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ESL TEACHERS' PERCEPTIONS OF THE PROCESS FOR IDENTIFYING ADOLESCENT
LATINO ENGLISH LANGUAGE LEARNERS WITH
SPECIFIC LEARNING DISABILITIES

A dissertation submitted in partial fulfillment of the requirements for the degree of
Doctor of Philosophy at Virginia Commonwealth University.

by

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TABLE OF CONTENTS

	Page
LIST OF TABLES	vi
LIST OF FIGURES	vii
LIST OF ABBREVIATIONS.....	viii
ABSTRACT.....	ix
1. INTRODUCTION	1
Statement of the Problem.....	1
Rationale for the Study	18
Purpose of the Study	19
Research Questions.....	19
Methodology	20
Researcher Positionality.....	20
Definition of Terms.....	21
2. REVIEW OF LITERATURE	24
Methodology.....	24
Latino Critical Race Theory.....	27
Conceptual Framework.....	28
Latino ELLs.....	30
Context.....	31
Teacher Quality.....	31
Academic Performance.....	33
Specific Learning Disabilities.....	34
Representational Patterns.....	37
Overrepresentation.....	38
Underrepresentation.....	39
Special Education Legislation.....	41
Historical Development.....	41
Education for All Handicapped Children Act.....	43
Individuals with Disabilities Education Act.....	44
Individuals with Disabilities Education Act Amendments.....	44
Individuals with Disabilities Education Improvement Act.....	47
Disproportionality.....	47
Evaluation.....	48
Eligibility.....	48

	Page
Specific Learning Disabilities.....	49
Prereferral Processes.....	51
Response to Intervention.....	52
Prereferral Research.....	53
Quantitative Methods.....	53
Mixed-Methods.....	60
Qualitative Methods.....	63
Literature Gaps.....	68
 3. METHODOLOGY.....	 70
Research Design.....	70
Justification for IPA.....	71
Population.....	71
Access.....	72
Setting.....	73
Rural County Public Schools.....	73
Suburban County Public Schools.....	73
Participants.....	74
Instrumentation.....	75
Procedure.....	76
Data Collection.....	76
Data Analysis.....	77
Pilot Study.....	78
Procedures.....	78
Preliminary Findings.....	78
Modifications.....	80
VCU IRB.....	81
Delimitations.....	81
 4. FINDINGS.....	 83
Research Question 1.....	83
Characteristics and Behaviors.....	83
Instructional Supports and Interventions.....	85
Progress-Monitoring.....	88
Use of RTI.....	89
Prereferral Outcomes.....	90
Research Question 2.....	93
Parental Participation.....	93
Special Education Department Response.....	96
Research Question 3.....	99
Identification Challenges.....	99
Time Constraints.....	100

	Page
Language Misconceptions.....	102
Native-Language Assessment.....	103
Recommendations.....	105
Professional Development.....	106
Native-Language Assessment.....	107
Outreach Programs.....	107
 5. CONCLUSIONS AND IMPLICATIONS.....	 110
Researcher Assumptions.....	110
Previous Experience.....	111
Prior Beliefs.....	112
Personal Motivation.....	113
Reactions during Data Collection.....	113
Theoretical Discussion of Findings.....	114
Historical Context.....	115
Exclusion of Latinos.....	116
Practices of Exploitation.....	117
Anti-Latino Policies, Laws, and Movements.....	117
Implications.....	118
Prereferral Practice.....	118
Prereferral Policy.....	119
Prereferral Research.....	121
Limitations.....	123
Conclusion.....	123
 LIST OF REFERENCES.....	 125
 APPENDICES.....	 146
A. Prospective Participant Initial Contact Email/Letter.....	147
B. Research Subject Information and Consent Form.....	149
C. Interview Instrument.....	154
VITA.....	157

LIST OF TABLES

Table	Page
1. Difference between 2006-2008 ACS Estimates and 2000 Census Totals, Race and Ethnicity Data.....	3
2. Crude Birth Rates, Fertility Rates, Live Births by Race and Hispanic Origin: United States (2006).....	4
3. Quantitative Studies.....	54
4. Mixed-Methods Studies.....	60
5. Qualitative Studies.....	63
6. Descriptive Statistics of Participants.....	75
7. Selected Pilot Study Examples of Significant Statements And Related Formulated Meanings.....	79
8. Example of Pilot Study Theme Cluster with Associated Formulated Meanings and Frequency.....	79
9. Emergent Themes of Pilot Study.....	80
10. Characteristics and Behaviors of Latino ELLs with SLDs.....	84
11. Instructional Supports and Interventions used in Prereferral Process with ELLs.....	86
12. Types of Progress-Monitoring Used with ELLs with Suspected SLDs.....	89

LIST OF FIGURES

Figure	Page
1. Conceptual Framework.....	29
2. Colaizzi's (1978) Phenomenological Method.....	77

LIST OF ABBREVIATIONS

ELLs English language learner

EHA Education of the Handicapped Act of 1970

EAHCA Education for All Handicapped Children Act of 1975

ESEA Elementary and Secondary Act of 1965

ESL English as-a-second language

IDEA Individuals with Disabilities Education Act of 1990, Amended 1997

IDEA 2004 Individuals with Disabilities Education Improvement Act

IEP Individual Education Plan

LAT-CRIT Latino Critical Race Theory

LD Learning disability

MDT Multidisciplinary team

NCES National Center for Education Statistics

NCLB 2002 The No Child Left Behind Act

OELA Office of English Language Acquisition

OSEP Office of Special Education Programs

RD Reading disability

SLA Second language acquisition

SLD Specific learning disability

SPED Special education

SWD Students with disabilities

Abstract

ESL TEACHERS' PERCEPTIONS OF THE PROCESS FOR IDENTIFYING ADOLESCENT LATINO ENGLISH LANGUAGE LEARNERS WITH SPECIFIC LEARNING DISABILITIES

By Emily C. Ferlis, Ph.D.

A dissertation submitted in partial fulfillment of the requirements for the degree of
Doctor of Philosophy at Virginia Commonwealth University.

Virginia Commonwealth University, 2012

Major Director: Yaoying Xu, Ph.D.
Associate Professor of Special Education & Disability Policy
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This dissertation examines the question *how do ESL teachers perceive the prereferral process for identifying adolescent Latino English language learners with specific learning disabilities?* The study fits within the Latino Critical Race Theory framework and employs an interpretive phenomenological qualitative research approach. Participants were six secondary-level ESL teachers from two school districts with small ELL populations. Data consisted of in-depth interviews, researcher notes, and analytical memos. Phenomenological data analysis procedures followed recommendations by Colaizzi (1978) and Smith, Flowers, and Larkin (2009). Data validity measures included second-researcher review and member-checking. Results of the study are presented as descriptions of how participants perceived the prereferral processes for identifying adolescent Latino English language learners with suspected specific learning disabilities. Nine categories emerged from the interviews: (a) Characteristics and behaviors; (b) instructional supports and interventions; (c) progress-monitoring; (d) use of RTI;

(e) prereferral outcomes; (f) parental participation; (g) special education department response; (h) identification challenges; and (i) recommendations. Implications of the study findings for policy, research, and educator practice are noted.

Key words: English language learners (ELLs), English as a Second Language (ESL) teachers, disability, identification, response to intervention

CHAPTER 1. INTRODUCTION

Anna is a Latino English language learner (ELL) who was born in the United States and raised in a Spanish-speaking home. Upon entry into kindergarten, she was placed in English as a second language (ESL) classes. Throughout elementary school, Anna showed improvement in her speaking ability, but made very little progress in beginning-level reading and writing. From fourth through eighth grade, Anna's teachers praised her wonderful behavior on each final report card, but recommended that she be held back in intermediate ESL because she needed "more time." Anna was in her sophomore year of high school before a teacher pulled her student file and learned that she had spent eleven years in ESL classes. The teacher suspected that Anna had a learning disability. She met with her school administration and was advised to provide interventions and document Anna's progress over time. She met with the school administration multiple times over the next two years, but was repeatedly told that she would need to collect additional documentation in order to have Anna referred for special education evaluation. Although the teacher continued to provide Anna with additional support through tutoring, Anna was unable to score high enough on the English language arts exit exam and was not able to graduate with a diploma. Anna's teacher wondered whether she might have been able to pass the exam if she had been identified with a learning disability and provided with test-taking accommodations.

Statement of the Problem

As the population of ELLs in U.S. schools has grown, the estimated number of ELLs with specific learning disabilities (SLDs) has also increased (Baca & Cervantes, 2004). The

population of Latino ELLs has grown the fastest, especially in areas with traditionally-small or non-existent ELL populations (Capps et al., 2005). Although the appropriate and timely identification of Latino ELLs with SLDs has been an ongoing challenge for educators in U.S. schools, as evidenced by historical patterns of disproportionate representation of ELLs in special education programs (Artiles & Ortiz, 2003), few educators have received training or preparation in the identification of ELLs with SLDs (Zehler et al., 2003).

While the Individuals with Disabilities Education Improvement Act (IDEA 2004) changed preexisting regulations to allow states the option of using prereferral progress monitoring for the identification of SLDs, such as through response to scientific-based intervention [34 C.F.R. §300.307 (a) (2)], very little prior research has examined educator implementation of prereferral processes for identifying adolescent ELLs with suspected SLDs (Orosco & Klingner, 2010). Although ESL teachers spend the greatest instructional time with adolescent ELLs and have the most comprehensive understanding of their complex educational needs (Wright & Choi, 2006), no previous research has examined their experiences with ELL identification of SLDs. This study seeks to address this gap by examining ESL teachers' perceptions of the prereferral process for identifying adolescent Latino ELLs with SLDs.

Demographic Context

According to the U.S. Census Bureau's 2006-2008 American Community Survey (ACS), approximately 301 million people reported residing in the United States, including more than 77 million people who identified as belonging to a racial minority group. These data indicated that approximately 12 percent of the U.S. population described their race as African American, four percent as Asian American, one percent as American Indian or Alaska Native, and 13 percent as other racial minority populations. Census Bureau (2008) projections suggest that by the year

2042, the minority population will be the majority of the U.S. population. Table 1 illustrates the difference between 2000 U.S. Census race and ethnicity data and the 2006-2008 ACS estimates.

Table 1

Difference between Race and Ethnicity Data, 2006-2008 ACS Estimates and 2000 Census Counts

	2000 Census		2006-2008 ACS		Difference	
	Number	% of Total Population	Estimate	% of Total Population	Total Difference	% Difference
Total Population:	281,421,906		301,237,703		19,815,797	7.0
White alone	211,460,626	75.1	223,965,009	74.3	12,504,383	5.9
Black or African American alone	34,658,190	12.3	37,131,771	12.3	2,473,581	7.1
American Indian and Alaska Native alone	2,475,956	0.9	2,419,895	0.8	-56,061	-2.3
Asian alone	10,242,998	3.6	13,164,169	4.4	2,921,171	28.5
Native Hawaiian and Other Pacific Islander alone	398,835	0.1	446,164	0.2	47,329	11.9
Some other race alone	15,359,073	5.5	17,538,990	5.8	2,179,917	14.2
Two or more races	6,826,228	2.4	6,571,705	2.1	-254,523	-3.7
Hispanic or Latino Ethnicity (of any race)	35,305,818	12.5	45,432,158	15.1	10,126,340	28.7

Sources: U.S. Census Bureau, Census 2000 Summary File 1 (SF1) and Summary File 3 (SF3); U.S. Census Bureau, 2006-2008 American Community Survey.

According to 2006-2008 ACS estimates, Latinos are the largest ethnic population in the U.S., comprising approximately 15 percent of the total population, and are increasing at the highest rates (U.S. Census Bureau, 2009). The 2000 Census estimated the Latino population to be 35 million people, or approximately 12.5 percent of the U.S. population, while the 2006-2008 ACS estimated 45 million people, or 15 percent of the total population. These data suggest that the Latino population grew by more than 10 million, or 28.7 percent, between 2000 and 2008.

Immigration Trends. The increasing Latino population in the U.S. may be correlated to immigration trends. Data from the 2000 Census indicated that 31 million foreign-born people lived in the U.S., while the 2006-2008 ACS estimated the foreign-born population at 38 million.

The ACS data indicated that more than 53 percent of the foreign-born respondents were Latino and the highest percentage reported that their country of birth was Mexico. This number was more than five times that of the second-most reported country of birth, China. These data indicate that the foreign-born population increased significantly between 2000 and 2008, but that the Latino foreign-born population increased the most during this time period. The following research suggests that this population growth may be related to Latina birth rates.

Latina Birth Rates. The literature suggests that Latinas have higher average birth rates than women from other racial or ethnic groups. Martin and colleagues (2009) conducted a longitudinal examination of five racial or ethnic populations' rates of birth and fertility, based upon birth certificate averages per 1,000 women (Table 2).

Table 2

Crude Birth Rates, Fertility Rates, Live Births by Race and Hispanic Origin: United States (2006)

Race/Hispanic Origin (Mother)	Crude Birth Rate	Fertility Rate	Total Live Births (per 1,000)
White	13.7	68	38.2
African American	16.8	72.1	64.6
American Indian or Alaska Native	14.9	63.1	55
Asian or Pacific Islander	16.6	67.5	17
Hispanic or Latina	23.4	101.5	83
Total Average	17.08	74.4	51.6

Source: U.S. Department of Health and Human Services (2009). *National vital statistics reports, 57(7)*.

The comparison of data from 1950 to 2006 indicated that Latina women have continued to have the highest crude birth rates, fertility rates, and total number of live births in the U.S. The data showed that Latina women averaged 83 live births per 1,000 women in 2006, compared to other population averages of 64.6 (African American), 55 (American Indian or Alaska Native), 38 (Caucasian), and 17 (Asian or Pacific Islander). The average fertility rate per 1,000 Latina

women was 102, which was significantly higher than that of the second-highest rate of 72.1 per 1,000 African American women. The crude birth rate data indicated that Latina women averaged 23.4 per 1,000 women, compared to an average of 15.5 for the other four populations.

The high Latina birth rate may have impacted the growth of the Latino population, especially the population of Latino students in U.S. schools. The research presented below suggests that the U.S. Latino student population has also increased dramatically.

Latino ELLs

The student population in U.S. schools has become increasingly diverse and includes a growing population of Latino ELLs. According to Frankenberg, Lee, and Orfield (2003), the percentage of Latino ELLs has grown at much higher rates than other U.S. student populations. The National Center for Education Statistics (NCES, 2004) estimated the U.S. student population of Spanish-speaking, Latino ELLs to be approximately 5.5 million, or an estimated 80 percent of the entire ELL population in U.S. schools.

Context. The literature base suggests that the growing student population of Latino ELLs may be more likely to experience a lower quality of education in U.S. schools. According to Fry (2003), disproportionate numbers of Latino ELLs attended high-poverty and overcrowded schools, characterized by low-level curriculum (Cammarota, 2004) and few available resources (Lipman, 2004). Orfield and Lee (2005) determined that the majority of Latino ELLs attended schools considered to be poor or in extreme poverty. The findings suggest that Latino ELLs may experience educational inequalities in low-income schools with fewer available resources (Lipman, 2004).

Teacher Quality. The literature base also indicates that Latino ELLs are instructed by the least qualified and least experienced teachers. In 2004, national data analyses showed that

more than 31 percent of high school ELLs have been taught by teachers without any major, minor, or certification in ESL or bilingual education (NCES, 2004). In addition, research has suggested that Latino ELLs are more likely to be taught by unqualified teachers than other student populations. Fry (2007) compared teacher quality data by race and found evidence that Latino ELLs were twice as likely as white students to be instructed by teachers who were not fully credentialed.

The literature indicates that the academic success of ELLs is significantly impacted by teacher experience and preparation. According to Mayer, Mullens, and Moore (2000), ELLs are especially influenced by teacher quality, due to the unique instructional needs of second language learners. The following research on academic performance suggests a correlation between low educational quality and ELL outcomes.

Academic Performance. The literature base has provided evidence that Latino ELLs are the population with the highest risk of experiencing academic failure in U.S. schools. Latino ELLs have the lowest average achievement scores (Fry, 2007), as indicated by national assessments of mathematics and English (NCES, 2007). While the national assessment scores are low for both primary and secondary-level ELLs, the academic achievement gap is larger for secondary-level ELLs (Abedi, 2004; NCES, 2007). According to Albrecht and Sehlaoui (2008), teacher quality and school environment directly correlate with risk factors for ELLs. The researchers found that unqualified teachers, inappropriate ELL teaching practices, and negative school environments significantly increased risk of academic failure. These data may correlate with the dropout rates for adolescent Latino ELLs, which are the highest in the nation (NCES, 2009).

Specific Learning Disabilities. The Latino ELL population increase in U.S. schools has also been reflected in the growing number of Latino ELLs with SLDs (Baca & Cervantes, 2004). The majority of Latino ELLs with SLDs have reading difficulties as the core problem (USDOE, 2003). IDEA 2004 defines SLDs 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 an imperfect ability to listen, speak, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not apply to children who have learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage [20 U.S.C. §1401 (30)].

While IDEA 2004 defines SLDs as exclusionary of learning problems that are the result of cultural disadvantage, the literature has suggested that identification of ELLs remains challenged by cultural differences and the differentiation between learning disability and second language acquisition (SLA). According to Artiles (2003), cultural differences between educators and ELLs may increase inappropriate ELL referral to special education. Brown (2004) correlated ELL misidentification to the influence of cultural differences on linguistic performance and language use. Lehr and McComas (2005) suggested that unconscious educator racial bias and cultural stereotypes may contribute to ELL misclassification.

Early and appropriate identification of ELLs with SLDs may be further challenged by similarities between the characteristics of SLA and learning disabilities (McCardle et al., 2005; Wagner et al., 2005). ELL misidentification has been linked to gaps in educator knowledge of

cultural impact on language use (Ortiz, 2002), normal second language learning behaviors (Lesaux, 2006), and the characteristics of ELLs with SLDs (Klingner & Harry, 2006). The differentiation between SLA and learning disability continues to exist as the greatest difficulty for educators in the identification process of ELLs (Rinaldi & Samson, 2008). Research suggests that educator knowledge of timely ELL identification positively impacts student success, as increased remediation and support has been linked to higher retention rates and academic outcomes (Foorman et al., 1997).

Despite the continued challenge of appropriate ELL identification, the literature base provides evidence that few educators have been trained or prepared to identify ELLs with SLDs (Kushner, 2008). The lack of teacher preparation related to the identification of ELLs with SLDs has been correlated with misclassification and disproportionate representation in special education (Fletcher & Navarrete, 2003). The historical patterns of disproportionate Latino ELL representation in special education further point to the complex challenge of appropriately identifying Latino ELLs with suspected SLDs.

Representational Patterns

The knowledge base concerning the representational patterns of ELLs receiving special education services is limited (Artiles, Trent, & Palmer, 2004; Klingner & Artiles, 2003) because ELLs have often been excluded from analysis (Artiles, 2003). The gap may be due to data reporting errors (Zehler et al., 2003) and weak data infrastructure (Klingner, Artiles, & Barletta, 2006). Despite the gap in data analysis related to ELLs with SLDs, the literature indicates patterns of disproportionate Latino ELL special education representation in U.S. schools.

The literature provides evidence that U.S. schools have a long history of disproportionately placing racial and ethnic minority students in special education programs,

especially African-American males and Latino ELLs (Artiles & Ortiz, 2002; Robertson, Kushner, Starks, & Drescher, 1994; Zehler et al., 2003). Various factors have been correlated with the overrepresentation, underrepresentation, and misidentification of Latino ELLs in special education, such as grade level, language support, native-language literacy level, and disability category (Artiles, Rueda, Salazar, & Hirareda, 2002). ELL population size has also been correlated to both overrepresentation (Artiles & Ortiz, 2002) and underrepresentation (Zehler et al., 2003).

Overrepresentation. The disproportionate representation of Latino ELLs in special education programs has been documented in the research base since Mercer's (1974) study of assessment procedures used to place Latino ELLs in California schools. Mercer found that Mexican American ELLs in California public schools were being assessed in English and inappropriately placed in special education programs.

Artiles and colleagues (2002) found Latino ELL overrepresentation in several large California school districts during the 1998-1999 academic year. Data disaggregation showed evidence that secondary-level Latino ELLs experienced higher placement patterns in mental retardation and speech or language impairment categories. Artiles et al. (2005) further determined that between 1993 and 1999, the ELL subgroup of Latinos in the California districts examined increased by 12 percent, while the percentage of Latino ELL students in special education increased by 345 percent. While this research is no longer timely, the studies point to the historical background of discrimination experienced by Latino ELLs.

Underrepresentation. While prior district-level research has pointed to patterns of Latino ELL overrepresentation in special education (Artiles et al., 2002), other national studies

have suggested patterns of Latino ELL underrepresentation in special education (Zehler et al., 2003).

In 2001, the Office of Special Education Programs (OSEP) analyzed national special education enrollment data by race and ethnicity for the 1998-1999 academic year and found Latino ELL underrepresentation. The following year, OSEP (2002) analyzed the 1999-2000 data and found that Latino ELLs represented 13.7 percent of students in special education, but 16.2 percent of the resident population aged 6-21. Underrepresentation of ELLs in special education categories was also determined in the national study conducted by Zehler and colleagues (2003). Using data from 1,315 school districts, the researchers determined that 13.5 percent of students from the general population were receiving special education services, compared to 9.2 percent of Latino ELLs.

The conflicting literature base has suggested that Latino ELLs may have experienced both overrepresentation and underrepresentation in U.S. schools. Such research points to the long-standing and complex issues related to appropriately identifying ELLs with SLDs. The following examination of special education law and litigation suggests that the identification of ELLs with SLDs has also existed as a legislative challenge.

Special Education Legislation

The first federal education support for students with disabilities was included in the 1966 amendment to the Elementary and Secondary Act of 1965 (ESEA) (P.L. 89-10). The provision of grant funding for educational resources for students with disabilities was later expanded in the 1970 Education of the Handicapped Act (EHA)(P.L. 91-230).

Historical Development. Attention to ELLs with special needs increased in the early 1970s, after several court cases challenged the appropriateness and validity of testing practices

used to determine ELL eligibility for special education. The consent decree in the landmark 1970 Southern District of California case *Diana v. California State Board of Education* required ELLs be tested through the use of nonverbal or native language tests, the collection and use of extensive supporting data when determining ELL eligibility for special education, and the development of a monitoring system through which to identify disproportionate representation patterns based upon race or ethnicity. The 1979 *Larry P. v. Riles* ruling mandated the use of racially or culturally unbiased assessments for identification practices that did not contribute to minority overrepresentation in special education categories.

After Dunn (1968) addressed the disproportionately high number of minority students in special education, Mercer (1973) increased awareness of invalid assessment practices that were being used to inappropriately place ELLs in special education. The 1974 amendment to ESEA (P.L. 93-380) first addressed the identification of ELLs through the requirement of nondiscriminatory testing.

Education for All Handicapped Children Act. The 1975 Education for All Handicapped Children Act (EAHCA) (P.L. 94-142) established the process by which state and local educational agencies would be held accountable for the provision of educational services for children with disabilities (Wright & Wright, 2007). The act created regulations for the referral, testing, and placement of students into special education programs, but litigation and research evidence of disproportionate minority student representation brought attention to the continuing issue of equitable identification for diverse students (Baca & de Valenzuela, 1998).

Individuals with Disabilities Education Act. The EAHCA was reauthorized in 1990 as the Individuals with Disabilities Education Act (IDEA) (P.L.101-476). IDEA included the requirement of nonbiased assessment for ELL identification and added instruction of students

with disabilities in the least restrictive environment (Ovando et al., 2006). The research base increasingly questioned the validity of IQ tests with ELLs and conducted analyses of ELL representation and placement patterns (Artiles & Trent, 1994; Jitendra & Rohena-Diaz, 1996; Ortiz, 1994). The analyses indicated disproportionate patterns of ELL overrepresentation (Artiles & Trent, 1994; Ortiz, 1994) and underrepresentation (Carrasquillo, 1990; Robertson et al., 1994).

