What's Known

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Identifying and supporting English learner students with learning disabilities: Key issues in the literature and state practice

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Overview

This review of research and policy literature distills several key elements of processes that can help identify and support English learner students with learning disabilities. It also describes current guidelines and protocols used by the 20 states with the largest populations of English learner students. This report informs education leaders who are setting up processes to determine which English learner students may need placement in special education programs as opposed to other assistance.

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Summary

No single method has proven effective in differentiating between English learner students who have difficulty acquiring language skills and those who have learning disabilities. As a result, schools, districts, and states struggle with this issue. Misidentifed students can end up in classrooms or programs mismatched to their needs, which could hamper their educational achievement. Research describes key elements of processes that can help identify and suggest appropriate services for English learner students with learning disabilities, and some states incorporate these elements into operational procedures, guidelines, and protocols. This study describes these key elements to inform policymakers interested in developing more effective procedures for identifying, assessing, and supporting English learner students who may have learning disabilities.

The research literature suggests that answers to the following questions can help determine whether an English learner student's academic difficulties are caused by a learning disability or by struggles with second-language acquisition or some other factor:

- Is the student receiving instruction of sufficient quality to enable him or her to make the accepted levels of academic progress?
- How does the student's progress in hearing, speaking, reading, and writing English as a second language compare with the expected rate of progress for his or her age and initial level of English proficiency?
- To what extent are behaviors that might otherwise indicate a learning disability considered to be normal for the child's cultural background or to be part of the process of U.S. acculturation?
- How might additional factors—including socioeconomic status, previous education experience, fluency in his or her first language, attitude toward school, attitude toward learning English, and personality attributes—impact the student's academic progress?

According to the literature, a structured process designed to answer these questions using key data is likely to be the most effective approach to discovering whether an English learner student may have a learning disability.

The research literature discusses several types of data—including standardized test scores, classroom observations and other nontest data, and parental input—as useful in determining the sources of an English learner student's academic difficulties. Because each data type has limitations, the literature recommends using multiple types of data.

In research across schools, districts, and states, two factors have been identified that lead to inconsistent identification of students who may have learning disabilities: a lack of understanding among teachers about why English learner students are not making adequate progress, and poorly designed and implemented referral processes. The following actions are thought to effectively address these factors:

- Providing professional development for educators.
- Using pre-referral strategies, such as the response to intervention approach.
- Involving parents.
- Considering multiple forms of data.
- Developing clear policy guidelines and data-tracking systems.

In early 2015 the study team also reviewed state guidelines and protocols from the 20 states with the largest populations of English learner students. From these, five guiding principles suggest ways to identify and recommend assistance for English learner students with possible learning disabilities:

- Having a clear policy statement that additional considerations will be used in placing English learner students in special education programs.
- Providing test accommodations for English learner students.
- Having exit criteria for English language support programs for English learner students in special education.
- Assessing English learner students' language and disability needs using a response to intervention approach.
- Publishing extensive, publicly available manuals to aid educators in identifying and supporting English learner students who have learning disabilities.

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Why this study?

Although the education literature on learning disabilities and on second-language acquisition is extensive, little is known about the characteristics of English learner students with learning disabilities (Shore & Sabatini, 2009; Klingner, Artiles, & Méndez Barletta, 2006). No proven method exists for identifying an English learner student who has a learning disability and then placing the student in the most appropriate instructional program. Schools, districts and states struggle with this issue, and some English learner students fail to receive effective support services because the nature of their academic difficulties is misidentified (Sánchez, Parker, Akbayin, & McTigue, 2010; Zehler, Fleischman, Hopstock, Stephenson, et al., 2003; Zehler, Fleischman, Hopstock, Pendzick, & Stephenson, 2003). There is evidence of English learner students being both over- and underrepresented in special education programs (Artiles, Rueda, Salazar, & Higareda, 2005a, 2005b; Rueda & Windmueller, 2006; Sullivan, 2011; Sullivan & Bal, 2013; Zehler, Fleischman, Hopstock, Pendzick, & Stephenson, 2003; Zehler, Fleischman, Hopstock, Stephenson, et al., 2003). Students who end up in classrooms or programs mismatched to their needs can be hampered in their educational achievement.

Although no diagnostic method works in all contexts, research and state practices indicate common elements of effective processes for determining why English learner students might underperform, whether special education services might be warranted, and what those special education services should be

Although no diagnostic method works in all contexts, research and state practices indicate common elements of effective processes for determining why English learner students might underperform in their classes, whether special education services might be warranted, and, if so, what those special education services should be. This report summarizes and links research and state practices, extending two earlier reviews that focus solely on state practices. The first is a report to the National Association of State Directors of Special Education that documents state policies and programs related to English learner students with learning disabilities across seven states: Alaska, Arkansas, California, Florida, Kansas, New Mexico, and Texas (Keller-Allen, 2006). The second is a more recent report that describes how state departments of education address the needs of culturally and linguistically diverse students as related to identifying students with disabilities (Scott, Boynton Hauerwas, & Brown, 2013). The present report complements these reviews, synthesizing the research and current state practices into a set of guidelines to identify English learner students who may have learning disabilities and then direct them to the services they need for success in school.

The intended audience is education policymakers interested in developing or revising their procedures in this area. Researchers will find a number of topics identified for further research, especially on the effectiveness of various proposed methods. This study builds on earlier research reviews (Klingner et al., 2006; Shore & Sabatini, 2009) and is not meant to be an exhaustive or formal literature summary; rather, it highlights issues that recurred two or more times in the literature examined. See appendix A for details on the study methodology.

The study sought to answer two research questions:

- What issues do previous studies raise about identifying, assessing, and supporting English learner students with learning disabilities?
- What procedures, including guidelines and protocols, do the 20 states with the largest populations of English learner students use to identify, assess, and support English learner students with learning disabilities?

For the first question, the study team conducted an Internet search and identified 52 articles or reports that met the study criteria. These documents were analyzed for key findings and common themes. They included a variety of formats—journal articles, books, and book chapters—and a variety of content types within each format, including individual research studies, research literature reviews, research-based discussions, and policy discussions. A list of the 52 references—with information on authors, titles, publications, content types, topics, and available links—is in appendix B.

For the second research question, the study team reviewed state documents for information on state policies and practices.

What the study found

This section describes key issues found in the research literature and the key guiding principles found in documents related to state practices and procedures.

Research literature

The research suggests several themes for supporting English learner students with disabilities: key questions to address to determine the source of academic difficulties, types of data that are useful in determining the source of academic difficulties, and elements of effective processes for identifying the source of academic difficulties

The research suggests several themes for supporting English learner students with disabilities: key questions to address when trying to determine the source of an English learner student's academic difficulties, types of data that are useful in determining the source of an English learner student's academic difficulties, and elements of effective processes for identifying the source of an English learner student's academic difficulties. Specifically, three key issue areas related to identifying, assessing, and supporting English learner students with learning disabilities (see box 1 for definitions of key terms) emerged from the analysis of the research literature:

- Determining whether an English learner student's academic difficulties are caused by a learning disability, struggles with second-language acquisition, a combination of these two factors, or some other issue.
- Identifying the types of data that are useful in determining whether an English learner student's academic difficulties are caused by a learning disability, struggles with second-language acquisition, a combination of these two factors, or some other issue.
- Describing actions to address the factors that lead to inconsistent identification of English learner students with learning disabilities.

How each issue is treated in the literature is discussed below, along with any procedures that are mentioned in the literature. Also presented in this section is the sole framework for serving English learner students with learning disabilities that was found in the literature, as well as a discussion of remaining research gaps.

Key questions to address when trying to determine the source of an English learner student's academic difficulties

Identifying students with learning disabilities, a complex issue on its own, is especially complicated as it pertains to English learner students. This complexity is due to the need to determine whether a student's academic difficulties are caused by a learning disability,

Box 1. Key terms

Child study teams. Teams of members with expertise in second-language acquisition, culture, learning disabilities, and content (especially reading and writing progress) who advise teachers on appropriate instructional strategies prior to referring a struggling student to evaluation for a learning disability.

English learner. An individual ages 3–21 who is enrolled or preparing to enroll in an elementary school or secondary school; who was not born in the United States or whose first language is a language other than English, who is a Native American or Alaska Native or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on his or her level of English language proficiency, or who is migratory, has a first language other than English, and comes from an environment where a language other than English is dominant; and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny him or her the ability to meet the proficient level of achievement on state assessments, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society.

Individualized education program. A written program developed by the school's special education team with input from a student's parents that specifies the student's academic goals and the method to obtain these goals.

IQ–achievement discrepancy model to identify children with learning disabilities. This model determines whether there is a discrepancy between a student's scores on a test of general intelligence (for example, an IQ test like the Stanford-Binet test) and scores on a standardized achievement test, with a discrepancy of predetermined size signifying a learning disability.

Learning disability. A neurological condition that interferes with an individual's ability to store, process, or produce information. Learning disabilities can affect a student's ability to read, write, speak, spell, compute math, or reason as well as a student's attention, memory, coordination, social skills, and emotional maturity.

Least restrictive environment. The requirement in federal law that students with disabilities receive their education, to the maximum extent appropriate, with nondisabled peers and that special education students are not removed from regular classes unless, even with supplemental aids and services, education in regular classes cannot be achieved satisfactorily.

Response to intervention. A three-tiered instructional system that increases the focus and intensity of interventions for a student as the student responds below required minimum expectations on each instructional tier (Kavale, Holdnack, & Mostert, 2006). Tier 1 is research-based instructional practices for a whole class. Tier 2 is smaller group instruction that may be different than the initial instruction. Tier 3 is generally individual instruction or interventions, as well as assessment for determining whether special education or other services, such as English learner support, should be included as part of an individualized education program (Rinaldi & Samson, 2008).

Special exit criteria. Exit criteria for English learner students with learning disabilities to leave second-language support programs that differs from exit criteria for English learner students without learning disabilities.

Testing accommodations. A statement or policy to use testing accommodations that provide support for both the language and disability needs of English learner students with learning disabilities.

struggles with second-language acquisition, a combination of these two factors, or some other issue (August & Hakuta, 1997; Collier & Hoover, 1987; Shore & Sabatini, 2009). The research literature suggests that answers to the following questions are key to differentiating among possible causes for any academic difficulties of an English learner student:

- To what extent is the student receiving instruction of sufficient quality to make the accepted levels of academic progress? (August & Shanahan, 2006; Park & Thomas, 2012; Sánchez et al., 2010; Shore & Sabatini, 2009; Zehler, Fleshman, Hopstock, Stephenson, et al., 2003).
- How does the student's progress in hearing, speaking, reading, and writing English as a second language compare with the "normal" rate of progress for the student's age and initial level of English proficiency? (August & Hakuta, 1997; Klingner et al., 2006; Rivera, Moughamian, Lesaux, & Francis, 2008; Shore & Sabatini, 2009).
- To what extent are behaviors that might otherwise indicate a learning disability considered normal for the child's cultural background or process of U.S. acculturation? (Collier & Hoover, 1987; Garcia & Ortiz, 2004; National Association for Bilingual Education & ILIAD Project, 2002).
- How might additional factors, including socioeconomic status, previous education experience, fluency in the student's first language, attitude toward school, attitude toward learning English, and personality attributes, affect the student's academic progress? (August & Hakuta, 1997; Chu & Flores, 2011; Park & Thomas, 2012).

Identifying students with learning disabilities is especially complicated as it pertains to English learner students, due to the need to determine whether academic difficulties are caused by a learning disability, struggles with second-language acquisition, a combination of these two factors, or some other issue

A structured process for answering these questions is likely to be the most effective approach to understanding whether an English learner student has learning disabilities and, if so, to appropriately placing that student in an academic context that will offer the most effective help (Keller-Allen, 2006; Ortiz & Yates, 2001; Sánchez et al., 2010).

Types of data that are useful in determining the source of an English learner student's academic difficulties

The research literature identifies several types of data as useful in determining the source of an English learner student's academic difficulties. When the limitations of a particular data type are noted in the research literature, they are noted here as well. Because of the limitations of each data type, the research literature recommends using multiple types of data to make determinations about the source of an English learner student's academic difficulties and the appropriate program placement or intervention (Rivera et al., 2008; Shore & Sabatini, 2009). Use of multiple data types is further discussed below in the section on potentially effective processes for identifying the source of an English learner student's academic difficulties. The types of data commonly available are described here.

Standardized tests. A variety of standardized tests, including tests of intellectual ability and achievement, are often used to identify students (including English learner students) with learning disabilities. Limitations described in the research literature include concerns about the reliability of the measures in the standardized tests and whether a single standardized test score can inform teaching practice in a timely manner. Given these limitations, Kavale et al. (2006) and MacSwan and Rolstad (2006) among others suggest that standardized test scores can be useful as one of multiple indicators of whether an English learner student (or any student) has a learning disability.

Traditionally, standardized tests have been used in the IQ–achievement discrepancy model to identify students with learning disabilities. This model determines whether there is a discrepancy between a student's scores on a test of general intelligence (for example, an IQ test like the Stanford-Binet test) and scores on a standardized achievement test, with a discrepancy of predetermined size signifying a learning disability (Buttner & Hasselhorn, 2011).

Many researchers have pointed out limitations of the IQ–achievement discrepancy model. Waiting for the test scores can result in a delay of services. English learner students, who are learning simultaneously both content and the English language, tend initially to achieve low scores on all English-based standardized assessments, including general intelligence tests (Buttner & Hasselhorn, 2011; Huang, Clark, Milczarski, & Raby, 2011). Some studies question the reliability of IQ tests (Stanovich, 2005; Stuebing, Barth, Molfese, Weiss, & Fletcher, 2009) and standardized tests (Abedi, 2006, 2007, 2010) for determining whether an English learner student has a learning disability (Buttner & Hasselhorn, 2011; Francis et al., 2005; Stanovich, 2005). For example, standardized test scores alone cannot distinguish between learning disabilities and other factors—such as a student's low level of proficiency (especially literacy) in his or her first language, limited prior schooling, and low levels of English proficiency—that may cause an English learner student to perform below standards (Abedi, 2006; Chu & Flores, 2011; MacSwan & Rolstad, 2006). Further, these tests can include a bias that favors U.S. English-speaking culture (Huang et al., 2011). Standardized tests cannot distinguish between learning disabilities and poor-quality teaching (Klingner & Harry, 2006). Finally, finding a discrepancy of a predetermined size to indicate a possible learning disability does not, by itself, indicate what changes in instruction might benefit the student.

Standardized test scores alone cannot distinguish between learning disabilities and other factors—such as a student's low level of proficiency in his or her first language, limited prior schooling, and low levels of English proficiency—that may cause an English learner student to perform below standards

Some researchers have found that overreliance on standardized tests to identify English learner students with learning disabilities has resulted in underdiagnoses in the earlier elementary grades and overdiagnoses in the later elementary grades and above (see, for example, Gallego, Zamora Duran, & Reyes, 2006; Sullivan, 2011; Valenzuela, Copeland, Qi, & Park, 2006). Misdiagnoses likely result in classroom and program misplacement, which hinders the educational achievement of these English learner students (Rivera et al., 2008, Sullivan, 2011; Valenzuela et al., 2006).

Several researchers have suggested that when an English learner student's score on a standardized test in English indicates a learning disability, the standardized test, or a similar assessment, should also be given in the student's first language to provide more accurate information about whether the low test score was due to a learning disability or to limited English proficiency (August & Shanahan, 2006; Rivera et al., 2008; Sánchez et al., 2010; Wagner, Francis, & Morris, 2005). However, given the number of first languages spoken by English learner students and the low availability of assessments in several languages, this may not be feasible (Chu & Flores, 2011; Wagner et al., 2005). If assessments in specific languages are not available, some studies suggest finding a translator (Artiles & Ortiz, 2002; Park & Thomas, 2012); however, translators, too, may be in short supply, and a poor translation may reduce the validity of the translated assessment (Artiles & Ortiz, 2002; Huang et al., 2011; Wagner et al., 2005). Another suggestion is to use tests that are "culture-free and culture-fair" (Park & Thomas, 2012, p. 52). For example, teachers can use pictures "to represent words in order to assess [English learner students'] vocabulary and cognitive process" (Park & Thomas, 2012, p. 55).

