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Assessing English Learners for Special Education Eligibility: Evaluator's Perspectives and Procedures

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ASSESSING ENGLISH LEARNERS FOR SPECIAL EDUCATION ELIGIBILITY:

EVALUATORS' PERSPECTIVES AND PROCEDURES

A Dissertation

by

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ABSTRACT

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There is a disproportionate number of English Learners (ELs) in Special Education across
the United States (Kligner, Artiles, & Barletta, 2006). When educators are concerned about EL's
lack of progress and their underachievement they turn towards Special Education as a way of
finding resources and a solution to their concerns (Kligner, Boile, Linan-Thompson &
Rodriguez, 2014). This poses a challenge for evaluators, especially for those who lack or have
little knowledge about the differences that exist between typical language acquisition differences
and a learning disability. Evaluators who lack this knowledge might be more likely to confuse a
student's second language acquisition characteristics with a learning disability (Samson &
Lesaux, 2009; Shifrer, Muller, & Callahan, 2011). The purpose of this mixed methods study was
to describe Special Education evaluators' perceptions about their current assessment practices
when assessing English Learners for Special Education eligibility. Additionally, issues of
fairness and equity within current assessment practices were explored in order to better
understand evaluators' perceptions and practices when assessing ELs for the purpose of Special
Education identification. Through the use of a survey and interviews, the findings of this study

revealed that evaluators who hold bilingual or ESL certifications are less likely to report difficulty in distinguishing a language difference from a learning disability (16.67%), were less likely to see the lack of developmental norms and standardized assessments in languages other than English (16%) and did not see a lack of knowledge of second language acquisition as an issue (0%). This provides insight into how the background of the evaluators may influence how they feel about assessing ELs and how they see the process.

Keywords: English Language Learner, Special Education, self-efficacy, bilingual, learning disability

DEDICATION

The completion of my doctoral studies would not have been possible without the love and support of my family. My husband Vince de la Garza who I love and who was my biggest cheerleader. He encouraged me, loved me and cheered me on when I felt like I could not keep going. My daughters Ava and Athalia who were understanding when mommy had to stay up late working and when she did not have time to play. Amelia, you were the push that God knew I needed to get this done. Being pregnant with you while getting through the finish line has been an adventure. My mother, Diana, who babysat and helped my family anytime we needed it so that I could write and focus on my work. Gracias mami. Thank you for your love and patience. There is many others that I want to thank but I do not want to forget anyone. There are many who helped me throughout this journey. I am blessed to call you friends. Thank you to those who helped me review, edit and gave me words of encouragement when I needed them.

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CHAPTER I

INTRODUCTION

The number of English Learners (ELs) is increasing in the United States. Data from the National Center for Educational Statistics (2012) shows that between 1980 and 2009, the number of school-age children who speak languages other than English has increased from approximately five million to 11 million. Currently, ELs account for more than 20% of the student population across different states, and it is estimated that by the year 2025, ELs will account for one out of every four students in the United States (Gandara & Contreras, 2009). According to Allen (2009), by the mid-21st century, English Learners will be the largest racial and ethnic group in the United States. In Texas, the percentage of students identified as English Learners grew from 15.3% in 2013-14 to 19.4% in 2018-19 (Texas Education Agency, 2020).

Moreover, the number of English Learners (ELs) in Special Education is also increasing across the United States (Klingner, Artiles, & Barletta, 2006). One problem associated with this increase is disproportionate representation of ELs in Special Education. In some instances, ELs are overrepresented in special education (Sullivan, 2011), while in other instances they are underrepresented. In Texas there are some regions where ELs are twice as likely to be placed in Special Education than non-ELs and in other regions they are less likely to be placed in special education.

A variety of factors affect the referral of English Learners for a Special Education evaluation. One main factor is instructional practices, which play a large role in the pre-referral

and intervention programs implemented by educators across all settings. For ELs, the type of bilingual program offered in a particular school will impact instructional delivery and student learning. Bilingual education has been a controversial topic in education across the country for decades. Education programs for ELs vary throughout the United States, from some states not requiring school districts to offer bilingual education, to others limiting the type of programs or services offered, to others offering different types of bilingual programs. English immersion programs have been popular in the last 25 years (Walker & Tedick, 2000). Genishi and Dyson (2009) point out that the knowledge of a second language is a rich resource. It is a resource that students can draw from to understand their environment and communicate their needs and ideas. According to Alanis and Rodriguez (2008), successful bilingual programs are those that take advantage of the use of L1, the student's native or first language, as well as those that have pedagogical equity, qualified bilingual teachers, active parent-home collaboration, and knowledgeable leadership.

Although research suggests that thoughtful and well-implemented bilingual education is effective in educating ELs, there has been a strong political push in the United States for an English-only curriculum. Some educators believe immersing ELs in English-language instruction without L1 supports will lead to quicker English language proficiency and greater academic success in school. Others see bilingual education as beneficial for ELs because it incorporates students' native language as part of the English acquisition process. Furthermore, students who are instructed in an additive bilingual education program show higher rates of success in academics and standardized assessments (Thomas & Collier, 2002). There are many factors that affect the way people see and think about bilingual education. Flores (2001) posits that teachers' beliefs about how students learn are influenced by their view of themselves as learners and

constructed from the theories that they have about knowledge, knowing, and learning. Teachers have different attitudes toward bilingual education. These attitudes affect their instructional decisions and depending on the program that their district or school has adopted, can affect their beliefs about how students learn (Flores, 2001; Helman, 2016; Lee & Oxelson, 2006; Walker & Tedick, 2000).

Many teachers who teach in English immersion programs believe that English immersion (i.e. English only, with no L1 supports) is an efficient and effective way to teach a second language (L2) to minority language speakers. They believe that using the students' L1 to teach content hinders the students' ability to learn and to succeed in learning the curriculum in English (Rueda & Windmueller, 2006; Walker & Tedick, 2000). These teachers are also likely to believe that differences in language are to be tolerated, not appreciated. In an English immersion program, English (L2) is the primary language of instruction and students' native language (L1) is used, if at all, only as a supplement to L2 to help students understand the content when necessary. With L2 acquisition as their main focus, English immersion programs do not address L1 development. Teachers who teach in an English immersion program are focused primarily on developing and increasing English language so that students can demonstrate learning on standardized assessments and be able to understand content in the secondary setting (Helman, 2016). Maintenance or development of students' native language (L1) are not objectives of English immersion programs; therefore, ELs in these programs are not likely to develop proficiency in L1. Many researchers believe this lack of L1 development is detrimental to students' overall academic achievement and affects their progress in the curriculum (Helman, 2016).

According to Flores (2001), personal experiences affect teachers' beliefs and attitudes about bilingual education. When teachers do not believe in the benefits of bilingualism and do not understand the effect of the loss of L1, tend not to accommodate the needs of ELs. Conversely, teachers are more likely to be interested in accommodating EL's needs when they receive training and gain first-hand knowledge of the effects of L1 development and maintenance (Lee and Oxelson, 2006). However, even when teachers have received training and want to help ELs, they often feel that there is not enough time to accommodate the students' needs due to the pressure to have their students achieve at a high academic level on high stakes standardized assessments (Garcia & Kleifgen, 2010; Helman, 2016).

Many times educators have preconceived beliefs about English Learners' ability to learn. Their perceptions are often influenced by the type of professional training they have received about ELs and also whether they see English as the norm against which ELs should be compared. Schwartz, Mor-Somerfield, and Leiken (2010) found that the way teachers view themselves greatly affects the way they see and teach English Learners. If a teacher sees herself as proficient in the minority language (L1) and believes that there are benefits to having a second language, then they are less likely to perceive English Learners as a challenge and will put more effort in accommodating their needs.

In one study, Flores (2001) found that differences in teacher perspectives were dependent on training and classroom exposure. Teachers who held a bilingual certification believed that prior knowledge in L1 (student's native language) facilitates learning in L2 (English) as a result of the students transferring what they know in L1 to L2, teachers with an English as a Second Language certification saw L1 as a tool to be used to assist instruction, while traditional teachers (teachers with no formal training in bilingual or ESL education) believed that English should be

the only language of instruction. Flores concluded that effective bilingual instruction involves being sensitive to students' needs, the use of a variety of instructional strategies, and encouraging students to improve their academic skills.

Teachers' attitudes also play an important role in their teaching of ELs. Huddy, Cardoza, and Sears (1984) reported that "racial and political symbolism is more related to attitudes toward bilingual education than is personal experience" (as cited in Garcia-Nevarez, Stafford, & Arias, 2005, p. 296). Educators' beliefs about ELs affect how they view, instruct, and perceive their students' performance in their classrooms. Moreover, negative attitudes toward English Learners may affect how educators assess their students' work, which reinforces their belief that ELs' achievement is lower than their monolingual counterparts. In other words, when educators hold a deficit view of ELs, they believe that their difference in language skills and performance when compared to monolingual English speakers is due to their background, culture, and lack of experiences (Artiles, Kozelski, Trent, Osher, & Ortiz, 2010) and they see students' language as a problem and not a resource (Baker, 2011).

Teachers' deficit views can also affect how teachers perceive the nature of their students' academic struggles. Many times, when language is seen as a problem, educators misinterpret their students' lack of or slow progress, as a sign that there might possibly be a disability present. Concerned about their students' lack of progress and their under achievement, educators turn towards Special Education as a way of finding resources and a solution to their concerns (Klingner, Boile, Linan-Thompson, & Rodriguez, 2014).

Background of the Problem

Although ELs are the fastest growing population in the United States, the support that ELs receive in schools is sometimes inadequate. Current legislation seeks to ensure all students

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in U.S. schools become proficient in English but does not require the development and maintenance of students' first language. The students' first language is typically seen as a vehicle through which they are to learn English. In Texas, according to Texas Education Code (TEC) 89.1201,

> (b) the goal of bilingual education is to enable English Language Learners to become competent in listening, speaking, reading, and writing in the English language through the development of literacy and academic skills in the primary language and English. Such programs should emphasize the mastery of English language skills, as well as mathematics, science, and social studies, as integral parts of the academic goals for all students to enable English language learners to participate equitably in school.

Even though TEC 89.1201 (b) specifies that students are to learn English through the "development of literacy and academic skills in the primary language and English," it also specifies that the emphasis is on the mastery of English language skills as well as other academic areas. In Texas, English as a Second Language (ESL) programs exist in addition to bilingual programs. According to TEC 89.1201,

> (c) the goal of ESL programs is similar to that of bilingual programs, to enable English language learners to become competent in listening, speaking, reading, and writing in the English language through the integrated use of second language methods. The ESL program should emphasize the mastery of English language skills, as well as mathematics, science, and social studies, as integral parts of the academic goals for all students to enable English language learners to participate equitably in school.

Even though there is research to support the development of L1 in educating ELs, many bilingual programs tend to be English immersion programs that are considered subtractive in

nature (Garcia, 2009). These programs focus on teaching students in their second language, which is usually the majority language, at the expense of the development of their first language. The native language (L1) is only used to support the development of the second language (L2). The consequences for native language loss are many, as it affects "the social, emotional, cognitive, and educational development of language-minority children, as well as the integrity of their families and the society they live in" (Fillmore, 1991).

Research indicates that educators' attitudes and beliefs vary depending on their own experiences and their understanding of bilingualism (Schwartz et al., 2010). The belief that speaking a different language from the majority language is a "problem" is a misconception that many educators have (Lee & Oxelson, 2006; Schwartz, et al., 2010). However, if educators are proficient in a language other than English, their attitude toward bilingualism tends to be more positive when compared to those who are monolingual (Lee & Oxelson, 2006). Educators' beliefs and attitudes play a very important role in how ELs are educated and assessed (Garcia-Nevarez, Stafford & Arias, 2005; Pettit, 2011).

Schwartz et al. (2010) described an effective bilingual program as one in which L1 and L2 are mutually enriching while also taking culture into consideration. This factor is one that can help emergent English Learners be more successful in school. Alanis and Rodriguez (2008) and Tong, Lara-Alecio, Irby, and Mather (2011) noted that bilingual programs that provide pedagogical equity, effective bilingual teachers, active parent participation, knowledgeable leadership, and continuity can increase ELs chances of academic success. However, when the bilingual program is a subtractive program, ELs achievement suffers and their lack of or slow progress is sometimes perceived as an indicator of a possible learning disability, which may prompt a referral for a Special Education evaluation (Pettit, 2011; Rinaldi & Samson, 2008).

Statement of the Problem

Teachers' beliefs and perceptions about their students affect how they teach and interact with their students. With the emphasis given to standardized assessment since the authorization of the No Child Left Behind Act (NCLB) (2001), the focus of schools has shifted to accountability. This has often resulted in a standardization of teaching. In this teaching environment, teachers may not be prepared or may not feel prepared to teach all students, including ELs (Garcia & Tyler, 2010). In addition, research has found that high stakes standardized assessments are poor measures of students' strengths and weaknesses (August & Shanahan, 2006). No Child Left Behind (NCLB) and the Every Student Succeeds Act (ESSA) (2015) (both reauthorizations of the Elementary and Secondary Education Act [1968]) have made a great impact on the U.S. education system by imposing severe consequences for schools whose students perform poorly on standardized assessments. The consequences for performing poorly include the closing of schools and sanctions for the school district or charter school system. Therefore, schools work diligently to ensure their test scores are acceptable (Duffy, Webb, & Davis, 2009).

Since 2001, NCLB has influenced how educators perceive what success in school looks like with the standards for success including passing a state assessment measure. In Texas this is currently the State of Texas Assessments of Academic Readiness (STAAR). The purpose of NCLB was to ensure that all students get an equal education through the use of an accountability system in which high-stakes testing is used to measure progress and success. However, the policy's tendency to limit what and how teachers teach has made educators feel pressure to teach to the test and to focus on the subject areas tested, in turn "narrowing the curriculum" (Palmer & Rangel, 2011, p. 618), to meet the rigorous demands of this accountability system. Due to policy

demands, educators are forced to wrestle between the use of "authentic pedagogies" (Palmer & Rangel, 2011, p. 618) and teaching by whatever means necessary in order to make sure students meet the policy's requirements.

Turkan and Buzwick (2016) argued, "a significant gap exists between being prepared to teach content and being held accountable for outcomes related to ELs" (p. 4). Many times, schools are not prepared to receive ELs and provide them with an adequate education. The number of bilingual children who are enrolling in schools is rapidly growing and the number of teachers prepared to teach them is not keeping up with this growth. The achievement gap between bilingual and monolingual English-speaking students continues to grow (Gandara & Contreras, 2009). This has created a sense of crisis among educators and has created multiple repercussions, including how educators respond to low performing students.

Students who are perceived as having problems acquiring English are also often perceived as having a language disability resulting in a referral for Special Education services (Klingner, et al, 2006; Zetlin, Beltran, Salcido, Gonzalez, & Reyes, 2011). When teachers believe that they have tried everything they can to help their students and the students are still not responding to the interventions or programs, teachers may come to the conclusion that if the students are not responding to an intervention that is supposed to help them, then the root of the problem must lie elsewhere. For example, when educators feel that there is nothing else they can offer their students and do not feel prepared to serve students in their classrooms, especially their ELs, they turn to the only option they see available, a referral to Special Education (Garcia & Tyler, 2010; National Education Association & National Association of School Psychologists, 2007). The lack of clear federal guidance and the variability in the factors that are taken into consideration when considering a student for a Special Education referral have contributed to the

overrepresentation of ELs in Special Education programs (Linn & Hemmer, 2011; Sullivan & Bal, 2013).

Adding to this problem is a shortage of bilingual evaluators who are prepared and knowledgeable about the assessment of ELs (Alvarado, 2011; Rhodes, Ochoa & Ortiz, 2005). According to the National Association of School Psychologists (NASP), there are currently only 23 preparation programs in the United States that self-reported that they offer multicultural and bilingual School Psychology Programs, with only three of those available in Texas (National Association of School Psychologists [NASP], 2020). Licensed Specialists in School Psychology (LSSPs) in Texas are required to take six professional development hours with a focus on cultural diversity every year in order to renew their license. For educational diagnosticians the requirements are different. In Texas there is no specific organization that supports or tracks educational diagnosticians the way the licensing board does for school psychologists. Educational Diagnosticians must complete 150 hours of continuing professional education (CPE) every five years to renew their certification (19 Texas Administrative Code [TAC], 2012). However, there is no specific requirement for the number of hours or professional development with cultural diversity focus that must be completed for recertification.

The state of Texas certification exam for Educational Diagnostician assesses 10 professional standards. Only one of the standards requires those seeking certification as an educational diagnostician to have knowledge of "ethnic, linguistic, cultural and socioeconomic diversity and the significance of student diversity for evaluation, planning and instruction" (Pearson, 2020). The assessment is also aligned with nine competencies and only competency 002 focuses specifically on the application of knowledge of ethnic, cultural, linguistic and socioeconomic diversity. Even though this accounts for about 11% of the assessment, there are

very few university and certification programs in Texas that offer courses that focus on cultural and linguistic consideration for evaluators. A comprehensive internet search and in-depth look into educational diagnostician programs in Texas revealed that there are five universities in Texas that offer a bilingual educational diagnostician certification that can be completed either as part of an educational diagnostician master's program or as an additional certification after completing a regular educational diagnostician program. This review of programs also revealed, however, that educational diagnosticians who go through a regular program may only get one and in very few cases two courses that focus on the assessment of cultural and linguistically diverse (CLD) students if they get any courses at all.

According to Fletcher and Navarrete (2003), "there is a persistent concern regarding the misdiagnosis and inappropriate placement of students from diverse backgrounds in special education classes" (p. 38). The assessment of ELs poses a challenge for educators (Gonzalez, 2012) especially for Special Education evaluators charged with making Special Education eligibility recommendations. According to Mueller-Gathercole (2013) "children who grow up bilingually are not the same as children growing up monolingually" (p. 1). ELs' development is different depending on their background, language experiences, socioeconomic status, and schooling factors such as teacher training and teacher competence. All of these factors should be taken into consideration when assessing ELs' academic abilities. Evaluators who lack or have little knowledge about these differences might be more likely to confuse a student's second language acquisition characteristics with a learning disability (Samson & Lesaux, 2009; Shifrer, Mueller, & Callahan, 2011).

Purpose of the Study

The purpose of this mixed methods study was to describe Special Education evaluators' perceptions of their current assessment practices when assessing English Learners for Special Education eligibility. Additionally, issues of fairness and equity within current assessment practices were be explored in order to better understand evaluators' perceptions and practices when assessing ELs for the purpose of Special Education identification. The study sought to explain and describe evaluators' motivation and the actions they take when evaluating ELs for Special Education identification, specifically when evaluating them for specific learning disabilities (SLD), and the methods they use for differentiating between typical second language acquisition difficulties and learning disabilities.

The study was a mixed methods study with phenomenology principles at the center of data analysis. Phenomenology seeks to "identify phenomena" (Lester, 1999., p. 1) by exploring the perspectives and interpretation of those involved in the situation by taking into consideration their personal knowledge and subjectivity.

Research Questions

In order to describe the phenomena that evaluators experience when assessing ELs for Special Education eligibility, the research questions explored in this study are the following:

Q1:   What are the perceptions and efficacy beliefs that evaluators have about the assessment practices and procedures they use when assessing English

Learners who are referred for Special Education?

Q2:   What tools (e.g., standardized assessments, curriculum-based measures, informal assessments, interviews, response-to-intervention [RtI] data) and procedures (e.g.,

Cross Battery, Discrepancy, Strengths and Weaknesses, Processing Approach) are

evaluators currently using in order to make their assessments fair?

Q3:   What factors influence evaluators when determining that an EL has a specific

learning disability?

The answers to these questions add to the body of literature that addresses culturally and

linguistically fair assessment practices. Raising awareness about the issues that surround the

assessment of ELs may help evaluators understand what other evaluators go through and

encourage them to change and/or modify their current practices in order to minimize test and

evaluator bias. Moreover, the answers to these questions offer insight into evaluators'

perspectives and challenges as they assess ELs for Special Education eligibility.

Significance of the Study

No Child Left Behind (2001) had a significant impact on the U.S. education system. The

emphasis it placed on accountability and standardized assessment has resulted in schools doing

everything they can to maintain their funding and to stay open. Every Student Succeeds Act

(ESSA) (2015) emphasizes and highlights accountability through standardized assessments as

the way to measure student progress and teacher performance. In Texas, this translated into a

new accountability system aligned to ESSA that uses standardized assessments as one of the

main components used to rate a school's performance using letter grades (i.e. A, B, C, D, and F).

The new accountability system added pressure for teachers and administrators to ensure that all

students show progress and demonstrate success on the state standardized assessments.

The new accountability system adopted in Texas as a response to ESSA emphasizes the

use of STAAR results to measure students' progress as a whole and by subgroup. Even though

the STAAR is offered in English and Spanish for grades 3-5, the use of the Spanish assessment

in these grades places the school at a disadvantage within the accountability system when the student moves on to sixth grade since there is no way to show students' growth from the Spanish test to the English test (TEA, 2019, p. 26). Since the implementation of the A-F accountability system in 2018, data has shown that ELs are one of the least successful subgroups on the STAAR assessment, as well as on the language proficiency assessment, Texas English Language Proficiency Assessment System (TELPAS), which is also part of each campus and district rating formula (TEA, 2018). This has left educators looking for ways to help their students pass the state assessment.

According to Valenzuela (2009), "the operant model of schooling structurally deprives acculturated, U.S. born youth of social capital that they would otherwise enjoy were the school not so aggressively (subtractively) assimilationist" (p. 345-346). In order to change how ELs are educated within the U.S. school system it is important for minorities to have a voice and for educators to accept differences. It is important that educators value ELs experiences and bring them into the classroom. To accomplish this, educators need to be aware of their personal beliefs and perceptions and how this impacts their teaching practice. Orellana and Bowman (2003) refer to culture as "multifaceted, situated, and socially constructed processes" and as "dynamic toolkits that people cultivate through various sets of experiences" (p. 26). Educators need to be aware of these different aspects of culture and take these variables into consideration when they plan instruction for their EL students.

August and Shanahan (2006) found that the use of students' native language and culture within the curriculum is beneficial for ELs. However, even when educators recognize that these are important practices for ELs to be successful, they return to using the standardized curriculum the school district or school has imposed due to the added pressures set by the accountability

system and the pressure for their students to be successful in an all English assessment. These teaching practices usually push the use of English as the sole or most important language to learn and use at school, which places ELs at an educational disadvantage (Palmer & Rangel, 2011).

Educators' beliefs and attitudes play a very important role in how English Learners are educated (Garcia-Nevarez, Stafford, & Arias, 2005). Personal experiences affect teachers' beliefs, practices, and attitudes. With the goal of bilingual and ESL programs in Texas being for ELs to be proficient in English, with or without maintenance of their native language, and the pressure for students to perform successfully on standardized English assessments, educators have erroneously focused on the need for ELs to acquire English as the most effective path to academic achievement (Menken, 2010). This English-only attitude, set forth by the accountability system as well as by bilingual and ESL program goals, has spread over many school districts across the United States who have adopted an unwritten English-only rule even though they claim to have bilingual or ESL programs.

Valenzuela (2009) argues that these practices subtract from students' identity and culture and attempt to supplant it with the dominant culture's identity. This English-only attitude "can cause students to experience a sense of isolation, frustration and disconnection" (Darder, 2013, p. 27), impact their "sense of belonging in the world" (Darder, 2013, p. 26), and raise their affective filter and impede their second language acquisition (Krashen, 1985). When ELs seem to struggle to acquire language and to keep up with their English-speaking peers, educators tend to think that there has to be something wrong (Artiles & Ortiz, 2002; Harris, Sullivan, Oades-Sese, & Sotelo-Dynega, 2015). Many times, because of the pressure to have their students perform well due to accountability measures in place or because they believe that they have done everything they can, educators see a referral for Special Education evaluation as the way to get

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more help for their students (National Education Association and National Association of School Psychologists, 2007).

