APPENDIX B: ENGLISH LANGUAGE LEARNERS

Revised 12/1/16

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ENGLISH LANGUAGE LEARNERS

EL Students and Special Education Referral: Information and Resources

The following information is drawn from the manual entitled *EL Companion to Reducing Bias in Special Education Evaluation* (MN Dept. of Education, Fall 2003). The manual is available online from MDE's Website. Any student in a school program may be referred to your school's Student Assistance Team (SAT) when there are concerns regarding the student's academic achievement, social or emotional status, behavior, or health. This included students who are English Language Learners. The primary purpose of SAT is to assist teachers in implementing interventions to assist the student in being more successful. When warranted, the SAT may consider referring a student who is an English Language Learner to the Student Support Team (SST) for consideration for special education evaluation. As with any student, two prereferral interventions should be completed and documented prior to referral to SST. Prereferral interventions must directly relate to the presenting problem, should be technically sound (research-based or research-supported and of sufficient duration and intensity), and must include baseline and outcome data. To ensure that your interventions meet these standards, please consult with your school psychologist, special education coordinator, or a special education teacher.

The MN Department of Education's EL Companion to Reducing Bias in Special Education Evaluation states, "Prereferral is the responsibility of general education. For students who are EL, ESL and bilingual, education staff must be involved in addition to classroom teacher(s)." The prereferral process is designed to enable the SST to make a decision whether or not to perform a special education evaluation. In order to make the decision the team must determine whether there is sufficient evidence to support an assessment or whether it is more likely that the student's difficulties are the result of cultural, linguistic, economic, or environmental issues.

Factors that may help determine whether a special education evaluation is warranted include:

- Length of time the student has been enrolled in English speaking schools. Students who are new to the U.S. should be allowed time to acquire basic English skills and to become acculturated before they are referred for disabilities such as SLD, language, or mild behavior problems that might be easily confused with those of typical second language acquisition. Students with physical or cognitive needs that are more readily apparent may be referred more quickly. (NOTE: There is no clearly defined standard of time spent in English speaking schools; i.e., there is not a three year rule.);

- Level of parents' concern about child's rate of development or learning;

- Health or developmental history indicates the student is at risk;

- The student's educational history;

- The student's rate and pattern of acquiring English is significantly different from other English Language Learners (e.g., is slower acquiring language and academic skills than siblings or others with similar history).

Prior to referral to SST, two forms should be completed – The Learner Performance Review Form and the Prereferral Checklist for EL (adapted from the State of MN EL Companion to Reducing Bias in Special Education Evaluation). The prereferral checklist for EL identifies five areas where background information must be researched:

1. Educational history;

2. Current English language skills and progress compared to similar peers;

3. First language development and current skills;

4. Family and cultural background, basic health and developmental history;

5. Current educational environment and issues.

Please find the following Goodhue County Education District forms that have been adapted from the state's EL Companion manual:

- Prereferral Checklist for EL Students
- EL Student Educational History Record Review
- EL Student and Family Background Information
- EL Family Interview Information

Goodhue County Education District
Prereferral Checklist for EL

This checklist will usually be used by EL teachers, general education teachers, bilingual staff or others who are involved in making referrals for special education evaluation.

Area 1: <u>Educational history</u> Check if completed ☐
Significant findings:

Area 2: <u>Current English language skills and progress compared to similar peers</u> Check if completed ☐
Significant findings:

Area 3: <u>First language development and current skills</u> Check if completed ☐
Information Source: Parents
                     Bilingual staff
                     Direct assessment (optional at prereferral)
Significant findings:

Area 4: <u>Family and cultural background, basic health and developmental history</u> Check if completed ☐
Significant findings:

Area 5: <u>Current educational environment and issues</u> Check if completed ☐
Significant findings:

Interventions and results:

Recommended actions:

Goodhue County Education District
EL Sociocultural Checklist

1. Student Information	**2. Respondent Information**
Name (optional) _____	Name _____
Date of birth _____ Age _____ Grade _____ School _____	Date _____ Position _____ Agency/School _____

Instructions for Use: Using your knowledge of this student obtained through observations, record review and parent contacts, complete the Sociocultural Checklist by placing a check by **all statements that apply.** When completed, consider whether (a) additional interventions should be attempted based on the information; or (b) whether evaluation procedures should be modified based on the information.

A. Race, Culture and Acculturation Factors

☐ 1 The student has been in a refugee camp or was forced to leave his/her home because of war.

☐ 2 The student recently moved from another town, city, state or country.

☐ 3 The student is having difficulty acculturating to his/her new environment (see Chapter 3, Acculturation).

☐ 4 The student is a racial or religious minority in this school.

☐ 5 The student seldom interacts with peers or staff of other racial/cultural backgrounds or has poor relations with peers and staff of other racial/cultural backgrounds.

☐ 6 There are conflicts over acculturation within the student's family.

B. Socioeconomic Factors

☐ 7 The student is currently homeless or lacks adequate housing, clothing, and/or nutrition.

☐ 8 The student's parents or caregivers do not have a high school diploma or GED.

c. Resiliency Factors

☐ 9 The student has special strengths, talents, or interest. Describe: _____

☐ 10 The student is involved in school and/or community activities. Describe: _____

☐ 11 The student has a mentor or a positive adult role model.

