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The effects of labeling Hispanic English language learners as learning disabled

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The Effects of Labeling Hispanic English Language Learners as Learning Disabled

By

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The Effects of Labeling Hispanic English Language Learners as Learning Disabled

Dissertation

Submitted in Partial Fulfillment of the Requirements for the Doctorate in Education in Curriculum and Instruction with a Specialization in Bilingual Studies

The University of Texas at Brownsville

By

Yvonne Freeman, Ph.D. Chair

David Freeman, Ph.D. Committee Member

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Dedication

I dedicate this dissertation to my three daughters, Denise, Rebecca, and Sarah, and my granddaughter, Sydney. May my work inspire all of you to believe in your abilities and in the abilities of others, to work hard, to have faith in God, and to follow your dreams as my mother and grandmother inspired me to do.

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I would like to thank my dissertation chair, Dr. Yvonne Freeman, for her support, time, and direction. Her attention to detail helped me accurately explain my students' experiences. I would not have been able to complete this dissertation without her continuous guidance and encouragement.

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I am also extremely thankful to my family and friends who supported me and understood when I could not join them throughout these four years and especially during the writing process. Most importantly, I would like to thank my husband for the many dinners he cooked for me and for the endless evenings and weekends he spent watching television quietly while I wrote and rewrote this dissertation. Thank you my love.

And lastly, I would like to thank the students and their parents for sharing their educational and personal journeys with me. I am truly grateful.

Abstract

English language learners (ELLs) are often placed in special education due to lack of knowledge on the part of educators of the language acquisition process and because of the pressures educators face to meet state and federal accountability standards. Once in special education, many students' experiences lead to negative outcomes for those students including stigmatization, inadequate academic preparation, and few opportunities for a successful professional career potential.

The purpose of this cross case study was to investigate the effects of labeling English language learners as learning disabled (LD). Three ELLs with normal intelligence who were labeled as LD and placed in special education were identified for this study. The students' permanent record files and special education records throughout their schooling were first reviewed and analyzed. Then, the case study students and their parents completed surveys and participated in interviews conducted over a two year period.

The conclusions from the data analysis revealed that the students felt that their placement in special education was due to their lack of English language proficiency. Conclusions showed that there were problems with school personnel including a lack of knowledge of second language acquisition, non-compliance with special education requirements in the referral and evaluation processes, and failure to include the students' culture or other factors when identifying these students. These conclusions can be described by the Contextual Interaction Model which includes factors at the national and state levels, the community and family levels, and at the school level that influence schooling. The implications and recommendations for the teachers, administrators and

parents are discussed including the need for training in issues related to second language acquisition and cultural and environmental factors influencing the schooling of ELLs.

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Chapter One- Introduction to the Study

Introduction

The No Child Left Behind Act of 2001(NCLB) requires English language learners (ELLs) to successfully complete state assessments and course completion requirements in English in order to receive a high school diploma (Public Law 107-110, 2002). Schools and individual teachers are held responsible when ELLs do not meet these requirements. The pressures of meeting state and federal mandates coupled with the lack of educator knowledge of the language acquisition process, often leads educators to refer ELLs many of whom are Hispanic, to special education (Cummins, 1984; Klingner, Artiles & Barletta, 2006). Students who are placed in special education experience many negative outcomes including segregation, low achievement, and high dropout rates (Artiles & Harry, 2005). Most disheartening is the fact that many children who have been inappropriately labeled as learning disabled go through life believing that they are not as able as their non-special education peers (Harry & Klingner, 2006; Gergen, 1984). As Thoreau (1854) observed more than one hundred fifty years ago, “Public opinion is a weak tyrant compared with our own private opinion. What a man thinks of himself, that is which determines, or rather indicates his fate” (p. 50).

The low achievement and high dropout rates for students placed in special education have economic consequences. The future earning potential of Hispanic English language learner high school students depends on their educational attainment; however, their graduation rates are lower than those of whites (Bridgeland, Dilulio & Morison, 2006). While the nationwide high school graduation rate was approximately 77% for white students; only 56% of Hispanics graduated in 2007 (Swanson, 2010). In Texas,

the 2009 graduation rate for white students was 89.7% while the rate for Hispanics was only 73.5% (Texas Education Agency, 2010b). While it is true that all minority groups underachieve, there are "language and cultural obstacles for the nation's Latinos" (Yen & Armario, 2010, p.1) that result in their failure to graduate from high school. Although culture and language should not be regarded as obstacles, the fact that tests are given in English makes speaking a language other than English an obstacle.

The language obstacle is evident in the low graduation rate for limited English proficient (LEP) students in Texas; almost 92% of whom are Hispanic (Texas Education Agency, 2010a). Only 49.2% of LEP students graduated from high school in 2009 (Texas Education Agency, 2010b). This percentage rate is strikingly more than 40 points lower than the graduation rate for white students statewide. The LEP graduation rate of 53.4% for students in South Texas, where this study takes place, also lags behind those of white students.

One reason that language is an obstacle that affects the graduation rate for LEP students in Texas is the state assessment policy. Texas requires students from the sixth grade up, including LEP students, to undergo state assessments in English, some within two years of entering high school (Texas Education Agency, 2010b). This state testing guideline does not take into consideration the research on language acquisition that states that it takes ELLs between five and seven years to reach parity with native speakers of English on standardized tests of reading and math (Cummins, 1984; Thomas & Collier, 1997). Unfortunately, the pressure to meet state and federal accountability measures drives educators to largely ignore the language acquisition research, and this affects the decisions on proper program placement for LEP students (Harry & Klingner, 2006).

Because Hispanic ELLs do not do well on high stakes tests or because administrators fear they will not do well, the placement of these students in special education is common (Suarez-Orozco, Roos, Suarez-Orozco, 2000). Research indicates that LEP students are at greater risk of special education placement than other groups (Artiles, Rueda, Salazar, & Higareda, 2005). Besides the fact that students struggle with standardized tests, LEP student special education placement is high because of the similarity between the characteristics of students acquiring a second language and students with learning disabilities in the areas of reading and writing (Barrera, 2006). Klingner (2009) explains that teachers and schools often have difficulty determining whether a student has a language problem or a learning disability. This confusion often leads to an inappropriate referral to special education and eventual placement in special education.

Not understanding the characteristics of ELLs, then, often leads to the over-identification of a learning disability in the Hispanic English language learner population (Artiles, Rueda, Salazar & Higareda, 2005; Klingner, Artiles & Barletta, 2006). "The placement of students of color in special education classes is perhaps one of the most complex problems facing educators as we move into the new millennium" (Artiles, Harry, Reschly, & Chinn, 2002, p. 3). The overrepresentation was first documented more than thirty years ago with children who were placed in the mental retardation category and is now evident in the learning disabled category (Artiles & Trent, 1994). The fact that ELLs are at a greater risk than their English-speaking peers to be misidentified and placed in special education necessitates the need for research into the effects of the inappropriate labeling of ELLs as learning disabled.

At a recent U. S. Department of Education stakeholders' forum on educating diverse learners, Artiles explained:

> "We have not enough research conducted for students who are English language learners with disabilities. However, through the technical assistance work we've done and support systems that we have created, some of which with federal funding, we're beginning to develop a knowledge base that will allow us to understand the needs of these students.
>
> There are already some emerging concerning trends in terms of the percentage of some of these students that have been placed in special education, and the question behind those trends is to what extent are these students misidentified; that's the million dollar question in districts and schools" (Education Stakeholders Forum, 2009, p. 17-18).

The purpose of this research study is to examine the effects that the identification of a learning disability and placement in special education has on Hispanic English language learners. The goal of the study is to provide educators with an understanding of the effects of the inappropriate placement of ELLs in special education.

This chapter will provide the background of the issues related to the placement of students into special education, the statement of the problem, the research questions, the purpose of the study, and the conceptual underpinnings for the study. The concluding sections of this chapter include the limitations, assumptions, design controls, definition of terms, and the summary.

Background

There is an over-representation of English language learners in special education especially in school districts with a high number of ELLs (Artiles & Klingner, 2006). The over-representation may be due to a lack of second language proficiency rather than a learning disability. The negative effects of being misidentified and labeled as learning disabled substantially limits Hispanic English language learners' future chances for advancement in educational and career endeavors and affects their self worth (Artiles, et al. 2010). In order to provide the background for this study of the identification of Hispanic English language learners in special education, I will discuss the recent changes in the U.S. demographics, the lack of Hispanic academic achievement, the process for labeling ELLs as learning disabled, the over-representation of ELLs in special education, and the need for first language support.

Changes in Demographics

The overall Hispanic population in the U.S. will grow significantly in the next few years (U. S. Census Bureau, 2008). While the total U.S. population is expected to increase to 439 million, the Hispanic population will grow to 132.8 million by 2050. The U. S. Census Bureau predicts that one in three Americans will be Hispanic by the year 2050. This increase in the Hispanic population will also increase the number of Hispanic children in the nation's schools.

The U.S. Census Bureau predicts that the majority of school age children will be from a minority group by the year 2050 (U. S. Census Bureau, 2006). The percentage of minority school age children is expected to increase from 44% in 2008 to 62% by 2050, thus making the minority population the majority. The Hispanic minority is the largest

minority, making up 44% of the minority population and is expected to grow. The number of Hispanic children in particular, is increasing dramatically. Eighty percent of these Hispanic children speak Spanish.

The Hispanic minority is the largest minority in Texas, and in the border region there are more Hispanics than in the rest of the state (Sloat, Makkonen, & Koehler, 2007). In the region where this study takes place, Hispanic students represent 94% of the student population, which is almost double the percentage of Hispanic students in Texas, which is 45%. Additionally, the enrollment of students who are categorized as LEP in the region, the majority of whom speak Spanish, is 36.5%; more than double that of the state. The enrollment of students who are categorized as LEP in district of this study is 33% which is 51% higher than the state's percentage of LEP students at 16.9% (Texas Education Agency, 2010c).

Lack of Academic Achievement

The increasing number of Hispanics is a cause for concern for educators. Gándara and Contreras (2009) state that there is a Hispanic education crisis due to the dramatically low academic progress of Hispanics. The lack of academic progress of Hispanic students has been measured by the National Assessment of Educational Progress (NAEP) assessments (NCES, 2009). The NAEP assessments determined that 78% of fourth grade, 84% of eighth grade and 81% of twelfth grade white students met the basic level in reading. However, only 49% of fourth grade, 61% of eighth grade and 61% of twelfth grade Hispanic school children performed at or above the basic reading level on the same assessments. Furthermore, only 29% of fourth grade, 26% of eighth grade and only 22% of twelfth grade ELLs reached the basic reading level. Figure 1

illustrates the percentage of students who reached the basic reading level in the fourth, eighth, and twelfth grade for each population listed.

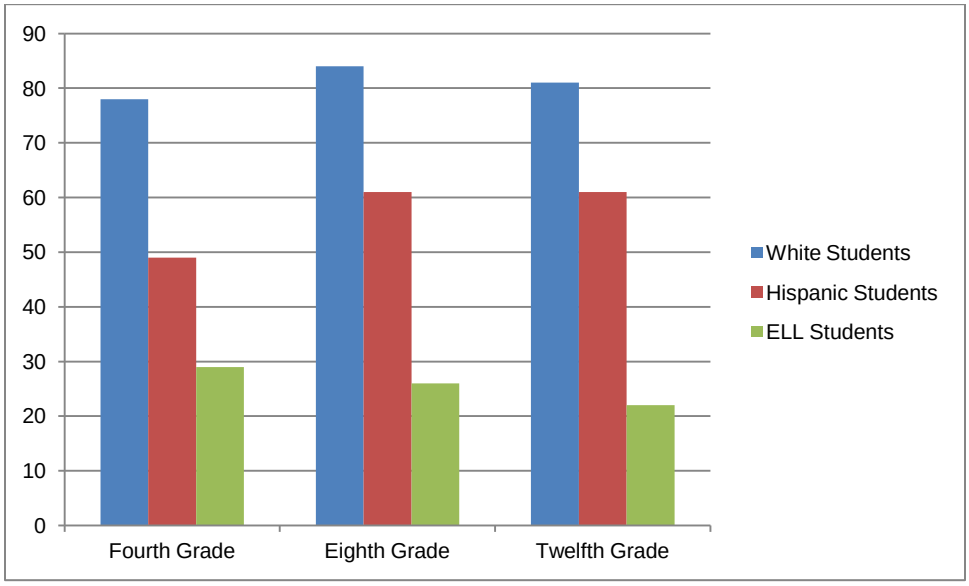

Figure 1. NAEP basic reading levels for White, Hispanic and ELL Students.

Short and Fitzsimmons (2008) reinforce the concerns about the academic achievement of ELLs, the majority of whom are Hispanic, explaining that high school adolescents consistently score below basic reading levels required for high school, higher education, and the workforce. Only around 50% of Hispanic students graduate from our high schools (Swanson, 2010). Given the large numbers of Hispanics, their low academic performance places not only the Hispanic population, but the entire country at risk. The overrepresentation of Hispanic students in special education contributes to the low academic achievement of Hispanics, and, especially, of Hispanic ELLs. One factor that contributes to Hispanic ELLs being overrepresented in special education is the process of assessing students for special education.

The Process for Labeling ELLs as Learning Disabled

The procedures used by assessment teams for determining whether a child has a learning disability vary greatly (Harry & Klingner, 2005). Assessment practices vary so widely that Barrera (2006) explains the models used for assessing LD as "A Perfect Storm of Inadequate Practices" (p. 142). Until 2004, the discrepancy model was used to determine a learning disability (Klingner, Artiles & Barletta, 2006). This model, described below, was inadequate for identifying students, especially English language learners.

Discrepancy model. Since the creation of learning disabilities as a category of special education, one of the methods used to qualify a student as learning disabled has been the discrepancy model (Public Law 94-142, 1975). The process followed for this model entails a comparison of a student's potential and his or her actual academic achievement. If students are performing below their expected potential, as measured by their IQ, in "oral expression, listening comprehension, written expression, basic reading skill, reading comprehension, mathematical calculation, or mathematical reasoning," they are determined to have a learning disability (Public Law 94-142, 1975, Section 614 (b)(6)(A). Like their special education learning disabled peers, ELLs often display discrepancies between their academic potential or IQ and their academic performance, the factor used to determine a learning disability (Barrera, 2006).

Klingner and Harry (2006) found that language issues are often ignored during the assessment process of ELLs. Public Law 94-142 included an additional provision for identification stating that the disability could not be caused by environmental factors such as lack of instruction, lack of motivation or socio-economic status. This provision is

seldom used. When these factors are ignored the assessment process for ELLs is invalid. Assessment teams seldom take into account the student's instructional program. When ELLs are placed in instructional programs delivered all in English, the effect is a lack of instruction. This often leads to lack of motivation to learn. However, assessment teams focus instead on the student's lack of success as the problem (McCook, 2006).

However, as of 2004, with the passage of Public Law 108-446, the use of the discrepancy model is no longer required. Assessment teams can now use assessment data gathered over time showing the results of research-based interventions on student progress as a method for determining a learning disability. One model that is being used in the district of this study, the Response to Intervention Model (RTI), incorporates the use of research-based interventions prior to determining a disability (McCook, 2006). This model changes the focus from the students' perceived deficits to the instruction students receive. However, the decision as to which model to use is left with the school districts. Artiles and Klingner (2006), recommend studies on the effects of implementation of RTI on ELL referrals because the results should provide a more accurate assessment of student abilities.

Special education ELL assessment problems. The ELL special education assessment process has been further complicated by the assessments used to determine the discrepancy (Artiles & Klingner, 2003). The process used to assess ELLs is often unreliable due to assessors using instruments that are not valid for students who speak a language other than English (Klingner & Harry, 2006; Yzquierdo, Blalock & Torres-Velásquez, 2004). Klingner and Harry (2006) found that in some cases, psychologists who knew the tests were not reliable still chose to use them and ignored the students'

abilities in their first language altogether. Moreover, valid assessments for bilinguals have yet to be created that can accurately determine whether a child whose first language is not English has a disability or has simply not acquired a high enough proficiency in the second language (Artiles & Klingner, 2003).

Klingner and Harry's (2006) ethnographic study of the processes associated with referrals of ELLs found several serious problems. They reported that referral assessment teams used inappropriate assessments. Some of the students were only tested in English, and some were tested in English and Spanish using tests that were based on norms for monolingual English speaking students. In fact, the researchers found that the teams did not even discuss whether the child's problems could be related to language acquisition.

Distinguishing between a language problem and a learning disability.

Klingner, Artiles and Barletta (2006) agree that there is a problem in distinguishing between ELLs who are struggling with acquiring English and ELLs who may actually have a learning disability. In their studies, Artiles and Klingner (2006) found that the most prevalent reason for diagnosing an ELL as learning disabled is due to reading difficulties. In a 2009 study, Klingner supported the earlier conclusion showing that teachers and schools often have difficulty determining whether a student has a language problem or a disability due to the struggles they display, particularly with reading. In the same way, Barrera (2006) explains that there is a lack of research regarding whether an ELL is struggling with literacy because she has a disability or because of being a second language learner.

Klingner and Harry (2006) recommend more training for assessment teams on issues including second language acquisition and suggest that an expert in second

language acquisition be at all assessment meetings. They also strongly encourage changing the focus of the assessment team from deficit seeking to supporting student needs and appreciating cultural diversity.

Over-representation of ELLs in Special Education

Over-representation is determined by comparing the percentage of students served in special education from a particular racial or ethnic group or from among English language learners to the percentage of the group in the general population (Klingner, Artiles, Kozleski, Harry, Zion, Tate, Durán, & Riley, 2005). If the percentage of students in special education from that group is greater than the percentage of the group in the general population, then the group is over-represented in special education.

The nationwide figures of Hispanics in special education do not indicate an over-representation of Hispanics (Donovan & Cross, 2002). However, Donovan & Cross (2002) did find individual state rates do indicate an overrepresentation of Hispanic students in the learning disabled category.

While research studies point to the overrepresentation of ELLs in special education, the reasons for the diagnoses are unclear (August & Hakuta, 1997, Cummins, 1984). In discussing ELLS and their placement into special education, Barrera (2006) tells us that

> The unique nature of the language and disability-related problems of these students, combined with the often inadequate preparation of general, special education, and bilingual/ESL educators and the lack of consensus on the nature and definition of LD, seem to have produces a system of misdiagnosis, inappropriate decision making, and poor instructional planning. (p. 143)

This is especially evident in districts with high numbers of ELLs at the secondary level. In a study of urban districts in California, Artiles et al. (2005), found that ELLs represented 18.4% of the population of students placed in special education when ELLs only represent 9.34% of the total student population at the secondary level. This means that ELLs were twice as likely to be found in special education when compared to their percentage in the general population, and thus were overrepresented in special education.

In an attempt to correct the overrepresentation of ELLs in special education, federal legislation requires states to monitor and address the issue of overrepresentation of Hispanics and limited English proficient students in special education (Artiles & Klingner, 2006). However, addressing these students' needs can be difficult because the procedures for identifying ELLs for special education vary significantly across the United States (USDOE & NICHD, 2003).

Texas data. Texas statewide data does not indicate an over-representation of Hispanic ELLs in special education (TEA, 2009b). Overrepresentation in Texas is determined by having at least one positive percentage point difference (discrepancy) between the percentage of LEP students in special education and the LEP percentage of students in the general population (TEA, 2009b). Hence, when comparing the 15.00 % of LEP students in special education to the 16.09% LEP students in the general population; there is a -1.09 difference which indicates that ELLs are underrepresented rather than overrepresented in special education statewide (TEA, 2010b). Researchers can not pinpoint the reason for the underrepresentation, but in general, areas with large numbers of Hispanic ELLs do indicate an overrepresentation (Artiles, et al., 2005; Donovan & Cross 2002).

Regional Data. Although there is not an overrepresentation of ELLs in Texas in general, there is an over-representation of ELLs in the area where the study was conducted. Figure 2 below depicts the data for students in Region 1 Educational Service Center, which encompasses the districts in the Rio Grande Valley from Brownsville to Laredo (Region 1 ESC, 2009). This figure illustrates the percentage of special education LEP students in comparison to the percent of the LEP student population in Region 1 There was a +20.3 point discrepancy in 2007; a +19.2 point discrepancy in 2008; and a +7.6 point discrepancy in 2009 (TEA, 2009).

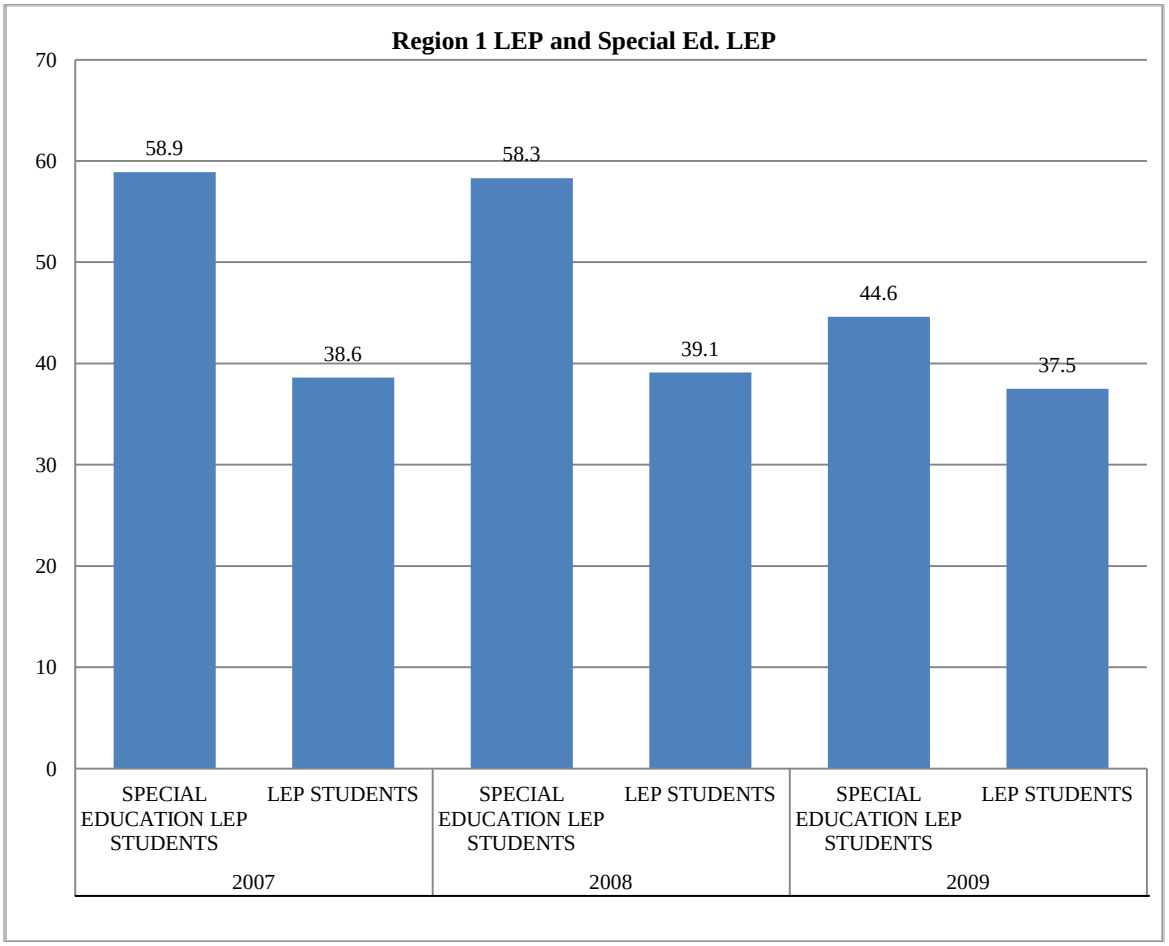

Figure 2. 2007-2009 Enrollment Percentages for LEP Students and Special Education LEP Students in Region 1. (TEA, 2009b).

The data reflects that the overrepresentation has decreased, but that ELLs are still over-represented in special education in the region. The reason for the decrease in the overrepresentation of ELLs in special education for the region is yet to be determined. However, TEA implemented a new provision in 2008 that allowed special education committees in collaboration with the language proficiency assessment committee (LPAC) to determine special education students' LEP status (TEA, 2008). The state guidelines left the decision to exit students to these committees which led to many students being dropped from LEP status. In the Texas Administrative Code (TAC) TEA has since refined the process and states that this provision should only be used in rare cases (Texas Education Agency, 2010d).

> The exit criteria under TAC §89.1225(h) apply to the vast majority of LEP students who receive special education services. In rare cases, a LEP student receiving special education services may qualify to be exited using criteria permitted under TAC §89.1225(k), which give special consideration to a LEP student for whom assessments and/or standards under TAC §89.1225(h) are not appropriate because of the nature of a student's particular disabling condition. (p.1)

Further research into the implications and the effects on the academic progress of LEP students in special education due to these new guidelines is needed.

District Data. When comparing the percentage of LEP students in special education to the overall percentage of LEP students in the district of this study, the data indicates an overrepresentation of LEP students in special education (TEA, 2009a). Figure 3 below indicates an over-representation of 12.1 in 2007, 11.3 in 2008 and 9.9

percent in 2009. The over-representation in the district has decreased but the over-representation is even higher than the Region's 7.6%.

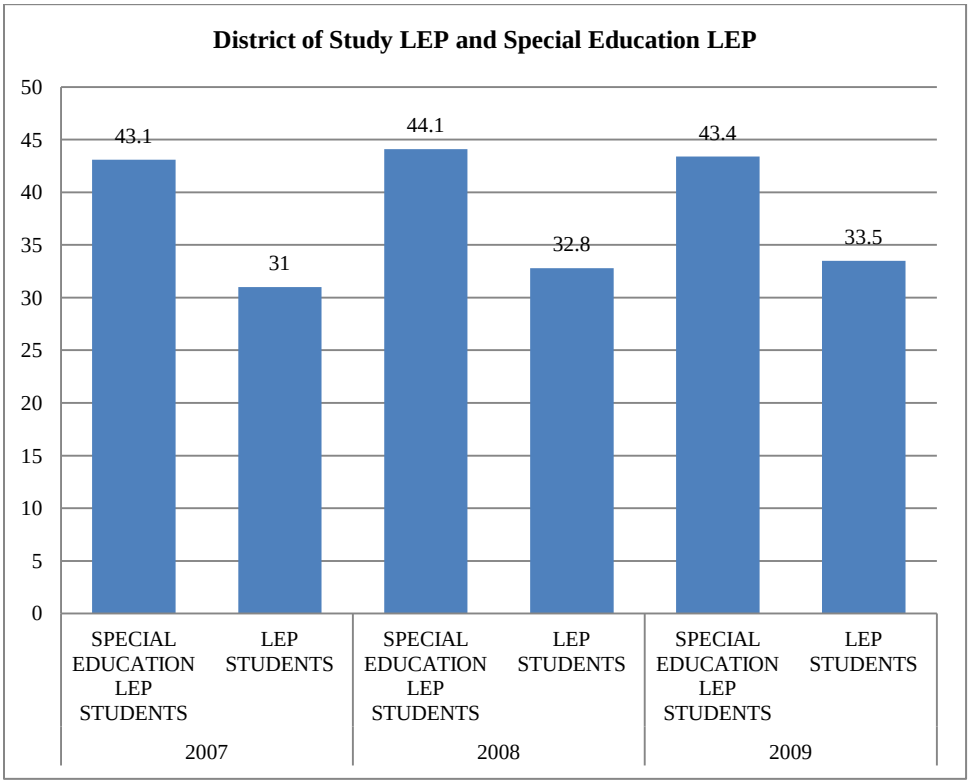

Figure 3. 2007-2009 Enrollment Percentages for LEP Students and Special Education LEP Students in Study's District. (TEA, 2009b).

Both regional and district percentages of LEP students in special education validate the research by Artiles, et al., (2005) that found an over identification of ELLs in special education in areas with high numbers of Limited English Proficient students. In addition, the data indicates that ELLs in the district of this study are more likely to be placed in special education than students in other areas. Their placement may affect their future negatively, further justifying the need for research on the effects of the inappropriate placement of ELLs in special education (Artiles & Harry, 2005).