When educators see Special Education as the last resort to help the ELs in their classroom be successful on the state standardized assessments, the pressure shifts to the Special Education evaluators to find what might be impeding or slowing ELs' academic achievement. This comes with its own set of challenges such as deciding which evaluation model to implement, deciding when to evaluate while ensuring that ELs have enough time to acquire English without delaying identification for early intervention and the provision of timely Special Education services, not having comparable assessments that can be used in both languages or that consider the variance among EL groups, and not having bilingual evaluators who are knowledgeable about the students' language and culture (Wagner, Francis, & Morris, 2005). This set of challenges compounds the already serious issue of an inadequate number of trained personnel to evaluate ELs.

Special Education evaluators' determinations and recommendations might be biased when their decisions are partly based on what they believe is best for the students. They might see placement in Special Education as a way for students to get the help they believe students need (Sullivan, 2011). As well, decisions may be affected by evaluators' efficacy beliefs. Efficacy beliefs refer to beliefs that evaluators hold about the effectiveness of their practices in accurately assessing ELs and making appropriate eligibility decisions for Special Education based on what they believe to be correct, their perspective on students' needs, and their belief about what is going to make their work more efficient and effective (Kritikos & Kritikos, 2003). These beliefs pertain to required knowledge about ELs, evidence-based bilingual assessment

practices, services offered by their school district or charter school, and typical second language acquisition processes.

Assumptions, Limitations, and Delimitations

Any research design has limitations based on knowledge claims and the approach to the research inquiry. Qualitative research that utilizes questionnaires and interviews can provide a deeper understanding about the participants' perceptions and beliefs about their practice. One limitation of this study is that the researcher is also the trainer for most of the prospective participants in the area of special education assessment, including culturally inclusive assessment practices. This may have potentially influenced the participants' answers. In order to minimize the effect of this relationship, the data from the questionnaire was triangulated with the data from the interviews. According to Patton (2002) "triangulation strengthens a study by combining methods. This can mean using several kinds of methods or data, including using both quantitative and qualitative approaches" (p. 247). For the purpose of this study, the researcher assumed that all answers are truthful and reflect the participants' current practices when assessing ELs for Special Education.

A review of the literature in multidisciplinary areas was conducted in order to locate previous questionnaires and interview questions on educator perceptions and bilingual special education assessment. This review of the literature found questionnaires that addressed educator perceptions, training, and practices. Some items from previous surveys were adapted in addition to new items developed for the questionnaire to be used for this study. The review of the research included the areas of general education, response-to-intervention, bilingual education, special education, bilingual special education, and school psychology.

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Definition of Terms

Bilingual-A bilingual individual is one who speaks two languages (Linguistic Society of America [LSA], n.d.)

Culturally Linguistically Diverse Learner (CLD) - CLD is a broad term describing non-native or English as a second language (ESL) learners, bilingual individuals with English as the main or nondominant language, immigrant children, students who are born and raised in America and are second or third generation of immigrant parents, or bidialectal students (Shah, 2008).

Efficacy Beliefs - The belief that one is capable and competent in order to complete a task using only what one knows, and allowing others to address the problem, work within a group for a desired outcome, or avoid the task (Bandura, 1977).

English Learner - A student whose background indicates either the use of a language other than English during their lifetime or exposure to a language other than English and whose academic progress could be influenced by such exposure (Genesee, Lindholm-Leary, Saunders, & Christian, 2008). This term is being used in alignment with the language used in Texas within TEC Chapter 89.

Evaluators - Refers to individuals who conduct assessments for identification and eligibility for Special Education, including Educational Diagnosticians and Licensed Specialists in School Psychology.

Monolingual- A speaker of one language (Oxford, 2020).

Specific Learning Disability (SLD) - "A student who has a learning disability may have a disorder in one or more of the processes needed to receive, understand, or express information (psychological processing). As a result, the student may have difficulty in one or more of the following: basic reading skills, reading comprehension, written expression, mathematics

calculation, listening comprehension, and/or oral expression. This term does not include learning

problems that are primarily the result of visual, hearing, or motor disabilities; or mental

retardation; of emotional disturbance; or of environment, cultural, or economic disadvantage"

(Texas Administrative Code 89.1040).

CHAPTER II

REVIEW OF THE LITERATURE

This chapter provides a review of the literature that supports and provides context for this study. The chapter begins by describing English Language student populations and the challenges faced by ELs in the U.S. education system. Disproportionality of students from diverse backgrounds in specific categories of special education and the implications for assessment are then discussed. Following that is a historical and legal view of assessment practices and the changes that have occurred over time in the areas of Bilingual Education, Special Education, and Bilingual Special Education. Next, the role of pre-referral practice and culturally responsive assessment are described in their current context. Effective pre-referral practices should lead to appropriate referrals, while culturally responsive assessment practices should lead to more accurate special education eligibility determinations by assessment personnel. Both are important to the context of this study. Additionally, there will be further discussion on evaluators' perceived efficacy beliefs in regard to assessment and evaluation of ELs and knowledge of second language acquisition. Terminology such as English Learners, second language acquisition, bilingual education, bilingual assessments, and assessment of ELs are frequently used throughout this chapter and were used as search terms in journals and books.

English Learners

"English Learners are rapidly gaining visibility in school districts around the country" (Klingner et al., 2006, p. 108). According to the National Center for Education Statistics (NCES,

2017), the number of English Learners (ELs) in the United States increased from 8.8% in 2003-2004 to 9.3% in 2013-2014, an estimated 4.5 million students. However, in Texas the EL population grew only slightly from 15.4% to 15.5% during that same time. In the Texas Educational Service Center (ESC) Region One area, the number of ELs has steadily increased over the last five years from 145,644 during 2012-2013 to 158,915 during 2016-2017, based on PEIMS (2017) data.

ELs face a number of challenges in the U.S. educational system. Depending on where they are attending school, the challenges may vary from being able to access existing bilingual education programs to living in states where the laws actually prohibit bilingual programs in schools. Ochoa and Cadiero-Kaplan (2004) argued that "the EL student presently faces many obstacles to achieve educational equity and excellence at the high school level" (p. 41). ELs struggle to have access to quality programs and bilingual education is generally not as valued as other programs. ELs struggle with having to negotiate between languages and not being provided with programs that meet their needs, while also navigating teachers' perceptions about them.

ELs are usually seen as lacking cultural and social capital when compared to the majority culture group, which tends to occur due to factors such as educational segregation within the communities in which they live (Gandara & Contreras, 2009). Educators' perceptions about ELs greatly affect how they go about educating them. Accepting what students know and leveraging their current knowledge in order to help them add to their experiences is important. This would require changes in federal, state, and local school district policy. Ochoa and Cadiero-Kaplan (2004) suggested that having a "language policy that is supportive of additive language programs that have multiliteracy as an educational outcome and world standard" (p.41) is necessary in order for change to happen and to empower ELs.

Good quality educational programs for ELs are those that are additive in nature (Alaniz & Rodriguez, 2008; Guthrie & Davis, 2003). When ELs are provided with a good quality educational program (e.g., where L1 is used to support L2 development), the results of such programs should be made apparent to ELs, educators, and policy makers. Cummins (1999) argues that dual language programs could help ELs find their identity. Moreover, dual language programs encourage positive teacher-student relationships by empowering the students to transform and define themselves through the acceptance and use of their language, culture, and history (McLaren, 2009). Howard, Christian, and Genesee (2004) found that Two Way Immersion programs are meeting the goals of bilingualism and biliteracy for both EL and monolingual English student populations. Moreover, they found that language minority students who participated in specially designed bilingual programs outperformed their monolingual English-speaking peers after 4-7 years, as well as reached higher levels of academic achievement.

Federal and State Assessment Policies

Accountability, No Child Left Behind, and Every Student Succeeds Act

Accountability has been a focal point in education since its inclusion as part of No Child Left Behind (NCLB) in 2001. NCLB emphasized standardized assessments as the measure of progress and success for all students, even when research found that these assessments were poor measures of students' strengths and weaknesses (August & Shanahan, 2006). An emphasis on standardized testing continued with the Every Student Succeeds Act (ESSA, 2015). (Both NCLB and ESSA were reauthorizations of the Elementary and Secondary Education Act of 1965.) The emphasis on accountability and standardized assessment has resulted in schools overly focusing on testing as a mediating, rather than an outcome, measure. As a result, the quality of teacher

education has been threatened, English Learners (ELs) fall behind, and students in marginalized areas continue to struggle (Gandara & Contreras, 2009).

The Individual with Disabilities Education Improvement Act (IDEIA, 2004) was aligned with requirements and regulations of NCLB and recognized that scientifically-based instruction should also be provided to students with disabilities. The alignment of NCLB and IDEIA helped educators recognize that the education of students with disabilities is just as important as the education of other groups. It changed the way all students are perceived and raised the expectations for all. As well, it added pressure for educators to expect all students to perform well on high stakes tests. High stakes tests are those set up by states as part of the accountability measure that NCLB required. ESSA continues to emphasize and use state standardized assessments as a way to measure student progress and Local Education Agency (LEA) success.

According to Duffy, Webb, and Davis (2009), teaching quality has suffered as a result of a demand for prescriptive practices aimed to raise test scores, given that in order to "raise test scores, more and more schools demand fidelity to program designs that require teacher candidates to teach with highly prescriptive materials." The use of these prescriptive practices highlights the differences in those students who do not respond well to a prescriptive-style curriculum. Adherence to a "one size fits all" model may contribute to disproportionate numbers of ELs referred to special education and identified as having a learning disability. The thinking that "one" educational program or approach is appropriate for all students and can close the achievement gap is faulty, and when educators resort to overly using standardized, prescriptive practices, differentiation of instruction to meet individual student need is left behind. As Solorzano (2008) stated "it is clear that academic language used in the classroom that is related to various content areas and language specific to various discourse purposes such as clarifying,

discussing, and debating needs to be considered when defining language proficiency and assigning ELLs to instructional programs" (p. 299).

High-stakes testing began to appear in U.S. classrooms in the mid 1980's. According to Palmer and Rangel (2011) teachers feel both explicit and implicit pressures from districts and their campuses for their students to perform well in high-stakes testing. With this added pressure, teachers feel the need to adjust and limit instructional focus, including which subjects to teach, topics to include, and materials to use. Teachers struggle between applying their understanding of best practices for their ELs and the pressure to have all students perform well on high-stakes testing. In Texas, the new teacher evaluation system, T-TESS, adds more pressure on educators to produce high achieving students as it takes into account the students' scores on the STAAR (State of Texas Assessments of Academic Readiness) as a percentage of teacher scores on their yearly evaluation.

Bilingual Education

In 1954 Brown v. Board of Education served as a catalyst to bring change to public education. Then in 1963, Coral Way Elementary School in Miami, Florida started offering dual language instruction due to the high number of Cuban immigrants who were changing the demographic landscape in Miami. Even though there had been other schools across the country that had offered similar programs, Coral Way was the first to offer a bilingual and bicultural program. In 1964 the Civil Rights Act opened the door for bilingual education as part of equal educational opportunities. In 1968 the Bilingual Education Act (BEA) (P.L. 90-247), sponsored by Senator Ralph Yarbourough, was passed by the U.S. Congress. According to Garcia (2009), the goal of the BEA was the "quick acquisition of English and limited its participation to poor students" (p. 169). BEA did not require bilingual education but expanded the ability for school

districts to offer bilingual education programs to any children whose dominant language is other than English.

In recognition of the special educational needs of the large numbers of children of limited English-speaking ability in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary school programs designed to meet these special educational needs. For the purposes of this title, children of limited English-speaking ability means children who come from environments where the dominant language is other than English.

An amendment to Title VII, which also reauthorized the BEA, expanded eligibility for bilingual education to students of any socioeconomic status. The reauthorization provided a definition for bilingual education for the first time since the authorization of this law. It defined a bilingual education program as,

A program of instruction, designed for children of limited English proficiency in elementary or secondary schools, in which, with respect to the years of study to which such program is applicable (i) there is instruction given in, and study of, English and, to the extent necessary to allow a child to achieve competence in the English language, the native language of the children of limited English proficiency, and such instruction is given with appreciation for the cultural heritage of such children, and of other children in American society, and, with respect to elementary and secondary school instruction, such instruction shall, to the extent necessary, be in all courses or subjects of study which will allow a child to progress effectively through the educational

In Texas, according to Section 29.055 of the Texas Education Code, a bilingual education program "established by a school district shall be a full-time program of dual-language instruction that provides for learning basic skills in the primary language of the students enrolled in the program and for carefully structured and sequenced mastery of English language skills." In addition, English as a Second Language (ESL) is also offered in Texas. The focus of ESL is to provide "intensive instruction in English from teachers trained in recognizing and dealing with language differences" (TEC 29.055). The code also adds that "A program of bilingual education or of instruction in English as a second language shall be designed to consider the students' learning experiences and shall incorporate the cultural aspects of the students' backgrounds."

Schwartz et al. (2010) described a "strong" bilingual program as one in which L1 and L2 are mutually enriching when also taking the culture into consideration. They criticize programs in which L2 is "acquired at the cost of giving up L1" (p.188). Genishi and Dyson (2009) point out that the knowledge of a second language is a rich resource. It is a resource that students can draw from in order to understand their environment and communicate their needs and ideas. Successful bilingual programs are those that take advantage of the use of L1 as well as those that have pedagogical equity, qualified bilingual teachers, active parent-home collaboration, and knowledgeable leadership (Alanis & Rodriguez, 2008). The key feature pointed out by Alanis and Rodriguez (2008) about a dual language program is that "the program provides an atmosphere that allows students to acquire a second language and learn about another culture without sacrificing their individual identities" (p. 306). This factor is one that can help emergent English Learners be more successful in school.

Dual language programs provide support for ELs in all areas, not only helping them acquire and learn English but also in helping them have a feeling of belonging. Krashen (1981)

argues that the "affective filter" is the most important factor when acquiring a second language. The affective filter includes motivation, self-confidence, and anxiety. When students' affective filter is low they are more likely to acquire language. In addition, comprehensible input, the ability for students to understand the message that is being presented, is another major factor necessary to acquire a second language (Krashen, 1981). Instruction in both languages provides comprehensible input (Krashen, 2003) and it provides more opportunities for success for ELs (Krashen, 2005).

Interpretation of policy is not consistent with the purpose behind the laws that have been established. There are states that do not provide any kind of bilingual instruction and want ELs to learn English as quickly as possible. Other states encourage bilingual education, but with the ultimate outcome being mastery of English, even if it means losing their first language, with the ultimate goal being that students be able to perform on standardized tests. All this with the thought that "English is the glue that unites the many different peoples of the United States together" (Gandara & Contreras, 2009, p. 143). It is not often that ELs receive the specialized instruction that they require and the support that they need to become proficient English speakers. The existence of dual language programs in the United States is minimal. However, the research that has been done suggests that this type of program "helps reduce the linguistic isolation that so many Latino students experience" (Gandara & Contreras, 2009, p.131).

These teaching practices also push the use of the English language as the sole or most important language to learn and use at school. This English only attitude has spread over many school districts across the United States, adopting an unwritten English-only rule even though they claim having bilingual or ESL programs. Valenzuela (2009) argues that these practices tend to subtract from students their identity and culture and attempts to supplant it with the dominant

culture's identity. It is this English-only attitude that according to Darder (2013) "can cause students to experience a sense of isolation, frustration and disconnections" (p. 27) impacting their "sense of belonging in the world" (Darder, 2013, p. 26). When policy focuses on transition to English-only instruction, ELs are being taught at a disadvantage.

Biases and misinformation about ELs still affect the way in which bilingual programs are developed and established. English has become the language by which ELs' success is measured. Hakuta (1986) argues that "the image of the bilingual child in the American classroom commonly evokes the image of a child who speaks English poorly, has difficulty in school, and is in need of remediation" (p.10). Students acquire the "bilingual" label or "limited English proficient" label as soon as they enter school. This typically denotes that the student is lacking proficiency in the language valued. The "value" of the English language in schools is usually linked to the language used on standardized measures throughout their schooling as measures of success. If the student cannot perform in English, the language of value, then the student is perceived as lacking the skills necessary to succeed in the U.S. school system. This deficit view of ELs is one of the contributing factors to inappropriate referrals to Special Education.

Special Education

IDEIA (2004) recognizes that for over 30 years our nation has used what is considered a flawed model in identifying students with Specific Learning Disabilities (SLD). More specifically, the reliance on a significant discrepancy between expected and actual academic achievement has resulted in the misidentification and over-identification of students with SLD, leading to an overrepresentation of ELs in special education. The Education of All Handicapped Children Act (EHA, 1975) introduced the concept of non-biased assessment procedures and due process protections as well as the concepts of Free Appropriate Public Education (FAPE),

Individual Education Plans (IEPs), and a Least Restrictive Environment (LRE). However, even though the law gave protections to students identified with a disability, it was limited in helping make them part of the general education population. General education teachers still saw students with disabilities as the special education teacher's students and not their own students. Special education gave general education teachers a place to put students who did not respond to standard teaching practices.

The Equal Educational Opportunities Act (EEOA, 1974) preceded EHA and stated that no one could be denied an education based on their gender, race, color, or nationality through intentional segregation. It gave individuals the right to file lawsuits if they felt that educational opportunities were being denied. It also stated that language barriers that prevented students from participating in an equal education needed to be removed. States were to interpret this law and enact it within their schools. Even after the authorization of No Child Left Behind and the Individual with Disabilities Education Act, in Texas and across the United States, ELs continue to be "segregated" into bilingual classes or ESL classes that claim to remove that language barrier in order to give them an equal education. However, in many cases, these classrooms are actually using English to teach these students. In many instances, there is little to no difference between a regular classroom and a bilingual or ESL classroom. Even when teachers have had some training in teaching ELs they tend to use the same practices that are used in all other classrooms, therefore enhancing ELs' deficits. When educators are not prepared to serve ELs and confuse lack of progress due to second language acquisition with a disability, overrepresentation of ELs in special education is likely to occur (Rinaldi & Samson, 2008; Klingner & Artiles, 2006).

The aim of bilingual and special education is to provide equity for students in the way school services are provided to them. However, there has been a history of disproportionate representation, as will be discussed in a later section of this chapter. According to the U.S. General Accounting Office (1993, as cited by Fletcher & Navarrete, 2003), ELs are more likely to be diagnosed as having a cognitive impairment (CI) or a learning disability (LD). In addition, Sullivan and Bal (2013) found that ELs were being over identified in the disability areas of Emotional Disturbance (ED), Other Health Impairment (OHI), and Cognitive Impairment (CI), in comparison to non-EL peers.

Bilingual Special Education

When an EL is placed in a Special Education program, many concerns can arise. The current emphasis on inclusion of all students in the general curriculum is one concern. The increased focus on accountability and high stakes standardized testing is another, as schools have tended to standardize curriculum and instruction at the expense of differentiating instruction to meet students' individual needs. Additionally, many educators believe that ELs with disabilities are not able to process instruction in two languages, which in turn makes IEP or ARD committees determine that the student should not receive bilingual education in order to avoid confusion or because of their low cognitive ability (Genesee, 2015; Kangas, 2014; Paradis, Genesee, & Crago, 2011). Genesee (2015) argues that the claim that learning in two languages is confusing or harmful for ELs with disabilities because of their "limited capacity" is baseless. In many instances, teachers do not feel well prepared to teach all students (Garcia & Tyler, 2010). Quality instruction is fundamental to student success. Providing everything that ELs need is sometimes a challenge and when a student also has a disability, teachers can feel overwhelmed and unprepared (Delgado, 2010).

True Bilingual Special Education programs are rare; however, many in the field advocate for this interface (Delgado, 2010; Garcia & Tyler, 2010). Valenzuela, Baca, and Baca (2004) define Bilingual Special Education "as the instances in which student participation in an individually designed, special education program is conducted in both the student's native language and English: in such a program, the student's home culture is also considered, framed in an inclusive environment" (p.88). However, integration of both programs is usually lacking. Kangas (2017) found that "a school that, in theory, should be able to meet the educational needs of ELLs with special needs largely abandons the bilingual instruction and support that would advance these students' academic development" (p. 24). Bilingual education programs that would help ELs make progress in academics are usually overtaken by the need to accommodate the student based on their disability, denying the student access to an education that could potentially help them make progress within the general curriculum. When an EL receives services in Special Education it is important for the committees making programming and placement decisions to consider not only the students' disability but also their linguistic needs.

Ideally ELs with disabilities would be served by dually trained bilingual special education teachers. However, in most cases, due to the teacher shortage that exits in both areas, bilingual education and special education, the availability of dually trained teachers is rare. There is a lack of teachers with dual expertise in Special Education and Bilingual Education (Liasidou, 2013). Therefore, ELs in Special Education are usually served by two teachers, a bilingual teacher and a special education teacher, who collaborate and may serve the student at the same time or at different times throughout their school day. Delgado (2010) found that teachers of ELs with disabilities had a tendency to provide the accommodations that aligned with the teacher's specialization. For example, if the student was in the bilingual or ESL class then she would

receive linguistic accommodations, but if she was in her Special Education class, she would receive accommodations according to her disability.

The integration of both programs was lacking, which resulted in a disengaged student. Delgado (2010) found that one factor influencing the lack of integration of both programs was teachers having limited opportunities to collaborate to plan their lessons. This is an important factor since the number of ELs in Special Education is increasing (Klingner et al., 2006). Teacher collaboration is crucial to the implementation of a program of instruction that addresses all students' needs (Delgado, 2010). In order for teachers to be able to collaborate, they need to have support from their administrator (Garcia & Tyler, 2010). It is important to have an administrator who fosters a caring and supportive environment and who believes that all students can learn (Delgado 2010).

In addition to a supportive administration, Artiles et al. (2008) recommends the use of language development in activities as part of reading interventions. The use of tasks that are relevant to the students and that incorporate and validate their life experiences and culture, in addition to giving them access to resources in their native language, should be primary components of the curriculum in Bilingual Special Education (Garcia & Tyler, 2010). Linguistic support as well as curricular modifications should be critical components of the curriculum in an integrated program (Artiles et al., 2008). Changes in curriculum as well as accommodations could help reach all students. Garcia and Tyler (2010) recommend:

> Using teaching methods that draw on students' preferred or stronger modalities (e.g., listening vs. reading, oral vs. written); reducing information students must generate independently (e.g., providing checklists, reading and/or study guides, peer assistance with note-taking); and teaching study skills, self-monitoring skills, or other coping

strategies to support areas affected by the disability and in the areas of language and

literacy development, approaches such as Sheltered English instruction. (p.117)

Researchers also note that it is important not to water down the curriculum and not to

lower expectations. Teachers should try different methods of instruction until the one that is

better suited for the student is found (Artiles et al., 2008; Garcia & Tyler, 2010). Moreover,

involving the parents in the process, which is required as part of Special Education, could aid the

teachers in learning more about the students' culture and background and has been correlated to

student success (Artiles et al., 2008).

Disproportionality

Disproportionate representation refers to "unequal proportions of culturally diverse

students in special education programs" (Artiles & Trent, 2000, p.514). When diverse

populations of students appear in higher ratios than would be expected, this is called

overrepresentation. Disproportionality is measured by comparing minority students to their white

counterparts. According to Yzquierdo McLean (1995) and Flores (2005), research indicates that

disproportionality for ELs has been reported since the turn of the last century (1900). The lack of

programs that support ELs influences overrepresentation of ELs in special education. There are

three hypotheses that have been proposed by Rueda and Windmueller (2006) as causes for this

overrepresentation:

the systematic bias hypothesis (i.e., bias at some level of the system leads to

disproportionate identification and placement rates for some groups), the achievement

difference hypothesis (i.e., those students who demonstrate greater need are in fact those

who get placed)…or the misalignment or imbalance of the multiple levels of the

teaching/learning system. (p.101)

The overrepresentation and/or over identification of ELs has been found to happen usually in fifth grade through high school, with ELs who were in an English immersion program being more likely to be identified as having a disability. Moreover, students who are perceived as having problems acquiring English and a deficiency in their primary language are also often perceived as having a language disability (Klingner et al., 2006). Even though there is variability in the factors that are taken into consideration when considering a student for a Special Education referral due to minimal guidance from federal guidelines, studies have found that ELs and students with low socioeconomic status (SES) are often over-represented in Special Education programs (Linn & Hemmer, 2011; Sullivan & Bal, 2013). In addition to the types of interventions being used and the progress that the students are making, educators need to consider factors such as the student's language acquisition levels, the type of instruction the students are receiving, and the role that the students' culture plays in their learning. All of these are factors that should be taken into consideration before considering referring a student for a special education evaluation (Wells & De La Garza, 2017).

