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Processes and challenges in identifying learning disabilities among students who are English language learners in three New York State districts

Summary

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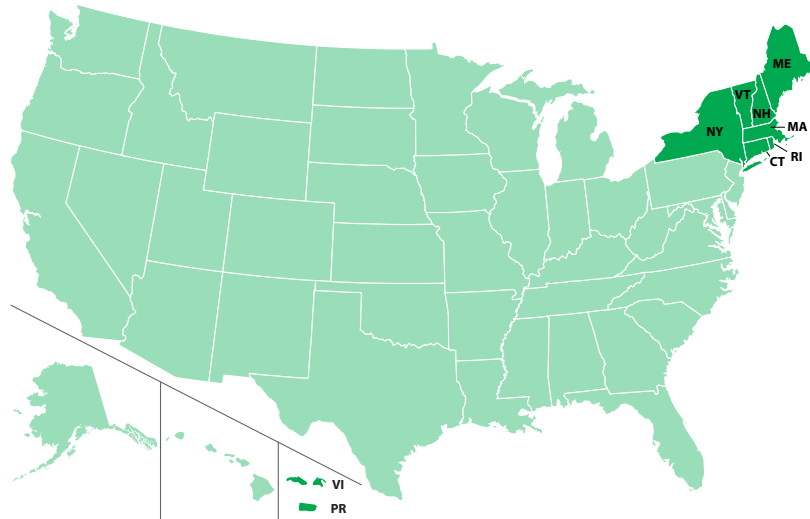
Summary

February 2010

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Issues & Answers is an ongoing series of reports from short-term Fast Response Projects conducted by the regional educational laboratories on current education issues of importance at local, state, and regional levels. Fast Response Project topics change to reflect new issues, as identified through lab outreach and requests for assistance from policymakers and educators at state and local levels and from communities, businesses, parents, families, and youth. All Issues & Answers reports meet Institute of Education Sciences standards for scientifically valid research.

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This report is available on the regional educational laboratory web site at http://ies.ed.gov/ncee/edlabs.

Summary

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Processes and challenges in identifying learning disabilities among students who are English language learners in three New York State districts

Using interviews with district and school personnel and documents from state and district web sites in three districts in New York State, the study examines practices for identifying learning disabilities among students who are English language learners and the challenges that arise. The study finds both similarities and differences in practices, with more differences in prereferral than in referral practices. It identifies eight challenges to the identification of learning disabilities in students who are English language learners and five interrelated elements that appear to be important for avoiding misidentification.

Research shows that students who are English language learners and also have learning disabilities face unique challenges because of their dual status (Artiles et al. 2005; Figueroa 1999; Harry 2002). As part of an initiative to help districts accurately identify students who are English language learners and who might have learning disabilities and to avoid over- and underidentification, the New York State Education Department asked the Regional Educational Laboratory Northeast and Islands for information on district practices for identifying learning disabilities among students who are English language learners and the challenges that arise, as perceived by district and school staff.

Two research questions guided the project:

- According to district and school personnel in three midsize New York State districts, what processes are used to identify students who are English language learners and also have learning disabilities?

- What challenges do those district administrators and school personnel describe about the process of identifying learning disabilities among students who are English language learners?

The research team profiled three midsize school districts in New York State. The team collected data primarily from semistructured interviews with district administrators and school personnel but also from publicly available sources and documents provided by respondents.

District identification processes

The three studied districts identify learning disabilities among students who are English language learners in two stages: prereferral and referral. Although the two processes are similar across the districts, there are also important differences.

Prereferral. The three districts follow a similar prereferral process that starts when teachers

identify students who are not progressing and consult fellow teachers, school support personnel, or administrators. The teacher and school colleagues discuss student data, consider instructional modifications, implement them with the student, and analyze the results. In all three districts the prereferral process is usually longer for students who are English language learners than for native English speakers to ensure sufficient time for the students to develop English proficiency and for educators to differentiate between language development issues and learning disabilities.

There are also some differences in the prereferral process of the three districts:

- *General staff organization for planning and problem solving.* Across the three districts there are differences in structured opportunities to discuss student progress and in access to staff with expertise in second language development.

- *Child study team staffing and roles.* Child study teams, a common way of organizing staff for prereferrals, are used in the middle schools in two of the three districts.

- *Supports and interventions.* The number of supports and interventions available in each middle school varies across the three districts.

- *Monitoring student progress in interventions.* The schools and districts monitor struggling students in different ways.

Referral. Because federal guidelines specify the steps to follow in the referral process, there are only minor variations across the districts. A referral begins with obtaining parental permission and continues with the collection of student information, assessments, and overall evaluations by a district multidisciplinary team (the Committee on Special Education), which determines eligibility for special education services. Nonetheless, there were some differences in the districts' referral processes:

- *Initiating referrals.* In two districts referrals come from the child study team, in consultation with parents. In the third a school administrator initiates referrals, although teachers sometimes encourage parents to initiate referrals if they think a student's needs are not being met in a timely fashion.

- *Collecting student information.* In two districts most of the relevant student information has already been collected by the child study teams, while in the third district most of the information is collected during the referral period.

- *Sharing information between the English language learner and special education departments.* In two districts the English language learner and the special education departments begin sharing information about specific students before the referral process, while in the third district personnel from the two consult only after referral is initiated.

District challenges in the identification processes

Analysis of district and school interview data revealed eight challenges in the process of identifying learning disabilities among students who are English language learners:

- Difficulties with policy guidelines.

- Different stakeholder views about timing for referral of students who are English language learners.

- Insufficient knowledge among personnel involved in identification.

- Difficulties providing consistent, adequate services to students who are English language learners.

- Lack of collaborative structures in prereferral.

- Lack of access to assessments that differentiate between second language development and learning disabilities.

- Lack of consistent monitoring for struggling students who are English language learners.

- Difficulty obtaining students' previous school records.

These challenges reflect the difficulties districts face in complying with the Individuals with Disabilities Education Act of 2004, which requires evidence that learning difficulties for students who are English language learners are not due primarily to a lack of appropriate instruction or to the student's lack of proficiency in English before the student can be identified as having a learning disability.

Analysis of the differences in the prereferral and referral processes and of the challenges identified in the three districts suggests five interrelated elements that appear to be important for avoiding misidentification of learning disabilities among students who are English language learners:

- *Adequate professional knowledge.* Having access to professional expertise about cultural differences, language development, learning disabilities, and their intersection among classroom teachers, specialists, and administrators.

- *Effective instructional practices.* Providing effective instruction to students who are English language learners before and during prereferral.

- *Effective and valid assessment and interventions.* Providing valid assessments and effective intervention strategies.

- *Interdepartmental collaborative structures.* Establishing structures for collaboration between the English language learner and special education departments, as well as opportunities for teachers to collaborate and problem solve in schools.

- *Clear policy guidelines.* Providing streamlined and clear policy guidelines on procedures to follow and criteria to use in identifying learning disabilities among students who are English language learners.

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