Need for First Language Support

The lack of a quality educational program, in which the student has had an opportunity to learn in the first language places many ELLs at risk of special education placement (Cummins, 1984; Klingner & Artiles, 2003; Harry & Klingner, 2006; Barrera, 2006). Cummins (1984), states that students perform poorly when given no first language support or when they are transitioned too early out of bilingual education programs. Sometimes students who have developed basic conversational skills in English are transitioned out of bilingual education into all English instruction and experience difficulties due to the lack of the academic language skills needed to be successful in the general education program. Research shows that it takes five to seven years for English learners to acquire the academic language they need for school success (Cummins, 1984). They perform poorly on classroom and state assessments, and this often leads to a referral and placement in special education (Artiles, Kozleski, Trent, Osher, & Ortiz, 2010; Klingner & Artiles, 2003).

ELLs and Special Education

Researchers in the field of special education and English language learners list several reasons for ELLs being placed in special education (Artiles et al., 2005; Artiles & Trent, 1994; Cummins, 1984; Harry & Klingner, 2006; Thomas & Collier, 1997). The two most significant reasons include the lack of first language support and the lack of second language acquisition knowledge on the part of teachers and assessment teams.

Cummins (1984) found that schools that transitioned ELLs early out of bilingual education programs placed more ELLs in special education. Seventy-five percent of the transitioned students who were referred and then categorized as learning disabled had

problems with language processing. This indicates that the students transitioned too early did not develop the academic language they needed to succeed in their second language. When students with basic conversational abilities in English are exited out of bilingual program support, the students experience difficulty in their new language and do not perform at the level of their non ELL peers on state assessments. These students are often referred to special education.

Harry and Klingner (2006) point to the assessment team's lack of knowledge of second language acquisition as contributing to ELLs being placed in special education. The authors found that assessment teams focused mainly on what the students could not do rather than investigating why the students were having academic difficulty and not evaluating whether the student had an opportunity to learn in the general education classroom. Assessment teams need to consider "whether students have been provided with meaningful, appropriate pre-referral strategies and adequate opportunities to learn across time and settings" and insure that someone on the team is knowledgeable about second language issues (Klingner & Harry, 2006, p. 2276). In conclusion, providing first language support for ELLs will help them to achieve academic success and avoid a referral to special education (Cummins, 1984). Educators need to provide effective first language support instruction, insure ELLs have had an opportunity to learn through their first language and effective strategies, and employ an accurate assessment process rather than conducting a "search for a disability" which often "results in errors that have lasting, detrimental effects on children" (Harry & Klingner, 2006, p. 183).

Effects of Being Labeled as Learning Disabled

A review of the literature shows that there are several negative effects of a special education label on students. The effects on students include negative treatment by others, lowered self-esteem, lowered performance, and isolation (Zhang & Benz, 2006; Núñez, González-Pienda, González-Pumariega, Roces, Álvarez, González, Cabanach, Valle, & Rodríguez, S. 2005; Stensrud, 2006; Osterholm, Nash, & Kritsonis, 2007; Zehler, Fleischman, Hopstock, Stephenson, Pendzick & Sapru, 2003; Barga, 1996; Sullivan, 2011).

The research on the effects of a special education placement on students shows that special education placement is often ineffective and sometimes harmful (Zhang & Benz, 2006; Núñez et al., 2005; Stensrud, 2006). Students who are labeled as having a learning disability suffer from lowered self-esteem in comparison to students who are not labeled as having learning disabilities (Núñez et al., 2005). Furthermore, students who are labeled as learning disabled often have low achievement in school due to a lowered self-concept once they received this negative label. In addition, the research indicates that students labeled as having learning disabilities are often isolated from their peers who are not labeled (Zehler, Fleischman, Hopstock, Stephenson, Pendzick & Sapru, 2003: Barga, 1996). An additional concern is the finding by Zehler and colleagues (2003) that ELLs in special education often receive a less rigorous curriculum that is not aligned to state content and performance standards.

Along with the effects while in school, Zhang and Benz (2006) state that there are long lasting effects of being labeled with a learning disability, including limited access to postsecondary education that leads to lost wages, unemployment and a lifetime of

dependency on others. In addition, Osterholm, Nash, & Kritsonis (2007) state that the students who are labeled as learning disabled are sometimes thought of as being mentally retarded by those who do not understand the disability, a label that stays with them throughout their lives. "These issues, coupled with early evidence that students identified as ELLs make few gains and often show declining performance in special education" (Sullivan, 2011, p. 320), indicate a need for research on the effect of placing ELLs in special education.

Statement of the Problem

Hispanic ELLs who are placed in special education suffer adverse effects (Zhang & Benz, 2006; Nuñez et al., 2005; Stensrud, 2006). Students who are placed in special education are often segregated from regular education students, suffer from diminished self-esteem and low academic achievement, and are often treated in a negative manner by students and adults.

English language learners are referred to special education due to their low scores on standardized tests (Artiles, Kozleski, Trent, Osher, & Ortiz, 2010; Klingner & Artiles, 2003). Many of the tests used to assess achievement of ELLs are not valid because they don't take language into consideration (Klingner & Harry, 2006; Yzquierdo, Blalock & Torres-Velásquez, 2004). In addition, many assessment teams do not take language into consideration when placing children in special education (Klingner & Harry, 2006; Barrera, 2006). Additionally, the reason behind an ELL's poor academic achievement may be the lack of effective schooling practices, mainly the lack of first language support (Artiles et al., 2005; Artiles & Trent, 1994; Cummins, 1984; Harry & Klingner, 2006).

Therefore, because many ELLs have low achievement and are labeled as learning disabled, a label with many detrimental effects; there is a need to study the effects of a learning disability label on Hispanic English language learners.

Purpose of the Study

The purpose of this research study is to identify the long-term effects on Hispanic students who were labeled as learning disabled at the kindergarten, first grade or second grade level and are now in high school. There is a need for this area of research particularly in South Texas where there are high numbers of English language learners labeled as learning disabled (TEA, 2010). The research question and sub-questions are as follows:

- What are effects of the early identification of a learning disability on Hispanic English language learners?
    - How were the students identified for special education?
    - What was the academic path of the students?
    - What are the students' perceptions of their own academic abilities?
    - What are the parents' perceptions of their children's academic abilities?

Conceptual Underpinnings for the Study

For minority Hispanic children who come to school without knowing English, providing first language support is essential to their success in school and may keep them from being placed in special education. The next section details the foundation of this study, which is the need to provide students instructional supports in their first language. Following the first language support framework is the theories of intelligence framework

that addresses how an individual's belief about his or her own intelligence can affect their learning and future. These two frameworks provide the rationale for investigating the effects of special education on ELLs.

The Importance of First Language Support

First language support is the essential key in providing Hispanic ELLs with the skills necessary to achieve academic success. Cummins (1980), García (2010), Baker (2006), Thomas and Collier (1997), and August and Shanahan (2005), have documented the need for first language support for the academic success of English language learners. There are several theories that demonstrate the need for first language support including the distinction between conversational language and academic language proficiency, the common underlying proficiency theory, the interdependence hypothesis, and the threshold hypothesis (Cummins, 1984).

I begin with a discussion of the difference between conversational language and academic language that helps to explain why some educators who do not understand the difference might have difficulty determining whether a child has a learning disability or has not acquired language proficiency. The theories explaining language transfer, specifically the common underlying proficiency theory and the interdependence hypothesis, will then be explained. These theories are important because a lack of understanding of these theories will likely lead to a special education referral and subsequent placement in special education (Cummins, 1984; Harry & Klingner, 2006; Artiles et al. 2005). Lastly, the threshold hypothesis is discussed because the majority of ELLs who are placed in special education have limited academic language proficiency in

both their first language and English and this is laid out in the threshold hypothesis (Artiles & Klingner, 2006).

Conversational and academic language. Cummins conducted research showing that everyday conversational language in a second language can be acquired in two years; however, it take 5 to 7 years or more to develop the academic language needed for school achievement (Cummins, 1980). Students with conversational language are able to speak and understand the language outside of the classroom; however, they may have not fully developed the academic language, needed for the classroom (Cummins, 1984).

The Common Underlying Proficiency Hypothesis. Cummins has argued that for people with two or more languages, there is a common underlying proficiency, (CUP).(Cummins, 1981). The common underlying proficiency consists of attributes of the individual such as cognitive and linguistic abilities (memory, auditory discrimination, abstract reasoning, etc.) as well as specific conceptual and linguistic knowledge derived from experience and learning (vocabulary knowledge and understanding of the world). Reading is a case in point. When students learn to read in their first language that understanding of the reading process is available in the second language. This is because knowledge of how to read is not stored separately by language.

The Interdependence Hypothesis. The interdependence hypothesis is based on the relationship between proficiency in the first language and the acquisition of a second language (Cummins, 2000).

This hypothesis suggests that a child's second language competence is partly dependent on the level of competence already achieved in the first language. The

> more developed the first language, the easier it will be to develop the second language. (Baker, 2006, p. 172)

The transfer of knowledge is possible because the skill or knowledge has already been developed in the first language can be transferred to the second language.

The Threshold Hypothesis. Cummins argued that students need to reach a certain level of proficiency or a threshold level in a language for the cognitive benefits of bilingualism to occur. Students who do not develop academic proficiency in their first language sufficiently do not have academic language and knowledge to transfer**.** The idea that individuals must reach a certain level of proficiency, a threshold, in a language for knowledge and skills from that language to transfer to a second language has been proposed by Toukomaa and Skutnabb-Kangas (1977) and Cummins (1976).

The thresholds hypothesis may be pictorially represented by a house with three floors (Baker, 2006). On the top floor, the third floor, students have developed academic language in both languages and, therefore, benefit from their bilingualism cognitively. On the second floor, students have competence in only one language but not in both. Cummins claims that students at this level experience neither positive nor negative cognitive effects. On the first floor, at the bottom, are students whose academic language competence is not developed in either language when compared to other students within their age group. Students at this level will have trouble achieving academically in either language.

Intelligence Theory

In addition to theories of language, theories of intelligence that describe how students perceive their abilities provide conceptual underpinnings for this study. Two

theories of intelligence are the fixed entity and the incremental theories (Mangels, Butterfield, Lamb Good & Dweck, 2006; Bransford, Brown, & Cocking, 2000). The fixed entity theory holds that people have a fixed amount of intelligence. Studies show that students who believe that they have only a fixed amount of intelligence "are particularly vulnerable to decreased performance when they realize they are at risk for failing" (Mangels, Butterfield, Lamb Good & Dweck, 2006, p. 75). In contrast, the incremental theory of intelligence claims that knowledge can be increased over time. Students who believe that intelligence can be increased are better learners. In other words, some students believe that their intelligence or abilities are fixed and they can do nothing about it. Others understand that intelligence is not fixed and, with effort, they can achieve.

The significance of these theories in relation to learning disabilities is extremely important. Students who are labeled as learning disabled are found to believe that intelligence is fixed and nonmalleable and believe they possess limited levels of ability (Baird, Scott, Dearing, & Hamill, 2009). As Valås (2001)states:

> Moreover, students that were diagnosed as having learning disabilities (LD) and received special education showed more helplessness than the other low achieving children. They also reported lower academic expectations and lower self-esteem . . . . . The conclusion and request is that the process of selection (diagnosing the student as LD) and the organization and implementation of special education should be reconsidered. (p. 101)

Learning disabled students who believe that they have only a fixed amount of intelligence avoid learning opportunities in which they feel they will be unsuccessful. These students

will also not seek help to improve or learn, but rather disengage from these learning opportunities (Mangels et al., 2006). "These attitudes reduce student motivation and generate negative feelings about their academic work and about themselves" (Núñez, et al., 2005, p. 86).

In contrast, students who believe in the incremental theory believe that intelligence or ability can be gained through effort (Mangels et al., 2006). Students who believe that intelligence can be incremental are more likely to accept challenges and look to improve their academic achievement. These students will seek out ways to improve their performance and will accept remedial assistance when they encounter difficulty.

In summary, students who are labeled as learning disabled have difficulty with academic success which may not be due to their intelligence (Mangels et al., 2006). Mangels et al. (2006) states that their "success is influenced not only by actual ability, but also by the beliefs and goals that they bring to the achievement situation (p. 74). Valås, (2001) states that children who attend special education classes "must contend with academic failure, thus their self-images are particularly at risk" (p. 101). Thus, the effects of the placement of students including English language learners in special education include academic failure, and lowered self-esteem which leads often to increased dropout rates.

Limitations, Assumptions, and Design Controls

One major limitation of this study is the small sample size due to the small size of the district where the study was conducted. The five students chosen for this study were randomly selected from twenty Hispanic ELL students who were identified as learning disabled. Thus the results cannot be generalized to other settings.

Another limitation is the accuracy of the responses of both the parents and the students. The students may not be able to accurately remember their experiences during their elementary school years or how they felt when placed in special education. The parents may also not remember their child's experiences and problems in elementary school or why their child was placed in special education. Additionally, students who were misidentified may respond differently from students who have an actual learning disability.

Definition of Key Terms

Most terms are defined within the body of the dissertation, but a few terms are defined below because of their importance to this topic and their constant use throughout this study. They are overrepresentation, learning disability, and Hispanic or Latino.

Overrepresentation refers to a percentage of students served by the Individuals with Disabilities Education Act (IDEA) from a racial group that is greater than the percentage of this group in the general population (Klingner, Artiles, Kozleski, Harry, Zion, Tate, Durán, & Riley, 2005).

A learning disability is defined as a basic psychological process involved in understanding or in using language, spoken or written, in which the disorder may manifest itself when there is an imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations.

The Individuals with Disabilities Act defines a specific learning disability as:

> a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or do mathematical

> calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. However, learning disabilities do *not* include, …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. (Public Law 94-142, 1975)

The terms Hispanic and Latino are used interchangeably.

The terms limited English proficient and English language learner and emergent bilingual are used interchangeably.

Summary

There are numerous research studies on the overrepresentation of minority students including Hispanics and Hispanic ELLs in special education; however, there are very few research studies on the effects of being labeled learning disabled on Hispanic ELLs. This chapter provided information on the growing numbers of Hispanics in the nation and the dismal academic achievement of Hispanic ELLs in particular. The data on the overrepresentation in the district of this study, a district with high numbers of ELLs, was presented. In order to understand the issues related to identification of ELLs for special education, details on how a learning disability is determined and the problems related to identification were explained. The discussion of the language acquisition process and theories that support first language instruction and the entity and incremental theories of intelligence provided the theoretical framework for this study. The following chapters will review the research relevant to this dissertation, describe the methodology of the study, and report the results of the research.

Chapter 2 – Review of the Literature

Introduction

> Most detrimental is the hegemony of the norm—the society's determination to sort children by their perceived failure to fit into a prescribed schedule of personal and academic development. The "normative schedule, however, is not a matter of intrinsic ability. Rather, it represents the normative pace of children who have been prepared for certain learning milestones. That norm is then imposed upon all who enter the schoolhouse door, notwithstanding the fact that neither communities nor schoolhouses offer equal opportunities to attain the norm. (Harry & Klingner, 2006, p. 182)

Our nation's schools are more diverse than ever before and are seeing an increasing Hispanic population (U. S. Census Bureau, 2008). Many of these students come to school speaking only Spanish and are identified as being limited English proficient. And many are not performing successfully in school (García & Godina, 2004). The evidence points to the fact that numerous Hispanic English language learners are not receiving the services and supports they need to be successful in school (Artiles, Rueda, Salazar & Higareda, 2005; Artiles & Trent, 1994; Cummins, 1984; Harry & Klingner, 2006). Furthermore, concern over their low academic achievement causes teachers to refer these students to special education, where they are often identified as learning disabled and placed in special education (Artiles et al., 2005; Suarez-Orozco, Roos, Suarez-Orozco, 2000).

Assessment teams who determine whether ELLs qualify for special education base their decisions on tests made for monolingual students and often fail to take

language acquisition into consideration (Barrera, 2006; Klingner & Harry, 2006; Yzquierdo, Blalock & Torres-Velásquez, 2004). The result of these numerous placements is the overrepresentation of English language learners in special education (Artiles & Harry, 2005). Research shows special education can have several negative effects that dramatically limit an English language learners' future (Artiles, et al. 2010; Barga, 1996; Núñez, González-Pienda, González-Pumariega, Roces, Álvarez, González, Cabanach, Valle, & Rodríguez, S. 2005; Osterholm, Nash, & Kritsonis, 2007; Stensrud, 2006; Sullivan, 2011; Zhang & Benz, 2006; Zehler, Fleischman, Hopstock, Stephenson, Pendzick & Sapru, 2003).

- The need to investigate the effects of special education placement is especially important in areas where there are high numbers of English language learners such as in the area where this research study takes place (TEA, 2010). Therefore, my research question is: "What are effects of the early identification of a learning disability on Hispanic English language learners?" In addition, the following sub-questions provide more insight into the effects: "How were the students identified for special education?, What was the student's academic path?, "What are the students' perceptions of their own academic abilities", and, "What are the parents' perceptions of their children's academic abilities?"

This literature review begins with an overview of the varied characteristics of English language learners and a discussion of important factors that affect their academic success. Then follows a review of the reasons why there are so many Hispanic ELLs in special education. This review includes the research on the disporportionality issue and ELL assessment. This discussion provides an understanding of the history of learning

disabilities especially in relation to students from minority backgrounds. Building on this foundation, the review moves to topics related to the negative effects of a special education placement. Collectively, these topics provide an understanding of the need and purpose of the present study.

Hispanic English Language Learners-Who are they? What do they need?

Historically, immigrants have had a difficult time adjusting to the United States economy and society (Gándara & Contreras, 2009). The Latino population has not overcome their immigrant status and Latinos' academic growth as a group has become stagnant. Gándara and Contreras (2009, p. 18) state that Latinos hit a "ceiling effect" with "little or no improvement after the third generation." This trend comes at a time when performing poorly academically in school has far reaching negative effects on the future of the Latino population.

Hispanic students fail to graduate from high school at rates higher than those of non Hispanic students (Gándara & Contreras, 2009). The graduation rate for Hispanic students is only 53%, but is as high as 75% for white students. In addition, only 51% of Latino students who did graduate from high school in 2002 continued their education in a four year university compared to 65% for white students (Gándara & Contreras, 2009). Additionally, most of those students never graduate due to other responsibilities that preclude them from attending college full time such as working to help support the family. For a great majority of Latino students, the high cost and the time restraints due to work and family, prevent them from attaining a college degree (Lopez, 2009).

Economically, Hispanics are earning far less than the general U.S. population (U.S. Census Bureau, 2006). The median earning for Hispanic males working full-time

in 2005 at $26,769 is far below the $41,386 for the total U.S. population. Furthermore, 21.8% of Hispanics lived in poverty in 2005 compared to 12.6% of the total population.

A great number of Hispanics, including many who are second and third generation, speak Spanish, making speaking Spanish not only an attribute of recent immigrants, but also an attribute of second and third generations (Batalova, Fix, & Murray, 2007). In 2007, 55.4% of the U.S. population age 5 and over spoke a language other than English at home (Shin & Kominski, 2010). Of these, 62% speak Spanish. Most importantly, 79% of these Spanish speakers reported speaking English less than very well, which was much more than any other language group.

Texas, in particular, has a high Hispanic school population. The National Center for Education Statistics (2009) indicates that the population of school age children in Texas increased by more than 20 % from 1998 to 2008. A great number of these children are Hispanic and enter our schools speaking Spanish and needing to learn English. The number of students classified as limited English proficient grew by 50 % during the same ten year period (Texas Education Agency, 2009).

The high enrollment of Hispanic students with low English language skills requires school administrators and teachers to provide appropriate teaching strategies in order to ensure their academic success (Gándara & Contreras, 2009). Hispanic children represented more than 50% of school children in Texas in 2010-2011 (TEA, 2011). Furthermore, the limited English proficient population increased by 45.8% in the ten year period between 2001 and 2011. The high enrollment of Hispanic English language learners makes it important for schools to assess and place them in programs that would best serve their needs prior to a special education referral. The different types are

described in the following section followed by a discussion of factors that affect their academic success.

Types of English Language Learners

English language learners whose first language is Spanish, come with a variety of educational experiences and academic abilities (Freeman & Freeman, 2002). In order to provide appropriate instruction, it is important to recognize the different types of English language learners and their characteristics. Three types of ELLs include the newly arrived with adequate formal schooling, newly arrived with limited formal schooling, and long-term English language learners. Table 1 below summarizes the characteristics of each of these three types of ELLs (Freeman & Freeman, 2002, p. 4).

Table 1

Types of Older English Language Learners

Type of Learner	**Characteristics**
Newly Arrived with Adequate Schooling	• Recent arrival (fewer than five years in U.S.) • Adequate schooling in native country • Soon catches up academically • May still score low on standardized tests given in English
Newly Arrived with Limited Formal Schooling	• Recent arrival (less than five years in U.S.) • Interrupted or limited schooling in

	native country • Limited native-language literacy • Below grade level in math • Poor academic achievement
Long-term English Learner	• Seven or more years in U.S. • Below grade level in reading and writing • False perception of academic achievement • Adequate grades but low test scores • ESL or bilingual instruction, but no consistent program

The ability to recognize students in each of these categories is important in order to ensure the ELL's placement in the appropriate instructional program.

Newly arrived with adequate formal schooling. The first category of students includes those who have arrived in the U.S. within five years, with a strong academic foundation in their first language (Freeman & Freeman, 2002). These students are able to transfer their knowledge and skills to English but need support in order to develop academic English. They usually catch up quickly and earn good grades. However, they need more time to develop their English skills in order to meet state assessment standards.

N**ewly arrived with limited formal schooling.** The second category is students who are newly arrived with limited formal schooling. These students have been in this

country for five years or fewer and often come from rural areas or refugee camps, areas without schools, or from families who move from place to place (Freeman & Freeman, 2002). These students do not have a strong educational background in their first language and may not even read or write in their first language. They are unable to transfer knowledge from their first language to English since they have not developed academic knowledge in their first language. Moreover, many of these students do not understand the culture of schools and struggle with all aspects of schooling. These students need extensive supports in order succeed in school.

Long-term English language learners (LTELLs). The third category of students is made up of the long-term ELLs (Freeman & Freeman, 2002). These students have attended school in the U.S. for seven or more years, but whose primary language was not fully developed and who have not acquired proficiency in academic English. These LTELs may have had instruction in English only or experienced inconsistent bilingual programs. LTELs do not perform well in reading or writing and some also have difficulty in math, but have good conversational skills in English. As Freeman and Freeman (2002) explain, long-term ELLs

> often get passing grades—Cs and even sometimes Bs—when they do the required work. Because teachers may be passing them simply because they turn in the work, their grades give many of these students a false perception of their academic achievement. When these students try to pass high school exit exams or when they take standardized tests, their scores are low. (p. 5)

Menken and Kleyn (2010) further categorize the long-term English language learner category into three distinct groups: *vaivén*, inconsistent schooling, and transitioning students (Menken, & Kleyn, 2010).

Vaivén students are those who travel back and forth from their home country to the U.S. These students have conflicting and limited experiences in school that negatively impact their learning. These students may have been in U.S. schools, traveled back to their home country and then back again to the U.S. or vice versa. Some may have received instruction in their primary language in their home country and then may have attended school here where they were not placed in a consistent bilingual program or placed in an all English program.

Menken and Kleyn (2010) discuss inconsistent schooling students as those who move from school to school, from one type of bilingual program to another in different schools or in the same school, or receive only English instruction. Inconsistent schooling students have been in several different schools and in a variety of language programs. They may have started in a bilingual program where they began developing literacy in their first language only to move to a different school where they were mostly taught in English with some or very little first language support.

Transitioning students have acquired some proficiency in their native language, but need more time learning English in order to be successful (Menken & Kleyn, 2010). These students have developed literacy in their first language and are in the process of learning English. These students may have been transitioned into all English programs due to demonstrating some proficiency in English. However, they still need to further develop their English skills in order to be successful on state assessments.

The ability to appropriately identify ELLs and provide them with the appropriate instructional practices is vital for their success. Freeman and Freeman (2002) state

> With over a million more English learners in schools now than in 1993, teachers must be prepared to work with the large number of English learners who have had limited or interrupted schooling, are long-term English learners, or are non-resilient students. (p. 13)

Without effective schooling practices, many ELLs become long-term ELLs, with some being placed in special education where they receive even fewer language supports (Klingner, Artiles & Barletta, 2006).

Because of the similarities between a learning disability and the lack of language acquisition, the ability to understand the different characteristics of English language learners is essential prior to a referral to special education ELL (Harry & Klingner, 2006). In addition, it is important to understand a significant number of other factors affect theses students' lives and that may limit their academic success.

Factors Affecting Hispanic ELL Academic Achievement

There are many factors that contribute to Hispanic students' success or failure in school (Artiles, Harry, Reschly, & Chinn, 2002; Gándara, 2005; Kozol, 1991, 2005; Gándara & Contreras, 2009; Klingner, Blanchett, & Harry 2007). In their review of the research on the underachievement of Latinos, Gándara and Contreras (2009) explain that Latino children born today will need to not only acquire language but also overcome problems of poverty, poor schools, and limited health care. Kozol (1991) found that minority children who attend poorly funded schools have teachers who are the least prepared to teach these children. Gándara (2005) found many high achieving Latinos

were successful but found that ELLs need to overcome many obstacles including prejudice from a nation that sees them as immigrants and not part of America due to their lack of English proficiency. ELLs also encounter hostile environments in which they are mostly isolated from English speaking students both within classrooms and throughout the school day (Suárez-Orozco, Suárez-Orozco, & Tordorova, 2008; Valdés, 2001).

Neighborhood Conditions. The first factor that affects Latino students is the neighborhood conditions in which they live. Latino students often live in poor neighborhoods that lack the resources that some of the more prosperous middle-class neighborhoods have available, including libraries, safe parks and child care with pre-school programs that develop early childhood cognitive abilities (Gándara & Contreras, 2009). This lack of resources affects the children's growth due to "less exposure to developmentally supportive and enriching activities (Gándara & Contreras, 2009, p. 71). Children living in poor neighborhoods attend poorly funded schools which lack resources (Kozol, 1991). Kozol (1991, 2005) found huge disparities in the funding for students in schools that serve primarily minority students and schools that serve white students.

In their study of Texas border school districts, Sloat, Makkonen, and Koehler (2007) found that Hispanic students comprise 93% of the student population and 79% of them are economically disadvantaged while 28.8% are limited English proficient. LEP students comprise 33.5% of the students in the district of this study and 100% of them are economically disadvantaged (TEA, 2011). Blanchett, Mumford, & Beachum, (2005) used the term "double jeopardy" to refer to the fact that minority students suffer many

> educational inequities associated with living in poverty and attending urban schools that are often insufficiently funded and resourced, but, in addition, these

> students are labeled as having a disability and many of them also experience inequities that are inherent in the special education system, including segregated classrooms, limited access to the general education curriculum, and poor post-school outcomes. (Blanchett, Klingner, & Harry 2009, p. 392)

Developmental Needs. Latino students face many obstacles growing up including poor nutrition, proper health care, safe neighborhoods as well as inadequate schooling and resources (Harry & Klingner, 2006; Gándara & Contreras, 2009). In order to grow and prosper, children need to develop normally. All too often, the mothers of Latino children do not have adequate prenatal care or nutrition, which complicates childbirth and the cognitive development of the children. Once they are born and developing, most Latino children do not have the proper educational toys or books to develop and grow in order to enter school and compete with the same skills and knowledge of their white counterparts. Visits to family doctors, dentists and optometrists are also lacking, that further places them at risk for failure in school. Most of these factors are due to the very high poverty nationwide rate of 28% for Latino children. The poverty rate for children ages 5-17 along the Mexico Texas border is 38.6% (Sloat, Makkonen, & Koehler, 2007). These factors together with lack of knowing the English language place children at an unequal starting point when they enter American schools.

Family Conditions. The family conditions of Latino students contribute to their poor and weak beginnings in school (Gándara & Contreras, 2009). Latino children are more likely than other ethnic groups to enter school with "five risk factors for school failure at the point of entry: poverty, a single-parent household, a mother with less than a high school education, a primary language other than English, and a mother unmarried at

the time of the child's birth" (p. 67). In a study of the region along the Texas Mexico Border, Sloat, Makkonen, and Koehler (2007) found that only 26% of adults are high school graduates and only 19% of adults have attended college. In addition to the five risk factors stated above, Gandara & Contreras state that "Latino children are much less likely to go to preschool, where some of these risk factors might be ameliorated" (p.67).