The overrepresentation and misidentification of English Learners (ELs) with disabilities has been a topic of controversy and discussion among educators and professionals in the field over the past two decades (Artiles, Klingner, & King, 2008). One of the factors that has contributed to this misidentification and overrepresentation of ELs in Special Education is that teachers are sometimes confused in identifying ELs' reading deficits as a disability. Shortage of qualified evaluators and the methods and tools used during assessment processes used for their identification might also be contributing to this issue (Barnette, 2012; Klingner, Artiles, & Barletta, 2006). Moreover, teachers and evaluators need to consider the time it takes for ELs to acquire English. Cummins (1981) suggests that basic interpersonal communication skills, or

BICS, which refers to the day to day language skills we use, can take up to 3 years to develop; and cognitive academic language proficiency (cognitively demanding language based on literacy skills), or CALP, can take anywhere from 5 to 7 years to acquire.

According to Mueller-Gathercole (2013), some ELs are diagnosed as having a learning or speech disability without the use of proper assessments, despite the rulings from Diana v. State Board of Education (1970) and Larry P. v. Riles (1979), which set precedent for the use of students' native language and appropriate instruments when assessing for Special Education eligibility. This raises questions about the validity of such eligibility recommendations. Contributing to the problem of misdiagnosis is the struggle many educators have in differentiating typical second-language acquisition difficulties from learning disability (Klingner & Artiles, 2006; Rinaldi & Samson, 2008). What may seem like a processing disorder associated with LD, may in fact be normal second language development.

Assessment of English Learners

According to Mueller (2014), there are ELs in school who have been diagnosed as having a learning or speech disability without the use of proper assessments. This is despite the outcomes from Diana v. State Board of Education (1970) and Larry P. v. Riles (1979), which set a precedent for the use of instruments that are appropriate and for using the students' native language during the assessment process. The Code of Federal Regulations (CFR) 300.304 requires that assessment and other evaluation materials "are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer." Moreover, evaluators must ensure that the results of their evaluation are not primarily the result of cultural factors or

limited English proficiency (LEP) among other factors (CFR 300.309 (a) (3)). The way in which evaluations are conducted in order to determine whether a child has a disability has changed over time.

Presently, evaluators typically use assessments that have been designed for monolinguals (i.e. assessments in English with inappropriate norming groups) to assess ELs. One reason for this is that there are not enough appropriate assessments for every language present in U.S. schools. Mueller-Gathercole (2013) proposes the use of Response to Intervention (RtI) as a tool for assessment of ELs. Additionally, it is important that the evaluator not only use appropriate evaluation instruments to make determinations about the child, but that they make decisions while taking into consideration the child's cultural context (Articles, Harry, Rescale, & Chinn, 2001).

The assessment of English Learners poses a challenge for educators (Gonzalez, 2012); assessment for special education is especially controversial among scholars. Educators can confuse a lack of English proficiency with the presence of a disability. Gathercole (2013) argues that ELs face a number of educational challenges such as "adjustment to a new and sometimes unwelcoming culture, socializing into a new peer group, mastery of challenging academic knowledge and skills and, in some cases, overcoming trauma or difficulty related to immigration... in addition to learning English for the purposes of schooling" (p.11). Another challenge they encounter is the way the school system curriculum is designed. Westby, Dezale, and Fradd (1999) argue that teachers should draw from their students' everyday discourses and assist them in making connections between their knowledge and the content. If we were to humanize pedagogy by being able to value "the students; background knowledge, culture, and

life experiences" (Bartolome, 1994, p. 190) we would be able to create learning environments where students feel valued and are able to identify themselves with the content being presented.

Furthermore, these students' backgrounds are many times unknown to their teachers and are not considered when making a referral for special education testing. As educators we need to consider where our students come from and what they are bringing with them. Thomas, Gathercole and Hughes (2013) argue that there is clear differences between monolingual and bilingual speakers which include "language exposure, linguistic competence and language use" (p.176). These differences also exist among ELs. English Learners' development is different depending on personal background, language experiences, socio-economic status, and schooling factors such as teacher training and teacher competence. These factors should be considered when assessing ELs' academic abilities. Gathercole (2013) adds that the challenges English Learners face include "adjustment to a new and sometimes unwelcoming culture, socializing into a new peer group, mastery of challenging academic knowledge and skills and, in some cases, overcoming trauma or difficulty related to immigration" (p.11).

As Duran (2008), Gonzalez (2012), and Gathercole (2013) argue, it is important to know that not all ELs come from the same background and have received the same educational opportunities. Being aware of this during the assessment process is crucial. Gonzales (2012) examines the use of the ethnic educator approach when assessing ELs. This approach "takes into consideration external factors that have been demonstrated to negatively affect low SES EL students' academic achievement, development and learning progress as reflected in their lower performance when using standardized assessments" (Gonzalez, 2012, p.291). This kind of approach calls for a paradigm shift in which educators must consider the whole child and not only their scores. The child must be viewed not only as a number but as a whole, as a human

being, as an individual. Every EL is different. It would be impossible to generalize any one rule to all EL students since not all ELs have the same upbringing and the same quality of schooling (Duran, 2008; Gonzalez, 2012). Duran (2008) found that "some EL student groups from different language backgrounds show more variability in performing on specific assessment items than others" (p. 310).

Valuing students' culture and experiences may help teachers recognize that assimilation is not the only means to success (Alanis and Rodriguez, 2008). It helps them develop their students to their maximum potential (Tong, Lara-Alecio, Irby, and Mather, 2011). It is important, that educators be made aware of the different factors that influence assessment results and that training be implemented in how to help ELs in order to be able to provide equity within the classroom. We need to remember that students are not just a number, that they are children whose knowledge acquisition is not only dependent on their ability to learn but also on the factors that surround them.

Pre-Referral Practices

Educators' misperceptions of ELs' difficulties place ELs at higher risk of being referred and placed in special education. Our school system, as it stands today, seems to be fixed on using a systems approach to education. According to Ornstein and Hunkins (2012), the systems approach is used to "ensure that people master the tasks they must perform" (p.5). This approach, though it is seen as the way to get students to master objectives, does not meet the needs of all stakeholders. Cultural dissonance within the school system is often a cause of misunderstanding and misinterpretation of learning behaviors that influence the educators' mindset about their students (Walker, Shafer, & Liams, 2004). Some argue that the school should be able to fix inequality and produce high achieving students no matter what. However, the school system

tends to blame "the students, their parents, their culture, and their community" (Valenzuela, 2009, p.137) for the low academic achievement seen in this growing population. According to Gandara and Contreras (2009), "the evidence suggests that rather than addressing the disadvantages these students face, the schools perpetuate them" (p. 87). With no answer to the current situation, educators are being faced with having to teach students who, according to them, do not care about their education.

When educators' interpretation of their students' learning behaviors is seen through a hegemonic lens, students may seem to be lacking skills and knowledge by teachers having low expectations, which usually leads to their placement in lower level courses and results in segregation and limited educational opportunities (Oakes, 2007). Denial and nationalism in the curriculum have perpetuated hegemony in the schooling of ELs (Valenzuela, 2009). Cummins (1999) suggests that "the efforts to reverse the pattern of Latino/Latina academic underachievement must examine not only the language of instruction but also the hidden curriculum being communicated to the students through instruction" (p.8). He argues that in order for academic underachievement among ELs to be reversed, their language needs to be used to create meaning based on their experiences. This in turn will create an interpersonal space that allows them to embrace their identity. However, it is not often that Latinos receive the specialized and caring instruction that they require and the support that they need. The beliefs about the underachievement of this group vary from blaming the students, to blaming the teachers, to blaming the high rates of immigration, to even blaming current laws.

Federal guidelines have changed over the years in the description of different disabilities and in the processes used for identification. Schools often struggle to differentiate between difficulty in acquiring a second language and a disability (Klingner & Artiles, 2006; Rinaldi &

Samson, 2008). The pre-referral process is of utmost importance in the proper identification of students with disabilities. Pre-referral processes were included in the Education for All Handicapped Children Act in 1975 as a way to mitigate problems with inappropriate referral. An appropriate pre-referral process could facilitate the decision of the multidisciplinary team (MDT) in helping distinguish between actual disabilities and sociocultural differences (Wilkinson, Ortiz, Robertson, & Kushner, 2006). It is important that ELs are exposed to "positive and effective learning environments that are culturally and linguistically responsive" (Liasidou, 2013, p. 13).

Teachers should be able to develop interventions based on the needs of their students (Klingner & Artiles, 2006; Liasidou, 2013). A multi-level or multi-tiered approach has been proposed as a method in which different factors are taken into consideration during the prereferral process (Rinaldi & Samson, 2008; Rueda & Windmueller, 2006; Wilkinson, et al, 2006). According to Rueda and Windmueller (2006), "most interventions to solve overrepresentation have focused on one level of analysis—the individual student (individual instructional interventions), the classroom (classroom organization or social and cultural accommodations), or the institutional/policy level (changing policy or restructuring)" (p.104). They recommend that instead of focusing on each individual level that all levels be considered, as well as the local context, when determining whether a student should be referred for Special Education and when making eligibility decisions.

According to Klingner and Artiles (2006), second language acquisition is influenced by factors such as "sociocultural environment, language proficiency in the first language and, attitudes towards the first and second language, perceptions of other' attitudes towards the first and second language and personality attributes" (p.387). In addition to these factors, Wilkinson et al. (2006), suggest that there are three types of problems that can affect ELs' ability to learn:

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students' academic problems result from deficiencies in the teaching–learning environment (Type I problems). For example, ELs fail when they do not have access to effective bilingual education or ESL programs….Other students have learning problems that become more serious over time because instruction is not modified to address their educational needs (Type II problems). For example, students who are reading below grade level cannot succeed unless they are provided with support to overcome difficulties…students with Type III problems need specialized instruction because they have disabilities and educational needs that cannot be met by general education without special education support. (p.131)

These types of learning problems need to be considered along with the levels discussed by Rueda and Windmueller (2006) during the pre-referral process. Response to Intervention (RTI) is a model that could potentially incorporate all of the elements necessary to aid in making better pre-referral, referral, assessment, and programming decisions for ELs. Fletcher and Navarrete (2003) argue that students fail in school due to the lack of appropriate interventions. An RTI model "integrates a multitier preventative instructional system and specifies the systems use of data driven decision process to enhance outcomes for all children" (Rinaldi & Samson, 2008, p.6). A model that considers students' background and their individual needs, including not only a focus on academics but also linguistic and cultural needs, would positively benefit outcomes for ELs when implemented with integrity and fidelity (Kanga, 2017; Rinaldi & Samson, 2008).

Early intervention is a key component in the prevention and proper identification of ELs with disabilities (Wilkinson et al., 2006). Response to Intervention incorporates the use of research-based interventions as part of the preventative process. The focus is on improving early

literacy skills and overall reading outcomes (Rinaldi & Samson, 2008). However, if a student does not respond to the interventions being provided, then the documentation acquired during the RTI process should be used as part of the overall assessment process in order to make a better decision and to determine placement of the student (Liasidou, 2013; Wilkinson et al., 2006). If it is determined that a student qualifies for Special Education services, then his language proficiency as well as all the information obtained during the RTI process needs to be made available to evaluators and needs to be considered by the Individual Education Program (IEP) team in order to develop an appropriate educational program for the student (Liasidou, 2013; Rinaldi & Samson, 2008; Wilkinson et al., 2006).

Culturally Responsive Assessment Practices and Specific Learning Disability Identification

Most of the assessments used in eligibility evaluations are constructed from a monolingual perspective, which does not reflect the way in which bilinguals develop, making the assessment invalid and unreliable (Mueller-Gathercole, 2013). Solórzano (2008) argues that "because of widespread use of tests without consideration of their technical quality, purpose, and use, students are tested at the whim of those who stand to gain from political posturing rather than from those who want to use tests to improve instruction" (p.262). Identification of ELs with learning disabilities is difficult due to a lack of theory and empirical norms that describe the typical course of language and literacy development for ELs and the individual, school, and social factors that relate to that development (Wagner et al., 2005). Every EL is different. It would be hard to generalize any one rule to all of them since not all ELLs have the same upbringing and the same quality of schooling (Duran, 2008; Gonzalez, 2012).

The Code of Federal Regulations Chapter 34 in subparts 300.307 to 300.311 defines a specific learning disability as:

a disorder in one or more of the basic psychological processes involved in

understanding or in using language, spoken or written, that may manifest itself in

the imperfect ability to listen, think, speak, read, write, spell, or to do

mathematical calculations, including conditions such as perceptual disabilities,

brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia"

(Electronic Code of Federal Regulations, 2014).

Moreover, the Texas Administrative Code specifies that:

in order to ensure that underachievement in a child suspected of having a specific

learning disability is not due to lack of appropriate instruction in reading or

mathematics, the following must be considered: (i) data that demonstrates the

child was provided appropriate instruction in reading (as described in 20 USC,

§6368(3)), and/or mathematics within general education settings delivered by

qualified personnel; and (ii) data-based documentation of repeated assessments of

achievement at reasonable intervals, reflecting formal evaluation of student

progress during instruction. Data-based documentation of repeated assessments

may include, but is not limited to, response to intervention progress monitoring

results, in-class tests on grade-level curriculum, or other regularly administered

assessments. Intervals are considered reasonable if consistent with the assessment

requirements of a student's specific instructional program" (Individuals with

Disabilities Education Act State Board of Education Rules Commissioner's Rules

Texas State Laws, 2012, p. A-9).

There are many factors that have to be taken into consideration when making a

determination about whether a student has a disability or not. Some of the factors that have to be

taken into consideration when a student is being evaluated for special education eligibility are appropriate instruction, school attendance, motivation, and extraneous factors such as behavior problems or attention deficits. Teachers may be unaware or dismiss the importance of these factors when considering the underachievement of all students, especially ELs.

According to Rhodes, Ochoa, and Ortiz (2005) there are 3 factors associated with the identification of ELs as having a Specific Learning Disability that are problematic: "inadequately trained examiners, inappropriate assessment practices and failure to comply with federal and/or state guidelines" (p.31). Evaluators must consider students' varied backgrounds when interpreting scores obtained from assessment batteries that are normed with monolingual populations. Moreover, evaluators must be knowledgeable about bilingualism and must fully understand and apply their knowledge about second language acquisition as part of the assessment process of ELs. Alvarado (2011) argues that test selection for the assessment of ELs must be based on the following: "language profile of the student, instructional programming/history (English, native language, bilingual), current age or grade level, assessment modality/form judged most appropriate for the student (i.e. non-verbal assessment, low-verbal assessment, bilingual testing, etc.) and availability of tests in target language" (p.23). She adds that the evaluation must be conducted in both languages if the student has received instruction in English, for one year or more, and if the student has received bilingual instruction, for one year or more. Evaluators must consider the students' educational history, cultural and socio-economic factors, and linguistic background when interpreting test results and when making eligibility recommendations.

A multidisciplinary team approach involving the RtI team, the special education staff, and the parents is also important in order to make a determination that is in the best interest of

the student. As Duran (2008), Gonzalez (2012), and Gathercole (2013) argue, it is important to know that not all English Learners come from the same background and have received the same educational opportunities. The evaluator's awareness of this during the assessment process is crucial.

Sometimes students seem to be underachieving when measured by the progress monitoring assessments used during the RtI process. According to Duran (2008) this could be due to how the assessments are created. He argues that "psychometric measurement models need formally to incorporate information on how cultural, demographic, and psychological and personality profiles, as well as linguistic factors, affect ELs' assessment performance" (p. 296). Gathercole (2013) states that "children who grow up bilingually are not the same as children who grow up monolingually" (p.1). Duran (2008), Gathercole (2013), and Gonzalez (2012) contend that because all English Learners develop differently, it would be difficult to create norms that could be generalized. Moreover, it would be hard to generalize any one rule to all of them since not all English Learners have the same upbringing and the same quality schooling. Therefore, creating assessments meant to compare all English Learners would be difficult.

The Individuals with Disabilities Education Act (2004) states that "assessments and other evaluation materials used to assess the child are: selected and administered so as not to be discriminatory on a racial or cultural basis and provided and administered in the child's native language or other mode of communication." This requirement has been part of Special Education law since the EHA passed in 1975. Nevertheless, having guidelines specific for the assessment of ELs and an effective process to follow would be helpful. The American Psychological Association (APA), the National Association of School Psychologists (NASP), and the National Certification of Educational Diagnosticians Board (NCED) and the Texas Educational

Diagnosticians' Association (TEDA) do not provide specific guidelines or requirements in regard to the assessment of ELs. The APA and NASP have a list of best practices and considerations; however, the list is short and its content is broad and generalized. All three organizations have a one- to two-sentence statement about how the evaluator should conduct assessments in a non-discriminatory manner. The statements also place an emphasis on the evaluator using the knowledge they have about the student and the student's culture to make assessment and eligibility decisions.

Moreover, the Texas Education Agency (TEA) does not outline any specific rules or regulations regarding the assessment of ELs. The only place with guidelines to follow is the 2014 version of the Texas Dyslexia Handbook. Here the TEA devotes a one paragraph section titled "Additional Considerations for English Language Learners" (p.19) which lists the training and knowledge that evaluators need to have when assessing an EL for dyslexia. This list is more specific than those published by the APA, NASP, TEDA and NCED. However, in Texas there has been a misconception about dyslexia and its place within Special Education. The misconception that dyslexia is not part of Special Education was a concern for the United Stated Department of Education (USDE) in 2018 so the Office of Special Education and Rehabilitative Services (OSERS) wrote a letter explaining that there is nothing within IDEIA that excludes dyslexia as part of a Specific Learning Disability. Dyslexia classification in Texas does not fall within the realm of special education and so it is likely that few evaluators in Texas are familiar with the considerations necessary for accurate assessments of ELs as outlined in the 2014 Dyslexia Handbook.

Even when evaluators are knowledgeable about the differences in assessing monolingual English speakers and English Language Learners, many do not follow best practices and

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guidelines provided to them due to the amount of time it takes to complete the assessment process for ELs. Sometimes a lack of time, or pressure from administrators and teachers to "help" students, leads to an eligibility decision based on the perception that special education can give struggling ELs the help that no one else is giving them, even when students do not qualify as having a disability (Shifrer et al., 2011).

CHAPTER III

METHODOLOGY

The purpose of this exploratory mixed methods study was to describe and explore Special

Education assessment personnel's perceptions and efficacy beliefs about their current assessment

practices for Special Education identification of English Learners (ELs) in a region of Deep

South Texas. Special Education assessment personnel, henceforth referred to as "evaluators," are

those individuals who assess students and make recommendations to Individual Education Plan

(IEP) or Admission, Review, and Dismissal (ARD) (the term used for IEP committees in Texas)

committees as to whether or not students meet eligibility criteria for special education under one

or more of the 13 educational disability categories. Additionally, issues of fairness and equity

within current assessment practices were explored by analyzing the differences in assessing ELs

and monolingual English speakers for Special Education within a region with a high number of

ELs. Moreover, the factors that evaluators consider when determining whether an EL has a

learning disability were explored.

Second language acquisition is a complex phenomenon that Special Education evaluators

must understand in order to make appropriate recommendations when assessing ELs (Harris, et

al., 2015). However, many evaluators' decisions are based on what they believe is best for the

students they evaluate and not always directly related to valid knowledge about assessing ELs

(Artiles, Harry, Rescale, & Chinn, 2001; Johnson, 2009). Evaluators' determinations and

recommendations might be biased when their decisions are partly based on what they believe is

best for the students and their own efficacy beliefs. When evaluators believe that their assessment skills are adequate and that the program offered by Special Education would be more helpful than keeping ELs in general education, the belief may influence the recommendations they give within their evaluation (Sullivan, 2011). Evaluators' efficacy beliefs may make them think that their decisions and recommendations are the best for the students they assess based on what they know and what they believe. If these efficacy beliefs are not accurate, evaluators' practices would then be misinformed and would result in biased assessment practices. The focus of this study was to explore and describe evaluators' perceptions about their knowledge and the way it informs their practice and efficacy beliefs, as these pertain to issues of fairness, equity, and valid assessment methods.

Research Questions

The following research questions, which were developed after a review of the current relevant literature, served as the impetus for the study.

Q1: What are the perceptions and efficacy beliefs of evaluators about assessment practices and procedures they use when assessing English Learners referred for Special Education evaluation?

Q2: What tools (e.g., standardized assessments, curriculum-based measures, informal assessments, interviews, response to intervention data) and procedures (e.g., Cross Battery, Discrepancy, Strengths and Weaknesses, Processing Approach) are evaluators currently using in order to make their assessments fair?

Q3: What factors influence evaluators when determining that an EL has a learning specific disability?

The complex phenomena being explored within this study will help in explaining evaluators' practices when assessing ELs as well as add to the body of literature focused in the evaluation of ELs for special education identification as much of the literature focuses on overrepresentation or underrepresentation of ELs in special education but not in how ELs are identified as needing special education services.

Research Design

The assessment of English Learners poses a challenge for educators (Gonzalez, 2012). Evaluators' determinations and recommendations might be biased when their decisions are partly based on what they believe is best for the students and on their efficacy beliefs when assessing ELs. Efficacy beliefs refer to those beliefs that evaluators hold about the effectiveness of their practices in accurately assessing ELs and making appropriate eligibility decisions for Special Education based on what they believe to be correct, their perspective on students' needs, and their belief about what is going to make their work more efficient and effective (Kritikos & Kritikos, 2003). The recommendation that the evaluator makes ought to be based on their assessment and should take into consideration exclusionary factors such as the provision of appropriate instruction and cultural and linguistic factors (IDEA, 2004). The study sought to explore and describe evaluators' perceptions and the actions they take into consideration when evaluating ELs for Special Education identification, specifically when evaluating them for specific learning disabilities (SLD), and the methods they use for differentiating between typical language acquisition difficulties and learning disabilities.

This study sought to gather a large sample of survey and interview data through a sequential explanatory mixed methods approach. The use of an exploratory mixed methods approach was grounded in the fact that neither quantitative nor qualitative methods are sufficient,

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by themselves, to capture the trends and details of a situation (Ivankova, Creswell, & Sticks, 2006). The quantitative data and their subsequent analysis provide a general understanding of the research problem and allows for a deeper look into the data gathered during both phases as comparisons and interpretations are made. The need to obtain information that comes from the personal experiences of Special Education evaluators dictates the phenomenological method of this study. Phenomenology as defined by Lester (1999) emphasizes "the importance of personal perspective and interpretation" (p. 1).

Within this study, phenomenology is used as a way of interpreting and gaining insight from responses provided by the participants who were seeking to explain rather than just describe the assessment practices they currently use and their beliefs about these practices. A phenomenological research method (Moustakas, 1994) supports the overall purpose and design of this study. It provides meaningful insight based on participants' personal experiences to answer the three research questions. Phenomenology emphasizes the importance of personal experiences as they relate to the phenomenon being investigated (Creswell, 2012; Willis, 2004). Through evaluators' firsthand accounts of their lived experiences, the researcher can provide meaning and can seek to explain participants' practices.

Context of the Study

The state of Texas is divided into 20 regions by TEA with each region having an Educational Service Center (ESC) that provides technical assistance and professional development to LEAs within the region. Education Service Centers also provide support for LEAs focused on state directed and funded projects. The study took place within the Region One area in South Texas on the border with Mexico. The mission of Region One Education Service Center (ROESC) is to support and assist our district in implementing research and evidence-

based practices. Region One was selected as the area for the study because there have been few studies that focus in populations similar to that of Region One with a large number of Hispanic and ELs.