Individuals with Disabilities Education Act Amendments. In 1997, the Individuals with Disabilities Education Act Amendments (IDEA 1997) (P.L. 105-17) increased attention and monitoring focus on the disproportionate representation of minority students, such as African American and Latino children, in specific special education categories (Artiles & Ortiz, 2002). The act also included new language that addressed specific rights for ELLs, including nondiscriminatory evaluation and placement procedures in the child's native language, if feasible, the right of a parent to an interpreter for an IEP meeting, and the consideration of ELL language needs by the multidisciplinary team (MDT) (Artiles & Ortiz, 2002). The 1997 IDEA amendments also mandated state collection of data regarding race, ethnicity, and special education placement, in order to monitor disproportionate minority student representation (OSEP, 1997).

Individuals with Disabilities Education Improvement Act. In 2004, IDEA was reauthorized as the Individuals with Disabilities Education Improvement Act (IDEA 2004) (P.L. 108-446). IDEA 2004 focused on aligning with the federal regulations for accountability and teacher quality standards that were included in the 2002 reauthorization of the ESEA, the No Child Left Behind Act (NCLB) (P.L. 107-110). IDEA 2004 made changes to regulatory requirements related to procedures for identifying SLDs and state monitoring of

disproportionality by race or ethnicity. The procedures for SLDs included the option of using response to scientific, research-based intervention (Fuchs, 2003), which had been recommended as a more equitable method of identifying ELLs with suspected SLDs (Wilkinson et al., 2006).

Prereferral Process

IDEA 2004 allowed state choice concerning the use of research-based intervention and progress-monitoring in the identification of SLDs, in addition to the creation of new requirements for data reporting, evaluation procedures, and eligibility determination. States were not required to use research-based intervention and progress-monitoring in the identification of SLDs. However, researchers had recommended that research-based intervention and progress-monitoring may provide more equitable identification of ELLs with SLDs, such as through the use of response to intervention (Ortiz, 2003).

Response to Intervention. The response to intervention (RTI) model was designed to provide extensive contextual information on student ability level and support through the use of tiered interventions (Fuchs et al., 2003). The model was created to allow for the consideration of additional interpersonal and institutional factors that may impact student performance, as opposed to the IQ discrepancy model, which utilized assessment systems to determine within-child deficits (Harris-Murri, King, & Rostenberg, 2006).

RTI was designed as a multi-tiered approach for providing services and intervention for at-risk students (Greenfield, Rinaldi, Proctor, & Cardarelli, 2010) and was recommended for the identification of ELLs, in order to reduce inappropriate referrals to special education (Fuchs et al., 2003). According to Fuchs and colleagues (2003), the model monitors student progress over time and uses multiple assessment tools to dictate additional evidence-based instruction or additional interventions to address educational needs. The prereferral intervention stages may

include Tier 1 and Tier 2, which involve monitoring student progress in the general education classroom and moving to increased small-group, differentiated instruction, as needed. Students in Tier 3 may be referred to special education, in order to ensure that the instruction matches the needs of the student or to provide additional support (Rinaldi & Samson, 2008). While the option to use RTI was included in IDEA 2004, very little research has examined RTI with ELLs (Orosco & Klingner, 2010) or the use of other prereferral processes for the identification of ELLs with suspected SLDs.

Prereferral Research

Researchers have suggested that early identification positively impacts the academic success of ELLs with SLDs (Foorman et al., 1997), including through the use of prereferral interventions (Wilkinson et al., 2006). While prereferral practices have been correlated to reduced numbers of inappropriate ELL referrals and misclassification, some research has shown that educators may not have the ability or may choose not to implement prereferral interventions for ELLs (Wilkinson et al., 2006). According to the study of principals' perceptions conducted by Conway et al. (2000), teachers were often unwilling or unable to implement prereferral interventions with ELLs because they lacked the requisite training and resources. Wilkinson and colleagues (2006) examined archival data related to ELL identification practices, finding evidence that ELLs were often misidentified because prereferral intervention was not provided.

While the research related to prereferral processes for ELLs with suspected SLDs has grown, a review of research published between 2004 and 2010 indicated that the majority of studies have examined control, researcher-implemented interventions with younger ELLs.

Quantitative Research. A growing body of quantitative research has utilized longitudinal studies to examine the effect of reading interventions for at-risk ELLs in preschool

and lower elementary school. Gilbertson and Bluck (2006) found that low-performing Latino preschool ELLs benefitted from slower-paced reading interventions in letter-naming instruction, with further study indicating that ELLs also showed progress when provided visual support in reading interventions (Gilbertson, Maxfield, & Hughes, 2007). Denton et al. (2004, 2006, 2009) found that elementary-level ELLs who were provided with explicit-decoding intervention showed significant progress, while the researchers also determined that middle-school ELLs with SLDs did not benefit from explicit phonics-based intervention provided during 40-minute sessions, over a 13-week period (Denton et al., 2008). Several studies conducted by Calhoun and associates (2007) suggested that peer-mediated early literacy intervention increased the reading fluency of first-grade Latino ELLs. Vaughn and researchers (2005, 2006, 2009) and Gerber and colleagues (2004) examined Spanish and English interventions with low-performing Latino ELLs in kindergarten and early elementary-school grades, finding evidence that reading-focused interventions resulted in progress in both first and second-language reading ability.

Little research has been conducted on the prereferral processes used to identify or support the progress of adolescent ELLs. The existing literature has also primarily examined the impact of interventions that were provided by researchers, not practitioners (Orosco & Klingner, 2010). Few studies have evaluated differences between controlled studies and real-world practice (Klingner & Edwards, 2006) or described the sociocultural, economic, or educational backgrounds of the teachers, schools, or students.

Mixed-Methods Research. Mixed-methods studies of ELL prereferral processes published between 2004 and 2010 are more limited than the quantitative research base on the topic. Richards and colleagues (2006) studied the impact of 10 weeks of phonological awareness intervention on four low-performing ELLs in kindergarten, finding evidence that indicated the

intervention provided strong indication of special education referral needs. McIntosh, Graves, and Gersten (2007) conducted a retroactive examination of teacher quality impact on intervention provision for ELLs that suggested the long-term effect of high-quality interventions for ELLs at-risk.

Mixed-methods research has indicated that the implementation of evidence-based interventions can result in appropriate ELL referrals to special education and can be used to increase the academic success of low-performing ELLs. While the one study that examined practitioner implementation of intervention (McIntosh, Graves, & Gersten, 2007) was limited by pre-2004 data and a small sample size, the results have suggested the importance of teacher quality when using prereferral processes for the identification of ELLs with suspected SLDs.

Qualitative Research. The number of qualitative studies of ELL prereferral processes grew during 2010, but remained more limited than the quantitative literature base. The majority of the research has examined RTI with elementary ELLs.

Greenfield and colleagues (2010) examined educators' perceptions of a RTI reform initiative in an urban elementary school, finding that educators were confused about how to provide intervention support for ELLs and how to use intervention to identify ELLs at risk of learning disabilities. Orosco and Klingner (2010) conducted an examination of RTI implementation in an elementary school with a large ELL population and collected data related to teacher perception, instructional practices, and team meetings. The analyses indicated that the RTI implementation created a negative deficits-based literacy model for ELLs, due to the educators' gaps in understanding of RTI implementation, ESL strategies, cultural knowledge, and the difference between normal SLA and learning disabilities. Sanchez and colleagues (2010) examined educator procedures for identifying middle-school ELLs, in a study of three midsize

school districts with large ELL populations. The findings further pointed to the gaps in educator knowledge concerning the identification of ELLs with SLDs, ability to collaborate in the referral process, and confusion about special education procedures for ELLs.

Cho, Xu, and Rhodes (2010) examined the impact of small-group reading intervention on the motivation of fourth-grade ELLs and non-ELLs, through student focus groups and interviews with instructors. The data analyses indicated that some of the instructors had low expectations for the ELLs, based upon their limited oral reading abilities, but that the ELLs showed significant improvement in reading comprehension. The data further suggested that responsive instruction impacts levels of ELL motivation and participation in small-group reading activities. The reading assessment data indicated that the ELLs benefited from small-group reading interventions, although the qualitative interviews suggested that some of the educators had prior low expectations for ELLs and did not have knowledge of cultural influences on literacy.

Literature Gaps. Several gaps exist in the limited research base related to the use of prereferral processes used to support or identify low-performing ELLs at risk of SLDs. First, few studies have examined practitioner implementation of prereferral processes, which can differ greatly from controlled research conducted by research-educators (Klingner & Edwards, 2006). Second, only one study examined secondary-level low-performing ELLs, who have a high risk of academic failure in U.S. schools and have a critical need for academic support (Fry, 2007). A third gap exists in research focused on ESL teachers' perceptions, which are important because ESL teachers have the most instructional time with ELLs at the secondary-level (Wright & Choi, 2006). A fourth gap involves studies of ELL identification practices in school districts with smaller ELL populations. According to Capps et al. (2005), demographic shifts are resulting in an increasing number of ELLs in school districts that have not traditionally had large ELL

populations. Because teacher understanding of cultural context, ESL pedagogy, and SLA influences the accuracy and effectiveness of prereferral supports, including response to intervention (Xu & Drame, 2008), it is valuable to examine ESL teachers' perceptions of identification practices in schools with small ELL populations, where educators may have less experience with ELLs.

Rationale for the Study

The challenge of identifying ELLs with SLDs has been an ongoing issue in U.S. schools, evidenced by historical patterns of disproportionate ELL representation in special education programs (Artiles et al., 2005). The regulatory requirements for the identification of SLDs were made more inclusive in IDEA 2004, which allowed the option of using RTI in the procedures for identifying SLDs [20 U.S.C. 1414 (b)(6)]. Although little research had examined practitioner implementation of RTI with ELLs for SLD identification purposes (Orosco & Klingner, 2010), prereferral intervention was recommended as a method of reducing disproportionate ELL representation and increasing the academic success of at-risk ELLs (Artiles & Ortiz, 2002; Foorman et al., 1997). The current research base includes a growing number of quantitative studies of intervention effect on younger low-performing ELLs, but is limited in qualitative research on the use of RTI with adolescent ELLs. These few qualitative studies have indicated that RTI is ineffective if teachers do not understand ESL pedagogy or the influence of culture on performance (Orosco & Klingner, 2010).

This study was designed to examine ESL teachers' perceptions of the prereferral processes used to identify ELLs with SLDs, in order to include the experiences of the teachers who spend the most instructional time with ELLs at the secondary level (Wright & Choi, 2006).

The study sought to address the gap in the literature related to the prereferral processes that ESL teachers use to monitor, support, and identify adolescent ELLs with suspected SLDs.

Purpose of the Study

The purpose of this study was to examine ESL teachers' perceptions of the prereferral processes used to identify adolescent Latino ELLs with SLDs in two school districts with small ELL populations. The study was designed to determine what prereferral processes were being used, how they were being implemented, and how effective ESL teachers perceived them to be. In addition, the study attempted to determine if and how ESL teachers collaborated with other educators and ELL families during the prereferral process.

Research Questions

This study was designed to answer the following questions:

1. What are the prereferral processes used by ESL teachers to identify adolescent Latino ELLs with suspected SLDs? Do ESL teachers use instructional strategies or progress-monitoring in the prereferral process for identifying Latino ELLs with suspected SLDs? Is RTI used with ELLs? What are ESL teachers' perceptions of the prereferral process with ELLs?
2. What are the perceptions of ESL teachers concerning collaboration with ELL families and other educators in the prereferral process for adolescent Latino ELLs with suspected SLDs?
3. What aspects of ELL identification do ESL teachers view to be the most challenging for educators and students? What are ESL teachers' recommendations for improving the process of identifying adolescent Latino ELLs with suspected SLDs?

Methodology

This study used a phenomenological approach (Smith, Flowers, & Larkin, 2009) to examine ESL teachers' perceptions of the prereferral process for identifying adolescent Latino ELLs with suspected SLDs. Using the phenomenological approach, data collection took place through detailed and in-depth interviews with individual ESL teachers at the secondary level from two school districts with traditionally small ELL populations. These data were analyzed for significant statements, meaning units, and themes, in order to determine and describe the essence of the teachers' experiences (Smith et al., 2009). An exhaustive description of the emergent themes was developed through this analysis that reported the perceptions of the ESL teachers who participated in this study. In order to ensure validity, participants were provided copies of their interview transcripts as a form of member-checking and a second researcher reviewed a 25 percent portion of the coded data to check for accuracy.

Researcher Positionality

A discussion of my positionality as a researcher in this study is included so that readers will be aware of how my experiences, values, and biases may have influenced this project. I am a former ESL teacher who taught adolescent Latino ELLs. Prior to this research, I worked as an ESL teacher, ESL testing coordinator, and ESL specialist at the preschool, middle-school, high-school, and university-levels. I experienced challenges identifying ELLs with suspected SLDs and I worked with other educators who expressed concern about the challenge of ELL identification. I also found that ESL teachers were not always included in meetings, administrator observations, or discussions about ELL identification issues. I was personally motivated to research prereferral processes for ELL identification because I felt that ESL teachers often had unique insight into the needs of adolescent ELLs and ELLs with SLDs. The

process of reflecting on my researcher positionality was valuable, as it allowed me to be aware of biases and work to limit biases in the research. My researcher assumptions are discussed in more detail in the fifth chapter of this study.

Definition of Terms

For the purposes of this study, the following definitions will be used:

Disproportionate Representation. The difference in actual occurrence rates among a given population compared to the expected occurrence rates given their representation in the general population (Reschley, 1991).

English as a Second Language (ESL). Classes to develop skills in understanding, speaking, reading, writing, and communicating in English and to integrate academic content appropriate for the student's age, grade, and English language skills (Sanchez et al., 2010).

English Language Learners (ELLs). Students whose first or home language is other than English and whose English skills are so limited that they cannot profit from instruction provided entirely in English without support. This term is increasingly used in place of *limited English proficient* to avoid the negative connotation of limited as a descriptor of student abilities (Artiles & Ortiz, 2002).

Evaluation. Procedures used to determine whether a child has a disability and the nature and extent of the special education and related services that the child needs (Wright & Wright, 2007).

Individualized Education Program (IEP). A written statement for a child with a disability that is developed, reviewed, and revised in accordance with 20 U.S.C. §1401(d) [20 U.S.C. §1401(14)].

Limited English Proficient (LEP). An individual between the ages of 3 and 21 who attends an elementary school or secondary school, who was not born in the United States or whose native language is not English, or a migratory child whose native language is not English. The individual's difficulties in speaking, reading, writing, or understanding English may not permit the individual to be proficient on state assessments (20 U.S.C. § 7801). The official term used in government and in law (Artiles & Ortiz, 2002).

Native Language. The term that, when used with respect to an individual who is limited English proficient, means the language normally used by the individual or, in the case of a child, the language normally used by the parents of the child [20 U.S.C. §1401(20)].

Prereferral. All investigative activities that occur before a formal request for parental consent for evaluation and referral to special education (Sanchez et al., 2010).

Prereferral Intervention. When supplementary instructional services are provided that are intense enough to bring at-risk students quickly to a level at which they can profit from high-quality classroom instruction (Madden et al., 1991).

Procedural Safeguards Notice. Requirement that schools provide full, easily understood explanation of procedural safeguards that describe a parent's right to an independent educational evaluation, to examine records, and/or to request mediation and due process (Wright & Wright, 2007).

Referral. When either a parent of a child or a public agency initiates a request for an initial evaluation to determine if the child is a child with a disability [34 C.F.R. §300.301 (b)].

Response to Intervention (RTI). In determining if a child has a specific learning disability, refers to the child's response to scientific, research-based intervention (Wright & Wright, 2007). A multi-tiered approach to helping struggling learners, with progress closely

monitored at each stage of intervention to determine the need for further research-based intervention in general education, special education, or both. It is often conceptualized in three tiers: (1) the general education setting with scientifically-based effective instruction, (2) a more intensive level of intervention targeted to a student's academic struggles, and (3) an intense level of intervention and support, with a child often receiving special education or related services (Sanchez et al., 2010).

Specific Learning Disability (SLD). Disability category under IDEA 2004; 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 an imperfect ability to listen, speak, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term does not apply to children who have learning problems that are primarily the result of visual, hearing, or motor disabilities, of mental retardation, of emotional disturbance, or of environmental, cultural, or economic disadvantage [20 U.S.C. §1401 (30)].

CHAPTER 2. REVIEW OF LITERATURE

This chapter provides a review of the literature related to the prereferral process for identifying adolescent Latino ELLs with suspected SLDs. The first section outlines the foundation and objectives of the LatCrit paradigm, as well as the impact of LatCrit on the conceptual framework and research design. The second section discusses research related to the context, teacher quality, and academic performance of Latino ELLs in U.S. schools. The third section reviews the research on representational patterns of Latino ELLs in special education. The fourth section discusses special education legislation related to the identification of ELLs with SLDs. The fifth section reviews the literature related to the prereferral process for the identification of ELLs with SLDs and outlines the gap in the literature.

Methodology

Selection Procedure

Studies were selected for the review of relevant literature, based upon a two-step procedure (Klingner, Artiles, & Barletta, 2006). This procedure involved:

1. Conducting a comprehensive search for all articles that might be appropriate, and
2. Applying selection criteria to determine which articles should be included.

In order to locate the existing research on prereferral practices for the identification of adolescent Latino ELLs with SLDs, three modes of searching were used: (a) searches in subject indexes, (b) citation searches, and (c) hand searching.

Searches in Subject Indexes. Several computer searches were conducted using SAGE Journals Online, Educational Resources Information Center (ERIC), Academic Search Complete,

and Education Research Complete. Prior to conducting the searches, the ERIC thesaurus was consulted to determine appropriate descriptors for special education identification and eligibility, specific learning disabilities, and Latino English language learners. Searches included sets of descriptors, such as “prereferral AND English (second language) AND learning disabilities,” “IDEA AND Hispanic,” and “limited English proficient AND identification AND IDEA.”

After locating the first set of studies identified with the descriptors, major and minor descriptors were examined to find additional articles. A second set of searches was then conducted with several combinations of descriptors, such as “Hispanic AND limited English proficient AND intervention,” “English (second language) AND response to intervention AND culturally appropriate context,” and “special education eligibility AND “Latino English language learners.”

Citation Searches. In order to ensure that relevant studies were included in the review of the literature, citations from pertinent studies were examined. This approach provided additional articles that had not been located through the computer searches.

Hand Searching. Online searches were also conducted of the following journals: *Annual Review of Applied Linguistics*, *Bilingual Research Journal*, *Educational Researcher*, *Exceptional Children*, *Journal of Education of Students Placed at Risk*, *Journal of Learning Disabilities*, *Learning Disabilities Research and Practice*, and *TESOL Quarterly*. These journals’ tables of contents were examined to look for articles that were not identified through the computer or citation searches.

Criteria-Based Selection. The literature review included studies that met an established criterion. The criterion included studies which:

1. Reported original data;

2. Concentrated on K-12 population;
3. Focused on Latino students acquiring English as a second or additional language rather than English as a foreign language; and,
4. Targeted identification practices for ELLs, patterns of ELL representation, policy related to the identification of ELLs with SLDs, or the use of prereferral practices with ELLs.

The included studies were limited to research published between 2004 and 2010. Articles in which authors suggested strategies to improve the educational experience of Latino ELLs with SLDs or at risk of SLDs were included in the review, if determined relevant to the topic. In the case that a study included multiple components, the review only included the components that fit the selection criteria.

Analysis Procedures. After the targeted studies were identified and read, key studies were outlined and categorized according to broad themes. Within some categories, subcategories were identified and findings discussed. The final categorization included: (a) Latino ELLs, (b) Representational Patterns, (c) Special Education Legislation, and (d) Prereferral Processes. These categorization themes served as the basis for the presentation of findings.

The review was based upon the findings from 98 original studies, as well as 12 literature reviews or analyses, 52 articles written by experts in the field, and information from 12 books on the topic. Reference was also made to seminal works or research published prior to 2004, as well as extensive policy and demographic data used to provide background and statistic information.

Latino Critical Race Theory

This study used Latino Critical Race Theory (LatCrit) to examine ESL teachers' perceptions of the prereferral process for identifying adolescent Latino ELLs with suspected SLDs. The theoretical paradigm of LatCrit confronts the current and historical inequalities experienced by Latino ELLs in U.S. schools (González & Portillos, 2007). Due to the patterns of disproportionate Latino ELL representation in special education programs and the historical use of inappropriate assessments for Latino ELL special education evaluation (Artiles et al., 2005), it was critical to utilize a theoretical lens that addressed the prior practices of discrimination against Latino ELLs in U.S. schools.

Theory Development

LatCrit Theory developed from the foundation of Critical Race Theory (CRT). CRT is a race-centered framework and movement that surfaced in the legal field (Crenshaw, Gotanda, Peller, & Thomas, 1995), but which has spread to other fields, including education (Dixon & Rousseau, 2006; Ladson-Billings, 1998; Tate, 1997; Yosso, 2002). CRT holds six major tenets:

1. Racism is embedded in the cultural fabric of American society and is present in everyday practices and social interactions;
2. Liberal ideology is limited in addressing racism;
3. Racism must be historically contextualized;
4. Analyses of racism must underscore the voices and experiences of people of color;
5. Inquiries on racism must draw from interdisciplinary perspectives; and,
6. Elimination of racism and all forms of oppression is the objective of CRT (Matsuda, Lawrence, Delgado, & Crenshaw, 1993).

In the field of education, CRT scholars work to deconstruct race, neutrality, and implicit understandings of cultural deficiencies, in order to illustrate that schooling is neither neutral nor color-blind (Dixon & Rousseau, 2006; Ladson-Billings, 2001; Ladson-Billings & Tate, 2005). A CRT analysis shows that the production of inequality is socially engineered through deficit paradigms that are largely conceptualized as the inferior abilities of people of color (Delgado & Stefancic, 2000; Tate, 1997). CRT exists as the foundation of LatCrit, which focuses on examining the historical and current practices of discrimination against the Latino population.

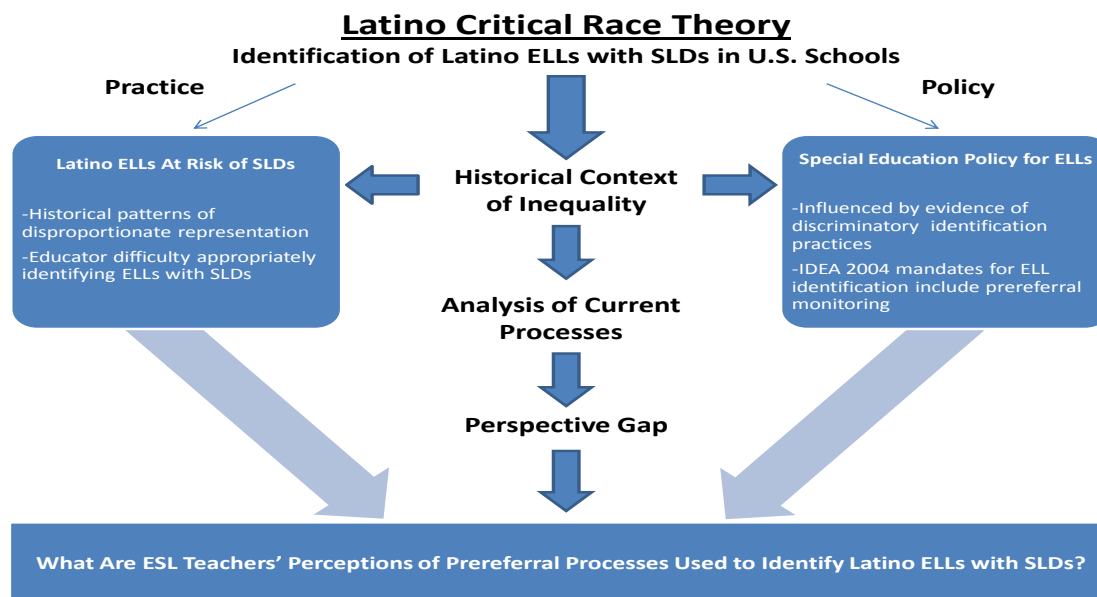
Objectives

LatCrit is an extension of CRT which aims to expose the ways that race and ethnicity operate in the U.S. as system of exclusion and exploitation of Latino people through language, culture, and immigration status (Solórzando & Delgado Bernal, 2001). The paradigm seeks to examine historical practices of Latino discrimination and confront current inequalities by giving voice to Latinos and other perspectives that have not been adequately addressed in the past (Perea, 1997). LatCrit aims to enable researchers to better convey the experiences of Latinos by focusing on the unique forms of oppression that this population experiences (Solórzando & Delgado Bernal, 2001). This lens can be used to identify anti-Latino discrimination through policies, laws, movements, and propositions in U.S. schools (González & Portillos, 2007).