Additionally, Latino children are more likely to enter school living in a household where only one parent is raising the family (Gándara & Contreras, 2009). This factor contributes to the lack of Latino children's physical and cognitive development. In addition, the authors state that "out-of-wedlock births are increasing at a faster rate for Latinos than for any other group" (Gándara & Contreras, 2009, p. 67). Furthermore, women who are raising families alone often experience more stress and depression which ultimately effects the mental and physical development of their children.

Social and Cultural Capital. Gándara & Contreras (2009) and Suárez-Orozco, Suárez-Orozco, and Todorova, 2008, state that Latino parents often lack knowledge of how the system works or what they term as cultural capital. Cultural capital is needed in order for parents to help their children navigate the school system. Well-educated parents with cultural capital know how to become active in the school system and assist their children in getting the most from the school system such as advanced courses, the best teachers, as well as grade promotion (Valenzuela, 2002). Parents without this knowledge tend to trust the school system and allow their children to be placed into lower tracks even when they have high aspirations for the future of their children (Valdés, 1998). Even some middle class Latino families are unaware of the need for advanced high

school classes for college entrance, therefore limiting their children's entrance into higher education.

The need for cultural capital is especially evident for parents when dealing with special education meetings. Gándara and Contreras (2009) reinforce this need by explaining that Latino parents often lack knowledge of how the system works or what they term as "cultural capital" (p. 68). As Valdés (1996) explains, Latino parents concentrate their parenting efforts on respect and obedience and don't understand how the school system works.

One study that clearly shows how the lack of parents' social and cultural capital affect special education placement is by Harry and Klingner (2006). They found that parents did not protest decisions in special education meetings, even though they disagreed with the decisions of the school staff.

> These parents had neither the social capital, in the form of social connections, nor the cultural capital, in the form of knowledge of rights, logistical supports, or faith in their own voice, to challenge such decisions. (p. 90)

The parent's cultural beliefs led them to be silent during placement meetings; thus their children were placed in special education.

Family Mobility. Another factor that affects Latino students is the fact that these students tend to move more frequently than do students of other ethnic groups (Gándara & Contreras, 2009; Suárez-Orozco, Suárez-Orozco, and Todorova, 2008). This change of residency and schools places these students at risk due to interruptions in their learning. Frequently, these changes place the students in schools that do not have the resources to help these children overcome the inequalities and challenges they have

already endured. According to the authors, "A study of low-income, urban elementary students found that those who changed schools within the first five grades were also more likely to have behavioral problems, be held back and have poorer attendance" (Gándara & Contreras, 2009, p. 70). In addition, many students move back and forth from their home country to the U.S. such as described by Menken, and Kleyn (2010) as *vaivén* students (Suárez-Orozco, Suárez-Orozco, and Todorova, 2008; Menken & and Kleyn (2010). The frequent mobility of low-income Latino students and families leads to lower academic abilities as well as more social and behavioral problems.

All of these factors, which includes poor neighborhoods, poor nutrition, and poor health care, as well as frequent moves and the lack of cultural and social capital contribute to poor school outcomes. In addition, schools have the responsibility to provide effective instruction for these students in order for them to have a chance at success. A review of effective school practices is discussed in the next section.

Effective School Practices for ELLs

An appropriate program of instruction is essential for the success of English language learners (Gándara & Contreras, 2009). This requires curriculum which not only challenges students but is comprehensible and develops highly complex problem solving skills. There is ample research that shows that instruction using the student's first language coupled with English language instruction will provide ELLs with both the academic content and the academic English they need for academic success (Cummins, 1982; Freeman & Freeman, 2002; Olsen, 2010; Menken & & Kleyn, 2010; Krashen, 1999; Moje, 2010; Shanahan & Shanahan, 2008; Short & Fitzsimmons, 2007; Thomas & Collier, 1997). These topics are discussed in the next sections.

First Language Support

Several researchers have argued that the reason for the lack of English language learner academic success is due to the placement of these students in English only programs or transitional bilingual programs (Cummins, 1984; Freeman & Freeman, 2002; Olsen, 2010; Menken & Kleyn, 2010; Monzó & Rueda, 2009; Thomas & Collier, 1997). In addition, these students need an appropriate curriculum which will provide them with the skills essential for them to be able to "read academic texts, discuss them, and write academic papers" (Freeman & Freeman, 2009, p. 4). Research supports a language instructional program with first language supports specifically designed to meet the needs of ELLs.

Cummins (1984) and Thomas and Collier (1997) conducted research that showed that children's poor school performance is due to placement in programs that do not promote the development of academic language proficiency in the first language. Cummins (1984) analyzed over 400 teacher referral forms for minority students in Canada whose teachers felt their English was adequate. The students were then placed in special education because the teachers didn't understand that the students had only developed conversational language. Cummins determined that conversational English is attained within two years of English language instruction, but it takes between five and seven years to attain grade level academic proficiency in a second language. Students appear to be able to study entirely in English after two years, but, in reality, need content learning in their first language longer, in order to not fall behind in school.

Thomas and Collier's (1997) longitudinal study of over 42,000 students from five school systems between 1982 and 1996 found long-term school success for students who had access to first language support for several years. The researchers concluded that

> Only those groups of language minority students who have received strong cognitive and academic development through their first language for many years (at least through Grade 5 or 6), as well as through the second language (English), are doing well in school as they reach the last of the high school years. (p. 14)

The results of their study confirm the need for a comprehensive language program that offers first language support over an extended period of time.

A recent study by Olsen, (2010) provides further insight as to reasons for the academic failure of ELLs. She found that the majority of ELLs in 40 California school districts were long-term ELLs. Olson collected survey data from 40 California school districts which provided data on over 175,000 ELLs. There were several reasons why these students who had been in California schools for more than six years were still not proficient in English:

> receiving no language development program at all; being given elementary school curricula and materials that weren't designed to meet English Learner needs; enrollment in weak language development program models and poorly implemented English Learner programs; histories of inconsistent programs; provision of narrowed curricula and only partial access to the full curriculum; social segregation and linguistic isolation; and, cycles of transnational moves. (p. 2).

One problem facing schools is the notion that a student has fully developed the language due to their social communication skills (Baker, 2006). Educators may believe the student is able to handle the cognitive academic language needed to benefit from the instruction. Monzó and Rueda's (2009) two year ethnographic study in California found that some Latino children masked their English language acquisition by appearing to understand more than they actually did which negatively impacted their learning. The students realized that not being able to speak or understand English was not accepted and they wanted to fit in. Therefore, they would also pretend to understand both instructions and content and would not let the teacher know they didn't understand.

English language learners must be provided with appropriate language instruction in order to be successful. The following discussion begins with Cummins' basic interpersonal communicative skills including the four quadrants model and additional research on language acquisition. Following this discussion is research on academic literacy instruction. In addition, instructional strategies for English language learners for use by bilingual, special education as well as regular education teachers are discussed.

Conversational and academic language. Cummins' (1984) research determined that there were two types of language proficiency: conversational fluency and academic language proficiency. Conversational language fluency takes about two years and is the ability to discuss everyday basic topics. Academic language proficiency takes between five and seven years to acquire and involves the ability to speak, read and write about school subjects.

Cummins' (1984) research on four hundred special education referrals on ELLs from teachers who believed that the ELLs had a learning disability found that the students

had conversational language but had not developed academic language proficiency. After reviewing these referrals, Cummins found that the teachers' comments on the referrals stated that their ELL students' communicative skills were far better than their academic performance. The comments demonstrated a lack of knowledge of the language acquisition process for second language learners. Cummins also determined that the psychological assessments given to the ELLs to determine eligibility for special education placement were inappropriate for minority language students.

In addition to this research, Cummins re-analyzed other research studies to further support his findings (1984). He reviewed the studies of verbal and academic skills including studies by Ramsey and Wright (1974, 1970), Leyba (1978), Rosier and Holm (1980), Swain and Lapkin (1982), and San Diego Schools (1982). The studies showed that students had conversational fluency but did not reach grade level norms until the later grades of elementary school. The consistent findings of these studies support Cummins' theory of the existence of two types of language proficiency. They also show that academic language proficiency takes from five to seven years to develop.

The concepts of basic conversational and academic language proficiency are complex for educators. Unless this differentiation is understood, students' abilities may not be understood and they may be mislabeled as learning disabled. When students have been studying in English for only one, two or even three years, teachers should not expect them to be at the same level on their continuum of understanding or language comprehension. At this point they have only conversational language. Teachers sometimes make decisions to test students taking the Texas Assessment of Knowledge

and Skills (TAKS) in English rather than Spanish based on their conversational language and are later puzzled when the students fail the test.

The four quadrants model. The four quadrants model is a visual provided by Cummins to further explain to the conversational and academic language proficiency theory how to evaluate the language they use in the classroom (Cummins, 1984). The four quadrants are useful to educators in helping them decide how to help ELLs understand instruction. See Table 2 below.

Quadrant A is context embedded classroom language use and is cognitively undemanding. Language with contextual support such as body language or objects allows an ELL to understand the language without relying solely on the language. An example would be greeting someone by saying hello while waving your hand. Quadrant C is also cognitively undemanding but has context reduced communication. Context reduced language has few if any visual clues and is unfamiliar. In this quadrant the students would be discussing a movie or program they saw on television or listening to someone describe their summer vacation.

Quadrant B has context embedded communication and is cognitively demanding. Here is where teachers should be teaching. The fourth quadrant, Quadrant D, is where language used is both cognitively demanding and context reduced. Language that falls in this quadrant is the most difficult for students. Teachers need to teach in Quadrant B and make sure to provide students with materials that are familiar to the student and provide activities that allow the students to show mastery through different modalities.

Table 2

Cummins' Quadrant with sample activities

COGNITIVELY
UNDEMANDING

Conversational Fluency A • Greeting Friends at Church • Talking to someone in the elevator • Filling out raffle ticket stubs • Discussing the school assignment with friends • Email about going somewhere with a friend • Discussing recipes with fellow cooks Context	C • Talking on the phone to conduct business • Listening to someone describe a their summer vacation Context
Embedded B • Acting out the characters of a story • Role playing a scene from a short story • Working in groups to make a time line of events in history or in a story. • Students determining the menu and	Reduced D • Students comparing the characters of a movie to the characters in the book • Teacher describing the genetics without using real life examples such as hair color and eye color • Following directions on how to put

the cost of food for a week for a family of four by looking at grocery adds from a newspaper • Students making posters to demonstrate their understanding of the key points especially in science such as how to make a rocket fly.	a desk together using written directions without a picture • Students reading a chapter from any school textbook. • Students taking SAT or ACT exams.

Academic Language Proficiency

COGNITIVELY DEMANDING

Cummins explains that ELLs need additional strategies to help them understand academic content. When the instruction does not have scaffolding support and the texts are cognitively demanding and context reduced, English language learners struggle. Students may have conversational English but they lack academic language proficiency. They are unable to comprehend the texts they read or express higher level concepts orally and in writing.

The distinction between conversational and academic language proficiency causes problems in assessment of students' abilities. Some special education educators are not experienced in assessing English language learners (ELLs) and believe the students have a learning disability when they have actually not achieved academic language proficiency.

Studies that Support Conversational/Academic Language Distinction. There are other research studies that support Cummins' distinguish between conversational and academic language. The following section discusses research findings by Skunabb-

Kangas and Toukomaa (1976); Vincent (1996), Gee (2008), Biber (1986), and Corson (1997).

In 1976, Skunabb-Kangas and Toukomaa determined that while Finnish immigrant children in Sweden seemed to be fluent in both Finnish and Swedish to educators, they achieved considerably below grade and age performance levels in both languages (Skunabb-Kangas and Toukomaa, 1976). The Finnish immigrants lagged behind their Swedish counterparts which was very similar to Cummins' findings. Cummins attributed the difference to the fact that the students had conversational fluency but not academic language proficiency.

Another researcher, Vincent's (1996) ethnographic study revealed that second generation Salvadorian students in Washington, D. C. attained conversational language in two to three years and their pronunciation was almost to the level of native speakers. She states, however that they lacked the academic language proficiency they needed for school. Vincent's study revealed that teachers do not spend enough time talking and listening to their students and are unaware of their academic language deficiencies. Vincent highlights the need for educators to know the difference between conversational language and academic language proficiency in order to scaffold instruction as well as provide instructional strategies.

Biber (1986) conducted a factor analysis of over a million words of English spoken and written text from a variety of genres. His analysis determined that face-to-face conversations and academic language were at opposite ends of a continuum of language use. Biber (1986) determined that conversational language occurs between speakers and is focused on the here and now. Academic language, on the other hand, is

not interactive, is more reported and edited. Biber's research provides further research evidence supporting Cummins' conversational and academic language proficiency theory.

Corson (1997) contributes to an understanding of the difference between conversational fluency and academic language proficiency. His research determined that conversational language is mainly Anglo Saxon-based vocabulary with many compound words. However, academic language is based mainly on the complex vocabulary from the Latin and Greek languages. Corson concluded that there were vast lexical differences between academic English and the English used in typical conversations.

Another way to look at academic language is from a sociolinguistic perspective. Gee (2008) explains that the language practices within a social group referred to by Gee as "Discourse" with a capital D are the acceptable uses of language by the particular group. According to Gee, the key to communicating in a new language requires the ability to know how to use the language within a particular social group. Gee (2008) also makes the distinction between primary and secondary Discourse. He states that primary Discourses are determined primarily by your family setting as you grow and enables you to speak and communicate in a certain way. The language used in primary Discourse is often conversational language. Secondary Discourses include the language used at school and work. This language, then, is more academic in its features. The difference between the two discourses, as determined by Gee support Cummins' conversational fluency and academic language proficiency theory. Gee states that academic language knowledge is needed and is essential for students to become experts as well as to understand the content knowledge required in school.

The research by Skunabb-Kangas and Toukomaa (1976); Vincent, Gibbons (1991), Gee (2008), Biber (1986), and Corson (1997) clearly supports the research on the conversational and academic language proficiency distinction by Cummins. The discussion of academic language and conversational language cited above provides support for the need for the development of academic language. The distinction is especially important when considering the identification and placement of ELL students. Since ELLs seem to master conversational language rather than academic language in about 2 years, they are often placed in mainstream classes and never get the support needed to master the intricate academic language needed to become successful readers and writers of English. When these students struggle in the mainstream classes, they are often identified as having special needs. However, in reality, the problem often is one of language acquisition.

Instructional Programs for English Language Learners

In this section, there will first be a description of two views of bilingual education, the bilingual programs used in the district of this study and the effects these programs have on ELLs. Next, studies that have identified successful practices for ELLs will be described. This section will provide an understanding of the programs and strategies that either lead to success or hinder it for ELLs.

Bilingual education. Hispanic ELLs who have not fully developed their first language struggle academically and are often referred to special education (Harry & Klingner, 2006). Bilingual education can provide the essential language background students need in order to transfer their skills into English. García (2009) defines bilingual education as the use of two or more languages in instruction. She further states that

bilingual education "does not focus on the acquisition of a second language at the expense of one's native language (p. 390). Bilingual education has traditionally targeted one language and speakers of one language at a time (García, 2010). In the United States, students are usually taught the target language; English, due to the perception of many teachers who believe that English only is the best approach to language instruction.

García (2009) helps us understand why English only is dominant and why bilingual education is seldom implemented. She distinguishes between monoglossic and heteroglossic views of bilingualism by describing the historical reasons. The vision of the bilingual education program in the twentieth century was to provide children with proficiency in two languages. However, the proficiency in either language was based on monolingual norms. The monolingual norm is to have equal language abilities in speaking, reading and writing in each language. This view allows for the use of one language at a time. The monoglossic view, then, validates the "legitimate linguistic practices" (p. 115) of the monolinguals and not the bilinguals.

Three programs that fall under the monoglossic view include English immersion, ESL pullout and early exit bilingual education. Table 3 below summarizes the programs used in the district of this study (Freeman, Freeman, & Mercuri, 2005). It provides a description of each type of program, the language result, and the academic result.

Table 3

Programs for English Language Learners

Type of Program	Description	Language Result	Academic Result
English	ELLs are taught with	Subtractive- Students	Students show less

Immersion	mainstreamed students and given no special services.	learn to communicate in English but lose most or all of their native language proficiency.	progress in math and reading than students in ESL/bilingual programs. Highest number of dropouts is in this group.
ESL Pullout Traditional Instruction	English language learners are given ESL support. They are taught basic vocabulary and language structure (grammar) and then integrated into all English instruction.	Subtractive-Students develop literacy and learn to communicate in English. Students lose most or all of their ability to use their native language.	These students show little academic progress and once mainstreamed rarely catch up. Many students drop out before graduation.
Transitional Bilingual Education/ Early Exit Bilingual Education	ELLs receive a portion of their content instruction in their primary language for one to three years and then are integrated into all-English instruction.	Subtractive- Students learn to communicate and study in English only. They usually lose their first language.	At the end of high school these students are below the 50th percentile in tests of reading in English.

Subtractive models like English immersion, ESL pull out, and early exit transitional bilingual program, often produce children who can only speak, read and write in one language. When children are taught in these programs, they often abandon their first language in order to develop the use of the language in power, English (García, 2009). The children's first language is devalued in lieu of the language of power. Because the monoglossic view is dominant, such as in the district of this study, programs with the goal of English are often promoted because people believe that the only way to become proficient in English is through learning in English. Based on their study of such and such, Valencia and Villarreal (2005) concluded that

> Rather than building on the assets that children bring with them to schools, public education in Texas subtracts children's linguistic, cultural, and community-based identities, to their academic and personal detriment. (p. 4)

When students are placed in programs with a goal of English, the programs have negative results for students. Artiles et al. (2005) found that students who receive the least amount of first language supports were more likely to suffer negative academic results and to be placed in special education. This conclusion is supported by Zehler, Fleischman, Hopstock, Stephenson, Pendzick, & Sapru (2003) who found that special education ELLs are more likely to receive all of their instruction in English only.

Parents of children labeled with learning disabilities also attribute their students lack of academic success on English only instruction. In an ethnographic study of Puerto Rican parents of learning disabled and mentally retarded children, Harry (1992) found that the parents often rejected the learning disabled label. The interviews with the parents led the researchers to determine that the parents blamed their students' struggles with

school on confusion with language and lack of cultural understanding. English only instruction was cited as the key reason their children were labeled as learning disabled.

Providing all ELLs with appropriate first language instructional supports is necessary for their academic success. This is especially important for long term ELLs. Long term ELLs require an instructional program that provides this diverse group with the successful academic skills for high school graduation and beyond (Olsen, 2010).

Academic support. Horowitz et al. (2009) and Short and Fitzsimmons (2007) have looked for methods and models that will provide ELLs avenues for success. Horowitz et al. (2009) found that school districts with ELLs who succeed provide a sound structural, organizational as well as instructional program with clear goals and visions. Horowitz et al. (2009) compared six large school districts with ten percent or more of their population identified as ELLs.. Four of the school districts were chosen for their successful ELL progress rates and two because their ELLs showed little progress. The researchers found specific patterns and themes among the successful districts which contrasted with the low performing school districts. The contextual features among the successful districts included shared visions, leadership, empowerment of the ELL office, advocacy for ELLs, and the presence of external forces leading to reform.

Promising practices ranged from the adoption of language strategies for ELLs to developing a culture of collaboration and shared accountability. In schools with limited ELL success, there was a lack of access for the students to the general curriculum, inconsistent leadership, and no coherent vision or strategy. The researchers concluded that there is not one way to meet the needs to every ELL student. Several contextual and strategic recommendations were made including developing a clear instructional vision

and high expectations for all students, incorporating accountability into the broader operations of the district, empowering strong ELL program administrators to oversee progress, and pursuing community support.

Through a review of the literature on academic literacy and observations of classrooms, Short and Fitzsimmons (2007) determined six major challenges to improving the literacy skills of ELLs. See Table 4 below.

Table 4

Six Major Challenges to Improving Adolescent ELL Literacy

Six Major Challenges to Improving Adolescent ELL Literacy	
1. Lack of common criteria for identifying ELLs and tracking their academic performance.	4. Lack of appropriate and flexible program options.
2. Lack of appropriate assessments.	5. Inadequate use of research-based instructional practices.
3. Inadequate educator capacity for improving literacy in ELLs.	6. Lack of strong and coherent research agenda about adolescent ELL literacy.

The first challenge the researchers found was that there is no national system or common assessments for identifying ELLs. This makes it difficult to compare and analyze student data as well as track their progress. The second challenge they list is that there is the lack of appropriate assessments for ELLs. The use of standardized tests in content areas is inappropriate because they are "not sensitive to second language literacy development" and thus, ELL's performance is "perceived as a lack of mastery of the content" (Short & Fitzsimmons, 2007, p. 18). Challenge three highlights the need for

teachers who can help the students learn content area knowledge while developing literacy skills. Challenge four deals with the lack of program options that support students who have different needs.

The researchers offer several recommendations for overcoming challenge five-limited use of research –based instructional practices. The proven instructional practices include:

- Integrating all four language skills into instruction from the start.
- Teach the components and processes of reading and writing.
- Teach reading comprehension strategies.
- Focus on vocabulary development.
- Build and activate background knowledge.
- Teach language through content and themes.
- Use native language strategically.
- Pair technology with existing interventions.
- Motivate ELLs through choice. (p.38)

Short and Fitzsimmons (2007) conclude by explaining that in addition to their recommendations there is more to be done to ensure success for ELLs. They call for further studies as well as new government policies that focus on improving instructional programs. Three approaches that researchers in general agree are important for ELL academic success are the use of appropriate instructional strategies and modification, use of the first language in instruction, and supporting the development of academic language.

Instructional strategies. Several researchers have determined that ELLs need specific instructional strategies in order for them to be successful, including scaffolding, building background knowledge, incorporating reading, writing and oral language with content instruction, using academic vocabulary, and motivation (Walqui, 2006; Freeman, Freeman, & Mecuri, 2005; Freeman & Freeman, 2009; Ivey and Broaddus, 2006; Goldenberg, 2008; Klingner & Harry, 2006).

Modifications such as providing reading materials with concepts and themes familiar to the students, reviewing key concepts prior to reading the material in order to help build the background knowledge needed for comprehension ,and developing the students' vocabulary are also essentials for ELL success (Freeman & Freeman, 2009).

Drawing on first language strengths. Artiles, Klingner, & Barletta (2006) and Klingner, (2009) assert that valuing students' language and culture is crucial for their academic development. Ivey and Broaddus, (2006) in their research study of 14 middle school ELLs, found that "successful instruction requires capitalizing on the intersections between reading, writing, oral language, and content knowledge in whatever languages and dialects the students are most comfortable using" (p. 538). They also recommend supporting ELLs for more than five years prior to placing students in classrooms where they would not be receive linguistic supports. Freeman and Freeman (2005) also call for drawing on students' first language strengths through strategies such as preview, view, and review and using cognates. Likewise, Goldenberg (2008) recommends the use of the students' first language for clarification and explanation is essential especially in lessons with specialized academic vocabulary.

Engaging students in academic language. ELLs need motivational and instructional strategies for learning academic language. Arreaga-Mayer and Perdomo-Rivera (1996, as cited in Klingner, Artiles, and Barletta, 2006, p. 114) found that there was low emphasis in language development in the classrooms they observed. ELL student engagement was very low and teachers primarily lectured, and used a whole-classroom instruction. This type of instruction does not provide ELLs with opportunities to improve their language proficiencies. Klingner and Harry (2006) also found similar instructional patterns in the classrooms of 12 elementary schools they observed. Klingner and Harry concluded that there was a lack of opportunity for students to engage and learn the language.

The essential components for instructing ELLs include good research-based instructional programs in which teachers support the students' first language, value ELL's culture and language, have high expectations for all students, , and engage students as they are learning language (Horowitz et al., 2009; Short & Fitzsimmons, 2007). When those factors are not present, ELLs are sometimes referred to special education (Artiles, Klingner & Barletta, 2006; Klingner & Harry, 2006).

Why Are So Many Hispanic ELLs in Special Education?

Nationwide research data on English language learners in special education is scarce (Artiles, Klingner & Barletta, 2006). However, data available reflects that 56% of English language learners in special education were identified as having reading problems and 24% were identified with a speech and language impairment (USDOE & NICHD, 2003). The reason for the scarcity of research on ELLs in special education is

due to the variety of processes and assessments used for determining eligibility of English language learners for special education (Artiles, Klingner & Barletta, 2006).

Some research studies on ELLs in special education found an overrepresentation of ELLs in special education (Artiles, Rueda, Salazar & Higareda, 2005; Donovan & Cross, 2002). Researchers found that the overrepresentation of ELLs in special education is due to the issues related to the pre-referral and referral issues and to the identification process used for ELLs (Barrera, 2003; Connor & Boskin, 2001; Harry & Klingner, 2005; Wilkinson, Ortiz, Robertson, & Kushner, 2006).

An appropriate instructional program, appropriate assessments, and knowledge of the language acquisition process helps teachers accurately identify students who may be in need of special education services (Klingner & Harry, 2006). Furthermore, the research suggests that some ELLs may have been placed in special education without regard to an ELL's cultural or linguistic background (Cummins, 1984; Ochoa, Rivera, & Ford, 1997; Figueroa & Newsome, 2006; MacSwan & Rolstad, 2006). In addition, the Individuals with Disabilities Act includes a provision to ensure students are not placed in special education without first considering the other probable causes for the student's lack of progress (Public Law 94-142, 1975). The law specifically states:

> learning disabilities do *not* include, …learning problems that are primarily the result of . . . of environmental, cultural, or economic disadvantage. (p.1)

Since students placed in special education perform far below their general education counterparts, are placed in more segregated settings, and have higher dropout rates (Artiles, Kozleski, Trent, Osher, & Ortiz, 2010), it is critical to be sure that ELLs are not

placed in special education because of the lack of English language acquisition (Cummins, 1984).

The section below discusses the issues related to the identification of English language learners as learning disabled. First is a discussion on the research on the overrepresentation of ELLs in special education. Next, a discussion of issues related to the assessment process. The last section reviews the research on the problems for students resulting from their special education placement. In this section, there will be a discussion of inappropriate instruction and the problems this causes students including a discussion on parents' perceptions of special education

Overrepresentation of ELLs in Special Education

The disproportionality of certain racial and ethnic groups in special education has been a concern nationwide for many years (Donovan & Cross, 2002). In 1979 the National Research Council (1982) found a disproportionate number of minority students identified with mental retardation in special education (Heller, Holtzman, & Messick, 1982). This nationwide study surveyed 6,040 school districts which included 54,082 schools. The researchers found that Hispanics were over-represented in the mentally retarded special education category in 26 out of 31 states with a Hispanic population ten percent or higher.

In a similar study, also requested by the National Research Council, Donovan and Cross (2002) found a disproportionate number of minorities in special education. The researchers reviewed the data collected by the Office of Special Education Programs (OSEP) and the Office for Civil Rights (OCR) in 1998. While they found that Hispanics were not over-represented in the aggregate data of the 50 states and the District of

Columbia, Hispanics were over-represented in two out of four states with the largest percentage of Hispanics - New Mexico and Texas.

In California, Artiles, Rueda, Salazar & Higareda (2005) studied eleven school district databases in order to determine the relationship between ELLs and special education placement. They analyzed the data at various levels including the composition index, risk index, and odds ratio to determine if ELLs were over-represented in elementary and secondary levels. The composition index compares the percentage of an ethnic group labeled with a disability with the percentage of students labeled in all ethnic groups. The risk index compares the percentage of an ethnic group with a disability to that ethnic groups' total representation in the school population. The odds ratio is determined by dividing the percentage of minority students with a disability by the percentage of minority students who are not categorized with a disability.

The researchers also looked at the relationship among students who had been in different language programs and their placement in special education. They specifically looked at ELLs placed in English immersion, modified English immersion, bilingual programs, and special education.