Region One covers 10,714 square miles and is composed of eight counties: Cameron, Willacy, Hidalgo, Jim Hogg, Zapata, Webb, Brooks, and Starr. Five out of these eight counties are among the five poorest counties in Texas (Texas Tribune, 2016), with Starr County ranked as the 37th poorest county in the United States. At the time of the study, however, Region One only covered seven counties. Brooks County became part of Region One in the Fall of 2019. Region One includes 38 school districts and 10 charter schools. Region One has a total student population of 439,638 (Region One, 2019) from which 37.44% are ELs with 20.06% being served under bilingual education and 12.50% being served under an English as a Second Language program. The number of Hispanic/Latino students is 426,178 (96.94% of the total student population), with 374,436 students (85.10%) identified as economically disadvantaged, and 11,151 of students (2.54%) considered migrant (Region One, 2019). The percentage of teachers serving in Bilingual or ESL classrooms (5.6%) slightly surpasses the state percentage (4.7%) (TAPR, 2018).

The total number of Special Education students in Region One is 41,865 (9.52% of the school population) (Region One, 2019), with 36.5% of all students in special education being ELs (Texas Education Agency, 2015). Region One school districts and charter schools serve 7,742 immigrant students, 3,929 homeless students, and 3,929 students coded as unaccompanied youth (Region One, 2019). The number of ELs in Region One (161,015) represents 15.26% of all ELs in the state, with 9.15% of them being dually identified as ELs in Special Education. The study participants will be assessment personnel (evaluators) who work across multiple school

settings: elementary, middle school, and high school. Region One includes 391 elementary

campuses, 113 middle schools, and 171 high schools.

Accountability data for the year 2018-2019 showed that Region One outperformed all

other regions of similar size in the state when comparing overall district performance (The

Monitor, 2018). Moreover, 2019 Results Driven Accountability (RDA) data, which looks at the

results of the 2018-2019 school year, shows that ELs in Region One surpassed the state rate in all

areas: students served in Bilingual Education STAAR 3-8 passing rate, students served in ESL

STAAR 3-8 passing rate, ELs not served in Bilingual Education or ESL, ELs year after exit

STAAR 3-8 passing rate, and ELs STAAR End of Course (EOC) passing rate.

Participants

The participants of the study were educational diagnosticians, licensed specialists in

school psychology (LSSP), and other assessment personnel (e.g., dyslexia diagnosticians) who

assess ELs for Special Education eligibility under the "specific learning disability" (SLD)

category and who work in school districts (including charter schools) in the Region One area.

The participants were recruited through email. Evaluators who work within the Region One area

were selected as this is the area where the researcher resides and due to the researcher being the

regional technical assistance contact for evaluators in the area at the time the study took place.

Moreover, the researcher has built rapport with most of the participants in the study as she

provided professional development and technical assistance to evaluators in Region One as part

of her job. This could facilitate interactions with the participants but could potentially create bias

from the participants and the researcher.

The study was divided into two phases: Phase I involved answering a 30-question survey

that was emailed to approximately 300 educational diagnosticians and LSSPs. The list of 300

evaluators was obtained using a request for public records from Region One ESC. The list included evaluators from all LEAs served by the Region One ESC. After survey results were collected and analyzed, a convenience sample was selected for the second phase of the study based on the number of survey participants who agreed to have a follow up interview and who were available for an interview. A convenience sample of seven participants were interviewed as a follow up on their responses to the survey.

According to Creswell (2012), a purposeful sampling is one in which the researcher "intentionally selects individuals and sites to learn or understand the central phenomenon" (p. 206). The participants who were selected for the follow-up semi-structured interview held a position in which they assess ELs for Special Education eligibility under the SLD category. Participants were considered based on their willingness to be contacted for follow-up interviews as selected at the end of the survey. Two of those chosen to be interviewed were English speaking evaluators who assess and/or write evaluation reports for Special Education eligibility for ELs. The other five were chosen because they were bilingual evaluators.

Researcher Positionality

Part of mixed methods research is the use of qualitative data. In qualitative research the researcher is the instrument who collects data (Creswell, 2012; Denzin & Lincoln, 2003). Being a bilingual student as a child has shaped my view of how effective and useful bilingual education can be. As a teacher, being bilingual has helped me communicate with my students' families and understand their world. As an educational diagnostician I have seen how effective bilingual education teachers can be in helping a bilingual student learn and progress through school, potentially preventing the student from being referred for Special Education evaluation. I have also seen how having bilingual Special Education teachers, who are able to teach bilingual

special education students, can make a difference through the provision of specially designed instruction (SDI). As a doctoral student I learned the importance of high-quality teaching practices and about the importance of teacher-student relationships when teaching, especially with our ELs. In preparing for this study, I reflected on my experiences as a Mexican immigrant. While my background may be different from many ELs who currently attend Region One schools, I still see myself as part of the EL community.

Through my previous position as an Education Specialist in the Region One area, I was charged with providing training in the area of assessment. Within my position I learned about evaluators' practices and the barriers they encounter as they assess ELs. I believe that due to the rapport that I built and the trust that they have in me, I was able to gather data that is accurate and that represents their truthful answers. As an assessment specialist at ROESC, I always make sure that I keep information confidential whenever I am providing technical assistance via phone, email, or face-to-face.

As the researcher in this study, I asked participants to fill out a survey and then selected seven participants to interview based on the participants' reported background in their survey. I used my experience as an educational diagnostician and my knowledge in assessment practices, bilingual education, and Special Education law to expand my questioning during the interviews and to elaborate during my conversation with the participants by making connections between my knowledge and experiences and those experiences they described during the interview process. I leveraged the rapport that I have built with the participants of the study in order to attempt to obtain truthful and genuine answers. At the same time, I reflected on and was cognizant of my own biases to ensure that participants were provided the opportunity to share their perspectives and beliefs openly during data collection by using open ended follow up

questions. The study explored factors that may influence evaluators' determinations, such as time constraints, availability of effective bilingual programs or general education programs, availability of interventions outside of Special Education, and State accountability. These factors, in my experience, influence the decisions that are made about the tools evaluators choose to use and the fidelity of implementation of the model they choose to use for their evaluation.

Data Collection

This mixed methods study was a two-phase study (see Figure 1). During the first phase of the study, a survey (See Appendix A) was emailed to a sample of approximately 300 evaluators (Educational Diagnosticians and Licensed Specialists in School Psychology). Responses were collected from 64 evaluators, for a return rate of 21%. The survey was emailed five times within a three-month time span. The email addresses for the sample were obtained from the Regional Education Service Center through a request for records. The survey is an adapted version of the survey created by Kritikos and Kritikos (2003). Permission was obtained from the authors to use and adapt the survey (See Appendix E). Creswell (2003) argues that validity is an important component of any study or instrument. The survey was adapted by removing questions that were specific to speech language pathologists and by changing some answers within the multiple options to fit within the professional and educational background of educational diagnosticians and LSSPs. The survey was reviewed by two educational diagnosticians to gather feedback in the clarity of the questions and answer options.

The survey included an explanation of the study as well as a question asking for their consent. It was made clear that their participation was voluntary. Some of the participants stated being nervous before beginning the interview and asked if their names would be used in the study. They were assured that no personally identifiable information would be used. The survey

included demographic questions such as years of experience; knowledge of other languages; fluency in other languages (including self-rating); ability to read, write, and speak other languages; current position; the setting within which they practice (elementary, middle school, high school, or multiple settings), and whether they currently assess ELs for Special Education identification under the SLD category.

The focus of the survey was on the type and level of training they have received in their role as evaluators (both in their initial certification/licensure programs and subsequent professional development) as well as questions addressing their perceptions about the assessment of ELs and their practices. In addition to demographic information, the survey asked participants questions about their perceptions about assessment of English Learners (ELs) and about their current assessment practices when assessing ELs for Special Education identification under the SLD category. The survey took approximately 20 minutes and included 30 questions that were completed online using Qualtrics. The participants were asked to provide their first name, phone number, and email address at the end of the questionnaire if they were willing to be contacted for a follow up interview.

The second phase of the study involved interviewing a convenience sample of seven participants. Participants were invited to participate in an interview via email. Selection of interview participants was based on their willingness to be contacted for a follow-up interview as communicated to the researcher at the end of the survey and on their availability for an interview. The interviews were scheduled at the convenience of the participants. All seven interview participants were educational diagnosticians. Note that none of the LSSPs who participated in the survey volunteered for a follow-up interview. Out of the seven interview

participants, six reported being bilingual and one reported being an English only speaker. This participant was also the only monolingual English speaker who completed the survey.

The interviews were conducted in order to provide a deeper and more clear understanding of participants' responses to the data obtained through the survey. The goal of the qualitative phase was to explore and interpret the statistical results obtained in the first, quantitative, phase. Questions within the interview were used to triangulate and validate answers given in the survey. The interviews were recorded using a password protected iPad. The purpose of the semi-structured interview was to gain insight into the process and the types of assessment techniques used to assess English learners who have been referred for special education testing (specifically those suspected of having a SLD) in their particular school district. Questions posed during the semi-structured interview were focused on the fairness and validity of the tools used and the value of the information provided by the Response to Intervention (RtI) team when making recommendations about whether or not an EL qualifies for special education services as a student with a learning disability. The interview questions used are included in Appendix A.

Figure 1 *Sequential exploratory design of the study*
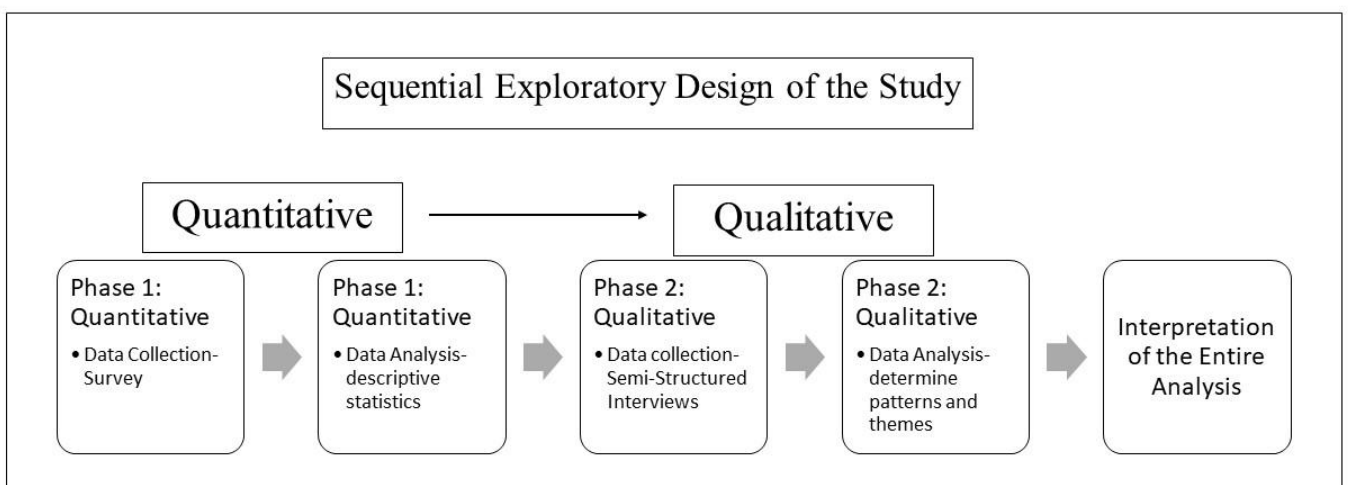
Data Analysis

Quantitative Data Analysis

Quantitative data from the surveys was analyzed first. The goal of the quantitative data analysis was to gather data on evaluators' perceptions of their level of preparation to assess ELs who are referred for Special Education evaluation. The survey also provided an overall look into the participants' background, level of education, and kinds of professional development, including the types of courses they took specifically on the assessments of ELs and/or on cultural and linguistically diverse issues. It also included information about their beliefs and how their beliefs impact their decisions.

In total, 64 evaluators participated in phase I, the survey, and seven evaluators participated in phase II, the semi-structured interview. Although some of the survey respondents may not have been practicing Educational Diagnosticians or Licensed Specialists in School Psychology (LSSPs) at the time they answered the survey, they were identified because they have experience in the area of assessment in Special Education. Their emails were obtained from a list of contacts from training offered specifically for education diagnosticians and LSSPs at the Region One Education Service Center. In compliance with IRB requirements, participants did not have to answer all questions. Therefore, some questions had different answer rates depending on whether the participants answered the questions. The data and analysis, as well as the reports components within Qualtrics, was used to analyze the data obtained from the surveys. Descriptive statistics were used for the quantitative data analysis.

Demographic data such as certification, years of experience, type of degree, participants' proficiency in a language other than English, the findings for questions involving efficacy, perceived knowledge about the assessment of ELs, and challenges when they assess ELs as well

as the methods used for evaluation and considerations given during the evaluation process were described using percentages. A comparison between the participants' certification, bilingual/ESL or not bilingual/ESL, were conducted against the challenges they encounter when assessing ELs for the Special Education eligibility of SLD. The comparison shed light on whether the level of training bilingual/ESL certified personnel have may impact the student weaknesses they report as challenges while assessing ELs for Special Education.

Qualitative data analysis

Qualitative analysis requires the review of data from the researcher's perspective. It is a multilevel multistep process (Creswell, 2012). The researcher used a journal throughout each interview in addition to using an iPad to audio record each of the interviews. In the journal, notes were kept about the participants' demeanor and body language as they answered the questions. Before the data was analyzed, the researcher transcribed all interview data into Microsoft Word and then uploaded it to a password protected Google drive folder (Creswell, 2012). The Braun and Clarke (2006) step-by-step thematic analysis guidelines include: (1) familiarizing yourself with your data, (2) generating initial codes, (3) searching for themes, (4) reviewing themes, (5) defining and naming themes, and (6) producing the report. These were used to generate codes and sort the data into themes according to Creswell's steps for coding data. After the data was reviewed, it was divided into segments, the segments were labeled, and a process for reducing overlap/redundancy and collapsing codes into themes was followed (Creswell, 2012). The researcher looked for connecting themes within each participant's interview and then connected those themes to the others to create theme clusters (Smith & Osborn, 2004).

Thematic analysis of the seven interviews revealed five themes: consider the student not the label, little variation in data collection and interventions between EL and non-EL referrals,

evaluators struggled with a variety of challenges specific to identifying ELs for SLD, feeling competent when evaluating ELs, and assessment preferences and methods used when assessing ELs. Each interview was analyzed for codes and the codes were then categorized into overarching themes. Interview transcripts were analyzed for keywords that were highly used by all participants. Also, statements or phrases that were repeated across interviews were highlighted. Words that were used with high frequency were highlighted in pink and phrases that repeated across interviews were circled in blue. The researcher assigned codes that summarized or illustrated the idea behind the answer provided by the participants. The codes were assigned in in blue and written above the answer. Once coding was completed the researcher sorted the codes, high frequency words, and repeated phrases into categories and then reduced the categories to form themes.

All interviewees were educational diagnosticians and were given a two initial code name (AE, AG, AW, AL, AC, CG, LG) that did not correlate with their name for confidentiality purposes. AE speaks English and Spanish fluently and is white. She grew up and was educated in a state in the northeast of the United States and learned Spanish in college and while living in Central America for 10 years. AW is a monolingual speaker of English and is white. She grew up in Texas but lived part of her life in the east coast of the United States. She assesses ELs in English most of the time but seeks assistance to evaluate areas needed in Spanish. AG, AL, AC, CG and LG are all bilingual English and Spanish speakers. They speak both languages fluently and grew up in the Region One area. Some were educated at the local university and some attended other colleges within Texas. All interviewees conduct evaluations, interpret data, and write eligibility reports for ELs as part of their position in their school district.

As an evaluator who has assessed ELs for Special Education eligibility it was important for me to be cognizant of my experiences as I analyzed the data that was provided by the 64 evaluators who participated in phase I, the survey, and the 7 evaluators who participated in phase II, the semi-structured interview. Peer debriefing was used to enhance accuracy of the themes found and to create meaning for the reader (Creswell, 2012; Patton, 2002). Interview responses were reviewed through a peer review process to ensure that the themes and findings were interpreted accurately and that they were a fair representation of the participants' accounts (Creswell, 2012; Creswell & Miller, 2000; Saldana, 2011). The peer review process involved having a peer who holds a doctoral degree in education review the interview transcripts and codes as well as the themes assigned by the researcher. The peer reviewer provided feedback to the researcher and either agreed with the codes and themes or suggested revisions.

The information from the interviews was compared to the survey data gathered during the quantitative phase and analyzed to look for themes across participants' responses in order to triangulate the data. A comparison of the two types of data allowed the researcher to verify the results in order to strengthen the study by combining methods (Patton, 2002). Creswell (2009) referred to data triangulation as the most common method to establish validity in a study. In this study, the researcher collected survey data as well as in-depth semi-structured interviews. The researcher sorted through the data collected to find common themes between the qualitative and quantitative data.

Ethical Considerations

All of the participants were treated in accordance with the ethical guidelines of the American Psychological Association and the University of Texas Rio Grande Valley (UTRGV) Institutional Review Board (IRB). Although there were no identifiable risks for participating in

this study, steps were taken to maintain participant confidentiality. No information gathered through the questionnaire and interview process that may provide identifiable information about the participants was not included in the reporting of data. Moreover, the researcher reminded all participants, in accordance with IRB procedures and consent (See Appendix C and Appendix D), that all answers were voluntary and that they could choose to stop at any time. This ensured that participants felt comfortable since the researcher was also a professional development provider for school districts within the regional area. Confidentiality of participants was maintained throughout the study. Each participant was assigned a code and the code list is securely maintained by the researcher. It was necessary to assign a code in order to purposely select participants for interviewing. Upon completion of the study, all data will be destroyed after the appropriate amount of time as per UTRGV IRB Guidelines.

Limitations of the Study

There are some limitations to this study. The survey data was collected through an electronic survey that was distributed through email. Respondents were unable to ask questions to clarify questions in the survey. Therefore, questions may have been misunderstood by the respondents. Another consideration is the environment where the respondents completed the survey. Environment may have an effect on their answers; for example, a noisy room may have affected their focus or if they answered the survey from their phone and might not have been able to have their full attention in the questions. Also, results were dependent on respondents' honesty. Another limitation was the sample size of the study as it was not big enough for the results to be generalizable to other populations. Most of the evaluators who participated in both the survey and the interviews are Hispanic and bilingual to some extent. This is not

representative of the general population. However, these characteristics make this study unique in the type of participants and context in which it was conducted.

Summary

This study used mixed methods research design to investigate evaluators' perceptions and procedures when evaluating ELs for Special Education; it also examined evaluators' efficacy beliefs and how these affect their evaluative decisions. Using survey data in combination with data from interviews the researcher sought to explore the efficacy beliefs of evaluators and the considerations they make when evaluating ELs for Special Education. It utilized an electronic survey distributed through email to 300 evaluators across the Region One area in South Texas and used follow-up semi-structured interviews of seven purposely selected survey participants.

CHAPTER IV

FINDINGS

The purpose of this sequential explanatory mixed methods study was to describe Special Education evaluators' perceptions about their current assessment practices when assessing English Learners for Special Education eligibility. Moreover, issues of fairness and equity were explored within the evaluators' current assessment practices as well as within their perceptions when assessing ELs for Special Education eligibility. This study explains and describes evaluators' perceptions, the actions they take, and the methods they use when evaluating an EL for the Special Education eligibility of specific learning disability to be able to differentiate between typical language acquisition difficulties and learning disabilities. Phenomenology principles were at the center of the data analysis for this study. Phenomenology seeks to "identify phenomena" (Lester, 1999, p.1) by exploring perspectives and interpretation of those involved in the situation by taking into consideration personal knowledge and subjectivity.

Chapter 4 presents the findings of the study. The results of a 30 question survey completed by 64 evaluators as well as the results of a 15 question semi-structured interview done with seven evaluators will be presented in this chapter. Phase 1 was quantitative and involved the distribution of an electronic survey to about 300 individuals from which 64 were completed by evaluators as indicated by Qualtrics software. In accordance with UTRGV IRB policy, participants answered each question voluntarily and were not required to answer every question.

This section presents tables that represent key findings from Phase I. The information includes background information about the survey participants explaining their professional experience, certification level and language proficiency as well as the types of training they have and methods they use to evaluate ELs for Special Education eligibility. Phase 2 was qualitative and revealed narrative information that provided more in-depth information about the types of training, the participants' perceived level of preparation and knowledge about evaluation practices and methods when evaluating ELs for Special Education eligibility.

Quantitative Phase I: Descriptive Data

Data that describes the evaluators' ethnicity, gender, linguistic background, as well as their educational experience and certifications, is included in this section. Information about considerations evaluators make when assessing ELs and the referral concerns most often cited by teachers or referral teams are also described in order to answer part of the research questions. A comparison between bilingual/ESL certified evaluators and non-bilingual/ESL certified evaluators was conducted in relation to their answer to survey question 29, which asked about the problem(s) they encounter when assessing ELs for Special Education eligibility of SLD.

Demographic characteristics of the evaluators who participated in the survey are presented in Table 1. Some participants chose not to answer every question. Of the 53 participants, three were male (5.66%), 46 were female (86.79%), four preferred not to say (7.55%), and 24 left this question blank. Ethnicity represented by the participants was 42 White (79.25%), one Asian (1.89%), five other (9.43%) five preferred not to say (9.43%), while 11 did not answer this question.

Table 1 *Demographics*

		n	%
Gender		53	100
	Male	3	5.66
	Female	46	86.79
	Prefer not to say	4	7.55
Ethnicity		53	100
	White	42	79.25
	African American	0	0
	American Indian or Alaska Native	0	0
	Asian	1	1.89
	Native Hawaiian or Pacific Islander	0	0
	Other	5	9.43
	Prefer not to say	5	9.43

Table 2 provides data for participants' professional background including position, bilingual certification, and years of experience. There were 42 participants who reported that they are practicing educational diagnosticians (75%), eight who reported they are practicing Licensed Specialists in School Psychology (LSSP) (14.29%), and six reported being other (coordinators) with eight who did not answer this question. Only 18 of those who answered the questions about bilingual certification answered in the affirmative (33.96%), while 35 did not

have a bilingual certification (66.04%), and three did not answer. When asked about their years

of experience, 12 participants did not answer the question, 12 educational diagnosticians had 0-5

years of experience (23.08%), seven had 5-10 years of experience (13.46%), eight had 11-15

years of experience (15.38%), 11 had 15-20 years of experience (21.15), and six had more than

20 years of experience (11.54%). For LSSPs, five had 0-5 years of experience (9.80%), one had

5-10 years of experience (1.96%), two had 10-15 years of experience (3.92%), and one had more

than 20 years of experience (1.96%). It is important to note that most of the survey participants

have more than 5 years of experience (61.53%) and most (66.04%) do not have a bilingual

certification.

Table 2 *Professional Background*

		n	%
Position		56	100
	Educational Diagnostician	42	75.00
	Licensed Specialist in School Psychology	8	14.29
	Other	6	10.71
Bilingual/ESL Certification		61	100
	Yes	18	33.96
	No	35	66.04
Years of Experience		52	100

Educational Diagnostician		43	82.70
	0-5 years	12	23.08
	6-10 years	7	13.46
	11-15 years	7	15.38
	15-20 years	11	21.15
	20+ years	6	11.54
Licensed Specialist in School Psychology		9	17.30
	0-5 years	5	9.80
	6-10 years	1	1.96
	11-15 years	2	3.92
	15-20 years	0	0
	20+ years	1	1.96

The participants' linguistic background is described in Table 3. Out of a total of 64 participants 52 speak a language other than English (98.11%), one does not (1.89%), and 11 did not answer the question. Spanish is the language most commonly spoken by participants. Fifty participants reported that they are Spanish-English bilingual (96%), one is English-Italian bilingual (2%), and one is English-Tagalog bilingual (2%), while 12 did not answer this question. When asked about the first language that they spoke, 25 reported speaking English as their first language (47.17%), 19 reported speaking Spanish as their first language (35.85%), eight reported simultaneously learning to speak English and Spanish (15.09%), one reported

speaking a language other than English or Spanish as their first language (1.89%), and 11 did not

answer this question. More than half of the participants that answered this question (28) reported

learning a language other than English from birth to three years of age (53.85%), eight reported

learning English between 4-7 years of age (15.38%), three reported learning a language other

than English between the ages of 8-11 years (5.77%), 10 reported learning a language other than

English between 12-18 years of age (19.23%), three reported learning it after the age of 18

(5.77%), and 12 did not answer this question. While most of the participants who answered this

question (35) learned a language other than English at home (67.31%), 14 learned a language

other than English during formal education (26.92%), two learned a language other than English

while living abroad (3.85%), one learned it another way (1.92%), and 12 did not answer this

question.