☐ 12 The family has a support network. Describe: _____

D. Life Change Factors

☐ 13 The student's family is very mobile (has moved more than once during the current school year or has a pattern of moving at least once a year over several years).

☐ 14 The student's previous education has been sporadic, limited, or very different from the current school.

☐ 15 The student and the student's family have a history of negative communication or interactions.

☐ 16 The student is separated from his/her immediate family or the primary caregiver has changed within the last year.

☐ 17 The student has recently experienced a crisis or trauma.

☐ 18 The student expresses or displays a sense of stress, anxiety, isolation or alienation.

Goodhue County Education District
English Language Learner Educational History Record Review

Student's name _____

School _____

Grade _____ Age _____

First Language _____

Reason for referral _____

Person completing the record review _____

<u>Please answer the following questions:</u>

Are records from other schools available (both in and outside the United States?)   ☐ Yes   ☐ No
   If the answer is yes, where are the records? _____

How old was the student when he/she first attended school? _____

Did the student attend a formal preschool or head start program?   ☐ Yes   ☐ No
   (list the name of the school or program if available) _____

Circle each age the student was in school outside the United States.
     3   4   5   6   7   8   9   10   11   12   13   14   15   16   17   18   19

Did the student learn to read in the native language?   ☐ Yes   ☐ No

Is the student literate in more than one language? (please list all languages)   ☐ Yes   ☐ No

_____

Did the student pass classes in Math, Science, and other subjects?   ☐ Yes   ☐ No

Was the student ever held back a grade or level?   ☐ Yes   ☐ No

How long has the student been in the current school? _____

Circle each age the student has been in school in the United States.
     3   4   5   6   7   8   9   10   11   12   13   14   15   16   17   18   19

Have records been obtained from schools attended prior to this one?   ☐ Yes   ☐ No

How long has the student received EL or bilingual program services? _____

Has the student received any other special services?   ☐ Yes   ☐ No
   (please list the services and how long the student was served) _____

Was the student's attendance in other United States schools regular?   ☐ Yes   ☐ No

Was the student's attendance in schools outside the United States regular?   ☐ Yes   ☐ No

Are there any notes about behavior or discipline problems in the record?   ☐ Yes   ☐ No
   (describe any information) _____

Please list any tests the student has taken and the test dates and scores

Test	Test Date	Scores

Please describe any other information included in the student's records that may be helpful (examples of classroom work or homework, alternative assessments, teacher notes, parent notes, extracurricular activities, special awards).

It is helpful to construct an educational history/timeline for the student and identify breaks in education when the student moved or was unable to attend school. Fill in as much of the following timelines as possible. Two tables are provided: one table for ages 5-10 and the second table for ages 11-16. Some information may be available from parents or family members and may be acquired later during a home and family interview.

Age	School attended (identify name of school, grade, country)	Number of hours per day in school	Languages of instruction	Moves and other significant events
5				
6				
7				
8				
9				
10				

Age	School attended (identify name of school, grade, country)	Number of hours per day in school	Languages of instruction	Moves and other significant events
11				
12				
13				
14				
15				
16				

Goodhue County Education District
EL Student and Family Background Information

School Use only:

Name of interviewer _____

Interview format (check all that apply) ☐ Face to face   ☐ Telephone   ☐ Interpreter used   ☐ Other

Date of interview: _____

Location of interview: _____

General Information

1. Information about (name):	2. Information about the informant:
Child's name:	Name:
Date of birth:	Relationship to child:
Age:	Years of formal education:
Grade:	Employment:
School:	Date completed:
Parent(s):	Have you always been the primary caretaker of (name)?
First Language:	First Language:

3. (Name) currently lives with: (check all that apply)

☐ Mother   ☐ Father   ☐ Siblings   ☐ Friends

☐ Grandparents   ☐ Other relatives   ☐ Foster parents   ☐ Independent/self

☐ Other _____

4. Information from health/vision/hearing screening:

☐   Vision screening done. Results: _____

☐   Hearing screening done. Results: _____

☐   Health/information from nurse: _____

Goodhue County Education District
English Language Learner

General Instructions: Review the basic and follow-up questions for each section. Fill in information that you already know. You do not need to cover all the items – check those items where information is needed.

SECTION 1. LANGUAGE USE IN THE FAMILY

Tips for the person gathering information, including the interpreter:
- *Try to identify if anyone new has been added to the household in the past 6 months.*
- *If you are comfortable asking for specific information about who lives in the family, write down or check off exactly who lives in the home with the student.*
- *Consider asking "what percentage of time do various family members speak the native language? And English?" This will provide the team with information about the student's language background. It helps the school to determine how much English the student is exposed to on a daily basis.*

A. Basic Information to Gather

1. How many people live in the household?

2. What languages do the adults in the family speak to each other? To children?

3. What languages do the children in the family speak?

4. What languages does (*student's name)* speak with important adults in the family?

   In school?

   In the community?