Artiles and colleagues determined that ELLs that were limited in both their first language and English were over-represented at both the elementary and secondary levels. Furthermore, they determined that ELLs limited in both their first language and English were 50% more likely than their White peers to be identified as learning disabled. In addition, the researchers determined that ELLs in English immersion programs were "almost three times more likely than ELLs in bilingual education programs" to be placed in special education programs (p. 292).

The variety of placement decisions and the variety of programs Hispanic ELLs participate in is problematic for researchers. As Artiles, et al. (2005) state:

> Is the over-representation for this subgroup the result of the inadequate screening, invalid assessment instruments, practitioners' belief that language differences constitute a disability, school placement practices that are shaped by constantly changing district reform mandates, accountability pressures, combinations of these factor, or even different factors? (p. 294)

An example of a classroom research study that shows how bilingual students are misidentified comes from Ruiz. Ruiz' (1995) ethnographic study of a special education bilingual classroom in California found that the students in the self-contained special education classroom represented three different profile types of bilingual children in special education:

1. Children with severe to moderate language learning disabilities;
2. Children suspected of having a mild disability who possibly have normal abilities
3. Children with normal ability misdiagnosed as disabled. (p. 479)

The researcher spent 14 months in the special education classroom as a participant-observer documenting the classroom context and moments of interest and also reviewed students' files and individual plans, and conducted parent interviews. The researcher found that six of the ten students, three from profile 2 and three from profile 3, were presumed to have a learning disability, but their achievement in the classroom showed otherwise.

There were three children identified from profile type 2: children suspected of having a mild disability that possibly have normal abilities (Ruiz, 1995). These children's abilities are consistent with children with language learning disabilities but are also consistent with children "from culturally and linguistic [sic] diverse backgrounds" (p. 481). One student was retained in kindergarten and when initially tested was determined to be in the trainable retarded range. Later, this student was re-evaluated and determined to have normal intelligence. This student was also able to gain one year as demonstrated in Spanish achievement tests after only one year of consistent instruction in Spanish.

Another three of the ten children were found to be in profile type 3: children with normal ability misdiagnosed as disabled (Ruiz, 1995).

> Although they score low on standardized language ability tests and occasionally have problems with academic discourse forms, records of their language skill across a variety of classroom contexts makes the case that they are children of normal ability and have been misdiagnosed. (p. 484)

A variety of problems with assessment procedures leading to the misidentification of ELLs have been reviewed in different research studies. These are discussed in the next section.

ELL Special Education Assessment

Several researchers have found anomalies in assessments conducted on ELLs to determine special education placement (Cummins, 1984, Wilkinson, Ortiz, Robertson, and Kushner, 2006; Ochoa, Rivera, & Ford, 1997; Figueroa & Newsome, 2006). Some of the problems found include the lack of knowledge of the language acquisition process;

the lack of adequate training in assessing ELLs, the lack of valuing students' culture and family, and the lack of using the legal guidelines for making nondiscriminatory assessment decisions of bilingual students.

Lack of knowledge of language acquisition. Cummins (1984) found that English language learners (ELL) in Canada were being referred and determined eligible for special education even though they had been learning English for a relatively short period of time. Cummins analyzed over 400 referral forms and psychological assessments submitted by Canadian teachers. The ELLs referred were struggling academically and scored low on classroom assignments, as well as tests, even though they appeared to speak English well socially. The psychological testing for them determined that the students scored low on the verbal performance sections of the assessments and, therefore, were designated as having a language or communication disability.

When school psychologists test students for cognitive abilities, they test verbal and performance levels as well as nonverbal proficiencies. English language learners however, score low on the verbal portions and may be designated incorrectly as needing special education due to a learning disability. Cummins (1984) explained that school psychologists should note the discrepancy between the verbal and nonverbal score as an indication of the lack of language acquisition rather than a learning disability.

In a qualitative study of the analysis of placement decisions made by six kindergarten teachers, Connor and Boskin (2001) found that these teachers lacked knowledge of the proper assessments for placing ELLs. The researchers found evidence

that the teachers, all with specialized training, did not use proper assessments and lacked knowledge of second language acquisition.

In a 2006 study, Wilkinson, Ortiz, Robertson, and Kushner found that ten out of 21 Spanish speaking ELLs who were identified as learning disabled and placed in special education had "learning problems that the panel believed could be attributed to factors other than LD or for whom substantive additional data would be required to validate eligibility" (p. 129). The students' special education assessments were, then, reviewed by a panel of experts who determined that the students did not meet the criteria for a learning disability. The researchers from both studies concluded that assessment teams need to look at data from a variety of sources when determining if an ELL qualifies for special education and review the interventions conducted prior to the referral (Wilkinson, et al. 2006; Connor & Boskin, 2001).

Lack of training in ELL assessment. Harry and Klingner (2006) in a 3-year ethnographic study of the assessment process with special education assessment teams found that the teams showed they were knowledgeable in their assessments for non ELLs but demonstrated confusion and inconsistency when assessing ELLs. Bilingual assessments are required for all ELLs, but Harry and Klingner found that with the majority of the psychologists neither the bilingual assessments nor the bilingual assessor were included in the ARD meetings and were not used in the determination of the disability. Likewise, in a study of school psychologists from eight states, Ochoa, Rivera and Ford (1997) found that 80% of those surveyed stated that they had "less than adequate training . . . on second language acquisition factors and their relationship to assessments" (p. 329).

Figueroa and Newsome (2006) investigated compliance with the nondiscriminatory policy of IDEA (Individuals with Disabilities Education Act) in California. They reviewed the assessments of 19 psychological reports on ELLs and found that "nonbiased, nondiscriminatory assessment is not being done with bilingual pupils" (p. 213). The researchers found that 68% of the assessments of ELLs did not include assessments in their first and primary language, and all assessments were administered by personnel who did not know the students' primary language.

Klingner and Artiles (2003) explain that even though many advances have been made in special education for ELLs, there are still many challenges. The inconsistency of the assessment process across the country suggests that there is an over-representation of ELLs in some categories such as LD. The authors contend that

> Disregard for the potential influence of language and culture on students' school performance can increase the incidence of false positive diagnoses with devastating consequences for culturally and linguistically diverse students. (p. 68)

Why is Being Labeled as Learning Disabled a Problem for ELLs?

> The special education profession needs to overcome the widespread tendency to view culturally and linguistically diverse children from a deficit perspective. (Klingner & Artiles, 2003, p. 70)

Research shows that many assessment personnel misidentify students who do not meet the criteria for special education (Harry & Klingner, 2006; Ysseldyke, 2001). Once placed in special education, ELLs are segregated and stereotyped due to the fact that they are perceived as not capable of achieving high standards. Because of this perception and teacher practices, many of these students fail to meet their full potential.

Students who are identified as having a learning disability experience many problems in school that last throughout their lives. In addition, LD students are perceived less favorably by their peers and teachers because of perceived lower intellectual or academic abilities (Tur-Kaspa & Bryan, 1993; Donahue & Wong, 2002; Mangels, Butterfield, Lamb, Good & Dweck, 2006). Furthermore, research shows that ELLs placed in special education receive fewer linguistic and cultural language supports including academic language strategies than students in the mainstream education classroom (Blanchett, Klingner, & Harry, 2009; Harry & Klingner, 2006; Trueba, 1988; Ruiz, 1989, 1995; Lopez-Reyna, 1996).

The next section discusses the consequences of placing English language learners in special education. First is a discussion on the research on the effects special education on self-concept and then a discussion on the instruction ELLs in special education receive.

Effects of a Learning Disability Label on Self-Concept

Researchers have determined that students identified as in need of special education services develop a lower self-concept due to the placement (Tur-Kaspa & Bryan, 1993; Donahue & Wong, 2002; Mangels, Butterfield, Lamb, Good & Dweck, 2006). This section discusses three studies on the effects of a learning disability label on students' self concept.

Research by Taylor, Hume, & Welsh (2010) determined that special education students who were labeled with general special education needs (SEN) such as a learning disability have a self-esteem which is lower than that of those labeled with a specific disability such as dyslexia or those with no disability. A self-esteem survey was

administered to 75 students. A third of the students had been identified with a SEN, a third had been diagnosed as dyslexic, and a third did not have a disability. The researchers found that the SEN students had the lowest self-esteem scores while the scores of the students labeled with dyslexia were similar to children without any disability. Taylor and colleagues state:

> On the basis of these findings, it is suggested that being labeled as having a general SEN may negatively affect children's self-esteem because, unlike the label dyslexia, this label offers very little in the way of an explanation for the child's academic difficulties and because targeted interventions are not as available for those with a less specific label. (p. 191)

Tur-Kaspa and Bryan (1993) studied social attributions of LD students compared to those of low performing students and average to high performing students. The researchers found that LD students attributed their success and failures to external sources such as luck, third party interventions, and the other person's mood more than low performing or average to high performing students.

The researchers reviewed the student responses on six social situations, three with positive outcomes and three with negative outcomes. The students were asked to imagine themselves in the situation and to rate each possible reason for the outcome such as "someone told them to do so, they thought I was nice, I was lucky, they were in a good mood" using a five-point scale which ranged "from not an important reason at all to a very important reason" (p. 235).

The researchers state that students who believe that their success or failure is determined by outside sources often do not perform to the best of their abilities since they

feel that success is due to luck or events outside their control (Tur-Kaspa & Bryan, 1993; Mangels, et al. 2006).

> Because people's beliefs about the causes of their success or failures mediate their behavior by determining what actions they attempt to perform and how much effort they will put into this performance, it is important to assess these children's attributions for their social success and failures. (Tur-Kaspa & Bryan, 1993, p. 230)

Thus, LD students do not see that they can make a change in their educational progress.

In order to explore if there was a relationship between having a learning disability and self-esteem, Thompson and McKenzie (2005) interviewed 80 adults, 40 who had been labeled as a student with a learning disability and 40 who had not been labeled as having a learning disability. They found a significant difference in self-esteem scores between those who had a disability and those who did not. The learning disabled adults were more likely to have a lower self-esteem.

When asked "Is it a good or a bad thing to have a learning disability," some participants responded with:

> Nothing really good about it'. . . some people think you're labeled as being disabled and can't or don't want to learn and you're shoved in to a corner and forgotten about. (p. 31)

This study's results further demonstrate that the learning disability label has long lasting effects. Quotes such as the one above show that the adults interviewed believed that the instruction they received was not the same quality as the instruction given mainstream students.

Special Education Instruction

Once placed in special education settings, ELLs are further segregated from regular education students and receive fewer linguistic supports than other ELLs (Harry & Klingner, 2006). Culturally diverse students in special education are placed in more restrictive settings, are isolated from the mainstream, and are described as having double jeopardy because of the poor instruction they receive (Blanchett, Mumford, & Beachum, 2005). As Blanchet, Klingner, and Harry (2009) state:

> students of color experience all the educational inequities associated with living in poverty and attending urban schools that are often insufficiently funded and resourced, but, in addition, these students are labeled as having a disability and many of them also experience inequities that are inherent in the special education system, including segregated classrooms, limited access to the general education curriculum, and poor post-school outcomes. (p. 392)

Loosen and Orfield (2002) also explain that once students are identified in need of special education services, they are more likely to be removed from the mainstream classes and further isolated in special education settings. In his review of Loosen's and Orfield's findings, U.S. Representative Chaka Fattah (D-PA) states:

> The findings of *Racial Inequity in Special Education* indicate a trend with chilling implications for our education system. The over-identification of minority students in special education and the subsequent isolation, stigmatization, and inferior treatment they receive reconfirms the notion that education in America falls short of offering a level playing field for all. (Racial, 2004, p. 15)

In the Ruiz' (1995) study, the researcher explains that when the classroom instruction includes social interaction, draws on students' personal experiences and first languages, "their strengths related to language and literacy make themselves apparent (p.481). All of the students in her study were diagnosed as learning disabled and placed in a very restrictive special education setting.

> There may be a problem within the student under these circumstances, but the educational treatment need not be different than that given to children who are gifted, non disabled, or bilingual, when the treatment is enriched instruction rather than remedial. (p. 488)

Ruiz determined that the children in this study were able to demonstrate normal abilities in language and learning in most contexts providing evidence that these students could learn in a general education setting. As Ruiz concludes even students placed in special education should have access to the general curriculum and higher academic standards.

Trueba's (1988) ethnographic study of 12 ELLs found that once ELLs are placed in special education all English programs, they continue to have learning problems due to inappropriate instructional practices. These resulted in the students'

> "(a) lack of overall participation in whole class activities, (b) lack of academic productivity . . . and (c) the presence of . . .pervasive stress, fear, confusion and other signs of ongoing emotional turmoil. (p. 133)

Trueba uncovered the fact that teachers were unaware of the students' lack of understanding of U.S. school culture, such as Halloween. The teachers did not notice or did not care that the students did not participate in the class activities, thus the lack of appropriate instruction. The researchers' observations of the classroom activities

matched the students' descriptions of their classroom experiences which were too fast, too difficult, and their homework as confusing and boring" (p. 137). These observations indicate the lack of the teacher's awareness of the inappropriate instruction.

Lopez-Reyna (1996) conducted an action research study in a large district in the Midwest. Through classroom observations, she determined that the students in a special education self-contained classroom were instructed mainly through skill based instruction where the students were learning to read by using isolated word lists or copying stories from the board. Lopez-Reyna, with the assistance of another teacher, then applied instruction from a socio-cultural perspective in order to improve oral language, reading, and writing. The new instructional strategies included connecting the literacy instruction with the students' background knowledge, using trade books in the students' first language instead of worksheets, allowing the students to choose the language of instruction. These strategies allowed the teacher and researcher to better determine the students' abilities. The students

> responded to opportunities to demonstrate their competence to text comprehension through spontaneous oral conversation, making predictions about the text, and providing a rationale for their story-related comments. They took an active role in their own learning. (p. 127)

Through the use of these new instructional strategies used in mainstream bilingual classrooms, the researcher determined that three of the students were able to show significant improvement indicating that the lack of appropriate instructional strategies used by the special education teacher limited the students' opportunity to learn. The researcher concluded:

> Including the experiences of the children as an integral part of the instruction fosters the kind of meaning making described by Vygotsky and others . . . Although Mrs. T. reported that it was important for the students to leave their personal lives at the door and concentrate on learning, it is questionable practice to expect children who come from homes in which a different language is spoken or a different culture is lived to find themselves in classrooms in which nothing familiar is present. How can we expect our children to open to the full learning experience in classrooms when their experiences are not acknowledged? (p. 128)

A study that brings together many of the issues related to the education of culturally diverse students in special education is one by Harry and Klingner (2006). This was a multi-faceted research study in a large district that was conducted in order to determine if schools provided an adequate education prior to placement in special education and to determine the quality of the instruction in special education. The researchers interviewed 272 students, parents, school-based and district personnel; made 627 classroom observations and 42 child study team meetings in 12 schools over a three year period. They also conducted 12 case studies and follow-up activities the fourth year. Besides their findings of the over-representation in the LD category and inappropriate placement of students, the researchers found many problems with the education of these students:

> We found a great deal of evidence of inappropriate and inadequate instruction . . . that increased the . . special education placement . . there was simply no way of knowing how children would have fared in more effective educational circumstances or with intensive instructional supports . . . also the lack of standard

> criteria for referral . . allowed schools to respond inappropriately to the pressure of local norms and high-stakes testing. We conclude that it cannot be assumed that high special education placement rates reflect genuine learning and behavioral deficits. (p. 181-182)

The researchers make several recommendations at the federal level (Harry & Klingner, 2006). First, the federal government should rethink how special education services can be available for students without receiving a label. Second, all placement teams need to consider cultural and linguistic diversity when placing students in special education, and thirdly, reviewing accountability measures

At the classroom level, the researchers suggest observing individual classrooms of referring teachers in order to determine the quality of instruction prior to special education referral (Harry & Klingner, 2006). Recommendations for the improvement of special education instruction include lowering the class size, increasing the pre-service instruction for new teachers, and increasing the staff development for current special education teachers to include training on differentiated instruction. In addition to improving classroom instruction, the researchers recommend more training on cultural diversity and increased parent participation.

The Role of Parents

The issues of special education placement go beyond teachers, psychologists, and assessment teams. Klingner (2009) recommends that teachers understand and value student's bilingualism, culture, and family. When discussing parents and special education placement meetings, Klingner and Harry (2006) found that "school personnel were barely able to conceal a distinct contempt, which seemed to be based on a

combination of racial and socioeconomic stereotyping" (p. 2277). The researchers found that parents were barely acknowledged when they did occasionally provide input. The school personnel displayed negative attitudes towards the parents and often ignored and ridiculed them during special education meetings.

Studies have shown that parent participation in their children's education benefits student achievement (Christenson & Sheridan, 2001; Henderson & Mapp, 2002; Patrikakou, 2004). However, in special education, and especially with Latino parents, research shows that parents are excluded and misinformed. They are often confused by the special education classifications and are sometimes ignored by school officials when they ask questions about their child's placement (Harry, 1992; Hess, Molina & Kozleski, 2006; Mueller, Singer & Carranza, 2006; Klingner & Harry, 2006). Harry (1992) and Klingner & Harry, (2006) found that some of the language minority parents did not even understand why their children were placed in special education. For example, some parents believed that their child's special education placement was due to the fact that their child was a second language learner and not to the fact that the child had a learning problem.

Hispanic parents' understandings of their children's special needs, then, often are very different from the schools. Harry's (1992) ethnographic study on the parental views of 12 low-income Puerto Rican parents from a city in the northeast found that the families had different reasons for the disabilities and different understandings of the labels given their children. The sample included six parents whose children were labeled as mentally retarded and eleven who had a learning disability. The parents expressed

their own explanations as to why their children were experiencing difficulties in school. The interviews with the parents produced three central themes:

> the importance of family identity in the interpretation of a child's developmental patterns; the detrimental effects of second-language acquisition on school learning; and the detrimental effects of educational practices such as frequent changes in placement, out-of-neighborhood placement, an unchallenging curriculum, and inflexible reading instruction. (p. 32)

Some of the parents interviewed interpreted the mentally retarded label as the school labeling their child as being crazy or physically disabled. These misconceptions show a lack of understanding of what the school labels were and a lack of communication from the school. Parents also often believed that their children were fine until they entered school and believed the placement in special education in was detrimental to their children's education. One of the studies found that Latino special education parents had unrealistic high aspirations for their children's futures despite the fact they were placed into special education (Blue-Banning, Turnbull, & Pereira, 2002).

Harry and her research team (1992) attributed some of the parents' conclusions to the characteristics of the instructional program provided the students. For example Harry (1992) noted that Spanish speaking children in special education were placed in all English programs and were, therefore, forced to transition to English upon entering school. The conclusion, then, could be made that students struggled academically because of the program the school offered Spanish-speaking children. Thus, the program they received caused the students' learning problems. Harry pointed out that the parent's views that the students' problems were caused by the schools is similar to arguments

from researchers who state that some disabilities are socially constructed. As Blanchett, Klingner, and Harry (2009) explain

> researchers have also drawn on . . . disability studies to question the social constructions of disability . . . and deficit conceptualizations of disability. Despite this significant progress, the intersection of race, culture, language, and disability still remains largely unexplored and largely a missing component in the urban education research . . . even though, like race, disability has been and is still being used as a method of sorting, stratifying, and excluding. (p. 392-393)

In a study in a large urban district in a south-western state, Hess, Molina, and Kozleski (2006) investigated the efforts of special education parents from diverse cultures who sought to obtain positive and productive school experiences for their children. The researchers conducted thirteen focus groups sessions with one to eight parents lasting from1 to 1 ½ hours. Fifteen of the twenty-seven parents were Hispanic, ten were African American and two were White. Three of the focus groups were conducted in Spanish.

The parents in the focus groups were asked several questions related to their feelings about their child's experiences in the special education program. The questions were focused on their child's experiences in special education and how they felt about the placement. The researchers also asked the parents when they first noticed their child needed help and asked them if the program was helping the child with the problems the child was having.

Several themes concerning the parents, teachers, and the school emerged from this study. Parents expressed problems with communication and tensions between

themselves and school officials. Some parents felt that their contributions at special education meetings were not expected or wanted. Other themes that emerged were the lack of a challenging curriculum, and concerns with segregation and labeling. The researchers recommend that parents be given information in a language they can understand and choices in their child's educational program.

In a National study about instructional practices for special education English language learners, Mueller, Singer, and Carranza (2006) sent surveys to 337 teachers of special education children. The researchers asked for the teachers' perceptions regarding parent participation with the instructional program of their children in special education. The researchers also questioned the teachers regarding the role of the administrator during special education placement meetings with parents.

The researchers found that 43% of the teachers stated that the parents were not consulted about what language should be used for receptive and expressive language instruction. Furthermore, 62% of the special education teachers claimed that the administration discouraged the discussion of language instruction at the special education meetings with parents. This study further detailed the negative attitudes towards parents of culturally diverse students by school staff.

In conclusion, the studies on the involvement of parents in the lives of their special education show that teachers and school officials have a negative view of parents of culturally diverse students. As Valdés (1996) states:

> what their mothers had so carefully taught them, did not prepare them for the world of school. Their teachers viewed them as having communication problems

> or social development problems or as simply coming from homes where the parents did not really care a great deal about education. (p. 141)

Further researcher is needed regarding the role of ELL parents and their children (Mueller, Singer, and Carranza, 2006) especially considering how important it is that schools and families of special education ELLs communicate.

Conclusion

There are numerous studies indicating the need to provide appropriate instruction for ELLs in order for them to achieve academic success (Cummins, 1984; Artiles & Trent, 1994; Artiles, Rueda, Salazar & Higareda, 2005; Harry & Klingner, 2006; Short & Fitzsimmons, 2007; Freeman & Freeman, 2009). The lack of appropriate instruction may result in academic failure which often causes teachers and administrators to refer students to special education (Artiles et al., 2005; Suarez-Orozco, Roos, Suarez-Orozco, 2000).

Studies have shown that there is an over-representation of ELLs in special education indicating that some students may have been misidentified. Furthermore, there are many studies of the effects of special education on non-ELLs, but there are few concerning the effects of special education placement on ELLs.

In this study, I will investigate the effects of the learning disabled label on ELLs in an effort to provide insight on ELLs' academic progress and self-concept after being labeled as learning disabled. I will explain the methodology I will use for this study in Chapter Three which entails methodology in determining overrepresentation and a review of the studies on the overrepresentation of Hispanics in special education. This section is followed by discussion on the methodology used in studies on the effects of a learning disability label followed by the methodology used in studies on special education

instruction and parent perceptions. The chapter then ends with the rationale for the methodology used in this study, and a description of the method, participants, data collection and data analysis.

Chapter 3 – Methodology

Introduction

High school adolescents in U.S. schools score substantially below the basic reading levels required for high school graduation, entrance into higher education, or even for successfully entering the workforce (Short & Fitzsimmons, 2008). A growing number of these students are English language learners who face the double challenge of learning English and content taught in English. The adoption of the No Child Left Behind Act in 2001 has complicated the educational scene requiring English language learners (ELLs) to successfully complete state assessments and course requirements in English in order to receive a high school diploma (Public Law 107-110, 2002).

Cummins (1984) conducted research showing that it takes five to seven years to acquire sufficient academic proficiency in English for ELLs to compete with native English speakers. However, ELLs are not given the time or support that is required to learn English and take state exams within a short time. The pressures of meeting state and federal mandates coupled with the lack of educator knowledge of the language acquisition process for second language learners, often leads educators working with ELLs to inappropriately refer students to special education. Although these students speak conversational English, they struggle with reading and writing academic English and are, thus, often labeled as having a learning disability (Artiles, Rueda, Salazar & Higareda, 2005; Suarez-Orozco, Roos, Suarez-Orozco, 2000).

Research indicates that many ELLs are misidentified and placed in special education due to the lack of appropriate placement procedures (Harry & Klingner, 2006; Ysseldyke, 2001). Consequently, there is an overrepresentation of ELLs, and especially

Hispanic Ells, in special education in areas with high numbers of ELLs, (Artiles et al., 2005; Guzmán, 2008). This is especially important since studies on learning disabled students have found that LD students view their abilities as fixed and unchangeable and therefore exert less effort in academic tasks (Mangels, Butterfield, Lamb, Good & Dweck, 2006). ELLs misidentified may therefore, attribute their low academic performance to being LD and view themselves as unable to improve their academic performance. Once in special education, ELLs receive fewer instructional supports, experience lower academic expectations, and are often stigmatized by the label (Zehler, Fleischman, Hopstock, Stephenson, Pendzick, & Sapru, 2003; Artiles, Klingner, & Barletta, 2006).

There are several studies on the effects of special education on non-ELLs, but there are none specifically looking at the effects of special education on ELLs. This study looks at the effects of special education placement on the self concept of students identified as learning disabled and how this placement affected their instructional program and preparation for college and careers.

Research Questions

The purpose of this research study is to identify the long-term effects of special education on Hispanic students who were labeled as learning disabled in elementary school and are now in high school. There is one main research question with four sub-questions:

- What are effects of the early identification of a learning disability on Hispanic English language learners?
    - How were the students identified for special education?

- What was the student's academic path?
- What are the students' perceptions of their own academic abilities?
- What are the parents' perceptions of their children's academic abilities?

This chapter discusses the methodology used in this qualitative case study to address the research questions stated above. In order to situate this study, other studies related to the question and sub-questions are reviewed to specifically identify the research methodologies used in each. First there is a review of the studies that address the overrepresentation of ELLs in special education. Then studies on the effects of special education, instructional programs for ELLs, and studies on parent perceptions are discussed. This overview of related studies is followed by a description of the rationale for this study and a brief description of this study's participants. The last section details the data collection and data analysis procedures.

Overrepresentation of ELLs in Special Education

There are many studies investigating the overrepresentation of minority groups in special education (Cummins, 1985; Donovan & Cross, 2002; Artiles, Rueda, Salazar & Higareda, 2005; Wilkinson, Ortiz, Robertson, & Kushner, 2006; Sullivan, 2011). The quantitative studies examining this overrepresentation compare the numbers of students in special education to the students not in special education, while qualitative studies analyze documents such as student referrals and the assessments used to determine student placement. The studies on overrepresentation and the methodologies used in each are described in the next section.

Methodology in Determining Overrepresentation

In order to determine if an overrepresentation exits, researchers have analyzed quantitative data using a composition index, risk index, and odds ratio as described below (Donovan & Cross, 2002; Artiles, Rueda, Salazar & Higareda, 2005). The composition index looks at percentage of an ethnic group labeled with a disability and compares that percentage to students labeled in all ethnic groups. The risk index compares the percentage of an ethnic group with a disability in comparison to that ethnic groups' total representation in the school population. The odds ratio is determined by dividing the percentage of minority students with a disability by the percentage of minority students who are not categorized with a disability to determine a ratio between minority students labeled with a disability and those not labeled.

Quantitative studies. Quantitative research studies "strive for testable and confirmable theories that explain phenomena" (Ary, Jacbos, Razavieh & Sorensen, 2006, p. 449). Donovan and Cross (2002) reviewed Office of Special Education (OSEP) and Office of Civil Rights (OCR) surveys to determine the prevalence of minority students in special education. The researchers examined the child count data reported by the agencies by using the risk index, odds ratio, and the composition index described above to determine the outcomes. They then compared the data of five ethnic/racial groups: White, Black, Hispanic, American Indian/Alaskan Natives, and Asian/Pacific Islander. The researchers found that although they did not find Hispanic students over-represented across the nation, they did find high risk indices for Hispanic students in states with high concentrations of minority students.

Artiles, Rueda, Salazar and Higareda (2005) investigated the overrepresentation of ELLS in special education by reviewing the data bases of several large school districts in California. The researchers also used the composition index, risk index, and calculated the odds ratio to determine if an overrepresentation existed. They calculated the differences comparing the special education data of ELLs to English proficient students and also compared the findings to White students. They compared the results across grade levels, special education programs, and language programs and found there was an over-representation of ELLs with limited abilities in both their first language and English in both the elementary and secondary schools in the learning disabled category.

Sullivan, (2011), basing her methodology on Artiles, Rueda, Salazar and Higareda (2005) used the risk ratio to determine if ELLs were more likely than Whites to be placed in a number of disability categories of special education in Texas. The researcher also analyzed the type of placement decisions made for ELLs placed in special education. She examined the relationship of the variables using correlation analyses and multiple linear regressions. Correlation analysis is used to determine if there is a relationship between the variables (Ary et al. 2006). Multiple linear regressions were used to determine the strength of the relationship between the variables. Sullivan concluded that ELLs are more likely than Whites to be identified with a learning disability and placed in special education.