Conceptual Framework

The conceptual framework of the study was developed through the lens of the LatCrit paradigm, in order to address both the historical and current provision of education for Latino ELLs (Figure 1). The LatCrit framework considers the intersectionality of race, ethnicity, immigration status, and language (Pérez Huber, 2010) that impact prereferral processes for identifying adolescent Latino ELLs with suspected SLDs.

Figure 1

Conceptual Framework

This study sought to identify both oppressive and effective prereferral processes for adolescent Latino ELL identification of SLDs through the perspectives of ESL teachers. In a LatCrit analysis, previously-excluded viewpoints are included in research so that the historical and current context of the Latino experience is comprehensively addressed (Carbado, 2002). This study sought to include ESL teachers' perspectives of prereferral processes for identifying adolescent Latino ELLs with SLDs through a LatCrit analysis of the following categories:

1. Historical context of anti-Latino racism in education (Perea, 1997);
2. Exclusion of Latinos based on language, culture, and immigration status;
3. Practices of Latino exploitation in education (Carbado, 2002); and,
4. Anti-Latino policies, laws, movements, and propositions in U.S. schools (González & Portillos, 2007).

Following a LatCrit approach, this explicitly anti-racist framework aimed to deconstruct the dominant ideologies of academic research (Malagón, Pérez, Huber, & Velez, 2009). According to Delgado Bernal and Villalpando (2002), LatCrit challenges dominant ideologies by recognizing sources of knowledge that are outside of the traditionally-included perspectives. Through this process, LatCrit can reveal structures of Latino oppression that have remained hidden or ignored in other research (Malagón et al., 2009). This study was framed to include the perspectives of ESL teachers, as they often have a unique understanding of the impact of policy and practice on ELLs (Wright & Choi, 2006). The focus of the research was to increase the knowledge base and provide recommendations for educators, policymakers, and researchers by determining how ESL teachers practice or perceive prereferral processes for identifying adolescent Latino ELLs with suspected SLDs.

This framework centered on identifying both discriminatory and appropriate prereferral practices for monitoring and supporting adolescent Latino ELLs with suspected SLDs. By focusing solely on the perspectives of ESL teachers, the study sought to empower the teachers who work the closest with adolescent ELLs (Wright & Choi, 2006), and provide an analysis of their unique experiences, viewpoints, and knowledge. The framework reflects the importance of confronting anti-Latino practices and policies by including ESL teachers' experiences and perceptions of prereferral processes for identifying adolescent Latino ELLs with suspected SLDs.

Latino ELLs

U.S. public schools include both Latino students who are proficient in English and Latino students who are learning English. It is estimated that the Latino student population is growing at higher rates than other racial or ethnic populations. According to Frankenberg, Lee, and

Orfield (2003), between 1994 and 2000, the percentage of Latino students grew by 38 percent, while the percentage of African-American students increased by 13 percent and the percentage of Caucasian students declined by 1.2 percent. The study estimated that the most dramatic increase was that of the Spanish-speaking ELL population. According to the NCES (2004), Latino ELLs comprised approximately 80 percent of the entire ELL population in U.S. public schools and included an estimated 5.5 million students.

Context

The literature has suggested that the educational quality of schools with large Latino ELL populations may be lower than average and may have fewer resources. Fry (2003) found that schools with large Latino student populations were more likely to be high-poverty, overcrowded, and limited in financial and human capital. Lipman (2004), as well as Rumberger and Gandara (2004), further supported this conclusion, finding evidence that schools with large Latino ELL populations were more likely to experience resource deficits.

According to Orfield and Lee (2005), schools with large Latino populations had less available resources and a greater need for support. The study showed that the majority of Latino ELLs were attending low-income schools, where more than 50 percent of the students were considered poor. Further analysis indicated that African-American and Latino students comprised 80 percent of the student population of extreme-poverty schools, in which 90 to 100 percent of the population were considered poor (Orfield & Lee, 2005).

Teacher Quality

The research base has also indicated that U.S. schools with large Latino ELL populations may be characterized by lower teacher quality, as measured by teacher experience, preparation, and expectations for student achievement. The literature has shown that many Latino ELLs are

instructed by unqualified and inexperienced teachers, who use low-level curriculum and who have lower expectations for academic success (Camarota, 2004; Fernandez, 2002; Murrillo, 2002; Rumberger & Gandara, 2004).

Fry (2007) found that Latino ELL students were more than twice as likely as white students to attend schools that were overcrowded, underfunded, and staffed by teachers who were not fully credentialed. According to the NCES (2004), schools with the highest percentages of ELLs were more likely to place them with novice teachers or teachers without bilingual education or ESL certification. The national survey results showed that over 31 percent of high school ELLs in U.S. schools were instructed by teachers without any major, minor, or certification in ESL or bilingual education. Although the ELL population has increased rapidly and U.S. classrooms have become more diverse (Zehler et al., 2003), the literature further indicated that little professional development or preservice teacher preparation has focused on ELLs. In 2002, the NCES reported that only 12.5 of teachers with ELL students had participated in eight or more hours of professional development related to ELL instruction over a three-year period. In 2006, Ortiz and researchers found evidence that preservice teacher preparation programs also failed to address the instructional needs of ELLs.

The research base has suggested that gaps in teacher experience, qualifications, and preparation may significantly impact the academic outcomes for Latino ELLs. According to Mayer, Mullens, and Moore (2000), teachers with higher levels of preparation and experience directly correlated with greater opportunities for student learning and success in the school environment, as well as increased academic achievement. This conclusion has extensive support in the literature related to the academic performance of adolescent Latino ELLs in U.S. schools.

Academic Performance

Student outcome data indicate a significant academic gap between Latino ELLs and native speakers of English, especially at the secondary level (Abedi, 2004). National test data have indicated that 71 percent of eighth-grade ELLs scored below grade level in both mathematics and reading (NCES, 2007). The results of national outcomes measures have shown evidence that secondary-level Latino ELLs have the lowest academic achievement scores and the highest risk of experiencing failure in U.S. schools (Fry, 2007).

National assessments of ELL progress in English language acquisition also point to low ELL achievement outcomes. According to the NCES (2009), more than 25 percent of ELLs nationwide failed to make any significant progress in English language proficiency between 2005 and 2008. ELLs with less than two years of academic instruction were excluded from the analysis, further pointing to the academic challenges faced by this student population.

The high risk of academic failure experienced by Latino ELLs at the secondary-level has been reflected in the dropout statistics for this student population. According to NCES (2009), the Latino ELL dropout rate was 34 percent, in comparison to 8.4 percent of African-American students and 5.3 percent of Caucasian students. The data indicated that Latino ELLs have the highest high school dropout rates in U.S. schools and that the rate is significantly higher than other student populations (McCardle, Mele-McCarthy, Cutting, Leos, & D'Emilio, 2005; NCES, 2009).

The research base suggests that Latino ELLs are the student population with the highest risk of academic failure and high school dropout. Studies of teacher quality impact on at-risk ELLs have indicated that adolescent ELLs may be significantly impacted by teacher knowledge of the pedagogical needs of second language learners (Mayer et al., 2000). Albrecht and

Sehlaoui (2008) found a correlation between high ELL risk for academic failure and low teacher quality, influenced by factors that included teacher quality and preparation, as well as knowledge of ELL teaching practices. The literature related to ELLs with SLDs further points to the impact of teacher quality on the outcomes of at-risk adolescent ELLs.

Specific Learning Disabilities

The Latino demographic increase has resulted in higher numbers of Latino ELLs with SLDs in U.S. schools (Baca & Cervantes, 2004). Data have indicated that the majority of Latino ELLs with special needs have SLDs, with reading difficulties as the core problem (USDOE, 2003). Although issues related to ELLs with SLDs have largely been ignored by the advocacy and educational community (Mueller, Singer, & Pinckney, 2006), a growing body of research has increasingly examined this student population.

The literature indicates that Latino ELLs with SLDs may have the largest achievement gap of all student subgroups in U.S. schools. In a quantitative study, Abedi (2009) examined third- and eighth-grade reading and math data from four student populations in two states over a ten-year period, finding evidence that ELLs with SLDs had the greatest achievement gap. The study compared assessment data from non-ELL students (non-ELLs) without disabilities (non-SWDs) with three subgroups: ELLs, students with disabilities (SWDs), and ELLs with SLDs. The analyses showed large performance gaps between the three subgroups (ELLs, SWDs, and ELLs with SLDs) and the reference group (non-ELLs, non-SWDs). The most significant gap was that of the ELLs with SLDs subgroup in reading. While the study was limited by variations between the pre- and post-test assessment system formats, as well as differences in state content standards, the results suggested that the academic performance of ELLs with SLDs may be

influenced by the challenge of learning new content with a disability through an unknown language.

Based upon the findings, Abedi (2009) recommended that educators address ongoing issues in the proper classification of students within all three subgroups (ELLs, SWDs, and ELLs with SLDs), as well as the importance of controlling of assessments for cultural and linguistic biases with ELL students. According to IDEA 2004, the determination of a SLD should not primarily result from learning difficulties that are a result of cultural or environmental disadvantages [20 U.S.C. §1401 (30)]. However, Lehr and McComas (2005) suggested that cultural differences between educators and ELLs may continue to result in ELL misclassification and inappropriate referral practices in the category of SLDs. The researchers found that unconscious racial bias, stereotypes, and practices that are culturally responsive contribute to misclassification.

ELL identification problems have also been linked to the influence of cultural differences on linguistic performance and language use (Brown, 2004). Further, the shared characteristics of normal SLA and SLDs may increase ELL misidentification because educators may fail to appropriately differentiate between language needs and learning disabilities (Klingner & Harry, 2006). Research has suggested that ELL overrepresentation may have resulted from gaps in educator knowledge related to the influence of cultural differences (Ortiz, 2002) and SLA on ELL identification (Lesaux, 2006).

Foorman and colleagues (1997) suggested that educator ability to appropriately identify ELLs with SLDs impacted ELLs with SLDs because of the positive impact of timely identification and support. The researchers found that ELLs who were identified with SLDs earlier received increased classroom and remediation support, which resulted in higher

achievement outcomes and retention rates. More recent research has also linked early identification practices, such as prereferral intervention, to better outcomes for ELLs with SLDs (Wilkinson et al., 2005).

Despite the impact of early identification on achievement (Foorman et al., 1997) and the continued challenge of appropriate ELL identification (Rinaldi & Samson, 2008), research has shown that few educators have been trained or prepared to identify ELLs with SLDs (Kushner, 2008). The lack of teacher preparation related to the identification of ELLs with SLDs has been correlated with ELL misclassification and disproportionate representation in special education (Fletcher & Navarrete, 2003).

Summary

Latino ELLs represent both the fastest-growing student population (Frankenberg et al., 2003) and the most at-risk for academic failure in U.S. schools (NCES, 2007). Although younger ELLs also experience academic challenges, secondary-level Latino ELLs have the most significant achievement gaps (Fry, 2007) and the highest dropout rates (NCES, 2009). Research suggests that Latino ELLs are more likely to be instructed by inexperienced and unqualified teachers (NCES, 2004) and that low teacher quality may result in inappropriate placement of ELLs in special education programs (Fletcher & Navarrete, 2003). Abedi (2009) determined that, within the at-risk student population of adolescent Latino ELLs, the subgroup of Latino ELLs with SLDs are the most at-risk of experiencing academic failure and benefit from high teacher quality. The research has also shown that early identification of ELLs with SLDs may positively impact student success because of increased instruction time (Foorman et al., 1999). Wilkinson and colleagues (2006) found that prereferral interventions support early identification but are often not implemented because educators have not been trained in this area. Kushner

(2008) supported this conclusion with the determination that educator training and preparation impacts the appropriate and timely identification of ELLs with SLDs. The following examination of ELL special education classification and representation patterns points to the historical evidence of inequity that has resulted from educator identification issues.

Representational Patterns

The research base related to the representational patterns of ELLs in special education has historically been limited (Artiles et al., 2004; Klingner & Artiles, 2003), due to the exclusion of ELLs from analyses of special education representation patterns (Artiles, 2003, Rueda & Windmuller, 2006). According to Zehler and colleagues (2003), national survey data indicated that ELLs with SLDs were often excluded from data reporting because ELL data were combined with data from other special education students or were not reported. The survey data suggested that ELL data reporting errors occurred because of variable instructions and procedures for reporting data for ELLs with SLDs. According to Klingner and colleagues (2006), the gap in data analysis resulted from the design of the state data infrastructure, which was not built to report data related to ELLs with SLDs. Despite the gap in data reporting and subsequent analysis related to ELLs, the literature indicates that patterns of Latino ELL placement in disability categories have been characterized by variability.

Patterns of Latino ELL special education representation have been found to vary greatly between states and school districts (Guiberson, 2009). These variations have been correlated with grade level, language support, native-language literacy level (Artiles et al., 2002), or disability category (Artiles & Ortiz, 2002). ELL population size has also been cited as a factor of variation, correlating to both overrepresentation (Artiles & Yates, 2002) and underrepresentation (Zehler et al., 2003). The research base has suggested that various factors

have influenced ELL placement in special education categories. The variation in factors may have contributed to the conflicting research conclusions.

Overrepresentation

The disproportionate representation of racial and cultural minority students in special education programs has been an ongoing problem in U.S. schools (Bryen, 1974; Mercer, 1974), but the issue has been increasingly examined in the literature over the past several decades. During the mid-1990s, several state-level studies documented the overrepresentation of ELLs in special education programs and increased attention to the ongoing challenge of appropriate ELL identification (Artiles & Trent, 1994; Jitendra & Rohena-Diaz, 1996; Ortiz, 1994).

Artiles and colleagues (2002) analyzed state-level data from several large Latino California school districts during the 1998-1999 academic year, finding evidence that Latino ELLs were overrepresented in special education programs. Overrepresentation was suggested in the disaggregation of the data by factor groups, including grade level, disability type, and ELL population size. Further analyses of the data showed Latino ELL overrepresentation at the secondary level, higher ELL placement patterns in mental retardation and speech or language impairment categories, and higher representation in districts with less native language support (Artiles et al., 2005). Analyses further showed that between 1993 and 1999, the Latino ELL student population increased by 12 percent, while the percentage of Latino ELL students in special education increased by 345 percent (Artiles & Ortiz, 2005).

The data analyses conducted by Artiles and colleagues (2002, 2005) indicated the historical overrepresentation of Latino ELLs in special education programs. While the validity of the findings was narrowed by the use of data from one state, other research has shown disproportionate ELL placement, as well. Wilkinson and associates (2006) suggested that

patterns of Latino ELL overrepresentation in special education may have continued to result from inappropriate identification practices.

Wilkinson et al. (2006) reviewed the assessment data of 21 Latino ELLs with SLDs in one Texas school district, finding that a significant percentage of the students were misidentified. Student data were re-evaluated by a team of bilingual specialists, who determined that 49 percent of the students were not appropriately identified and that student evaluation was often made without evidence that the learning differences were not related to cultural and linguistic background. The analyses also showed that 24 percent of the sample had presented behaviors that were more characteristic of disabilities that were not learning disabilities. The study findings pointed to evidence that more than 70 percent of the Latino ELLs were either overrepresented or misrepresented in special education. While this study was limited by the small sample, the findings suggested that Latino ELL identification and classification procedures may remain problematic. The issue has been further complicated by conflicting conclusions regarding ELL representation.

Underrepresentation

Research has also pointed to patterns of ELL underrepresentation in special education (Baca & de Valenzuela, 1998; Grossman, 1998; Zehler et al., 2003). These findings conflicted with the determination of ELL overrepresentation and have resulted in long-standing debates between education researchers (Artiles & Ortiz, 2002; Artiles et al., 2005).

Several national studies of statistical representation patterns have provided evidence that Latino ELLs may be underrepresented in special education programs in U.S. schools (OSEP, 2001, 2002; Zehler et al., 2003). In 2001, OSEP examined national special education enrollment data by race and ethnicity from the 1998-1999 academic year and concluded that Latino ELLs

were statistically underrepresented in special education. The study compared special education data to the overall Latino ELL population in U.S. schools. The analyses suggested that Latino ELLs were not being assessed appropriately and provided special education services (OSEP, 2001).

In 2002, OSEP conducted an examination of data from the 1999-2000 academic year and found further evidence of Latino ELL underrepresentation. The analyses suggested that Latino ELLs represented 16.2 percent of the resident population aged 6-21, but only 13.7 percent of students in special education (OSEP, 2002).

In 2002, the Office of English Language Acquisition (OELA) conducted a descriptive survey of ELL representational patterns at the national level that also showed ELL underrepresentation. The OELA study, conducted by Zehler and colleagues (2003), surveyed a nationally representative sample of schools and districts with ELL students. Educators from 3,424 schools in 1,315 districts provided information on curriculum alignment, instructional support, test inclusion, data reporting, and teacher qualifications. The data analyses indicated that 9.2 percent of ELLs were receiving special education services, compared to 13.5 percent of students from the general population. Although the study validity was limited by the representativeness of the participants, the results pointed to ongoing variability in the representation of Latino ELLs in special education programs.

Summary

An examination of the historical representational patterns of Latino ELLs in special education indicates that Latino ELLs have been both overrepresented (Artiles & Ortiz, 2002) and underrepresented (Zehler et al., 2003). The literature related to special education legislation

suggests that policies and federal implementing regulations have become increasingly focused on procedures for the identification of ELLs with SLDs.

Special Education Legislation

The development of federal education policies for students with disabilities was influenced by the civil rights movement of the 1960s, which increased public awareness of the inequalities experienced by many minority students and students with disabilities in U.S. public schools (Ovando et al., 2006). The advocacy efforts of the civil rights movement resulted in research, litigation, and federal legislation that aimed to expose educational opportunity gaps for racial, cultural, and linguistic minority students, as well as students with disabilities.

Historical Development

The literature base, discussed below, suggests that the creation of federal disability legislation for culturally and linguistically diverse students was motivated by both political climate and landmark discrimination cases. The literature further suggests that the development of special education policy for ELLs was influenced by several education researchers who provided quantifiable evidence of inappropriate identification practices for minority students.

The provision of greater educational support for students with disabilities was first addressed in the 1966 amendment to the ESEA which established grant funding for states to create and improve educational programs and resources for students with disabilities. The funding of educational programs for students with disabilities was further expanded in the 1970 Education of the Handicapped Act (EHA)(P.L. 91-230), although the policy failed to include specific mandates for the use of the federal grants (National Council on Disability, 2000).

During the early 1970s, several court cases were brought against school districts for segregating and discriminating against students with disabilities in U.S. schools, including ELL

students with disabilities. Plaintiffs in *Diana v. California State Board of Education* (1970) alleged that school systems in Monterey County, California were inaccurately identifying Spanish-speaking children as mentally retarded on the basis of IQ tests administered in English (Artiles & Ortiz, 2003). The consent decree that resulted from the case ordered that all Mexican American children who had previously been placed in special education be reassessed in their native language and in English, or by using nonverbal IQ tests (Valdés & Figueroa, 1994). Soon after, California legislation required that test scores used for placement must be substantiated through an evaluation of the student's developmental history, cultural background, and academic achievement. The 1979 *Larry P. v. Riles* ruling also resulted from an investigation into the placement of minority students into special education. The *Larry P.* case established the legal precedent that tests used with minority students must have been validated for use with that population and mandated the use of racially and culturally unbiased assessments for identification purposes (Valdés & Figueroa, 1994).

Research conducted by Dunn (1968) and Mercer (1973) supported claims that inappropriate and discriminatory eligibility determination was occurring as a result of invalid ELL assessment practices. Mercer's 1973 study of Mexican American ELLs with special needs in California public schools suggested that standardized IQ tests in English resulted in disproportionate ELL representation in programs for the mentally retarded.

The 1972 Congressional investigation of the provision of special education services in U.S. public schools indicated that both ELL and non-ELL students with disabilities had educational needs that were not being met. The investigation determined that millions of students with disabilities in U.S. schools were not receiving educational services or were receiving an inappropriate education (Wright & Wright, 2007). The identification of ELLs with

disabilities was first addressed in the 1974 amendment to ESEA (P.L. 93-380), which mandated nondiscriminatory ELL testing for special education placement. This amendment was expanded in the 1975 policy that would become the foundation of law for students with disabilities in U.S. schools (Ovando et al., 2006).

Education for All Handicapped Children Act. On November 19, 1975, Public Law 94-142, the Education for All Handicapped Children Act (EAHCA) was enacted in order to “provide students with disabilities with a right to education, and to establish a process by which State and local educational agencies may be held accountable for providing educational services for all handicapped children” (Wright & Wright, 2007). The law focused on the provision of equitable education access and due process of law for students with disabilities in U.S. schools through legal checks and balances (Wright & Wright, 2007).

While EAHCA created more comprehensive mandates for the referral, testing, and placement of students in special education programs, evidence of disproportionate minority student representation continued to be documented in research and litigation. In 1975, Congress determined that low-income African American children were overrepresented in special education (Wright & Wright, 2007). Research conducted with ELL students showed both overrepresentation (Rodríguez, 1982) and underrepresentation (Pacheco, 1983; Tymitz, 1983). The *Dyrcia S. et al. v. Board of Education of the City of New York et al.* (1979) was an action to enforce the rights of disabled children with limited English proficiency (LEP) to free appropriate education and bilingual-bicultural special education programs. The decision from the Eastern District of New York found that Latino children with disabilities and English language limitations were being denied a public education because they were not being assessed or placed in bilingual special education programs (Baca & de Valenzuela, 1998). The *Parents in Action on*

Special Education (PASE) v. Hannon (1980) decision also brought additional attention to the ongoing issue of equitable identification and special education placement procedures for culturally and linguistically diverse students. The 1990 revision of EAHCA attempted to more comprehensively address the issue of minority student identification procedures and representation patterns of special education placement in U.S. schools.

Individuals with Disabilities Education Act. The EAHCA was reauthorized on October 30, 1990 as the Individuals with Disabilities Education Act (IDEA) (P.L. 101-476). IDEA provided more detailed guidance regarding nondiscriminatory ELL assessment and the instruction of students with disabilities in the least restrictive environment (Ovando et al., 2006). According to Baca and de Valenzuela (1998), the inclusion of nonbiased assessment and the least restrictive instructional environment in IDEA 1990 provided a foundation for bilingual special education.

Despite the increased attention to minority student representation in special education programs reflected in IDEA 1990 (Ovando et al., 2006), the research continued to indicate that racial, linguistic, and cultural minority students were being inappropriately placed in special education programs. The validity of using IQ tests to determine ELL special education eligibility became increasingly challenged in the literature during the early to mid-1990s, as research suggested patterns of disproportionate ELL representation in certain disability categories. Research provided evidence that inappropriate ELL assessment resulted in overrepresentation (Artiles & Trent, 1994; Jitendra & Rohena-Diaz, 1996; Ortiz, 1994) and underidentification (Carrasquillo, 1990; Robertson et al., 1994).

Individuals with Disabilities Education Act Amendments. On June 4, 1997, Congress enacted the Individuals with Disabilities Education Act Amendments (IDEA 1997) (P.L. 105-

17). IDEA 1997 included more detailed procedures for ELL assessment, communication with non-English speaking parents, and the use of information from multiple sources in eligibility determination.

IDEA 1997 outlined nondiscriminatory evaluation procedures in 34 C.F.R. §300.532 (a)(1)(i-ii), as “tests and other evaluation materials used to assess a child...selected and administered so as not to be discriminatory on a racial or cultural basis; and are provided and administered in the child’s native language or other mode of communication, unless it is clearly not feasible to do so...” The issue of cultural bias was also addressed in the IDEA 1997 definition of a specific learning disability to “not include learning problems that are primarily the result of...environmental, cultural, or economic disadvantage” [34 C.F.R. §300.7 (b)(10)(ii)].