5. What languages does *(student's name)* use with the other children in the family?

6. What adults does *(student's name)* spend a lot of time with? What languages do they speak?

B. Follow-up Information for Section 1

Tips for the person gathering information, including the interpreter:
- *This is a follow-up section to gather more in-depth information about what language the student uses for a variety of activities. This helps the team learn about the types of language the student is exposed to. For example, if the student attends church services in their native language, they are probably exposed to more formal, abstract language than is used playing sports.*

1. List everyone living with *(student's name)* and the languages they speak together.

Name	Age	Relationship to Child	Language the child and this person use together					
			☐	**English**	☐	**Both**	☐	**Other**
			☐	**English**	☐	**Both**	☐	**Other**
			☐	**English**	☐	**Both**	☐	**Other**
			☐	**English**	☐	**Both**	☐	**Other**
			☐	**English**	☐	**Both**	☐	**Other**
			☐	**English**	☐	**Both**	☐	**Other**

2. Indicate what language the student uses for these activities.

Activity	Native Language	English	Both
Listening to the radio			
Watching TV			
Playing games			
Playing cards			
Using the computer			
Reading books and magazines			
Listening to music			
Playing sports			
Dance, other lessons			
At church, temple, mosque, etc.			
Going shopping			
Other community activities			

SECTION 2. LANGUAGE DEVELOPMENT

Tips for the person gathering information, including the interpreter:

- *The questions in this section are separated into two categories: basic and follow-up. Information about the basic questions should be gathered for all students during prereferral.*
- *Keep in mind that families have different cultural expectations about how young children learn and also have different ways of remembering when children learned to do things. Lots of American families keep a "baby book" that records the date when the baby said his/her first word and lots of other information. Families from different cultural backgrounds may not keep track of these kinds of details.*
- *When appropriate, the information should be gathered for both native language and English. Some questions pertain only to the native language or only to English, depending on the specific student.*

A. Basic Information to Gather

1. What language did *(student's name)* first learn to speak?

2. How old was *(student's name)* when he/she first said words?
   - In native language _____
   - In English _____

3. What language did *(student's name)* first hear?

4. Does (*student's name)* speak as much as other children in the family?

5. Do you *(parents)* have any concerns about *(student's name)* language development?

6. When did *(student's name)* start talking compared with your other children (or other children that you know)?
   - At the same time as other children _____
   - Earlier than other children   _____
   - Later (older) than other children   _____

7. Does *(student's name)* talk like other children his/her age?
   - In native language _____
   - In English _____

8. Does *(student's name)* understand your questions and directions?
   - In native language _____
   - In English _____

B. Follow-up Information for Section 2

Tips for the person gathering information, including the interpreter:
- *Some of these questions have one or more alternate forms. Read through the alternates and pick the one that seems most appropriate.*
- *If the student is referred for a special education evaluation, the speech clinician may gather information about some or all of the follow-up questions.*
- *However, be careful about asking the follow-up questions if you think they will make the family uncomfortable. It is a good idea to talk about the follow-up questions with the cultural liaison or interpreter.*

1. Does *(student's name)* often repeat sounds or struggle to get words out?

2. Does *(student's name)* ever talk about something that doesn't make sense?

3. Does *(student's name)* use mostly one or two word sentences?

4. Alternate: *Does (student's name) usually say only one or two words at one time or does he/she say a lot of words at one time?*

5. Does *(student's name)* use longer sentences without difficulty?
   - In native language _____
   - In English _____

6. Can *(student's name)* talk about complex or abstract ideas? For example, can he/she tEL complicated stories or tell you about difficult things that he/she is studying in school?
   - In native language _____
   - In English _____

7. Does *(student's name)* switch between your language and English in the same sentence?

8. When *(student's name)* switches back and forth between your language and English, does it make sense?

9. Does *(student's name)* speak in complete sentences?
   - In native language _____
   - In English _____

10. Does *(student's name)* use correct grammar in your language?

11. Does *(student's name)* pronounce sounds correctly in your native language?

12. Does *(student's name)* speak at a normal rate of speech in his/her native language?

13. *Alternate: Does he/she speak faster or slower than other children?*

14. Does *(student's name)* speak as smoothly and fluently as other children of the same age? Does he/she hesitate more than other children or repeat sounds over and over?

15. Does *(student's name)* use the same types of words that other children do in your language?

16. *Alternate: Does (student's name) know as many words as other children do in your language?*

17. *Alternate: Does (student's name) often not know the word for something or use the wrong word?*

18. Does *(student's name)* put words in the same order as other children of similar age?

19. Do you ever ask *(student's name)* to do several different things in a series? For example, do you ask *(student's name)* to carry the groceries from the car and put them in the cupboard and then take a bath? *(or give another appropriate example of a series of common tasks at home).* Can *(student's name)* follow several directions in a row?

20. Did anyone else in *(student's name)* family have trouble learning to speak? If yes, please tell us about those problems?

SECTION 3. HEALTH AND EARLY DEVELOPMENT

Tips for the person gathering information, including the interpreter:
- *This section includes items about the student's medical and health background. It is important to investigate health and early development as there may be health problems that are affecting the student's academic problems. Health and early development history may also provide information to corroborate data gathered through special education evaluation procedures.*
- *For Item #1, you do not need to go through every health problem listed. Ask just about suspected areas of concern or give two or three examples.*
- *Be aware that different cultures use different words to describe health problems. For that reason, several different words are given to describe some conditions.*

A. Basic Information

1. Does *(student's name)* have any health problems that may have an effect on learning?

   ☐   vision or eye problems

   ☐   wears glasses

   ☐   hearing problems

   ☐   wears hearing aid

   ☐   ear infections (please list how often, at what age, and if student had surgery to correct).