Qualitative studies. Wilkinson, Ortiz, Robertson, and Kushner (2006) compared the eligibility decisions for special education of 21 ELLs made by school district personnel with the eligibility determinations of an expert panel. The panel reviewed the bilingual education placement records, results of language proficiency assessments, and

documentation of the type of language instruction. They also looked at the special education records , the students' IEP's, referral documents, including information submitted from the referring teacher, health and social historical data, special education assessments, meeting documents, and time spent in special education resource classrooms. The data was then entered into a Microsoft Excel spreadsheet and frequencies were determined to obtain the results. The expert panel determined that 10 out of the 21 students were misidentified as learning disabled.

Klingner and Harry (2006) conducted an ethnographic study over a period of three years on the decision-making process of 12 schools in a southern state. The researchers conducted 627 classroom observations, observed placement conferences for 19 students as well as 14 other meetings, 5 psychological evaluations, and conducted 272 open-ended or semi-structured individual interviews with school personnel, students, and parents. The data was analyzed using the constant comparison method and an inductive approach. The researchers found that the decision making teams made decisions about ELLs without considering the bilingual assessments administered to the students. These assessments were required to rule out the inappropriate placement of second language learners. Klingner and Harry (2006) found that the team members made decisions without knowledge of second language theory.

Mixed-method study. Cummins (1984) analyzed the teacher referral forms and psychological assessment data of 428 students using both quantitative and qualitative methodologies. The quantitative data analyzed by Cummins (1984) included many variables from the students' referrals including student characteristics, the reasons for the referral, and pre-referral interventions attempted by teachers before referring the student.

Cummins converted this information into percentages to determine the characteristics of the students. For example, he looked the percentage of males versus females and quantified the reasons for referrals categorizing reasons and then determining percentages. Current intelligence, language, and academic tests available for the students were also analyzed. The test data was analyzed using both a three-way analysis of variance and a one-way analysis of variance.

The qualitative analysis was also conducted on the information on the student's referral forms completed by each teacher and the psychological assessments (Cummins, 1984). The researcher coded the responses from the referral forms completed by the teachers who referred the students in regards to teacher's expectations and assumptions. The psychological assessments were categorized as to whether the assessor considered the student's ESL background when interpreting the results. Cummins found that the psychologists and the teachers did not understand the difference between conversational language proficiency and academic language proficiency. This lack of understanding caused them to refer the ELLs to special education leading to the overrepresentation of ELLs labeled as learning disabled.

Table 5 below summarizes each of the studies on overrepresentation.

Table 5

Review of Overrepresentation Studies

Study	**Problem**	**Method of Study**
Donovan and Cross (2002)	Representation of special needs or giftedness among some racial/ethnic groups.	Quantitative analysis of survey data

Artiles, Rueda, Salazar and Higareda (2005)	The overrepresentation of ELLs in various language programs and grade levels.	Quantitative analysis comparing risk and composition indexes and calculating ratios
Sullivan (2011)	The disproportionate representation of students identified as ELLs in special education.	Quantitative analysis comparing risk and composition indexes and calculating ratios
Wilkinson, Ortiz, Robertson, and Kushner (2006)	overrepresentation of ELLs in special education without looking at multiple sources	Qualitative document review
Harry, B. and Klingner, J. (2006)	The inadequacy of the referral and placement process.	Mixed methods study: qualitative document review, participant observer data, case studies Quantitative: demographics
Cummins (1984)	Reasons for special education referrals: cognitive ability or lack of English proficiency	Mixed methods study including a quantitative analysis of data and qualitative document review coding and categorizing

The studies described above researched the overrepresentation of ELLs in special

education. This sampling of studies explains how this phenomenon has been studied in the field. This following section discusses research studies evaluating the effects of being labeled as learning disabled.

Effects of a Learning Disability Label

Zhang and Benz (2006) state that there are long-lasting effects of being labeled with a learning disability including limited access to postsecondary education, which leads to lost wages, unemployment and a life time of dependency on others for support. Others claim that students who are labeled as having a learning disability suffer from lowered self-esteem issues in comparison to students without learning disabilities (Nuñez, González-Pienda, González-Pumariega, Roces, Alvarez & González, 2005). In addition, Osterholm, Nash, and Kritsonis (2007) state that the students who are labeled as learning disabled are sometimes thought of as being mentally retarded by those who do not understand the disability.

Often students who are labeled as learning disabled react to the label by reducing their academic efforts due to a lowered self-concept once they receive this negative label (Nuñez, González-Pienda, González-Pumariega, Roces, Alvarez & González, 2005). However, the research is limited in regards to the effects of labeling English language learners with a learning disability (Artiles & Klingner, 2006). The preponderance of evidence on the dismal progress of English language learners in schools and the high number of ELLS in special education indicates a need for research in this area.

There is ample evidence that many well-intentioned educators are still unaware of the assumptions underlying tests of learning abilities and disabilities and are

> guided by misconceptions about the nature of language proficiency and bilingualism. (Cummins, 1984, p. 2)

Quantitative Studies

Research studies on the effects of special education placement utilize both quantitative and qualitative methods. One quantitative study by Tur-Kaspa and Bryan (1993) used a questionnaire to study the difference between learning disabled and non-learning disabled student social attributions. The researcher administered the survey to ninety-two Chicago students from four grade levels: third-fourth and seventh-eighth. The researchers analyzed the data using the analysis of variance (ANOVA). The researchers rated the responses as attributing the placement to either internal or external factors. The external factors included luck, others' personality, other's effort and mood while internal factors include characteristics of self and one's effort. They found that the LD students attributed their successes and failures to external factors rather than internal factors more than the non LD students indicating a lower self-esteem.

Baird, Scott, Dearing, and Hamill, (2009) reviewed the survey responses from 1,518 sixth through twelfth grade students from two rural districts including 107 who were identified as learning disabled. Because of the large sample and their goal of determining the relationship between learning disability and efforts students made in school, the researchers used a test to evaluate the indirect effects of the learning disability label. The researchers concluded that LD students "were more likely to possess low academic self-efficacy, to believe that intelligence was fixed and nonmalleable, to prefer performance over learning goals, and to interpret the exertion of effort as meaning they possessed limited levels of ability" (p. 881).

A quantitative research study by Taylor, Hume, and Wells (2005) used a questionnaire to determine if the learning disability label affected the self-esteem of seventy-five children between the ages eight and fifteen in the United Kingdom. The researchers found significant differences between the self-reported self-esteem levels of the LD students, dyslexia students and the non-LD students using an analysis of covariance (ANCOVA). The researchers determined that the dyslexia and non-LD students had higher self-esteem levels than the LD students.

Núñez, González-Pienda, González-Pumariega, Roces, Álvarez, González, Cabanach, Valle, and Rodríguez (2005) administered several questionnaires to 345 students and their teachers to determine if there were differences between LD and non LD students in regards to three variables: self-concept, causal attributions, and academic goals. The researchers conducted several Multiple Analyses of Covariance (MANCOVAs) using the three variables of self-concept, causal attributions, and academic goals. They found significant differences between the LD and non LD students. Non LD students attributed their success to internal factors-their own efforts and their failures due to lack of effort. LD students on the other hand attributed their success to external factors "having little to do with themselves" (p. 91). They blamed their failures on both their own lack of ability and lack of effort. The researchers also found that LD students rated themselves significantly lower in self-concept, achievement goals, and acceptance based on their academic achievement.

Qualitative Studies

Albinger (1995) conducted a qualitative study to determine how students felt and how they perceived themselves after being labeled as learning disabled. Twenty-eight

students from a large district in California were randomly selected from a pool of 1,096 students who were labeled as learning disabled. The researcher employed an inductive data analysis that began with observations over a six month period. She then conducted a document review of student records and interviewed individual students. The data was then coded and categorized using the constant comparative method. The researcher found that the learning disabled students coped with the label by making up stories about where they went when they were sent to the special education resource room. The researcher also determined that the students had issues relating to a low self-esteem due to feeling bad about being thought of as "stupid or dumb" (p. 617) by the non LD children.

Barga (1996) conducted a qualitative study investigating students' experiences in order to understand how students "identified with learning disabilities at different points in their lives manage their disabilities" (p. 414). The researcher analyzed data from open-ended interviews, classroom observations, and the academic records of nine university students who were identified as having a learning disability either in elementary school or after high school graduation. The data was analyzed using the grounded theory method. Three common themes emerged from the students' experiences: labeling, stigmatization, and gate-keeping. The researcher concluded that the students' experiences from labeling, stigmatization, and gate-keeping led them to develop coping mechanisms to deal with the negative experiences encountered in school.

Osterholm, Nash, and Kritsonis (2007) reviewed 34 research studies from 1970 to 2000 on learning disabilities conducted in the United States. The studies reviewed had the LD label designated by school psychologists or diagnosticians and included 28

quantitative studies and five qualitative studies. The researchers sought to find common patterns and themes from the data and used "an iterative process similar to the constant comparative method" to analyze the data (p. 1). The researchers found that the LD label stigmatized the students with negative stereotypes, segregation, and lowered teacher expectations.

Table 6

Review of Special Education Effects Studies

Study	**Problem**	**Method of Study**
Tur-Kaspa and Bryan (1993)	The social attributions of students with learning disabilities.	Quantitative analysis of survey data
Baird, Scott, Dearing, and Hamill, (2009)	The maladaptive cognitive self-regulatory pattern of LD students.	Surveys were analyzed to determine the indirect effects of a learning disability.
Taylor, Hume, & Wells (2005)	The effects of being labeled on self-esteem.	Questionnaires analyzed using covariance of data (ANCOVA)
Núñez, González-Pienda, González-Pumariega, Roces, Álvarez, González, Cabanach, Valle, and Rodríguez (2005)	Self-concept, causal attributions, and academic goal differences between students with and without LD.	Quantitative analysis of survey data using MANCOVAs

Albinger (1995)	Students' views of special education labels.	Qualitative analysis of interviews through an inductive data analysis
Barga (1996)	The academic success of students with learning disabilities.	Qualitative analysis of document reviews of records, interviews and observations using grounded theory
Osterholm, Nash, and Kritsonis (2007)	Ramifications of the being labeled as learning disabled	Qualitative analysis of research studies using grounded theory

The qualitative and quantitative studies described above provide a sampling of the studies used to examine the effects of a learning disability on students. The next section describes studies on the instruction the students received once placed in special education.

Special Education Instruction

Donovan and Cross (2002) found in their review of the Office of Special Education (OSEP) and Office of Civil Rights (OCR) surveys that "teacher quality" is less likely in higher-poverty school districts where minority children are concentrated (p.6). This led them to ask whether minority student placement in special education was a benefit or a risk and whether the results are different for different ethnicities and races.

In Artiles, Rueda, Salazar and Higareda (2005) study of the overrepresentation of ELLS in special education, the researchers' state:

> the presence of the disproportionality should be taken as an opportunity for the examination of more complex issues that ultimately shape this problem. The nature and quality of the instructional program and academic and social support services (opportunity to learn) merit consideration as part of a complex whole, particularly as they affect equal educational outcomes. (p. 299)

Unfortunately, the research on the quality of special education instruction for ELLs is rare. However, three reviews of qualitative studies on special education instruction of ELLs are presented below.

Qualitative Studies

Ruiz (1995) conducted an ethnographic study from a participant-observer perspective. The researcher documented the student interactions and classroom instruction and provided a rich description of the classroom context in order to describe the learning of ten students over a 20 month period in a special education bilingual self-contained classroom in California. She classified the 10 students into three profile groups according to their learning abilities: Profile type 1: severe to moderate disability; Profile type 2: mild disability to normal ability; and Profile type 3: normal ability. She determined that some of the students placed in the self-contained bilingual classroom could have been better served in a regular bilingual classroom in order to have an optimal learning environment.

Trueba (1988) along with two doctoral students also conducted an 18 month ethnographic study on 12 learning disabled children in first through fifth grade in California. The researchers focused on language instruction and coded the students' interactions into four contexts: community, school, home, and self. He also looked at

their socialization patterns. The researchers found that the academic failure of the students in the study may be rooted in cultural conflict and "that culturally-based instructional models can help in the acquisition of English literacy for academic success" (p. 125).

Lopez-Reyna (1996) conducted over 100 hours of qualitative research on a classroom of 14 special education students whose ages ranged from 7 to 10 years old in a self-contained classroom over a period of 20 months in the Midwest. Two of the students spoke only Spanish, two spoke only English, and the rest of the students were at a variety of levels of bilingualism. The special education teacher was bilingual but had no formal training in second language acquisition. Data included video-taping of the classroom, teacher interviews, and field notes. The video-taped lessons, interviews and the observation notes were coded and categorized by the type of instructional interaction. The researcher found that the students participated more freely and were more engaged in the instruction when they were allowed to choose the language of instruction.

Table 7

Review of Special Education Instruction Studies

Study	**Problem**	**Method of Study**
Ruiz, N. (1995)	Misplacement of second language learners in special education	Qualitative study using data from a participant-observer perspective and document review
Trueba, H. (1988)	Inappropriate instructional practices for ELLs in special education.	Qualitative study using interviews, participant

		observations and school documents.
Lopez-Reyna, N. (1996)	Lack of appropriate instructional strategies in the special education classroom.	Action research

The next section describes studies the perceptions of parents whose children were identified as learning disabled.

Parent Perceptions

> When a family finds out their child has a disability, they enter a world of special education which has its own terminology, rules, settings, and personnel. In addition to grappling with the meaning of their child's special needs, families are thrown into the role of principal advocate for their child. (Hess, Molina, and Kozleski, 2006, p. 148)

Adjusting to the school system, learning the school culture, and learning how to communicate with teachers and administrators is difficult for Latino parents (Gándara & Contreras, 2009; Suárez-Orozco, Suárez-Orozco, & Todorova, 2008). All parents and most importantly, parents with special needs children need to gain cultural capital to help navigate the school system (Harry & Klingner, 2006). The next section discusses studies related to the problems parents, including Latino parents encounter with the school system and special education

Quantitative Study. Mueller, Singer, and Carranza (2006) analyzed the responses of 375 surveys mailed to special education teachers nationwide. The researchers had five research questions including:

> To what extent are parents included in the language of instruction decision for their children with moderate to severe disabilities who are ELLs, and what role do administrators play in this decision? (p. 244)

The researchers' survey questions specifically looked at whether the parents played a role in the student's education. The survey included 18 questions on a Likert scale along with some *yes* and *no* questions on the teachers' second language proficiency and parent preference on the language of instruction. The survey data was analyzed using, SPSS. The researchers state that the survey revealed that 57% of the parents participated in the language decisions. Using the sequential logistic regression test, researchers determined that parents of students who were assessed in their primary language were more likely to participate in the language of instruction decisions.

Qualitative Studies. Hess, Molina, and Kozleski (2006) conducted a qualitative study in a large district in the Southwest with 27 parents of students with disabilities. Fifteen of the parents were Hispanic, 10 were African-American, and two were White. The researchers met with 13 focus groups consisting of one to eight participants. Three of the focus groups were conducted in Spanish. The focus group meetings were tape-recorded and transcribed. Using the constant comparative method three themes emerged. The researchers found that some parents had to fight for their child, while others noted the help they received from the teachers. In regards to school climate, some "parents expressed a sense of frustration with the lack of communication from the school, the lack

of partnership, and reported that they did not believe they had a voice in the process" (p. 152).

Harry (1992) conducted an ethnographic study with 12 Puerto Rican-American families living in a low-income Hispanic community in the Northeast. The twelve families in the study had 17 children total in the special education program; 11 were learning disabled and 6 were classified as mentally retarded. The researchers conducted tape recorded meetings in both English and Spanish over a 9 month period with the parents in their homes. They also obtained data through participant-observer sessions of the school-parent meetings, a review of school records, and interviews with school personnel. The researchers found that the parents had different cultural understandings of the meaning of a disability and that they had different reasons for their child's difficulties in school. As one mother stated:

> Something is very wrong in the teaching because the little girl is very normal, and after one year, she has not been able to learn to read even one word! I am sorry, but it is impossible to believe such a thing! And the majority of the Hispanic children continue to have problems in reading. I do not understand it! (p. 38)

Table 8

Review of Parent Perception Studies

Study	**Problem**	**Method of Study**
Harry, B. (1992)	The parents' views of special education placement.	Ethnographic study using interviews, participant observations and school documents.

Hess, Molina, and Kozleski (2006)	Parent perceptions of their child's placement in special education.	Qualitative
Mueller, Singer, and Carranza (2006)	Teacher perceptions of parent participation in meeting and the educational process.	Quantitative-surveys

All of the studies presented above are a representation of the studies completed to research the effects of a special education label of a learning disability. The studies reviewed included the topics of overrepresentation of ELLs in special education, special education instruction, and the perceptions of parents on the placement of their children. Next is an explanation of the methodology for the present study including the setting, participants, data collection, and data analysis.

The Study

In this study, I plan to investigate the effects of special education placement in elementary school on English language learners, a placement that may or may not have been a misidentification of a learning disability. The students chosen for this study are all presently high school students. The selection process included a review of current high school students in the district that were identified as both learning disabled and as limited English proficient. Once the students who fit these two categories were identified, I developed a plan for this study based on the number of students who fit the description and on the methods that had previously been used to study the effects of special education placement as described above. The parents of the students chosen for the study also became part of the study and the data collected.

Researcher as a Tool

Qualitative research requires the researcher to be a collector of data who is responsible for analyzing the data with objectivity and with an understanding of one's own biases (Green, Camilli, & Elmore, 2006). As Merriam (1998) states:

> Data are mediated through this human instrument, the researcher, rather than through some inanimate inventory, questionnaire, or computer. Certain characteristics differentiate the human researcher from other data collection instruments: the researcher is responsive to the context; he or she can adapt techniques to the circumstances . . . (p. 7)

In order to conduct a valid qualitative study, it is important to reflect and recognize one's own understandings and biases and clearly state them in the research study (Ary et al. 2006). Therefore, it is important that I share my educational experiences with students identified as having a learning disability in order to provide an understanding of my perspective as the researcher in this study.

Being Hispanic and living in a Hispanic community allows me to provide an insider perspective to this research study. Although my first language was not Spanish, I grew up hearing it and acquired conversational Spanish as a child. It is important to understand that speaking Spanish and not knowing English was not acceptable in school when I was growing up. There was not any bilingual education in the parochial school I attended, and those who spoke only Spanish were punished for speaking it and were often held back in school.

My background experience with bilingual education and special education was limited because I was trained as business education teacher. When I taught in junior high

and high school, I often assisted special education teachers by instructing students with severe disabilities on a one-to-one basis. I had heard of bilingual education but knew little about it, and I knew nothing about special education services beyond working with a few children with severe disabilities.

My experience with bilingual and special education programs changed when I became an assistant principal at an elementary school. One of my duties was to be the administrator in charge of special education admission, review, and dismissal meetings (ARDs). I became interested in learning disabilities when the diagnosticians, teachers, and I would notice how intelligent children were being placed in special education. I also began to realize that students who were second language learners were also placed in special education due to their lack of success with English instruction. Decisions were made about children based on the belief that if the student was not learning, there must be something wrong with the child. The quality or the type of instruction students received were never questioned. My concerns with these practices mirror the findings by Harry and Klingner's (2006) research study of special education assessment teams.

As a result of these experiences and in an attempt to advocate for students, I became a strong proponent for interventions to help all students learn in the regular classroom prior to being labeled. I met quite a bit of resistance to this policy from teachers who wanted struggling students out of their classrooms. I developed a flow chart for regular education teachers to follow. The flow chart detailed the steps to be taken before a student was to be referred. The chart served as a guide for teachers detailing the required interventions including first language support over a period of time prior to a special education referral. If the student was an ELL, the chart included that

bilingual education services needed to be provided for a period of time prior to the referral. The chart was also used in team meetings between regular and special education teachers and support staff to follow when reviewing student information in order to determine instructional interventions. Due to the success of this process, the school district adopted the flowchart and implemented the procedures throughout the district.

When I was promoted to principal of another elementary campus, I continued to require interventions and the use of the flow chart. Because of my belief that all students needed access to the curriculum through first language support, I made sure classrooms were heterogeneously grouped and combined English language learners with English dominant students. New hires were required to have bilingual certification in order to provide bilingual education up to the fifth grade. Furthermore, I continued to be the administrator at ARD meetings and worked to insure the students were only placed in special education if they qualified on both English and Spanish language assessments and only after a period of interventions as required by the flow chart.

My support of bilingual special education students became stronger when I was given the responsibility of the special education and bilingual education departments in a small school district. I noticed that the district had a very high number of Spanish speaking students identified in special education. The diagnosticians were determining eligibility based on the results of English assessments that were translated by a Spanish speaking teacher rather than using appropriate, professionally developed assessments developed in Spanish for bilingual students. These students had not been given appropriate supports as they were learning English and were often immersed in English only instruction. The district did not provide appropriate first language support to

students.

Although the system in the school district now requires more appropriate practices, the students in this study went through the system prior to these changes. Many have dropped out or left. Others remain in special education at the secondary level. My research will provide insight into these students' experiences in school.

It is through this lens that I conduct my research. I have reflected on my assumptions and have conducted this research study without bias to the best of my ability. It is my intent to carry out this research study by presenting the methodology and findings without bias using the data to support any conclusions I reach.

Setting

The site chosen for this dissertation is a small school district located along the Texas Mexico border in Deep South Texas. The district was selected, in part, because the district had an overrepresentation of English language learners in special education. The district also has a history of using the early exit bilingual model that transitioned Spanish speaking students to English within three years of elementary school. I was especially interested in using this district since I served as the administrator who oversaw both special education services and the bilingual education services during the course of this study. I hope that this study will provide important insights into the effects of the learning disabled label on ELLs who had not acquired English language proficiency.

Participants

The students selected for this study attend the district's only high school, which will be called Southern High School for the purpose of this study. Southern High School's student enrollment in 2010-2011 was approximately 648 (TEA, 2011) with 87%

of the students identified as Hispanic, 11% White, and 1% other. Eighty-six percent of the student population is classified as economically disadvantaged. The student population includes 75 students who are classified as ELLs (limited English proficient). The high school student population includes 60 students who receive special education services. Of these, 41 (68%) are labeled as learning disabled and of the 41, 54% are or were recently classified as limited English proficient (LEP).

Selection Process

The students for this investigation were selected from a pool of ninth through twelfth grade students in special education who are labeled as learning disabled, have normal intelligence, and are ELLs or former ELLs. Normal intelligence is defined in this study as a full scale IQ score of 90 or above. The students who are former ELLs were reclassified as a non ELL within the last two years by the ARD committee. The total population of the 9-12 students in the district identified as learning disabled and ELL in special education was 22. For this study, a random sample of ten students was selected from these 22 students and given assent and consent forms (See Appendix E). The parents were given a consent letter that asks permission for their student to participate and states the purpose of the study (See Appendix F and F1). All forms were in English and Spanish. Five students returned the assent and consent forms that provided the researcher with consent to review the students' special education folders. The five student folders were reviewed and three of the students met the required minimum IQ of 90. The parents of these three students were also given a consent letter for their own participation (See Appendix G and G1).

Table 9

Participants

Student	Gender	Place of Birth	Age & Grade entered school	Grade Retained	Grades Failed	Grade Identified as LD	Grade 2011
Patty	Female	Mexico	Five Years Old-Kinder	Kinder	Kinder & Third	Third	9
Gene	Male	Mexico	Five Years Old-Kinder	First	First	Second	9
David	Male	U.S.	Four Years Old-Pre-Kinder	First	First	First	10

Methodology

I chose to conduct this as a qualitative cross-case analysis study in order to understand the effects of the ELLs placement in special education from the insider's perspective. "Qualitative researchers are interested in understanding the meaning people have constructed, that is, how they make sense of their world and the experiences they have in the world" (Merriam, 1998, p. 4). In contrast to quantitative studies, qualitative studies seek to "understand human and social behavior . . . as it is lived by participants in a social setting" (Ary et al. 2006 p. 449). By conducting this qualitative cross-case analysis study, I gained insights from the students and parents. They provided insights about how they felt, what they had experienced, and what those experiences meant to them (Merriam, 1998). In addition, this qualitative cross-case analysis study will provide a "thick description of the phenomenon" (p. 29) through a detailed description of each case and across the three cases. As Merriam (1998) states:

> A descriptive case study in education is one that presents a detailed account of the phenomenon under study . . . Whatever the area of inquiry, basic description of the subject being studied comes before hypothesizing or theory testing (p. 38).

Data Collection

The data collected for this study will be conducted in three phases. The first phase is the student and parent surveys. The second phase is the student and parent semi-structured interviews that will be recorded and transcribed. A document analysis of student records and special education records will be conducted for the last and third phase. A comparison of the three descriptive case studies of three English language learners will be conducted for the cross-case analysis.

The use of a variety of methods for data collection or triangulation, allows for the confirmation of the data collected. As Ary et al. (2006) states:

> when interviews, related documents, and recollections . . . produce the same description of an event or when a participant responds similarly to a question asked on three different occasions, one has evidence of credibility. (p. 505)

Surveys

First, parents and students will be administered a survey in order to collect the data for the research questions. The student survey consists of twenty questions on how the students feel about the learning disability label, the language of instruction they received, and the students' perceptions of their abilities in school. This survey will provide a frame for the questions for the semi-structured interviews.

The parent survey consists of twenty questions on their perceptions about the disability label; what language of instruction their students received; their perceptions

about their students' abilities. This survey also will frame the questions for the semi-structured interviews. The parent survey is in both English and Spanish (See Appendix C and Ca).

The survey questions were first tested on a sample of students and parents who were not part of the study. From the test of the survey questions, a few were revised in order to obtain more specific information, such as the language of instruction at each grade level instead of in elementary school. The survey will then be administered to the students prior to the semi-structured interviews. The parents of the three participants will also be given a survey to complete prior to the semi-structured interviews.

Semi-Structured Interviews

Second, semi-structured interviews will be conducted with the students to determine how they felt about the label and to determine if their understandings of the instruction were similar to the understandings of students and parents studied in other research studies. Ary et al. (2006) states some of the advantages of interviews:

> Interviews provide insight on participants' perspectives, the meaning of events for the people involved, information about the site, and perhaps information on unanticipated issues. Interviews allow immediate follow-up and clarification of participants' responses. (p. 480)

Semi-structured interviews were selected based on the Ary's (2006) and Hubbard and Power's (1999) views. Ary states that semi-structured interviews provide the researcher to allow the subjects to discuss their views. Hubbard and Power (1999) state that "Many of the best interviews with students begin with an idea and then become improvisations based upon the students' responses" (p. 90). The use of a semi-structured interview allows for the researcher to frame the questions towards an area of interest but still allows for the researcher to modify the questions during the interview. This process

provides the researcher with the ability to obtain data on the "subjects' opinions, beliefs, and feelings about the situation in their own words" (Ary, 2006, p. 480). All interviews will be audio taped. Additional interviews will be conducted if needed in order to clarify questions that may arise as the data is analyzed.

Review of Student Records

Lastly, a review of the students' school records, including the special education and bilingual education assessments and instructional plans, will be conducted for the document analysis. Specifically, the students' permanent record file including grades for each subject and grade level, state assessment data, norm referenced assessment data, special education referral documents, ARD meeting documents, and the bilingual Language Proficiency Assessment Committee annual documents will be collected. These documents will provide data that can be reconciled with the student and parent surveys and interviews (Ary et al. 2006). The documents will provide data to corroborate the information obtained from the surveys and interviews. However, as Ary, (2006) states "You cannot assume that documents always provide accurate accounts of events or settings" (p. 483). The analysis of the documents may lead to the need to collect more data.

Below is a triangulation matrix adopted from Ary et al. (2006) that delineates the data sources that will be used to address each research question.