IDEA 1997 also included more specific procedural safeguards for non-English speaking parents. Pursuant to 34 C.F.R. §300.503 (c)(1)(ii), IDEA 1997 required that communication and other notices to parents were to be “provided in the native language of the parent or other mode of communication.” The regulations also addressed provisions for non-literate parents, requiring that communication be “translated orally or by other means to the parent in his or her native language...” [34 C.F.R. §300.503 (c)(2)(ii)].

In addition, IDEA 1997 required the use of “a variety of assessment tools and strategies...to gather functional and developmental information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general curriculum, that may assist in determining...whether the child is a child with a disability/” [34 C.F.R. §300.532 (b)].

As well as increased detail in the language related to ELL assessment and evaluation, IDEA 1997 mandated state collection of race and ethnicity data for students in special education.

According to OSEP (1997), the purpose was to analyze minority student representation in special education categories and address the issue of disproportionate representation. The subsequent data analysis showed both underrepresentation and overrepresentation of racial and ethnic minorities in special education, including disproportionate ELL representation.

According to OSEP (2001):

Asian/Pacific Islander students were...underrepresented among the students served under IDEA [Individuals with Disabilities Education Act]. Hispanic students and, to a lesser extent, white (non-Hispanic) overall were also underrepresented compared to their relative representation in the estimated resident population. (pp. 2).

While IDEA 1997 regulations for nondiscriminatory evaluation and state data collection increased accountability and attention to minority placement practices (Wright & Wright, 2007), research indicated the persistence of disproportionate minority representation in special education (OSEP, 2001). This issue would continue to be a focus in both the literature and the policy debate throughout the reauthorization of IDEA in 2004.

The 2002 No Child Left Behind Act (NCLB) (P.L. 107-110) created new federal regulations for teacher quality and accountability standards that had not been addressed in IDEA 1997 (Wright & Wright, 2007). NCLB mandated states to report performance data for students with disabilities, defined requirements for highly qualified teachers, and focused on the provision of scientific, research-based instructional support (Wright & Wright, 2007). In 2001, the President's Commission on Excellence in Special Education was created to offer findings and recommendations to better align IDEA with NCLB (USDOE, 2002). In the 2002 report, *A New Era: Revitalizing Special Education for Children and Their Families*, the Commission offered recommendations for the improvement of special education programs in U.S. schools. The

second recommendation was for special education to “embrace a model of prevention not a model of failure.” According to the Commission (2002):

The current model guiding special education focuses on waiting for a child to fail, not on early intervention to prevent failure. Reforms must move the system toward early identification and swift intervention, using scientifically based instruction and teaching methods. (p. 9)

The reauthorization of IDEA in 2004 focused on aligning special education with NCLB mandates for accountability, research-based instruction, and teacher quality (Wright & Wright, 2007).

Individuals with Disabilities Education Improvement Act

In 2004, Congress revised IDEA 1997 and renamed it the Individuals with Disabilities Education Improvement Act (IDEA 2004) (P.L. 108-446). IDEA 2004 addressed NCLB mandates and adjusted provisions related to early intervention, research-based interventions, and state monitoring requirements (Wright & Wright, 2007).

Disproportionality. In 20 U.S.C. § 1400 (b)(10-11), IDEA 2004 addressed the increasing population of limited English proficient students (LEP) and acknowledged the “documented apparent discrepancies in the levels of referral and placement of limited English proficient children in special education” [20 U.S.C. §1400(b)(1)].

In order to monitor and evaluate the identification of minority students in special education categories, IDEA 2004 requires states to collect and examine data related to racial and ethnic subgroups of students with disabilities. Included in data collection is the “the number and percentage of children with disabilities by...limited English proficiency status...” [P.L. 108-446 §618 (a)(1)(A)].

Pursuant to IDEA's federal implementing regulations at 34 C.F.R. §300.600 (d)(3), the description of state data monitoring responsibilities include evaluating data to identify "disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification" (OSEP, 2007). Although the inclusion of monitoring and evaluation efforts to identify disproportionate representation of racial or ethnic subgroups in special education addresses an ongoing and important equity issue, the policy does not include the monitoring of LEP subgroups for disproportionate representation in disability categories nor the evaluation of inappropriate identification of LEP subgroups.

Evaluation. IDEA 2004 reauthorization included additional provisions for the evaluation of ELLs and maintained some of the previous policies under IDEA 1997. The federal implementing regulations maintained the requirement of parental notification and communication in the native language, unless not feasible [34 C.F.R. §300.503 (c)(1)(ii)], and the provision of assessment and other evaluation materials in the child's native language, unless not feasible [34 C.F.R. §300.304 (c)(1)(ii)]. Included in the evaluation procedures is the requirement that assessments and other evaluation materials are "not to be discriminatory on a racial or cultural basis" [34 C.F.R. §300.304 (c)(1)(i)]. The IDEA 2004 evaluation procedures provided more detailed information regarding the regulations and policies for the evaluation of ELL students who are being identified with SLD.

Eligibility. IDEA 2004 states that ELL evaluation should "not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability" [20 U.S.C. §1414(2)(b)]. The law included provisions to allow the use of multiple factors and more culturally-based criteria in making eligibility decisions. The federal implementing regulations at

§300.306(c)(i), state that procedures for determining eligibility and educational need are to draw upon information from “a variety of sources, including aptitude and achievement tests, parental input, and teacher recommendations, as well as information about the child’s physical condition, social or cultural background, and adaptive behavior.”

According to IDEA, evaluation materials should allow for valid assessments of ELL need, not the lack of English achievement or cultural differences of the student. The law states that “evaluation materials should not be racially or culturally discriminatory and should be administered in the language most likely to produce accurate results, to the extent that it is feasible” [§1414(3)(A)(i)-(ii)].

Specific Learning Disabilities. The procedures for identifying children with specific learning disabilities were outlined in greater detail in IDEA 2004 and included new methods of determining student need. According to §300.307 (a)(1-3), the criteria for the determination of specific learning disabilities adopted by states:

- (1) Must not require the use of a severe discrepancy between intellectual ability and achievement for determining whether a child has a specific learning disability;
- (2) Must permit the use of a process based on the child’s response to scientific, research-based intervention; and
- (3) May permit the use of other alternative research-based procedures for determining whether a child has a specific learning disability.

Pursuant to §300.308, the determination of a specific learning disability was to be made by a “team of qualified professionals” who must show, under §300.309(2-3), that the student does not make progress on assessments using a process based upon response to scientific, research-based intervention; or the child exhibits ongoing patterns of performance and/or

achievement that identifies a learning disability and is not a result of cultural factors, environment or economic disadvantage, or limited English proficiency. The determination of the effects of these factors, as well as the data collection and intervention strategies used with the student must be documented in the determination of SLD, as described by §300.110. While the policy included response to intervention, individual states were responsible for approving RTI use, as well as for establishing criteria for determining SLD eligibility (Walker & Daves, 2010).

The changes to IDEA 2004 provided greater accountability requirements for state monitoring of disproportionate representation based upon race or ethnicity, as well as the collection of data that show state percentages of ELLs with disabilities and the subgroups of ELLs with disabilities. In addition, IDEA established restrictions for the influence of cultural, educational, economic, and language ability on SLD determination and state choice related to the inclusion of response to intervention criteria for the evaluation of SLDs.

Summary

Concern over inappropriate identification procedures for culturally and linguistically diverse learners in the special education eligibility process has been an ongoing issue for educators, parents, and policymakers (Coutinho & Oswald, 2000). After research suggested that the IQ-discrepancy model may have contributed to the disproportionate representation of minority students in special education (Donovan & Cross, 2002), the 2004 reauthorization of IDEA included the provision of state discretion in the use of evidence-based practices to monitor student progress over time in SLD determination. In addition, IDEA 2004 included changes to the data reporting procedures for racial and linguistic minority students with special needs and more detailed restrictions regarding native language, parental involvement, and culturally-unbiased assessments (Kushner, 2008).

Prereferral Processes

IDEA 2004 changed federal disability policy to allow state choice to use prereferral processes that monitored student progress through scientific, research-based interventions, such as response to intervention, in order to identify SLDs. Madden et al. (1991), defined prereferral intervention as when “supplementary instructional services are provided early in students’ schooling and that they are intense enough to bring at-risk students quickly to a level at which they can profit from high-quality classroom instruction” (pp.594). Despite a growing research base on the use of prereferral interventions with preschool or elementary-level ELLs (Orosco, 2010), there is little known about how prereferral processes are implemented with secondary-ELLs (Sanchez et al., 2010).

Prior to IDEA 2004, prereferral intervention was recommended as a method of addressing the disproportionate representation of ELLs in special education (Foorman et al., 1997; Limbos & Geva, 2002; Ortiz & Kushner, 1997). According to Ortiz (2002), the use of prereferral interventions could “reduce the number of students at risk of failing, of being inaccurately identified as having a learning disability, and of being inappropriately referred to remedial or special education programs” (pp. 48). Despite these recommendations, research conducted between 2000 and 2004 suggested that educators were unprepared or disinclined to use prereferral processes to identify ELLs with suspected SLDs. According to the Conway et al. (2000) study of principals’ perceptions, teachers were often unwilling or unable to implement prereferral interventions with ELLs because they lacked the requisite training and resources. Educator refusal to use prereferral processes for the identification of ELLs was further determined in the study conducted by Wilkinson et al. (2006). The study used archival pre-2004 student data to compare prereferral intervention, identification classifications, and a secondary

review of student data by a panel of bilingual special education specialists. The findings showed teachers refused to identify ELLs with suspected SLDs through prereferral processes, but that the resulting determinations largely misclassified or overidentified ELLs in SLD categories.

While Ortiz (2002) recommended the use of prereferral processes for the identification of ELLs with suspected SLDs, the researcher also acknowledged that, “all too often...prereferral activities occur too late to be effective...by the time teachers request prereferral assistance, their interest in problem solving may be half-hearted and with good reason” (pp. 41). When IDEA 2004 was altered to allow states the option to use alternative, progress-monitoring techniques and RTI for identifying SLDs [34 C.F.R. §300.307 (a)(1-2)], there was little research on prereferral processes for ELLs and no prior research on the use of RTI with ELLs (Orosco & Klingner, 2010).

Response to Intervention

The RTI model was designed to provide extensive contextual information on student ability level and support through the use of tiered interventions (Fuchs et al., 2003). IDEA 2004 allowed for ELL progress to be monitored through the RTI framework, which was recommended as a more appropriate alternative to the traditional IQ-discrepancy approach (Vaughn & Fuchs, 2003). The RTI model included considerations of additional interpersonal and institutional factors that may impact student performance, as opposed to the deficit model, which utilized assessment systems to determine within-child deficits (Harris-Murri, King, & Rostenberg, 2006).

Variations to RTI exist, but the most commonly used is the three-tiered approach for providing services and intervention for at-risk students (Greenfield, Rinaldi, Proctor, & Cardarelli, 2010). RTI was recommended as an identification method that could reduce the number of inappropriate ELL referrals to special education (Fuchs et al., 2003). The model

involves universal screening, the monitoring of progress over time, and the use of multiple assessment tools to dictate additional evidence-based instruction or additional interventions to address educational needs. The model further requires input and collaborative evaluation by a team of knowledgeable educators with various areas of expertise (Rinaldi & Samson, 2008). The prereferral intervention stages include Tier 1 and Tier 2, which involve monitoring student progress in the general education classroom and moving to increased small-group, differentiated instruction, as needed. Students in Tier 3 may be referred to special education, in order to ensure that the instruction matches the needs of the student or to provide additional support (Rinaldi & Samson, 2008).

While the option to use RTI was included in IDEA 2004, very little research had examined the implementation of RTI with ELLs (Orosco & Klingner, 2010). The following section reviews research on prereferral processes for identifying ELLs with SLDs published between 2004 and 2010. The review points to gaps in the literature base.

Prereferral Research

With the exception of one study (Sanchez et al., 2010), the research published between 2004 and 2010 primarily examined researcher-implemented intervention with elementary-level Latino ELLs. The review of the literature base indicates that a gap exists in qualitative studies that have examined ESL teachers' processes for identifying adolescent ELLs with SLDs.

Quantitative Methods

A growing body of research has used quantitative methods to examine the impact of prereferral intervention strategies on the academic achievement of Latino ELLs. Twelve quantitative studies met the criterion specified for this review (Table 3).

Table 3

Quantitative Studies

Author(s)	Publication Year	Participants	Independent Variable(s)	Major Findings	Limitations
Calhoon et al.	2006, 2007	24 Latino ELLs with reading difficulties in Title 1 first-grade classroom	30 hour peer-assisted reading intervention conducted 3 times a week	ELLs and non-ELLs increased in phoneme segmentation fluency, nonsense word fluency, & oral reading fluency; Follow-up indicated positive long-term effect	Researcher-administered intervention, limited generalizability
De La Colina et al.	2009	66 middle & high school ELLs with reading difficulties in one Texas school district	Online reading intervention; 45 minutes, three days a week, over course of 8 months	Treatment group demonstrated gains in reading skill assessment	Variations in intervention treatment due to multiple classroom & technology availability factors, small sample size, limited generalizability
Denton et al.	2004	19 ELLs with reading difficulties in grades 2-5	20 to 30 explicit-decoding interventions	Treatment group improved more on reading assessment, but not on nonword reading or reading comprehension; Some of students were not responsive to intervention until Tier 3	Researcher-administered intervention
Denton et al.	2008	38 ELLs with SLDs, grades 6-8	13-week, 40 minute daily small-group phonics-focused reading intervention in English with treatment group (n=20), used ESL techniques	Treatment group did not demonstrate gains in reading assessment, neither control group nor treatment group demonstrated gains in reading over course of study	Researcher-administered intervention, small sample size
Gerber et al.	2004	Kindergarten & first grade Latino ELLs with reading difficulties	Small-group intervention focused on Spanish phonological awareness skills	ELLs showed improvement in Spanish phonological awareness	Teacher opinion as identification of ELLs with reading difficulties, No comparison group
Gilbertson & Bluck	2006	4 low-performing Latino kindergarteners	Reading intervention with increased wait time, modeling of sounds, use of intervals on letter-naming fluency	Treatment positively impacted skill but gains did not occur until after intervention was implemented for significant period of time	Small sample size, use of single measurement tool, testing of single academic skill, researcher-administered intervention
Gilbertson, Maxfield, & Hughes	2007	6 low-performing Latino preschool ELLs	Reading intervention focused on comparing effect on listening/pointing intervention with see/say intervention on letter-naming performance and letter-naming skill retention	4/6 participants improved letter-naming retention as result of see/say intervention	Small sample size, testing of specific skill, researcher-administered intervention
Gunn et al.	2005	81 ELLs with reading difficulties in grades K-5	30 to 60 minute daily reading intervention	Two years after intervention provision, treatment group outperformed control group in word reading and oral reading fluency, but not in reading vocabulary, passage comprehension, or nonword reading	Variations in student selection criteria, inconsistency in intervention treatment
Vaughn et al.	2006, 2007, 2009	218 K-2 ELLs with reading difficulties	Small-group intervention in English or Spanish decoding, spelling, fluency, & comprehension	One year after treatment, both language intervention groups outperformed control group in same-language reading assessment	Lacked description of student or teacher background

Of the twelve studies, one study (Denton et al., 2004) examined the responsiveness of ELLs with suspected SLDs to intervention. Ten of the twelve studies evaluated the outcomes of literacy interventions with elementary and preschool Latino ELLs with reading difficulties (83%). This indicated that the majority of quantitative research published between 2004 and 2010 had not addressed the identification of adolescent ELLs.

Gilbertson and Bluck (2006) used quantitative methodology to evaluate the impact of prereferral reading intervention on four low-performing Latino kindergarten students. The researchers examined the effect of increased wait time, modeling of sounds, and use of intervals on letter-naming fluency rates. The effect was measured by student letter-naming performance on one timed letter-probe. Data analyses indicated that all of the ELLs mastered the skill after the five-second intervention and that 75 percent of the group increased their performance after the five-second intervention was used. While all participants mastered the skill after intervention-use, the gains were low when the interventions were initially introduced. The findings suggested that ELLs with reading difficulties showed responsiveness to slower-paced reading interventions with letter-naming skills, although gain did not consistently occur after the initial introduction of the intervention. The results indicated that interventions may need to be provided to younger ELLs for an extended period of time, in order to measure student responsiveness. The study was limited by the small sample size of the participant group, the use of one measurement, and the testing of a single academic skill.

The effect of reading interventions for ELLs was further studied by Gilbertson, Maxfield, and Hughes (2007) in examination of the impact of listening and pointing intervention on the letter-naming fluency rates of six low-performing Latino ELLs in preschool. Using quantitative methodology, the effect of listening and pointing interventions for additional response wait time

was compared with see and say interventions without response wait time. The effect was measured through one timed assessment, one screening test of letter-naming performance, and one assessment of letter-naming skill retention. The data analysis indicated that the see and say intervention was moderately more effective on letter-naming fluency for all participants than the hear and point intervention. Letter-naming retention improved for four of six participants as a result of the see and say intervention. While the study was limited by small sample size and the testing of a specific skill, the findings indicated that low-performing ELLs benefited from visual intervention support more than greater response wait time.

Calhoon and colleagues (2006, 2007) examined the effect of peer-assisted reading intervention on first-grade Latino ELLs and non-ELLs in Title 1 classrooms. Of the 76 students, twenty-four were Latino ELLs. The students participated in a 30-hour peer-mediated early literacy intervention, conducted three times a week. The data indicated that both ELLs and non-ELLs significantly increased performance in phoneme segmentation fluency, nonsense word fluency, and oral reading fluency (Calhoon et al., 2006). The study suggested that peer-mediated intervention could be used as a strategy to monitor responsiveness and to support low-performing ELLs (Calhoon et al., 2007).

Gunn et al. (2000, 2002, 2005) examined the impact of 30-60 minute daily reading intervention on 81 ELLs with reading difficulties in kindergarten through fifth grade. After four to five months, assessment data indicated that treatment students improved on nonword reading, but did not show significant improvement in word reading or fluency. After a second year of intensive intervention, follow-up data indicated that the treatment ELLs significantly outperformed the control group on word and nonword reading, oral reading fluency, reading vocabulary, and reading comprehension. A follow-up study conducted with an expanded

sample, again after two years of intervention indicated that that treatment students improved in word reading and oral reading fluency, though not in reading vocabulary, passage comprehension, or nonword reading (Gunn et al., 2005). The researchers' analyses indicated that the treatment effect for nonword reading leveled after one year of intervention treatment, while the oral reading fluency treatment increased in comparison to the control group. The study limitations included variations in student selection criteria and intervention treatment inconsistency.

Gerber and colleagues conducted an examination of the impact of small-group Spanish interventions on kindergarten and first grade Latino ELLs with reading difficulties (Gerber, Jimenez, Leafstedt, et al., 2004). The study evaluated the effect of small-group Spanish phonological awareness intervention. The data analysis indicated the positive effect of small-group intervention on Spanish phonological awareness. The study limitations included the method of identifying the ELLs at risk and the lack of comparison control group.

Vaughn, Linan-Thompson, and colleagues conducted multiple studies of the effectiveness of Spanish and English interventions for ELLs at risk of reading difficulties in kindergarten, first grade, and second grade (Cirino, Vaughn, et al., 2009; Linan-Thompson, Vaughn, et al., 2006; Vaughn, Cirino, et al., 2006; Vaughn, Linan-Thompson, et al., 2006; Linan-Thompson, Cirino, & Vaughn, 2007). Two-hundred and fifteen ELLs who exhibited reading difficulties were randomly assigned to control or supplemental intervention groups, where they received one year of small-group intervention in English or Spanish decoding, spelling, fluency, and comprehension. In the follow-up study (Vaughn et al., 2009) conducted one year after the intervention treatment was terminated, both the control and treatment group were assessed in same-language reading measures of decoding, spelling, fluency, and

comprehension. Analyses indicated that both the Spanish and the English intervention treatment groups outperformed the same-language control groups in decoding, spelling, fluency, and comprehension. Study data indicated that systematic, intensive, explicit, and structured interventions can be used to monitor progress and support the reading ability of ELLs with suspected SLDs

Denton, Anthony, Parker, and Hasbrouck (2004) conducted an explicit-decoding intervention study with 19 ELLs with reading difficulties in grades two through five. The researchers administered between 20 to 30 decoding-focused intervention sessions with the treatment group and reading assessment results were compared to an ELL control group of 14 ELL students. Data analysis indicated that the treatment group improved more on word reading than the comparison group but not on nonword reading or reading comprehension. Further analysis of Tier 3 intervention with ELLs who were previously non-responsive to intervention at the Tier 1 and Tier 2 levels suggested that the intervention could be used to appropriately identify ELLs with SLDs.

In the later study of intervention impact on ELLs with suspected SLDs, Denton et al. (2008) found evidence that reading-based interventions for middle-school ELLs may require greater intensity than that provided to elementary-level students. The study examined the effect of a 13-week, multi-component reading intervention for 20 middle-school ELLs in grades six through eight. The small-group reading intervention, conducted through daily, 40-minute sessions, used ESL techniques to provide explicit phonics-based instruction in English in vocabulary, fluency, and comprehension strategies. The analyses compared the treatment group to a control group of 18 ELLs with SLDs in a special education reading class. The findings indicated that the treatment group did not demonstrate significantly higher outcomes than the

control group in word recognition, comprehension, or fluency. The analysis suggested that neither the treatment nor control group demonstrated significant growth during the course of the study. The study outcome suggests that middle-school ELLs with SLDs may require more-intensive intervention than that provided in the treatment. The study findings were limited by the small sample size and researcher-administered intervention.

De la Colina and colleagues (2009) examined the effectiveness of an intensive ESL online reading intervention with 66 adolescent Latino ELLs with reading difficulties in one Texas school district. The researchers examined the effect of an intensive online intervention that was provided for 45 minutes per day, three days a week, over the course of eight months. The reading assessment data indicated that the intervention had a positive impact on student performance. The study was limited by variations in student access to computers, as well as other classroom factors. The findings suggest that educators may utilize online reading interventions to monitor ELL progress and responsiveness.

Quantitative Research Gaps. Twelve studies met the criteria for inclusion in this review. Ten of the studies examined the effect of interventions on low-performing ELLs or ELLs with suspected SLDs, while one study (Denton et al., 2008) studied the effect of intervention on ELLs previously identified with SLDs.

While the quantitative research studies described in this review provided in-depth assessment analyses and treatment descriptions, the studies generally failed to provide comprehensive information on the socioeconomic, cultural, or educational backgrounds of the participants, teachers, or school populations. The literature suggests that these characteristics contribute to ELL language acquisition (Lynch & Hanson, 2004), reading ability (Artiles et al., 2003), and SLD identification (Brown, 2004). Further, in the majority of the quantitative

studies of intervention effect on ELLs, the intervention treatments were conducted by research teams. According to Klingner and Edwards (2006), there are often significant differences between controlled studies and real-world practice, especially in high-need urban schools. Also, with the exception of one study (Denton et al., 2008), the quantitative research base focused on ELLs at the preschool or elementary-school level. A review of the mixed-methods and qualitative literature further illustrates the gaps related to the prereferral process used to identify adolescent Latino ELLs with suspected SLDs.

Mixed-Methods

Few studies were published between 2004 and 2010 that used a mixed-methods approach to examining prereferral processes for identifying ELLs with SLDs. Table 4 indicates that two studies used mixed-methods research design to examine ELL identification and met the criterion required for inclusion in this literature review.

Table 4

Mixed-Methods Studies

Author(s)	Publication Year	Participants	Independent Variable(s)	Major Findings	Limitations
McIntosh, Graves, & Gersten	2007	59 ELLs with reading difficulties in 3 rd grade	Tier 1 & Tier 2 reading intervention	ELLs instructed by teachers ranked high on ELCOI assessment had higher reading assessment scores	Small sample size, assessed teachers on intervention prior to IDEA 2004
Richards, Leafstedt, & Gerber	2006	4 low-performing Latino kindergarteners	10 weeks of explicit phonological awareness intervention in English	3 of 4 showed gains in fluency, phonological awareness task strategies, & increased number of responses during instruction	Small sample size, participant selection, researcher-administered intervention

Richards, Leafstedt, and Gerber (2006) conducted a mixed-methods examination of the impact of 10 weeks of explicit phonological awareness intervention in English on four Latino ELLs with suspected SLDs in kindergarten. Responsiveness to intervention was measured in English using fluency assessments, performance on phonological awareness tasks, and the

number of responses during instruction. Data analyses indicated that three of the four students showed significant performance growth in the three measured areas, while one student did not appear to improve in the three areas and was determined not responsive to the intervention. The findings suggested that RTI may be an effective and appropriate prereferral process for identifying younger Latino ELLs with SLDs. While the study provided an in-depth examination of the student background and individual responses to the interventions implemented, the study was limited by small sample size and participant selection.