2. Has *(student's name)* ever had any serious illnesses or accidents? If yes, please tell me about what happened and when it happened.

B. Follow-up Information for Section 3

Tips for the person gathering information, including the interpreter:

- _Gather information on these items if there are additional questions during prereferral or as part of the special education evaluation._
- _In some cultures, the father may insist on providing all information even when the mother's input is needed. A female interpreter and female teacher may be able to gather the information needed directly from the mother._
- _Be aware that different cultures use different words to describe health problems. For that reason, several different words are given to describe some conditions._

1. Does _(student's name)_ have any health problems that may have an effect on learning?

   ☐ Vision or eye problems   ☐ Wears glasses   ☐ Wears hearing aid   ☐ Hearing problems

   ☐ Ear infections (please list how often, at what ages, and if student had surgery to correct)

   ☐ Asthma, breathing problems   ☐ Allergies to food, animals, etc.   ☐ Diabetes

   ☐ Head injury (if yes, ask if child had convulsions or was unconscious)

   ☐ Epilepsy, seizures, convulsions

   ☐ Mental health problems, depression, sadness, tired and anxious all the time

   ☐ Fevers (if yes, ask if _(student's name)_ had convulsions or was unconscious)

   ☐ Serious infections (if yes, ask if _(student's name)_ had convulsions)

   ☐ Malaria   ☐ Tuberculosis   ☐ Other (please describe)

2. How much did _(student's name)_ weigh when he/she was born?

3. Was _(student's name)_ the same size as other babies when he/she was born?

4. Were there any complications during pregnancy or birth?

5. In comparison with other children that you know, did _(student's name)_ learn to do things at the same age? Did he/she sit, walk, eat solid food, say words, etc., at the same age as other children?

SECTION 4. CULTURAL ISSUES

Tips for the person gathering information, including the interpreter:
- *During prereferral, it is most important to find out whether cultural issues are affecting the student's behavior or academics. For example, is the student being teased or harassed because of his/her cultural background? Is he/she teasing others?*
- *It may also be appropriate to ask the student of concern some of these questions.*
- *You may not think that there are racial problems in school, but it is important to find out if the student or family thinks that there are racial or cultural problems. Those perceived problems need to be discussed.*

A. Basic Information

1. How did your family and you come to Minnesota?
2. *Alternate: Why did your family and you decide to move here?*

3. How does *(student's name)* feel about being here?
4. *Alternate: Has (student's name) had any problems adjusting to living here? Can you tell me about those problems?*

5. Do you think *(student's name)* has problems in school because of his race or cultural gackground? Can you tell me about those problems?
6. *Alternate: Do you think (student's name) has problems with teachers or other students because he is _____ (name of cultural group)? Can you tell me about those problems?*

7. What kind of cultural activities does your family take part in?

8. Do you think that the teachers and students in school understand your culture?

9. Do you have any ideas about how we can help your son/daughter?

B. Follow-up Information for Section 4

Tips for the person gathering information, including the interpreter:
- *It may also be appropriate to ask the student of concern some of these questions.*
- *Explain to parents that sometimes students act differently at school than at home because the teacher and the parents discipline children differently. That is why the school wants to find out how parents discipline their children when they do something wrong.*
- *You may not think that there are racial problems in school, but it is important to find out if the student or family thinks that there are racial or cultural problems. Those perceived problems need to be discussed.*

1. What disciplinary strategies do you use at home?
2. *Alternate: What do you do at home when (student's name) does something wrong?*

3. Sometimes *(student's name)* does things he/she is not supposed to do in school *(Give an example if appropriate)*. What would you like us to do if he/she does something wrong?

4. Do you like *(student's name)* to act more like American students or do you like him/her to behave more traditionally?

5. Do *(student's name)* and you ever argue about whether he/she should act more like an American student or more traditional? Do you think this is connected to the problems he/she is having in school?
6. *Alternate: When families come to the U.S., sometimes it is difficult because the children want to be just like American Students; their parents and grandparents want them to be more traditional. Do you have problems like this with your child? Do you think this is connected to the problems he/she is having in school?*

7. The school is going to do some tests of *(student's name)* behavior and how he/she learns. Think about your family's cultural background and heritage. What would you like the school staff to know so that they can better understand your child and do a better job when they test him/her?

SECTION 5. HOW THE STUDENT LEARNS AT HOME

Tips for the person gathering information, including the interpreter:
- *Explain to the family that in Minnesota, teachers like parents to do certain things in order to help their children do better in school, but they know that some parents are very busy and cannot help their children. Teachers also expect that students will study at home. Explain that since (student's name) is having problems, you want to find out more about how he/she studies and learns at home.*

A. Basic Information

1. Does *(student's name)* need help at home to perform daily tasks. For example, does he/she need help dressing, eating, or helping with household chores?

2. Does *(student's name)* have a place at home to keep his/her school books and papers and to do homework?

3. Do you ask *(student's name)* to show you his/her homework?

4. Does someone in the family help *(student's name)* with homework?

5. Does *(student's name)* do his/her homework before watching TV or playing?

6. Does someone in your family read to *(student's name)* ?
   - In native language _____
   - In English _____

7. Has anyone else in your family had problems learning how to read or do math?

8. How do you think *(student's name)* does in school compared with brothers and sisters?

B. Follow-up Information for Section 5

Tips for the person gathering information, including the interpreter:

- *Children learn how to do lots of things at home: they learn how to cook, how to play games, how to do housework, how to tell stories. Explain to each parent that the teachers want to know if (student's name) has trouble learning things at home.*

1. Please rate how you see your child on various learning style characteristics listed below. Place a check in the box that best describes your child, ranging from Good to Poor. If you are not sure about an item, just use your best judgment – the purpose of this activity is to help us determine what areas, if any, you see as a problem.