Table 3 *Language Background*

		n	%
Speak a Language Other than English		53	100
	Yes	52	98.11
	No	1	1.89
Other Languages Spoken		52	100
	Spanish	50	96
	Italian	1	2
	Tagalog	1	2

First Language		53	100
	English	25	47.17
	Spanish	19	35.85
	Simultaneous English and Spanish	8	15.09
	Other	1	1.89
Age that they learned a second language		52	100
	Birth-3 years	28	53.85
	4-7 years	8	15.38
	8-11 years	3	5.77
	12-18 years	10	5.77
	Over 18 years	3	5.77
Where they learned a second language		52	100
	Schoolwork	14	26.92
	Home	35	67.31
	Lived abroad	2	3.85
	Other	1	1.92

Participants who reported speaking a language other than English were asked to rate their listening, speaking, reading, and writing proficiency in that language. Table 4 shows the results of the answers to this question. Response options were "not proficient," "somewhat proficient,"

"proficient," and "very proficient." While 53 participants reported speaking a language other than English only 51 participants answered this question. When rating their listening proficiency, only one participant reported not being proficient in listening (1.96%), three reported being somewhat proficient (5.88%), 25 reported being proficient (49.02%), and 22 reported being very proficient (43.14%). None of the participants reported not being proficient in speaking a language other than English, while 12 reported being somewhat proficient (23.53%), 28 reported being proficient (54.90%), and 11 reported being very proficient (21.57%). One participant reported not being proficient in reading (1.96%), 12 reported being somewhat proficient (25.49%), 26 reported being proficient (50.98%), and 11 reported being very proficient (21.57%). When asked about their writing proficiency, four participants reported not being proficient (7.84%), 21 reported being somewhat proficient (41.18%), 18 reported being proficient (35.29%), and eight reported being very proficient (15.69%).

Table 4 *Language Proficiency*

	n	Not Proficient	n	Somewhat Proficient	n	Proficient	n	Very Proficient
Listening	1	1.96%	3	5.88%	25	49.02%	22	43.14%
Speaking	0	0.00%	12	23.53%	28	54.90%	11	21.57%
Reading	1	1.96%	13	25.49%	26	50.98%	11	21.57%
Writing	4	7.84%	21	41.18%	18	35.29%	8	15.69%

Factors that Influence Evaluators when Determining that an English Learner has a Specific Learning Disability

Participants were asked about the referral concerns stated by teachers or intervention teams when referring ELs for a Special Education evaluation. Referral concerns are often at the forefront of the evaluations since the evaluators' role is to determine whether those concerns are valid and supported by their evaluation. Table 5 describes the referral concerns from the highest concern reported to the lowest. In this question participants were able to select more than one choice as their answer, giving a total of 85 responses. The referral concern reported the most was lack of progress (41.18%), then reading concerns (34.12%), followed by math concerns (11.76%), and behavioral concerns (9.41%). Within the other answers (3.53%), the following were reported: medical, ADHD, and overall academic difficulties or concerns.

Table 5 *Referral Concerns*

	n	%
Referral Concern	85	100
Lack of Progress	35	41.18
Reading Concerns	29	34.12
Math Concerns	10	11.76
Behavioral Concerns	8	9.41
Other	3	3.53

The issues that evaluators encounter when assessing ELs are described in Table 6. When asked about the issues they encounter when assessing ELs, participants were able to choose as many issues as they wanted to report, giving a total of 120 selections in total made by 48 participants. Lack of intervention data was the issue reported the most by evaluators (28.33%); followed by lack of developmental norms and standardized assessments in languages other than

English (21.67%); caseload or workload (19.17%); difficulty to distinguish a language difference or learning disability (15.00%); time allocated by employer for assessment administration, scoring, and interpretation (12.50%); and lack of knowledge of the nature of second language acquisition (1.67%). Lack of availability of bilingual evaluators and lack of knowledge of the student's culture were options presented to survey participants but were not selected. Three selected "other" and reported an issue they encounter is having to help administrators understand that not all academic failure is due to a disability but language proficiency (1.67%).

Table 6 *Issues when Assessing*

	n	%
Issue	120	100
Lack of Intervention Data	34	28.33
Lack of Developmental Norms and standardized assessment tools in languages other than English	26	21.67
Caseload or workload	23	19.17
Difficult to distinguish a language difference or learning disorder	18	15.00
Time allocated by your employer for assessment administration, scoring, and interpretation	15	12.50

Lack of knowledge of the nature of second language acquisition	2	1.67
Lack of availability of bilingual evaluators	0	0
Lack of knowledge of student's culture	0	0
Other	2	1.67

Evaluators were asked about the considerations they make when evaluating ELs for Special Education eligibility and they were able to choose as many of the answers as they needed with a total of 120 selections made by 46 participants. Table 7 shows that most participants (7.57%) reported that they assess the students' cognitive ability in the student's native language. Assessing academic achievement in the student's language of instruction was the second highest reported consideration (7.37%), followed by classroom observations (7.17%), teacher interviews (6.97%), intervention data (6.77%), and student's linguistic background (6.37%). Assessing academic achievement in the student's native language, student interviews, and student's cultural background were reported at the same rate (6.18%). The type of instruction and age of the student were only reported as considerations by 5.38% of participants, while assessing student's cognitive ability in the language of instruction was reported by 4.98% of participants, and cultural loading of the cognitive assessment was reported to be considered by 4.32% of participants. All other considerations were reported by less than 5%: grade level (4.18%), assess cognitive ability in English (3.98%), nonverbal assessments (3.98%), assess academic

achievement in English (3.39%), linguistic loading of the academic achievement assessment

(2.59%), with less than 1% choosing other (0.80%) and reporting that they consider the years the

student has been in the United States, sociological information, and the number of years or time

the student has been receiving RtI.

Table 7 *Considerations*

	n	%
Considerations	120	100
Assess cognitive ability in student's native language	38	7.57
Assess academic achievement in student's language of instruction	37	7.37
Classroom observations	36	7.17
Teacher interviews	35	6.97
Intervention data	34	6.77
Student's linguistic background	32	6.37
Assess academic achievement in student's native language	31	6.18
Student interviews	31	6.18
Student's cultural background	31	6.18
Type of instruction	27	5.38
Age	27	5.38

Assess cognitive ability in student's language of instruction	25	4.98
Cultural loading of the cognitive assessment	23	4.58
Grade level	21	4.18
Assess cognitive ability in English	20	3.98
Nonverbal assessments	20	3.98
Assess academic achievement in English	17	3.39
Linguistic loading of the academic achievement assessment	13	2.59
Other	4	0.80

A comparison was made between the participants who are bilingual certified and those who are not, about the problems they encounter while assessing ELs for Specific Learning disability (SLD). This is displayed in Table 8. Question 29, "Which problem(s) do you encounter in assessing English Learners for a Specific Learning Disability?" in the survey gave participants a chance to select all the options that applied to them and their experience. Question 7 which asked participants whether they are bilingual or ESL certified was answered by 53 participants and was compared with their answers to question 29. When asked about caseload or workload

83.33% of those who selected this as a problem were not bilingual/ESL certified evaluators who selected this as a problem in comparison to 16.67% of respondents being bilingual/ESL certified evaluators. Difficulty distinguishing a language difference from a language or learning disability was reported as a problem by 18 participants from which 83.33% were not bilingual/ESL certified evaluators while only 16.67% were bilingual/ESL certified evaluators. Of those who selected lack of developmental norms and standardized assessment tools in languages other than English 84% were not bilingual/ESL certified evaluators versus 16% who were bilingual/ESL certified while none of the bilingual/ESL certified participants indicated lack of knowledge of the nature of second language acquisition (0%). Limited intervention data was reported as an issue by a total of 25 participants from which 66.67% of those do not have a bilingual/ESL certification and 33.33% are bilingual/ESL certified. Time allocated by their employer for assessment administration, scoring and interpretation was reported by both groups similarly, from the total of participants that reported this as an issue 57.14% are not bilingual/ESL certified and 42.86% have a bilingual/ESL certification.

Table 8 *Comparison between Bilingual/ESL certified Evaluators and the Problems they*

Encounter while Assessing ELs for SLD

		Not Bilingual/ESL Certified	Bilingual/ESL Certified
	n	*%*	*%*
Issue in Assessing ELs for SLD	53	33.96	66.04
Caseload or workload	23	69.57	30.43

Difficult to distinguish a language difference from a language or learning disorder	18	83.33	16.67
Lack of availability of bilingual evaluators (Educational Diagnosticians or Licensed Specialists in School Psychology)	0	0.00	0.00
Lack of availability of interpreters who speak the student's language	0	0.00	0.00
Lack of developmental norms and standardized assessment tools in languages other than English	25	84.00	16.00
Lack of knowledge of student's culture	0	0.00	0.00
Lack of knowledge of the nature of second language acquisition	7	100.00	0.00
Lack or limited intervention data	33	66.67	33.33
Other	2	50.00	50.00
Time allocated by your employer for assessment administration, scoring, and interpretation	14	57.14	42.86

When asked about the type of course work they attended in college and the type of professional development training they have attended, participants were able to select more than one topic. This helps the researcher get a good understanding of the type of topics they were exposed to while earning their degree. A total of 118 selections were made within the college level coursework question and 157 selections were made when answering the question about professional development training they have attended. College level coursework that addressed

testing and assessment normative samples was reported by 22.03%, 18.64% reported coursework that addressed second language acquisition, and 13.56% reported taking a course that addressed laws involved in the assessment and treatment of ELs. Only 2.54% reported coursework that addressed how to utilize a language interpreter, while 6.78% reported that they experienced coursework that included content about language disorder vs. language difference. Coursework in differential assessment of bilingual vs. monolingual individuals was selected by 14.41% and 22.03% received course work in assessment tools for bilingual individuals. When asked about professional development training that they have attended, testing and assessment normative samples was selected 14.65% of the time, second language acquisition was selected 19.11% of the time, laws involved in the assessment and treatment of ELs was selected 12.74% of the time, and language disorder vs. language difference was selected 10.19% of the time. How to utilize a language interpreter was selected 3.18% of the time, while differential assessment of bilingual vs. monolingual individuals was selected 19.11% of the time. Assessment tools for bilingual individuals was selected 21.02% of the time. Table 9 presents evaluators' background and level of preparation.

Table 9 *College Coursework and Professional Development Training*

	College Coursework		Professional Development Training	
	n	%	*n*	%
Topic	118	100	157	100
Testing and assessment normative samples	26	22.03	23	14.56

Second language acquisition	22	18.64	30	19.11
Laws involved in the assessment and treatment of English Learners	16	13.56	20	12.74
How to utilize a language interpreter	3	2.54	5	3.18
Language disorder vs. language difference	8	6.78	16	10.19
Differential assessment of bilingual vs. monolingual individuals	17	14.41	30	19.11
Assessment tools for bilingual individuals	26	22.03	33	21.02

Tools and Procedures Used by Evaluators

Evaluators were asked about the model or process they use when assessing ELs for special education identification under the SLD category. Table 10 describes the model or process survey participants reported. The question was answered by 47 participants. Most evaluators (95.74%) reported the use of Cross-Battery as the model or process to identify learning

disabilities, with 4.26% reported the use of the Psychological Process Approach (PASS). None of the survey participants reported using the Core-Selective Approach (C-SEP) or a different approach. According to Flanagan, Ortiz, and Alfonso (2007), the Cross-Battery (XBA) model or approach is grounded in the Cattell-Horn-Carroll (CHC) theory of cognitive abilities. This approach provides evaluators with a systematic and valid interpretation of cognitive batteries by combining the use of multiple batteries when assessing students. It looks at how cognitive abilities related to academic abilities help evaluators identify strengths and weaknesses. Its principles require the use of data to validate scores within the evaluators' interpretation. The Psychological Process Approach is another approach to cognitive ability that includes verbal, nonverbal, and quantitative tests. It focuses on Psychological Process Approach (PASS). The PASS method was based off of Luria's processing theory and was first introduced by Naglieri and Das in 1997 (Dehn, 2006).

Table 10 *Model or Process Used*

	n	%
Model or Process	47	100
Cross-Battery	45	95.74
Core-Selective Approach (C-SEP)	0	0
Psychological Process Approach (PASS)	2	4.26
Other	0	0

Qualitative Phase II: Thematic Analysis

Semi-structured interviews were conducted with seven survey participants (See Appendix B). The seven participants were selected using a convenience sample, as only eight survey participants agreed to a follow up interview and only seven were available to the researcher. The seven interviews represent 9% of the total number of survey respondents (n=64). Six of the seven interviewees were bilingual educational diagnosticians. The interviews were recorded, with participant consent, and then transcribed into Microsoft Word and saved into a password protected Google Drive. The Braun and Clarke (2006) step-by-step thematic analysis guidelines--(1) familiarizing yourself with your data, (2) generating initial codes, (3) searching for themes, (4) reviewing themes, (5) defining and naming themes, and (6) producing the report--were used to generate codes and sort them into themes according to Creswell's steps for coding data. After initial review, data were divided into segments, segments were labeled, and a process for reducing overlap and redundancy and collapsing codes into themes was followed (Creswell, 2012).

Interview transcripts were analyzed for keyword and statements or phrases that were repeated or highly used across participants to create segments within the data. Words that were used with high frequency were highlighted in pink and phrases that repeated across interviews were circled in blue. The researcher assigned codes that summarized or illustrated the idea behind the answer provided by the participants. Once coding was completed the researcher sorted the codes, high frequency words, and repeated phrases into categories and then reduced the categories to form themes. Themes were selected by coding all the phenomenological interviews after completion. Key words were highlighted, underlined, or circled. Themes were determined by coding the interviews after they were transcribed. The codes used were: speak

another language, not proficient in English, data collection, RtI/504, Review by committee or Special Education staff, time, no norms for ELs, pressure to qualify students, explaining language vs. disability, testing in two languages, lack of appropriate instruction, not sure of skill set, training has helped feel comfortable, use of the CLIM, use of Cross-battery procedure, testing preference, language dominance testing, and review of data. Once all interviews were coded, data was reviewed for overarching themes. The themes found were: consider the student not the label, little variation in data collection and interventions between EL and Non-EL referrals, evaluators struggled with a variety of challenges specific to identifying ELs for SLD, feeling competent when evaluating ELs, and assessment preferences and methods used when assessing ELs. The data was reviewed using different lenses from the phenomenological interviews and field notes as well as reviewing the recordings (Creswell, 2012).

Some of the participants stated being nervous before beginning the interview and asked if their names would be used in the study. They were assured that no personally identifiable information would be used. The researcher used a journal throughout each interview in addition to using an iPad to audio record each of the interviews. In the journal, notes were kept about the participants' demeanor and body language as they answered the questions. After coding and thematizing, the recordings were reviewed once more for any audio cues within the recoding that could confirm journal notes.

Peer debriefing was used to enhance the accuracy of data coding and themes and to create meaning for anyone who reads the final paper (Creswell, 2012; Patton, 2002). The peer review process was conducted to ensure that the themes and findings were interpreted accurately and that they were a fair representation of participants' accounts (Creswell, 2012; Creswell & Miller, 2000; Saldana, 2011). The process involved having a peer, with qualitative research experience,

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review the interview transcripts and codes as well as the themes assigned by the researcher. The peer reviewer provided feedback to the researcher and agreed with the codes and themes the researcher had found throughout the thematic analysis.

Thematic analysis of the seven interviews revealed five themes. Each interviewee was given a two initial code name (AE, AG, AW, AL, AC, CG, LG) that does not correlate with their name for confidentiality purposes. The codes and themes found are presented in Table 11. There were five themes found within the interviews that relate to the research questions: consider the student not the label, little variation in data collection and interventions between EL and non-EL referrals, evaluators struggled with a variety of challenges specific to identifying ELs for SLD, feeling competent when evaluating ELs, and assessment preferences and methods used when assessing ELs.

Table 11 *Interview Coding and Thematizing*

Theme	Code
Consider the Student not the Label	Speak another language
	Not proficient in English
Little Variation in Data Collection and Interventions Between EL and Non-EL Referrals	Data collection
	● Health information
	● Interviews
	● Informal assessments
	● Demographic information
	● For ELs- type of language program
	● For ELs- language data

	RtI/504
	Review by committee or Special Education Staff
Evaluators struggled with a variety of challenges specific to identifying ELs for SLD	Time
	No norms for ELs
	Pressure to qualify students
	Explaining language vs disability
	Testing in 2 languages
	Lack of appropriate instruction
Feeling Competent When Evaluating ELs	Not sure of skill set
	Training has helped feel comfortable
Assessment Preferences and Methods Used when Assessing ELs	Use of the Culture and Language Interpretive Matrix (CLIM)
	Use of Cross- Battery procedure
	Testing preference- KABC and Bateria
	Language dominance testing
	Review of data

Theme: Consider the Student not the Label

The first theme is significant because it demonstrated the participants' understanding of who an English Learner is. The first question asked of the participants during the interview was to define "English learner." This question was asked to explore participants' views about the meaning of being an EL. Out of the seven participants, three responded that being an EL means having language other than English as their first language. As stated by AG, "someone who is

not a native English speaker." The other participants either stated that an EL is someone "who has not acquired all their English skills," [LG], or someone who "is not proficient in English," [CG].

A surprising finding was that none of the participants defined it based on the student having an EL or Limited English Proficiency (LEP) label given by the school. They all spoke about the students' language background, exposure to another language, or a having a native language different from English. For example, AE explained that it is "when the child clearly indicates through an interview they do speak Spanish or that their family speaks Spanish." In this case AE did not stop at the data reported in the documents she received from the referral committee, she interviews the students to find out more about their linguistic background. This indicates that when assessing ELs, evaluators consider the student and not the label given by the school system or the type of educational program they receive in school. This is important to note as within a Special Education evaluation it is important to not only go by the label a student is given due to the systems that are in place, but to consider the student's background and context throughout the evaluation process (Alvarado, 2011; Rhodes, Ochoa, & Ortiz, 2005).

Theme: Little Variation in Data Collection and Interventions Between English Learner and Non-English Learner Referrals

All interview participants described a similar pre-referral process that involves data collection, a review of the data by a committee, which may include Special Education staff who decide whether Special Education is warranted, and a decision to refer or not to refer for Special Education in the area of SLD. There were variations among how the data is collected for all students. The data that most participants, four out of the seven, reported was health information, interviews, informal evaluations, and demographic data, with six out of seven participants

reporting the use of interventions through RtI or the 504 program. If the interventions tried were not working, then a referral may be initiated. As stated by LG, "If they're still not making progress, then it goes to the next level which is the referral." Participant AW reported that her district does not use RtI and only uses data to make referral decisions, stating that "recently a lot of them have been parent requests" or if the student "fails the state assessment" then that sometimes triggers a referral for Special Education.

Participants were also asked about any differences between the pre-referral process for ELs versus monolingual English speakers. The only differences described were around data collection involving the type of language program and the collection of language data. Only one of the participants reported different interventions used for ELs throughout the pre-referral process stating that "they have a lot more of Spanish interventions…they're doing in conjunction with the English." All other participants reported that ELs go through the same interventions that their monolingual counterparts go through regardless of the students' English proficiency. This is an important finding that aligns with the research. Wells and De La Garza (2017) argue that the factors to consider when referring an EL for a Special Education evaluation include looking at language acquisition levels, the type of instruction the student is receiving, their progress, and culture, as well as the types of interventions used during the RtI process (p. 95). However, Burnette (2000) and Klingner et al. (2006) found that many times the pre-referral process for ELs is overshadowed by an emphasis in English-only instruction, which excludes the use of evidence-based bilingual intervention practices.

Theme: Evaluators struggled with a variety of challenges specific to identifying English Learners for Specific Learning Disability

The third theme that emerged through the coding analysis was the challenges that evaluators face when assessing ELs for Special Education eligibility. The focus of this study is on evaluators' experiences, perceptions, and efficacy beliefs through the process of evaluating ELs referred for Special Education. The three questions that yielded most of the data for this theme were, "Are there any additional steps you take when assessing an EL compared to a monolingual English speaker," "Are there any challenges or barriers," and "What kind of ethical issues arise when you are assessing students for specific learning disability?" A follow up to the last question was, "Do the same issues arise when you assess English Learners?" The issues reported by participants were having to assess in both languages, which takes a lot of time, lack of assessments normed for ELs, pressure to find ELs eligible for Special Education, and being able to rule out appropriate instruction as the main cause of ELs' academic struggles.

Time to Conduct Bilingual Evaluations. The time that it takes to evaluate an EL is one of the challenges mentioned by all participants with some stating that "it takes a long time because we have to do both" (LG). Here LG is referring to having to assess students in both languages, their native language and English. Most participants stated that in order to fairly assess ELs for Special Education they have to conduct their assessment in 2 languages, which takes more time compared to when they assess monolingual students. According to CFR 300.304 "assessments and other evaluations materials used to assess the child…provided and administered in the child's native language or other mode of communication." Participant CG stated that after assessing the student in English and following Cross Battery procedures, she then went back "to follow up in all the weaknesses in Spanish (and) did the same thing for

achievement. That took a couple of weeks." Participant AC explained that assessing ELs takes more time not only because of the testing but because of the amount of information that she needs to collect, "in my case when they give me English they're fast" referring to the time it takes to complete an evaluation that has to be done only in English, "but when it's Spanish, no." Participant LG explained that she usually completes a language dominance assessment to determine which language to assess the student in but she also reported that "in most cases I have to do both."

Having to assess ELs in both languages, their native language and English, adds to the challenges that monolingual English-speaking evaluators have to overcome in order to complete a full evaluation of an EL. Participant AW stated, "I need to find somebody who can either test in both languages or at least get a sample done," referring to a language sample to determine the student's language dominance. This adds to the challenge of how long it takes to conduct a bilingual evaluation. Participant AE reported that it takes her anywhere from 10 to 14 hours to complete a bilingual evaluation and that even though she knows Spanish as a second language many times she still needs to consult with other bilingual evaluators to make sure she has an understanding of the student's culture, saying, "I still have a different perspective and different understanding possibly." AE does this to make sure that her understanding of the results she is obtaining are accurate in order for her evaluation to be fair.

Lack of Assessments Normed for English Learners. Most participants, four of the seven, mentioned the lack of assessment with ELs in the norm sample to be a challenge when interpreting assessment scores and when making eligibility recommendations. AL stated, "we have more tools and assessment sets of materials for English speakers, not Spanish speakers" and AG reported that "the vocabulary used in English tests is, you know, hard for kids." This is

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consistent with Abedi (2006) and Duran (2008) who argue that Special Education evaluators are using assessments designed for English monolinguals and using their training and knowledge to interpret and make eligibility recommendations using these tools. Ortiz (2008) argued that "the structure and design of intelligence and cognitive ability tests and the construction of representative norm groups are based on the notions of equivalency in levels of acculturation for both the individuals on whom the test was standardized and on whom the test will be used" (p. 7) However, ELs are not equivalent in terms of acculturative knowledge or English language acquisition and development as compared to English speakers or other ELs. On the other hand, Duran (2008), Gathercole (2013), and Gonzalez (2012) contend that because all English Learners develop differently it would be difficult to create norms that could be generalized.