As part of a large series of studies conducted on several school districts in California (Graves et al., 2004; Haager et al., 2003), McIntosh, Graves, and Gersten (2007) compared teacher quality, intervention use, and reading progress for ELLs with SLDs. The researchers conducted a retroactive examination of the effect of evidence-based teaching practices and teacher quality on the long-term reading ability of ELLs with suspected SLDs. The researchers used prior observation data and the results of a teacher observation tool that was developed for the original study by Haager and associates (2003), the English Language Learner Classroom Observation Instrument (ELCOI). After each of the five to seven observations were conducted for approximately 2.5 hour sessions with each teacher in the four classrooms, the research team conducted qualitative interviews for approximately 30 minutes. Analyses compared retroactive first grade reading assessment data with third grade follow-up reading data collected from 59 of the third-grade ELLs from the first-grade class. Although the majority of the students were Latino ELLs, the study also included students from 10 other language backgrounds.

The analyses revealed in-depth teacher and student experiences, in addition to correlation between teacher rates on the ELCOI and student reading progress (McIntosh et al., 2007). These findings suggested the long-term, positive impact of high-quality teacher Tier 1 and Tier 2

intervention implementation for ELLs with SLDs from multiple language backgrounds. Further analyses of the longitudinal data (Graves, 2010), further supported this conclusion that teacher quality has long-term impact on the academic success of ELLs with suspected SLDs.

Mixed-Methods Research Gaps. Only two mixed-methods studies were published between 2004 and 2010 that met the criteria for inclusion in this review. One study examined RTI as a prereferral process for identifying Latino ELLs with SLDs in kindergarten. The other study examined the impact of teacher quality on prereferral interventions for ELLs with reading difficulties.

Richards et al. (2006) examined the responsiveness of struggling ELLs to reading interventions, finding evidence that RTI could be used to identify kindergarten ELLs who exhibited characteristics of SLDs and support the academic progress of low-performing ELLs. The study use of both quantitative and qualitative methods allowed for a more in-depth examination of the cultural, economic, social, and linguistic factors that impacted the ELLs' responses to the interventions provided. The study limitations included the use of a researcher-administered intervention, the participant selection methods, and the small sample size.

The McIntosh et al. (2007) study added to the knowledge base concerning the influence of teacher quality on the implementation of prereferral interventions with ELLs, although the study was limited by sample size and date of teacher assessment. While the retroactive analyses of teacher quality impact on Tier 1 and Tier 2 interventions with ELLs provided the literature base with greater research concerning practitioner implementation of RTI, the study was limited by the use of pre-IDEA 2004 data. In addition, the evaluation of teacher quality was not focused on the effect of intervention for the purpose of identifying ELLs with SLDs, but the long-term impact of intervention support on the reading abilities of low-performing ELLs. The review of

the qualitative literature base related to prereferral practices for the identification of Latino ELLs at risk of SLDs further suggests that a gap exists in this area of research.

Qualitative Methods

Although teachers play active roles in the implementation of school policy, their perspectives are seldom presented when discussing the effectiveness of reform and school change (Darling-Hammond, 2009). The review of the quantitative and mixed-methods research base related to the identification procedures for Latino ELLs with SLDs indicates that the perspectives of practitioners are often missing from the literature. While the qualitative literature base is related to the identification of ELLs with SLDs is limited, the review suggests that the number of published studies on the topic increased during 2010. Table 5 shows that the four studies that qualified for inclusion in this literature review were published in 2010.

Table 5

Qualitative Studies

Author(s)	Publication Year	Participants	Independent Variable(s)	Major Findings	Limitations
Cho, Xu, & Rhodes	2010	5 graduate students who provided intervention, 2 ELLs & 4 non-ELLs in 4 th grade	Interview of participants in small-group reading-focused intervention	Educator attitude and ability impacted ELL motivation toward reading, some educator-participants expressed low expectations for ELLs, but ELL reading comprehension ability improved in small-group intervention, small-group setting positively impacted ELL participation	Small sample size, limited number of interviews
Greenfield et al.	2010	8 teachers in urban elementary school	Implementation of RTI reform initiative	Positive view of RTI effort, confusion about RTI implementation with ELLs, unsure when to refer ELLs to special education	Small sample size, evaluation after one year of RTI implementation
Orosco & Klingner	2010	8 educators in urban elementary school with large ELL population	RTI implementation with ELLs	Misalignment of instruction and data, created negative deficits-based literacy model, teachers unprepared for RTI implementation, limited available resources	Small sample size
Sanchez et al.	2010	Educators in 3 midsize school districts with large ELL populations	Identification procedure implementation with ELLs	Educator difficulties in implementing identification procedures, mixed referral views, insufficient knowledge of ELLs, lack of collaborative structures, lack of consistent ELL monitoring, difficulty obtaining ELL records	Limited to school districts examined

Greenfield, Rinaldi, Proctor, and Cardarelli (2010) conducted an examination of general education teachers' perceptions of an RTI reform effort in an urban elementary school after one year of implementation. Eight teachers from multiple disciplines were interviewed about how they viewed the RTI change effort and the data were analyzed using a consensual qualitative methodology. The findings indicated that the teachers interviewed positively viewed the RTI reform effort, but expressed confusion and concern in the implementation of RTI with ELLs. According to the interview data, the teachers found the identification and referral of ELLs for special education eligibility to be one of the most challenging aspects of RTI implementation. In the interviews, the teachers expressed confusion over the difference between normal characteristics of ELL language acquisition and the indicators of a learning disability. The data further indicated that the educators were unsure when to refer ELLs for special education evaluation. The data suggested that the general education teachers examined in the study chose not to refer ELLs at risk of SLDs, instead of incorrectly referring ELLs, due to confusion about the characteristics of ELLs with SLDs, the cultural and linguistic factors that influence ELL performance, and the implementation of RTI with ELLs. The study was limited by the small sample size and the evaluation after one year after RTI reform implementation in the school.

Cho, Xu, and Rhodes (2010) used qualitative methodology to examine student motivation and teacher perception of a small-group reading intervention for ELLs and non-ELLs in elementary school. Data were collected from semi-structured interviews with five graduate-student instructors who provided the reading interventions, as well as through a focus group of six fourth-grade students that included two Latino ELLs, with whom the interventions were implemented. The analyses indicated that instructor quality and collaborative small-group intervention effected students' engagement and participation in reading activities. Several

instructors expressed low expectations for the ELL students' reading abilities, based upon the ELLs' oral reading fluency in the small-group intervention setting, but assessment results indicated that the ELLs demonstrated increased reading comprehension skills. The findings further pointed to the influence of educator knowledge of cultural influences on literacy on ELL motivation. Although the study was limited by the limited number of interviews and small student focus group, the findings indicated that teacher knowledge of cultural factors that influence ELL literacy practices and classroom communication can influence ELL motivation and reading ability in a small-group reading intervention. The findings suggested that teacher quality and understanding of cultural practices of communication and literacy may influence the use of prereferral intervention results in the identification of Latino ELLs with SLDs.

Orosco and Klingner (2010) further examined teacher perception of RTI implementation in an urban elementary school with a large percentage of Latino English language learners. The authors used qualitative case study methods to collect data related to eight educators' perceptions of RTI implementation with K-2 Latino ELLs with reading difficulties. The participants included one principal, one school psychologist, and six teachers. The data collection included interviews, in-class observations of literacy instruction, and observations of problem-solving meetings. The data analysis indicated that the implementation of RTI with Latino K-2 ELLs in the school was characterized by four themes. The themes included (1) misalignment of instruction and data, (2) negative schooling culture, (3) inadequate teacher preparation, and (4) limited resources. The findings pointed to gaps in educator knowledge concerning the needs of English language learners, as well as confusion in the stages of RTI and the differentiation between language acquisition and learning disability. Although the study findings were limited

by sample size and site, the research contributed to the research gaps through the description of the negative impact of RTI on Latino ELLs.

Sanchez, Parker, Akbayin, and McTigue (2010) conducted a broader examination of educator perception of identification procedures for middle-school ELLs in schools with large ELL populations across one state. The data was collected through qualitative interviews with district and school personnel in three midsize New York school districts. The data analysis suggested that the educators consistently addressed eight challenges in the identification of ELLs with SLDs. These challenges included (1) difficulties implementing policy guidelines, (2) variety of stakeholder views about referral timing, (3) insufficient knowledge among school personnel, (4) difficulties in the provision of consistent services, (5) lack of collaborative structures in the referral procedure, (6) inability to access appropriate assessments for ELLs, (7) lack of consistent monitoring for ELLs, and (8) difficulty in obtaining ELL students' previous school records. The study was limited to three school districts with large ELL populations in one state, but continued to support the existence of variability of identification procedures and educator confusion related to ELL identification practices.

Qualitative Research Gaps. The qualitative literature base related to the use of interventions with ELLs has grown but remains limited. There are several gaps in the literature that have implications for Latino ELLs, teachers, and policymakers.

Greenfield et al. (2010) and Orosco and Klingner (2010) provided evidence that the implementation of RTI with ELLs at the K-2 level continues to exist as a challenge, due to gaps in teacher knowledge of RTI and the pedagogical needs of ELLs. While this research extended the knowledge base through the examination of educator practice and implementation of intervention policy in the classroom, the studies did not extensively address the perspectives of

ESL teachers, who play a critical role in the identification process for ELLs (Hart, 2009).

According to Wright and Choi (2006), ESL teachers can provide unique insight into the impact of policy on ELLs, due to their knowledge and their implementation of education policies (Wright & Choi, 2006).

In addition to the gap in ESL teachers' perspectives of prereferral processes for ELL identification, literature indicated that few studies have examined school districts with smaller ELL populations. Research has indicated that ELL families are increasingly moving to areas that have not traditionally had large ELL populations (Capps et al., 2005). Given the influence of cultural knowledge, ESL strategies, and SLA on the appropriate identification of ELLs through prereferral intervention (Xu & Drame, 2008), it would be relevant to include the experiences of teachers who identify ELLs with suspected SLDs in schools with small ELL populations. Additionally, the review suggested that few studies have examined how ESL teachers collaborate with other educators or with ELL families during the prereferral process. Finally, a gap exists in the amount of research that has focused on adolescent Latino ELLs. In order to provide appropriate educational supports for this older, at-risk student population (Fry, 2007), it is critical that educators appropriately identify ELLs who could benefit from referral for special education evaluation and increase the opportunities for their academic success (Foorman et al., 1997).

The review of the literature base points to gaps in the literature base related to prereferral processes for identifying adolescent Latino ELLs with suspected SLDs. As teachers' perceptions are vital in understanding and planning for school reform (Greenfield et al., 2010), it is important to examine the perceptions of the ESL teachers who implement prereferral processes for adolescent Latino ELLs with suspected SLDs.

Literature Gaps

The educational needs of Latino ELLs have increasingly gained attention in the literature over the past two decades, as data have continued to show evidence that the fastest-growing student population has the lowest national academic achievement scores (Fry, 2007) and the highest dropout rates in U.S. schools (National Center for Education Statistics, 2009). The increasing Latino ELL population has resulted in a higher estimated number of Latino English language learners with learning disabilities in U.S. schools (Baca & Cervantes, 2004) and research has indicated that ELLs with SLDs have the single largest achievement gap of any student subgroup (Abedi, 2009).

The evidence of disproportionate ELL representation in special education programs in U.S. schools was addressed by IDEA 2004-related policy for ELL identification, which included the use of prereferral interventions, such as RTI (Rinaldi & Samson, 2008). Although little was known about the implementation of RTI with ELLs for identification purposes when IDEA 2004 regulations allowed use of RTI for ELL identification of SLDs (Orosco & Klingner, 2010), a growing body of research has begun to study the impact of RTI on the identification of ELLs. The review of the quantitative research base indicates that the majority of research on prereferral processes used to identify ELLs has studied intervention effect at the elementary-level, primarily examining researcher-implemented interventions for specific reading skills. These studies have rarely examined practitioner implementation of prereferral processes, such as interventions for ELLs (Orosco & Klingner, 2010), which may differ greatly from researchers.

The mixed-methods or qualitative research, published between 2004 and 2010, showed to be more limited than the quantitative research base. While the existing studies provided descriptions of the contextual, social, or cultural influences on prereferral processes in the

classroom (Klingner & Edwards, 2006), the perspectives of ESL teachers were largely absent from the literature. This study was designed to address the literature gaps through a qualitative examination of ESL teachers' perspectives of the prereferral processes for identifying adolescent Latino ELLs with suspected SLDs in schools with smaller ELL student populations.

CHAPTER 3. METHODOLOGY

The purpose of this study was to explore ESL teachers' perceptions of the prereferral processes used to identify adolescent Latino ELLs with suspected SLDs. This study was designed to address the following questions:

1. What are the prereferral processes used by ESL teachers to identify adolescent Latino ELLs with suspected SLDs? Do ESL teachers use instructional strategies or progress-monitoring in the prereferral process for identifying Latino ELLs with suspected SLDs? Is RTI used with ELLs? What are ESL teachers' perceptions of the prereferral process with ELLs?
2. What are the perceptions of ESL teachers concerning collaboration with ELL families and other educators in the prereferral process for adolescent Latino ELLs with suspected SLDs?
3. What aspects of ELL identification do ESL teachers view to be the most challenging for educators and students? What are ESL teachers' recommendations for improving the process of identifying adolescent Latino ELLs with suspected SLDs?

Research Design

This study utilized a qualitative, phenomenological approach (Colaizzi, 1978; Smith et al., 2009) to examine ESL teachers' perceptions of prereferral processes used to identify adolescent Latino ELLs with SLDs. Research that uses qualitative methodology is important in understanding the complexities of ELL identification practices (Klingner & Edwards, 2006). A research gap existed related to the perceptions of ESL teachers who implement prereferral

processes with ELLs. In order to address this gap, this study used Smith et al.'s Interpretative Phenomenological Analysis (IPA, 2009) approach to examine the relationship between the independent variable, prereferral processes, and the dependent variable, the identification of ELLs with SLDs.

Justification for IPA. Using in-depth interviews that prompt participant reflection, IPA seeks to understand and interpret specific experiences, decisions, or events through description and analysis (Smith et al., 2009). ESL teachers' perspectives are pivotal to understanding the practices that are used to identify student need and the impact of policy on ELL performance and support (Wright & Choi, 2006). The IPA approach allowed for detailed and extensive analysis of these perspectives. IPA focuses on exploring a phenomenon that a participant is reflecting upon, which allows for in-depth examination of a lived experience (Smith et al., 2009). Data were interpreted through the LatCrit paradigm, which created an additional layer of analysis as the perspectives of the participants were investigated through the lens of the Latino ELL experience. The IPA approach allowed for an extensive and detailed description of ESL teachers' experiences related to the identification of Latino ELLs with SLDs. By studying the statements, meanings, and themes of ESL teachers who have the shared experience of identifying Latino adolescent ELLs with SLDs, the study aimed to provide the field with an in-depth description of the phenomenon and an interpretative analysis of the findings through the lens of the LatCrit paradigm.

Population

To best achieve the objectives of the study, the population was limited to a small number of secondary-level ESL teachers in two school districts with small ELL populations. According to the IPA approach, homogeneity of participants should be used to ensure that participants can

provide access and detailed insight into a specific experience (Smith et al., 2009). A pool of prospective participants was identified by soliciting recommendations from the school districts' ESL department chairs. Only participants who met the following criteria were invited to participate in the study: (a) current middle or high school ESL teachers, (b) ESL teachers who instructed a population that included Latino ELLs, and, (c) ESL teachers in schools where ELLs were the minority student population. For the purpose of this study, "small" is defined as a minority population of less than 15 percent of the school district's total student population. The criterion was designed to collect data with detailed insight into the experience of identifying Latino ELLs at risk of learning disabilities in secondary schools with small ELL populations. Because of the complexity of phenomenological experiences, interpretative phenomenological research focuses on a small, homogenous sample (Smith et al., 2009). This study used a sample of six participants who met all criteria. This research design allowed for a concentrated and detailed analysis of the experiences and perceptions of ESL teachers in schools with small ELL populations.

Access. Prior to contacting potential participants, the researcher obtained permission from the school districts. Research proposals were submitted to the research departments of school districts with small ELL populations. The purpose and the procedures of the study were explained to gain permission to interview the teachers. Upon receiving permission from the school districts, contact was initiated with the two school districts' ESL coordinators, in order to aid in the selection of study participants. Teachers were invited to participate through an email which described the purpose of the study (Appendix A). Participation in the study was voluntary. An individual, in-person interview, lasting between approximately 45 to 60 minutes,

was scheduled for those teachers who agreed to participate in the study, at which time they were asked to sign a letter of consent.

Setting

This study was set in two school districts in Virginia. Pseudonyms were used to protect the identity of these school districts.

Rural County Public Schools (RCPS). RCPS was a rural school district that included 15 elementary schools, four middle schools, and four high schools. During fiscal year 2010-2011, RCPS served approximately 18,000 students in kindergarten through grade 12, of whom 86 percent were Caucasian, 12 percent were African American, two percent were Asian, and two percent were Latino. Less than one percent of students were categorized as meeting the state's English language proficiency test publisher definition of *English language learners*. Of the 119 students categorized as ELLs, forty-six percent or 55 were Latino ELLs. During the 2010-2011 year, RCPS reported that approximately 18 percent of the students met federal poverty guidelines to receive free or reduced-price lunches and 14 percent were eligible for special education services. RCPS functioned as an ESL immersion program that provided sheltered ESL services for secondary-level ELLs.

Suburban County Public Schools (SCPS). SCPS was a suburban school district that included 38 elementary schools, 12 middle schools, and 11 high schools. During fiscal year 2010-2011, SCPS served approximately 59,000 students in kindergarten through grade 12, of whom 56 percent were Caucasian, 27 percent were African American, nine percent were Latino, and four percent were Asian. Approximately five percent of students were categorized as meeting the state's English language proficiency test publisher definition of *English language learners*. Of the 2,826 students categorized as ELLs, seventy-seven percent or 2,185 were

Latino ELLs. During the 2010-2011 year, SCPS reported that approximately 30 percent of the students met federal poverty guidelines to receive free or reduced-price lunches and 13 percent were eligible for special education services. SCPS functioned as an ESL immersion program that provided sheltered ESL services for secondary-level ELLs.

Participants

Six ESL teachers agreed to participate in this study. The six participants were current ESL teachers in secondary schools that served a small population of Latino ELLs (Table 6). Two participants were middle school teachers, two participants were high school teachers, and two participants taught both middle and high-school level ESL classes. All of the participants were female. The participants ranged in their experience teaching ESL, from five years to 20 years. Five of the participants had master degrees and all six of the participants had teaching licenses. One participant had completed graduate-level coursework related to special education and none of the participants had received prior professional development on identifying or working with ELLs with SLDs. Table 6 shows a summary of descriptive information for the sample.

Table 6

Descriptive Statistics of Participants

Pseudonym (N =)	Current Teaching Position	Teaching experience (# years)	Education background	ELL identification coursework/PD	Total # current classes	Total # current co-taught classes	Total # ELLs in current classes	Total # Latino ELLs
Ms. A	Middle and high school teacher	5	Bachelor degree, master degree, teaching license with Spanish & ESL endorsements	1 graduate-level special education course, 0 in-service PD workshops	5	0	25	7
Ms. B	Middle and high school teacher	20	Bachelor degree, master degree, teaching license with Spanish & ESL endorsements	0 graduate-level special education courses, 0 in-service PD workshops	2	0	23	17
Ms. C	High school teacher	6	Bachelor degree, teaching license with ESL endorsement	0 graduate-level special education courses, 3 in-service PD workshops	3	1	10	5
Ms. D	Middle school teacher	15	Bachelor degree, master degree, teaching license with ESL endorsement	0 graduate-level special education courses, 0 in-service PD workshops	5	1	30	27
Ms. E	Middle school teacher	20	Bachelor degree, master degree, teaching license with ESL & Spanish endorsements	0 graduate-level special education courses, 0 in-service PD workshops	6	4	15	14
Ms. F	High school teacher	12	Bachelors degree, masters degree, teaching license with ESL endorsement	0 graduate-level special education courses, 0 in-service PD workshops	5	0	30	27

During the data collection process, all names or other identifying information were altered for anonymity. Each participant was given a pseudonym and identified as “middle school ESL teacher,” “high school ESL teacher,” or “middle and high school teacher.”

Instrumentation

Interviews are the most appropriate instruments of interpretative phenomenological research, as the approach requires rich and detailed data on participants’ first-hand experiences (Smith et al., 2009). The IPA approach centers on participants’ sharing of stories, thoughts, and feelings related to the target phenomenon, which mandates the researcher to utilize an instrument that involves open-ended questions and interaction between the researcher and the participant.

The interview protocol that was used in this study included questions about participants' respective backgrounds, descriptions of student population, discussion of academic performance of adolescent Latino ELLs, questions about the use of intervention to monitor progress or identify SLD, and questions about participation in ELL eligibility collaboration and decision making (Appendix C).

Procedure

Using an IPA approach, this study used semi-structured interviews to explore ESL teachers' perceptions of prereferral processes used to identify adolescent Latino ELLs with SLDs. The IPA design involves active participation between the researcher and the participant, guided by the use of questions and topics of discussion (Smith et al., 2009). Data were collected through in-person interviews. Although the interviews were scheduled to last between 45 and 60 minutes, some of the interviews were longer. Several participants took more time in describing their experiences and talking about their perceptions. The interview questions were open-ended and focused on exploring the prereferral processes used to identify adolescent Latino ELLs with SLDs.

Data Collection. Data for the study were collected through primary interviews with the six participants who met the specific criteria and agreed to be involved in the study. The individual interviews were conducted in-person. The interview questions were open-ended, in order to allow respondents the freedom to describe their experiences and perceptions of the phenomenon. Follow-up questions were asked, as necessary, in order to facilitate the participants' discussions of the topic. Notes and analytic memos were taken during each interview session. All interviews were audio-taped and transcribed. To add to the validity of the data, respondent verification and member checking were used. Following the initial coding of

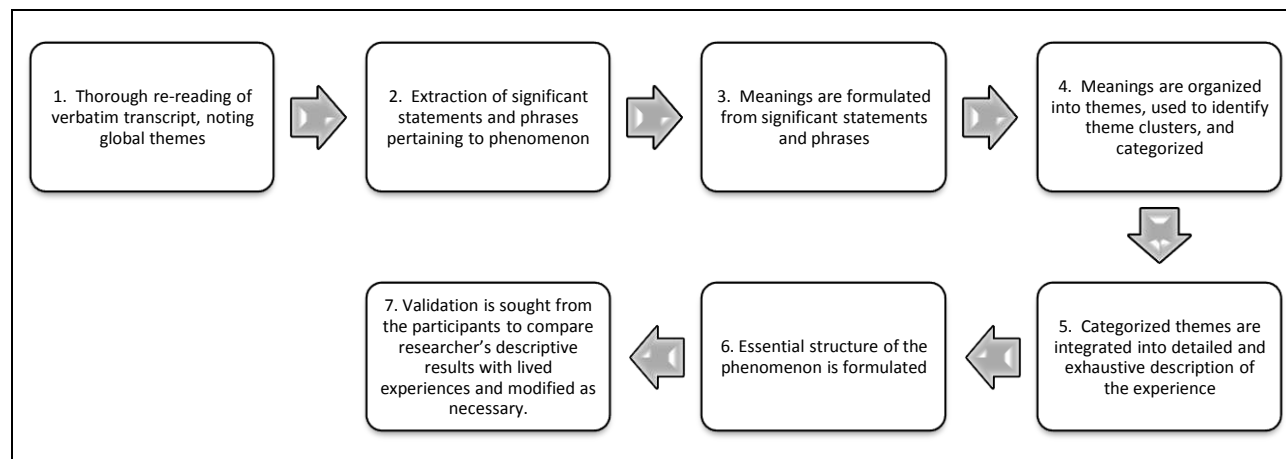
the interviews, participants were provided with an opportunity to reflect upon their interview transcripts and to add or delete information. A second researcher reviewed a 25 percent portion of the audio tapes and transcriptions for accuracy.