Table 10

Triangulation Matrix of Data Sources

Research Question	Data Source 1:	Data Source 2:	Data Source 3:

How were the students identified for special education?	Parent and Student Surveys	Questions on Semi-Structured Interviews	Document Review of special education records
What was the instructional path of the students?	Parent and Student Surveys	Questions on Semi-Structured Interviews	Document Review of student permanent records and special education records
What do student records show about the students' academic progress?			Document Review of student permanent records
What are the students' perceptions of their own academic abilities?	Student Surveys	Questions on Semi-Structured Interviews	
What are the parents' perceptions of their children's academic abilities?	Parent Surveys	Questions on Semi-Structured Interviews	

Data Analysis

The specific method I have chosen for analyzing the data is the grounded theory method. This method allows the researcher to understand the phenomena by collecting field data and then categorizing and analyzing the data to "generate insights, hypotheses, and questions" (Ary et al. 2006, p. 33). The theory that emerges is grounded in the data. The grounded theory method differs from a traditional research analysis that is designed to prove or disprove a theory. Using the grounded theory method, the researcher collects the data and looks for similarities or differences in order to categorize the data. The categories are then further analyzed looking for themes or insights. The process is repeated and more data is collected as new themes are uncovered. After each of the case studies are analyzed, the data from the three case studies will be further analyzed to find similarities and differences across the cases. From the analysis of the categories and themes, the researcher can then arrive at a theoretical statement based on the data. Using grounded theory will provide an understanding of what happened to the students as they went through school not only from their own perspectives and those of their parents, but also through documents that detail their journey through school.

Phase 1: Surveys

Since the chosen method for analyzing the data is the grounded method, the student and parent surveys data will be coded and analyzed. This process will begin by charting the data from the surveys on a Microsoft Excel software program spreadsheet. After this process is complete, the data from the spreadsheets will be categorized into similar themes. This process will be repeated until no more themes emerge. The categories and themes that emerge from the data will then be compared to the categories

and themes from the semi-structured interviews and document reviews.

Phase 2: Semi-Structured Interviews

The semi-structured interview data analysis will begin with the transcription of the audio taped interviews. The researcher will complete the transcription by listening to the audio tapes and entering the word by word transcription into a Microsoft Word document. The researcher will then read the transcriptions several times to develop an understanding of the students' and parents' perceptions. The transcriptions will then be analyzed by looking at each student and parent response sentence by sentence. Since the interviews are semi-structured, each interview may uncover similar or dissimilar data depending on the subject's responses and the direction the subject takes in his or her responses. Each sentence will be coded several times in order to determine the emerging themes and each sentence may produce more than one theme. This process will be repeated until the analysis does not produce any new themes. The emerging themes will then be categorized and compared to the data collected by the surveys and documents.

Phase 3: Document Review

The document review will begin with the collection of the students' permanent record file and special education files. The relevant documents will be photocopied. The photocopies will consist of the grades for each subject and grade level, state assessment data, norm referenced assessment data, special education referral documents, ARD meeting documents, and the bilingual Language Proficiency Assessment Committee annual documents from the students' files beginning from when they first entered school. The data will be entered into a Microsoft Excel spreadsheet and analyzed by the grounded theory method described above.

The major themes that emerge from the three data sources will then be further analyzed to determine the similarities and differences for the cross-case analysis. The findings from a cross-case analysis can be used as a basis for transferability (Ary et al. 2006; Erlandson, Harris, Skipper, & Allen, 1993).

> Transferability allows researchers to apply qualitative findings to other people, settings, and times to the extent that they are similar to the people, settings, and times in the original study. (Ary et al. 2006, p. 508).

This analysis is the foundation for the findings described in chapter four.

Conclusion

Many high school students fail to graduate from high school, and many of these students are English language learners (ELLs) (Short & Fitzsimmons, 2008). One of the reasons that ELLs fail to receive their high school diploma is due to the requirements in the No Child Left Behind Act in 2001 (Public Law 107-110, 2002). This act pressures administrators and teachers into quickly converting students into an English only program without regard to the research that states that it takes between five to seven years to learn a second language (Cummins, 1984).

ELLs who are not successful in school are often also inappropriately referred to special education. These students who speak conversational English, struggle with academic English are then often misidentified as having a learning disability (Artiles, Rueda, Salazar & Higareda, 2005; Suarez-Orozco, Roos, Suarez-Orozco, 2000; Harry & Klingner, 2006; Ysseldyke, 2001). Studies of learning disabled students have found that students “with LD tend to manifest a maladaptive attributional style, low achievement expectations, low persistence at school tasks, and low academic self-concept” (Núñez et

al. 2005, p. 86). In particular, these finding may cause ELLs who are misidentified with a learning disability to decrease their efforts. Additionally, ELLs in special education receive fewer instructional supports and are often stigmatized by the label (Zehler et al., 2003; Artiles, Klingner, & Barletta, 2006).

Therefore, the intent of this study is to examine the effects of the special education learning disabled label on ELLs. Data collection and analysis for studies that have researched the effects of special education have used both quantitative and qualitative methods. The data collection and analysis method for this study, which includes surveys, semi-structured interviews and document review, have been selected to thoroughly answer the research questions for this study.

- What are effects of the early identification of a learning disability on Hispanic English language learners?
    - How were the students identified for special education?
    - What was the student's academic path?
    - What are the students' perceptions of their own academic abilities?
    - What are the parents' perceptions of their children's academic abilities?

The setting for this study was a high school in South Texas with an over-presentation of ELLs in special education. As found by Artiles et al.(2005) and Guzmán, (2008), districts with high number of ELLs have an overrepresentation of ELLs in special education. Three students were randomly selected for this investigation and will be studied using data collected from surveys, semi-structured interviews and a longitudinal document review.

The data collection process will begin with the surveys followed by the semi-structured interviews. The parents will be administered the survey and interviewed after the students in order to complete the interview data collection process. I will then begin the document collection process. I chose to delay the document collection and analysis until the first interviews with the students are conducted in order to avoid bias in the interview questions.

After the data collected from the three sources is complete, an analysis of the data from each of the three sources will be conducted separately using the grounded theory method. The data from the three data sources will then be combined to determine the findings of this cross-case analysis.

Chapter four will begin with an introduction leading into a description of the data collection process and a description of the analysis of the data. Since this is a case study, an introduction of the three students will follow. Following the introduction, each student will be thoroughly described in relation to each of the research questions. Student and parent quotations and document data will be also provided in order to confirm the research findings. A summary of the analysis and the findings will conclude chapter four.

Chapter 4 – Findings Part 1

Introduction

> Today the most urgent challenge for the American educational system has a Latino face. Latinos are the largest and most rapidly growing ethnic minority in the country, but academically, they are lagging dangerously far behind . . . Half of all Latino students fail even to graduate from high school . . . (Gándara and Contreras, 2009, p. 1-2)

The pressures of meeting state and federal mandates coupled with the lack of educator knowledge of the language acquisition process, often leads educators to refer English language learners most of whom are Hispanic, to special education (Cummins, 1984; Klingner, Artiles & Barletta, 2006). ELLs are often identified as learning disabled due to not having an adequate time to acquire the academic English language needed to successfully pass these assessments. The conversational language of ELL's is seen as an indication that they have mastered the language and their lack of ability to do well academically is interpreted as a general lack of competence. Because ELLs need time to acquire English proficiency, they are at risk of being labeled as needing special education services. Once in special education, many teachers lower their expectations for these students and thus inadequately prepare them to pass the requirements for high school graduation (Artiles, Rueda, Salazar & Higareda, 2005; Barrera, 2005; Harry & Klingner, 2006; Ysseldyke, 2001).

Purpose

Students who speak conversational English, and struggle with academic English are often misidentified as having a learning disability (Artiles, Rueda, Salazar &

Higareda, 2005; Barrera, 2005; Harry & Klingner, 2006; Ysseldyke, 2001). Research studies on special education find that students who are identified as learning disabled decrease their efforts and are often stigmatized by the label (Zehler et al., 2003). Additionally, ELLs in special education seldom receive the ESL and bilingual services they need (Artiles, Klingner, & Barletta, 2006).

This study examined how the identification and placement of ELLs in special education as a learning disabled student affected the students. In order to study this, I looked at how the students were first identified, the instructional path they took, the level of their academic achievement throughout elementary, middle and high school, and how the placement affected their perceptions of their abilities. In addition, I interviewed parents to determine their perceptions of their student's abilities.

Research Questions

The goal of this cross-case analysis of three special education English language learners is to identify the long-term effects of special education on Hispanic students who were labeled as learning disabled in elementary school and are now in high school. This study investigated one main research question with four sub-questions:

- What are effects of the early identification of a learning disability on Hispanic English language learners?
    - How were the students identified for special education?
    - What was the student's academic path?
    - What are the students' perceptions of their own academic abilities?
    - What are the parents' perceptions of their children's academic abilities?

Setting and Participants

In order to investigate the effects of the identification of a learning disability on English language learners, I conducted an in-depth study of three students from a pool of ninth through twelfth grade students in special education in a small high school along the Texas Mexico border. The pools of students were all ELLs and were labeled as learning disabled. From the pool, ten English language learners in special education were randomly selected and given consent forms. Five of the ten students agreed to participate in the study and parents signed consent forms. The five students' special education records were then reviewed to determine if the students met the average intelligence criteria (at least a 90 IQ) required by the Institutional Review Board-Human Subjects of the University of Texas at Brownsville (IRB). Three students met the requirements of the IRB, two ninth graders and one tenth grader.

The small high school along the Texas Mexico border setting was selected, in part, because the district as a whole had an overrepresentation of English language learners in special education. Klingner, Artiles, Kozleski, Harry, Zion, Tate, Durán, and Riley, 2005 found that English language learners are overrepresented in special education especially in school districts with a high number of ELLs. The over-representation may be due to a lack of second language proficiency rather than a learning disability. In addition, the district has a history of using the early exit bilingual model that transitions Spanish speaking students to English within three years of elementary school. Research has shown that this model has been generally unsuccessful in supporting the academic achievement of ELLs (Cummins, 1984; Thomas & Collier, 1997, Freeman & Freeman, 2005).

Data Collection

In order to conduct a thorough investigation of the students in this study, the data was collected in three phases. The initial phase included student and parent surveys and separate semi-structured interviews with the students and the parents. Data was further collected as the researcher identified the need in order to answer the research questions including follow-up interviews. The last phase was the collection of student regular education, bilingual education, and special education records. These three sources of data allowed for triangulating the data and confirming the data.

Surveys

First, two distinct surveys were created and were administered to parents and students in order to collect the data to answer the research questions. Both the student and parent surveys consisted of twenty questions investigating how the students and parents felt about the learning disability label, the language of instruction the students received, and the students' and parents' perceptions of the students' abilities in school. The survey questions were developed by the researcher and tested on a sample of students and parents who were not part of the study. The questions from the surveys provided structure for the questions for the semi-structured interviews. See Appendix A for the student survey and Appendix C and Appendix Ca for the parent surveys in both English and Spanish.

Semi-Structured Interviews

The second phase was the collection of data through semi-structured interviews conducted with both the students and parents to gain further insights as to how they were first diagnosed and labeled as LD, how they all felt about the label, what their academic

paths were, what levels of academic achievement they reached and what they planned to do after high school. The semi-structured interview included a set of questions developed by the researcher that would allow the students and parents to elaborate on their survey responses. Additional questions were asked to clarify interview responses as well. Initial interviews were conducted in phase one with additional interviews conducted in phase 2 as questions arose during the data analysis. See Appendix B for the student survey and Appendix D and Appendix D1 for the parent surveys in both English and Spanish.

Review of Student Records

Last, a review of the students' school records, including the regular, special education, and bilingual education assessments and instructional plans for students, was carried out to corroborate the information obtained from the surveys and interviews. Student records reviewed included grade level retention, grades per subjects from kindergarten to the current year, state assessment data, special education referral documents and subsequent Admission, Review, and Dismissal ARD committee documents and bilingual education documents. These documents enabled the researcher to triangulate the data for the analysis.

Overview of Data Collected

The next section includes the data collected to answer the research question: "What are effects of the early identification of a learning disability on Hispanic English language learners?" The section is divided into three sections; one for each case study participant. Each case student section is further divided into seven sub-sections beginning with a complete description of the participant and his or her family background. Next, the data collected to answer each of the four sub-questions is

presented beginning with the sub-question: How were the students identified for special education? Table 11 below lists each sub-question and the data sources used to answer each sub-question. Last, the summary of the data for each case study is presented.

Table 11

Triangulation Matrix of Data Sources (Ary et al. 2006, p. 549)

Research Question:	What are effects of the early identification of a learning disability on Hispanic English language learners?			
Research Sub-Questions:	How were the students identified for special education?	What were the student academic paths?	What are the students' perceptions of their own academic abilities?	What are the parents' perceptions of their children's academic abilities?
Data Source 1:	Document Review of the permanent record file and special education program records	Document Review of regular and special education records	Student Surveys	Parent Surveys
Data Source 2:	Questions on Semi-Structured Interviews	Parent and Student Surveys	Questions on Semi-Structured Interviews and	Questions on Semi-Structured Interviews

			follow-up interview	
Data Source 3:		Questions on Semi-Structured Interviews and follow-up interviews		

Following the report of the data collection, a cross-case analysis of the data per research sub-question will be made. The themes that emerged from each sub-question will be presented in order to determine similarities and differences among the three case studies. The ability to find similarities between the case studies allows for the transferability of the research data to other studies if they have similar people, settings, and themes (Ary, Jacbos, Razavieh & Sorensen, 2006).

Case Study Participants

The three students selected were randomly chosen from a pool of 21 special education English language students. These three students fit the requirement of having an IQ of normal intelligence (90) as required by the Institutional Review Board of the University of Texas at Brownville. Table 12 below lists each of the students with a brief description. Each student will be described in detail following the sub-questions listed above beginning with the first case study student, David.

Table 12

Case Study Participants

Student	Gender	Place of birth	Grade(s) Retained	Grade Identified as Learning Disabled
David	Male	U.S.	First Grade	First Grade
Gene	Male	Mexico	First Grade	Second Grade
Patty	Female	Mexico	Kindergarten & Third Grade	Third Grade

David

David was born in South Texas and has lived in the city where this study was conducted all of his life. He attended the local head start when he was three years old. At four years old, he entered an elementary school for preschool in the school district of this study. He recently completed the eleventh grade and is beginning his senior year this fall. David is tall with an athletic build and a dark complexion. In his spare time he participates in a variety of sports including football, basketball and track. Most recently, he assisted the coach with the weight lifting team traveling to events and performing athletic trainer duties including wrapping the students' wrists and ankles.

Family Background

Interviews with David and his mother provided a rich description of the family background. David's father is an immigrant from a city in Northern Mexico, and his mother is a native of the city where the study is being conducted. His father came to the United States in the late 1980's in search of work and a better life. He did not attend schools in the United States but did have some schooling in Mexico. He is a presently a mechanic and works in the city of the study. David's parents are divorced, but continue to have an amicable relationship. David sees his father often and his father contributes to

his financial support. His father has a new family and a two year old son. David, however, “doesn’t count him as a brother.”

His father is from Torreon, Coahuila, where there has been quite a bit of violence. David doesn’t travel to see family in Mexico anymore since it is quite dangerous. He does have a few cousins who have also migrated to the United States that he sometimes sees. He hasn’t seen his paternal grandmother or other relatives living in Mexico for several years.

David’s mother’s family is of Mexican descent but has lived in the area where the study was conducted for many generations. She has worked as a teachers’ aide at the local head start program for 34 years. She attended the high school David currently attends, but dropped out after her sophomore year. As the eldest of seven children, she had to work to help her parents support the family. His mom’s two brothers now live in Colorado and work in the computer industry and his four aunts work in the area as secretaries and clerks. David’s maternal grandfather passed away two years ago, but his grandmother still lives in the city.

David is the youngest of his mother’s three sons. David’s older brothers are from a previous marriage. David’s brothers graduated from the high school where this study was conducted. His oldest brother is thirty-five years old and works as a bus driver for the city’s transit system. David’s mother reported that this older brother was in special education for speech therapy when he was in kindergarten and first grade. He did not attend college. He is married with two children, one son who is in the fifth grade and a two year old daughter. David’s eyes light up when he speaks about his nephew whom he

see frequently. David states that "he is really smart and reads a lot. I tell him to keep reading so he can be real smart."

David's other brother graduated two years ago from a University in south Texas one and one half hours away with a degree in computer information systems. He visits his mother and David every other weekend and does computer work for a major computer company. He is continuing to go to school because he eventually wants to be a teacher to "help kids because no one really helps the kids in school." David is very proud of his brother and hopes to get a college degree like him as well.

In the following sections the findings of the data collected for David for each sub-question of the research study beginning with the first sub-question will be detailed. First the findings from the permanent record file and special education records are discussed followed by findings from the parent survey and interview.

How were the students identified for special education?

This section begins with a brief overview discussing data related to the first sub question concerning how David was identified for special education. Following the overview is the document review beginning with the permanent record file from pre-kindergarten through first grade. This is due to the fact that the Individuals with Disabilities Education Act (IDEA) requires that a student's documented educational need for special education is required prior to placement (Public Law 94-142, 1975).

Next is a discussion of the special education records. This discussion begins with the speech referral documents when David was three years old followed by the first grade documents. Then a thorough discussion is presented of the assessments given to David in the third and sixth grades which continued to identify David as a learning disabled

student. Lastly, a discussion of the special education admission, review, and dismissal committee meetings (ARDs) determinations which kept David identified as a learning disabled student throughout junior high and high school is presented.

Overview. Students referred to special education follow two paths. First a student is referred for an initial evaluation, tested, and if qualified, placed in a program specific to the disability. In David's case, he was referred first for speech problems, tested, and placed in special education as a student with speech impairment prior to entering pre-kindergarten. He received speech therapy from pre-kindergarten until the end of second grade.

The second path a student can take is to be identified for an additional disability category through an ARD committee's recommendation for additional assessment. This was the case for David. He was already in special education for speech impairment. Therefore, the ARD committee met in David's first grade year and requested an additional evaluation due to his mother requesting assistance and his low grades. He was assessed and determined to meet the eligibility requirements for a learning disability and began to receive additional services in first grade. The assessments and the areas he qualified in are described in the special education section. He has remained in special education as a student with a learning disability through elementary, junior high and high school.

The next section discusses David's grades in the permanent record file beginning in pre-kindergarten and continuing into first grade. The Individuals with Disabilities Education Act (IDEA) requires a documented need requiring special education services such as a child's failure in reading, math or language arts (Public Law 94-142, 1975).

The next section discusses David's progress in school prior to assessment and placement in special education. First, his regular permanent record beginning in pre-kindergarten was examined. Then, the documentation in the special education files is summarized.

Permanent record file. Students are referred to special education when experiencing difficulties in school (McCook, 2006). At times a student is determined to need special education services based on documentation of the student's grades and assessments. David's assignment to special education should have been based on documented failure such as grades in school at the time of referral and prior to the referral. Therefore, the next section discusses the documentation in David's permanent record file.

David entered school in pre-kindergarten at age four. The only grade entered for pre-kindergarten was an S for satisfactory in Spanish language arts. His kindergarten grades show satisfactory performance for the majority of his courses except for reading as shown below in Table 13. He scored excellent in math for the second semester. He was only absent one day of the entire school year.

Table 13

David's Kindergarten Permanent Record Grades

Kindergarten	Language Arts (In Spanish)	Reading	Social Studies	Math	Science
First Semester	Satisfactory	Satisfactory	Satisfactory	Satisfactory	Satisfactory
Second Semester	Satisfactory	Needs Improvement	Satisfactory	Excellent	Satisfactory

Year Average	Satisfactory	Needs Improvement	Satisfactory	Satisfactory	Satisfactory

First grade. His permanent record file grades entered by his first grade teacher indicated that he failed English reading with a 69. The teacher noted that the student was retained in first grade. This was due to the school district's grading policy which required David to be retained for low grades. However, the scores in David's record do not show unusually low grades except for reading. Additionally, there were no grades listed under language arts due to the grading policy at the time. There were also no grades indicated for Spanish reading. His complete first grade scores are shown in table 14 below. He was absent three school days.

Table 14

David's First Grade Permanent Record Grades

First Grade	Reading	Social Studies	Math	Science
First Semester	71	86	83	84
Second Semester	67	85	80	85
Year Average	69	86	82	85

First grade (year retained). The grades for David's second year in first grade were much higher. The teacher, however, noted that the reading and math grades were modified, indicating that the student was in special education. A special education student may receive a modified curriculum and modified grades meaning that the instruction and assessments was at a level below the student's current grade level.

She also noted that he was promoted to the second grade and he had perfect attendance. His complete grades for the second time in first grade are shown below in Table 15. The teacher's notation of "modified grades" was the only documentation in his permanent record file indicating a referral to special education. There was no formal documentation of his change in status to special education. This is due to the practice of the school district of not including special education records in the student's permanent record file due to confidentiality issues.

Table 15

David's First Grade (Retained Year) Permanent Record Grades

First Grade	Reading	Social Studies	Math	Science
First Semester	93(m)	96	91(m)	93
Second Semester	85(m)	90	88(m)	90
Year Average	89(m)	93	90(m)	92

*(m) indicates modified grades.

Special education records. Special education referral records reveal David was referred for a speech evaluation when he was three and one half years old by the family social worker at a local health clinic. The referral documents also indicate that the home language was Spanish. The referral document includes a teacher check-off sheet which was completed by the Head start staff and indicates David's English receptive skills were average but his expressive skills were poor. His skills in Spanish were not documented.

According to the referral records, the parents described his behavior at home as "spoiled" and that no other family members had any learning problems; which is contradictory to what David's mother stated in the interview. This is common due to

many parents not perceiving speech therapy as a learning problem. The parents also indicated that David has asthma. There are no other documents in the file concerning speech therapy, but the District's electronic data file indicates that David received speech therapy from pre-kindergarten until the end of first grade.

First grade. David was first evaluated for a learning disability when he was in first grade the first time. The log of access form in the special education file indicates that his mother gave permission for testing in September and that a comprehensive evaluation was completed in October. There are no other records in the file indicating the testing or placement, a violation of laws concerning special education placement. The district's special education personnel at the time would send the files for disposal once the file was too large. This was a violation of special education retention files which requires the school district to keep special education records for students until seven years after graduation (Public Law 94-142, 1975). Although the district now follows the record retention requirements, there are no records for David available.

Third Grade. IDEA requires ARD committees to re-evaluate students every three years (Public Law 94-142, 1975). The special education records indicate that David was re-evaluated in September of the third grade. The student was given a nonverbal IQ test, due to his limited English proficiency status and bilingual program placement. Achievement tests were administered in English, and some achievement tests were also administered in Spanish. These tests and David's scores are described below.

Intelligence Quotient. David was given the Universal Nonverbal Intelligence Test (UNIT) to determine his intelligence quotient (IQ). The UNIT was designed to measure the cognitive abilities of at risk students from disadvantaged backgrounds or second

language learners and is culturally sensitive (Testerman Reed, M. & McCallum, R. S., 1995). The design of this non-verbal norm referenced assessment provides data for four subtests which are combined into four quotients to determine the student's scores. First, the four subtests are described followed by the sum of the scaled scores. Lastly, interpretations of the scores are presented followed by a description of David's IQ.

UNIT sub-tests. David was given four of the UNIT's four subtests or the standard battery which takes about thirty minutes to administer (Bracken & McCallum, 1998). The first sub-test administered was the symbolic memory test which required the student to recreate the sequence of picture cards of a baby, girl, boy, man, or woman after being shown the sequence for five seconds. The second subtest administered was the cube test. This untimed test required the student to recreate abstract geometric designs using green-and-white one-inch cubes while viewing the design. The third subtest tested is spatial memory. The student in this test recreates a random pattern after viewing the sample for five seconds. Lastly, the analog reasoning test requires the student to point to one of four responses to complete a conceptual or geometric analogy in a matrix format of common objects or geometric figures.

Sum of the scaled UNIT scores. Scores for the memory quotient, reasoning quotient, symbolic quotient, and non-symbolic quotient are derived from the answers on the sub-tests discussed above (Bracken & McCallum, 1998). The memory quotient score was determined by the scores from the symbolic and spatial memory tests and measured what the student saw, where he saw it, and in what order it was seen.

The cube design and analogic reasoning scores determine the reasoning quotient (Bracken & McCallum, 1998). This quotient measured thinking and problem-solving of

familiar and unfamiliar situations and measured the student's processing of information, understanding the relationships, and the student's planning abilities.

A measure of a student's ability to perform tasks, the symbolic quotient, is determined by the symbolic memory and analogic reasoning scores (Bracken & McCallum, 1998). It measures how well the student organized and categorized material.

The non-symbolic quotient assessed the ability to perform and solve tasks with abstract objects that are unfamiliar and non meaningful (Bracken & McCallum, 1998). This score was derived from the cube design and spatial memory scores.

The full scale intelligence quotient (IQ) is meant to show the student's potential to learn and think about new situations and is the student's overall cognitive and intellectual functioning (Bracken & McCallum, 1998). Normal intelligence is considered to be 100. "By definition, an IQ score of 100 is calibrated to represent the fiftieth percentile of test takers and thus is norm-referenced" (Fendler & Muzaffar, 2008, p. 77). Figure 4 below depicts IQ in a normal bell curve.

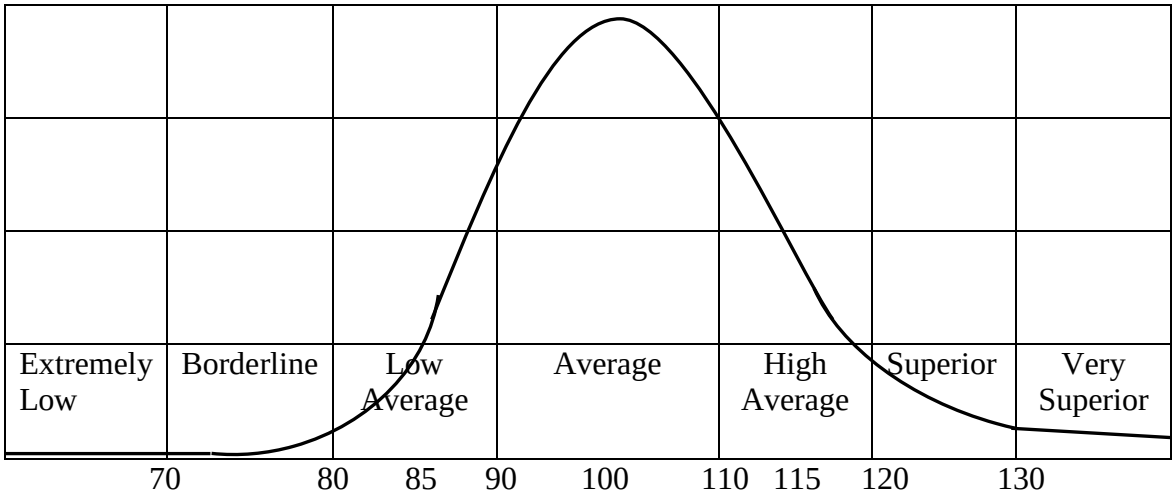

Figure 4. IQ Bell Curve (Bracken & McCallum, 1998)

Interpretation. The diagnostician indicated that David scored high average in three of the four quotients and average in one of the quotients. He also stated that David's full scale IQ was 115. This places David's IQ in the high average range (Bracken & McCallum, 1998). David's IQ scores in third grade on the UNIT are shown below in Table 16.

Table 16

David's Third Grade UNIT Scores

Quotient	Standard Score	Descriptive Classification
Memory Quotient	114	High Average
Reasoning Quotient	112	High Average
Symbolic Quotient	118	High Average
Non-symbolic Quotient	108	Average
Full Scale IQ	115	High Average

Achievement tests. In addition to a nonverbal IQ test, a special education referral student's academic achievement in English is given using the Wechsler Individual Achievement Test, Second Edition (WIAT II). Spanish achievement scores are determined by The Woodcock Language Proficiency Battery-Revised (WLPB-R). Both of these assessments are described below.

WIAT II. The Wechsler Individual Achievement Test, Second Edition (WIAT II) has a comprehensive battery of tests on curriculum content and provides norm-referenced scores for the identification of students for the Individuals with Disabilities Education Act (IDEA) (Wechsler, 2002). David was assessed on his English language abilities in reading, mathematics, written language, and oral language. The reading assessment

measured word reading, reading comprehension, and pseudo-word decoding. The mathematics test measured both numerical operations and math reasoning. Written language tested spelling and written expression, while oral language tested listening comprehension and oral expression. David scored an 89 in oral expression, 76 in listening comprehension, 67 in written expression, 74 in basic reading, 69 in reading comprehension, 74 in math calculations, and a 77 in math reasoning.