Classroom observations and other nontest data. Classroom observation in general, including observation in the response to intervention system (see box 1), has been used with greater frequency since the limitations of relying solely on standardized tests to determine the need for special education have been brought to light (Rinaldi & Samson, 2008). Some researchers argue that, at each stage of the learning disability identification and referral process, evaluators should consider classroom environments, quality of teaching, and other cultural and contextual factors, such as prior schooling (Klingner & Harry, 2006; Klingner et al., 2006; Park & Thomas, 2012). Approaches such as response to intervention, which rely heavily on initial classroom observations of student responses to teacher-determined interventions, are limited by the knowledge and skill of the classroom teacher (Kavale et al., 2006).

The response to intervention approach can be an alternative to the IQ–achievement discrepancy model for early identification of students with learning disabilities (Echevarria & Hasbrouck, 2009; Rinaldi & Samson, 2008; Rivera et al., 2008). It can also be used as an initial tool to identify students with learning disabilities, with an IQ–achievement discrepancy or similar assessment conducted if classroom interventions are not effective (Kavale et al., 2006). Response to intervention uses a multitiered structure of increasingly intensive and focused instruction, assessment, and intervention to serve the needs of students with academic or behavioral difficulties (Echevarria & Hasbrouck, 2009; Rinaldi & Samson, 2008). Multiple assessment types, including screening assessments (initially schoolwide), diagnostic assessments (specific need identification for small groups and individual students), progress-monitoring assessments (assessing effectiveness of supplementary services or interventions for individual students), and classroom observations—all used on a continual basis to measure progress—may help determine student capabilities and appropriate services better than single tests (Echevarria & Hasbrouck, 2009; Park & Thomas, 2012).

Some researchers argue that, at each stage of the learning disability identification and referral process, evaluators should consider classroom environments, quality of teaching, and other cultural and contextual factors, such as prior schooling

Because the response to intervention approach does not have a specific English learner component, it relies on the knowledge and training of classroom teachers to consider the specific needs of students who are acquiring English, which can be a limitation (Kavale et al., 2006). A few studies have described how the response to intervention approach can be used for initially identifying English learner students with learning disabilities and for determining appropriate interventions (Echevarria & Hasbrouck, 2009; Rinaldi & Samson, 2008).

No studies were found that directly examined the effectiveness of using classroom observations and other types of nontest data to accurately identify learning disabilities in English learner students.

Parent involvement. The Individuals with Disabilities Education Act of 1997 requires parent involvement at every step of the evaluation, program placement, and reevaluation of children with learning disabilities (National Association for Bilingual Education & ILIAD Project, 2002). Parents can provide functional, developmental, cultural, and linguistic information that education professionals often cannot find on their own, and meetings with parents can help educators gain or clarify information about a student's experiences with prior schooling, family medical history, immigration, and acculturation (Park & Thomas, 2012; Rinaldi & Samson, 2008). However, involving parents, particularly parents who have emigrated from non-English-speaking countries and may not speak English, can be challenging (National Association for Bilingual Education & ILIAD Project, 2002);

even logistics (for example, child care and transportation) can be barriers, as can cultural differences. A 2003 report on services available to English learner students with learning disabilities found that lack of parent involvement was a common characteristic of school processes for identifying and placing English learner students with learning disabilities (Zehler, Fleischman, Hopstock, Stephenson, et al., 2003). Another study identified several additional problems, including negativity by educators toward parents and a lack of consistent translation services to assist parents whose first language is not English (Klingner & Harry, 2006).

No studies were found that directly examined the effectiveness of using parent input in accurately identifying learning disabilities in English learner students.

Elements of effective processes for identifying the source of an English learner student's academic difficulties

Two factors can lead to inconsistent identification of students with learning disabilities: a lack of understanding by teachers of the reasons that English learner students are not making adequate progress and poorly designed and implemented referral processes

Research across schools, districts, and states has identified two factors that can lead to inconsistent identification of students with learning disabilities: a lack of understanding by teachers of the reasons that English learner students are not making adequate progress and poorly designed and implemented referral processes (National Association for Bilingual Education & ILIAD Project, 2002; Klingner & Harry, 2006; Shore & Sabatini, 2009). The research literature proposes addressing these factors by providing professional development for educators, using pre-referral strategies, involving parents, using multiple forms of data, and developing clear policy guidelines and data-tracking systems.

Providing professional development for educators. Professional development may help mitigate the problems involved in effectively serving English learner students suspected of having learning disabilities. For example, several researchers have suggested professional development on the following issues for educators involved in the special education referral process (Klingner & Harry, 2006; National Association for Bilingual Education & ILIAD Project, 2002; Rinaldi & Samson, 2008; Rivera et al., 2008; Sánchez et al., 2010; Zetlin, Beltran, Salcido, Gonzalez, & Reyes, 2011):

- Appropriate formal and informal evaluation practices.
- Understanding and evaluation of second-language acquisition and learning disabilities (and their intersection).
- Ways that cultural background may influence behavior.
- How best to communicate and interact with parents.
- Instructional strategies matched to each stage of language development.
- Typical and atypical language and literacy characteristics of English learner students.
- Early intervention strategies for English learner students who are struggling with reading and math.
- Classroom management skills.
- Accommodations and adaptations for English learner students during testing.
- Accommodations and adaptations for English learner students in the classroom.
- Collaboration with colleagues related to serving English learner students.
- Eligibility determination for both second-language and special education services.
- Progress monitoring.

No studies were found that directly examined the effectiveness of these professional development activities in accurately identifying learning disabilities in English learner students.

Using pre-referral strategies. Supporters of response to intervention strategies contend that instructional strategies, such as literacy instruction that contains additional contextual clues to support second-language literacy development, can aid teachers in distinguishing between language development issues and learning disability issues before making a formal special education referral (Echevarria & Hasbrouck, 2009; Rinaldi & Samson, 2008; Rivera et al., 2008). They assert that such strategies can reduce the number of unnecessary referrals and provide additional information on student needs when a referral is warranted; however, no research studies were found that specifically examined this assertion.

Another pre-referral approach involves using child study teams (also known as teacher assistance teams or intervention assistance teams) to assist teachers in their instructional decisions prior to formal referral for special education services and during the referral process. Child study teams include members with expertise in second-language acquisition, culture, learning disabilities, and content (especially reading and writing progress) who advise teachers on appropriate pre-referral strategies (Klingner & Harry, 2006; Klinger et al., 2006; National Association for Bilingual Education & ILIAD Project, 2002). As an early intervention strategy, child study teams support teachers in figuring out ways to help their English learner students in a culturally and linguistically responsive manner as well as in adapting classroom instruction for individual student needs (Wilkinson, Ortiz, Robertson, & Kushner, 2006). They can help teachers discern differences between true learning disabilities and temporary learning challenges caused by limited English proficiency (Huang et al., 2011; National Association for Bilingual Education & ILIAD Project, 2002).

As an early intervention strategy, child study teams support teachers in figuring out ways to help their English learner students in a culturally and linguistically responsive manner as well as in adapting classroom instruction for individual student needs

No studies were found that examined the efficacy of using child study teams as part of pre-referral strategies with English learner students suspected of having a learning disability.

Involving parents. The literature on using multiple measures to inform student identification and placement decisions recognizes parents as a key source of information (see previous section on parent involvement). To encourage parent involvement, researchers suggest that schools and districts proactively create opportunities for parent education and input (Klingner & Harry, 2006; Shore & Sabatini, 2009). To help parents who may be resistant or reluctant to be involved, some school districts have hired bilingual parent liaisons to advocate for and facilitate educator meetings with parents (National Association for Bilingual Education & ILIAD Project, 2002). These liaisons can make sure that communication takes place in the parent's first language and that documents are translated accurately. And these liaisons can help parents and students navigate the school system, understand the school's expectations of students and families, and explain the U.S. education system, which may be different from the system experienced by an immigrant family.

Other strategies for involving parents include adapting information dissemination methods for families whose first language is not English, such as holding face-to-face meetings instead of sending flyers home with students, and offering more opportunities for parents to get general information about the U.S. education system and the rights and responsibilities of parents of children in special education (Keller-Allen, 2006).

No studies were found that examined the efficacy of these methods for increasing or improving parent involvement.

Using multiple forms of data. Research suggests that, especially for English learner students, schools use a variety of data types to determine whether a child has a learning disability, rather than relying on a single criterion (Garcia & Ortiz, 2004; MacSwan & Rolstad, 2006; Rinaldi & Samson, 2008; Rivera et al., 2008; Shore & Sabatini, 2009). These data could include formal and informal assessments to obtain a more complete picture of the student's ability level. For example, education professionals could collect both quantitative information (standardized test scores, academic grades, and eligibility for school lunch programs) and qualitative information (family and teacher descriptions of behavior), as well as language proficiency data (in the English learner student's first language and in English) to determine whether the observed weaknesses are due to inadequate instruction, English learner status, a learning disability, or a combination of these factors (Wilkinson et al., 2006). Research also suggests that any student evaluation should include observations of students in different school settings, such as in multiple classes, with different teachers, and in small-group instruction as well as in regular classroom instruction (Klingner & Harry, 2006; Klingner et al., 2006). Similarly, obtaining first-language proficiency information from parents, tests, and translators can help provide a fuller picture of a student's history and development (National Association for Bilingual Education & ILIAD Project, 2002).

Research suggests that any student evaluation should include observations of students in different school settings, such as in multiple classes, with different teachers, and in small-group instruction as well as in regular classroom instruction

The suggestion that multiple forms of data are needed to accurately determine whether an English learner student has a learning disability is supported by a study showing that native-Spanish-speaking English learner students scored poorly on closed-response standardized tests of Spanish proficiency (for example, naming a picture in Spanish) at a rate many times higher than on an assessment involving open-response natural-language interactions (for example, telling a story from a picture book with no text, including answering questions posed by a native-Spanish-speaking test giver; MacSwan & Rolstad, 2006). Given the high rate of low scores on the standardized tests (74 percent scored at the "limited" Spanish fluency level) compared with the natural language assessment (only 2 percent had high error rates), the study concluded that additional measures should be used to accurately determine English learner achievement (in this case, achievement in first language proficiency).

Developing clear policy guidelines and data-tracking systems. One study found that state guidelines for English learner students and students with learning disabilities were often articulated in separate documents and that neither type of document clarified how to serve students who fall into both categories (Rivera & Collum, 2004). (This is similar to findings in the state guidelines analysis in the next section.) Another study found confusion among professionals regarding district rules about when to refer for evaluation an English learner student with a possible learning disability (Klingner & Harry, 2006). As a result, another study concluded that school personnel need more awareness of the special needs of English learner students and referral processes (Sánchez et al., 2010). It also asserted that English learner students would benefit from clear policy guidelines on the criteria used to determine whether a student has a learning disability or is encountering some of the natural challenges of developing in English, clear processes for pre-referral and referral to special education services, and improved collaboration between special education personnel and educators of English learner students.

The literature also shows that, despite growth in the English learner student population, many local education agencies do not have policies, procedures, or mechanisms for linking

English learner education and special education data or for collaborating across these programs (Keller-Allen, 2006; Zehler, Fleischman, Hopstock, Pendzick, & Stephenson, 2003).

Although these studies were completed about a decade ago, the study team's recent review of state guidelines (reported below) indicates that this lack of coordination remains a problem.

A study highlights inconsistencies in identification, documentation, and use of disability classifications across the country, reporting that districts struggle with identifying English learner students with learning disabilities as a distinct subgroup (Shore & Sabatini, 2009). As an example of these inconsistencies, a study found that districts with 99 or fewer English learner students had higher rates of identification of English learner students with disabilities than did districts with 100 or more English learner students (Zehler, Fleischman, Hopstock, Pendzick, & Stephenson, 2003). The study recommends that district administrators develop record-keeping and database systems that identify English learner students with learning disabilities. Another study recommends that district policies on researching assessment and placement practices regarding English learner students suspected of having learning disabilities should "support a system that summarizes early intervention efforts, documents assessment history, and provides information on the expertise that exists on the multidisciplinary team. … Before initiating formal testing for [English learner] students, educational professionals need to know more about the pre-referral process and the special considerations needed for [English learner] students who are not making adequate progress" (Shore & Sabatini, 2009, p. 31).

Despite growth in the English learner student population, many local education agencies do not have policies, procedures, or mechanisms for linking English learner education and special education data or for collaborating across these programs

No studies were found that examined the efficacy of specific policy guidelines or use of data systems in identifying and placing English learner students suspected of having learning disabilities.

A framework for serving English learner students with learning disabilities

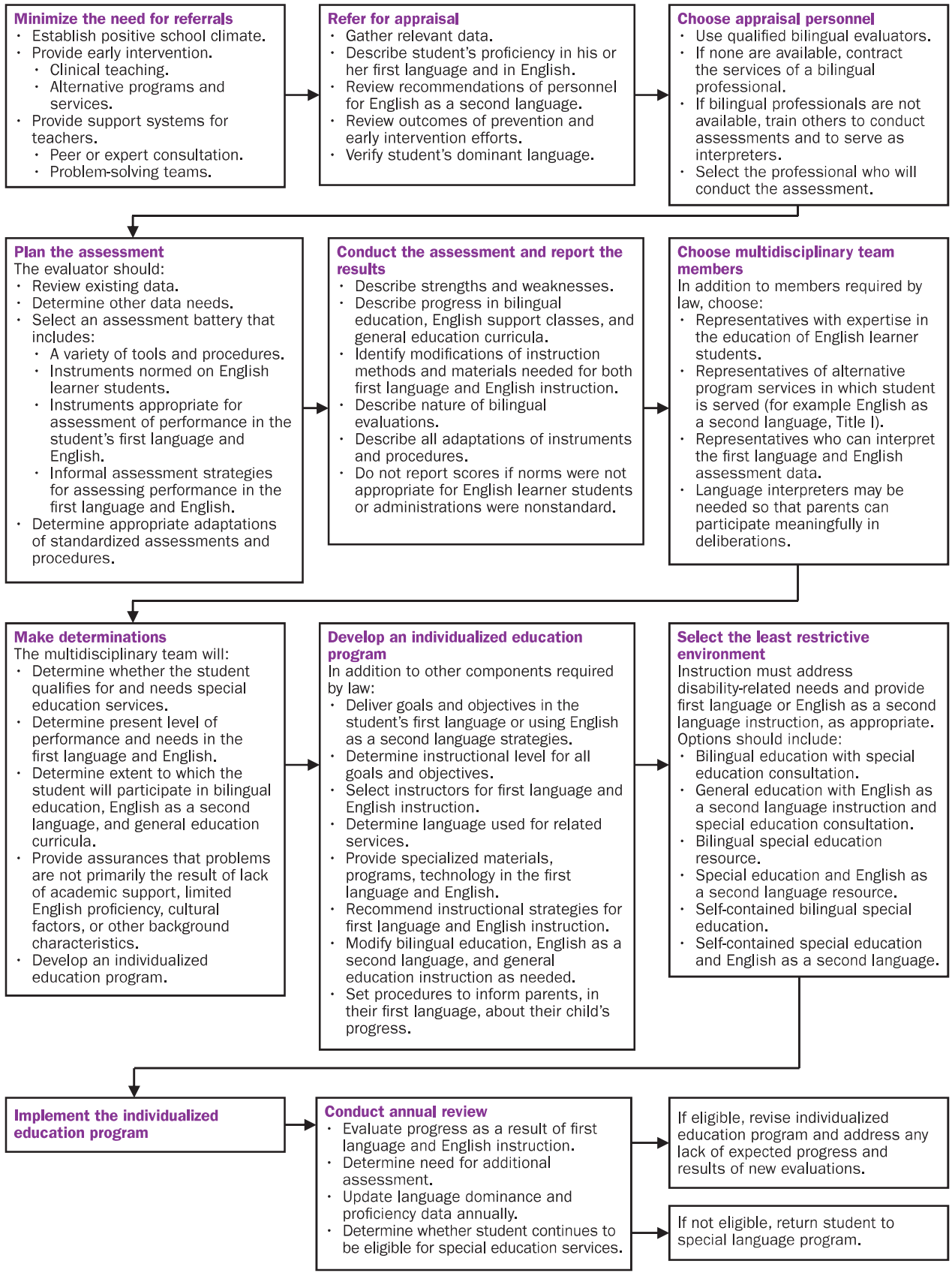
A framework for serving English learner students with learning disabilities was developed by Ortiz and Yates (2001); this was the only framework found in the literature search. It outlines a process from prevention through referral to placement in an instructional program and includes many of the actions described in the previous section. Elements of the framework and the recommended actions for each element are shown in figure 1.