How does your child	Good	OK	Poor	Does not apply
A. Follow two or three step directions? (S)	☐	☐	☐	☐
B. Remembers things? (S)	☐	☐	☐	☐
C. Organize toys, books, clothes, etc.? (O)	☐	☐	☐	☐
D. Plan how to do tasks or activities? (O)	☐	☐	☐	☐
E. Understand what he/she reads? (A)	☐	☐	☐	☐
F. Understand what he/she sees? (A)	☐	☐	☐	☐
G. Understand what he/she hears? (A)	☐	☐	☐	☐
H. Learn a new game? (A)	☐	☐	☐	☐
I. Recall events from the school day? (R)	☐	☐	☐	☐
J. Recall details from a special event? (R)	☐	☐	☐	☐
K. Read aloud? (R)	☐	☐	☐	☐
L. Carry on a conversation? (E)	☐	☐	☐	☐
M. Write by hand? (E)	☐	☐	☐	☐
N. Solve problems or figure out how to do things? (M)	☐	☐	☐	☐
O. Explain something he/she has learned? (M)	☐	☐	☐	☐
P. Put things together or repair things? (M)	☐	☐	☐	☐
Q. Draw or paint? (M)	☐	☐	☐	☐
R. Do basic math? (R)	☐	☐	☐	☐

S = Storage, O = Organization, A = Acquisition, R = Retrieval, E = Expression, M = Manipulation of Information

Goodhue County Education District
EL Language Matrix For Special Education Evaluation

Special education laws and rules require students to be evaluated in "the language normally used by the child in the home or learning environment" (CFR 300.19). Because of the wide range of skills that English Language Learners have, it can be difficult to decide when and how to use a student's native language and when to use English. This matrix is designed to help teams plan for the use of native language and English in the assessment process. After gathering information about the student's skills in the first language and in English, the team can refer to this matrix for recommendations on how to best gather assessment data given the student's language background. Teams should also refer to specific recommendations for the various domains of assessment found in the *EL Companion to Reducing Bias.*

The recommendations for assessment on this matrix are mainly applicable to domains such as intellectural ability and communication. Best practice indicates that achievement skills such as reading should be assessed in the language(s) in which a student has received instruction; teams may need to use native language to explain procedures and give directions. In the social/emotional domain, language use depends on from whom information is being gathered (i.e., use father's native language for a parent interview).

The types listed are typical of how students will present themselves at a specific moment in time. With the exception of "developing bilingual," these types are not progressive: a student who is **Fluent in Another Language** will not necessarily progress through the **Partial Bilingual** type or **Non-English receptive** type.

Types of Language Speakers	Use of Language in Special Education Assessments
1. Fluent in Another Language: only exposed to native language; uses native language only; age appropriate fluency* in native language; non or extremely limited English speaker. *fluency may vary according to the student's cognitive ability. For example, a Hispanic student with cognitive impairments may be judged as developing bilingual if general communication skills are good, even though Spanish skills are not equal to those of non-disabled peers.	a. Assess primarily nonverbally and in L^1; b. Use appropriate L^1 standardized test if available (may use monolingual norms); c. Emphasize use of nonverbal tests and tasks (intellectual); d. Consider purpose of subtests and make limited use of selected verbal tasks in L^1 with interpreter (do not score); e. Use testing of limits procedures; f. Utilize tasks that allow student to show learning and problem solving (additional examples, test-retest, dynamic procedures); g. Use pragmatic protocols or tasks designed to demonstrate functional uses of language (communicate domain).
2. Partial bilingual: raised speaking two or more languages (simultaneous acquisition) but appears to have limited receptive/expressive skills in both. Doesn't appear to have a stronger or dominant language. Key question is whether limited language skills are the result of lack of opportunity or disability affecting communication. Student may code-mix or code-switch.	a. Formulate hypothesis concerning apparent limited language acquisition; b. Assess in both languages: use standardized L^1 instrument if bilingual norms; c. Consider use of B-Vat; d. Observe for preference in settings with speakers of both languages; e. Gather detailed information about student's language use and language use in the home; f. Rate opportunity to learn native language; g. If stronger or preferred language can be established, begin with it and use testing of limits procedures in 2nd language; h. Allow student to respond in either language during session, noting language of response; i. Anticipate split between home and school vocabulary and skills; j. Utilize tasks that allow student to show learning, problem solving (test-retest, dynamic procedures);