Data Analysis

After the data were collected and reviewed for accuracy, the transcripts were analyzed for significant statements, meaning units, and themes, based upon Colaizzi's (1978) phenomenological method (Figure 2) and Smith et al.'s (2009) exploratory commenting. Using Colaizzi's method, transcripts were first read several times to obtain a sense of the participants' experiences and perceptions. From each transcript, significant phrases or sentences were identified. The meaning of the phrases or sentences were formulated and clustered into themes.

Figure 2

Colaizzi's (1978) Phenomenological Method



The themes that emerged from the use of Colaizzi's method were further analyzed using Smith et al.'s (2009) exploratory commenting by numerating the themes according to frequency of descriptive, linguistic, or conceptual comments. These data were further triangulated with interviewer notes and analytical memos. The thematic categories that developed from the

emergent theme analysis were integrated with examples of significant statements and formulated meanings, in order to create an in-depth description of the phenomenon.

Pilot Study

Prior to designing this study, the researcher conducted a pilot study. The pilot study examined the perceptions of three ESL teachers at the secondary level concerning the process of identifying ELLs with learning disabilities. The pilot study included two participants who taught in public Virginia secondary schools with small ELL populations and one participant who taught in a New York high school with a large ELL population.

Procedures. Data were collected on the ESL teachers' perceptions of ELL identification using in-person, individual interviews. Each interview lasted between 45 and 60 minutes and involved open-ended questions concerning the topic. All interviews were audio taped and transcribed. The data were analyzed using Colaizzi's (1978) phenomenological data analysis.

Preliminary Findings. An analysis of the data resulted in the extraction of 33 significant statements, from which meaning and themes were formulated. Table 7 contains examples of significant statements with their formulated meanings.

Table 7

Selected Pilot Study Examples of Significant Statements and Related Formulated Meanings

Significant Statement	Formulated Meaning
<p>“With special needs students in this county, they are much more likely to say ‘well, I am not going to recommend this child for further study because they have not been here for a year and English is not their first language... we can’t rule out the language as being the problem here,’ and that, in itself, is a problem to me.”</p>	<p>ELLs are not identified for learning disabilities if they have been in the country for a year or less because of language.</p>
<p>“There has been a lot of discussion about the fact that often times, ESL students have been over-recognized in other districts, because that seems to be the only way to get services for special needs ELL students, but here, I would say the exact reverse is the case. That we have a strong ESL program in this county, and a lot of special needs students aren’t being identified early. And the earlier you can identify the need, the more you can help the student.”</p>	<p>ELLs are not being identified early and are underrepresented in special education.</p>
<p>“I think that we are doing a great disservice to the student and for the student by saying, ‘sorry, figure out how to speak our language first and then we’ll talk about it.’ It doesn’t work that way.”</p>	<p>ELL students with special needs should not have to become fluent in English before being assessed for learning disabilities.</p>
<p>“The mandates never happened in practice. Never happened in practice. I was aware of that, but I have never seen it. At the school level? Well, it never made it that far.”</p>	<p>Identification procedures for ELLs are not being followed.</p>

The statements were arranged into clusters, based upon numeration of associated formulated meanings. Table 8 contains one example of a theme cluster that emerged from the associated meanings, with statement frequency.

Table 8

Example of Pilot Study Theme Cluster with Associated Formulated Meanings and Frequency

Theme: Special educator resistance to ELL identification	
Refusal Reason	Frequency
Limited English proficiency	19
Silent period of one year	18
Slow learner	17
Poor student	12
Different cultural background	11
Low literacy level	5
Interrupted education	3
Age promotion	2

The emergent themes were based upon statement frequency and theme cluster numeration. Eight themes developed from the analysis of these data (Table 9).

Table 9

Emergent Themes of Pilot Study

Theme 1: Resistance to evaluation of ELLs for special education expressed through reasons given for refusal to test
Theme 2: Need for increased collaboration: ESL and special education departments
Theme 3: Lack of in-class observation during evaluation process
Theme 4: Confusion about mandates for ELLs
Theme 5: Importance of parental support for evaluation/ cultural stigma
Theme 6: Loss of time between referral and evaluation
Theme 7: Pressure to avoid ELL referral
Theme 8: Underrepresentation of ELLs in special education

Based upon the significant statements, formulated statement meaning, and emergent themes, the findings indicated that the three ESL teachers perceived resistance to the identification of secondary-level ELLs with learning disabilities. The participants described a feeling of pressure not to identify ELLs at risk of learning disabilities, due to the lack of resources and challenges associated with the identification process. Based upon the interview data, the data indicated that these teachers perceived these factors as resulting in ELLs not being identified in a timely manner that was necessary. A secondary finding was that the ESL teachers described a lack of collaboration between special education and ESL departments. The data suggested that the ESL teachers perceived a gap in ESL and special educator communication, parental involvement, and general and special educator understanding of policies for ELL identification.

Modifications. The pilot study findings showed limitations in sample size, subject, and validity. The study was modified to involve a larger sample of ESL teachers from two school

districts with small ELL populations. This modification was made to ensure participant homogeneity and determine if the same trends emerged on a larger scale. In addition, the study was altered to focus on Latino ELLs, as opposed to a general ELL population. This modification resulted from the data analysis, which showed participants felt that there were unique challenges related to the identification of Latino ELLs at risk of learning disabilities, such as the influence of culture on ELL families' beliefs about learning disabilities and school involvement. In order to increase validity, the study was designed to include participant validation of interview data and the review of data for accuracy by a second researcher. The pilot study was valuable in refining data collection procedures, evaluating research design, and providing an initial analysis of limited preliminary data. The data that were collected through the pilot study assisted the researcher in focusing the research questions and narrowing the study to the examination of prereferral practices to produce more in-depth data.

VCU IRB

Prior to the collection of data, this study was approved by the Virginia Commonwealth University (VCU) Institutional Review Board (IRB), consistent with the rules and regulations of the institution. Any changes to the original research submission form had to be re-submitted and approved by the VCU IRB.

Delimitations

The findings that resulted from this study must be examined through the delimitations that existed in the research. These data were focused on the perceptions and experiences of ESL teachers, not special education or general education teachers. The study examined the identification of adolescent Latino ELLs at risk of learning disabilities, which excluded ELLs from other ages, cultural and linguistic backgrounds, and ethnic populations. In addition, this

study was delimited to the process of identifying ELLs at risk of specific learning disabilities, instead of students who exhibited characteristics of other disability categories.

CHAPTER 4. FINDINGS

This study utilized a qualitative, phenomenological approach (Colaizzi, 1978; Smith et al., 2009) to examine six ESL teachers' perceptions of prereferral processes used to identify adolescent Latino ELLs with SLDs. The results from this study are described through the themes that emerged through the data analysis, which are further supported through the use of verbatim examples of data.

Research Question 1

What are the prereferral processes used by ESL teachers to identify adolescent Latino ELLs with suspected SLDs? Do ESL teachers use instructional strategies or progress-monitoring in the prereferral process for identifying Latino ELLs with suspected SLDs? Is RTI used with ELLs? What are ESL teachers' perceptions of the prereferral process with ELLs?

Characteristics and Behaviors

In their description of the prereferral processes used with Latino ELLs, all of the participants described shared themes of identifying specific behaviors or characteristics that they felt were indicative of a potential SLD, as well as the use of research-based instructional strategies, individual and small-group intervention, and the documentation of progress-monitoring. These themes remained consistent among all participants, regardless of school district or prior experience. Table 10 illustrates the types of ELL behaviors and characteristics that were identified by the participants as indications of a Latino ELL with a possible SLD.

Table 10

Characteristics and Behaviors of Latino ELLs with SLDs

Student Characteristic or Behavior
<ul style="list-style-type: none"> Consistently showing gaps in memory and inability to remember concepts and demonstrate skills from day to day
<ul style="list-style-type: none"> Demonstrating little to no progress in academic skills, as compared to ELLs with similar backgrounds, instruction, and beginning ability
<ul style="list-style-type: none"> Regularly displaying extreme frustration, fear, confusion, distraction, and/or dejected, tired, angry, bored, or upset behavior
<ul style="list-style-type: none"> Failing to make connections between concepts in Spanish or English, such as the identification of Spanish-English cognates
<ul style="list-style-type: none"> Progressing at a slow or minimum level in all subject areas
<ul style="list-style-type: none"> Demonstrating low reading or writing ability in both Spanish and English
<ul style="list-style-type: none"> Difficulty communicating with peers in spoken Spanish or understanding Spanish vocabulary words
<ul style="list-style-type: none"> Reversing letters, illegible writing, not being able to write the letters of the alphabet shared in Spanish and English
<ul style="list-style-type: none"> Failing to acquire understanding of repeated skills and concepts, such as common English sight words
<ul style="list-style-type: none"> Difficulty responding to visual tests or activities without written or verbal language
<ul style="list-style-type: none"> Difficulty or inability to make progress when provided scaffolds or interventions
<ul style="list-style-type: none"> Consistently making errors and having problems accurately copying letters, words, or sentences
<ul style="list-style-type: none"> Failing to follow Spanish and English writing conventions, such as using spaces between words, punctuation, and/or capitalization
<ul style="list-style-type: none"> Child or parental disclosure of a learning problem, IEP, or prior injury associated with SLDs, such as traumatic brain injury
<ul style="list-style-type: none"> Extensive prior teacher documentation of learning difficulties and lack of progress while being provided interventions
<ul style="list-style-type: none"> History of repeatedly failing grade levels throughout prior education experience in native country or previous school district

The most commonly-discussed characteristic was the inability to remember frequently repeated concepts, such as the spelling, pronunciation, or meaning of common sight words. The failure to understand and connect concepts shared in both Spanish and English, such as writing conventions, cognates, or general vocabulary, was also commonly shared as an indicative characteristic. The participants also described a variety of student behaviors that they felt were characteristic of Latino ELLs with unidentified SLDs. These behaviors included frequent demonstrations of frustration, fear, confusion, and distraction, as well as often acting dejected, tired, angry, bored, or upset. It is important to address that while the participants identified general indicative characteristics, they also stated that such characteristics or behaviors are not always indicative of a SLD but could instead be the result of other factors that can influence an ELL's academic progress. All six of the participants addressed the importance of considering how other complex factors may influence ELL progress. These factors included previously interrupted education, low native-language literacy, emotional issues, normal "silent period" behavior, and culture shock. One participant stated that:

Because students develop language at such different rates and there are so many things that factor into the degree of which they learn it, it is not only necessarily a learning disability. If I recognize a student, it is because they are not progressing the way that I would expect them to and because there is a big gap. There are many factors to consider, so they would have to be pretty far below what's normal in that level of gaining language and they would have to be a real outlier.

Instructional Supports and Interventions

The six participants in this study all described the use of instructional supports and interventions in the prereferral process with Latino ELLs. The participants viewed these

practices as effective and appropriate steps in the ELL prereferral process. There were nine types of instructional supports and interventions that were described by the participants (Table 11).

Table 11

Instructional Supports and Interventions used in Prereferral Process with Latino ELLs

Support or Intervention Type	Teachers who reported use of strategy in prereferral process						
	Ms. A	Ms. B	Ms. C	Ms. D	Ms. E	Ms. F	Total
Native-language text		✓					1
Individual tutoring	✓	✓	✓	✓	✓	✓	6
Small-group tutoring	✓	✓	✓	✓	✓	✓	6
ESL reading scaffolds (graphic organizers, picture flashcards)	✓	✓	✓	✓	✓	✓	6
Grouping strategies (lower-level pairs, higher and lower-level pairs)		✓		✓			2
Read-aloud			✓	✓	✓	✓	4
Visuals or realia	✓	✓	✓	✓		✓	5
Placing students in content or elective classes with sped co-teacher or taught by teacher knowledgeable about ELLs	✓	✓	✓	✓	✓	✓	6
Research-based strategies (phonic awareness, word study)	✓	✓	✓			✓	4

The most commonly-discussed types of instructional supports and interventions were individual tutoring, small-group tutoring, ESL reading scaffolds, and the placement of struggling ELLs with specific content or elective teachers. The one-on-one intervention was viewed by the majority of participants as more effective than small-group intervention because small-group intervention was “more distracting” for the students. According to one interviewee:

The one-on-one is the most effective with the lowest-performing ELLs, compared with the small-group. They tend to often get distracted in the group, especially with the Latinos. I have to get my Latino ELLs one-on-one because they will start speaking Spanish and because they are middle school creatures, they get off-topic. So, I find that I

need to do a lot of one-on-one instruction with them when you have to intervene and scaffold for them. I think it just works a little bit better. Not that they can't work in a group. They can.

The participants perceived the use of ESL reading strategies as playing an important role in the prereferral process. The teachers identified strategies that included graphic organizers, word walls, flashcards, drawing, and paraphrasing. While these types of instructional supports were perceived by the ESL teachers as an effective method of identifying ELLs in need of referral, several of the teachers also described these strategies as “just good ESL teaching methods” and “the foundation of an ESL curriculum.” The data indicated that the teachers felt that the prereferral process should include strong teaching that supported differentiated learning for all students, including ELLs with suspected SLDs. One teacher stated that, “we provide all of the students with these strategies because it helps them all and it also helps us see if a student isn't making progress with all of this support when the others are.”

The six participants in the study also shared the viewpoint that it was important to place struggling ELLs and ELLs with suspected SLDs with specific content and elective teachers that were open to learning about ELLs or had experience teaching ELLs. One interviewee stated that “some of the teachers at my school are good but some are so bad and they have this sink or swim attitude which is basically understand it or too bad.” All of the participants discussed the importance of working with the guidance counselor to help schedule classes for struggling ELLs to ensure that they were with supportive teachers. One participant described her strategy:

I try to have all of the ELLs be placed with the same content-area teachers. What I have done is worked with them over several years and keyed them in on what is normal language acquisition, like these are the gains that they should make with learning

concepts, and so they should be able to achieve a certain amount. But, then they will come to me and say, “This kid isn’t making connections at all...we either need to go back to the basics with them.” Or “this kid, they aren’t communicating with me orally and I can’t assess them because I don’t know what they know and they just shake their head yes.” It is helpful to work with the same teachers because then they will be able to look at a student and gauge them based on previous students that they have had.

Several other participants described the value of placing struggling ELLs in co-taught classes, so that other teachers can observe the student. One interviewee felt that co-taught classes, especially classes with a special education co-teacher, provided needed support for ELLs that had not yet been identified with SLDs. She said that:

I put them into sections of classes that are special needs co-taught classes so that they will be a class that is co-taught by a special needs teacher and a content teacher. If I am not able to co-teach in that classroom, I monitor them and go to them to give these teachers ESL teaching ideas. That helps, in addition to knowing that they are getting the services of that sped teacher in there, as well. That is the best way that I have found to help a student who has not been able to get through the identification process and be given special education services.

A smaller number of participants also described the use of other instructional strategies and supports in the prereferral process, including realia and visuals, read-aloud, and the use of research-based instructional practices such as phonemic awareness instruction and word study.

Progress-Monitoring

Although none of the participants reported using a formal RTI process during the prereferral process with Latino ELLs, all six participants described their use of progress-

monitoring. All participants reported using both formal and informal assessments to collect data, document evidence, and monitor student progress during the prereferral process (Table 12).

Table 12

Types of Progress-Monitoring Used with ELLs with Suspected SLDs

Type of Progress-monitoring	Ms. A	Ms. B	Ms. C	Ms. D	Ms. E	Ms. F	Total
Formal RTI Process							0
Use of formal assessment	✓	✓	✓	✓	✓	✓	6
Use of informal assessment	✓	✓	✓	✓	✓	✓	6

The six participants reported using formal assessments, such as class tests or the state language proficiency assessment, to monitor and document the progress of ELLs that they suspect may have a SLD. One teacher noted that:

I also use the sight words. It's a list of sight words and there are four or five different ones. At the beginning of the year, I will test them to see which ones they know or don't know. And, I will do that again in January. But, if it someone that I think may need a child study, I will repeat it sooner.

The interviewees also discussed the value of using informal assessments in progress-monitoring of ELLs with suspected SLDs. The types of informal assessments used by the teachers included copies of student homework, class work, documentation of class projects and presentations, as well as anecdotal notes and documented observations.

Use of RTI

While none of the participants responded that they formally used RTI in the prereferral process, all participants reported using prereferral practices that appeared to the researcher as consistent with the steps of the RTI model. It is important to note here that three of the participants were unfamiliar with RTI and asked the researcher to explain what RTI was during the interview process. After the researcher described the RTI model, all three of these

participants stated that they did do all those things during prereferral, but that they did not formally call it “RTI.” The prereferral supports and interventions that the participants described were aligned with the components of RTI, such as the use of research-based instructional strategies, progress-monitoring, and small or individual-group tutoring. When discussing the use of informal assessments to monitor progress during the prereferral process, one high school teacher stated that:

We didn’t have anything formal...we didn’t have that response to intervention or anything. So, I will just keep a folder with all of their comprehension exercises or just jot down notes.

While none of the participants reported using a formal RTI process with their ELL students during the prereferral process, some of the participants had opinions about the effectiveness of using RTI with ELLs. When asked about using RTI, one teacher responded that she felt it “slowed down the identification process with ELLs.” Another stated that:

I think it is a slower process, RTI with ELLs versus regular kids, because the content teachers already know what to do with regular kids. If they are having this problem, you do this. They are used to that. But with ELLs, it is scary for a content teacher. They are like, “I don’t understand...I just don’t know why they are doing this!” And sometimes the ELL is so significantly below level because of their language barrier. So, I have that struggle with it, with RTI. That it slows things down.

Prereferral Outcomes

While the participants in this study perceived the use of instructional supports and progress-monitoring as appropriate ELL prereferral practices, they also reported believing that the prereferral process did not result in accurate or equitable outcomes for ELLs. With the

exception of one participant, the teachers interviewed for this study reported feeling angry and frustrated because they felt that Latino ELLs were underidentified with SLDs. It is important to state here that the one participant who did not share this viewpoint had never gone through a prereferral process or referred an ELL for special education evaluation. Of the other five interviewees, the overarching perception was that the process was ineffective and unfair to Latino ELLs. These participants also reported believing that gaps and inequalities in the process have resulted in the underidentification of Latino ELLs with SLDs.

The strongest theme throughout this study was the participants' frustrations about prereferral outcomes and the futility of the process. The five teachers with prior referral experience each described between three and six past experiences when they felt that appropriate steps were not taken to identify ELLs with SLDs, despite their monitoring of student progress and use of interventions. Their perception was that ELLs with SLDs were not being identified, regardless of the prereferral practices that they used. According to one high school teacher:

Let's put it this way: I have been here for six years and we have never been able to get a single student identified. Although we've written things and documented things and collected and tried to get child studies pushed forward. I haven't had a good answer yet why that is. Or *any* answer why that is. And it is so frustrating.

A middle school teacher described her feelings about the prereferral process:

To be perfectly honest, my thought is that I know it is going to be a long, hard road to get them identified. And I really feel sorry for the student because I know if there is an issue here, it is going to take me holding on to documentation and keeping documentation for years before that student is able to be identified. So I feel frustrated and I feel sad for the student because they lose so much time before they get identified and then they end up

falling even further behind. Because they are not able to get the special needs services that they really need. So, I just feel frustration and sadness.

Another high school teacher stated that:

I have suspected some of my Latino ELLs had learning disabilities and I have referred them and that process was extremely frustrating. Because a lot of times the exceptional ed department would refrain from wanting to have them tested because their language, because they were not English speakers. So they did not know whether it was the language or if it was a disability and you really have to just plead and plead with them to do it.

Several of the participants felt that progress-monitoring was resulting in a delayed identification process with ELLs. According to one high school teacher:

We're told to put interventions in place, interventions that we already tried and when I would bring evidence, the response is "try this" or "we need more data" and it is always something else that I had to provide. It's like they were using a sand machine, seeing how much time was left and going until we ran out of time. That's very frustrating. I don't know if it is because you didn't want to do the job, or you didn't want to get this child help, or if it was too hard or too much work?

Five of the six participants felt that identification was delayed. One teacher stated that:

I would collect a body of evidence and speak to their elective teachers to see if they saw the same characteristics and look at their work and observe them in that class to see if that type of behavior is consistent throughout the day. Next I would bring this evidence to the special education department and the final decision was the special education department's decision. And, unfortunately, that is where we get stuck. None of my ESL

students that I have ever brought to them, unfortunately, were ever tested to see if it was a learning disability.

Research Question 2

What are the perceptions of ESL teachers concerning collaboration with ELL families and other educators in the prereferral process for adolescent Latino ELLs with suspected SLDs?

Parental Participation

The teachers interviewed in this study felt that Latino ELL families were less likely to participate in the prereferral process. The participants believed that Latino ELL families did not want to participate in the process for several reasons. Their perception was that Latino ELL families were afraid to have their children identified as having a SLD. The ESL teachers also described believing that Latino ELL families feel excluded from their children's school environment and the perception that that they have differing cultural attitudes towards education that influences their participation in the prereferral process.

All of the participants reporting perceiving Latino ELL parents as very motivated to help their children succeed academically, but three of the six participants felt that parents were reluctant to participate in the prereferral process because they were scared of having their child identified. One high school teacher felt that there was "a cultural stigma" that made Latino ELL families "not want anyone to identify their children as having a problem." Another middle and high school teacher viewed Latino ELL parents as reluctant to have children identified with SLDs and described a past experience:

The family did not want to go the next step. They didn't want to take the next step at that point. But, they wanted to help their child. It is very confusing. I think part of it was a

cultural belief that there was a social stigma surrounding that. And them wanting to believe that they could fix it within their own family. And not wanting to be identified in that way. I think that had a lot to do with it for a lot of families. In many cases, they didn't understand it and understand that it exists and they didn't have the language for it and the process in their own culture. And another big part of it, probably a bigger part, is that if they do know about it in their own culture and language, it is socially unacceptable. You don't want to have a child that is identified in that way. It is a stigma.

It is important to note that while three of the participants felt that Latino ELL families were reluctant to participate in the prereferral process, two of the other participants felt that Latino ELL families were supportive, helpful, and eager to participate in the prereferral process. One high school teacher stated that, "I've never had any of the parents be reluctant to help identify a learning disability...everyone has been very positive about it." Another high school teacher explained that:

Some of the parents are very cooperative. They, themselves, are limited in their language. So, they want to help, they want to motivate their students. I find that most Latino families really value education. And, whatever they can do to encourage and motivate the student, they'll do. I've really never had negative experiences at all.

The perception of a "cultural stigma" was shared by four of the six participants. One teacher felt that there were differences between American parents and Latino ELL parents in their attitudes towards identification, stating that:

With Spanish-speakers, I would say there is underidentification. And I think that is culturally that they view learning disabilities with more of a stigma than Americans. Like, sometimes I feel Americans view it as a badge of honor to have special

accommodations. When I taught Spanish, kids would be like, “I have an IEP so I shouldn’t have to do this.” And it was their parents too.

Several of the participants also felt that parents were afraid of the quality of education the child would receive if they were identified. One interviewee thought that “many ELL parents come here because they have kids with learning disabilities who don’t get support in their country.” Another interviewee felt that “having a disability might just be unacceptable in their culture.” All of the participants reported believing that the Latino ELL parents did not fully understand that identification would result in additional services and the provision of accommodations for the child.

Four of the six participants felt that Latino ELL parents were less likely to participate in the prereferral process because of discomfort in the school environment. One ESL teacher stated that she felt ELL parents “didn’t want to go into the school or go anywhere official” and “didn’t want to have anything to do with the necessary policies.” Three teachers felt Latino ELL parents were afraid “of being deported” or “that it would be assumed they were illegal.” Another teacher thought that the prereferral process was uncomfortable and intimidating for ELL parents. She stated that:

Number one, the parent looks so intimidated because you have this head person, a psychologist, and all of the teachers. And we are going around the table saying “this child isn’t doing this” or “this child isn’t doing well at that.” And the parent isn’t versed at all in what to do. They can be an advocate so far as saying, “yes, I have noticed my child couldn’t do this or that at a certain age and I was concerned” or “my child had some sort of injury that may be a problem” but I think that they, themselves, are not even up in what they need to do to help their own child. I think that, especially if they are illegal,

that they are scared. Scared to say anything, scared to push forward, don't know what they need to say, and don't know how to be an advocate for their child.