Research gaps

Gaps in the research suggest next steps for future study. In a report summarizing the work of the National Symposium on Learning Disabilities in English Learners, Rose Li and Associates, Inc. (2004) list several topics on which additional research has been requested that are in accord with the findings in this study. These topics include:

- Identifying effective classification processes and assessment tools.
- Discovering academic and language development trajectories unique to English learner students with learning disabilities.
- Understanding the role of culture, including affective and motivational factors, in English learner student academic achievement.
- Evaluating the use of students' first language in special education assessment and support.

Figure 1. Framework for serving English learner students with learning disabilities



Source: Adapted from Ortiz & Yates (2001).

- Uncovering the impact of school contextual factors.
- Understanding the effectiveness of specific interventions, as well as of the methods of training teachers to use them.

These knowledge gaps relate to the field's understanding of English learner students with learning disabilities in general. Among the few studies on English learner students with learning disabilities, more focus on younger students than on older ones. For example, of the 12 studies on English learner students with learning disabilities located by August and Siegel (2006), only one concerned English learner students in high school. Across the research topics there appear to be greater gaps in the research knowledge about older English learner students with learning disabilities than about younger students.

Current state procedures for assessing and supporting English learner students with learning disabilities

Thirteen of the 20 states with the largest populations of English learner students have issued written statements that English learner students who may have learning disabilities require special considerations in addition to the protocols used to make the same determination for students who are not English learner students

This section provides information from the 20 states with the largest populations of English learner students for policymakers seeking to develop procedures for English learner students who may have learning disabilities. Five guiding principles were drawn from the 20 states (see appendix C for full list of states):

- Having a clear policy statement on giving additional consideration in placing English learner students in special education programs.
- Providing test accommodations for English learner students.
- Having exit criteria for English language support programs for English learner students in special education.
- Using response to intervention methods to assess English learner students' language and disability needs.
- Publishing extensive, publicly available manuals to aid educators in identifying and supporting English learner students who have learning disabilities.

Each guiding principle is described and discussed in this section. States with extensive resources on their public websites or with resources identified by state personnel are highlighted.

Having a policy statement on giving additional consideration in placing English learner students in special education programs

Thirteen of the 20 states with the largest populations of English learner students have issued written statements that English learner students who may have learning disabilities require special considerations in addition to the protocols used to make the same determination for students who are not English learner students. The statements of additional consideration from California and Texas (available on the states' websites) are similar to those from other states. The California statement, also found in the document *English Learners in California: Frequently Asked Questions* (California Department of Education, 2006), reads:

> An IEP [individualized education program] or Section Accommodation 504 teams must determine which services are appropriate for EL [English learner] students, based on their particular disabilities and level of English proficiency. Regardless of services prescribed, EL students must also receive ELD [English language development] instruction. (p. 12)

Texas's *Language Proficiency Assessment Committee (LPAC): Framework Manual 2013–2014* (Texas Education Agency, 2013a) states:

> School districts shall implement assessment procedures that differentiate between language proficiency and handicapping conditions in accordance with Subchapter AA of this chapter (relating to Commissioner's Rules Concerning Special Education Services) and shall establish placement procedures that ensure that placement in a bilingual education or English as a second language program is not refused solely because the student has a disability. (p. 59)

Providing test accommodations for English learner students

Fourteen of the 20 states with the largest populations of English learner students specifically note that English learner students with learning disabilities may receive all the standardized testing accommodations available to English learner students, by virtue of their English learner designation, as well as to students with learning disabilities, by virtue of that designation. In their accommodations guidelines for students with learning disabilities, some states, such as Florida and North Carolina, include additional language accommodations for English learner students (Beech, 2010; Public Schools of North Carolina, 2014), while others, such as Georgia and Massachusetts, include additional learning disability–related accommodations in their guidelines for support and testing services for English learner students (Alston, Johnson, Lacher, & Wlazlinski, 2012; Massachusetts Department of Elementary and Secondary Education, 2003). Massachusetts law states that English learner students with severe learning disabilities may be exempted from some testing, including English proficiency tests (Massachusetts General Laws, 2012).

Fourteen of the 20 states with the largest populations of English learner students specifically note that English learner students with learning disabilities may receive all the standardized testing accommodations available to English learner students as well as to students with learning disabilities

Having exit criteria for English language support programs for English learner students in special education

Two of the 20 states with the largest populations of English learner students—Arizona and Texas—explicitly allow districts to use different criteria to determine when English learner students in special education may exit English language support programs. For any other English learner student, exit requires the student to be reclassified as fluent English proficient. In a four-page discussion of the different exit criteria, Texas's *Language Proficiency Assessment Committee (LPAC): Framework Manual 2013–2014* states that the vast majority of English learner students who receive special education services must meet the standard exit criteria; however, "in rare cases," special consideration may be given to English learner students for whom the usual assessments or standards "are not appropriate because of the nature of a student's particular disabling condition" (Texas Education Agency, 2013, p. 74). The Arizona Administrative Code states that when a formal evaluation finds that the standard English language proficiency determination and designation process "is inappropriate for a specific special education student" who is also an English learner student, "persons conducting the English language assessment shall participate with the special education multidisciplinary evaluation or IEP [individualized education program] team in the determination of the student's English language proficiency designation" (Arizona Administrative Code R7–2-306 (D), 2001).

By contrast, New York requires that all English learner students, including those in special education, be subject to the same program exit or reclassification criteria and that school

districts continue to provide English learner student support services to all English learner students who do not meet the standard exit criteria, even when the district "believes that the student's disability is the sole determinant factor for the student's score on the [New York State English as a Second Language Achievement Test]" (Cort & Stevens, 2011, p. 4).

For the remaining 17 states, no information was found concerning the exit criteria for English learner students in special education.

Using response to intervention methods to assess English learner students' language and disability needs

Four of the 20 states with the largest populations of English learner students—Colorado, Georgia, Illinois, and New Jersey—provide resources to educators on how to use response to intervention methods in teaching and assessing English learner students who may have learning disabilities. For example, in the *ESOL/Title III Resource Guide 2012–2013* (Alston et al., 2012), the Georgia Department of Education describes how the response to intervention approach it used emphasizes initial classroom interventions. According to the guide, an English learner student's response to these interventions is key evidence in determining whether the student's academic difficulties are caused by a learning disability or by struggles with second-language acquisition. A teacher who believes that a learning disability is involved is expected to initiate a formal disability assessment referral.

Colorado, Georgia, Illinois, and New Jersey provide resources to educators on how to use response to intervention methods in teaching and assessing English learner students who may have learning disabilities

> Students learning English, because of their unique cultural and linguistic background, have special instructional needs. When an English learner [student] is having difficulty mastering specific skills, it is important for the teacher to accommodate the instructional strategies and/or instructional pace for the student. Just because the student requires accommodations to his/her program, does not necessarily mean that he/she has a disability or that he/she should be referred to special education. If, however, the student continues to have difficulty after consistent language accommodations and instructional interventions have been attempted for a reasonable amount of time, and the interventions from Tiers 1 and 2 [general and targeted differentiated classroom instruction] have not resolved the issues, the RtI [response to intervention] team should review data and determine next steps. (Alston et al., 2012, p. 48)

Publishing extensive, publicly available manuals to aid educators in identifying and supporting English learner students who have learning disabilities

Three of the 20 states with the largest populations of English learner students—Illinois, Minnesota, and Virginia—have produced extensive, publicly available manuals to aid educators in effectively identifying and supporting English learner students with learning disabilities.[1] The Illinois State Board of Education's (2002) *Serving English Learners with Disabilities: A Resource Manual for Illinois Educators* is a 167-page handbook that includes the following information, guidelines, and resources:

- Guidance for avoiding disproportionate representation of English learner students in special education programs, including a sample special education intervention program for English learner students.
- Guidance for assessing English proficiency in a special education setting, including types of evidence of literacy.

- Guidance for conducting effective learning disability assessments, including types of educator expertise and student information needed.
- A description of the role of culture in English learner students' academic progress.
- Guidance for working with interpreters and translators.
- Guidance on effective instructional practices for English learner students with learning disabilities, including possible accommodations and modifications.
- Guidance on the use of technology to support English learner students with learning disabilities.
- Guidance on creating individualized education programs for English learner students.
- Sample forms, case examples, and checklists.

The Minnesota Department of Education's (2005) *ELL Companion to Reducing Bias in Special Education Evaluation,* a 319-page manual, includes the following information, guidelines, and resources:

Illinois, Minnesota, and Virginia have produced extensive, publicly available manuals to aid educators in effectively identifying and supporting English learner students with learning disabilities

- An overview of key decision questions that should be asked in the special education identification process for English learner students.
- Descriptions of the diverse characteristics of English learner students across the population.
- Descriptions of the stages of acculturation, with associated student behaviors.
- A description, for special education personnel, of the second-language acquisition process.
- Guidance for working with cultural liaisons, interpreters, and translators.
- Guidance for the collection and use of student background information.
- Descriptions of effective pre-referral, referral, and assessment procedures.
- Summaries of tools, both in English and in English learner students' first languages, for assessing students' academic progress.
- Summaries of tools for assessing English learner students' learning environments.
- Guidance and tools for assessing progress in English proficiency.
- Guidance for reviewing the performance of the system for identifying and placing English learner students with learning disabilities as a means to systemic improvement.
- Sample forms and checklists.

The Virginia Department of Education's (2009) *Handbook for Educators of Students Who Are English Language Learners with Suspected Disabilities* is a 60-page handbook that includes the following information, guidelines, and resources:

- Pre-referral interventions for distinguishing between second-language and disability issues, and decision criteria for when to request a formal special education determination.
- Elements of an effective assessment of second-language issues (dual language assessment).
- Elements of an effective special needs assessment for English learner students, including criteria for when to use an English learner student's first language in assessment.
- Lists of types of evidence and instruments for use in the special needs assessment.
- Elements of an effective individualized education program that integrates both second-language and special education support services.

- Responses to frequently asked questions about the characteristics and likely behaviors of English learner students with suspected learning disabilities and appropriate educator responses.
- A description of the second-language acquisition process.
- Guidance for working with interpreters.
- Guidance for communicating and working with families.
- Sample forms and checklists for identifying and placing English learner students with learning disabilities in appropriate programs.

Implications of the study findings

It appears that most state and local education agencies will need to make extensive changes to their current policies and practices if they are to implement the recommendations in the research literature

This literature review suggests that policies and practices likely to be effective in identifying English learner students who have learning disabilities and in placing them in the most appropriate instructional setting should be comprehensive, systemic, and ongoing. That is, these policies and practices should include multiple forms of data and review by a diverse set of stakeholders and experts (comprehensive); include formal links and alignment between special education and English language programs, practices, and data systems (systemic); and be conducted as part of daily classroom practice as well as by frequent, periodic, formal review and placement activities (ongoing). Among the 20 states with the largest populations of English learner students, only three states—Illinois, Minnesota, and Virginia—have extensive, publicly available manuals that describe policies and practices approaching the recommendations in the research literature. Thus, it appears that most state and local education agencies will need to make extensive changes to their current policies and practices if they are to implement the research recommendations.

Suggested further research related to English learner students with learning disabilities includes descriptions of academic and language development trajectories, the impact of student culture and school contextual factors on academic achievement, the effectiveness of state identification and placement tools and procedures, the effectiveness of specific school and classroom interventions, and the effectiveness of using English learner students' first language in special education assessment and support.

Appendix A. Methods

This appendix discusses the research methods used in the study.

The literature search

To locate research literature for this report, the study team conducted an Internet search using the following keywords and search strings: (placement OR identification OR assessment) AND ("English language learners" OR "English learners") AND ("special education" OR "learning disabilities"). The study team also searched the following education and general search databases for journal articles, reports, books, and book chapters: ERIC, EBSCO Host, ProQuest, Google Scholar, and Google. False positives were removed. References from the retrieved texts were then examined for additional texts to consider for inclusion; this approach helped identify articles not located through initial searches. In addition, the study team visited websites of the following organizations that are respected in the education field for the quality of their research or their attention to relevant issues: the National Clearinghouse for English Language Acquisition, the National Association for Bilingual Education, and the Council of Chief State School Officers, State Collaboratives on Assessment and Student Standards.

Two main factors were considered in reviewing these resources for inclusion in this report:

- *Date of the publication.* Information published from 2000 to 2015 was included, with less current information included only when the study team determined that recent resources did not fully describe key issues.
- *Relevance.* The study team examined the texts and chose those considered relevant based on an overall assessment that included the criteria of topic (whether it provided information not already included from other sources), rigor of study method (for example, experimental or quasi-experimental designs), and peer review (peer-reviewed texts were given greater weight toward inclusion than non-peer-reviewed texts).

The 52 articles or reports that met these criteria are referenced in this report and listed in appendix B. It is difficult to quantify how many studies did not meet the criteria because, although a large number of studies appeared in the search results, many were likely repeated across the different databases and in the references sections of different documents. Searching the EBSCO Host database resulted in a list of 280 publications and searching Google Scholar yielded about 16,100 documents. Clearly, many were not relevant. This report is not meant to be an exhaustive literature review; rather, it is intended to highlight issues that recurred two or more times in the literature examined and that can be used to inform policy discussions.

Identification of current state procedures

The 20 states with the largest populations of English learner students (appendix C) were identified using population data from the National Center for Education Statistics (U.S. Department of Education, National Center for Education Statistics, 2013). Each state's department of education website was searched in February 2015 for information and documents related to the identification and placement of English learner students who may

have learning disabilities. When no information on English learner students with learning disabilities was readily apparent on the website or the information on the website appeared to be incomplete, state personnel identified on the websites as knowledgeable about these procedures were contacted with a general request for documents pertaining to English learner students with learning disabilities (box A1).

Information on state policies and practices in this report was derived only from state documents.

Box A1. Email sent to education personnel in seven states

Dear [Name of State Personnel],

I am doing research for REL West at WestEd on state policies related to the identification, assessment and placement of English learners who may have learning disabilities. I was unable to find any information on this subject on the [State Name] Department of Education website and I'm hoping that you can help. Do you have any information that you could send to me?

Thanks very much.

[Name]
Research Associate
WestEd

Appendix B. Research and policy literature reviewed in this report

The research and policy literature reviewed in this report is listed in table B1 by author, title, publication type, content type, and topic.