	k. Look for growth in communication skills over time in both languages; l. Gather language samples in different settings and with different conversational partners; m. Make sibling comparisons; n. Analyze code-mixing and code-switching; o. Compare errors in English vocabulary or usage to see if caused by interference with L^1; p. Compile assessment data to develop profile of knowledge and skills (may have skills in one language but not other); q. Is SLD suspected, gather information on information processing from parents and ESL/bilingual staff.
3. Developing bilingual: *fluent in L^1 and in process of acquiring English as a second language (sequential acquisition). May or may not have literacy skills in L^1. This student seems to be making good process in learning English but has difficulties in some areas. *definition of fluency may vary according to the student's cognitive ability. For example, a Hispanic student with MI may be judged as a developing bilingual if general communication skills are good, even though Spanish skills are not equal to those of non-disabled peers.	a. Formulate hypothesis concerning nature of student's problems (different than partial bilingual); b. Assess in both languages – extent of English use will depend upon amount of exposure, amount of instruction and fluency; c. Use L^1 standardized instruments, determine whether monolingual or bilingual norms are appropriate (depends on age and length of exposure to English); d. Utilize B-Vat; e. Emphasize use of nonverbal tasks (intellectual); f. Make limited use of verbal tasks in English and in L^1; g. Try to focus on one language at a time – if this is difficult, allow student to respond in either language noting language of response; h. Compare errors in English vocabulary or usage to see if caused by interference with L^1; i. Use testing of limits procedures; j. Analyze code-mixing and code-switching; k. Anticipate split between home and school vocabulary and skills; l. Consider language background when interpreting and presenting results; m. If SLD suspected, gather information on information processing from parents and ESL/bilingual staff.
4. Non-English receptive: English speaker who has been exposed to another language; has some receptive but few or no expressive skills in that language; English usage may be influenced by other language. (Note: this category may include foreign-born adopted children).	a. Assess primarily in English; b. Only assess in L^1 if done immediately upon arrival; c. Consider language background in selecting procedures; d. Check receptive knowledge in other language if appropriate (if student recently adopted); e. Compare errors in English vocabulary or usage to see if caused by interference with other language; f. Recheck errors or gaps in other language if appropriate; g. Consider language background when interpreting and presenting results.
5. English dialect: uses regional or social dialect; may have difficulty with standard, academic language.	a. Consider dialect or variety of English to be student's native language; b. Allow alternate responses to accommodate differences in vocabulary; c. Use supplemental nonverbal measures to more accurately establish range of intellectual ability; d. Collect language samples of student interacting with another student of similar background. e. Ask language/cultural expert to review and rate language samples; f. Focus on functional use of language; g. May classify student as a Fluent Speaker of Another Language, Partial Bilingual or Developing Bilingual and follow suggestions for type.

6. English monolingual: uses standard English. No exposure to another language.	No accommodation needed. May need to consider cultural influences on student knowledge and performance.
7. Bilingual: fluent in two languages; may code-switch among other bilinguals. Able to code-switch depending on social context and conversation partners. True bilingualism is evidence of highly developed communicative skills.	b. *Not often referred!* c. Assess in both languages beginning with preferred; d. Use appropriate L^1 standardized test if available and normed on bilinguals; e. Consider language background in selecting procedures; f. Focus on one language at a time – if this is difficult, allow student to respond in either language noting language of response; g. Use testing of limits procedures; h. Recheck errors or gaps in other language; i. Anticipate split between home and school vocabulary and skills; j. If student code-switches, analyze when, with whom, and how; k. Consider language background when interpreting and presenting results.
8. Limited communicator: ability to communicate in any language affected by cognitive or physical anomalies; may use alternate communication mode, communication devices or assistive technology.	a. Follow assessment recommendations and make appropriate accommodations for suspected disability area; b. Assess receptive skills in all languages student is exposed to; c. Assess expressive skills as appropriate given the student's situation.

Goodhue County Education District
Test Selection Checklist

Name _____   Instrument _____

Date _____ Position _____   Publication Date _____

Agency/School _____   Agency/School _____

Instructions for Use: The following checklist is used to gauge the appropriateness of standardized instruments for individual students. If there are questions regarding the appropriateness of items for diverse students, consult with a cultural representative. In districts with large numbers of diverse students, practitioners are recommended to utilize this checklist on a periodic basis to review all instruments in current use, thus generating a list of recommended instruments for American Indian and African American students in the district. Practitioners are also recommended to utilize this checklist when selecting new instruments for purchase.

Indicate the status of this instrument based on the following items:	Characteristic of this Instrument	Not a Characteristic of this Instrument	Need more information
1. The specific purpose of this instrument is clearly defined.	☐	☐	☐
2. The instrument has been validated for the purposes for which it was designed.	☐	☐	☐
3. The limitations of the instrument are described in the manual.	☐	☐	☐
4. This instrument is the most current edition and includes the most recent normative sample.	☐	☐	☐
5. The test manual describes differences in test performance across racial, cultural, linguistic, or socioeconomic groups.	☐	☐	☐
6. An item-by-item analysis has been made of the instrument from the framework of cultural and communication characteristics of diverse cultural groups.	☐	☐	☐
7. The instrument does not rely on vocabulary or visual materials that are culturally-specific, regional, colloquial, or archaic.	☐	☐	☐
8. The instrument does not rely on receptive and expressive standard English to measure nonlanguage abilities.	☐	☐	☐
9. An equivalent form of this test is available in another language, using a dialect and normative sample that are similar to the local population.	☐	☐	☐
10. The instrument does not penalize students with physical or sensory disabilities.	☐	☐	☐
11. The norms for this instrument were developed within the last ten years.	☐	☐	☐
12. The normative sample characteristics reflect the general characteristics of students who will be administered this instrument, including students of LEP background.	☐	☐	☐
13. The instrument takes differences in cultural values and adaptive behaviors into account.	☐	☐	☐
14. The instrument clearly describes expected demands of students (e.g., reading level, response type, test-taking behaviors).	☐	☐	☐
15. The instrument clearly describes the response type expected of students (e.g., oral, paper, and pencil).	☐	☐	☐

Goodhue County Education District
Evaluation of EL and Other Culturally Diverse Students
Part 1 – Evaluation and Eligibility   **Part 2 – Due Process and Parent Involvement**

Note: Law and rule require districts to carry out nondiscriminatory procedures. Many of these procedures are defined in best practice literature. An asterisk* indicates that an element represents best practice and not a specific legal requirement.