Therefore, assessing ELs for Special Education eligibility is not an easy task. CG reported that when assessing ELs in Spanish "students' Tex-Mex gets in the way because they may know Spanish, but the level of their Spanish isn't the same as the one on the test." It takes time and interpretive knowledge to see the whole child within the scores and the data obtained through the evaluation process. It would be difficult to develop an assessment where ELs could be compared to each other. Therefore, it is important that if evaluators are using tools that are not meant to be used with ELs that they have the training and knowledge to be able to interpret the results of assessments that were created for monolingual English or Spanish speakers considering the background and context surrounding the EL they are evaluating.

Pressure to Find ELs Eligible for Special Education. All participants reported some type of pressure to find students eligible for Special Education. AL reported that "they're just looking at you like you're the last resort" referring to the Admission, Review, and Dismissal (ARD) committee when she is presenting her evaluation. CG reported being accused of "denying

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services" or "not evaluating properly" when she finds that a student is not eligible for Special Education. AE reported feeling "stuck between a rock and a hard place" as well as reporting that "we desperately want to help the kid…the only way that help is going to come is through Special Education." AE also reported that it is very difficult to have to communicate to the ARD committee that a student does not qualify for Special Education, stating "it's very, very hard to tell a campus that it's only a language issue, that the child doesn't really have any disability."

When a student is determined to meet SLD criteria, the evaluator must find the disability in both languages (Alvarado, 2011). Explaining that the student's struggles are due to their language difference and not due to a disability and that is why a student does not meet eligibility for Special Education is a concern when the evaluator is feeling pressured to find ELs eligible for Special Education. AE shared a story about a student who did not qualify for Special Education where she had to explain to the ARD committee that the student's struggles were not due to a disability. She stated, "He came out in the average range," when referring to the student's Spanish scores, and added, "I know that makes it hard for you, but he does not have a disability." Participant AC reported she has a principal who will fight her evaluation results and say, "he's not learning, what are you going to do about it?"

Being able to Rule Out Appropriate Instruction as the Main Cause of ELs' Academic Struggles. In addition, all participants reported issues with lack of appropriate instruction. They reported that they consider the type of bilingual or ESL program the students are receiving when evaluating and making eligibility recommendations. However, most of them reported concerns with the programs their district offers, which in turn makes it difficult for them to rule out inappropriate instruction as the main cause of ELs academic struggles. AW reported that "their bilingual programs are weak," referring to her district's program. AC stated, "I know

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our dual program is not the best, it's weak, but that's the best we have," and AL said, "I don't think there's appropriate interventions." Moreover, all participants reported that providing appropriate instruction to ELs would result in better referrals and give them better data to consider when evaluating ELs who get referred to Special Education. AE told the story about a fifth-grade student who had only been attending one of her assigned schools for three months. When the student did not seem to be acquiring English they referred him to Special Education. However, when she went back to look at the student's educational program, he had been getting most of his instruction in English with very little Spanish support and the teacher used minimal instructional strategies to address his needs. She stated that the student did not qualify for special education and had to explain to the committee the reasons. She said, "I had to say to the campus, look, you know, he's fine in Spanish, but he's been in school in Spanish his whole entire life. I know that makes it hard for you, but he doesn't have a disability."

All participants reported that they do not let these challenges influence their decisions. Wells and De La Garza (2017) argued that "diagnosticians must be vigilant to use these instruments to ensure cultural fairness" (p. 96). Evaluators are charged with making Special Education eligibility recommendations and it is something to take seriously. Recommending Special Education eligibility for an EL in order to provide them access to resources that they otherwise may not get access to is misguided and delves into the unethical (Wells & De La Garza, 2017).

Theme: Feeling Competent When Evaluating ELs

Feeling competent when evaluating ELs was a theme that arose from three questions: "Tell me about coursework or in-service training you have received regarding culturally and linguistically diverse students," "How has this training helped you in your practice?" "And do

you feel your skill set is adequate when assessing and making a decision regarding a learning

disability versus language difference? Why or why not?" All evaluators reported feeling

confident in their skill set. AG reported "I believe yes, I think I am prepared" while LG reported

"yeah, I feel my skills are adequate." AE reported feeling comfortable with her skills but feeling

insecure at times saying, "I am more comfortable than I was…I have the language but not the

culture" and stating "I do not feel my skill set is for sure and I know I would benefit from a

whole lot more training." She reported that she consults with colleagues who are bilingual and

who have the cultural background she is lacking to ensure that her understanding of the students'

background is correct.

Participants reported having one or two courses during their diagnostician training in how

to evaluate ELs or how to evaluate CLD students. All participants reported that the professional

development training that they attended has been useful and helped them feel more comfortable

and made them feel more adequate when evaluating ELs for Special Education eligibility. AC

stated that additional training helped her. AG stated, "it helps me because you learn about other

cases that other people have when you go to training" and AG reported that "you collaborate

with others with more experience, because I mean, I'm new to this." AG called herself new even

though she later stated that she has been a diagnostician for five years (while reflecting on her

level of comfort). This finding is important in understanding evaluators' efficacy beliefs when

assessing ELs for Special Education eligibility as it sheds light into one of the factors that may

help them feel like what they are doing is what is best.

Theme: Assessment Preferences and Methods Used when Assessing ELs

Participants were asked to describe a time when they assessed an EL. All participants

reported using cross-battery as the procedure they follow when evaluating students for Special

Education eligibility, including ELs, and as part of this procedure they reported using assessments to help them determine students' language dominance. LG described it as "language assessment that we have to do first, prior to doing actual testing." In addition, they all reported using the Culture and Language Interpretive Matrix (CLIM) that is found within the XBASS software to help them interpret students' English cognitive scores. AE reported that the CLIM "makes the comparison to other learners with cultural and linguistic similarities; I think is a good comparison to have as opposed to just comparing to the curriculum."

Most participants, five out of seven, mentioned specific test preferences. The Kauffman Assessment Battery for Children II (KABC II) was the preferred assessment to use with ELs when having to assess them in English due to their language dominance and proficiency and the Bateria IV Woodcock-Munoz was the preferred test when having to assess in Spanish. No other assessment tools were mentioned by any of the participants. All participants reported gathering data as part of their evaluation process. According to Ortiz (2008), "Nondiscriminatory evaluation begins with directing initial assessment efforts toward exploration of the extrinsic causes that might be related to any observed learning difficulties" (p. 10) The collection and analysis of data that includes language background, academic performance, interviews, etc. may help evaluators make better recommendations when evaluating ELs for Special Education. AE stated, "I think it's also very important to know how they're doing on curriculum-based assessments and see so that we have a comparison to other kids who've had the same instruction that they have." CG reported considering "what exposures they've had, what past experiences they've had," referring to students' background.

Synthesis of Quantitative and Qualitative Data

Following a sequential explanatory mixed method design of research, this study examined evaluators' perceptions and practices when assessing ELs for Special Education eligibility under SLD by using quantitative data obtained from a 30 question survey and using qualitative data to elaborate on the quantitative findings obtained from a 15 question semi-structured interview (see Figure 1). Applying this method of research design created a process of triangulation by using two different data collection methods and data to inform and verify information (Creswell, 2012). The triangulation began with Phase 1 of the study, which was quantitative and included descriptive statistics. Phase 1 included data collection using an electronic survey. The survey was divided into participants' general background, linguistic background, population they serve, experiences assessing ELs, and the type of training they've had in the area of bilingualism. The researcher analyzed these variables individually and in combination using percentages. The qualitative findings gathered during the qualitative phase of the study enriched the findings from the quantitative phase. The qualitative data was gathered through interviews. Qualitative findings provided more details that informed and expanded the findings from the quantitative phase of the study. The next section discusses the triangulation of the findings.

Survey findings revealed the wide range of considerations evaluators take when assessing ELs for Special Education eligibility under the SLD category. Most of the considerations were based on the data they collected before and during the evaluation process: teacher interviews, intervention data, linguistic background of the student, type of instruction, grade level, age, cultural background, and teacher and student interviews. These considerations were confirmed by one of the themes found within the qualitative data, tools and procedures, as all interview

participants reported gathering data and using it to help them throughout the evaluation process. Some of the data they reported using included interviews, informal assessments, language background, and academic performance.

Within the same theme, tools and procedures, evaluators reported having a test preference. The use of the KACB II to assess cognitive ability in English and the Bateria IV to assess cognitive and academic achievement in Spanish were the most reported assessments. One of the interview participants stated that the KABC II was her preference because they could take Crystallized Intelligence (Gc), which "represents knowledge and skills acquired through education and experience in several domains" (Thorsen, Gustafasson, & Cliffordson, 2014, p. 556). This was consistent across interviews and aligned with the consideration given to the cultural and linguistic loading of the assessment tool. In the survey, 95.74% of participants reported using Cross-Battery as the method they follow when evaluating students for SLD eligibility. This was later supported by qualitative data with all interview participants reporting the use of this method to evaluate ELs for Special Education eligibility under the SLD category. Interview participants explained that one of the benefits of using this method is having access to the CLIM which helps them compare ELs "to other learners with cultural and linguistic similarities" (AE). The use of the CLIM helps shed light into EL's cognitive ability as it compares them to other ELs without disabilities (Ortiz & Melo, 2015). It is important to address the referral concerns most often cited by evaluators: lack of progress (41.18%) and reading concerns (34.12%).

Even though only 33.96% of survey participants reported having a Bilingual/ESL certification, 98.11% reported speaking a language other than English, with 92.16% rating their listening skills in the other language between proficiency and very proficient, 76.47% rating their

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speaking skills as proficient to very proficient, 72.55% rating their reading skills as proficient to very proficient, and 51.61% rating their writing skills as proficient to very proficient. Qualitative data offered insight into evaluators' self-perceptions of competency. Most reported feeling comfortable with their skill set when evaluating ELs and even though they reported having no more than two courses within their master's degree coursework that addressed ELs, professional development training has helped them gain additional knowledge and has given them confidence.

The quantitative data also revealed that the issues evaluators encounter the most when assessing ELs are: lack of intervention data (27.20%); lack of developmental norms and standardized assessment tools in languages other than English (20.80%); caseload or workload (18.40%); difficulty to distinguish a language difference or learning disability (14.40%); and time allocated by employer for assessment administration, scoring, and interpretation (12.00%). This data was confirmed by the codes that made up the "Challenges During Evaluation" theme found within the qualitative data. Two other areas were found within the qualitative data that can be related to the time evaluators have to assess ELs for Special Education eligibility, testing in two languages which adds testing time and makes the process longer, and lack of appropriate instruction which adds to the lack of intervention data reported within the quantitative data. Qualitative data revealed one additional area that presents challenges for evaluators that was not found within the quantitative data but that is worth mentioning. Participants reported feeling the pressure of finding ELs eligible for SLD in order to receive Special Education services. This being that many see Special Education as the last resort for ELs to get the help they need to be successful in our schools (Ortiz, Robertson, Wilkinson, Liu, McGhee, & Kushner, 2011).

Summary

In summary, this study was able to describe evaluators' perceptions and efficacy beliefs when assessing ELs for Special Education eligibility under the SLD category. The researcher found that evaluators who hold a Bilingual/ESL certification were less likely to report a difficulty in distinguishing a language difference from a learning disability (16.67%), were less likely to see the lack of developmental norms and standardized assessments in languages other than English (16%) and did not see a lack of knowledge of second language acquisition as an issue (0%). This provides insight into how the background of the evaluators may influence how they feel about assessing ELs and how they see the process. Data, both quantitative and qualitative, described Cross-Battery as the method that evaluators use to assess ELs for Special Education eligibility, the assessment of language dominance and proficiency as part of their process as well as consideration for the data gathered through the pre-referral process, the CLIM as one of the tools they rely on to interpret their assessment data and a process that involves data collection, interventions through RtI or 504, and a review by a committee to determine when a referral to Special Education is warranted. Chapter 5 discusses the implications of these findings and provides recommendations.

CHAPTER V

SUMMARY AND CONCLUSIONS

This chapter provides an analysis of the research findings as they relate to the research questions. It presents a discussion and interpretation of evaluators' perceptions about their current assessment practices when assessing English Learners for Special Education eligibility and describes the significance of the findings for the field. The chapter is organized into three sections: first, a summary of the study is presented as it relates to the known literature; second, in the discussion and interpretation section, insight into the findings of the study, as well as its connection to research, is provided; and third, the chapter will conclude with an explanation of the implications of the research and recommendations for future research.

Overview of the Study

The purpose of this sequential exploratory mixed methods research study was to describe Special Education evaluators' perceptions about their current assessment practices when assessing ELs for Special Education SLD eligibility. The study also explored issues of fairness and equity within the assessment practices as reported by the participants in order to better understand evaluators' perceptions and practices when assessing ELs. The researcher used a phenomenological approach to the analysis of the qualitative data to gain insight into the participants' lived experiences.

There are many factors that contribute to the recommendations given by Special Education evaluators when assessing students for Special Education eligibility. Garcia and

Menken (2006) argue that current language policy has pushed for learning English as *the primary* goal for all ELs. In Texas, this is found within TEC 89.1201 (b), which specifies that the student's primary language is to be used to develop their literacy and academic skills with the final goal being mastery of English and success in all academic subjects. Additionally, the requirements established through a high-stakes accountability system that uses standardized assessment to measure student performance and progress, as well as measure a school's effectiveness using an A-F rating system, has added pressure to educators and administrators to take measures that may not serve all students well so that schools and districts can receive acceptable ratings. One result of this pressure has been that schools tend to move ELs to English-only instruction as quickly as possible (McNelly, 2015). This has contributed to schools, in many instances, ignoring students' native language in all aspects of their academic career, which in turn has impacted practices of Special Education referral and assessment of ELs, resulting in misidentification and disproportionality (Sullivan & Bal, 2013).

Researchers in the field of Bilingual Special Education believe this rush to an all-English curriculum, at the expense of first language development, hinders second language acquisition and has an influence on culturally appropriate assessment. According to Klingner and Artiles (2006), second language acquisition is influenced by factors such as "sociocultural environment, language proficiency in the first language, attitudes towards the first and second language, perceptions of others' attitudes towards the first and second language (e.g., related to relative status), and personality attributes" (p. 387). These factors must be considered when assessing ELs. Moreover, evaluators must be conscious of the bias that exists in the assessment tools they use and the differences that exist between the norming sample of the assessment instruments and the ELs they are entrusted to assess, in order to accurately interpret the results in light of these

biases (Rhode, Ochoa, & Ortiz, 2005). Additionally, if educators hold a deficit view of ELs, that places ELs at higher risk of being inappropriately referred and placed in Special Education.

The misdiagnosis and inappropriate placement of ELs in Special Education is an epidemic that is happening across U.S. school systems (Fletcher & Navarrete, 2003). Educators' misconceptions and misunderstandings about ELs make it difficult for educators to intervene appropriately and provide ELs the type of support they need (Walker, Shafer, & Liams, 2004). English Learners' backgrounds and development are different from that of their monolingual English-speaking counterparts (Artiles et al., 2010) and something that evaluators must consider and weigh within the interpretation of their assessment results when evaluating ELs for Special Education eligibility (Rhode, Ochoa, & Ortiz, 2005).

In order to describe the phenomena evaluators experience when assessing ELs for Special Education eligibility, the research questions explored were:

Q1:   What are the perceptions and efficacy beliefs that evaluators have about the assessment practices and procedures they use when assessing English Learners who are referred for Special Education?

Q2:   What tools (e.g., standardized assessments, curriculum-based measures, informal assessments, interviews, response-to-intervention data) and procedures (e.g., Cross Battery, Discrepancy, Strengths and Weaknesses, Processing Approach) are evaluators currently using in order to make their assessments fair?

Q3:   What factors influence evaluators when determining that an EL has a specific learning disability?

The questions were answered using a 2-phase sequential exploratory mixed methods study (see Figure 1). Phase 1, the quantitative phase, constituted a 30 question survey that

explored evaluators' demographic and linguistic backgrounds, the population that they serve, and their experience and training related to the assessment of ELs for Special Education eligibility. There were a total of 64 participants for Phase 1 of the study. Phase 2, the qualitative phase, involved using a 15 question semi-structured interview with seven participants. The semi-structured interviews focused on exploring evaluators' experiences when assessing ELs who have been referred for Special Education, their level of knowledge, and their level of training about assessing ELs for Special Education eligibility. The focus of the researcher was to capture evaluators' lived experiences and provide insight into their perceptions and efficacy beliefs related to the process and procedures they use when assessing ELs for Special Education eligibility under SLD.

Descriptive statistics were used to answer all three research questions. The qualitative data analysis included transcribing the audio recorded interviews, coding responses and then looking for themes and theme clusters within the broad themes found (Creswell, 2012; Smith & Osborn, 2004). The themes were then used to describe the information the quantitative data provided as a way of triangulating the data found within the quantitative phase.

Discussion and Interpretation of Findings

For ELs, acquiring the English language plays a dominant role in determining their educational opportunities and successes both within and outside of school structures. English Learners who are perceived as struggling to acquire English, and who also lack proficiency in their native language, are often perceived as having a learning disability (Klingner et al., 2006). English Learners have had a long history of being misrepresented as having deficiencies, with a disproportionate number of ELs being identified as having a disability due to language. A contributing factor is the use of standardized assessments to compare their performance to

monolingual English-speaking counterparts. There are a multitude of factors that influence the

disproportionate representation of ELs in Special Education. Some of those factors are related to

evaluators' knowledge about ELs, their understanding of second language acquisition theory,

their proficiency in the student's native language, and the types of practices evaluators use when

assessing ELs (Artiles et al., 2001; Johnson, 2009; Rhodes, Ochoa, & Ortiz, 2005).

The findings of this study describe issues Special Education evaluators face that might

influence their recommendations and decisions as they work with ELs. The findings also shed

light onto evaluators' efficacy beliefs, such as their perceived competence, knowledge about

ELs, and understanding of the tools and procedures that are necessary to ensure a fair and

equitable assessment. Although most of the evaluators interviewed and surveyed reported issues

within the practices they currently use when assessing ELs for Special Education identification

under the SLD category, they also reported trying to make certain that the results of their

evaluations were reflective of the child and considered all the data available to them. Based on

an analysis of the data obtained from the interpretation of phase one and phase two of this study

the following conclusions were drawn.

Research Question 1

The first research question asked, "What are the perceptions and efficacy beliefs that

evaluators have about the assessment practices and procedures they use when assessing English

Language Learners who are referred for Special Education?" Evaluators described ELs as

individuals who have not acquired English or as someone who is not proficient in English.

Overall, they expressed the belief that their skill set to assess ELs for Special Education

eligibility is adequate. The data also indicated that those who have a Bilingual or ESL

certification were less likely to see language-related factors during evaluation as an issue.

English Proficiency as a Standard Measure. Based on the data obtained from the surveys and the semi-structured interviews, all participants gave a similar definition of English Learner. They defined English Learner as someone who speaks another language or someone who is not proficient in English. Even though 98.11% of survey participants speak a language other than English, with 52.83% having a native language other than English, many of their responses indicated a deficit view of English Learners. For example, most of the participants in the interviews used the words "not proficient" when defining an English Learner, as opposed to recognizing a range of linguistic proficiency. Declaring students as "not proficient" would seem to compare the EL to the standard of being a native English speaker. When educators hold a deficit view of ELs they tend to compare the performance of ELs to English speakers and attribute the students' struggles to their language difference. According to Artiles et al. (2010), using English as the standard to measure an individual may affect how evaluators assess ELs. If they see a student's language as a problem (Baker, 2011), then the possibility of the student being identified as having a disability increases (Klingner et al., 2014).

On the other hand, during the qualitative phase of the study, interview participants described English Learner by describing the student and not by using the labels or school system imposed criteria. Evaluators considered the students' background and the information they gathered from the referral committee as well as from interviews with the students to determine if the students they evaluate are ELs. It seemed that evaluators recognize that a continuum of English proficiency exists among ELs. As Duran (2008), Gonzalez (2012) and Gathercole (2013) argue, it is important to know that not all bilinguals come from the same background and have received the same educational opportunities. Being aware of this during the assessment process is crucial.

Second Language Proficiency and Efficacy Beliefs: Evaluators' efficacy beliefs are affected by their perceived level of knowledge, the perceived effectiveness and efficiency of their practices when assessing ELs, and their perspective on students' needs (Kritikos & Kritikos, 2003). Most participants reported that even though their degree program might have not prepared them well in the area of assessment of CLD students or ELs, as none of the interview participants reported having more than two courses that addressed CLD students or ELs in their degree, the professional development training that they have received has helped them feel more confident and comfortable in their skills. Participants' demographic backgrounds showed that 66.04% do not hold a bilingual or ESL certification.

According to survey data, 98.11% of participants are proficient in a language other than English; for some participants, English is a second language and for others it is not. When asked about their level of proficiency in the language other than English, 92.16% of participants reported being proficient to very proficient in listening skills, 76.47% reported being proficient to very proficient in speaking, 72.55% reported being proficient to very proficient in reading skills and 50.98% reported being proficient to very proficient in writing skills. A comparison was run to look at participants who reported having a Bilingual or ESL Certification to those without either (see Table 8), 100% of those without a Bilingual or ESL Certification reported lack of knowledge about second language acquisition. However, based on survey information, course work in second language acquisition and professional development training in the same area was selected less than 20% of the time. This could indicate that even though they might feel like they are lacking in the area of knowledge of second language acquisition most of them do not seek adequate training in this area. This could indicate that their perceived knowledge and level of proficiency in the second language might be influencing their efficacy beliefs when assessing

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ELs who have been referred for Special Education as they do not think that lack of understanding of second language acquisition might interfere with their evaluations.

Of those who selected "difficulty to distinguish a language difference from a learning disability" as one of the issues they encounter when assessing ELs for Special Education 83.33% do not have a Bilingual or ESL Certification. This is another area in which few evaluators reported having formal training through their course work (6.78%) and only a few more reported attending professional development training (10.19%). Lack of developmental norms and standardized assessment tools in languages other than English was another option selected the most when answering the question regarding issues when assessing ELs for Special Education (84%) by evaluators who do not have a Bilingual or ESL Certification. According to Rhodes, Ochoa, and Ortiz (2005), it is essential for evaluators to incorporate their understanding of students' backgrounds when interpreting assessments created with monolingual norms. More importantly, evaluators must fully understand and apply their knowledge of second language acquisition as part of the assessment process of ELs.

Even though most of the interview and survey participants have knowledge of a second language, this knowledge may not influence their efficacy beliefs in a positive way as they may still feel unprepared or lacking in some areas. On the other hand, even though they felt like they were lacking in this area, only a few of the participants reported that they seek additional training to expand their knowledge. These results are not surprising since the only evaluators in Texas who are required to take continuing education (CE) courses or professional development training in order to keep their license are LSSPs which made 14.29% of the total number of survey participants in the study (NASP, 2020). Educational Diagnosticians, which made up 75% of total survey participants, are required to complete 150 hours of CE or professional development

training every five years. However, there are no specific requirements regarding the type of training they must complete other than a few hours in the area of dyslexia (Texas Administrative Code [TAC], 2012).

One finding that does not align with current research is that none of the survey participants nor interview participants reported the lack of bilingual evaluators as an issue when assessing ELs referred to Special Education. Sullivan (2011) reports a lack of bilingual practitioners as a barrier to serving and properly evaluating ELs referred to Special Education. This might be the result of the high number of bilingual evaluators in the Region One area as reflected by the quantitative and qualitative data in this study, as well as the number of bilingual/ESL certified teachers in the area based on the 2018-2019 Texas Academic Performance Report (TAPR) (5.8%), which exceeds the state rate of 4.9%. Moreover, even though the percentage of certified individuals who can serve and evaluate ELs is low (5.8%) when compared to the total number of teachers in Region One, the abundance of educators who are proficient in a language other than English is high as reflected by the survey results (98.11%). Region One is one of the regions in Texas with the largest number of ELs and the largest Hispanic population (TEA, 2018).

On the other hand, with the high number of those who consider themselves proficient in a second language it is important to consider how their perceived proficiency and efficacy beliefs influence their assessment practices. Research has shown that when evaluators have knowledge of the students' native language and also are well trained and knowledgeable about assessment practices they are more likely to obtain and score ELs in a reliable way (Lane & Stone, 2006; Solano-Flores, 2006, 2008). In this case though, it is important to recognize that some participants felt prepared to assess ELs even though they admitted to not having enough training.