WLPB-R. The Woodcock Language Proficiency Battery-Revised (WLPB-R) is a norm-referenced assessment that provides data that allows for a comparison between English and Spanish in oral language, reading, and writing (Woodcock & Munoz-Sandoval, 1995). David's evaluation documents indicated that the "student is a second language learner with instruction in English". David was assessed in Spanish in the areas of oral expression, listening comprehension, and broad reading which includes reading identification and comprehension of short passages. However, the document also states that the student's dominant language was English.

David's achievement scores in Spanish indicate that he scored a 39 in oral expression and a 40 in listening comprehension. His basic reading score in Spanish was a 31 and his reading comprehension scores was a 22. As stated by Artiles, Rueda, Salazar & Higareda (2005), many students' first language is replaced by English, leading them to struggle followed by be referral and placement in special education. This appears to be the case for David.

*Identification of a learning disability***.** David's achievement scores in both English and Spanish indicate that he performed below his IQ in all areas in both English and Spanish. The difference between IQ and achievement standard scores is called a

discrepancy, and thus labeled the "discrepancy method" by IDEA (Public Law 94-142, 1975). The discrepancy method was the method used by the district at the time and is the comparison of a student's potential (IQ) and his or her actual academic achievement.

Because David's IQ was significantly higher (sixteen points) than his achievement scores, David continued to qualify as a student with a learning disability; a category of under IDEA (Public Law 94-142, 1975). A comparison of David's IQ and his achievement standard scores are shown below in Table 17.

Table 17

David's Third Grade Wechsler Individual Achievement Test, Second Edition (WIAT II) Standard Scores and Woodcock Language Proficiency Battery-Revised (WLPB-R) Scores

	IQ	English Standard Scores	Spanish Standard Scores
Oral Expression	115	89	39
Listening Comprehension	115	76	40
Written Expression	115	67	*
Basic Reading Skill	115	74	31
Reading Comprehension	115	69	22
Mathematics Calculations	115	74	*
Mathematics Reasoning	115	77	*

*Denotes areas not tested in Spanish.

There is significant difference between David's English and Spanish scores and his IQ. A difference or discrepancy of 16 points is needed to qualify for special

education services as a student with a learning disability. David's scores indicate a discrepancy in all areas.

A discrepancy should also be noted in both languages since the student is classified as limited English proficient. David's Spanish scores are significantly lower than his English standard scores and therefore significantly lower than his IQ. This is not surprising since the student had not been receiving instruction in his first language. These issues call in to question the validity of David's placement.

Furthermore, the testing documents indicate that David was assessed by a bilingual assessor. However, David was not assessed by a licensed diagnostician. He was assessed by a bilingual counselor who did not receive any formal training in assessment nor was licensed to assess students. This was the practice at the time since there was not a bilingual diagnostician employed by the school district. IDEA requires all tests to be administered by a licensed professional trained to assess students (Public Law 94-142, 1975). The practice of not having a trained licensed professional administering this assessment makes the test results invalid and a violation of IDEA requirements. Both diagnosticians in the district are now bilingual and administer a full battery of assessments in Spanish including mathematics and written expression.

***Sixth Grade*.** Since IDEA requires ARD committees to re-evaluate students every three years (Public Law 94-142, 1975), David was re-evaluated in September of his sixth grade year. However, David was given a different intelligence test to determine his IQ. This is common practice according to the diagnostician who conducted the assessment since David had been only instructed in English and was English dominant at the time.

In addition, he was only given the achievement test in English. The evaluations are discussed below.

*Intelligence Quotient***.** David's IQ was determined when he was in the sixth grade using the Wechsler Intelligence Scale for Children, 3rd. ed. (WISC-III). This assessment provides three scores without requiring reading or writing; verbal IQ, performance IQ (non-verbal) and a full-scale IQ (Kaufman, A. S., 1994). The verbal test includes oral questions without a time limit on information, similarities, vocabulary, and comprehension. The arithmetic section on the verbal test is timed. The performance test examines picture completion, coding, picture arrangement, block design, and object assembly. All of the performance subtests are timed. Students can gain bonus points for extra fast work on some of the performance sections.

David's verbal IQ was a 72 and his performance IQ was a 93. His full scale IQ score was an 80. This IQ score is significantly lower than his IQ score in the third grade of 115. The diagnostician noted that David showed a weakness in his verbal score of 72 compared with his performance score of 93. In addition, the diagnostician also noted that "he has not shown improvement in the past 3 years in his IQ score" since second grade. His full scale IQ dropped significantly from 115 to 93. However, David was given a different IQ test and a comparison of the two scores is not valid.

There is an unusual difference between David's verbal (72) and performance (93) score which when combined lowers his IQ score significantly. According to the diagnostician, this is common when ELLs are given an IQ test requiring a verbal section such as the WISC-III. However, in a review of the WISC III, Dumont and Willis (2012) state that the:

> scores are based on the scores of the 2,200 children originally tested in a very carefully designed, nationwide sample, but still must be interpreted very cautiously for any individual, especially one who may have somewhat unusual patterns of strengths and weaknesses. (p. 1)

Research states that children who are the most vulnerable for special education placement are children with limited development in both their first language and English (Artiles, Rueda, Salazar & Higareda, 2005). It is important to note that the research indicates that there still is not an assessment to determine if the limitation in both languages is an indication of a language or ability problem.

Achievement test. David was again given the WIAT II in sixth grade to determine his academic proficiencies. However, this time he was only given the English assessments. The diagnostician noted in the report that "testing was done only in English due to the English dominance on the screening assessment and past assessment data." The screening assessment was not named or discussed further in the document. In addition, David had only been receiving English instruction even though he was in the bilingual education program. The district of this study uses the bilingual early exit transitional model.

David scored above his third grade scores in oral expression and math calculations. He scored below in the four remaining areas as shown below in Table 18. The diagnostician also noted the grade equivalent for each area in the report. Although David was in sixth grade, he was functioning at the fourth grade level in Math comprehension and reading recognition. He was functioning at the fifth grade level in math calculations and reading comprehension. However, the report also stated that David

was functioning at the second grade level in written expression. He also further stated an additional score of second grade sixth month level in reading inferential comprehension.

Table 18

David's Sixth Grade Wechsler Individual Achievement Test, Second Edition (WIAT II) Scores

	Full Scale IQ	Third Grade Standard Scores	Sixth Grade Standard Scores	Sixth Grade Scores Grade Equivalents
Oral Expression	80	89	91	n/a
Listening Comprehension	80	76	75	n/a
Written Expression	80	67	63	2nd Grade
Basic Reading Skill	80	74	63	4th Grade
Reading Comprehension	80	69	61	5th Grade
Mathematics Calculations	80	74	77	5th Grade
Mathematics Reasoning	80	77	75	4th Grade

The diagnostician noted in the report that David had severe discrepancies between his full scale IQ of 80 and in three areas which qualified him to continue to be labeled as a student with a learning disability: written expression (17 point discrepancy); basic reading skill (17 point discrepancy); and reading comprehension (19 point discrepancy). Therefore, David continued to be labeled as a student with a learning disability; a label which continued into high school.

Review of existing evaluation data (REED). In Texas, the ARD committee can decide upon review of the existing data (REED),whether or not additional evaluation data is needed to determine if the student continues to qualify for a learning disability (Texas Education Agency (2012). In David's case, the ARD committee chose in his eighth grade year and his eleventh grade year to not require any further assessments to determine if he should continue to qualify. The committee reviewed the assessment conducted in David's sixth grade year and concluded that David continued to need special education placement in both years. Therefore, no other assessment data is available.

When discussing this practice with the diagnostician, she stated that she never suggests retests to the ARD committees for students going into high school and in high school, especially ELLs. Her reasoning is that the students may no longer qualify and may need the services, such as alternative assessments, in order to graduate. She also stated that the students may have been in special education a long time and placing in them in regular classes without support would make them at risk for failure. She further stated that the special education students are not challenged as the rest of the students and do not have the prerequisite academic instruction needed to meet the state standards on achievement tests without special education accommodations and modifications. This disturbing practice and the reasoning behind it will be discussed further below.

Summary

The data presented above helps answer the sub-question: How were the students identified for special education? The section began with a review of the data from the

permanent record file followed by a review of the special education program records. Below is a summary of this section.

Permanent record files. The permanent record files indicated that David had difficulty in reading beginning in kindergarten and first grade. He was retained in first grade. There were no special education records in the permanent record file, however, the first grade teacher (second time in first grade) indicated that the grades in reading and math were modified.

Special education records. The special education records indicate that David was referred to the school for speech therapy before he turned three years old. The record also showed that the student was evaluated for a learning disability in first grade, but there were no records indicating the actual scores of the assessment.

Upon further review, the three-year evaluation indicated that David had an IQ of 115 on the UNIT. His IQ score was compared to his achievement scores and the ARD committee determined that he qualified as a student with a learning disability. David had a discrepancy between his IQ and his achievement scores in all areas in both English and Spanish.

His three year re-evaluation noted a drop in IQ from 115 to 80 on a different assessment. He continued to qualify, but only in three areas due to a drop in his IQ. His achievement scores did not drop as significantly as his IQ scores. Interestingly, the researcher noted that if his IQ had been determined to have been an 80 in the first evaluation, David would have only qualified in one area: basic reading skill. As stated above, a determination of a discrepancy or difference of 16 points between a students' IQ

and his achievement level qualifies the student for special education services. Table below lists his third grade IQ with his sixth grade scores.

Table 19

David's Sixth Grade WISC III IQ Scores Analyzed with Third Grade WIAT II Scores

	Full Scale IQ	Third Grade Scores	Discrepancy
Oral Expression	80	89	+9
Listening Comprehension	80	76	-4
Written Expression	80	67	-13
Basic Reading Skill	80	74	-16
Reading Comprehension	80	69	-11
Mathematics Calculations	80	74	-6
Mathematics Reasoning	80	77	-3

Further assessments were not required by the ARD committee in the years following due to the practice of not assessing secondary students. Instead, the ARD conducted a review of existing evaluation data (REED) and determined the student continued to qualify as a learning disabled student. As stated above, Texas law allows the ARD committee to not request additional assessments, but review the existing data (REED) and use that data to determine if the student continues to qualify for a learning disability (Texas Education Agency (2012). In discussing this practice with the diagnostician who conducted both REEDs, she indicated that she does not recommend an evaluation for students in high school because if they no longer qualify, they will have to take the state assessments and course work without any special education modifications.

She stated that the students would probably not graduate without special education assistance and further stated that this is particularly true for ELLs.

The next section discusses the findings concerning the second sub-question: "What was the student's academic path?"

What was the student's academic path?

This study investigated one main research question: What are effects of the early identification of a learning disability on Hispanic English language learners? The previous section discussed the first sub-question: How were the students identified for special education? This next section discusses the second sub-question: What were the students' academic paths? This question is needed because second language learners sometimes do not receive the first language support they need to succeed academically. And students placed in special education often receive instruction at a lower instructional level that is not aligned to the academic and performance standards given to their non labeled peers (Zehler, Fleischman, Hopstock, Stephenson, Pendzick & Sapru, 2003: Barga, 1996). This sub-question is answered by looking at three data sources: permanent record files, special education records, student and parent surveys, and student and parent interviews. The permanent record file will be discussed first.

Permanent Record File

The permanent record files indicated that David has received all of his public school education at the school district of this study. He entered a district elementary school in prekindergarten at age four. The record indicated that he was retained in first grade and remained at that campus until completing the second grade. There is no indication that he was in special education classes, but his grades the second time he was

in first grade indicate that the grades were modified. Unfortunately, there is no indication how the instruction or grades were modified when David was in the first grade.

David attended third through fifth grade at the same school district, but at the campus designated for those grades. He then was promoted to the sixth grade which is located at the district's junior high school. Report cards in the file indicate that he was promoted to the ninth grade. However, he had to attend summer school prior to entering the ninth grade due to twice failing the math portion of the Texas Assessment of Knowledge and Skills (TAKS) test even if the student received passing grades. All of David's required state assessments are discussed in a later section.

David's core subject year end grades are shown below in Table 20. The reading and English language arts grades from second grade through seventh grade are special education class grades. David's grades throughout school are passing except for one failing grade in reading (69) in the first grade.

Table 20

David's Core Subjects Year End Grades

	Reading/ELA		Social Studies	Math	Science
First Grade	69		86	82	85
First Grade (Second Time	89(m)		93	90(m)	92
	Reading	ELA	Social Studies	Math	Science
Second Grade	86(m)	87(m)	85	89(m)	90
Third Grade	82*	82*	85	89	90
Fourth Grade	80*	81*	88	87	90

Fifth Grade	75*	92*	81	76	79
Sixth Grade	82*	89*	77	76	77
Seventh Grade	82*	90*	78	79	78
Eighth Grade	80	81	82	80	83
Ninth Grade	English I		World Geography	Algebra I	Integrated Physics & Chemistry
	81		81	86	74
Tenth Grade	English II		World History	Geometry	Biology
	79		78	80-	76
Eleventh Grade	English III		U. S. History	Math Models	Chemistry
	87		93	83	80

(m denotes modified grades; * denotes special education resource class)

Bilingual Education Records

David's home language survey was completed by his mother when he registered for pre-kindergarten. The form indicated that the languages in the home were both English and Spanish and that David spoke both English and Spanish.

Oral proficiency tests. David was assessed using the IDEA Oral Proficiency test (IPT) in both English and Spanish by a bilingual assessor. Scores on the IPT range from "A to F." A represents the lowest score and F represents the highest possible score. David scored a level "A" in English and a level "B" in Spanish in pre-kindergarten and was determined to be limited English proficient by the Language Proficiency Assessment

Committee (LPAC). His beginning English proficiency level was determined to be at the beginning level.

Upon entering pre-kindergarten, David's mother approved and signed the form for his placement in the early exit transitional bilingual program. According to the Texas Education Code, parental permission must be obtained for entrance into the bilingual program. Parents may also revoke their permission and deny that their child receive instruction from the program at any time. The records indicate that David was placed in a bilingual classroom from pre-kindergarten until the sixth grade when his mother signed a denial form for bilingual services.

David's language proficiency scores for grades pre-kindergarten to the sixth grade are listed in table 21 below. David's scores indicate a progression of increasing proficiency in English and a diminished proficiency in oral Spanish culminating in the fifth grade. The teacher testing him in the fifth grade wrote on the test cover "Why is he being tested with this test? He doesn't understand Spanish."

Table 21

David's IDEA Oral Proficiency test (IPT) Scores

Grade	English Score	Spanish Score
Initial Entry into Pre-kindergarten	A	B
End of Year Review in pre-kindergarten	C	C
End of Year Review in Kindergarten	D	C
End of Year Review in First Grade	C	A
End of Year Review in First Grade (2^{nd} time)	D	B

End of Year Review in Second Grade	C	B
End of Year Review in Third Grade	E	B
End of Year Review in Fourth Grade	E	B
End of Year Review in Fifth Grade	F	B
End of Year Review in Sixth Grade	F	Not tested in Spanish

Program exit. David's bilingual program records indicate that his mother signed a denial of bilingual program services form in his sixth grade year to stop his participation in the Bilingual/English as a Second Language Program. David continued to have the designation of limited English proficient and continued to qualify for first language support in the sixth grade through the eighth grade, but was not given any assistance in his first language due to his mother signing the form. As per the Texas Education Code, students who are designated as limited English proficiency, but whose parents have not approved the program or requests to opt out (parent denial) of the program, keep the LEP designation until the student meets the exit criteria.

Texas English language proficiency assessment system (TELPAS). The TELPAS is an assessment of English language proficiency and assesses four language domains: listening, speaking, reading, and writing (Texas Education Agency, 2011b). The test is used to meet federal accountability standards and evaluate the progress of English language learners' English academic proficiency in kindergarten through twelfth grade. The test is comprised of multiple-choice reading tests, holistically rated student writing collections, and holistically rated listening and speaking assessments. The listening and speaking assessments are based on ongoing classroom observations and student interactions (Texas Education Agency, 2011b, p. 1).

David's bilingual folder indicated that he was assessed using TELPAS from the fourth through eighth grades. The administration of the TELPAS began in 2003, when David was in the third grade. However, David's ARD committee exempted him from taking the assessment. His proficiency levels beginning in grade four through exit in grade eight are shown in table 22 below.

Table 22

David's Texas English Language Proficiency Assessment System Scores (TELPAS)

(Advanced High = Passing Standard in each area)

Grade	Listening	Speaking	Reading	Writing
Fourth	Advanced	Intermediate	Beginning	Intermediate
Fifth	Advanced	Beginning	Advanced	Intermediate
Sixth	Advanced	Advanced	Advanced	Intermediate
Seventh	Advanced High	Advanced	Advanced	Intermediate
Eighth	Advanced High	Advanced High	Advanced	Advanced

Exit from LEP label. TEA requires students to be fluent in English in speaking and listening as evidenced by an oral proficiency assessment. Students must also meet the advanced high level in reading and pass the writing section of the TAKS test in order to exit. The passing scaled score for all TAKS tests including writing is 2100.

In 2008, the Texas Education Agency's (TEA) guidelines changed the exit criteria to allow for the ARD and LPAC committees to jointly decide on the exit criteria for special education LEP students (Texas Education Agency, 2010d). Therefore, at the end of David's eighth grade year, the LPAC in collaboration with the ARD committee agreed to lower the exit standards in order for David to exit from the bilingual programs.

The committee determined that David needed to reach the advanced high level only in the listening area and the advanced level in speaking rather than advanced high. David had to meet the 2100 passing standard for TAKS reading; which is the standard for all students and the intermediate level on the writing instrument instead of advanced high. The determination standards developed by the ARD and LPAC committees are shown below in Table 23.

Table 23

David's ARD and LPAC LEP Exit Criteria

	Assessment Instrument	ARD Performance Standards
Listening	TELPAS	Advanced High
Speaking	TELPAS	Advanced
Reading	TAKS A	2100*
Writing	TELPAS	Intermediate

The TELPAS standards set by the ARD committee were the exact scores that David had already received in the seventh grade. He had also passed the reading TAKS A assessment with a 2337. In the eighth grade, David's scores surpassed the LPAC and ARD committee's required standards for exit. David scored advanced high in all the measures except reading which was advanced. He passed the eighth grade reading TAKS A test with a 2156, surpassing the required scaled score of 2100. The committee's jointly exited David from the LEP label at the end of his eighth grade year.

Special Education Records

David's special education records include the admission, review, and dismissal (ARD) committee meeting documents. These documents list the academic and elective classes David is enrolled in and whether they are taught in a regular education classroom or in a special education classroom. The document is further divided into several sections: goals, objectives and modifications; and state assessments. All of these are described below.

Academic and elective classes. The academic classes David was enrolled in from third grade to eighth grade included reading, English language arts, math, social studies, and science. Elective classes include fine arts, physical education, technology, and health. The majority of David's instruction was given by bilingual education teachers in a bilingual education classroom. However, David was removed from the bilingual education classroom for several years to receive reading and English language arts instruction by a special education teacher. The subject and minutes spent in a special education instructional setting are shown in Table 24 below.

Table 24

David's Special Education Classes

Grade	Reading	English
Third	60 minutes	45 minutes
Fourth	60 minutes	45 minutes
Fifth	60 minutes	45 minutes
Sixth	50 minutes	50 minutes
Seventh	50 minutes	50 minutes

Eighth	No special education classes
Ninth	No special education classes
Tenth	No special education classes
Eleventh	No special education classes
Twelfth	No special education classes

As shown in Table 24, David received reading and English language arts instruction by a special education teacher until eighth grade. David's seventh and eighth grade ARD documents do not include any minutes or deliberations to explain why David was placed in regular education classes for reading and English other than the ARD committee agreed to the change.

Goals, objectives and modifications. The ARD committee collaboratively designs the instruction the special education student receives including goals, objectives, and modifications when developing the individual education program (IEP) (Public Law 107-110, 2002). David's instructional goals, objectives and modifications are show in Table 25 below.

Table 25

David's IEP Goals, Objectives and Modifications

Grade	Goals & Objectives	Modifications for Classroom Assignments/Tests
Third	Master elementary reading and written language skills at the 2nd grade level.	Reduced assignments, extra time to complete assignments, respond orally, grading based on participation, repeat

		instructions, consider effort as part of grade, oral exams, tests given by special ed. teacher.
Fourth	Master elementary reading and written language skills at the 3rd grade level.	Peer to read materials, provide opportunities to response orally and oral exams.
Fifth	Master reading skills at the 4th grade level focusing on comprehension, decoding, and vocabulary.	Peer to read materials, copy of class notes, and calculator when needed
Sixth	Increase reading and language arts skills to the sixth grade TEKS level.	Extra time, teacher check for understanding, use of a dictionary except when testing vocabulary
Seventh	Increase language arts, reading to the seventh grade level.	Extra time, peer reader, access to a dictionary, teacher check for understanding, calculator, hard copy of notes, reading assistance in math.
Eighth	Study Skills: Increase compensatory and study skills to an 8th grade TEKS level with 70% mastery	Extra time, reading assistance for testing, teacher needs to check often for understanding, calculator, hard copy of notes in math and science, dyslexia bundle for testing (two days for the test).
Ninth	Study Skills: Increase mastery	Use a calculator, blank graphic

	of compensatory and study skills with 70% mastery	organizers, teacher check for understanding
Tenth	ELA/Math: David will comprehend reading, writing, and math activities with 70% accuracy; Science: Read, collect, analyze, write and interpret science data with 70% accuracy. Social Studies: Read, produce, analyze, collect and interpret social studies data with 70% accuracy.	Provide blank graphic organizers, teacher check for understanding, and provide a calculator
Eleventh	ELA: Using written guidelines, David will research and present 3 written essays with 75% accuracy; Math: solve problems involving algebraic, measurement, or linear functions with 70% accuracy; Science: Convey scientific conclusions in expository/short	Provide correctly completed examples, study sheets/previews/summaries; teacher check for understanding, blank graphic organizers, or partially filled in graphic organizers during class work.

	answer form with 75% accuracy.	

Table 25 above depicts David's instructional goals which were set below grade level from the third to fifth grades and increased to grade level at the sixth grade. His eighth and ninth grade objectives were developed for study skills only. Researchers have found that students placed in special education often receive a limited instructional program when compared to their non disabled peers (Zehler, Fleischman, Hopstock, Stephenson, Pendzick & Sapru, 2003; Barga, 1996). However, his instructional goals in tenth grade and eleventh grade were increased to include all core subjects including science and social studies due to increased TEA requirements and state assessments (Texas Education Agency, 2009d). David will need to pass all core subject state assessments in order to graduate from high school. State assessments are discussed in the next section.

State assessments. The state of Texas administers an achievement test known as the Texas Assessment of Knowledge and Skills (TAKS) to all students including special education students beginning in the third grade in the areas of reading and math. Additional assessments are given at the fourth, fifth, seventh, eighth, and tenth grades. Table 26 below lists the state assessments required at each grade level. The subjects include reading, math, writing, science and social studies for third through eighth grade. Reading and writing are combined into English language arts in the eleventh grade which are labeled as the exit level exams. No additional exams are required at the twelfth grade.

Table 26

Texas Assessment of Knowledge and Skills (TAKS) Assessments per Grade Level

Grade Level	Reading	Math	Writing	Science	Social Studies
Third	X	X			
Fourth	X	X	X		
Fifth	X	X		X	
Sixth	X	X			
Seventh	X	X	X		
Eighth	X	X		X	X
Ninth	X	X			
	English Language Arts	Math		Science	Social Studies
Tenth	X	X		X	X
Eleventh (exit level)	X	X		X	X
Twelfth	No additional assessments at this grade level.				

Students are required to pass the state assessments in order to be promoted in certain grade levels and at exit level to in order to graduate. Third grade students were required to pass reading for promotion and fifth grade students are required to pass reading and math in order to be promoted. At the eleventh grade or exit level, students are required to pass all assessments for graduation. They include English language arts, math, science and social studies.

The state assessments and the requirements for high school graduation have since changed from the TAKS to the State of Texas Assessments of Academic Readiness (STAAR). However, students in David's grade level are grandfathered and must pass the TAKS tests in order to graduate. These exit level exams are given in the spring of a student's eleventh grade year. If the student is not successful, students may take the exam again in the summer and the following fall and spring prior to graduation.

Modified state assessments. The state of Texas allows ARD committees to make decisions regarding state assessments for special education students (Texas Education Agency, 2012a). The student can take the state assessment with some allowable modifications, a modified or an alternative state assessment. All of David's state assessments since the third grade have been either modified such as the oral exam or a modified state assessment.

Third through sixth grade. In David's third grade year, the state allowed ARD committees to determine the test and level for each student and began to use of a modified test. The assessment entitled the State Developed Modified Assessment (SDAA) was given to David from third grade until the sixth grade. The exam was replaced when David entered the seventh grade.

The SDAA assessment had three achievement levels to measure student's content knowledge in the areas of reading, math and writing. At achievement level I, a student is expected to demonstrate minimal, beginning, skills at the tested instructional level by answering only some of the test items correctly (approximately between 0 and 15). At achievement level II, the student must answer a few more questions correctly (approximately between 16 and 24). And at level III, the student must answer most of the

questions correctly in order to demonstrate a passing score (between 25 and 30). The number of items correct depends on the number of questions on the assessment which differs from kinder level to tenth grade.

ARD meeting records indicate that the committee selected SDAA assessments for all tests with the exception of the fourth grade math test for David from the third to sixth grades. Table 27 below depicts David's scores on the state assessments for grades three through six.

Table 27

David's Texas Assessment of Knowledge and Skills Results (TAKS)-Beginning in Third Grade (2100=Passing); State Developed Modified Assessment (SDAA For Special Ed.)

	Reading	Math	Writing	Science
Third Grade	Scored 2-II Baseline Test	Scored 3-II Baseline Test	n/a	
Fourth Grade	3-1 Failed	1925-failed (TAKS Oral Exam)	3-1 Failed	n/a
Fifth Grade	3-II passed	4-II passed	n/a	Exempt from exam by the ARD committee
Sixth Grade	6-I passed	6-I passed	n/a	

Interpreting the results. Table 27 above indicates that David failed the SDAA third grade test in the fourth grade. This is due to the ARD committee assigning the third grade level test to David, but requiring that he meet achievement level II. David failed the assessment because he scored at level I. This means that David answered fewer than nine questions correctly on the reading and writing sections of the third grade test when he was in the fourth grade (Texas Education Agency, 2012a). He also failed the fourth grade math TAKS test which was read orally to him. He scored a 1925 which means he answered 17 out of 42 correctly. The passing standard was set at correctly answering 28

out of 42 questions that particular school year. The state set the passing standard based on prior year field tests of the questions.

Seventh through exit level. In 2006, Texas, in response to federal mandates, began to use the Texas Assessment of Knowledge and Skills Accommodated Version (TAKS-A) and the Texas Assessment of Knowledge and Skills Modified Version (TAKS-M) instead of the SDAA. These assessments are at grade level rather than below grade level as were the SDAA. The TAKS A differences include fewer items per page, larger font, and no field test questions than the regular TAKS test. The TAKS M test also has the same format changes as the TAKS A, but also has fewer answer choices, simpler word usage, and less sophisticated vocabulary. As previously stated, the ARD committee decides whether a student takes the TAKS test, the TAKS-A test, or the TAKS-M test.

The ARD meeting records indicate that the committee selected TAKSA assessments for all tests with the exception of the seventh grade reading and writing tests for David from the seventh to eleventh grades. David was given the TAKS M tests in reading and writing in the seventh grade. Table 28 below depicts David's scores on the state assessments for grades seven through eleven.