Table B1. Research and policy literature reviewed in this report

Author	Title	Publication type	Content type[a]	Topic
Abedi (2006)	Psychometric issues in the ELL assessment and special education eligibility	Journal article	Research-based discussion	Assessment
Abedi (2007)	English language learners with disabilities	Book chapter	Policy discussion	Assessment and accommodation
Abedi (2010)	English language learners with disabilities: Classification, assessment, and accommodation issues	Journal article	Policy discussion	Identification, assessment, and accommodation
Artiles & Klingner (2006)	Forging a knowledge base on English language learners with special needs: Theoretical, population, and technical issues	Journal article	Research-based discussion	Assessment, placement, and intervention
Artiles & Ortiz (2002)	English language learners with special needs: Identification, placement, and instruction	Book	Policy discussion	Assessment, placement, and intervention
Artiles et al. (2005a)	Within-group diversity in minority disproportionate representation: English language learners in urban school districts	Journal article	Individual research study	Placement
Artiles et al. (2005b)	English-language learner representation in special education in California urban school districts	Book chapter	Individual research study	Placement
August & Hakuta (1997)	Improving schooling for language minority children: A research agenda	Book	Research literature review	Intervention
August & Siegel (2006)	Literacy Instruction for language-minority children in special education settings	Book chapter	Research literature review	Intervention
Barrera (2006)	Roles of definitional and assessment models in the identification of new or second language learners of English for special education	Journal article	Individual research study	Assessment
Batsche et al. (2005)	Response to intervention: Policy considerations and implementation	Booklet	Policy discussion	Intervention (response to intervention)
Buttner & Hasselhorn (2011)	Learning disabilities: Debates on definitions, causes, subtypes, and responses	Journal article	Research-based discussion	Identification
Chu & Flores (2011)	Assessment of English language learners with learning disabilities	Journal article	Research-based discussion	Assessment
Collier & Hoover (1987)	Sociocultural considerations when referring minority children for learning disabilities	Journal article	Research-based discussion	Identification
Echevarria & Hasbrouck (2009)	Response to intervention and English learners	Brief	Policy discussion	Intervention

(continued)

Table B1. Research and policy literature reviewed in this report *(continued)*

Author	Title	Publication type	Content type[a]	Topic
Figueroa & Newsome (2006)	The diagnosis of LD in English learners: Is it nondiscriminatory?	Journal article	Individual research study	Identification
Francis et al. (2005)	Psychometric approaches to the identification of LD: IQ and achievement scores are not sufficient	Journal article	Individual research study	Identification
Gallego et al. (2006)	It depends: A sociohistorical account of the definition and methods of identification of learning disabilities	Journal article	Research-based discussion	Identification
Garcia & Ortiz (2004)	Preventing inappropriate referrals of language minority students to special education	Report	Policy discussion	Assessment and placement
Gersten et al. (2007)	Effective literacy and English language instruction for English learners in the elementary grades: A practice guide	Practice guide	Policy discussion	Intervention
Huang et al. (2011)	The assessment of English language learners with learning disabilities	Journal article	Policy discussion	Assessment
Kavale et al. (2006)	Responsiveness to intervention and the identification of specific learning disability: A critique and alternative proposal	Journal article	Research-based discussion	Identification and intervention
Keller-Allen (2006)	English language learners with disabilities: Identification and other state policies and issues	Report	Policy discussion	Identification
Klingner & Artiles (2006)	English language learners struggling to learn to read: Emergent scholarship on linguistic differences and learning disabilities	Journal article	Research-based discussion	Identification and placement
Klingner et al. (2006)	English language learners who struggle with reading: Language acquisition or LD?	Journal article	Research literature review	Identification
Klingner & Harry (2006)	The special education referral and decision-making process for English language learners: Child study team meetings and placement conferences	Journal article	Individual research study	Identification and placement
Lesaux (2006)	Building consensus: Future directions for research on English language learners at risk for learning difficulties	Journal article	Research-based discussion	Identification
MacSwan & Rolstad (2006)	How language proficiency tests mislead us about ability: Implications for English language learner placement in special education	Journal article	Individual research study	Assessment
McCardle, Mele-McCarthy, & Leos (2005)	English language learners and learning disabilities: Research agenda and implications for practice	Journal article	Research-based discussion	Identification, assessment, placement, and intervention
National Association for Bilingual Education & ILIAD Project (2002)	Determining appropriate referrals of English language learners to special education: A self-assessment guide for principals	Guide	Policy discussion	Assessment, placement, and intervention
Ortiz (1997)	Learning disabilities occurring concomitantly with linguistic differences	Journal article	Policy discussion	Placement and intervention
Ortiz & Yates (2001)	A framework for serving English language learners with disabilities	Journal article	Policy discussion	Identification, assessment, placement, and intervention

(continued)

Table B1. Research and policy literature reviewed in this report *(continued)*

Author	Title	Publication type	Content type[a]	Topic
Park & Thomas (2012)	Educating English-language learners with special needs: Beyond cultural and linguistic considerations	Journal article	Policy discussion	Identification, assessment, and intervention
Rinaldi & Samson (2008)	English language learners and response to intervention: Referral considerations	Journal article	Policy discussion	Intervention
Rivera & Collum (2004)	An analysis of state assessment policies addressing the accommodation of English language learners	Report	Individual research study	Assessment
Rivera et al. (2008)	Language and reading interventions for English language learners and English language learners with disabilities	Report	Policy discussion	Identification, assessment, and intervention
Rose Li and Associates, Inc. (2004)	National Symposium on Learning Disabilities in English Language Learners: Workshop summary, October 14–15, 2003	Report	Policy discussion	Assessment, placement, and research gaps
Rueda & Windmueller (2006)	English language learners, LD, and overrepresentation: A multiple level analysis	Journal article	Research-based discussion	Identification and placement
Samson & Lesaux (2009)	Language-minority learners in special education: Rates and predictors of identification for services	Journal article	Individual research study	Assessment and placement
Sánchez et al. (2010)	Processes and challenges in identifying learning disabilities among students who are English language learners in three New York state districts	Research report	Individual research study	Identification, assessment, and placement
Scott, Hauerwas & Brown (2013)	State policy and guidance for identifying learning disabilities in culturally and linguistically diverse students	Policy report	Policy discussion	Identification
Shore & Sabatini (2009)	English language learners with reading disabilities: A review of the literature and the foundation for a research agenda	Report	Research literature review	Identification, assessment, placement, and intervention
Stanovich (2005)	The future of a mistake: Will discrepancy measurement continue to make the learning disabilities field a pseudoscience?	Journal article	Research-based discussion	Identification
Stuebing et al. (2009)	IQ is not strongly related to response to reading instruction: A meta-analytic interpretation	Journal article	Research literature review	Identification
Sullivan (2011)	Disproportionality in special education identification and placement of English language learners	Journal article	Individual research study	Identification and placement
Sullivan & Bal (2013)	Disproportionality in special education: Effects of individual and school variables on disability risk	Journal article	Individual research study	Identification
Valenzuela et al. (2006)	Examining educational equity: Revisiting the disproportionate representation of minority students in special education	Journal article	Individual research study	Identification, placement, and intervention
Wagner et al. (2005)	Identifying English language learners with learning disabilities: Key challenges and possible approaches	Journal article	Research-based discussion	Identification and assessment

(continued)

Table B1. Research and policy literature reviewed in this report *(continued)*

Author	Title	Publication type	Content type[a]	Topic
Wilkinson et al. (2006)	English language learners with reading-related LD: Linking data from multiple sources to make eligibility determinations	Journal article	Individual research study	Identification, assessment, and placement
Zehler, Fleischman, Hopstock, Pendzick, & Stephenson (2003)	Descriptive study of services to LEP students and LEP students with disabilities (Special Topic Report #4)	Research report	Individual research study	Placement and intervention
Zehler, Fleischman, Hopstock, Stephenson, et al. (2003)	Policy report: Summary of findings related to LEP and SpEd-LEP students	Policy report	Individual research study	Placement
Zetlin et al. (2011)	Building a pathway of optimal support for English language learners in special education	Journal article	Research-based discussion	Identification, assessment, placement, and intervention

a. A *research-based discussion* is an author's discussion of key issues in a research area without a formal analysis of the current state of research knowledge on the topic. A *policy discussion* is an author's summary of key policy and program issues in a particular topic area, which may include recommendations for specific actions, including some backed by research references, and is aimed at educators, policymakers, and others who are interested in formulating or influencing policy and practice. An *individual research study* presents the results of a specific study, including analyses of large district, state, or national datasets. A *research literature review* is an author's analysis of the current state of research knowledge on a specific topic, which may include meta-analyses.

Source: Authors' analysis of publications found in the search of the research literature.

Appendix C. State resources related to assessing and supporting English learner students with learning disabilities

State resources related to assessing and supporting English learner students with learning disabilities are shown in table C1. The resources are listed by state for the 20 states with the largest populations of English learner students. The table also lists the number of English learner students in each state and the website of the state department of education. The key content terms in the table are defined in box C1.

Table C1. State resources related to assessing and supporting English learner students with learning disabilities, by number of English learner students

State	Number of English learner students	State department of education website	Resource	Key content
Arizona	70,527	http://www.azed.gov	Title III Frequently asked questions http://www.azed.gov/wp-content/uploads/PDF/TitleIIIFAQs.pdf	Additional consideration statement, special exit criteria
			A collaborative approach to students with dual labels http://www.azed.gov/wp-content/uploads/PDF/SPEDPowerPoint-HandlingIssueswithDualLabels.pdf	Additional consideration statement, English learner–learning disability difference description, personnel expertise, program criteria, special exit criteria, testing accommodations
California	1,415,623	http://www.cde.ca.gov	English learners in California frequently asked questions http://www.cde.ca.gov/sp/el/er/	Additional consideration statement
			California English language development test, 2013–14 CELDT information guide (see page 12: Assessing students with disabilities) http://www.cde.ca.gov/ta/tg/el/documents/celdt13guide.pdf#search=celdt%20information%20guide&view=FitH&pagemode=none	
Colorado	101,262	http://www.cde.state.co.us	Learners who are culturally and/or linguistically diverse (CLD) suspected of having educational disabilities toolkit; training links for state educators http://www.cde.state.co.us/cdesped/CLD.asp	Process key questions, response to intervention approach, use of interpreters
Florida	234,347	http://www.fldoe.org	Accommodations: Assisting students with disabilities (Beech, 2010) http://www.fldoe.org/core/fileparse.php/7690/urlt/0070069-accomm-educator.pdf	Testing accommodations
			2014–2015 FSA and FCAT/FCAT 2.0/NGSSS EOC Assessment Accommodations Frequently Asked Questions (FAQ) (see page 10: Accommodations for students who are English language learners) http://fsassessments.org/wp-content/uploads/2015/01/2014–2015-Assessment-Accommodations-FAQ.pdf	

(continued)

Table C1. State resources related to assessing and supporting English learner students with learning disabilities, by number of English learner students *(continued)*

State	Number of English learner students	State department of education website	Resource	Key content
Georgia	83,400	http://www.doe.k12.ga.us	Georgia Department of Education ESOL/Title III resource guide 2012–2013 (Alston et al., 2012; see p. 48) http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Curriculum-and-Instruction/Documents/2012–2013%20ESOL%20Title%20III%20Resource%20Guide.pdf	English learner–learning disability difference description, evidence description, personnel expertise, response to intervention approach, testing accommodations
Illinois	170,626	http://www.isbe.state.il.us	Serving English language learners with disabilities: A resource manual for Illinois educators http://www.isbe.net/bilingual/htmls/bilsp.htm	Additional consideration statement, comprehensive manual, testing accommodations
Indiana	50,082	http://www.doe.in.gov/	WIDA Assessment and Accommodations for English Language Learners with Disabilities http://www.doe.in.gov/sites/default/files/assessment/accommodations-ells-disabilities.pdf	Testing accommodations
Maryland	51,574	http://marylandpublicschools.org/	Maryland Accommodations Manual http://www.marylandpublicschools.org/NR/rdonlyres/840EFBB6-CD7D-404E-8A77-E978F6D508AA/32878/2012_MD_Accommodations_Manual_.pdf	Testing accommodations
Massachusetts	62,354	http://www.doe.mass.edu	Massachusetts Department of Education Questions and answers regarding Chapter 71A: English language education in public schools http://www.cpsd.us/UserFiles/Servers/Server_3042785/File/Migration/chapter71A_faq.pdf?rev=2	Testing accommodations
			Education of English learners regulations http://www.doe.mass.edu/lawsregs/603cmr14.html	Evidence description, program criteria
			English language learners with disabilities in Massachusetts: Current status and next steps for identification and instruction (Parker, 2012) http://www.doe.mass.edu/sped/2013/disabilities-report.html	Evidence description, program criteria
Michigan	52,811	http://www.michigan.gov/mde/	Assessment accommodation summary table http://www.michigan.gov/documents/mde/Updated_Revised_Accommodation_Summary_Table_080211_359704_7.pdf	Additional consideration statement, testing accommodations
Minnesota	54,034	http://education.state.mn.us/mde/	The ELL companion to reducing bias in special education evaluation http://www.asec.net/Archives/Manuals/ELL%20companion%20Manual%20020212%5B1%5D.pdf	Additional consideration statement, comprehensive manual, testing accommodations
Nevada	84,125	http://www.doe.nv.gov	No documents located	na
New Jersey	53,543	http://www.state.nj.us/education/	English language learners with special and diverse needs http://www.state.nj.us/education/bilingual/resources/ELLSpecialNeed.htm	Response to intervention approach

(continued)

Table C1. State resources related to assessing and supporting English learner students with learning disabilities, by number of English learner students *(continued)*

State	Number of English learner students	State department of education website	Resource	Key content
New Mexico	53,071	http://ped.state.nm.us/ped/	The student assessment accommodations manual: 2013 update (see p. 52) http://www.ped.state.nm.us/assessmentaccountability/assessmentevaluation/2013/Accommodations%20Manual%202013%20Update%20PB%20edit%20finalversion.2.pdf	Additional consideration statement, testing accommodations
			Technical evaluation and assessment manual (see Section Four) http://www.ped.state.nm.us/SEB/technical/NMTeamManual.pdf	Evidence description
New York	204,898	http://www.nysed.gov	Bilingual and English as a second language (ESL) services for limited English proficient (LEP)/English language learners (ELLs) who are students with disabilities (Cort & Stevens, 2011) http://www.p12.nysed.gov/specialed/publications/bilingualservices-311.pdf	Additional consideration statement, personnel expertise, program criteria, testing accommodations
North Carolina	98,264	http://www.ncpublicschools.org	Testing students with disabilities: North Carolina testing program (see p. 26) http://www.ncpublicschools.org/docs/accountability/policyoperations/tswd/tswdguide1415.pdf	Testing accommodations
Oregon	63,790	http://www.ode.state.or.us/home/	English learners program guide (see page 37: Special education) http://www.ode.state.or.us/opportunities/grants/nclb/title_iii/prog-guide-rev_8_7_13.pdf	Additional consideration statement
			Special education assessment process for culturally and linguistically diverse (CLD) students http://www.tr.wou.edu/eec/documents/Final%20Draft%20CLD%202007%20Complete.pdf	Evidence description, program criteria
Texas	722,043	http://www.tea.state.tx.us	Process for considering special education exit criteria from bilingual/English as a second language (ESL) services under 19 TAC §89.1225(k) http://portal.esc20.net/portal/page/portal/doclibraryroot/publicpages/bilingualesl/BESL%20LPAC%20Framework/Files/SpecialExitCriteria2013–2014.pdf	Additional consideration statement
			Language proficiency assessment committee (LPAC) framework manual 2013–2014 http://portal.esc20.net/portal/page/portal/doclibraryroot/publicpages/bilingualesl/BESL%20LPAC%20Framework/Files/LPAC_Framework_Manual_Accessible_2013–2014.pdf	Special exit criteria
			Accommodation resources http://www.tea.state.tx.us/student.assessment/accommodations/	Testing accommodations
Virginia	91,431	http://www.doe.virginia.gov	Handbook for educators of students who are English language learners with suspected disabilities http://www.doe.virginia.gov/instruction/esl/resources/handbook_educators.pdf	Additional consideration statement, comprehensive manual, testing accommodations

(continued)

Table C1. State resources related to assessing and supporting English learner students with learning disabilities, by number of English learner students *(continued)*

State	Number of English learner students	State department of education website	Resource	Key content
Washington	82,070	http://www.k12.wa.us	Washington State transitional bilingual instruction program guidelines https://www.k12.wa.us/MigrantBilingual/TBIP-Guidelines.aspx	English learner–learning disability difference description

na is not applicable.

Source: Authors' analysis of documents found in the 2015 search of state department of education websites.

Box C1. Definitions of key content terms used in table C1

Additional consideration statement. A general policy statement that English learner students with a learning disability should receive additional consideration in determining their unique needs.

Comprehensive manual. A comprehensive manual that describes standards, personnel, and process criteria for effectively assessing and placing English learner students with learning disabilities in appropriate instructional programs.

English learner–learning disability difference description. A description of different behaviors related to language issues and learning disability issues as guidance for distinguishing between the two in English learner students suspected of having learning disabilities.

Evidence description. A list, sometimes including a description, of types of evidence that should be used in diagnosing and recommending programs for English learner students suspected of having learning disabilities (for example, parental input on culture, classroom observations, and assessments in the student's first language).