Part 1 – Evaluation and Eligibility

A. Federal and State References: See Chapter 2, Legal Requirements

B. Checklist for Nondiscriminatory Evaluation and Eligibility Determination

There are three key decision points where documentation of nondiscriminatory evaluation and eligibility procedures may be found:
1. prereferral/referral determination
2. evaluation plan
3. eligibility determination

The Evaluation Report documents the <u>implementation</u> of the nondiscriminatory practices outlined in the evaluation plan as well as nondiscriminatory eligibility determination. As such, it is a critical recorded of how the student was evaluated and found to have a disability.

1. Prereferral/Referral Determination

Types of Documentation:
- ☐ Evaluation Report
- ☐ *District prereferral form
- ☐ * Sociocultural checklist

Required elements:
- ☐ 2 documented interventions

*Best practice:
- ☐ File includes information to support decision that the learner's difficulties are not due to race, cultural or language differences and that a special education evaluation is therefore warranted.

- ☐ District has a prereferral form with background information such as:
  - ☐ Race/ethnic background
  - ☐ Native language; languages used by family members
  - ☐ Current use of native language/native language proficiency (EL only)
  - ☐ English language proficiently (EL only)
  - ☐ Educational history
  - ☐ Health/developmental history
  - ☐ Family composition
  - ☐ Relevant information about student's experiences or living situation (environment, socioeconomic issues, etc.)

- ☐ Files includes *EL Student and Family Background Form* or similar information

  - ☐ File documents contact with parents prior to referral
  - ☐ File documents involvement of a cultural liaison prior to referral
  - ☐ File includes Sociocultural Checklist from *Reducing Bias in Special Education Assessment*

2. Evaluation Plan

Documentation

- ☐ Notice of Educational Evaluation/Reevaluation Plan

Required elements:

- ☐ Parent information
- ☐ Special factors for assessment, including behavior, limited English proficiency, vision impairment, hearing impairment, assistive technology, race, or culture (also environment)
- ☐ Types of staff that will carry out the evaluation (psychologist, speech clinician, etc.) including interpreter/translator or cultural liaison
- ☐ Includes all procedures, including informal or supplemental procedures
- ☐ Describes any planned adaptations of standard test administration procedures (ex., testing of limits)

*Best practice:

- ☐ States student's race/cultural/ethnic background and native language
- ☐ Team uses *Test Selection Checklist* to determine suitability of specific tests
- ☐ For native English-speaking minority students, plan includes use of a standardized intellectual ability battery plus at least one additional nonverbal measure plus at least one additional supplemental measure of intellectual ability such as test-teach-retest
- ☐ Team includes cultural liaison or person with knowledge of the student's race and cultural background
- ☐ For EL, team includes ESL/bilingual education teacher, bilingual home-school liaison or other person with knowledge of first and second language acquisition
- ☐ For EL, plan includes evaluation of intellectual functioning and communication in both native language and English
- ☐ For EL, plan includes evaluation of academic achievement in language(s) in which the student has received instruction with interpreter used as needed for directions, etc.
- ☐ For all students, plan includes more than one observation, including observations conducted by cultural liaisons and/or ESL/bilingual education staff in several settings and with different groups of peers

3. Evaluation Results and Eligibility Determination

Data Source:

- ☐ Evaluation Report
- ☐ *Criteria checklists from *Reducing Bias Reducing Bias in Special Education Assessment*

Required elements:

- ☐ Parent information
- ☐ Information about student's race, cultural and language background, including language dominance
- ☐ For each area assessed, a statement of professional judgment as to the validity of the standardized testing procedures given the student's race, cultural and language background
- ☐ Description of all sources of evaluation data, including informal and supplemental procedures
- ☐ Description of any adaptations made to standardized test procedures, including use of native language interpreter or testing of limits procedures
- ☐ Data to support the team's finding that limited English proficiency is not the determinant cause of the student's performance problems in school
- ☐ Data to support the team's finding that lack of instruction in reading or math is not the determinant cause
- ☐ Data addressing all elements of criteria
- ☐ Relevant behavioral information related to student's academic functioning

*Best practice:

- ☐ File includes a criteria checklist from *Reducing Bias in Special Education Assessment*

Part 2 – Due Process and Parent Involvement

A. Federal and State References: See Chapter 2, Legal Requirements

B. Checklist for Due Process and Parent Involvement

Documentation:

- ☐ Copies of notices provided to parents
- ☐ *Parent Rights and Procedural Safeguards*
- ☐ *Phone logs or other documentation of parent contacts
- ☐ *Written documentation that materials were interpreted orally
- ☐ Inclusion of interpreter or cultural liaison on team logs
- ☐ *District form documenting parent preference for language and mode of communication
- ☐ *District form documenting oral interpretation

Required elements:

- ☐ Notices given in parent's native language and/or mode of communication
- ☐ Interpretation provided during IEP and other team meetings
- ☐ Contents of Evaluation Report and IEP provided to parents in their native language in written translation or oral interpretation

*Best practice:

- ☐ District asks parents their preference regarding language and mode of communication and documents preference in file
- ☐ District asks parents if they would like to have a cultural liaison and documents their response
- ☐ District tape records oral interpretation of materials so that parents have a record of the information for future reference
- ☐ The interpreter is present at interactions with the parents (as opposed to interpretation via telephone)
- ☐ Interpretation and written translations are prepared by qualified personnel with training in special education
- ☐ Indian home-school liaisons, ELS teachers and/or other cultural liaison staff are team members and attend meetings routinely

Goodhue County Education District
General Guidelines for Working with an Interpreter

General Preparation

- Interpreters are typically paid in two hour sessions so plan accordingly. You may want to include a meeting afterwards for the interpreter to translate forms, surveys, social history.

- Plan extra time for the interpreting session. Interpreted conversations typically run longer because every statement must be made twice.

- Prepare the interpreter ahead of time. Explain the purpose of the evaluation session or meeting, discuss the interpreter's role and review any materials that will be used. Be aware of data privacy, confidentiality issues. When using a private interpreter service, contact the Special Services Office to make sure the appropriate independent contracts exist between the District and the agency.

- Let classroom teachers know that an interpreter will be at the meeting and will be interpreting their statements literally.

- Plan how to make parents and student comfortable and arrange the seating so the interpreter is close to the parent but can also see and hear other participants.

- For a new interpreter, make sure he or she:

    - Understands the purpose of the meeting.

    - Understands that he/she should interpret or translate precisely and completely; although interpreters may ask questions for clarification, they should not edit the discussion by omitting or adding information.

    - Understands data privacy laws and the importance of confidentiality.

    - Is fluent in English and in the native language or dialect spoken by the family.

    - Is an adult and is **not** closely related to the student.

    - Is not biased toward the student or family because of personal, ethnic or linguistic reasons.

During an Evaluation Session

Make appropriate introductions an ensure rapport between the student and interpreter is present. Tell the student and interpreter the purpose of the interpreter's presence at the session.

The primary role of an interpreter in evaluation is to assist the examiner in reducing the linguistic barriers and biases that make measurement of functioning and performance difficult. The interpreter must ensure that the communication between the examiner and the student is accurate and comprehensible while preserving the meaning and the intent of the questions and the responses by the student. This does not necessarily lead to literal interpretation of the questions, but rather translating enough that answers to the test questions are not given.

Ask the interpreter to assist the team in determining the language ability in both the student's native language as well as secondary (English) language.

After the evaluation meeting, ask the interpreter for feedback on the interaction or their observations regarding the student's performance.

<u>During the Meeting</u>

Clearly state the purpose of meeting, share agenda and role of the interpreter. Introduce all participants and their roles. The interpreter has an impartial role and will translate literally.

Invite questions from parents early and often.

Team members are responsible for summarizing test results, current levels of performance and objectives, not the interpreter.

Ask parents for input/feedback on information and goals.

Give the parent time to consult others before signing permission for testing/IEP. Make sure they understand their parental rights.

Consider and discuss if special education placement will result in social, ethnic or linguistic isolation. Discuss how EL and special education work together.

General Principles for Working
With an Interpreter

Interpreters and translators need many different skills. Monolingual English-speakers also need skill and knowledge to work effectively with an interpreter. Monolingual staff should consider the interpreter a team member. Together their goal is to communicate as effectively as possible. Below is a list of things English-speakers can do to make things go smoothly:

- Brief the interpreter ahead of time. Explain the purpose of the meeting, discuss the interpreter's role and go over any material that will be used.

- Allow enough time for the interpreting session. Interpreted conversations typically run longer because every statement must be made twice.

- Arrange the seating so that the interpreter is close to the parent but can also see and hear other participants at the meeting.

- Introduce everyone present at the meeting, including the interpreter, and explain his or her role.

- Avoid excessive use of jargon, slang or idioms.

- Avoid use of double negatives, passive voice or ambiguous language.

- Explain any technical terms or jargon that **must** be used.

- Speak clearly and pause for interpretation after every 3 or 4 sentences.

- Allow the interpreter to take notes to help with the interpretation.

- Arrange a signal for the interpreter to stop the speaker if something is not clear or if the speaker needs to pause for interpretation.

- Speak directly to the parents using first-person language (for example, in English say "what do you think about . . ." instead of "ask the parents what they think about . . ."). This makes the interpreter's work much easier and also shows respect to the parents.

- Make eye contact with the parents.

- Have only one person speak at a time and avoid side conversations. The interpreter will interpret **everything** that is said at a meeting.

- If you suspect mistranslation, rephrase your question. Or ask the interpreter to repeat your questions back to you.

- Say the same thing in different words if your question or statement is misunderstood.

- After the evaluation or meeting, **privately** ask the interpreter for feedback on the interaction or their observations regarding the student's performance. This is the debriefing.