The majority of the participants felt that Latino ELL parents had a trusting attitude towards teachers and the educational system. One interviewee described believing that Latino ELL parents "have a lot of faith in the teacher." Another participant felt that Latino ELL parents did not question or disagree with their children's teachers as much as American parents did. She perceived Latino ELL identification as being impacted by different attitudes towards teachers, stating that:

The American parents would be like, "I just know my kid has a disability." They would keep at it and just be more pushy. But then with ESL, you don't have the parents pushing to get them labeled. So, overall, I think there is underidentification.

Another interviewee reported believing that underidentification of Latino ELLs was resulting from the trust and distance that she felt their parents were placing in the teachers and educational system. She stated that she wished Latino ELL parents were more active and vocal in her school because she felt that "the way it is now isn't going to work for getting a child identified with learning disabilities."

Special Education Department Response

One of the major overarching themes throughout this study was that the participating ESL teachers viewed their special education departments as resistant to the identification of Latino ELLs with SLDs. Five of six participants reported feeling that their special education departments actively fought and delayed the identification process. Five of the six participants also reported feeling that there was little collaboration between the ESL department and the

special education department at their schools. When asked about collaboration, one teacher responded that:

I don't feel that there is any. And I wonder if it isn't just the climate and the structure as a whole because there isn't any period. ESL is here and special ed is here and we all kind of do our own thing. There basically isn't any working together, period. We are definitely excluded from the identification process.

Five of the six participants perceived that they were excluded from the ELL identification process because they felt that they were not included in meetings or in the decision-making process. One high school ESL teacher reported that:

Decisions are made and I am not included in the decision-making process. I don't think it is to be mean. I don't think it is done maliciously, but I just don't think they are thinking about that. I really think its lack of knowledge.

It is important to note that two of the five interviewees who felt that there was a lack of special education department collaboration also described having positive relationships with individual special education teachers. One of the two participants stated that "the problem is with the coordinator, not the teachers." The other participant said that, "I'm really just frustrated at the special education administration." Another ESL teacher described her sense that she had a positive relationship with her special education department because they worked together on a state-mandated assessment. However, most of the ESL teachers interviewed for this study responded that they felt that their special education departments were uninterested in collaboration or the consideration of the ESL teachers' expertise in ESL pedagogy when making decisions regarding ELLs.

The majority of the ESL teachers perceived Latino ELL identification as resisted, refused, or delayed. Five participants described feeling that inappropriate identification decisions were made because the special education departments did not understand ELLs, SLA, or ESL pedagogy. The most common theme discussed by these participants was that they felt language was being used as an excuse not to test students. The five interviewees who shared this perspective recounted multiple examples of being told that an ELL would need more time to acquire English prior to being identified for SLDs. According to one teacher:

The frustration with the special education department comes from, well, as an expert in this field I know that the problem is not a language issue. If the student had English as their first language, referral wouldn't be an issue. But because the student came here with limited English, they put it on the English thing, not a possible learning disability. People who don't know about the population don't understand it and it is taken with a grain of salt, to be very honest with you.

A high school ESL teacher described feeling that, "the special ed teachers and administrators, especially in a county without a really large percentage of ELLs, don't know how to handle it so there is this automatic assumption that it is a language issue." Another ESL teacher stated that:

I have suspected some of my Latino ELLs had learning disabilities and I have referred them and that process was extremely frustrating. Because a lot of times the exceptional ed department would refuse to have them tested because their language. Because they were not English speakers, they did not know whether it was the language or if it was a disability, and you really have to just plead and plead with them to do it.

One interviewee said that she felt that it was a "Catch 22" to wait to refer or test ELLs until they were proficient in English. She viewed English proficiency as being an unrealistic requirement

because she felt that it would require more time than the students had left in high school and that ELLs with SLDs made even slower progress in English acquisition. She stated that:

I'm told to wait because they read the information that it takes five to seven years for an ELL to become proficient in academic language. So they say it is a language issue. So that would seem to me to be a paradox because you need to wait a time to acquire the language, but you don't have five to seven years to wait to provide the services to a kid who comes in during high school and gets frustrated. Or even for a sixth or seventh grader. To identify the problem when they are a junior in high school? That's too late.

All six ESL teachers reported feeling that there were negative implications which resulted from failing to identify ELLs with SLDs, including detrimental effects on the student, their school, and the their community. The ESL teachers who participated in this study shared the belief that underidentification resulted in increased drop-out rates, disruptive student behavior, and higher numbers of ELLs aging out of school without passing required graduation exams. One teacher stated that, "it becomes a vicious cycle and they are never going to be able to reach their full potential if they are not given the services that they need."

Research Question 3

What aspects of ELL identification do ESL teachers view to be the most challenging for educators and students? What are ESL teachers' recommendations for improving the process of identifying adolescent Latino ELLs with suspected SLDs?

Identification Challenges

The six ESL teachers who participated in this study identified a variety of identification challenges, although three themes emerged as the strongest in the data. The participants indicated that they viewed time constraints, language misconceptions, and the absence of native-

language assessments as the three most significant challenges to identifying adolescent Latino ELLs with SLDs.

Time Constraints. Of the six teachers interviewed in this study, five reported feeling that time constraints were a significant challenge for identifying adolescent Latino ELLs with SLDs. The participants shared the perception that, despite the limited amount of time that adolescent ELLs had to be identified and provided needed services, the identification process for ELLs was extended and delayed because of language. One middle school ESL teacher stated that:

Students are there for three years and if you recognize something, it is going to be several months into their first year. Then you start keeping documentation and start going through the steps. And by the time they reach eighth grade, they may have gone through the process once in seventh grade and I was told by the sped department that “no, they don’t meet the threshold at this point.” Then you have to continue to keep the documentation and by now, you are in their last year at the school and you just hope that you can get them through the process again in time. Chances are, I have very few students who enter into sixth grade and stay with me for three years. Oftentimes they come in seventh or eighth grade, so those students are just not going to have enough time to go through the process. And then a lot of them start and their families move. That ends up being a major problem because if they end up at another school in another district or state, then that school is going to start their own process all over again. So the student has lost time. And they may go through all of their school years and never be identified as having a learning disability by anyone.

Several participants felt that adolescent ELLs with unidentified SLDs were faced with so many obstacles when attempting to learn new content through a different language while having a learning disability that they felt that they had a higher chance of losing motivation in school.

One teacher described how:

For a lot of them, I think that they have had so many experiences of being frustrated and having learning disabilities all of their lives, being in and out of school so they haven't gotten very much support, and again, I think they just shut down. By the time they get to high school, they just shut down. It must seem so overwhelming to them. Not only are they doing it in a different language, but also they don't have the skills they need in their own language. So academically, it is very difficult sometimes to get them motivated to move past that. I think by the time they get in high school, a lot of them have given up.

While all of the participants in the study described feeling that time limitations negatively influenced the identification process for adolescent ELLs with SLDs, the high school ESL teachers emphasized the challenge of time constraints more strongly. Several high school teachers spoke to the higher risk that older ELLs had of dropping out of school. The high school teachers also expressed that they felt that graduation tests placed additional stress on struggling adolescent ELLs that they believed contributed to higher drop-out rates. All of the high school ESL teachers reported feeling that identification was critical to high school ELLs because unidentified students would not be given special accommodations on graduation assessments.

One high school teacher stated that:

I think the effect of not getting identified is, of course, personally for the child if they are ever going to be successful or ever going to make it out of poverty. If they don't feel that they are a success here at the high school, then that can have a big effect. Then, with No

Child Left Behind and the end-of-course standardized tests that they need to take, they aren't going to pass them. They pass the course and they pass their schoolwork. They passed everything but one end-of-course standardized test that they can't pass, so they never graduate. I think they would have had a better chance if they had been identified. I definitely believe that, with accommodations, they would have passed. I have one now that needs a 400 and she got a 342. She failed, but a read-aloud would probably help her to pass. But, we can't get her services.

Language Misconceptions. The participants in the study also felt that one of the major challenges to identifying Latino ELLs with SLDs was the misconceptions that many other educators had about language. The participants felt that English proficiency should not be used as a reason to delay identification, but that there was a widespread misconception that a student could not be tested if they were not fluent in English. Five of the participants reported feeling that both research and policy provided evidence that ELLs should not wait until they are proficient prior to being tested for SLDs. One participant had an opposing point of view, instead stating that “one of the reasons that I hesitate to start a referral process is I believe some kids just need time...they need time to learn the language.”

While almost all of the participants described teachers at their schools as “being more interested in working with ELLs” and “starting to come to me for information about how to teach ELLs,” many of the participants stated that there were still major gaps in other teachers' knowledge or willingness to work with ELL students. One teacher described the situation:

The special education department is a problem, but I can't say it is everyone in that department because the teachers themselves come to me as a resource all the time. I think it's at the top where the problem is. Sometimes people are set in their ways. I think

that they are set in their ways and think that it has worked for the last twenty years. And if it hasn't worked, well, I haven't been affected. So as long as I am not affected, it's okay. But the teachers who are actually in the classrooms, with the teacher, with the content teacher and those ESOL students, they are affected so they actually reach out to the ESOL teacher for assistance. But the other ones, they absolutely don't.

While the majority of participants described language misconceptions as significant challenges to appropriate identification, almost all participants in the study described wanting to work with their special education department and other educators at their school in order to provide professional development to educate teachers and administrators about ELLs and SLA. One interviewee stated that:

I think the greatest challenge for me is changing perspectives. My greatest frustration is sitting there seeing the student who I really believe has a learning disability but knowing that I can't move forward because the reaction from the special ed department is "we're not even going to bother testing this student because the problem could possibly be lack of exposure to English and not a possible learning disability." My feeling is let's find out right away if that is what it is..if that is there. If we could change the perspective and the belief system of the special ed coordinators who are loathe to get started going down that road and change it to "lets figure out together if it is language or if it is a learning disability sooner rather than later." That would be a huge step in the right direction.

Native-Language Assessment. Another common theme throughout the interviews was that participants felt the limited availability of native-language assessments was one of the greatest challenges for identifying ELLs. Of the six participants, none reported ever having an ELL with a suspected SLD provided an assessment in their native language. Native-language

assessment was described as “not even put on the table to discuss because of cost” and “just not an option.” One high school teacher stated that:

I asked because I had read somewhere that you have to try to provide a person an assessment in their own language. So, I was trying to pursue this, I just kept pushing about it, and they just kept telling me “no.” The administration, the school did.

Other interviewees reported that they were told that native-language assessments and qualified bilingual assessors were “unavailable” or “too hard for the school to find.” According to one teacher:

I would say that the most challenging aspect is that I don’t want to have to wait one or two years to see how far a student falls behind before getting a possible identification. And we should be able to, particularly in this day and age with so many Latino students, we should be able to provide them with a bilingual assessment. And quite frankly, it’s not done. I think it is difficult to find somebody who is licensed or professionally qualified to give the assessment. I mean, I know they exist and they are out there, but you need to be able to be certified. You have to know what you are doing to give that assessment. That is the biggest hurdle.

Another participant spoke to her perception that a gap existed between the legislation and the reality of practice, stating that:

I have never seen a student assessed by a certified assessor in their native language. And I know that is the law that we have to provide it. But, if you can’t find it or get it, I don’t know how you comply with the law. And the fact of the matter is that the students and their parents or guardians are not always aware of it. You have to educate the guardians and you have to walk a very fine line between advocating for the student and their family

and the responsibility to the school that you work for. You are kind of in the middle because you want what is best for the student and you want to make sure that the parents know that they can have this test, but at the same time you know that the test is not available at your school. So why would you push that parent? It is pretty frustrating all around.

Several participants felt that the lack of native-language assessments meant that any ELLs that did reach testing would be given an assessment that was invalid. One teacher described how she reached this step in the identification process with an ELL:

They just had a meeting with the special ed person, the school social worker, myself, and one of her content teachers, and just said “this is the test we gave her, she scored consistently low on all the them, but not low enough to have MR, but not high enough in anything to show that she would have a specific learning disability.” She showed lower than average intelligence on all of the assessments, but if she had shown the same low scores, but had been able to score high on one other test they gave her, then it would show a learning disability. But what I asked them was, “how would you know if these are accurate if these tests are given and written in English- how do you know if she just didn’t understand it?”

Recommendations

The six secondary-level ESL teachers who were interviewed for this study provided several recommendations that they felt would improve the process of identifying adolescent Latino ELLs with SLDs. Three recommendations emerged as themes: a) professional development, b) native-language assessment, and c) outreach programs.

Professional Development. The teachers who participated in this study felt that professional development could significantly improve the process of identifying Latino ELLs with SLDs. Although five of the six participants observed that more teachers in their schools were open to learning about working with ELLs, all six participants felt that additional professional development would be valuable. The participants especially felt that special education teachers could benefit from professional development on SLA, cultural competencies, and ESL pedagogy. One teacher said that:

Even if you don't have the luxury of having an ESL teacher in your school to reach out to, we all have to do professional development in order to maintain our teaching certification. Maybe you need to get out there and do some education of yourself. And learn how best to help these students. There are lots of things available. I think teachers also need to reach out to the ESL community. Even if there is not one at your school, there is a wealth of information out there and people want to help.

All six participants in this study also reported that they would like to receive professional development on special education issues. One of the participants stated that:

I have never had professional development in this area. And I don't know if I have ever seen anything about special education or learning disabilities and ELLs ever offered... nothing ever about ELLs with learning disabilities. And I would be interested in that.

Another participant said that, "I would really love some professional development on special education...I don't know much about the process of how to get special education help." Several of the participants in the study expressed interest in taking special education professional development and responded that they felt it could help them to better understand policies and provide support during the prereferral process.

Native-Language Assessment. The participants in this study considered the need for native-language assessments to be both a recommendation to improve ELL identification, as well as a significant challenge to the identification process. The majority of the interviewees felt that native-language assessments should be used with ELLs to provide more valid measures of student ability and to reduce delays in the process of identifying ELLs with SLDs. One teacher stated that:

If I could see one change, it would be to see Latino children be evaluated bilingually.

That is the most important change that could occur.

Although the teachers who participated in this study acknowledged the challenges associated with providing native-language assessments, such as cost and availability, they also reported believing that it was not fair to assess ELLs in English or to wait for proficiency. Several of the participants addressed the native-language assessment language in IDEA 2004 and expressed their belief that schools should be required to provide this assessment to Spanish-speaking ELLs because they are the majority of the ELL population.

Outreach Programs. The participants also recommended developing outreach programs for at-risk ELLs and ELL families as a means to improve the identification process for ELLs. Several participants felt that small intervention groups or after-school groups could help provide additional support for at-risk students while the teacher is going through the process of collecting evidence and documentation of progress. One teacher stated that:

I think it would be good if there was a program or something where the Latino ELL girls could go and where they knew that they had somewhere to meet with other girls who were in a similar situation. Maybe something run by the counselors, who could

encourage them. To get together with the parents and say, “you know, maybe this young lady does have a learning disability.”

Another teacher described how the guidance counselor worked to make sure that struggling ELLs were together in classes which were taught by teachers who were knowledgeable about how to work with ELLs. The teacher felt that:

I think that what kept this girl from dropping out was that there were a lot of teachers there, watching her. We got together and we talked about ways to keep these students and the counselor was huge. She said, “I’m going to take all of the ELLs.” So, there was one counselor for all of them. She came to speak and meet with them on a regular basis.

Other participants recommended after-school tutoring programs for struggling ELLs, in order to provide them with additional support and monitor their progress in a smaller setting.

The participants in this study also recommended reaching out to the parents to increase their involvement in the school, although they felt that it was difficult if the teacher did not speak Spanish or have the assistance of someone with Spanish language proficiency. Several of the teachers felt that parental participation in school activities could be increased by sending home newsletters in Spanish or by calling the parents on a regular basis. One teacher explained that:

I call on a regular basis because otherwise, I think some students would slip through the cracks. I feel like when it is little stuff, they can just slip through the cracks. I feel like calling the parents is an advantage. And that it motivates students because there is a way to contact their parents.

In addition to contacting parents, several participants felt that teachers should invite the families into the school environment to increase participation and provide families with information and resources that they can use to support their child’s growth.

CHAPTER 5. CONCLUSIONS AND IMPLICATIONS

This study is the first to examine ESL teachers' perspectives of the prereferral processes for identifying adolescent Latino ELLs with suspected SLDs. Although none of the ESL teachers who participated in this study formally used RTI and half were not familiar with RTI, they described the use of prereferral practices that were very aligned with the RTI model. While the participants felt these prereferral processes were appropriate with ELLs, they did not feel that the process resulted in the accurate identification of Latino ELLs with SLDs. The participants expressed concern that lack of parental participation impeded identification, but they described special education department resistance as the single most frustrating and detrimental factor. The exclusion of ESL teachers from the identification process and the lack of native-language assessment for ELLs are important findings. The most significant and compelling data that has resulted from this study is the evidence that the prereferral processes of research-based intervention and progress-monitoring are given as reasons to delay or refuse identification of ELLs. The "Catch-22" of requiring adolescent Latino ELLs to be fluent in English prior to being identified as having a SLD is also a critical finding from this research.

Researcher Assumptions

My own assumptions as a researcher are discussed in this section so that readers will be aware of how my own experiences, values, and biases might have influenced the data analysis. This process also allowed for self-reflection into the influence of my assumptions on the study approach and design. Within a phenomenological approach, it should not be assumed that a researcher is bias-free (Ponterotto, 2005), but the self-reflection process helped me to better

understand my own assumptions and to work to limit bias in the study. This section presents the relationship between my personal experiences and the motivation for this study, as well as my reactions to the study that were recorded as analytical notes and memos. These assumptions and reactions are organized according to the following categories: (a) previous experience with the phenomenon, (b) personal motivation, and (c) reactions during data collection.

Previous Experience

I had prior experience implementing prereferral support for ELLs with suspected SLDs during the eight years that I worked as an ESL teacher and ESL specialist. During my first year of teaching ESL in a U.S. high school, I noticed that four ELL students in one class had remained in ESL intermediate-level classes for extensive periods of time, sometimes since elementary school, but their assessment scores showed extremely slow progress in English throughout their school experience. After observing the students in class and reviewing their work, I became increasingly concerned about the possibility that the students had learning disabilities that were never identified.

During my experience as a graduate student and teacher in an ELL-majority school, I had exposure to extensive discussions and literature about historical practices of ELL overrepresentation but had little knowledge of issues of ELL underrepresentation. At this time, I had not taken a special education class and was not aware of policies for referring ELLs with suspected SLDs. After identifying several ELLs who I suspected had SLDs, I followed the directions I received from my department chair to collect anecdotal notes, class work, and intervention support outcomes for each student. The information I collected indicated to me that two of the students needed to be referred for special education evaluation. Upon discussing the evidence with the department chair, I was instructed to provide intensive intervention for the

students because there was too little time left in the school year to have the students evaluated. The following school year, I was informed that the students could not be evaluated during their senior year. Without a knowledge of referral policies, I continued to provide small-group and individual intervention for these students during regular after-school, lunchtime, and Saturday tutoring sessions. Although both students had the requisite number of credits for graduation, neither received a high school diploma at the end of their senior year since they were unable to pass the state English language arts exit exam. If the students had been referred, evaluated, and diagnosed with SLDs, they would have received accommodations on the exit exam. I felt that I had failed these students by not referring them for special education evaluation.

Throughout subsequent teaching experiences in different schools, districts, and states, I felt that the challenge of how to differentiate between a language acquisition and learning disability, as well as the procedures for identifying ELLs with suspected SLDs, remained a constant issue. Discussions with content teachers, special education teachers, school counselors, and university professors further pointed to confusion and frustration about practices for identifying ELLs with SLDs. I began to wonder how other ESL teachers viewed the prereferral process for identifying ELLs with SLDs. How did they differentiate between language acquisition and learning disabilities? Were they successful at using prereferral processes to identify ELLs in need of special education referrals? Did they use progress-monitoring interventions and, if so, how? Did they collaborate with other educators or ELL families during the prereferral process? What practices did they view as effective and what challenges did they perceive during the prereferral process with adolescent ELLs with suspected SLDs? These experiences and questions led me to design this study.

Prior Beliefs. Throughout my teaching experience, I developed the sense that ESL teachers were often monitored less than other teachers and suspected that this was related to the accountability measures for school performance. Although ELLs were typically included in English content-area assessments, state ESL assessment results were often not included in the school performance report cards. Other than one large, urban school that primarily served ELLs, I rarely experienced being observed while teaching or knew of other ESL teachers being observed by school administrators. In several situations, general education teachers expressed feelings of anger over the smaller number of students in ESL classes, compared to the larger, mainstream class sizes. In other cases, content-area general education teachers conveyed frustration over low ELL math and science assessment results that they said unfairly impacted their performance in a negative manner.

During my prior teaching experiences, I noticed that the ESL teachers often spent the most classroom time with the ELL students, in comparison with their other elective or content teachers. This observation prompted the decision to study the perceptions of ESL teachers, since I suspected that ESL teachers were more likely to identify adolescent ELLs with SLDs. Because of their experiences and knowledge related to ELLs and ESL pedagogy, I felt that it would be valuable to study ESL teachers' perceptions of the prereferral processes for the identification of ELLs with suspected SLDs. This study was designed with the belief that ESL teachers' perceptions can help other educators learn how to monitor and support the academic needs of ELLs who have suspected SLDs, as well as provide important insight into how to improve the prereferral processes for identifying ELLs with SLDs.

Personal Motivation

My personal motivation for examining ESL teachers' perspectives of the prereferral process for ELL identification is tied to my belief that appropriate and timely ELL identification and support can help improve the outcomes for low-performing adolescent Latino ELLs with suspected SLDs. The literature base suggests that ESL teachers have typically been excluded from research on ELL identification, but that the identification of ELLs has continued to exist as a problem for educators (Rinaldi & Samson, 2008). An IPA design was appropriate for this study, in order to allow ESL teachers to describe their experiences, perspectives, and recommendations for improving the outcomes for struggling adolescent ELLs.

Reactions during Data Collection

During the recruitment process, I found that the ESL department coordinators and the ESL teachers were supportive of the study. Many of the participants expressed excitement about participating in this study and having an opportunity to share their thoughts on the subject. My expectation was that it would be challenging to find participants who would agree to the interview, but this was not the case. Several participants shared that they participated in the study because they felt it was an important or understudied subject. One participant stated that:

I am really glad that you are doing this. I really hope that it goes further and it does help to make some changes. Because I know myself and the other ESL teachers are all so frustrated over this issue.

It was a very rewarding experience to switch from being a former ESL teacher to being a researcher studying ESL teachers' perspectives, although this switch required me to be extremely mindful of my actions and responses. I became very aware that I could not react to participant's comments through my body language, such as nodding in agreement to statements that were

made. I was also very mindful throughout the data analysis phase. During this time, I became increasingly aware of the importance of examining the data with knowledge of my prior experiences, biases, and assumptions. This self-reflection process impacted the study in a valuable way, as it increased my consciousness of how researcher assumptions might influence the data analysis process and allowed for me to work to limit such biases. Finally, the experience of utilizing second researcher inter-rater reliability was also positive, as it allowed me greater confidence in the validity of the data.

Theoretical Discussion of Findings

As reflected by the use of the phenomenological approach for this study, the aim of this research was not to create new theories nor confirm or deny preexisting literature on ELL prereferral processes. The study goals were to add the missing perspectives of ESL teachers to the literature base on ELL prereferral and to provide direction for educators, policymakers, and future researchers. Considering this, it is possible to discuss how the study findings relate to the LatCrit paradigm and the existing literature related to prereferral processes for the identification of adolescent Latino ELLs with suspected SLDs.

The LatCrit paradigm examines both the historical practices of Latino discrimination, as well as the current inequalities that are experienced by Latino people (Perea, 1997). LatCrit seeks to address the ways that the Latino population are excluded or exploited through language, culture, and immigration status (Carbado, 2002). LatCrit analysis should consider the larger context of the Latino experience and the complex practices of discrimination against Latinos (Carbado, 2002). In education research, the LatCrit paradigm can be used to explain the foundation of discriminatory policies, laws, movements, and propositions for Latino students in U.S. schools (González & Portillos, 2007).