Personnel expertise. A description of required expertise needed for education personnel involved in language and learning disability assessment and program placement of English learner students suspected of having learning disabilities.

Process key questions. List of key questions that should be answered by school personnel during the process of determining whether an English learner student should be referred for special education services.

Program criteria. A description of key criteria of effective programs for supporting the academic achievement of English learner students with learning disabilities.

Response to intervention approach. Guidance on the effective use of the response to intervention approach in the assessment and support of English learner students suspected of having learning disabilities.

Special exit criteria. The use of exit criteria for English learner students with learning disabilities to exit second-language support programs that differ from the criteria for English learner students without learning disabilities to exit those programs.

Testing accommodations. A statement or policy of testing accommodations that provide support for both the language and disability needs of English learner students with learning disabilities.

Use of interpreters. Guidance on how to effectively use interpreters or cultural mediators in the assessment and placement process for English learner students suspected of having learning disabilities.

Note

1. The study team also found an extensive manual from the Connecticut State Department of Education (2011). Although Connecticut falls outside the scope of this study's review, it is mentioned here because readers might find it useful. See the annotated bibliography of references cited for more information.

Annotated bibliography of references cited in the report and other references related to English learner students who may have learning disabilities

These references include publications cited in this report as well as other documents of interest. Annotations are provided as abstracts, excerpts, or descriptions written by the original authors or publishers or, when these are not available, as study team notes written by the authors of this report. These annotated references are meant to assist readers who want more information on the supporting publications. Links to documents are included if available.

Abedi, J. (2006). Psychometric issues in the ELL assessment and special education eligibility. *Teachers College Record, 108*(11), 2282–2303.

Abstract: Assessments in English that are constructed for native English speakers may not provide valid inferences about the achievement of English language learners (ELL students). The linguistic complexity of the test items that are not related to the content of the assessment may increase the measurement error, thus reducing the reliability of the assessment. Language factors that are not relevant to the content being assessed may also be a source of construct-irrelevant variance and negatively impact the validity of the assessment. More important, the results of these tests used as the criteria for identification and classification of ELL students, particularly those at the lower end of the English proficiency spectrum, may be misleading. Caution must be exercised when the results of these tests are used for special education eligibility, particularly in placing ELL students with lower English language proficiency in the learning/reading disability category. This article discusses psychometric issues in the assessment of English language learners and examines the validity of classifying ELL students, with a focus on the possibility of misclassifying ELL students as students with learning disabilities.

Abedi, J. (2007). English language learners with disabilities. In C. Cahlan-Laitusis & L. Cook (Eds.), *Accommodating students with disabilities on state assessments: What works?* (pp. 23–35). Arlington, VA: Council for Exceptional Children.

Excerpt: Although the No Child Left Behind Act of 2001 has placed substantial focus on accountability for both students with disabilities (SWD) and English language learners (ELLs), limited information on numbers, demographic background, educational settings, and performance has been gathered for English language learners with disabilities (ELLWD). … This chapter provides an overview of the performance of ELLWD on state assessments and outlines three areas or critical points of interaction that influence performance outcomes for these students: classification, accommodations, and assessment.

Abedi, J. (2010). English language learners with disabilities: Classification, assessment, and accommodation issues. *Journal of Applied Testing Technology, 10*(2), 1–30. http://eric.ed.gov/?id=EJ865585

Abstract: English language learners with disabilities (ELLWD) face many challenges in their academic career. Learning a new language and coping with their disabilities create obstacles

in their academic progress. Variables relegating accessibility of assessments for students with disabilities and ELL students may seriously hinder the academic performance of ELLWD students. Furthermore, classification and accommodation for these students requires a more complex design than those for either ELL students or students with disabilities. Proper identification of these students is a challenge if their disability is masked by their limited English proficiency, or vice versa. Improper identification may lead to inappropriate instruction, assessment, and accommodation for these students. Linguistic and cultural biases may affect the validity of assessment for ELLWD students. In this paper, issues concerning accessibility of assessment, classification, and accommodations for ELLWD students are discussed and recommendations for more accessible assessments for these students are provided.

Alston, C., Johnson, C., Lacher, A., & Wlazlinski, M. (2012). *Georgia Department of Education ESOL/Title III resource guide 2012–2013*. Atlanta, GA: Georgia Department of Education. Retrieved February 26, 2015, from http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Curriculum-and-Instruction/Documents/2012–2013%20ESOL%20Title%20III%20Resource%20Guide.pdf.

Excerpt: The goal of the ESOL Program Resource Guide is to present an organized, fluid, and clearly written document that facilitates the communication between the Georgia Department of Education's ESOL Program and LEAs.

Artiles, A. J., & Klingner, J. K. (2006). Forging a knowledge base on English language learners with special needs: Theoretical, population, and technical issues. *Teachers College Record, 108*(11), 2187–2194. Retrieved June 6, 2012, from http://www.colorado.edu/education/faculty/janetteklingner/Docs/Artiles%20&%20Klingner_Forging%20a%20Knowledge%20Base.pdf.

Abstract: The special issue in which this article appears includes manuscripts commissioned by the National Center for Culturally Responsive Educational Systems (NCCRESt) for a national conference on English language learners (ELL students) with special needs. The conference was held in November 2004 in Scottsdale, Arizona, with the cosponsorship of the Council for Exceptional Children, the National Association for Bilingual Education, and Arizona State University. NCCRESt pursued this initiative as part of its mandate to address the disproportionate representation of minority students in special education. At the heart of this problem are ability and competence ideologies that structure opportunities to learn for minority students… . Attention to this problem has increased in recent years in the policy and research communities. Thus, federal legislation now requires states to gather evidence on, monitor, and address this problem, and a body of empirical evidence is slowly beginning to accumulate.

Artiles, A. J., & Ortiz, A. (Eds.). (2002). *English language learners with special needs: Identification, placement, and instruction*. Washington, DC: Center for Applied Linguistics. Retrieved August 14, 2012, from http://www.cal.org/resources/pubs/specialed.html.

Publisher's description: This book describes the challenges involved in identifying, placing, and teaching English language learners with special education needs. It describes model

programs and approaches, including early intervention programs, assessment methods, parent/school collaboration, and native and dual language instruction.

Artiles, A. J., Rueda, R., Salazar, J., & Higareda, I. (2005a). Within-group diversity in minority disproportionate representation: English language learners in urban school districts. *Exceptional Children, 71*(3), 283–300. http://eric.ed.gov/?id=EJ696979

Abstract: A weakness of research on minority placement in special education is the tendency to overestimate the homogeneity of populations by failing to disaggregate factors such as language proficiency or to consider other relevant variables, for example, social class or program type. Similarly, certain groups have been understudied, such as English language learners (ELL students). We addressed these gaps by examining ELL placement patterns in California urban districts. Disproportionate representation patterns were related to grade level, language proficiency status, disability category, type of special education program, and type of language support program. Students proficient in neither their native language nor in English (particularly in secondary grades) were most affected. Implications for further research and practice are discussed.

Artiles, A. J., Rueda, R., Salazar, J., & Higareda, I. (2005b). English-language learner representation in special education in California urban school districts. In D. Losen & G. Orfield (Eds.), *Racial inequality in special education* (pp. 117–36). Cambridge, MA: Harvard Education Press.

Study team note: This book chapter describes the findings of a study on the difference in treatment based on students' language in a cluster of urban school districts with predominantly Latino populations. The study found that, in the later grades, English learner students are overrepresented in some special education categories. The study also found that English learner students with less native language support are more likely to experience classroom segregation.

August, D., & Hakuta, K. (Eds.). (1997). *Improving schooling for language minority children: A research agenda.* Washington, DC: National Academy Press. http://eric.ed.gov/?id=ED408377

Publisher's description: How do we effectively teach children from homes in which a language other than English is spoken? In this book, a committee of experts focuses on this central question, striving toward the construction of a strong and credible knowledge base to inform the activities of those who educate children as well as those who fund and conduct research. The book reviews a broad range of studies—from basic ones on language, literacy, and learning to others in educational settings. The committee proposes a research agenda that responds to issues of policy and practice yet maintains scientific integrity. This comprehensive volume provides perspective on the history of bilingual education in the United States; summarizes relevant research on development of a second language, literacy, and content knowledge; reviews past evaluation studies; explores what we know about effective schools and classrooms for these children; examines research on the education of teachers of culturally and linguistically diverse students; critically reviews

the system for the collection of education statistics as it relates to this student population; and recommends changes in the infrastructure that supports research on these students.

August, D., & Shanahan, T. (Eds.). (2006). *Developing literacy in second-language learners: Report of the National Literacy Panel on Language-Minority Children and Youth*. Mahwah, NJ: Lawrence Erlbaum Associates.

Excerpt: The National Literacy Panel on Language Minority Children and Youth systematically and rigorously examined the research on acquiring literacy in a second language. Through this process, the panel learned what is known—and what is not yet known—about the complex process of learning to read and write in a second language. Policymakers and educators can use the panel's findings to benchmark their own practices and infuse research-based instruction into literacy programs for language-minority students. Researchers can enrich this knowledge base by focusing on the specific gaps in our knowledge, which in the future will enable U.S. schools to better educate English-language learners in English literacy.

August, D., & Siegel, L. (2006). Literacy instruction for language-minority students in special education settings. In D. August & T. Shanahan (Eds.), *Developing literacy in second-language learners: Report of the National Literacy Panel on Language-Minority Children and Youth* (pp. 523–553). Mahwah, NJ: Lawrence Erlbaum.

Excerpt: This chapter reviews the limited number of studies addressing literacy instruction conducted with language-minority students in special education settings; only 12 such studies were located. These studies focus on the context in which language-minority students with special needs are educated and the instructional approaches for improving literacy outcomes among these students.

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. http://eric.ed.gov/?id=EJ757926

Abstract: This article examines the efficacy of current definitional perspectives on learning disabilities (LD) and related assessment models to support appropriate instructional and support services for learners of English with learning-related difficulties. A revised framework for defining LD and an associated assessment model, curriculum-based dynamic assessment (CDA), are proposed. The results of a teacher assessment study are reported to exemplify how this revised framework may be studied. The study examined the following questions: a) Can curriculum-based dynamic assessments of authentic learning tasks help educators to differentiate between the work of students with limited English proficiency and their peers identified as having LD? b) What are the characteristics of curriculum-based work samples of limited English proficient students with LD that may predictably differentiate them from their peers without LD?

Batsche, G., Elliott, J., Graden, J. L., Grimes, J., Kovaleski, J. F., Prasse, D., et al. (2005). *Response to intervention: Policy considerations and implementation.* Alexandria, VA: National Association of State Directors of Special Education. Retrieved August 31, 2012, from http://www.centeroninstruction.org/response-to-intervention-policy-considerations-and-implementation.

Publisher's description: This booklet provides a background and history of the development of the RtI model. It also contains useful information for administrators who are considering implementing RtI and those who would simply like to know more about what it means and how it can be used. While not intended to be a comprehensive implementation guide, the utility of this booklet lies in its broad survey of RtI, beginning with its support in the newest federal laws on identification of learning disabilities and continuing by addressing practical topics such as the principles and components of RtI and concluding with policy considerations and professional development.

Beech, M. (2010). *Accommodations: Assisting students with disabilities.* Tallahassee, FL: Florida Department of Education. Retrieved July 16, 2012, from http://www.fldoe.org/core/fileparse.php/7690/urlt/0070069-accomm-educator.pdf.

Excerpt: This document is written to assist school district personnel and parents when making decisions about the use of accommodations by students with disabilities in instructional situations. The first section includes information about the importance of providing access to the Next Generation Sunshine State Standards for students with disabilities. This section also describes legal requirements and eligibility considerations, along with a framework for making decisions about accommodations. The second section presents an explanation of four categories of accommodations and related student characteristics. As appropriate, accommodations allowed on the Florida Comprehensive Assessment Test® (FCAT), the Florida Comprehensive Assessment Test® 2.0 (FCAT 2.0), and the Florida Alternate Assessment (FAA) are noted. The last section deals with implementing and monitoring the effects of using accommodations. The Appendix includes a quick reference guide to instructional accommodations.

Buttner, G., & Hasselhorn, N. (2011). Learning disabilities: Debates on definitions, causes, subtypes, and responses. *International Journal of Disability, Development and Education,* 58(1), 75–87. http://eric.ed.gov/?id=EJ917712

Abstract: Students with difficulties in specific cognitive processes and academic achievement, with otherwise normal levels of intellectual functioning, are classified as having a learning disability (LD). In spite of extensive recent research in a number of disciplines, controversial debate continues with regard to several issues. To reconcile some of them, we first address the issue of conceptualizing LDs, including the aspect of which approaches have been developed and which criteria are used to classify and to demarcate different LDs. Second, we reconsider some non-trivial challenges regarding the identification of causes and consequences of the emergence of LDs. In the third part, we summarize the heterogeneity of associated phenomena and report on the related research targeting the identification of different LD subtypes. Finally, we address several issues regarding

responses from the educational systems of modern societies, and make some comments on future perspectives of the field of LDs.

California Department of Education. (2006). *English learners in California frequently asked questions*. Sacramento, CA: Author. Retrieved February 27, 2015, from http://www.cde.ca.gov/sp/el/er/.

Excerpt: The following are responses to generally asked questions regarding English Learners (ELs). The frequently asked questions and answers are intended to assist school districts in implementing services to ELs. By no means does this collection represent all of the questions or scenarios.

California Department of Education. (2014). *California English language development test, 2013–14 CELDT information guide*. Sacramento, CA: Author. Retrieved February 27, 2015, from http://www.cde.ca.gov/ta/tg/el/documents/celdt13guide.pdf#search=celdt%20information%20guide&view=FitH&pagemode=none.

Excerpt: The 2013–14 CELDT Information Guide is designed to provide local educational agencies (LEAs) and schools with the information they need to: (1) prepare teachers to interpret and use their students' CELDT results, (2) understand the initial identification and reclassification processes, (3) communicate CELDT results to parents and guardians, and (4) provide information about assessing English learners with disabilities. This guide also provides information for personnel in LEAs responsible for reporting summary results to the media and the public.

Chu, S.-Y., & Flores, S. (2011). Assessment of English language learners with learning disabilities. *Clearing House: A Journal of Educational Strategies, Issues and Ideas*, *84*(6), 244–248. http://eric.ed.gov/?id=EJ950410

Abstract: Identifying English language learners (ELL students) with learning disabilities has become very important in education settings so that appropriate educational services can be provided to this group of students. Linguistic diversity may increase the measurement error and reduce the reliability of assessments. This article discusses the issues with assessments used to identify ELL students and students with learning disabilities and the challenges in assessing ELL students suspected of having learning disabilities. These issues are presented to contribute to the discussion on how to improve the accuracy of the identification procedures and, further, to help distinguish between students who should be classified for special education services and those who struggle with achievement problems because they are in the process of acquiring English proficiency.

Collier, C., & Hoover, J. J. (1987). Sociocultural considerations when referring minority children for learning disabilities. *Learning Disabilities Focus*, *3*(1), 39–45. http://eric.ed.gov/?id=EJ366047

Abstract: The article discusses sociocultural considerations in dealing with culturally and linguistically different children referred for specific learning disabilities. Some behaviors

[that] appear to indicate a learning disability may, in fact, be normal for the child's cultural background or may be a byproduct of the acculturative process.

Colorado Department of Education. (2014). *Learners who are culturally and/or linguistically diverse (CLD) suspected of having educational disabilities.* Denver, CO: Author. Retrieved February 28, 2015, from http://www.cde.state.co.us/cdesped/CLD.asp.

Excerpt: The appropriate referral, identification, and placement of learners who are Culturally and/or Linguistically Diverse is necessary to ensure students' civil rights as well as a free and appropriate public education aligned with the Individuals with Disabilities Education Act. Resources, opportunities for trainings and workshops as well as links to other sources of information on this topic are available [at the link above].

Connecticut State Department of Education. (2011). *English language learners and special education: A resource handbook.* Hartford, CT: Author. Retrieved February 28, 2015, from http://www.sde.ct.gov/sde/lib/sde/pdf/curriculum/bilingual/CAPELL_SPED_resource_guide.pdf.

