate representation of English language learners for special education services along the border. *Journal of Social and Ecological Boundries*, 1 (1), 104-116.

Spinelli, C. (2008). Addressing the issues of cultural and linguistic diversity and assessment: Informal evaluation measures for English language learners . *Reading and Writing Quartely*, 24, 101-118.

Stein, J. (2011). The case for collaboration integrating information on English learners and special education in teacher preparation programs. *Multicultural Education*, 18 (3), 35-40.

Sullivan, A. (2011). Disproportionality in special education identification and placement of English language learners . *Council for Exceptional Children*, 77 (3), 317-334.

Texas Education Agency. (2011). *Enrollment in Texas public schools 2010-2011: Statewide enrollment, Texas public schools 1987-88 through 2010-11*. Retrieved from: http://www.tea.state.tx.us/acctros/enroll_index.html

Thurlow, M. Albus, D., Shyyan, V. Lui, K & Barrera, M. (2004). *Educator perceptions of instructional strategies for standards-based education of English language learners with disabilities (ELLs with Disabilities Report 7)*. Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes.

Trumbull, E., Rothstein-Fisch, C., Greenfield, P., & Quiroz, B. (2001). *Bridging cultures between home and school: A guide for teachers*. Mahwah, NJ: Lawrence Erlbaum Associates.

Wilkinson, C., Ortiz, A., Robertson, P., & Kushner, M. (2006). English language learners with reading-related LD: Linking data from multiple sources to make eligibility determinations''. *Journal of Learning Disabilities* , 39 (2), 129-141.

Zehler, A. M., Fleischman, H. L., Hopstock, P.J.,Penzick, M. L. & Stephenson, T. G. (2003) *Descriptive study of services to LEP students and LEP students with*

disabilities. Vol. 1. Research Report. Submitted to U.S. Department of Education , OELA. Arlington, VA: Development Associates, Inc.

Zetlin, A., Beltran, D., Salcido, P., Gonzalez, T., & Reyes, T. (2011). Building a pathway of optimal support for English language learners in special education. *Teacher Education and Special Education: The Journal of the Teacher Education Division of the Council for Exceptional Children*, 34 (1), 59-70.

Zhang, D., & Katsiyarnis, A. (2002). Minority representation in special education. *Remedial and Special Education*, 23 (3), 180-187.