Some reported to seek additional training but most of them felt that what they did was appropriate when assessing ELs based on their language proficiency and the knowledge of the students' language and culture.

ELs are usually seen as lacking cultural and social capital, when compared to dominant culture standards, which tends to occur due to factors such as educational segregation and the communities in which they live (Gandara & Contreras 2009). This perception that many educators hold about ELs is one that greatly affects how they go about educating them. Taking into consideration students' experiences and not seeing them as blank slates when they come into our classroom can change this. Acknowledging what students bring with them is an important consideration that educators need to be aware of. Low (2005) found that teachers and administrators were amazed at what students had to bring to the table when they had them write about their experiences within an academic setting. The evaluators who participated in this study may be more aware of the deficits they have as evaluators of ELs because most of them are bilingual or ELs which in turn may make them more aware of the needs of ELs. This reflects in their efficacy beliefs of competency and demonstrates that they are reflective in their practice and in considering the needs of ELs when it comes to their evaluation practices.

Research Question 2

The second research questions explored the tools and procedures that evaluators use to make their assessment fair. The lack of developmental norms and standardized assessment tools in languages other than English was reported by some participants as a potential challenge in providing fair assessments. The procedure or model that was reported to be used by most participants was Cross-Battery (XBA) with the use of the Culture and Language Interpretive Matrix (CLIM). The CLIM is a tool used to determine the validity of English scores when an

assessment created for monolingual English speakers is used to assess ELs. According to Ortiz and Melo (2015), the purpose of the CLIM is to "assist in determining the extent to which differences in English proficiency and acculturative knowledge affects test performance." In addition, participants reported their districts collect multiple sources of data prior to referral with some additional considerations given for ELs.

Collecting Data Prior to Referral as Part of the Evaluation Process: All interview participants reported that their schools collect student data prior to referral before making a decision to refer a student for Special Education evaluation. Some of the data that is collected during this process includes health information, parent and teacher interviews, informal assessments, and demographic information. For ELs, the committee also collects linguistic data based on TELPAS and parent information and looks at the type of language program the student is receiving. In addition to this data, RtI information or 504 information is collected. Once all the information has been collected a committee decides whether a special education referral is warranted. The survey data revealed that the referral concerns reported the most by evaluators are "lack of progress" (41.18%) and "reading concerns" (34.12%). Evaluators can use the data collected through the pre-referral process to inform their practices and to make decisions that are not solely based on standardized scores while taking into consideration the referral concerns. This finding is consistent with recommendations proposed by Alvarado (2011); Rhodes, Ochoa, and Ortiz (2015), and Wells and De La Garza (2017).

Educators' deficit perceptions of ELs place them at higher risk of being referred and placed in special education. According to Klingner and Artiles (2006), second language acquisition is influenced by factors such as "sociocultural environment, language proficiency in the first language, attitudes towards the first and second language, perceptions of other's

attitudes towards the first and second language (e.g., related to relative status), and personality attributes" (p. 387). These factors must be considered when assessing ELs. Moreover, evaluators must be conscious of the bias that exists in the assessment tools they use (Rhode, Ochoa & Ortiz, 2005) and the differences that exist between the norming sample of the assessment instruments and the ELs they are entrusted to assess, in order to accurately interpret the results in light of these biases.

Interpreting Batteries for Monolingual English Speakers and Fairness in Assessment: Literature often cites a lack of assessments with norms that consider or include ELs is a barrier that evaluators have to overcome. Garcia (2009) argues that a monoglossic view of bilingualism is not beneficial to students. This view constrains students by trying to turn the bilingual into a monolingual. An important finding of this study is that lack of developmental norms and standardized assessment tools in languages other than English was selected by only 20.80% of survey respondents as an issue in providing fair assessments. When asked about issues that they encounter when assessing ELs, "lack of knowledge of the nature of second language acquisition" was only selected 1.60% of the time. This is an important finding since evaluators need to have knowledge about second language acquisition in order to be able to interpret assessments created for monolingual speakers indicating that most of the participants in the study felt knowledgeable about second language acquisition.

Rhodes, Ochoa, and Ortiz (2005) argue that one of the skills that bilingual evaluators must possess is the ability to be able to interpret batteries that are created for monolingual English speakers that are used as part of the assessment of ELs. Additionally, evaluators need to be able to apply their knowledge about second language acquisition as part of the evaluation process in comparison to the scores and the data they have gathered. The findings of this study

showed that evaluators felt comfortable using and interpreting batteries that were created for monolingual speakers. Viewing bilingualism from a monolingual perspective is not the best way to see bilingualism. It limits the view and the perspective to one single view and one single perspective. However, the lack of assessments normed for ELs forces evaluators to use and interpret tools made based on a monoglossic perspective to make recommendations and decide if ELs are performing as well as they could while using tasks developed for monolingual English or Spanish speakers.

The preferred batteries reported by interview participants were the KABC II, an English cognitive battery, and the Bateria IV, a cognitive and achievement Spanish battery. The Bateria IV is the only Spanish battery that includes both achievement and cognitive testing. Even though the Wechsler Intelligence Scale for Children (WISC V) is also available in Spanish as a cognitive measure it does not have an achievement measure available in Spanish. The Bateria IV offers evaluators the convenience of having a cognitive and achievement battery that are normed on the same group. Moreover, the Bateria IV Aprovechamiento which is the achievement section includes some subtests that allow students to answer in English if they do not know the answer in Spanish (Woodcock, McGrew, Mather, Schrank, & Alvarado, 2018). Allowing students to answer in English when they do not know the answer in Spanish allows for a fair assessment of ELs as they can use both languages to show what they know. This helps evaluators when interpreting ELs assessment results and when making eligibility recommendations. The IDEA 2004 requires evaluators to use assessments that "are most likely to yield accurate information on what the child knows and can do," when a student is able to show what they know in both languages within the same assessment the evaluator is better able to interpret the results and ensure that they have considered the whole child.

The KABC II, according to Flanagan, Ortiz, and Alfonso (2007), has low linguistic and cultural loading. This allows it to be a battery that will likely yield the most accurate information about the student being assessed in compliance with IDEA 2004. When assessments have low linguistic and cultural loading it gives ELs an opportunity to get credit for what they know and for this to show in their score. When ELs are assessed using tests with low culture and linguistic loading, combined with a knowledgeable evaluators' interpretation there is a higher likelihood of the cognitive scores and results reflecting students' actual or true ability (Ortiz & Melo, 2015). Additionally, Ortiz and Melo (2015) as well as Rhodes, Ochoa and Ortiz (2005) argued that assessments that are attenuated by the inclusion of Crystallized Knowledge or Gc when assessing ELs need to be interpreted with caution. The KABC II gives evaluators the option of excluding Gc as part of the students overall cognitive ability when using the Mental Processing Index (MPI) instead of the Fluid Crystallized Index (FCI), giving them the opportunity to interpret results in a more fair and equitable manner.

Approaches Used for SLD Identification When Assessing ELs: Most survey participants (95.74%) reported using Cross-Battery (XBA) as part of their evaluation and 4.26% reported using the Psychological Process Approach (PASS). While Cross-Battery is the term most evaluators use when referring to the use of the XBASS software, the method that the software is based on is the Dual-discrepancy/Consistency (DD/C) model for SLD identification via Cross-Battery assessment. Both assessment approaches are research based and use cognitive assessments as part of the evaluation process. Both approaches require the evaluator to use data as part of their final recommendations and have software available to help evaluators interpret the scores from their cognitive and achievement testing (Dehn, 2006; Flanagan, Ortiz, & Alfonso, 2007). It is important to note that both approaches are based on using a Pattern of

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Strengths and Weaknesses (PSW) within a student's cognitive profile. All interview participants

reported using XBA. More specifically, they reported using the XBASS software, which

operationalizes XBA and contains a PSW Analyzer module and C-LIM Analyzer module. The

XBASS software helps evaluators interpret their cognitive and achievement scores based on

student data.

Most participants prefer the use of XBA and the XBASS software for the assessment of

ELs who have been referred for Special Education because of the CLIM. The CLIM is a

component of the XBASS software that helps evaluators interpret ELs' standard scores using

graphs and tables in which the scores of the student they are evaluating are compared to ELs

without disabilities (Ortiz & Melo, 2015). This tool helps evaluators interpret batteries created

for monolingual English speakers in a more fair and equitable way.

Cross-Battery principles include the use of data as part of the evaluation process

(Flanagan, Ortiz, & Alfonso, 2007). This process is perceived by evaluators as a fair and

equitable process in which they are able to use not only standardized scores based on

assessments created to be used with monolingual English speakers but also the data and

information they have about the students' background, including their culture and language as

part of the evaluation process. In addition, they can use the CLIM to make fair comparisons of

ELs to other ELs without disabilities as well as validate the scores they obtain when they use

assessment batteries developed for monolingual English speakers, helping evaluators when

making recommendations to the ARD committee. One of the participants, AE, reported that the

CLIM "makes the comparison to other learners with cultural and linguistic similarities, I think is

a good comparison to have as opposed to just comparing to the curriculum." This is consistent

with the evaluation recommendations found in related research (Alvarado, 2011; Ortiz & Melo, 2015; Rhodes, Ochoa, & Ortiz, 2005).

Ortiz and Melo (2015) argue that the use of English testing to assess ELs, even though it might be counter intuitive, might be the best way to assess ELs attending U.S. schools. This is because most of the research and information we have is based on batteries that are in English. Therefore, when using a tool like the CLIM, evaluators are able to consider multiple factors related to the students' differences in cultural and linguistic background and interpret scores in light of these differences. The process recommended to use with ELs who are being assessed for Special Education eligibility includes consideration of a comprehensive set of data from multiple sources, which includes students' language background, type of instruction, and educational history (Alvarado, 2011). When evaluators use the XBASS as part of their assessment process, they can take into consideration the data obtained prior to referral from the referral committee. Evaluators reported considering all these in addition to the data they gather from the results of standardized assessment of the student's cognitive ability and achievement scores within the context of referral concern cited by the referral committee when making eligibility recommendations. These steps in the evaluation process are consistent with the research and with best practices outlined by Alvarado (2011) and Rhodes, Ochoa, and Ortiz (2005).

Research Question 3

The third research question that this study sought to answer is "What factors influence evaluators when determining that an EL has a specific learning disability?" There are many factors, such as "sociocultural environment, language proficiency in the first language, attitudes towards the first and second language, perceptions of other's attitudes towards the first and second language (e.g., related to relative status), and personality attributes" (Klingner & Artiles,

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2006, p. 387) that may influence an evaluator's determination of eligibility when assessing ELs for a Specific Learning Disability (SLD). The assessment of ELs referred for Special Education Evaluation poses a challenge for evaluators as the process to assess ELs differs from that of assessing monolingual English speakers. The data from the study shows that evaluators' decisions are influenced by their ability to differentiate a language difference from a learning disability and by their ability to deal with the pressure to qualify students for special education.

Finding English Learners Eligible for Special Education So They Can Get Help:
Often a lack of time or pressure from administrators and teachers to "help" students pushes evaluators to recommend that ELs be eligible for Special Education in order to give them the help that no one else is giving them (Shifrer et al., 2011). Ortiz et al (2011) argue that when the referral team focuses on gathering current data to support the need for special education evaluating and eligibility through the pre-referral process as the main concern it prevents them from looking back at the quality of instruction the student has received throughout their schooling. Another important finding of this study, which is consistent with research, is the pressure that evaluators feel from the ARD committee to find ELs eligible for Special Education, so they can receive the help they need (Garcia & Tyler, 2010; Palmer & Rangel, 2011). When educators feel that there is nothing else they can offer their students, especially their ELs, they turn to the only option they see available, a referral to Special Education (Garcia & Tyler, 2010; National Education Association & National Association of School Psychologists, 2007).

Successful bilingual programs are those who take advantage of the use of L1 as well as those who have pedagogical equity, qualified bilingual teachers, active parent-home collaboration, and knowledgeable leadership (Alanis & Rodriguez, 2008). However, there are still teachers that think that bilingual programs are meant to be subtractive. The belief that

speaking a different language is a 'problem' is a misconception that teachers have (Lee & Oxelson, 2006, Schwartz et al., 2010). Teachers are the key to student success. They play a very important role in their students' lives and their learning experience. Negative teacher attitudes towards bilinguals may affect how they assess their students' work therefore reinforcing their belief that bilingual students' achievement is lower than their monolingual counterparts. According to Garcia-Nevarez et al (2005), the more training teachers have about how to teach bilinguals the better their attitude is towards these students. Effective bilingual instruction involves being sensitive to their students' needs, the use of a variety of instructional strategies and encouraging students to improve their academic skills.

Educators need to be informed about the differences between bilinguals and monolinguals and also about the differences that exist among bilinguals or multilingual children. Thomas, Gathercole and Hughes (2013) argue that there are clear differences between monolingual and bilingual speakers which include "language exposure, linguistic competence and language use" (p. 176). Awareness needs to be the first step towards a better quality of education for these children. In the assessment era in which we live, many of the strategies and interventions currently being used are based on the assessments that students take at different points during the school year. Ortiz et al. (2011) argue that "if teachers are able to pinpoint the nature of the difficulty, they will be better able to differentiate instruction and to design interventions to address presenting problems" (p. 330). Moreover, referral committees must be knowledgeable in data analysis and interpretation of intervention results to determine the possible factors affecting EL's academic achievement. Standardized assessments have put pressure on educators and evaluators to find ways to ensure students pass and show high levels of success on the STAAR. Nevertheless, all interview participants reported that they do not let

these challenges influence their decisions. Given these pressures, it seems plausible that these challenges would play a role in influencing their decision-making processes and their efficacy beliefs.

Differentiating Between a Language Difference and a Learning Disability: Being able to differentiate between a language difference and a learning disability is one of the key factors in determining SLD eligibility under Special Education. The Individuals with Disabilities Education Act 2004 requires that evaluators rule out results of their evaluations that are not primarily the result of cultural factors or limited English proficiency (CFR 300.309 (a) (3)). Differentiating a language difference from a learning disability is a complex and time-consuming process. When it is determined that an EL meets SLD criteria, the evaluator must show that the disability exists across both languages (Alvarado, 2011). Explaining that a student's struggles are due to their language difference and not due to a disability was a challenge that the majority of participants reported.

Assessing ELs in both languages is considered a best practice procedure for the assessment of ELs for SLD (Alvarado, 2011; APA, 2016; NASP, 2015; Rhodes, Ochoa & Ortiz, 2005). All interview participants reported assessing students in both languages and they reported that evaluations of ELs took them anywhere from 10 hours to two weeks of work per evaluation, due the process requiring them to assess students in both English and the student's native language. Some participants reported that they felt that assessing students in their native language might not be the best use of their time as many of their elementary age students referred for Special Education evaluation are not receiving appropriate bilingual instruction.

In Texas, bilingual education programs are most commonly offered at the elementary level. The state requires that bilingual education programs develop literacy and academic skills

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in the primary language and English so that students become competent in listening, speaking, reading, and writing in English (TEC 89.1201 (b)). However, qualitative data indicated that lack of appropriate instruction and lack of intervention data were factors that affected the majority of evaluators when determining that an EL has a SLD, with some participants stating "their bilingual programs are weak," as stated by participant CG referring to her district's program, and AL who said, "I don't think there's appropriate interventions." This qualitative data confirmed survey data in which lack of intervention data was selected 27.20% of the time. Most interview participants reported that even though they felt that there was a lack of intervention data and that the type of program the students receive in their district was not the best, they felt confident in their ability to assess and make determinations.

Evaluators rely on tools like the XBASS and the CLIM to help them interpret the data they get from their formal evaluations using standardized assessments scores. These tools rely on the evaluator having enough data to provide a context within which to interpret standardized scores in order to interpret scores in a fair and equitable manner. Not having enough intervention data or finding a lack of appropriate instruction may affect the evaluators' determination when assessing ELs for SLD especially when the law requires them to rule out both of these factors as the primary factor influencing students' academic struggles. Wagner et al. (2005) states that

> if the student has good phonological skills in the primary language and has developed decoding skills in that language, then failure to acquire literacy in English may be more related to the amount and quality of English literacy instruction than to a more pervasive underlying learning disability" (p. 10).

It is important to note that these factors may affect the evaluator's determination or may be ignored to provide students the help the evaluators believe the students need.

Moreover, most participants reported a lack of appropriate instruction or lack of intervention data as part of the information they are given when an EL is referred for Special Education. When we consider that data is of utmost importance in providing a context for the interpretation of assessment results, it is essential to remember that the use of data is part of the principle evaluators must follow when using XBASS and the CLIM and this is also true for most methods for SLD identification (Alvarado, 2011; Rhodes, Ochoa & Ortiz, 2005; Ortiz, 2002;). As evaluators assess ELs for Special Education eligibility one issue they must focus on is on being able to determine whether the student's struggles are due to linguistic difference or a learning disability. Taking into account that most participants felt comfortable with their knowledge about second language acquisition and their efficacy beliefs, which indicates that they feel competent in assessing ELs, it should be considered that their level of confidence may be influencing their decisions and recommendations more than the data they have to provide context to their results. This may mean that not only do evaluators need additional training in assessment and interpretation but also those teams referring ELs need support and training in how to collect data and the type of data to collect prior to referring an EL for Special Education evaluation.

Implications for Practice

Implications for the practice of evaluators and pre-referral teams are discussed in this section.

Implications for Evaluators

The participants sampled in this study do not match that of other samples in related research. Over 90% of the evaluators in this study are bilingual and reported high levels of proficiency in a language other than English. However, the sample could be representative of the

regional area as Region One is one of the regions with the highest number of Hispanic staff and students (TAPR, 2018). It is important to note that when an evaluator has the knowledge and skills to assess and understand an English Learner, they feel more confident about their practices (Alvarado, 2011; Ortiz & Melo, 2015; Rhodes, Ochoa & Ortiz, 2005). The study shows that even though evaluators felt there were some challenges when assessing ELs for Special Education eligibility, they felt their skills were adequate to address and complete a proper evaluation. It is helpful to point this out in order to understand evaluators' efficacy beliefs about their knowledge that may be linked to their bilingualism and how this affects their perceived competence to work with ELs.

Another important factor to consider is the pressures and challenges that are present through the evaluation process. Study participants reported having struggles when having to explain to ARD committees that a student does not meet eligibility criteria for SLD due to a language difference. Being able to explain that a student's academic struggles are not due to a disability, but due to a language or cultural difference, is one of the factors that may bias evaluators toward finding a way to provide services for a student, leading to a determination of disability, when in fact a disability does not exist. Self-awareness and in-depth knowledge about personal efficacy beliefs, and the ability to reflect on how these beliefs affect practice, are important competencies for evaluators who assess ELs for Special Education.

One of the ways to ensure that evaluators are prepared and are able to take all factors into account when assessing EL's is training. All of the study participants reported having no more than two courses that addressed culturally and linguistically diverse students during their course work. Being conscious about the need for training and seeking additional training while on the job is important when working with a diverse population of students. Attending training will

ensure that evaluators are making appropriate determinations and recommendations in their evaluations. Training that focuses on the analysis of cases and discussion of possible results with others may help evaluators ask the right questions and interpret student data with a wider lens.

Implications for Pre-Referral Teams

Study participants reported that their school districts currently have a process in which data collection is part of the steps they follow before determining that a referral for Special Education is necessary. Participants also reported that the types of data gathered for ELs differs in part from the data collected for monolingual students. The additional data that was gathered for ELs receiving intervention and going through the stages of pre-referral are the type of instruction that they receive, the type of program offered, and their linguistic and cultural background. This type of data gathering is an important component of the evaluation process as it helps evaluators interpret the standardized scores that they get from formal cognitive and achievement assessments.

It was also reported that a lack of intervention data makes evaluators' decision making difficult when assessing ELs. Even though all evaluators reported that students go through a process of interventions and data collection and progress monitoring before being referred for Special Education, the types and amount of intervention provided are not always very clear and at times may not be appropriate for the struggles that a student is going through. Pre-referral committees should consider a student's linguistic and cultural background, language proficiency, and type of instruction they are receiving when making determinations about the types of interventions students will receive through this process. When interventions are targeted and are based on the needs of the students, they are more likely to be effective. However, without good

progress monitoring tools, there is no way for a committee to evaluate the effectiveness of the interventions a student is being provided.

Recommendations for the Field

Recommendations related to strengthening pre-referral processes, appropriate instruction, and training are discussed in this section.

Strengthening Pre-Referral Processes, Including Response to Intervention

Fletcher and Navarrete (2003) argue that students fail in school due to the lack of appropriate interventions. An RTI model "integrates a multitier preventative instructional system and specifies the systems use of data driven decision process to enhance outcomes for all children" (Rinaldi & Samson, 2008, p. 6). Before referring ELs for a special education evaluation, educators must consider several factors: the students' language acquisition levels, the type of instruction the students are receiving, the types of interventions being used and the progress that the students are making, and cultural factors that may influence the student's learning, such as different views on time management and on how tasks are approached (Alvarado, 2011; Liasidou, 2013; Rhodes, Ochoa & Ortiz, 2005; Rinaldi & Samson, 2008; Wells & De La Garza, 2017). Additionally, gathering additional data may help teachers and evaluators to see the students as individuals and hopefully avoid homogenizing ELs into one group with a specific set of characteristics. Gathercole (2013) argues that ELs "face a number of educational challenges in addition to learning English for the purposes of schooling" (p. 11). These students' backgrounds are many times unknown to their teachers and are not considered by them when making a referral for special education testing. Gathercole (2013) goes on to add that the challenges that ELs face include "adjustment to a new and sometimes unwelcoming culture,

socializing into a new peer group, mastery of challenging academic knowledge and skills and, in some cases, overcoming trauma or difficulty related to immigration" (p. 11).

An appropriate pre-referral process could facilitate the decision of the multidisciplinary team (MDT) in helping them distinguish between actual disabilities and sociocultural differences (Wilkinson, Ortiz, Robertson, & Kushner, 2006). The pre-referral process should include methods by which a student's language needs are addressed using a variety of strategies during instruction. English Learners need explicit instruction in language and vocabulary and multiple opportunities to use academic language (Dutro & Kinsella, 2010) and the use of visuals to support their learning (Sandford, Brown, & Turner, 2012). Additionally, any interventions and assessments used during the pre-referral process should take into consideration a student's language proficiency and level of acculturation.

To further reduce over-identification of ELs in special education, efforts should be made to provide targeted interventions for these students. Response to Intervention (RTI) programs that target not only academics but also students' cultural and linguistic needs must be considered before referring an EL for special education evaluation. Taking into account students' differences when coordinating and planning for instruction is key (Garcia & Ortiz, 2006). The cultural characteristics ELs bring from home should be valued and should act as a driving force for the curriculum being taught in schools. Therefore, involving students' families as part of the educational process should be a priority. Parents should be seen as a resource, and educators should work in building relationships with the parents as well as the students (Garcia & Ortiz, 2006; Valenzuela, 2009).

Appropriate Instruction

Guthrie and Davis (2003) add that "there are six characteristics of a classroom environment that foster engagement and aid in the achievement of reading competence: Knowledge goals, real-world interactions, an abundance of interesting texts, support for the students choice and self-determination, direct strategy instruction and collaboration" pp. 71-72). In addition, it is important that ELs are exposed to "positive and effective learning environments that are culturally and linguistically responsive" (Liasidou, 2013, p. 13). When achievement is measured by a one-size-fits-all standardized assessment, many things are overlooked and instructional quality and flexibility suffer in order to reach the standards that have been set. Smith, Jimenez, and Martinez-Leon (2003) argue that "expecting children from other countries to flourish under approaches based on only U.S. mainstream cultures is naïve, unjust, and ultimately unproductive" (p. 780). The language difficulties of many children who are culturally and linguistically diverse could be avoided with proper programming that incorporates principles of second language acquisition. If, on the other hand, a child has already been exposed to inadequate language programming, then it is imperative for educators to consider this when determining the cause of the child's language difficulties, as difficulties may be due to a lack of educational opportunity.