Excerpt: Connecticut is committed to ensuring a free and appropriate public education for all students. This includes providing equal access to English Language Learners (ELLs) who may also have special learning needs or disabilities, and giving these students equal access to appropriate educational services. The purpose of this resource book is to provide educators with information that will:

- Explain the process and developmental stages of second language acquisition.
- Promote a collaborative approach among teachers, administrators, and other personnel involved in the education of ELLs.
- Create an awareness of the laws, regulations, and policies related to the educational rights of ELLs.
- Give school personnel other resources to utilize.

This project began in response to the needs, interests, and concerns expressed by many educators working with ELLs who were experiencing academic difficulties. The Connecticut Administrators of Programs for English Language Learners decided to create this resource handbook to assist educators in meeting this need.

Cort, R. H.. (2011). *Bilingual and English as a second language (ESL) services for limited English proficient (LEP)/English language learners (ELLs) who are students with disabilities.* Albany, NY: New York State Education Department. Retrieved February 27, 2015, from http://www.p12.nysed.gov/specialed/publications/bilingualservices-311.pdf.

Excerpt: The purpose of this memorandum is to clarify State policy regarding English as a Second Language (ESL) services for LEP/ELL students who are also identified as having disabilities. Part 154 of the Regulations of the Commissioner of Education establishes the State's requirements for services for students with limited English proficiency. The purpose of Part 154 is to ensure that all LEP/ELL students are provided opportunities to achieve the same educational goals and standards as the general student population. Each school

district, in its comprehensive plan developed pursuant to section 154.3 of the Regulations of the Commissioner of Education, must provide assurances that each LEP/ELL student, including a student with a disability, has access to receive appropriate instructional and support services.

Echevarria, J., & Hasbrouck, J. (2009). *Response to intervention and English learners.* Washington, DC: The Center for Applied Linguistics; and Houston, TX: The Center for Research on the Educational Achievement and Teaching of English Language Learners (CREATE). Retrieved July 3, 2012, from http://www.cal.org/create/resources/pubs/CREATEBrief_ResponsetoIntervention.pdf.

Excerpt: In the past, when English learners didn't make adequate academic progress, one of the only options available to teachers was to refer the students for an assessment to identify possible learning disabilities. Now the RtI [response to intervention] process is available as an alternative to the IQ–achievement discrepancy formula, which measures the gap between a student's potential and achievement. This brief is designed for educators who are learning about or have begun the process of implementing RtI to help them tailor its use to meet the needs of English learners.

Figueroa, R. A., & Newsome, P. (2006). The diagnosis of LD in English learners: Is it nondiscriminatory? *Journal of Learning Disabilities, 39,* 206–214. http://eric.ed.gov/?id=EJ757935

Abstract: This study examined the operationalization of one of the key reforms initiated by the Education for All Handicapped Children Act of 1975 (U.S. Congress, 1975) and continued through the 2004 reauthorization of the Individuals with Disabilities Education Act (U.S. Congress, 2004), namely, nondiscriminatory assessment. The original and current specifications in federal law require that tests be selected and administered so as not to be racially, culturally, or sexually discriminatory. The specific dimensions studied here pertain to the nondiscriminatory diagnosis of learning disabilities (LD) in English learners. A checklist of legal and professional guidelines for making assessments of English learners was used to evaluate 19 psychological reports made on English learners as part of the assessment process for special education eligibility in a small, urban elementary school district in California. The results of this study present a fairly compelling profile of how the writers of psychological reports—school psychologists—do not use extant legal or professional guidelines for making nondiscriminatory assessments of bilingual children.

Florida Department of Education. (2014). *2014–2015 FSA and FCAT/FCAT 2.0/NGSSS EOC Assessment Accommodations, Frequently Asked Questions.* Tallahassee, FL: Author. Retrieved February 28, 2015, from http://fsassessments.org/wp-content/uploads/2015/01/2014–2015-Assessment-Accommodations-FAQ.pdf.

Study team note: See page 10 for the section on English learner students with disabilities.

Francis, D. J., Fletcher, J. M., Stuebing, K., Lyon, G. R., Shaywitz, B., & Shaywitz, S. (2005). Psychometric approaches to the identification of LD: IQ and achievement scores are not sufficient. *Journal of Learning Disabilities, 38*(2), 98–108. http://eric.ed.gov/?id=EJ695597

Abstract: Simulated data were used to demonstrate that groups formed by imposing cut-points based on either discrepancy or low-achievement definitions of learning disabilities (LD) are unstable over time. Similar problems were demonstrated in longitudinal data from the Connecticut Longitudinal Study, where 39% of the children designated as having LD in grade 3 changed group placement with repeated testing in grade 5. These results show that the practice of subdividing a normal distribution with arbitrary cut-points leads to instability in group membership. Approaches to the identification of children as having LD based solely on individual test scores not linked to specific behavioral criteria lead to invalid decisions about individual children. Low-achievement definitions are not a viable alternative to IQ-discrepancy definitions in the absence of other criteria, such as the traditional exclusions and response to quality intervention. If we accept the premise of multiple classes of low achievers, then we must develop identification systems that are valid and abandon systems whose only merits are their historical precedence and convenience.

Gallego, A., Zamora Duran, G., & Reyes, E. (2006). It depends: A sociohistorical account of the definition and methods of identification of learning disabilities. *Teachers College Record, 108*(11), 2195–2219. http://eric.ed.gov/?id=EJ746181

Abstract: In the midst of unprecedented knowledge generation in the field of education, the definition of learning disabilities and the methods used for its identification have essentially remained the same for nearly 30 years. Working from a sociohistorical perspective, the authors' distinct professional positions within education (university academic, federal program officer, and school administrator) serve as the lenses to examine the constancy of the official definition and the means for the identification of learning disabilities relative to changes throughout the historical chronologies of educational theory, policy, and practice. The concept of context as that which weaves is used to illustrate the relationships across several historical episodes.

Garcia, S. B., & Ortiz, A. A. (2004). *Preventing inappropriate referrals of language minority students to special education* (Occasional Papers in Bilingual Education). Silver Spring, MD: National Clearinghouse for Bilingual Education. http://eric.ed.gov/?id=ED309591

Excerpt: Prereferral intervention should be a formal process, governed by a clearly recognizable set of procedures, accepted and followed by all personnel on a district or campus-wide basis, and located under the jurisdiction of regular education. There are major benefits to be gained from the successful implementation of such a process. Serving students in the mainstream is more cost effective than placement in special education, particularly if the student is underachieving, but not handicapped. More importantly, perhaps, are the long-term benefits for students themselves who will have a greater chance of achieving their social, political, and economic potential because they are provided an appropriate education. Unless dropout rates among LEP students are decreased and academic achievement of these students is improved, the loss of earning power, and the concomitant drain on

society's resources, will continue to be astronomical. Development of pre-referral interventions, in which the major goal is to improve the effectiveness of regular education for language minority students, seems a very cost-effective investment in the future.

Gersten, R., Baker, S. K., Shanahan, T., Linan-Thompson, S., Collins, P., & Scarcella, R. (2007). *Effective literacy and English language instruction for English learners in the elementary grades: A practice guide*. Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance. http://eric.ed.gov/?id=ED497258

Excerpt: The goal of this Practice Guide is to formulate specific and coherent evidence-based recommendations for use by educators addressing a multifaceted challenge that lacks developed or evaluated packaged approaches. The challenge is effective literacy instruction for English learners in the elementary grades. The Guide provides practical and coherent information on critical topics related to literacy instruction for English learners.

Hibel, J., & Jasper, A. D. (2012). Delayed special education placement for learning disabilities among children of immigrants. *Social Forces, 91*(2), 503–530. http://eric.ed.gov/?id=EJ985776

Abstract: Prior theory and research suggest that children of immigrants would be at especially high risk for special education placement with learning disabilities. However, their longitudinal special education placement patterns have received scant attention. This study examines temporal patterns of special education placement among children of immigrants, focusing on the timing of special education placement for learning disabilities among first- or second-generation children compared with their third-plus generation peers. Results provide evidence that children of immigrants face comparatively lower odds of receiving early special education intervention services, but demonstrate an increasing risk as the school years progress. This relationship is explained by children of immigrants' frequent participation in English as a second language programs in the early grades.

Huang, J., Clarke, K., Milczarski, E., & Raby, C. (2011). The assessment of English language learners with learning disabilities. *Education, 131*(4), 732–739.

Abstract: There are a large and increasing number of English language learners with learning disabilities at our preK–12 schools. However, our schools are not prepared to deal with the unique challenges faced by those students, especially when it comes to appropriately modifying content and assessments to fit their needs. Schools across the country struggle to provide the language assistance these students need, and often must fight to get the extra assistance they need in terms of special accommodations and testing modifications for their learning disabilities. Therefore, the examination of the issues in assessing English language learners with learning disabilities has important educational implications. This paper discusses the major issues and fundamental concerns in the assessments of English language learners with learning disabilities. It also suggests important implications for

policymakers, researchers, educators, assessment professionals, and parents of English language learners with learning disabilities.

Illinois State Board of Education. (2002). *Serving English language learners with disabilities: A resource manual for Illinois educators*. Springfield, IL: Author. Retrieved February 27, 2015, from http://www.isbe.net/bilingual/htmls/bilsp.htm.

Excerpt: This resource book represents a continuing effort by the Joint Bilingual Special Education Subcommittee to advocate for and improve culturally and linguistically appropriate specialized educational services for every child with a disability whose home/native language is other than English. Members of the Committee encourage school administrators, classroom teachers, and support staff to use the resource book as a guide to developing and implementing a comprehensive program of service delivery to CLD children, youth, and their families. Important components of such a program include:

- A formal, positive philosophy of service to CLD populations, including members with disabilities;
- A system of intervention for CLD students experiencing difficulties in the general education environment;
- A comprehensive plan of instruction based on "best practice" for CLD students with or at risk of learning problems;
- A system for monitoring whether the rights of CLD students and their families are protected in the special education evaluation and staffing process;
- Models for providing instruction for CLD students with disabilities in inclusive settings;
- A program of professional development for educators on issues related to language, culture and disability; and
- A plan for continuous evaluation of educational services to CLD students with disabilities and their families.

Indiana Department of Education. (2014). *WIDA assessment and accommodations for English Language Learners with disabilities*. Indianapolis, IN: Author. Retrieved February 25, 2015, from http://www.doe.in.gov/sites/default/files/assessment/accommodations-ells-disabilities.pdf.

Excerpt: This guidance document has been produced by the IDOE Office of Student Assessment and Office of English Learning and Migrant Education. This document must be used in conjunction with all official testing materials in the administration of the ACCESS for ELLs. It contains English language proficiency testing policy and procedures to ensure the valid administration of the ACCESS for ELLs in Indiana.

Kavale, K., Holdnack, J., & Mostert, M. (2006). Responsiveness to intervention and the identification of specific learning disability: A critique and alternative proposal. *Learning Disability Quarterly, 29*(1), 113–127. http://eric.ed.gov/?id=EJ786201

Abstract: Responsiveness to intervention (RTI) is being proposed as an alternative model for making decisions about the presence or absence of specific learning disability. We argue

that many questions about RTI remain unanswered, and that radical changes in the proposed regulations are not warranted at this time. Since many fundamental issues related to RTI have not been resolved, a better strategy may be to more rigorously implement existing identification criteria (e.g., discrepancy and psychological processing deficits) in a structured psychometric framework. Suggestions for how to modify present procedures are provided.

Keller-Allen, C. (2006). *English language learners with disabilities: Identification and other state policies and issues.* Alexandria, VA: National Association of State Directors of Special Education, Project Forum. http://eric.ed.gov/?id=ED529989

Excerpt: States and localities face a range of issues related to English language learners (ELL students) or limited English proficient (LEP) students with disabilities, including referral and identification, service delivery, staffing, data collection, and parent outreach. Much of the research has focused on the identification process and has shown that there are patterns of both overrepresentation and underrepresentation of ELL students in certain disability categories of special education. This document presents current policy issues pertaining to LEP students with disabilities… . This analysis includes background information and data from interviews with representatives identified by each state director of special education in seven states regarding current state staffing, initiatives, and policies that focus on identifying ELL students as students with disabilities. A resource list based on the interviews and a search of all 50 state department of education websites is included in the appendix.

Klingner, J., & Artiles, A. J. (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.

Excerpt: The impetus for [this] special issue is the unprecedented growth of the English language learner (ELL) population, the growing concern about inappropriate referrals of ELL students to special education, the challenges associated with distinguishing between the characteristics of second-language acquisition and learning disabilities, and the alarming dearth of research on these and related issues.

Klingner, J. K., Artiles, A. J., & Méndez Barletta, L. (2006). English language learners who struggle with reading: Language acquisition or LD? *Journal of Learning Disabilities*, *39*(2), 108–128. http://eric.ed.gov/?id=EJ757924

Abstract: We review empirical research on English language learners (ELL students) who struggle with reading and who may have learning disabilities (LD). We sought to determine research indicators that can help us better differentiate between ELL students who struggle to acquire literacy because of their limited proficiency in English and ELL students who have actual LD. We conclude that more research is warranted to further elucidate the strengths and learning needs of subgroups of underachieving ELL students, to help us determine who should qualify for special education, and to clarify why some ELL students who do not have LD still struggle with language and literacy acquisition.

Future research should account for the complexities involved in becoming literate in another language and focus more on cultural and contextual factors that affect student achievement.

Klingner, J. K., & Harry, B. (2006). The special education referral and decision-making process for English language learners: Child study team meetings and placement conferences. *Teachers College Record, 108*(11), 2247–2281. http://eric.ed.gov/?id=EJ746185

Abstract: The purpose of this study was to examine the special education referral and decision-making process for English language learners (ELL students), with a focus on Child Study Team (CST) meetings and placement conferences/multidisciplinary team meetings. We wished to learn how school personnel determined if ELL students who were struggling had disabilities, to what extent those involved in the process understood second language acquisition, and whether language issues were considered when determining special education eligibility. We observed CST meetings and placement conferences for 19 students who were considered ELL students when they were referred. Findings revealed that in practice, only cursory attention was given to pre-referral strategies. Most students were pushed toward testing, based on an assumption that poor academic performance or behavioral difficulties had their origin within the child and indicated a need for special education. Although some school personnel were quite knowledgeable about language issues, many were not. There was tremendous variation in the quality of what transpired during meetings. These differences were influenced by the intentions, knowledge, skills, and commitment of CST or multidisciplinary team members. All the factors we describe point to aspects of the process that should be improved.

Lesaux, N. K. (2006). Building consensus: Future directions for research on English language learners at risk for learning difficulties. *Teachers College Record, 108*(11), 2406–2438. http://eric.ed.gov/?id=EJ746177

Abstract: The growing population of English language learners (ELL students) in U.S. schools and the low academic achievement of many of these learners have been the subject of much debate. A significant related issue is determining the sources of ELL students' difficulty, namely, understanding the distinction between learning disabilities (LD) and learning difficulties due primarily to contextual factors and second-language learning. This article addresses the future directions for research in this area, with an emphasis on the need to build consensus through converging lines of evidence. Issues of sample definition, study design, and methods are discussed; also emphasized in the article is that in order to answer questions about the sources of difficulty for ELL students who are struggling, an understanding of the trajectories and experiences of those not experiencing difficulties is needed. Throughout the article, parallels are drawn between this emerging field of research and the LD research conducted with monolingual English speakers. An example of a study for which the design, analyses, and dissemination relate to many of the issues raised in the article is presented.

Linn, D., Lira, J. R., & Larke, P. J. (2008). Representational patterns of English language learners receiving special education services in South Texas. *Journal of Border Educational Research, 7*(1), 15–28.

Abstract: This study examined the representational patterns of English language learners (ELLs) receiving special education services in school districts in South Texas and school district characteristics that were related to the probability that an English language learner might be placed in special education programs. Results indicated that 77% of the school districts in the South Texas area showed overrepresentation of ELLs in special education classes. Data indicated that ELLs in South Texas and the three Education Service Centers (ESCs) that comprise South Texas were anywhere from two times to two and one-half times more likely to be identified as needing special services than their non-English language learner peers. The districts with overrepresentation concerns were overwhelmingly located in ESC Region 1, where 92% of the districts demonstrated overrepresentation. Finally, results indicated that relative risk ratios indicating overrepresentations of ELLs were inversely correlated with low percentages of poor/underserved students, Latino students, ELLs, Latino teachers, and students in bilingual/English as a second language programs.