The comparison of the study findings to the LatCrit paradigm indicates aligned perspectives. The findings will be discussed in relation to the following LatCrit categories:

1. Historical context of anti-Latino racism in education (Perea, 1997);
2. Exclusion of Latinos based on language, culture, and immigration status;
3. Practices of Latino exploitation in education (Carbado, 2002); and,
4. Anti-Latino policies, laws, movements, and propositions in U.S. schools (González & Portillos, 2007).

Historical Context of Anti-Latino Racism in Education. According to Perea (1997), LatCrit research must examine study findings through the historical context lens of Latino education. As discussed in the review of the literature, U.S. schools have a long-standing history of discriminating against Latinos ELLs through inappropriate and invalid identification, assessment, and evaluation practices (Abedi, 2003). The findings from this study suggested that the equitable and appropriate identification of Latino ELLs with SLDs continues to be a problem. The teachers who participated in this study felt that their Latino ELLs were not being identified in a timely and appropriate manner. The interviewees expressed their belief that this has resulted in Latino ELL underidentification of SLDs. According to the participants, these unidentified Latino ELLs with SLDs have not received the appropriate support that they have needed, such as accommodations on state-required graduation tests. By failing to identify these students, the interviewees felt that this student population had a much greater risk of aging out of secondary school without a diploma or dropping out of school prematurely. These findings indicate that there are continuing inequities that are experienced by Latino ELLs with SLDs in U.S. schools which align with historical practices of anti-Latino racism in education.

Exclusion of Latinos Based on Language, Culture, and Immigration Status.

According to Carbado (2002), the LatCrit paradigm requires data analysis to address the ways that Latinos are excluded or exploited through language, culture, and immigration status. The study findings indicate that the ESL teachers who participated in this study felt that their Latino ELL students were excluded from appropriate and timely identification procedures due to factors that include language, culture, and immigration status. They expressed concern that student identification procedures were delayed due to language. They further believed that Latino parents were less likely to participate in the identification process because of differences in cultural views and beliefs, as well as fears related to immigration status. In order to provide equitable identification of Latino ELLs with SLDs, the interviewees expressed their belief that U.S. educators should work to better understand SLA and ELL cultural background, as well as reach out to Latino ELL families to encourage greater understanding of student rights and facilitate increased school participation. The exclusion from the identification process perceived by the ESL teachers further suggests the exclusion of Latino ELL students and families.

Practices of Latino Exploitation in Education. Research conducted through the LatCrit lens aims to identify and confront anti-Latino practices (Carbado, 2002). The findings from this study suggest that ESL teachers perceive Latino ELLs as being exploited through the delay or refusal of special education departments to identify students with SLDs. The teachers interviewed in this research study felt that it was unfair and unrealistic to expect adolescent ELLs with SLDs to wait for English language proficiency to be identified. Additionally, they felt that middle and high-school level ELLs with SLDs may not have the five to seven years of English instruction recommended to reach this level of proficiency. The participants felt that the use of language as a barrier to identification excludes Latino ELLs with SLDs from being identified in

a timely manner. Further, the interviewees expressed the belief that the use of invalid assessment practices, such as tests that are not culturally or linguistically appropriate, should not be used to identify adolescent Latino ELLs with SLDs. By failing to identify Latino ELLs with SLDs, the ESL teachers perceived schools as withholding accommodations or support services that identified students with SLDs are entitled to receive.

Anti-Latino Policies, Laws, Movements, and Propositions in U.S. Schools. A LatCrit analysis of educational research data requires the consideration and examination of how legislation and policy may discriminate against Latino students in U.S. schools (González & Portillos, 2007). The findings from this study point to several areas of concern. First, although IDEA 2004 addressed the need to reduce disproportionate representation patterns of minority students in special education, this study provides evidence ESL teachers believe that adolescent Latino ELLs are not being identified in an equitable manner. Although research-based intervention and progress-monitoring was included in federal legislation and was recommended as a means of reducing disproportionate ELL representation in special education (Ortiz, 2003), this study suggests that ESL teachers view this approach as a means to delay ELL identification. The study indicates that ESL teachers believe that gaps in special educator knowledge about ELLs may negatively impact the success of using research-based intervention and progress-monitoring. Further, the findings of this study suggest that ESL teachers feel that Latino ELLs are not being appropriately assessed through the use of valid or native-language assessments.

In a LatCrit analysis, the larger context of the Latino experience and the complex practices of discrimination are considered in depth (Carbado, 2002). The conceptual framework of the proposed study was based upon the inclusion of research related to the wider educational context of Latino ELLs in U.S. schools, including factors of demographic data, teacher quality,

and performance outcome. The framework seeks to address Latino ELL identification through the consideration of teacher experience and preparation, school resources and culture, as well as the characteristics and needs of the entire population of Latino ELLs with academic difficulties.

The development of the conceptual framework was further impacted by the importance of examining policy for ELLs that exists in LatCrit paradigm. Because policy often fails to adequately address the needs of the Latino population (González & Portillos, 2007), this study proposes to examine ESL teachers perceptions of federal disability policy implementation with Latino ELLs.

Implications

Prereferral Practice

This study points to several implications for ELL prereferral practice. First, the ESL teachers who participated in this study felt that research-based intervention and progress-monitoring were effective prereferral practices to support and identify Latino ELLs in need of special education referral. This finding is aligned with prior research studies that have suggested that prereferral intervention could provide more appropriate support and identification of ELLs with SLDs than the IQ-discrepancy approach (Limbos & Geva, 2002; Ortiz & Kushner, 1997; Richards et al., 2006). Second, the findings indicate that the participants have received minimal training on RTI and special education issues. Data suggest that the ESL teachers who participated in this study felt that additional professional development in these subjects would be valuable. This finding is aligned with other studies on the need to provide professional development on RTI for educators (Greenfield et al., 2010; Orosco & Klingner, 2010). Third, although the ESL teachers were knowledgeable about ESL pedagogy, SLA, and cultural competencies, they felt that appropriate identification did not result from their implementation of

prereferral processes because other educators lacked the requisite training and resources. This finding supports prior research findings that educators are often unwilling or unable to implement prereferral interventions with ELLs because of gaps in preparation related to identifying ELLs with SLDs (Conway et al., 2000; Orosco & Klingner, 2010; Sanchez et al., 2010; Wilkinson et al., 2006). Exposure to sociocultural theory could further assist educators in acquiring an understanding of how cultural and linguistic background impacts student behavior, instructional needs, and assessment validity. According to Miramontes, Nadeau, and Commins (1997, pp. 15), “Schools can make a positive and significant difference for students when educators account for the complex interaction of language, culture, and context, and decisions are made within a coherent theoretical framework.” The implications from this study suggest that educators need to be provided with professional development on RTI implementation, as well as SLA and ESL pedagogy.

Finally, it is also clear from this study that ESL teachers believe that greater collaboration between special education departments, ESL departments, and Latino ELL families is needed for the prereferral process to be successful and equitable. This finding is aligned with the study conducted by Sanchez and colleagues (2010), which indicated that collaboration gaps may result in inconsistencies and delays when referring ELLs. Professional development should be focused on collaborative-based approaches that develop participation between these stakeholders as well as school administrators, staff, and other educators in order to improve the instruction, intervention, and progress-monitoring of ELLs with suspected SLDs (Kushner, 2008).

Prereferral Policy

This study has several policy implications. First, while IDEA 2004 addressed the importance of reducing disproportionate ELL representation patterns, the participants in this

study felt that Latino ELLs were underidentified and underserved. It is important that federal, state, and local policies focus on ensuring appropriate, timely, and fair identification practices for ELLs. Policies should be developed to mandate increased levels of collaboration between ESL departments, school administrators, content teachers, and special education departments, as well as to ensure timely review of evidence and documentation related to ELLs with suspected SLDs.

Given the large and growing ELL population, federal legislation should also further address the issue of native-language assessments for ELLs. IDEA 2004 states that “materials or procedures shall be provided and administered in the child’s native language or mode of communication, unless it is clearly not feasible to do so” [P.L. 108-446 §612 (a)(6)(B)]. There is no definition of “clearly not feasible” and this study suggests that Spanish assessments are not being provided although this population is the largest ELL population in the U.S. Participants in this study felt that assessing ELLs in English is invalid and delaying assessment because of language is discriminatory. The literature supports that English assessments are not valid measures of ELL ability and result in disproportionate ELL representation in special education categories (Abedi, 2003; Donovan & Cross, 2002; Harris-Murri et al., 2006). The participants in this study felt that their schools used English assessments because the small ELL population did not warrant the additional costs and because Latino ELL parents did not advocate for appropriate assessments. More research on the provision of native-language assessments with Latino ELLs is needed to determine whether policy should more directly mandate the use of Spanish-speaking assessments with Latino ELLs, given that Spanish-speaking ELLs are the fastest-growing student population and comprise the vast majority of ELL students in the U.S. (NCES, 2004).

Finally, this study has implications for future policy related to the use of RTI. The findings suggest that teachers with knowledge of SLA, ESL pedagogy, and sociocultural theory

view research-based intervention and progress-monitoring as appropriate prereferral processes with ELLs. However, findings also show evidence that these processes may result in delayed identification of ELLs with SLDs when other educators involved in the process do not have the requisite knowledge of SLA and ELL students. These findings are aligned with those of Orosco and Klingner (2010) and Greenfield and colleagues (2010). Future policy should be developed to ensure that all educators complete mandatory training in working with ELLs so that all teachers are equipped to instruct, assess, and provide needed supports to ELL students. In addition, the ESL teachers in this study had received little to no prior training related to identifying SLDs and this study suggests that ESL teachers would benefit from professional development on RTI and special education policies for identifying students with specific learning disabilities.

Prereferral Research

The findings from this study indicate that ESL teachers may effectively use research-based intervention and progress-monitoring in the prereferral process when conducted in small, sheltered English language instruction classes. Additional research is needed to provide more in-depth information on what prereferral processes look like in the ESL classroom. Future research should more closely examine the use of RTI with ELLs. Research that examines ESL teacher implementation of interventions with ELLs through in-class observations would further add to this previously-unexplored area of study.

The findings from this study also suggest that additional research on the provision of native-language assessments is needed. The teachers who participated in this study felt that Spanish-language assessments were not being provided because of cost, limited access to qualified test administrators, and lack of advocacy for the administration of native-language

assessments with ELLs. Future research is needed to examine the availability of Spanish-language assessments and translators, as well as the validity of Spanish-language assessments and resources. Additional research on the perceived disconnect between administrators and ESL teachers related to “clearly not feasible” would be a valuable addition to the literature base.

This research adds to prior studies of RTI with ELLs that found that RTI to be ineffective when implemented by educators without knowledge of SLA, ESL pedagogy, and sociocultural theory (Greenfield et al., 2010; Orosco & Klingner, 2010; Xu & Drame, 2008). This study suggests that RTI may fail to result in appropriate identification even when implemented by educators with this requisite knowledge, if other stakeholders involved in the process do not have an understanding of these competencies. Future research should examine the practices used by ESL teachers in the process of documenting progress monitoring and the evidence that ESL teachers collect. It would be valuable to further study the need for professional development related to RTI, both for ESL teachers and special education teachers. One important question is whether RTI really does result in delayed identification of ELLs with SLDs at the secondary level. Another question is whether general educators who have knowledge of SLA, ESL pedagogy, and culturally and linguistically responsive instruction have the same experience when referring Latino ELLs with suspected SLDs. Additional research should also examine the perceptions of special education teachers relating to the use of research-based intervention and progress-monitoring with ELLs. Finally, it would be valuable to examine ESL teachers’ perceptions of the prereferral processes when implemented with special education teachers that are experienced with providing interventions, assessments, and supports for adolescent Latino ELLs with SLDs.

Limitations

There are several limitations to this study that should be addressed. Because of these limitations, the findings that resulted from this study should be interpreted with caution. The nature of this study was to provide an in-depth description of the experiences of a small and homogenous group of secondary-level ESL teachers and it is important to note that these findings are not generalizable. The study examined only ESL teachers' perspectives; therefore, the perceptions of administrators, paraprofessionals, students, parents, or other educators from these two school districts are unknown. It would be valuable to examine the perceptions of other stakeholders involved in the ELL prereferral processes in school districts with minority ELL populations, such as school administrators and special education teachers. Additionally, the findings should be interpreted with caution as the data were limited to two school districts in one state. Future studies should examine the perceptions of a larger population of ESL teachers who teach in school districts with minority ELL populations from several states.

Conclusion

U.S. schools have a long-standing history of disproportionately placing ELLs in special education categories. Through IDEA 2004, recent federal legislation has addressed the importance of providing equitable and appropriate identification of ELLs with SLDs, but little is known about whether such policy has resulted in fair and accurate identification practices with Latino ELLs. IDEA 2004 also included the option of using research-based intervention and progress-monitoring strategies in the identification of SLDs. While little research had examined practitioner implementation of such models with ELLs, the approach was championed as a method of reducing disproportionate ELL representation in this special education category. This study aimed to examine how such policy is implemented by practitioners and whether the

legislative changes have increased fair and accurate identification practices with ELLs. This study's findings provide evidence that ESL teachers perceive such methods as effective methods of identifying adolescent Latino ELLs with SLDs when applied by educators with knowledge of SLA, ESL pedagogy, and culturally and linguistically responsive instruction. At the same time, the findings suggest that ESL teachers believe these methods may result in delayed identification when other stakeholders involved in the process do not possess the requisite knowledge.

Adolescent Latino ELLs have the highest risk of experiencing academic failure in U.S. schools (Fry, 2007; NCES, 2009). It is imperative that special education and ESL departments effectively collaborate in order to identify adolescent Latino ELLs with SLDs in a timely manner and provide needed support services. Educators, policymakers, and researchers must focus on the goal of ensuring that all teachers are prepared with the training, knowledge, and skills needed to teach every student in the classroom, including culturally and linguistically diverse learners and students with disabilities. It is the hope of the author that this study will be one step towards reaching this goal.

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Appendices

Appendix A

PROSPECTIVE PARTICIPANT INITIAL CONTACT EMAIL/LETTER

Dear ESL teacher:

I would like to invite you to participate in a Virginia Commonwealth University (VCU) School of Education research study on the identification processes for English language learners (ELLs) with suspected learning disabilities. The purpose of this study is to examine the perspectives of middle and/or high school ESL teachers who instruct adolescent Latino ELLs. All participants will receive a \$20.00 gift card to Target as a token of appreciation for their time and contribution. Study participation will be limited to the first ten volunteers who respond by email to ferlisec@vcu.edu.

If you are selected to participate in the study, I will schedule an individual interview with you at a time and location of your convenience. The interview will take approximately between 45 and 60 minutes and will be recorded for accuracy purposes. The interview will consist of questions about your viewpoint and experiences related to the educational needs of ELLs with suspected learning disabilities. Participants will be asked not to use any identifying information during the interview. All participant information will be confidential.

By volunteering to participate in this study, you will be contributing to research that aims to improve educational supports for ELLs. You will also help to increase understanding of ESL teachers' perceptions of identification processes for ELLs with suspected learning disabilities. Please respond by email to ferlisec@vcu.edu, if you are interested in participating in this study. Thank you for your time and consideration.

If you have questions about this study, please contact:

Emily Ferlis (Ferlisec@vcu.edu) or Yaoying Xu (Yxu2@vcu.edu)

If you have any questions about your rights as a participant in this study, you may contact:

Office of Research
Virginia Commonwealth University
800 East Leigh Street
P.O. Box 980568
Richmond, VA 23298
Email: ORSP@vcu.edu
(804) 828-0868

Appendix B

RESEARCH SUBJECT INFORMATION AND CONSENT FORM

TITLE: ESL TEACHERS' PERCEPTIONS OF THE PREREFERRAL PROCESS FOR IDENTIFYING ADOLESCENT LATINO ENGLISH LANGUAGE LEARNERS WITH SPECIFIC LEARNING DISABILITIES

VCU IRB NO.: HM13635

This consent form may contain words that you do not understand. Please ask the study staff to explain any words that you do not clearly understand. You may review an unsigned copy of this consent form to think about or discuss with family or friends before making this decision.

PURPOSE OF THE STUDY

The purpose of this study is to explore ESL teachers' perceptions of the prereferral processes used to identify Latino English language learners with suspected specific learning disabilities. You are being asked to participate in this study because you have been identified as an ESL educator who works with adolescent Latino English language learners.

DESCRIPTION OF THE STUDY AND YOUR INVOLVEMENT

If you decide to be in this research study, you will be asked to sign this consent form after you have had all your questions answered and understand what will happen to you. This study involves the participation in a personal interview that will last approximately 45 minutes to one hour. The interview will address topics associated with identifying adolescent Latino English language learners with suspected specific learning disabilities, as well as instructional strategies to provide support to low-performing English language learners. With your permission, the interview will be recorded, but no names or identifying information will be recorded. After the interview, the recording will be transcribed and participants will be provided with a copy of the

transcript to review and make changes, if desired. It is anticipated that approximately 6-10 middle and high school ESL teachers will participate in the study.

RISKS AND DISCOMFORTS

It is not anticipated that talking about issues related to identifying adolescent Latino English language learners with suspected specific learning disabilities will create any psychological or emotional discomfort. However, you do not have to talk about any subjects that you prefer not to address and you can stop the interview at any time.

BENEFITS TO YOU AND OTHERS

You may not get any direct benefit from this study, but, the information we learn from people in this study may help us design better processes for students in schools.

COSTS

There are no costs for participating in this study other than the time you will spend participating in the interview.

PAYMENT FOR PARTICIPATION

You will receive a \$20.00 gift card to Target as a token of appreciation for your participation in this study. You will receive the gift card upon completion of your interview.

CONFIDENTIALITY

Potentially identifiable information about you will consist of interview notes, memos, and recordings. The interview data is being collected only for research purposes. Your data will be identified by a number, not names, and stored separately from any contact information you provided to schedule the interview. All personal identifying information will be kept in password protected files and these files will be deleted three months after the close of the study. According to Virginia Commonwealth University policy, participants must provide an address in

order to receive a gift card. This information will be limited to Virginia Commonwealth University and will be stored in a secure and protected location for one year, after which it will be destroyed. The consent forms and any notes will be kept in a locked file cabinet and will be destroyed within three months of the end of the study. Access to all data will be limited to study personnel. A data and safety monitoring plan is established.

We will not tell anyone the information you provide; however, the information from the study and the consent form signed by you may be looked at or copied for research or legal purposes by Virginia Commonwealth University.

What we find from this study may be presented at meetings or published in papers, but your name will not ever be used in these presentations or papers.

The interview sessions will be audio-taped, but no names will be recorded. At the beginning of the interview, you will be identified by a number and asked not to disclose any identifying information related to yourself, your school district, your location, your students, or your community. The tapes and the notes will be stored in a locked cabinet. The tapes and notes will be destroyed within three months of the study close.

VOLUNTARY PARTICIPATION AND WITHDRAWAL

You do not have to participate in this study. If you choose to participate, you may stop at any time without any penalty. You may also choose not to answer particular questions that are asked in the study. You may withdraw from the study at any time.

QUESTIONS

In the future, you may have questions about your participation in this study. If you have any questions, complaints, or concerns about the research, contact:

Dr. Yaoying Xu
Assistant Professor, School of Education
101 West Main Street, PO Box 842020
Richmond, VA 23284-2020
804-828-5298
Yxu2@vcu.edu

If you have any questions about your rights as a participant in this study, you may contact:

Office for Research
Virginia Commonwealth University
800 East Leigh Street, Suite 113
P.O. Box 980568
Richmond, VA 23298
Telephone: 804-827-2157

You may also contact this number for general questions, concerns or complaints about the research. Please call this number if you cannot reach the research team or wish to talk to someone else. Additional information about participation in research studies can be found at <http://www.research.vcu.edu/irb/volunteers.htm>.

CONSENT

I have been given the chance to read this consent form. I understand the information about this study. Questions that I wanted to ask about the study have been answered. My signature says that I am willing to participate in this study. I will receive a copy of the consent form once I have agreed to participate.

 Participant name printed

Participant signature

Date

 Participant address

City

State

 Name of Person Conducting Informed Consent

(Printed)

 Signature of Person Conducting Informed Consent

Date

 Principal Investigator Signature (if different from above)

Date

Appendix C

INTERVIEW INSTRUMENT

Introductory Script

“Thank you again for your willingness to participate in this study. As I described in the email or letter, this interview is part of a research project on the identification of Latino English language learners with suspected specific learning disabilities. Throughout this interview, I will refer to English language learners as ELLs. This interview should take between 45 and 60 minutes. I would like to record our conversation to ensure that I record all of your answers accurately. No one other than the researchers will hear this recording. In order to maintain your privacy and the privacy of others, I would like to ask that you refrain from identifying yourself or others by name, school, school district, or location. You may stop the interview at any time. Do you have any additional questions? Do you give me permission to begin recording?”

Questions

1. “To start, I would like to ask you a few questions about your teaching experience and background.”
 - a. “How long have you been an ESL teacher?”
 - b. “What preparation or training did you receive for teaching ELLs?”
 - c. “Have you ever taken special education classes or received professional development related to the identification of specific learning disabilities?”
2. “Thank you. Now, I would like to ask you about your current classes.”
 - a. “How many classes are you teaching this year?”
 - b. “Do you collaborate with any other teachers to co-teach any classes?”

- c. “How many students do you have in each class?”
 - d. “How many of your students are Latino ELLs?”
 - e. “How would you describe the cultural, ethnic, linguistic, and educational backgrounds of your students?”
3. “Thank you. Now, I would like to talk about Latino ELLs with suspected specific learning disabilities.”
- a. “What characteristics or behaviors might indicate an ELL may have a learning disability?”
 - b. “How do you differentiate between normal language acquisition and a possible learning disability with ELLs?”
 - c. “Have you ever suspected that any of your Latino ELL students had a specific learning disability? What is the most effective practice when an ELL shows signs of a potential learning disability?”
4. “Now, I would like to discuss educational supports and assessments.”
- a. “What supports or assessments do you use with low-performing Latino ELLs? Have you ever used progress-monitoring or response to intervention? If so, how did you provide this support and what was the outcome?”
 - b. “How do you work with Latino ELL families of low-performing students or students with suspected learning disabilities?”
 - c. “How do you work with other educators to provide support or assessment of struggling ELLs?”
 - d. “During your teaching career, have you observed any changes to the processes of providing educational supports or assessments with struggling ELLs or ELLs with suspected learning disabilities?”

- e. “What do you feel are the most effective practices for supporting low-performing ELLs with suspected learning disabilities?”
- f. “What do you feel to be the greatest challenge ELL students with suspected learning disabilities? What is the most challenging aspect of the identification or support process for educators?”
- g. “Do you have any recommendations for other educators who work with struggling Latino ELLs or who identify Latino ELLs with suspected learning disabilities?”

Closing Statement

“Thank you so much for your time. Please accept this gift card as a token of appreciation for your participation in this study. I will be sending you a copy of this interview transcript. If you review the transcript and wish to alter any answer, please email me back and I will be happy to make any changes. Do you have any questions for me?”

“Thank you again, and good luck with the rest of the school year.”

VITA

Emily Christine Ferlis was born in Washington, DC on May 22, 1980 and attended Osbourn Park High School, Manassas, Virginia. She received her Bachelor of Art from the University of Virginia in May 2002. She taught English as a Second Language (ESL) in Kuwana, Mie, Japan from 2002 to 2004 in the Japan Exchange Teaching Program. In June 2005, she became a New York City Teaching Fellow and taught high school ESL classes in the Washington Heights neighborhood of New York City. Emily received her Master of Science in Teaching English to Speakers of Other Languages in June 2007 from The City College of New York. After becoming a Georgetown University and U.S. State Department English Language Fellow in July 2007, she instructed classes at Plovdiv University, Bulgaria, and teacher education workshops in Serbia and Estonia. She was then employed as ESL Specialist at Virginia Commonwealth University and a Program Development Specialist with the Virginia Adult Learning Resource Center. In August 2008, she entered Virginia Commonwealth University to complete her Doctor of Philosophy in Education in March 2012.