School systems are creating students who are neither proficient in their first language nor their second language, leaving many students without the opportunity to reach their academic potential and incorrectly placing many into special education programs. Cummins (n.d.) argues that in order for academic underachievement among ELs to be reversed, their language needs to be used to create meaning based on their experiences. Simply placing ELs in special education does not solve the problem of low proficiency and academic underachievement that is due to

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linguistic difference, especially when these differences are not being adequately addressed in instructional programs.

Valenzuela (2005) states that "every way in which you are different is every way in which you are strong" (p. 144). This brings to mind that accepting our students' differences and valuing these differences in the classroom is key in providing good quality education to our students. Cummins (n.d.) argues that dual language programs could help Latino students find their identity. Moreover, dual language programs encourage positive teacher-student relationships by empowering the students to transform and define themselves through the acceptance and use of their language, culture and history (McLaren, 2009). And even though, Collier and Thomas (2004) argued that "dual language enrichment models are the curricular mainstream taught through two languages" (p. 2) which could be interpreted as a program that perpetuates hegemony, in their studies, Alanis and Rodriguez (2008) and Tong, Lara-Alecio, Irby and Mather (2011) found that one of the factors that may have contributed to the success of students in a dual language program could have been pedagogical equity.

There has been a rise in dual language programs across the United States. Cities with dual language programs include Boston, Los Angeles, North Carolina, District of Columbia, and New York City. In 2000 there were less than 300 dual language programs nationwide; by 2011 it was estimated that the number had reached 2,000. According to recent research, during the 2012-2013 school year, 39 states offered dual language programming (Office of English Language Acquisition [OELA], 2015). While Spanish was prevalent among these programs, other languages such as Mandarin were also offered (Gross, 2016).

A 12-year study by Umansky, Valentino, and Reardon (2016) found that in the long term, "two-language programs generally benefit ELs as much as or more than English immersion

programs across academic, English proficiency" (p. 16). The key feature pointed out by Alanis and Rodriguez (2008) about a dual language program is that "the program provides an atmosphere that allows students to acquire a second language and learn about another culture without sacrificing their individual identities" (p. 306). Teachers who teach in a dual language setting tend to see all their students as being more engaged during their lessons and cooperating with each other to help in understanding the curriculum (Collier and Thomas, 2004). Valenzuela (2009) states that "the operant model of schooling structurally deprives acculturated, U.S. born youth of social capital that they would otherwise enjoy were the school not so aggressively (subtractively) assimilationist" (p. 345-346). In order to change this operant model, it is important for minorities to have a voice. It is by raising our voices that we can strive to cause change. We have to understand that assimilation is not the only option in order to achieve success. Owning our differences and taking advantage of them can also lead to great success.

Training

Increased education in cultural competence must also be integrated into teacher and evaluator training. When teachers spend time with their students and make an effort to get to know their lives, they are able to create relationships that may translate into students learning (Valenzuela, 2009). Soltero-Gonzalez (2009) encouraged the creation of "spaces where children learn how to draw on their linguistic strengths" (p. 288). Turkan and Buzwick (2016) argued, "A significant gap exists between being prepared to teach content and being held accountable for outcomes related to ELs (p. 4). All educators, including administrators, need to know the strategies and the issues surrounding the education and assessment of bilinguals. Educators may have misconceptions about ELs based on their experiences and the level of training and preparation they have. This may lead to a higher sense of self-confidence when making

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recommendations and implementing interventions for ELs. According to Garcia-Nevarez, Stafford and Arias (2005), the more training teachers have about how to teach ELs the better their attitude is towards these students. However, even when teachers recognize the needs of ELs, these educators may not provide any accommodations for them; if they do, they often feel those accommodations are not enough and desire to receive more training (Matsuda, Saenkhum & Accardi, 2013).

Identification of ELs with learning disabilities is difficult due to a lack of theory and empirical norms that describe the typical course of language and literacy development for ELs and the individual, school, and social factors that relate to that development (Wagner et al., 2005). There is a need for the development of an evaluation framework to be used when assessing ELs for special education identification. Macswain and Rolstad (2006) consider that "the notion of disability exists because we have established parameters to judge when a person functions...within the limits of what is considered typical" (Artiles & Trent, 1994, p. 424). Schools have created standards for all students without considering extraneous factors that are not easy to measure (if they are at all measurable). Solorzano (2008) argues that "because of widespread use of tests without consideration of their technical quality, purpose, and use, students are tested at the whim of those who stand to gain from political posturing rather than from those who want to use tests to improve instruction" (p. 262). When students are considered to have deficits according to the assessments that they are given, they are seen from a deficit perspective which puts these students in a disadvantaged position. Providing training for evaluators that focuses on being able to differentiate between language differences and learning disabilities is important in order to properly identify students for Special Education eligibility.

Limitations of the Study

There were some limitations to this study; however, it is the belief of the researcher that none of the limitations affected the main purpose of the study. One of the limitations is the sample size for both the quantitative and qualitative phases. Even though the survey was emailed to 300 evaluators from across Region One, only 64 responded to the survey which accounted for a 21% return rate within a three-month period. The qualitative phase was proposed to include a sample of 10 interviews but only seven were completed due to time constraints and the availability of evaluators willing to participate in the study.

Another limitation is that most of the evaluators who completed the survey and participated in the study speak a language other than English. This is not typical of other regions in Texas or the United States as research consistently shows a lack of bilingual evaluators as a challenge to the assessment of ELs for Special Education (Sullivan, 2011). The ability for most of the participants to be proficient to very proficient in a language other than English, as shown in Table 4, is not typical of other areas and has not been explored in the research before. Therefore, the sample used for this study does not match that of other studies and does not match the general population. This affects the ability for the results to be generalizable to other populations.

Finally, the population selected for the qualitative phase was a convenience sample due to time constraints and researcher rapport. Moreover, for participants to be selected for the interview they had to volunteer during the survey to be contacted for a follow up interview. This potentially created a selection bias due to the nature of the questions and the title of the survey. In my experience, when monolingual English speaking evaluators see that the focus of a

training is on ELs, they do not attend or may not consider it pertinent for them as they are not bilingual or ELs themselves and in turn do not usually evaluate or work with ELs.

Another limitation includes the relationship between the researcher and the participants. At the time the interviews were conducted, the researcher was an education specialist in charge of providing professional development to evaluators across the Region One area. The researcher had been working in this role for three years and provided training in the area of bilingual assessment as well as other evaluation related topics and was known by all of the participants. This may have impacted the answers they provided during the interview. The researcher felt that the rapport that was previously built with the interview participants helped make them feel comfortable in opening up and being honest with their answers. However, there is the potential that participants answered in a way that matched what the researcher previously taught during the professional development training sessions.

Conclusion

In conclusion, the purpose of this study was to describe Special Education evaluators' perceptions about their current assessment practices when assessing English learners for Special Education eligibility. The study also looked at the current practices that evaluators use when assessing ELs for the purpose of special education identification. Fairness and equity within their assessment practices was another factor explored within the study. The study offered insight about the methods and approaches used by evaluators when looking to differentiate students' academic struggles between a language difference and a learning disability.

An important finding was that all evaluators reported looking at the data gathered through the pre-referral process as part of their evaluation and how it plays a big role in their decision about eligibility. Even though they reported feeling like there is a lack of interventions through

the process, they felt that with the use of tools like the CLIM as part of the Cross-Battery process, they are able to assess ELs skills and are confident that their decisions and recommendations are what is best for students. Additionally, evaluators reported many different issues that arise throughout the evaluation process in both phase 1 and phase 2 of the study. However, these issues do not affect, as reported by most participants, their recommendations and eligibility decisions. One of the issues evaluators have to deal with are feeling pressure from the prereferral committees to qualify students for Special Education. Another issue that was described was the lack of appropriate instruction, which evaluators are required to rule out as the cause of students' academic struggles when looking for SLD.

The following are recommendations that address the main issues brought forward by evaluators. Providing appropriate instruction that draws upon students' cultural and linguistic background into their everyday instruction is an important factor of effective bilingual programs (Collier & Thomas, 2004). Dual language programs are able to bridge the gap between mainstream instruction and ELs language and culture. Moreover, when educators believe that ELs are not achieving at the levels that they expect them to, an RtI model should be implemented in which interventions not only address students' academic needs but also their cultural and linguistic needs. Finally, providing training to educators and evaluators that address second language acquisition, cultural differences, cultural competence, explicit instruction, best practice methods for evaluation of ELs, and the use of data as part of on-going progress monitoring should be considered.

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APPENDIX A

APPENDIX A

SURVEY

EVALUATORS PERCEPTIONS AND BELIEFS ABOUT THE ASSESSMENT OF ENGLISH

LEARNERS FOR SPECIAL EDUCATION IDENTIFICATION

This survey is designed to identify self-perceived knowledge and competency beliefs when

evaluating English language learners. Please answer every question indicated below. For the

purpose of this study, I refer to English Learners as those who regularly use and/or are exposed

to more than one language.

Directions: Please select the answer as it applies to you. There will be a section for any

additional comments you wish to add at the end of the survey.

Learning About Your General Background

_____

1. Are you currently employed in a Region One (Cameron, Willacy, Hidalgo, Jim Hogg,

Zapata, Webb, and Starr counties) school district or charter school as an Educational

Diagnostician or Licensed Specialist in School Psychology?

1. Yes

2. No (will take them to the end of the survey)

2.What is your current position?

1. Educational Diagnostician

2. Licensed Specialist in School Psychology

3. Other_____

3. Do you have teaching experience?

    1. Yes

    2. No (skip to number 6)

4. How many years have you taught?

    1. 0-5 years

    2. 6-10 years

    3. 11-15 years

    4. 15-20 years

    5. 20+ years

5. Are you certified as a bilingual and/or ESL teacher?

    1. Yes

    2. No

6. Are you currently…

    1. Employed full-time (30 hours per week or more) as an Educational Diagnostician or Licensed Specialist in School Psychology in a Region One (Cameron, Willacy, Hidalgo, Jim Hogg, Zapata, Webb, and Starr counties) school district or charter school

    2. Employed part-time (less than 30 hours per week) as an Educational Diagnostician or Licensed Specialist in School Psychology in a Region One (Cameron, Willacy, Hidalgo, Jim Hogg, Zapata, Webb, and Starr counties) school district or charter school

7. If you are an Educational Diagnostician, how many years of experience do you have in that position?

1. I am not an Educational Diagnostician

2. 0-5 years

3. 6-10 years

4. 11-15 years

5. 15-20 years

6. 20+ years

8. If you are a Licensed Specialist in School Psychology, how many years of experience do you have in that position?

1. I am not a Licensed Specialist in School Psychology

2. 0-5 years

3. 6-10 years

4. 11-15 years

5. 15-20 years

6. 20+ years

9. What is the highest degree you have earned?

1. Master's degree (MA, MS, etc)

2. Ph.D. or Ed.D.

3. Other _____

10. Are you…

1. Female

2. Male

3. Prefer not to say

11. Are you…

    1. African American

    2. American Indian or Alaskan Native

    3. Asian American or Pacific Islander

    4. Caucasian, not Hispanic

    5. Hispanic

    6. Other_____

Learning About Your Linguistic Background

12. What is the first language that you learned

    1. English

    2. Spanish

    3. Simultaneously acquired English and another language

    4. Other_____

13. Do you speak a language other than English?

    1. Yes

    2. No (skip to question 19)

14. What other language(s) do you speak?

    1. Spanish

    2. Other_____

15. How long have you spoken a language other than English?

    1. 0-5 years

2. 6-10 years

3. 11-15 years

4. 15-20 years

5. 20+ years

16. At what age did you learn a language other than English?

   1. Birth to 3 years

   2. 4-7 years

   3. 8-11 years

   4. 12-18 years

   5. Over 18 years

17. Where did you learn a language other than English?

   1. School coursework

   2. Home

   3. Lived abroad

   4. Other

18. Rate your proficiency in a language other than English for the following domains:

	Not Proficient	Somewhat Proficient	Proficient	Very Proficient
a. Listening	1	2	3	4
b. Speaking	1	2	3	4
c. Reading	1	2	3	4
d. Writing	1	2	3	4

19. What are the most common languages spoken among the English Learners you serve? (Select up to three choices.)

1. Spani sh
2. Vietnam ese
3. Ara bic
4. Tagal og
5. Other_____ ____

20. How often do you currently work with each grade group?

Grade	Never	Not Often	Often	Very Often
Pk-K	1	2	3	4
1-5	1	2	3	4
6-8	1	2	3	4
8-12	1	2	3	4

21. What is your best estimate as to the percentage of special education referrals that you work on that involve students who are considered Limited English Proficient (LEP) or English Learners (ELs) as noted by the school district?

1. None
2. Less than 25%
3. 25% to 50%
4. 51%-75%
5. More than 75%

22. What is your best estimate as to the percentage of students who you assess for initial special

education eligibility under specific learning disability that come from homes where a

language other than English is spoken?

  1. None

  2. Less than 25%

  3. 25% to 50%

  4. 51%-75%

  5. More than 75%

23. What are the referral reasons most often cited by teachers, administrators or referral

committees when referring ELs? (check all that apply)

  a. Lack of progress

  b. Reading concerns

  c. Math concerns

  d. Behavioral concerns

  e. Other_____

Learning About Your Experience Assessing English Learners

24. Have you ever had an interpreter help you when assessing students who speak a

language that you do not understand or speak?

  1. Yes

  2. No (skip to question 26)

25. With the help of an interpreter, how competent do you feel in assessing a student who

speak a language that you do not understand or speak?

1. Not competent

2. Somewhat competent

3. Competent

4. Very competent

26. Which problem(s) do you encounter in assessing English Learners for a Specific

Learning Disability? (check all that apply)

1. Lack of knowledge of student's culture

2. Lack of knowledge of the nature of second language acquisition

3. Difficult to distinguish a language difference from a language or learning disorder

4. Lack of availability of interpreters who speak the student's language

5. Lack of availability of bilingual evaluators (Educational Diagnosticians or Licensed Specialists in School Psychology)

6. Lack of developmental norms and standardized assessment tools in languages other than English

7. Time allocated by your employer for assessment administration, scoring, and interpretation

8. Lack or limited intervention data

9. Caseload or workload

10. Other _____

27. What is the method you use the most when assessing English Learners for a Specific

Learning Disability?

1. Cross-Battery

2. Core Selective Approach (C-SEP)

3. Psychological Process Approach (PASS)

4. Other_____

28. Which of the following considerations/practices do you make/use when assessing

English Learners for a Specific Learning Disability? (check all that apply)

1. Assess cognitive ability in student's native language

2. Assess academic achievement in student's native language

3. Assess academic achievement in student's language of instruction

4. Assess cognitive ability in student's language of instruction

5. Assess cognitive ability in English

6. Assess academic achievement in English

7. Intervention data

8. Teacher interviews

9. Student interviews

10. Classroom observations

11. Student's cultural background

12. Student's linguistic background

13. Type of instruction

14. Cultural loading of the cognitive assessment

15. Linguistic loading of the academic achievement assessment

16. Previous supports and services provided

17. Nonverbal assessments

18. Grade level

19. Age

20. Other_____

Learning About Your Academic Training on Bilingual Issues

---

29. Did you have any college level course work that addressed any of the following?

(check all the apply)

1. Second language acquisition

2. Differential assessment of bilingual vs. monolingual individuals

3. Assessment tools for bilingual individuals

4. Language disorder vs. language difference

5. Laws involved in the assessment and treatment of English Learners

6. How to utilize a language interpreter

7. Testing and assessment normative samples

30. Have you attended trainings or workshops on that addressed any of the following

topics? (check all that apply)

1. Second language acquisition

2. Differential assessment of bilingual vs. monolingual individuals

3. Assessment tools for bilingual individuals

4. Language disorder vs. language difference

5. Laws involved in the assessment and treatment of English Learners

6. How to utilize a language interpreter

7. Testing and assessment normative samples

We are interested in what you have to say. As part of this study we wish to learn more about your perceptions and practices when assessing English Learners for Special Education identification. Phase II of this study consists of one-on-one interview in order to expand and explore survey answers. If you would like to expand on your answers through a one on one interview please provide your information.

Would you like to participate in a follow up interview?

Yes

No (skip to submit survey)

If you are interested in participating in a follow up interview, please provide your information.

Name_____

Email address_____ Phone number_____

APPENDIX B

APPENDIX B

SEMI-STRUCTURED INTERVIEW QUESTIONS

1. How do you define the term "English Learner"?

2. Describe the pre-referral process when a teacher nominates a monolingual English speaker for a Special Education evaluation suspecting a Specific Learning Disability

3. Describe the pre-referral process when a teacher nominates an English Learner for a Special Education evaluation suspecting a Specific Learning Disability

4. What changes would you make, if any, to the pre-referral process for English Learners?

5. Are there any additional steps you take when assessing an EL compared to a monolingual English speaker? Are there any challenges or barriers?

6. Tell me about one time that you assessed a Spanish speaking child. What did you do?

7. What do you believe is necessary to assess the academic and language skills of ELs?

8. What kind of ethical issues that arise when you are assessing students for Specific Learning Disabilities? Do the same issues arise when you assess English Leaners?

9. Tell me about your experience with using an interpreter. What are the drawbacks and advantages?

10. Describe, in your own words, second language acquisition.

11. Tell me about coursework or in-service training you have received regarding culturally and linguistically diverse students. How has this training helped you in your practice?

12. Do you feel your skill set is adequate when assessing and making a decision regarding a learning disability versus language difference? Why or why not?

13. Describe what do you believe is the "ideal" process for assessing English Learners for a Specific Learning Disability under Special Education.

14. What factors, in your experience, usually determine placement of an EL into a school program (e.g. Special Education, Interventions, etc)?

15. Is there anything else you want to add in regard to the assessment of English Learners for a Specific Learning Disability?

APPENDIX C

The University of Texas Rio Grande Valley

Informed Consent Form

Assessing English Learners for Special Education Eligibility: Evaluators' Perceptions and Practices

Hello, my name is Brenda de la Garza, M.Ed. and I am doctoral student with the University of Texas Rio Grande Valley, conducting a research study that seeks to describe evaluators' perceptions and practices when assessing English Learners for Special Education identification. The study is being conducted as partial fulfillment of a Doctoral Degree in Curriculum and Instruction at the University of Texas Rio Grande Valley. Dr. Steve Chamberlain is the faculty advisor for this study. You have been selected to be a participant in the research study because you meet the following criteria: (1) you are currently employed by a Region One school district or charter school as an Educational Diagnostician or Licensed Specialist in School Psychology, (2) currently assess students for a Specific Learning Disability as part of your job, and (3) you make eligibility recommendations to Admission, Review and Dismissal Committee.

If you are interested in participating in the study your participation will involve participating in an in-depth interview about your perceptions and practices when assessing English Learners for Special Education identification. The single interview will be approximately 60-90 minutes long. The interview will be audio taped. The interview will be audio taped in order to be able to accurately transcribe your answers. If you do not want the interview to be audio taped you can still participate in the interview.

Your participation will be anonymous, in that your real name will not be used, and there are no known risks associated with this research. Although there is no direct benefit to you the participant, your participation will contribute to our overall understanding of evaluators' perceptions and practices when assessing English Learners for Special Education identification. Additionally, taking part in this study will give you an opportunity to reflect on your own lived experiences as an educator, and hopefully you will share this knowledge with others.

Participation in this study is completely voluntary. You may choose not to participate, and you may withdraw your consent to participate at any given time. You will not be penalized in any way should you decide not to participate, or to withdraw from this study.

For questions about the research itself, or to report any adverse effects during or following participation, contact the researcher, Brenda de la Garza at (956) 266-0250 or by email brenda.lyne01@utrgv.edu. Or you can contact my faculty advisor Dr. Steve Chamberlain at (956) 882-7675.

This research has been reviewed and approved by the Institutional Review Board for Human Subjects Protection (IRB). If you have any questions about your rights as a participant, or if you feel that your rights as a participant were not adequately met by the researcher, please contact the IRB at (956) 665-2093 or irb@utrgv.edu.

1 of 2

The University of Texas Rio Grande Valley

Informed Consent Form

By signing below, you indicate that you are voluntarily agreeing to participate in this study and that the procedures involved have been described to your satisfaction. The researcher will provide you with a copy of this form for your own reference. In order to participate, you must be at least 18 years of age. If you are under 18, please inform the researcher.

☐ I agree to the interview being audio taped

☐ I disagree to the interview being audio taped

_____   ____/____/_____
Participant's Signature   Date

APPENDIX D

September 7, 2018

To: Brenda De La Garza, M.Ed.

Cc: Steve Chamberlain

From: Institutional Review Board

Subject: Approval of a New Human Research Protocol

IRBNet ID: 1186894-1

IRB# 2018-091-04

Project Title: Assessing English Learners for Special Education Eligibility: Evaluators' Perceptions and Practices

Dear Researcher,

The IRB protocol referenced above has been reviewed and **APPROVED ON September 6, 2018**.

Basis for approval: Expedited, Category 6; Expedited, Category 7

Approval expiration date: September 5, 2019

Recruitment and Informed Consent: You must follow the recruitment and consent procedures that were approved. If your study uses an informed consent form or study information handout, you will receive an IRB-approval stamped PDF of the document(s) for distribution to subjects.

Modifications to the approved protocol: Modifications to the approved protocol (including recruitment methods, study procedures, survey/interview questions, personnel, consent form, or subject population), must be submitted to the IRB for approval. Changes should not be implemented until approved by the IRB.

Approval expiration and renewal: Your study approval expires on the date noted above. Before that date you will need to submit a continuing review request for approval. Failure to submit this request will result in your study file being closed on the approval expiration date.

Data retention: All research data and signed informed consent documents should be retained for a *minimum* of 3 years after *completion* of the study.

Closure of the Study: Please be sure to inform the IRB when you have completed your study, have graduated, and/or have left the university as an employee. A final report should be submitted for completed studies or studies that will be completed by their respective expiration date.

Signed by: *Laura D. Seligman*

Laura D. Seligman
Institutional Review Board Chair

APPENDIX E

Questionnaire use permission

Effie Kritikos <epkritik@neiu.edu>   Fri, Oct 27, 2017 at 5:53 PM
To: Brenda de la Garza <brendailyne@gmail.com>

Hi Brenda ,
Do you mean my original , someone's modified of my original or you modifying my original? If it's my original modified by you, you could use it, but should reference my study. If you are using someone else's modification you need to get permission from them, too. You would need to reference both of us. You have my permission.please let me know which scenario it is, as I keep a log.
Thanks,
Effie

Sent from my iPhone
[Quoted text hidden]

BIOGRAPHICAL SKETCH

Brenda Iveth de la Garza is the proud mother of Athalia Iveth De La Garza and Amelia Grace De La Garza and step-mother of Ava De La Garza, wife of Vince De La Garza and daughter of Diana Antonia Mascorro and Jose Luis Mascorro. She was born in Tampico, Tamaulipas, Mexico. After completing her high school education in Monterrey, Nuevo Leon, Mexico at Colegio Don Bosco Monterrey she enrolled at the Language Institute at the University of Texas at Brownsville where she completed the English as a Second Language Certificate. Ms. De La Garza enrolled at the University of Texas at Brownsville and earned an associate degree in Social Work and Spanish-English Translation as well as a bachelor's degree in Psychology with a minor in Spanish in 2006. She earned a master's degree in Special Education with a specialization in Educational Diagnostician from the same university in 2010. Ms. De La Garza enrolled in the Doctorate in Education in Curriculum and Instruction with a specialization in Bilingual Education in 2013 and earned the degree in May 2020 from the University of Texas Rio Grande Valley.

Ms. De La Garza is a Special Education Coordinator at Region One Education Service (ESC) Center in Edinburg, Texas. Prior to this position she held the position of Assessment-Diagnostic Specialist at Region One ESC. She was an Educational Diagnostician from 2010-2015 and a Special Education teacher for Harlingen Consolidated School District from 2006 to 2010. Ms. De La Garza was awarded the Hammill Institute on Disabilities fellowship in 2018. She can be reached at brendailyne@gmail.com.