MacSwan, J., & Rolstad, K. (2006). How language proficiency tests mislead us about ability: Implications for English language learner placement in special education. *Teachers College Record, 108*(11), 2304–2328. http://eric.ed.gov/?id=EJ746179

Abstract: The authors argue that English language learner (ELL) language assessment policy and poor language tests partly account for ELL students' disproportionate representation in special education. Previous research indicates that many states routinely assess ELL students' first language (L1) at initial enrollment and that ELL students identified as limited in both languages have relatively high rates of identification in special education. Two common tests, the Language Assessment Scales–Oral (LAS–O) Español and the Idea Proficiency Test I–Oral (IPT) Spanish, are shown to identify 74 percent and 90 percent, respectively, Spanish-background ELL students (N5145) as limited L1 students, whereas a natural language measure found only 2 percent of participants to have unexpectedly high morphological error rates. Correlations are provided. The authors recommend changes in language testing policies and practices for ELL students.

Maryland Public Schools. (2012). *Maryland accommodations manual.* Baltimore, MD: Author. Retrieved February 25, 2015, from http://www.marylandpublicschools.org/NR/rdonlyres/840EFBB6-CD7D-404E-8A77-E978F6D508AA/32878/2012_MD_Accommodations_Manual_.pdf.

Excerpt: This publication has been developed to ensure that:

- participation in assessments is consistent in all Maryland programs, schools, and school systems;
- accommodations are provided to all qualified students; and
- accommodations used in assessments are also used in daily instruction.

The Maryland Accommodations Manual (MAM) presents a five-step process for use in the selection, administration, and evaluation of the effectiveness of the use of instructional and assessment accommodations for students with disabilities. The MAM also presents a six-step process for English learners. The information in this manual is applicable to

1. students with disabilities (SWD) (that is, students who have an Individualized Education Program (IEP) or Section 504 Plan) [Refer to Sections 1 through 6 and Appendices B-D, F, G, I, J, K, L, M and N];

2. students who are English learners (ELs) [Refer to Sections 1 through 3, 7 through 9 and Appendices E, F, H, I, J, K, M, O and P]; and

3. students who are ELs and who also have a disability resulting in them having both an EL Plan and an IEP. These students must follow the accommodations as outlined in their IEP (that is, the IEP takes precedence over the EL Plan). Please note that these students are also eligible for EL accommodations that may not be included in the IEP.

Massachusetts Department of Elementary and Secondary Education. (2003). *Massachusetts Department of Education questions and answers regarding chapter 71A: English language education in public schools.* Boston, MA: Author. Retrieved February 28, 2015, from http://www.cpsd.us/UserFiles/Servers/Server_3042785/File/Migration/chapter71A_faq.pdf?rev=2.

Study team note: This document provides questions and answers related to English language education in public schools.

Massachusetts General Laws. (2012). Part I, Title XII, Ch. 71A, § 7. Retrieved July 16, 2012, from http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71A/Section7.

Excerpt: No results of standardized or local tests of ability, aptitude, attitude, affect, achievement, or aspiration may be used exclusively in the selection of children for referral, diagnosis, or evaluation. Such tests shall be approved by the department in accordance with regulations issued by the board to insure that they are as free as possible from cultural and linguistic bias or, wherever necessary, separately evaluated with reference to the linguistic and cultural groups to which the child belongs.

McCardle, P., Mele-McCarthy, J., & Leos, K. (2005). English language learners and learning disabilities: Research agenda and implications for practice. *Learning Disabilities Research and Practice, 20*(1), 68–78. http://eric.ed.gov/?id=EJ687030

Abstract: Although little is known about learning disabilities (LDs) in English language learners (ELL students), there is a substantial knowledge base about the identification, assessment, and intervention of and for LDs in monolingual native English-speaking students. Building on this knowledge, participants at an October 2003 National Symposium on Learning Disabilities in English Language Learners were asked to suggest research

questions, priorities, and suggestions on how to build the necessary infrastructure to address critical research needs. In the discussions that took place, important themes emerged: (1) identification and assessment of LD and/or reading disabilities (RD) in ELL students (ELLDs), (2) understanding of the language and literacy developmental trajectories of ELL students, (3) understanding of the individual and contextual factors affecting outcomes, (4) the intersection of all of these areas with neurobiology, and (5) developing and testing the effectiveness of interventions for learning disabilities in ELLDs. These themes, and the research agenda that was forged around them, are presented. In addition, the practice implications of this agenda are presented, along with some suggestions for current practice while we await future research findings.

Michigan Department of Education. (2011). *Assessment accommodation summary table*. Lansing, MI: Author. Retrieved February 25, 2015, from http://www.michigan.gov/documents/mde/Updated_Revised_Accommodation_Summary_Table_080211_359704_7.pdf.

Excerpt: The purpose of the following information is to provide Michigan educators, parents, and other interested parties a summary of the standard (S) and nonstandard (NS) accommodations for each state assessment included in the State Board of Education adopted Michigan Educational Assessment System (MEAS).

Minnesota Department of Education. (2005). *The ELL companion to reducing bias in special education evaluation*. St. Paul, MN: Author. Retrieved February 25, 2014, from http://www.asec.net/Archives/Manuals/ELL%20companion%20Manual%20020212%5B1%5D.pdf.

Excerpt: This manual is designed as a companion to the 1998 guidelines *Reducing Bias in Special Education Assessment for American Indian and African American Students*. It is based upon the same fundamental principles as the original *Reducing Bias* and shares many of its features. The Division of Special Education's long-term goal has been the development of comprehensive guidelines for assessment and eligibility determination for students from a variety of backgrounds. For many of these students, traditional evaluation procedures are inappropriate.

Minnesota Department of Education. (2014). *English language learner disability resources*. St. Paul, MN: Author. Retrieved February 26, 2015, from http://education.state.mn.us/MDE/SchSup/SpecEdComp/EngLearnDisabiRes/.

Excerpt: This section provides information on assessment and eligibility determination guidelines to special education professionals who work with English Learners. These guidelines can be used where traditional evaluation procedures may not be appropriate and are based on specific aspects of diversity such as race, culture, the acculturation process, high mobility among families and poverty rates.

National Association for Bilingual Education & ILIAD Project. (2002). *Determining appropriate referrals of English language learners to special education: A self-assessment guide for principals*. Washington, DC: National Association for Bilingual Education; and Arlington, VA: Council for Exceptional Children. http://eric.ed.gov/?id=ED475790

Abstract: This guide is designed to help principals provide better services to English learner students whom they suspect might have a disability. It provides recommendations from the National Association for Bilingual Education (NABE) for ensuring appropriate referral and services to these students. The first part contains self-assessment information that can help principals review student data and determine whether their schools have an overrepresentation (or underrepresentation) of English learner students in special education. The guide then covers issues related to communicating with English learner students and their families. It provides NABE recommendations for working with interpreters, interpreter pools and interpretation equipment and for using the native language in the classroom. The guide stresses that parents are vital to the success of any education program, and the third section focuses on communication with parents of students with disabilities whose native language is not English. The fourth section discusses using teacher assistance teams to reduce inappropriate referrals to special education. The fifth section looks at the assessment in, eligibility for, and development of the individualized education program. The final section focuses on instruction and professional development. Appendixes include resources, NABE-recommended forms, and NABE-recommended self-assessment checklists.

New Mexico Public Education Department. (2011). *Technical evaluation and assessment manual (TEAM)*. Santa Fe, NM: Author. Retrieved February 26, 2015, from http://www.ped.state.nm.us/SEB/technical/NMTeamManual.pdf.

Excerpt: The NM TEAM is comprised of sections related to:

- The Role of the Student Assistance Team in the Eligibility Determination Process;
- Use of Professional Judgment in the Eligibility Determination Process;
- Multilingual Assessment Issues in New Mexico: Guidelines for Assessment of Students Who are Culturally and Linguistically Diverse;
- Use and Interpretation of Standardized Assessments and Obtained Scores; and
- Essential Components of Eligibility Determination.

New Mexico Public Education Department. (2013). *The student assessment accommodations manual, 2013 update*. Santa Fe, NM: Author. Retrieved February 26, 2015, from http://www.ped.state.nm.us/AssessmentAccountability/AssessmentEvaluation/2013/Accommodations%20Manual%202013%20Update%20PB%20edit%20finalversion.2.pdf.

Excerpt: The Student Assessment Accommodations Manual 2013 Update provides information to district and school staff, including Individualized Education Program (IEP) teams, Student Assistance Teams (SAT), English language learner (ELL) Teams and Language Assessment Teams (LAT), as well as a Test Coordinators and Test Administrators. It assists them in selecting, administering, monitoring and evaluating the use of accommodations for the Standards Based Assessment (SBA), New Mexico High School Competency Exam

(NMHSCE), the New Mexico High School Graduation Assessment (HSGA), the New Mexico Alternate Performance Assessment (NMAPA), the Dynamic Indicators of Basic Early Literacy Skills (DIBELS), and short-cycle assessments.

Oregon Department of Education. (2007). *Special education assessment process for culturally and linguistically diverse (CLD) students*. Salem, OR: Author. Retrieved February 28, 2015, from https://www.wou.edu/tri/eec/CLD.pdf.

Excerpt: These guidelines represent a dynamic work of current best practices for the special education assessment process for culturally and linguistically diverse students and are not meant to be an exhaustive resource on cultural and linguistic diversity issues.

Oregon Department of Education. (2013). *English learners program guide*. Salem, OR: Author. Retrieved February 28, 2015, from http://www.ode.state.or.us/opportunities/grants/nclb/title_iii/prog-guide-rev_8_7_13.pdf.

Excerpt: This guide is designed as a reference for District and School personnel working with English learners (ELs). The content of the guide represents a compilation of information, examples, and resources for your use.

Ortiz, A. A. (1997). Learning disabilities occurring concomitantly with linguistic differences. *Journal of Learning Disabilities, 30,* 321–332. http://eric.ed.gov/?id=EJ544472

Abstract: This article discusses characteristics of educational environments that facilitate success for culturally and linguistically diverse (CLD) learners, thereby reducing inappropriate referrals to special education, and offers recommendations for adapting referral and assessment processes to better serve CLD students suspected of having learning disabilities. Effective instructional practices are considered, and competencies needed by teachers who serve CLD students with learning disabilities are suggested. Specific attention is given to identifying and serving students with learning disabilities who are also limited English proficient.

Ortiz, A. A., & Yates, J. R. (2001). A framework for serving English language learners with disabilities. *Journal of Special Education Leadership, 14,* 72–80. http://eric.ed.gov/?id=EJ639190

Abstract: This article presents a framework to guide special education services for English language learners. Policies and procedures that can minimize disproportionate representation are suggested, as are recommendations for appropriate referral, assessment, and instructional practices. Multidisciplinary teams are discussed and placement options for English language learners with disabilities are outlined.

Park, Y., & Thomas, R. (2012). Educating English-language learners with special needs: Beyond cultural and linguistic considerations. *Journal of Education and Practice, 3*(9), 52–58.

Abstract: English-language learners (ELLs) with special needs consistently languish in the American school system. The No Child Left Behind Act (NCLB) included ELLs as a minority group and required schools [to be held] accountable for reducing the achievement gap between ELLs and their white peers; however, the act did not provide a specific direction for educators on how to help these students in the school context. A conceptual review was conducted to compile information on critical issues and challenges ELLs with special needs face, as well as useful tips for assessment and instruction. Critical issues and challenges include assessment and identification, teacher preparation and professional development, and legal and policy issues. The useful tips discussed rely on the utilization of guidelines for assessment, Response to Intervention (RTI), and the support of all stakeholders.

Parker, C. E. (2012). *English language learners with disabilities in Massachusetts: Current status and next steps for identification and instruction*. A report to the Massachusetts Department of Elementary and Secondary Education. Waltham, MA: Education Development Center, Inc. Retrieved February 28, 2015, from http://www.doe.mass.edu/sped/2013/disabilities-report.html.

Excerpt: In April 2012, the Massachusetts Department of Elementary and Secondary Education (MA DESE) contracted with researchers at Education Development Center, Inc. (EDC), to study current practices in identifying disabilities among ELLs and in meeting their instructional needs in schools and districts across the state.

Public Schools of North Carolina. (2014). *Testing students with disabilities: North Carolina testing program*. Raleigh, NC: Author. Retrieved February 27, 2015, from http://www.ncpublicschools.org/docs/accountability/policyoperations/tswd/tswdguide1415.pdf.

Excerpt: This publication contains policy guidelines and procedures for testing students with disabilities in the North Carolina Testing Program.

Rinaldi, C., & Samson, J. (2008). English language learners and response to intervention: Referral considerations. *Teaching Exceptional Children, 40*(5), 6–14. http://eric.ed.gov/?id=EJ852652

Excerpt: When a school is implementing a response to intervention model (RTI), what are the special considerations for the assessment of and referral for special education services for English language learners (ELLs) with academic difficulties? An RTI model and evidence-based instruction can inform the three areas of pre-referral, referral, and assessment, as well as IEP development, for ELLs—but the assessment team must understand how to use information on oral language proficiency and academic language in the process. There are specific, appropriate action steps for educators during each phase of the process that will ensure that this group of students with unique learning needs are appropriately assessed and serviced.

Rivera, C., & Collum, E. (2004). *An analysis of state assessment policies addressing the accommodation of English language learners.* Washington, DC: National Assessment Governing Board. http://eric.ed.gov/?id=ED500432

Study team note: This report describes state policies during school year 2000/01 on the accommodation of English learner students for standardized testing and includes some discussion of research and state policies on accommodations for English learner students who also have learning disabilities. The report provides more detail on state policies than on research regarding accommodations for English learner students with learning disabilities. It concludes that some state policies treated English learner students and students with learning disabilities as entirely separate groups, whereas others addressed them as intersecting groups. Further, in most cases guidelines for individual assessments for which accommodations were offered were subordinated to considerations of student groups (English learner students and students with disabilities).

Rivera, M., Moughamian, A., Lesaux, N., & Francis, D. (2008). *Language and reading interventions for English language learners and English language learners with disabilities.* Portsmouth, NH: RMC Research Corporation, Center on Instruction. http://eric.ed.gov/?id=ED521569

Abstract: This report presents information about assessment, instructional interventions, and professional development with a particular focus on ELL students who have been identified with a language and/or learning disability or who are at risk for reading difficulties. The focus of the intervention section is on those that have demonstrated success at remediating reading for ELLs who have either identified language impairment, reading and/or learning disabilities, or those who are performing significantly below their peers in reading achievement. The report also offers recommendations followed by discussion and empirical evidence for the types of instructional interventions that best serve ELLs who are at risk for reading difficulties who may or may not have an identified language and/or learning disability.

Rose Li and Associates, Inc. (2004). *National Symposium on Learning Disabilities in English Language Learners: Workshop summary, October 14–15, 2003.* Washington, DC: Author. Retrieved July 22, 2012, from http://www.nichd.nih.gov/publications/pubs/upload/ELL_summary.pdf.

Study team note: This report summarizes the proceedings of this symposium on English learner students with learning disabilities. The report recommends continued research into issues uniquely related to English learner students with learning disabilities, including effective classification processes and assessment tools; academic and language development trajectories; the role of culture, including affective and motivational factors; the use of first language in assessment and support; the impact of school context factors; and the effectiveness of specific interventions, as well as means for training teachers to use them.

Rueda, R., & Windmueller, M. P. (2006). English language learners, LD, and overrepresentation: A multiple level analysis. *Journal of Learning Disabilities, 39*(2), 99–107. http://eric.ed.gov/?id=EJ757902

Abstract: Continuing unresolved problems in the field of special education include the continued use of discrepancy models; the need for better identification models; continued debate over programmatic issues, ranging from inclusion to self-contained models; and the continued overrepresentation of certain ethnic and racial groups in the learning disabilities (LD) category. This article focuses on students with mild learning disorders in general, and LD in particular, providing a perspective on how this problem has been addressed and suggesting a multilevel approach in which local context plays a central role. We suggest that overrepresentation is best conceptualized as an indicator of underlying issues rather than as the proper focal point of remediation efforts.

Samson, J., & Lesaux, N. (2009). Language-minority learners in special education: Rates and predictors of identification for services. *Journal of Learning Disabilities, 42*(2), 148–162. http://eric.ed.gov/?id=EJ830432

Abstract: Using data from the Early Childhood Longitudinal Study–Kindergarten Cohort, this study was designed to investigate proportional representation, identification rates, and predictors of language-minority (LM) learners in special education using a nationally representative sample of kindergarteners, first graders, and third graders. The findings indicate that although LM learners were underrepresented in special education in kindergarten and first grade, they were overrepresented in third grade across all disability categories. LM status, teacher ratings of language and literacy skills, and reading proficiency level were significant predictors of placement in special education. Kindergarten teacher ratings of language and literacy skills were highly predictive of subsequent placement in special education. The implications for developing a model of early identification, the response-to-intervention model in particular, for LM learners at risk for academic difficulties are discussed.

Sánchez, M. T., Parker, C., Akbayin, B., & McTigue, A. (2010). *Processes and challenges in identifying learning disabilities among students who are English language learners in three New York State districts* (Issues & Answers Report, REL 2010–085). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, Regional Educational Laboratory Northeast and Islands. http://eric.ed.gov/?id=ED508343

Excerpt: To help districts accurately identify students who are English language learners and also have learning disabilities, this study examines practices and challenges in the processes applied in three New York State districts in identifying learning disabilities among students who are English language learners. Using interviews with district and school personnel and documents from state and district websites, the study finds both similarities and differences in practices, with more differences in the pre-referral process than in the referral process. It identifies eight challenges to the identification of learning disabilities in English language learner students: difficulties with policy guidelines; different stakeholder views about timing for referral of English language learner students; insufficient knowledge among personnel

involved in identification; difficulties providing consistent, adequate services to English language learner students; lack of collaborative structures in pre-referral; lack of access to assessments that differentiate between second language development and learning disabilities; lack of consistent monitoring of struggling students who are English language learners; and difficulty obtaining students' previous school records. Further analysis suggests five interrelated elements that appear to be important for avoiding misidentification of learning disabilities among students who are English language learners: adequate professional knowledge, effective instructional practices, effective and valid assessment and interventions, interdepartmental collaborative structures, and clear policy guidelines.

Scott, A. N., Boynton Hauerwas, L., & Brown, R. D. (2013). State policy and guidance for identifying learning disabilities in culturally and linguistically diverse students. *Learning Disability Quarterly, 37,* 172–185.

Abstract: This study investigates how state Departments of Education address the needs of culturally and linguistically diverse (CLD) students as they relate to the identification of students with a specific learning disability (SLD). A qualitative research design of directed content analysis was used to examine each state's regulatory criteria for SLD, as well as state guidance documents on SLD, response to intervention, referral processes, and English Language Learners. States varied regarding the degree to which they provided legislation and/or guidance for practices of identifying SLD in CLD students. Findings were organized around four promising practices: (1) assessment, (2) personnel, (3) instruction and intervention, and (4) systemic integration of general education, special education, and English as a Second Language. Implications for policy, practice, and future research are discussed.

Shore, J. R., & Sabatini, J. (2009). *English language learners with reading disabilities: A review of the literature and the foundation for a research agenda* (Research Report ETS RR-09–20). Princeton, NJ: Educational Testing Service. http://eric.ed.gov/?id=ED507842

Abstract: The issue of identifying reading difficulties and disabilities in English language learners (ELL students) is a complex one. It is an area that draws on the diverse disciplines of first- and second-language acquisition, literacy, English language learning, and reading, including differences and disabilities research. This literature review aims to synthesize the research that aims to address the topic, focusing on the following three questions: 1) How does one identify reading difficulties/disabilities (RD) in individuals who are learning the English language?; 2) What needs to be done to aid in identifying RD in ELL students?; and 3) What does one do with this information to support the English reading instruction of ELL students with RD? The first section of the report covers basic terminology and gives an overview of the problem. The second section presents some of the challenges in distinguishing between what might be normal ELL language development from what might be identified as a disability or difference. The third section reviews reading difficulties in various languages and then focuses on reading difficulties when learning a second language. The fourth section provides an overview of the issues surrounding the process of identifying reading difficulties or differences in ELL students. The challenges begin at referral to services and span to measurement of disabilities. The fifth section provides information on interventions and the application of information gained through assessment. The sixth section, the conclusion, points to key considerations related to the identification of RD in

ELL students on the K–12 level, especially in the area of the definition, measurement, and instruction of ELL students identified with RD. It also examines the potential for further development and research of assessment and effective instructional programs. Key findings and implications are summarized in the areas of RDs, referral, current assessment, assessments in development, instructional practices, and teacher preparation.

Stanovich, K. E. (2005). The future of a mistake: Will discrepancy measurement continue to make the learning disabilities field a pseudoscience? *Learning Disability Quarterly, 28,* 103–106. http://eric.ed.gov/?id=EJ712962

Study team note: This journal article presents the author's concerns about the lack of use of standardized test measurements for the assessment of learning disabilities by the field as a whole. Citing some supportive research studies, the author argues that the learning disabilities field should more widely use aptitude-discrepancy as the key criterion for determining whether a student has a learning disability.

Stuebing, K. K., Barth, A. E., Molfese, P. J., Weiss, B., & Fletcher, J. M. (2009). IQ is not strongly related to response to reading instruction: A meta-analytic interpretation. *Exceptional Children, 76*(1), 31–51. http://eric.ed.gov/?id=EJ855958

Abstract: A meta-analysis of 22 studies evaluating the relation of different assessments of IQ and intervention response did not support the hypothesis that IQ is an important predictor of response to instruction. We found an R^2 of .03 in models with IQ and the autoregressor as predictors and a unique lower estimated R^2 of .006 and a higher estimated R^2 of .013 in models with IQ, the autoregressor, and additional covariates as predictors. There was no evidence that these aggregated effect sizes were moderated by variables such as the type of IQ measure, outcome, age, or intervention. In simulations of the capacity of variables with effect sizes of .03 and .001 for predicting response to intervention, we found little evidence of practical significance.

Sullivan, A. (2011). Disproportionality in special education identification and placement of English language learners. *Exceptional Children, 77*(3), 317–334. http://eric.ed.gov/?id=EJ918896

Abstract: This study explored the extent of disproportionality in the identification and placement of culturally and linguistically diverse students identified as English language learners in special education. Descriptive statistics and regression analyses examined patterns and predictors of identification and placement in special education among English learners throughout the state relative to their White [native English-speaking] peers. The results indicate that these students are increasingly likely to be identified as having learning disabilities or mental retardation, and are less likely to be served in either the least or most restrictive educational environments relative to their White [native English-speaking] peers. The author also examined the influence of several district-level factors commonly explored in studies of racial disproportionality and found that these factors did not evidence similar relationships to the disproportionate representation of English language learners. The study presents implications for further research and practice.

Sullivan, A. L., & Bal, A. (2013). Disproportionality in special education: Effects of individual and school variables on disability risk. *Exceptional Children, 79*(4), 475–494. http://eric.ed.gov/?id=EJ1016833

Abstract: We examined the risk of disability identification associated with individual and school variables. The sample included 18,000 students in 39 schools of an urban K–12 school system. Descriptive analysis showed racial minority risk varied across 7 disability categories, with males and students from low-income backgrounds at highest risk in most disability categories. Multilevel analyses showed that school variables were not generally significant predictors of student risk for identification. The most consistent predictors of identification across the categories were students' gender, race, socioeconomic status, and number of suspensions. We provide implications for future studies of disparities in special education, as well as practice related to identification and systemic monitoring.

Texas Education Agency. (2013a). *Language Proficiency Assessment Committee (LPAC) framework manual 2013–2014*. Austin, TX: Author. Retrieved February 28, 2015, from http://portal.esc20.net/portal/page/portal/doclibraryroot/publicpages/bilingualesl/BESL%20LPAC%20Framework/Files/LPAC_Framework_Manual_Accessible_2013–2014.pdf.

Excerpt: The intent of the LPAC Framework Manual 2013–2014 is to establish a framework for the LPAC process and to describe the steps necessary to implement a consistent and standardized process successfully across a school district and across the state. The Framework for the LPAC Process delineates the steps that must be followed in the identification, processing, placement, and monitoring of the ELL in his/her intensive language instructional program as well as the determination for exiting and follow-up of the student as he/she transitions into the mainstream all-English program.

Texas Education Agency. (2013b). *Process for considering special exit criteria from Bilingual/English as a Second Language (ESL) services under 19 TAC §89.1225(k), 2013–2014 school year.* Austin, TX: Author. Retrieved February 28, 2015, from http://portal.esc20.net/portal/page/portal/doclibraryroot/publicpages/bilingualesl/BESL%20LPAC%20Framework/Files/SpecialExitCriteria2013–2014.pdf.

Excerpt: This document outlines the process to follow when considering whether a student qualifies to exit using the criteria authorized by TAC §89.1225(k).

U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD). (2013). *Local Education Agency Universe Survey, 2002–03 through 2011–12*. Washington, DC: Author. Retrieved on February 27, 2015, from http://nces.ed.gov/programs/digest/d13/tables/dt13_204.20.asp.

Study team note: This table displays the number and percentage of public school students participating in programs for English learner students, by state for selected years over 2002–03 through 2011–12 and served as the source for the 20 states with the most English learner students.

Valenzuela, J. S., Copeland, S. R., Qi, C. H., & Park, M. (2006). Examining educational equity: Revisiting the disproportionate representation of minority students in special education. *Exceptional Children, 72*, 425–441.

Abstract: Continued concerns about educational equity for minority students require looking beyond analysis of enrollment in primary disability categories to additional issues of educational opportunity for students receiving special education services. This study examined the relationship between student ethnicity and language proficiency status with a) number and type of disability labels, b) access to the least restrictive environment, and c) ancillary services, using data from a large southwestern school district. Data quality was also examined as part of this study. The results suggest that minority students and English language learners were disproportionately enrolled in special education and placed in more segregated settings. A trend toward increased disability labels for minority students was also identified. Implications for research and practice are discussed.

Virginia Department of Education. (2009). *Handbook for educators of students who are English language learners with suspected disabilities*. Richmond, VA: Author. Retrieved February 27 2015, from http://www.doe.virginia.gov/special_ed/iep_instruct_svcs/english_lang_learners/index.shtml.

Excerpt: The purpose of this document…is to provide local educational agencies (LEAs) with assistance as they identify and assess students who are ELLs for possible eligibility for special education and related services. The Individuals with Disabilities Education Act (IDEA) suggests that "greater efforts are needed to prevent the intensification of problems connected with mislabeling and high dropout rates among minority children with disabilities." (IDEA, 2004, P.L. 108–446, 20 U.S.C. § 1400(c)(8)(A)) This handbook will provide guidance for LEAs to:

- create an awareness of the laws, regulations, and policies related to the educational rights of students who are ELLs;
- explain the process and developmental stages of second language acquisition;
- promote a collaborative approach among teachers, administrators, and other personnel involved in the education of students who are ELLs;
- provide consistent guidelines for instructional interventions, special education identification process, and program options for students who are ELLs; and
- be used collaboratively with the Regulations Governing Special Education Programs for Children with Disabilities in Virginia.

Wagner, R. K., Francis, D. J., & Morris, R. D. (2005). Identifying English language learners with learning disabilities: Key challenges and possible approaches. *Learning Disabilities Research and Practice, 20*(1), 6–15. http://eric.ed.gov/?id=EJ687023

Abstract: The need for effective approaches for identifying English language learners with learning disabilities is great and growing. Meeting this need is complicated by recent developments in the field of learning disabilities that are unrelated to the English language learning status, and by limitations in existing knowledge specific to the identification of English language learners with learning disabilities. We review recent developments in the field of learning disabilities concerning the need for earlier identification, the need for

a more appropriate conceptualization of learning disability, and the need for more effective assessments and treatments. We discuss challenges to assessment and identification of English language learners with learning disabilities, provide examples of two approaches to meeting these challenges, and describe some remaining challenges.

Wilkinson, C. Y., Ortiz, A. A., Robertson, P. M., & Kushner, M. I. (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. http://eric.ed.gov/?id=EJ757925

Abstract: Results are reported for an exploratory study of eligibility decisions made for 21 Spanish-speaking English language learners (ELL students) with learning disabilities (LD) and no secondary disabilities who received special education support in reading. Eligibility determinations by an expert panel resulted in decisions that differed significantly from those of school multidisciplinary teams. The panel agreed that some students appeared to have reading-related LD (n = 5) but also identified students that they believed had disabilities, but not necessarily reading-related LD (n = 6). Another group of students (n = 10) had learning problems that the panel believed could be attributed to factors other than LD or for whom substantive additional data would be required to validate eligibility. Issues associated with referral, assessment, and eligibility determinations for ELL students are discussed, and recommendations for improving practice are offered, with an emphasis on the importance of linking data from multiple sources when deciding whether ELL students qualify for special education.

Zehler, A. M., Fleischman, H. L., Hopstock, P. J., Pendzick, M. L., & Stephenson, T. G. (2003). *Descriptive study of services to LEP students and LEP students with disabilities* (Special topic report #4) (Report submitted to U.S. Department of Education, Office of English Language Acquisition). Arlington, VA: Development Associates. Retrieved July 12, 2012, from http://www.ncela.gwu.edu/files/rcd/BE021199/special_ed4.pdf.

Excerpt: The *Descriptive Study of Services to LEP Students and LEP Students with Disabilities* (Special topic report #4) developed nationally representative data on SpEd-LEP [Special Education-Limited English Proficient] student characteristics on instructional services received by SpEd-LEP students, on the characteristics of instructional staff, and on SpEd-LEP students' participation in standards and assessment. The purpose of this report is to summarize these findings on SpEd-LEP students (chapters 2–5, respectively), and to discuss implications of the findings for research, policy, and practice (chapter 6).

Zehler, A., Fleischman, H., Hopstock, P., Stephenson, T., Pendzick, M., & Sapru, S. (2003). *Policy report: Summary of findings related to LEP and SpEd-LEP students* (Report submitted to U.S. Department of Education, Office of English Language Acquisition, Language Enhancement, and Academic Achievement of Limited English Proficient Students). Arlington, VA: Development Associates. Retrieved May 31, 2012, from http://www.ncela.gwu.edu/files/rcd/BE021195/policy_report.pdf.

Excerpt: The findings of this national study are based on data collected in the 2001–2002 school year from districts and schools that served at least one LEP [limited English

proficient] student. The descriptive study [see above] is related in its goals and data collection approach to a prior study, which was conducted in 1991–1992 (Fleischman & Hopstock, 1993). Some comparisons are therefore possible across the two studies to examine the changes that have taken place over the intervening ten years in the number of LEP students and the services they receive. Such comparisons can offer policymakers important direction in identifying needs and issues for consideration in future decision-making. The current descriptive study extends beyond the scope of the prior study in that it includes a special focus on LEP students with disabilities who are identified as being in need of special education services. There has been considerable concern regarding the identification of these students, referred to here as "SpEd-LEP" [Special Education-Limited English Proficient] students. This study offers national estimates on the number of SpEd-LEP students, the disability categories in which they have been identified, and the nature of the instructional services they receive. The study also expands upon the scope of the prior study in that it provides information on policy and practice related to LEP students' participation in standards and assessments.

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, 34*(1), 59–70. http://eric.ed.gov/?id=EJ909194

Abstract: Historically, neither a positive nor a supportive relationship existed between the population of students designated English language learners (ELLs) and the field of special education. Children's lack of English proficiency was often misinterpreted as a disability and they were referred for special education, whereas others who actually had a disability were misdiagnosed as lacking English proficiency and denied special education services. This article delineates the many problems experienced by ELL students at the identification/referral, evaluation, and placement phases of special education and describes a set of preservice modules that were designed for special education teacher candidates to learn about and develop strategies for working with students of diverse language backgrounds.

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