Table 28

David's Texas Assessment of Knowledge and Skills Accommodated Version Results (TAKS-A) (2100=Passing Standard)

	Reading	Math	Writing	Science	Social Studies
Seventh	2337 (TAKS M) Passed	2023 Failed	Field test	n/a	

Eighth	2136 Passed	2117 Passed	n/a	1877 Failed	2218 Passed
Ninth	2017 Failed	2024 Failed	n/a	n/a	
	ELA	Math		Science	Social Studies
Tenth	2059 Failed	1986 Failed		1984 Failed	2080 Failed
Eleventh	2008 Failed	2257 Passed		2035 Failed	2306 Passed

Interpreting the results. David's seventh grade TAKS M reading score of 2337 indicates that he passed this assessment by correctly answering 32 out of 38 questions. He failed the math TAKS A test due to only correctly answering 21 out of 48 questions. He needed to have answered 27 correctly.

There were not any scores reported for the writing section since it was the first time the test was administered as a field test. Texas uses field tests during test development stage in order to select the most appropriate questions for subsequent test administrations.

David was mostly successful on the TAKS A tests in the eighth grade in which he passed three of the four TAKS A tests administered. Passing the reading and math tests was required for promotion to the eighth grade and students were given three opportunities to pass those assessments. The records show that David passed the reading after the second administration but did not pass the math test until the third try. He also

scored very poorly (1877) on the science test, only answering 22 out of 50 correctly. A minimum of thirty-three correct responses were needed for passing the assessment.

David has since struggled with the TAKS A assessments. He did not pass any tests in the ninth or tenth grades and he has not passed the reading/English language arts section since the eighth grade. Although he only needed to correctly answer four more questions on both the reading and math tests in the ninth grade, he needed five more correct responses on the reading and nine more on the math TAKS A tests in the tenth grade to pass those assessments.

David is also still struggling with his eleventh grade exit level assessments. He has passed the math and social studies assessments, but needs to pass the English language arts and the science TAKS A tests. He scored a 2008 on the English language arts, which means he only answered 33 out of 73 correct. He needed to correctly answer 43 questions to pass. His score of 2035 indicates that he needed five more correct responses to pass the science TAKS A test.

David will need to pass the English language arts and science assessments in order to graduate. He will have two more chances to pass the assessments before the May graduation ceremony, once in October and once in March.

College plans. Every Texas high school is required to have agreements with local junior colleges or universities to offer dual enrollment or articulated career classes. These articulated and dual enrollment courses jump start students into receiving a college two or four year degree.

David does not have any dual enrollment or articulated courses on his high school transcript. His individual educational plan developed by his special education ARD

committee, includes him continuing welding in his senior year. However, the welding class at the high school is not a dual or articulated class. If he decides to go to the local junior college to pursue that degree, he will need to retake those welding classes. Similarly, if he plans to pursue a degree in auto mechanics, as he stated in his interview, he will need to take all the classes required for that degree at the junior college.

David's survey responses and interview responses including his perceptions of the first language support he received, his academic abilities, what he felt about his experiences in special education, and his future plans are discussed next.

What are the students' perceptions of their own academic abilities?

The students completed a survey and participated in semi-structured interviews that provided the researcher with a wealth of information including an understanding of the instruction and the instructional programs the student received. The survey included 20 questions on the students' educational path and what they felt about their academic performance, language of instruction, and special education instruction. Appendix A lists the student survey questions.

The students were interviewed twice with a period of one year separating the interviews. Student interviews lasted between 30 and 60 minutes each. Appendix B lists the questions used in the student interview. David's survey and interview responses are discussed below beginning with a discussion of first language support.

First Language Support

David's survey and interview responses indicate that all of his instruction throughout elementary school and even when he was in the bilingual education program was in English. During the interviews, David explained that he spoke Spanish as a young

child, but that he was never taught in Spanish in head start or in school. He also stated that he doesn't remember much about his early years in school at the head start, but does remember his pre-kindergarten teacher, who taught him mostly in English.

During an interview with David's pre-kindergarten teacher, she stated that the majority of the instruction in her prekindergarten classes was in English. She described the bilingual language time and treatment program as "80/20 split." When I asked her to explain, she stated that 80% of the instruction was in English and maybe 20% Spanish." This may have been due to the district's philosophy at the time which has since changed to mostly Spanish instruction for beginning students.

David did comment that some of his teachers spoke to him in Spanish in kindergarten and first grade, but he didn't understand them. He also said that a couple of teachers did try to help him in Spanish, but that all of his school work was in English. He doesn't remember getting any Spanish instruction after first grade even though he was in the bilingual program throughout elementary school.

David indicated that he doesn't read or write in Spanish now. He does understand when being spoken to and does speak it a little. He never uses Spanish with his friends or brothers and his father has picked up enough English that he speaks to him in English. He has taken Spanish in high school, but states the classes haven't focused on reading or writing. And after two years of Spanish classes in high school, David stated "they haven't helped me much."

Academic Abilities

In regard to his reading and grades, David's survey responses indicate that he strongly agreed that he had more trouble reading than the other students. He also agreed

with the statement that he had trouble getting good grades in most of his academic classes.

He also noted that he felt he worked very hard in elementary school, but was not very pleased with himself since he didn't understand what he was being taught. He would keep going over work until he understood it, but he also noted that he often thought he did well on assignments and tests, but when he received his grade he found that he hadn't done as well as he had expected.

David remembers being retained in first grade and stated: "I failed first grade and I had to take first grade again." He thought he did well when completing daily work in class, but he had difficulty in reading and when taking tests. He stated "Um, I do good, I do good, but when it comes to tests, I can't, I struggle a lot."

Special Education Instruction

David's interview questions related to his referral to special education included questions about his experiences in first grade specifically with reading, the grades he received, and his family member's experiences with learning problems. Also discussed were questions concerning his special education classes.

David does not remember when he was first identified as learning disabled. He stated "I didn't really know. I don't remember." When asked if he knew why he failed and why he was placed in special education, he remembers his teachers telling him that "my reading was kind of bad." In regards to relatives in special education, a question asked in the referral document, David thinks his cousin was in special education "but I'm not sure."

When asked if he had ever had any special education classes, David said he did have special education classes in third grade and up until junior high. David remembers leaving his classroom all afternoon go to his special education class in third, fourth and fifth grades. He explained, "I used to go, like, they would take me out after lunch. When I got back, they were doing something else and I had to catch up. I was gone for a couple of hours." David also remembered getting less work than the other students. "I remember everyone had more work than me. I had less."

David stated that he didn't like going to his special education classes and would make up stories to his friends when asked about why he had those classes. "They would ask me, why did I have that class? I forgot what I told them, but I would just tell lie to them." But he also stated that the special education classes helped him to do well in school.

David continued to have special education classes in the sixth and seventh grade, but asked the ARD committee to stop having him go to the special classes in seventh grade. "In junior high, I asked them to change me since I wanted to do more work and try to get smarter." When I asked him why, he stated "because I just want to do it on my own. Cuz [*sic*] no one is going to agree to help me later on."

David discussed at length the help he received from his junior high English teacher. He said "I was real bad, I behaved really bad. Mrs. Johnson knew how to make me behave and do good." He also said that "she helped me a lot" and that he didn't think he would have passed or stayed in school without her help. "She knew, she knew how to help calm me down."

Presently, David doesn't get any help in high school from the special education teachers. They do talk to him and invite him to the ARD meetings, but that is all according to David. He told the researcher that he takes the regular TAKS tests even though, his records indicate that he takes the TAKS accommodated version for special education students.

In discussing the instruction he received throughout school to prepare him for work after graduation, David felt that the special education classes did not help him much other than helping him getting promoted every year. In elementary school, he would go to special education classes where he worked on work sheets which were not difficult or challenging. His classes now in high school are a bit challenging, but he still manages to get passing grades.

Future Plans

Graduation. In our last interview in May of David's junior year, David stated that he was very sad since he hadn't been able to pass two of four assessments needed for graduation. Successfully passing all four assessments is required for graduation. He took his time, but said, "I knew what I was reading, but sometimes I couldn't understand the problems, there were some big words that I didn't read or understand." David now explains that if he had the chance he would have read more. "I never read a lot when I was small. I didn't like to do anything, just see my friends. When asked if he thought that hurt him, he responded, "Yeah, in the long run."

In the future, David hopes to take the test again when offered and will attend summer school to get tutored on the sections he failed. School records indicate he was given the TAKS accommodated version for special education students which has a larger

font and no field test embedded questions and was tested in a small group. Even though David had difficulty with tests in his regular classes, he liked school and enjoyed playing sports.

Career choice. During our first interview during David's sophomore year, he told the researchers that he wanted to be an architect and wanted to go to one of three major universities. He plans to pay for it by "working hard in athletics to get scholarships for sports." However, in our second interview a year later and at the end of his junior year in high school, he explained that he planned to attend a local junior college and study to be a sports trainer or a mechanic like his father. He remembered that when he was little he didn't like to read, but that he was good at taking things apart. "I used to like to take apart stuff, I didn't really read. That's what I really liked, taking apart stuff and putting it back together." David wants to pursue a career where he can work with his hands after high school.

Next is a discussion of David's mother's survey responses and interview responses including her perceptions of the first language support David received, his academic abilities, what she feels about his experiences in special education, and her hopes for David in the future.

What are the parents' perceptions of their children's academic abilities?

The parents completed a survey and participated in one semi-structured interview which provided information related to when the parent noticed a problem with the student's learning, how the parent felt about the learning disability label, and the parents' perceptions on how the special education and bilingual education instruction affected the student. The survey included 31 questions which are located in Appendix D and D1.

Appendix D lists the parent survey questions in English and Appendix D1 lists the survey questions in Spanish.

First Language Support

David's mother explained that David only spoke Spanish as a young boy because his father and their house keeper spoke only Spanish. Before turning three, David spent most of the time with the house keeper since both she and her husband worked. She thought that he would never learn English, but that he learned quickly once he entered the head start program. Upon entering the head start program, David learned English since he was only instructed in English. He quickly became quite fluent practicing with his older brothers at home.

Then after entering public school, David was placed in the bilingual program. His mother indicated on the home language form that David spoke both languages. He was then tested and given the limited English proficient label. David's mother signed permission for the bilingual program placement. David's mother explained that she was pleased that he was in the bilingual program because she knew he needed to know Spanish.

However, David' mother doesn't remember him bringing home Spanish language homework. She believes David received first language support and knows how to speak, read, and write in Spanish. She didn't remember any problems concerning language or Spanish language instruction other than David had trouble in reading. She also doesn't remember signing any document waiving the right to bilingual education that she signed in David's sixth grade year.

Academic Abilities

When discussing his academic abilities once he entered public school, she explained that "when he was in pre-kindergarten and all that and he did real well. But, I noticed in first grade his grades were low" and that David had more trouble in reading than the other students. And because of his problems, David was retained in the first grade even after she went to the school to ask for help for David.

> He had low grades in first grade so I called his first grade teacher. I went to talk to his teacher, Mrs. Z., S. Z., she was his teacher. I told her about David. She said David was slow. So, I used to have my other son, my oldest son, because of the way he talked, in like, in special education. So, I told her if I could speak to somebody, because I knew my son is slow; I want him to pass; I don't want him to stay; if somebody could help him. They told me, "Yes," so and that's when I started doing the stuff and everything.

David's mother stated that they began to give him help and his grades improved, but he was still retained in first grade.

David continued to have problems as he proceeded through school. "I know that in Derry (David's elementary school in 3rd-to 5th grades); he was real shy; his grades were low and everything. However, his grades were passing and he was not retained again. David's mother attributes his passing grades to the special education teachers helping by giving him special classes and special tests in order to pass.

Special Education Instruction

The parent interview included questions regarding David's mother's recollections about why David was placed in special education. She was asked questions such as when

she first noticed a problem with David's learning abilities and what problems he was having in school. David's mother first became concerned about David's abilities when he was two years old due to his lack of speech. She stated that he used mostly "baby talk" and that she noticed he could not hear well. David would not speak but would point to objects and that his father would get him whatever he wanted. He was also very quiet and shy. She took him to the doctor who placed tubes in his ears. He then also started speech therapy at three years old and continued speech therapy at school until the second grade.

Once in school, she stated David did well until first grade as stated above and requested assistance. David was then placed in special education in first grade (retained year). She stated that she was happy about him being in the special education program because she noticed that the special education teachers helped David a lot and would call her frequently to discuss his progress.

Some of the help she was referring to was David's grades and promotion. Students in third and fifth grade were required to pass all core subjects as well as the TAKS tests in reading in the third grade. In the fifth grade, students were required to pass both reading and math. David was promoted in third through fifth grades and was given modified TAKS tests and was promoted.

Once David entered junior high, his mother was particularly thankful for his junior high special education teacher. When David would be failing other classes, she would call the special education teacher. The special education teacher would then intervene by talking to the regular education teachers asking them for help for David. "So far, I'm glad I'm real glad because they helped David a lot." She did not give details

about what kind of help David received from them, but David passed all subjects and was also promoted every year.

She also mentioned that David is doing well in his classes and doesn't receive any help from the special education teachers at the high school. None of David's high school teachers ever call her, but she is happy that David is doing well. She said they did help by placing him in special education and that he benefited from the placement.

Future Plans

David's mother was very positive about David's abilities and happy about the progress he has made through school. When asked about how she felt about his entire academic progress and her wishes for David's future, his mother told the researcher:

> I'm proud, I'm real proud. And what he is doing right now. I know that in Derry he was real shy; his grades were low and everything. It was the same thing in Junior high. But right now in high school, he is doing real good. It's a lot different.

She indicated that she did not feel that his disability affected his ability to learn and that she expected him to go to college. She believes he has the capability to graduate from a junior college or university. She also indicated that he will be able to support himself after graduation from a junior college or university, but not just after high school.

She was not concerned about David passing the remaining TAKS tests needed for graduation. She wants him to attend the local junior college and has already discussed financial aid plans with David. She is confident that David will receive financial aid grants due to her being a single mom and her low income status.

Summary

David was labeled as an English language learner when he entered school in pre-kindergarten and continued in the bilingual/ESL program until the end of his eighth grade year. He was not given instruction in his first language while in the head start program which continued into elementary school and junior high school. He did not gain proficiency in English, but was exited from the English as a second language program based on his passing score on the accommodated version of the reading eighth grade Texas Assessment of Knowledge and Skills (TAKS) for special education students. Spanish was the language mostly spoken at home because the maid and his father only spoke Spanish.

He entered special education as a speech therapy student prior to pre-kindergarten, but was exited from speech therapy due to the mastery of his articulation goals from speech services at the end of second grade. Prior to that, he was also labeled as a learning disabled student in first grade due to his mother requesting assistance for him. He was retained in first grade, even after being placed in special education and received instruction by a special education teacher in both reading and math from third grade until seventh grade.

David requested that he be placed in regular education classes in eighth grade where he passed three of the four state assessments he was administered. He failed all of the tests he was given in the ninth and tenth grade and only passed two of the four state assessments in his junior year of high school. All of his state assessments have been either modified, with accommodations or a version that has fewer questions than the regular state assessments.

David is a positive young man who was saddened by his failure of two of the four state assessments required for graduation at our last interview. He feels that the special education classes helped him pass from one grade to another, but haven't helped him in the long run. He will need to attend summer school, take the two state assessments he still needs to pass in order to graduate in May of his senior year. If he does, he will be able to attend the junior college and receive either a certification as a mechanic or obtain an associate's degree. He also believes that he is taking the regular TAKS test and not the TAKS accommodated for special education students as the records show.

In contrast, David's mother feels that David did get Spanish instruction in elementary school and that David can read and write in Spanish. She also feels that the special education instruction David received has helped him and that she is very proud of him. She doesn't seem to know that David is saddened by his poor performance in the junior level TAKS tests and that he might not graduate if he doesn't pass those two pending TAKs tests.

Unlike David, the next case study student, Gene was not born in the United States. Chapter five provides a description of Gene and his family. Gene was labeled as a learning disabled student in the third grade. Gene began school speaking only Spanish, but only received first language instruction in kindergarten. In the next chapter, I describe his journey into special education, his academic instructional path, and the perceptions that Gene and his mother have about his education.

Chapter 5-Findings Part 2

Introduction

Chapter five discusses the second case study, Gene. This chapter begins with a description of Gene including how he began his education in the U.S. and where he is today. A description of his family follows next. The remainder of the chapter is divided into four sections which details how each of the four sub-questions was investigated to answer the research question: What are effects of the early identification of a learning disability on Hispanic English language learners? The four sub-questions are:

- How were the students identified for special education?
- What was the academic path of the students?
- What are the students' perceptions of their own academic abilities?
- What are the parents' perceptions of their children's academic abilities?

Each section will only describe the information collected. The explanations of the assessments and the legal and procedural issues described in chapter fours will not be repeated.

Gene

Gene was born in Temapache, Veracruz, Mexico and has lived in the city where this study was conducted since immigrating to the U.S. when he was three years old. Gene is a very soft spoken young man with dark hair and complexion and deep dimples and a happy smile. The third son in a family of five boys, Gene started his education at the local Head Start program and then entered an elementary school in the district of this study at five years old. He recently completed the tenth grade and is beginning his junior

year this fall. He has been a member of the cross country team and hopes to be part of the team next school year. In his spare time he works at a nearby resort restaurant as an expo. As Gene explained, an expo is the person that makes sure the waiter knows the food is ready and helps take the food to the table. Gene was promoted to expo from bus boy and works hard. He hopes to become a waiter when he turns 19.

Family Background

Interviews with Gene and his mother provided a rich description of the family history. Gene, his parents, and his two older brothers immigrated from a small village in Vera Cruz Mexico in 2000 looking for employment. Gene's parents wanted to provide the family a better life. Gene's mother, however, stated that she didn't want to leave her home and her parents, but had to follow her husband.

The family has no other family members in the area. He remembers that he has one aunt but hasn't seen her in years even though she is in the U.S. Gene's grandparents stayed in Mexico because they didn't want to leave their home and land. He remembers his grandparents and their home fondly and treasures a picture taken of him with them before coming to the U.S. when he was a young boy.

Both Gene's parents attended school in Mexico but only up to the fifth grade. His parents speak mostly Spanish and are beginning to learn a little English. Gene's parents do not have steady employment but find day work when it is available. His dad is a construction worker and his mom works periodically cleaning homes. She only works a couple of days a week to stay home and take care of his younger brothers.

Gene describes his dad as outgoing and very skilled. He has visited his work site once and seen that he does an excellent job with tile in both bathrooms and pools. His

father also recently repaired their roof and painted their home inside and out. Gene looks up to his father and goes to him when he needs help. When asked to write about a person who he looks up to and aspires to be like in school, he writes about his dad. Gene believes that he is very shy and hopes to learn to carry on a good conversation making people laugh like his father does.

In her interview, Gene's mother told the researcher that Gene's father is a hard worker and recently bought the three bedroom trailer where the family now resides. He renovated it by fixing and painting both the outside and inside walls and replaced the roof. The trailer is located on a lot with three other trailers in the poorest of the school district's boundary.

Prior to living in this trailer, the family lived in a one room trailer which was in need of repair. The roof leaked and it had a makeshift room attached which the parents used as their bedroom. The mother explained that the landlord never fixed it, but they were not able to find another affordable place that allowed children. They lived in that one room trailer for more than eight years. Gene's first grade teacher also remembered the poor conditions of the trailer during a home visit. She stated that "The reason I remember Gene so well is because the family lived in a one room trailer that had no door. The door was a curtain. It broke my heart to see them living there." Interestingly, the family rented the trailer from Gene's fifth grade teacher, whom Gene remembered fondly as one of his best teachers. He also remembered that the teacher passed away during the last two months of his fifth grade year.

Gene's oldest brother is now 22 and attended kindergarten and first grade in Mexico before entering school in the U.S. He attended the schools in the district of this

study and graduated four years ago. However, he has not been able to attend college. Gene explained, “My brother didn’t get the chance to go to college. He didn’t have the money or the help needed to go to college.” His older brother’s future plans only include working at the restaurant. “He makes over one hundred and fifty dollars a night. Why go to college? What’s the point? It costs a lot of money and there is no future in it. He is doing good now.”

The second eldest boy in the family was a senior and graduated this past school year. Gene stated that this brother works on the beach renting umbrellas for a local company. He has not attended college nor does he have any plans to do so.

Gene’s two younger brothers were born in the U.S. and have attended school since pre-kindergarten. One brother is in the third grade and his youngest brother is in the second grade. His brother who is in the third grade, does exceptionally well in school making all A’s and is on the A honor roll. Gene’s youngest brother struggles, but gets help from his mother and Gene when doing homework. Neither is in special education.

In the following sections the findings of the data collected for Gene regarding each sub-question of the research study beginning with the first sub-question will be detailed. First the findings from the permanent record file and special education records are discussed. This is followed by findings from the parent survey and interview.

How were the students identified for special education?

This section begins with a brief overview discussing how Gene was identified for special education. Following the overview is the document review beginning with the permanent record file from kindergarten through second grade.

Next follows a discussion of Gene's special education records. This discussion begins with the referral documents when Gene was in the second grade. A thorough discussion of the assessments given to Gene in the fifth grade which continued to identify Gene as a learning disabled student is presented next. Immediately following is a discussion of the special education admission, review, and dismissal committee meetings (ARDs) determinations which kept Gene identified as a learning disabled student throughout junior high and high school.

Overview

Students are often referred for an evaluation due to low academic progress. Gene was referred in the second grade because of concerns about his academic progress. The next section discusses Gene's academic achievement records in school prior to assessment and placement in special education. The section begins with a discussion of Gene's grades from the permanent record file beginning in kindergarten and continuing into second grade.

Permanent Record File

Gene's assignment to special education should have been based on documented lack of progress such as grades in school at the time of referral and prior to the referral. However, Gene's records show mostly passing grades. The next section is an in-depth discussion of the documentation in Gene's permanent record file.

Kindergarten. Gene entered school in kindergarten at age five when he emigrated from Mexico. His kindergarten grades show excellent performance for the majority of his courses and an 85 in reading as shown below in Table 29. He was present every day the entire school year.

Table 29

Gene's Core Subjects Year End Grades

	Reading Readiness	Spanish Language Arts	Social Studies	Science
Kindergarten	85	Excellent	Excellent	Excellent

First grade. Gene's scores in first grade indicated that he failed English reading with a 59. The teacher noted that the student was retained in first grade. This is due to school district's grading policy which required Gene to be retained if a student failed one of the four core subject areas which include reading. There were no grades listed under language arts due to the grading policy at the time nor were there any grades for Spanish reading. This is due to the fact that he only received instruction in English in violation of the bilingual education transitional program required by the TEA in which Gene was enrolled. The record also shows that Gene had perfect attendance the entire school year. His complete first grade scores are shown in table 30 below.

Table 30

Gene's Permanent Record Grades in First Grade

First Grade	Reading	Social Studies	Math	Science
First Semester	62	80	80	80
Second Semester	56	87	81	78
Year Average	59	89	81	79

First grade (year retained). The grades for Gene's second year in first grade were higher. His complete grades for the second time in first grade are shown below in

Table 31. Gene's grades were not all 90's, but all of his grades were passing. He was still not in special education so none of the grades were modified.

Table 31

Gene's Permanent Record Grades Second Year in First Grade

First Grade	Reading	Social Studies	Math	Science
First Semester	81	92	95	91
Second Semester	70	89	95	83
Year Average	76	91	95	87

Second grade. Gene passed all his courses in second grade. However, all but his math grades were in the low 70's. The referral to special education was made at the end of second grade and therefore none of the grades were modified. Table 32 below lists Gene's grades for all core subjects by semester and for the end of year.

Table 32

Gene's Permanent Record Grades in Second Grade

Second Grade	Reading	Language Arts	Social Studies	Math	Science
First Semester	73	72	77	92	75
Second Semester	70	70	73	88	73
Year Average	72	71	75	90	74

Norm-referenced test data. The school district administers a norm-referenced assessment to measure student academic progress beginning in kindergarten. The Spanish assessment given to Gene in kindergarten was La Prueba Riverside De

Realización En Español. Gene scored at the 96th national percentile in reading and at the 78th percentile in math on this Spanish assessment in kindergarten. His composite score was also given. Table 33 lists all of Gene's norm-referenced scores in kindergarten

Table 33

Gene's La Prueba Riverside de Realización en español- Kindergarten Results

	Lectura	Matemáticas	Sumario
Kindergarten	96	78	93

However, in first grade, Gene was given the norm-referenced test in English. He was also given the English assessments during his second year in first grade and in second grade. Gene was administered several batteries of the Iowa Test of Basic Skills in the areas of reading, language, mathematics, social studies, and science. Gene's national percentile scores dropped dramatically from his Spanish kindergarten scores. Table 34 below depicts Gene's national percentile scores for three years.

Table 34

Gene's Iowa Test of Basic Skills National Percentile (NPR) Results

	Reading	Language	Mathematics	Social Studies	Science
First Grade	2	5	17	17	4
First Grade (Second time)	5	50	54	34	35
Second Grade	18	18	9	14	46

Special Education Records

Second grade. Special education records indicate that Gene was referred and evaluated for a learning disability at the end of his second grade year. The referral reason indicated on the referral form stated academic concerns was completed and signed by the both the principal and the nurse. There was also one form completed by Gene's second grade teacher and one by the parent. Information requested in the forms included home language, LPAC information, attendance, achievement data, teacher data, observation data, and information from the parent. The information gathered is discussed next.

***Home language/LPAC information*.** The student's home language indicated on the form was listed as Spanish and the student was also listed as being currently in the bilingual program. The form also asked if the student was limited in Spanish speaking and/or English speaking. The form indicated the student was limited English speaking but not limited Spanish speaking. This information was completed by the principal.

***Achievement data*.** Cumulative grades for the year were listed as passing, but also indicated in parenthesis that his fourth six weeks grade in English reading were a 65 and a 67 in English language arts. There were no grades given for Spanish reading or Spanish language arts.

The achievement data included grade equivalents from the Iowa Test of Basic Skills (ITBS) which was administered in April of the prior year instead of the current year. Gene's grade equivalent in language was a 1.9, a K.9 in reading and a 1.9 in math. This form was also completed by the principal.

***Teacher data*.** The referral form completed and signed by Gene's teacher was dated three months prior to referral being submitted for processing. The teacher marked

only two concerns: avoids communication and has minimal eye contact. In regards to academic progress, she noted that his progress was satisfactory, but declining. The interventions that were utilized prior to the referral checked by the teacher were: bilingual program, summer school program (the year before), and tutorial.

Observation data. Two observation forms were included in the referral. One was completed by the principal and the other by the nurse. The principal indicated that the student was very shy, on task, and seemed to try really hard. The nurse indicated that the students was very slow in gathering books and papers, was inattentive, sat quietly, and appeared very sleepy.

Parent information. The parent answered many questions on the referral form. Gene's parents indicated in the referral that Gene's strength was in math, and that he had problems in reading and spelling. Spanish was selected as the home language, but also included was a note that Gene spoke both Spanish and English. They also indicated that Gene had a problem remembering things, something that they had noticed since Gene was in kindergarten. They noted that Gene was well-behaved and worried about school work. The parents also wrote that Gene became sad when he talked about his problems in school.

The parents signed permission for Gene to be evaluated in March and the Full and Individual Evaluation Report (FIE) was completed in May. However, the ARD meeting was not held until the beginning of the following school year when Gene was in the third grade.

Third Grade. The ARD committee met at the beginning of the school year in August. The special education records indicate that Gene's evaluation was completed by

a non-bilingual evaluator and another diagnostician who was also non-bilingual presented test results from both English and Spanish assessments. According to the records, the student was given a nonverbal IQ test, due to his limited English proficiency status and bilingual program placement and achievement tests were given in both English and Spanish. Gene's scores are described below.

Language Dominance Assessment. The diagnostician administered the language portion of the Wechsler Individual Achievement Test to determine language dominance. According to the FIE, the diagnostician (evaluator) noted that Gene "expresses himself best orally," and that his English receptive and expressive skills were low average. His Spanish receptive skills were also low average, but his Spanish expressive skills were average.

Intelligence Quotient. Gene like David was given the Universal Nonverbal Intelligence Test (UNIT) standard test to determine his intelligence quotient (IQ). The diagnostician indicted that Gene's IQ was 106 which is within the average range. The IQ scores for each individual section were not given nor were they anywhere in the documentation. But the diagnostician noted that Gene's short term skills were better than his nonverbal reasoning skills; his relevant detail skills were better developed than his problem-solving abilities and that he would learn best with concrete and memory aids, visuals, and mnemonics.

Achievement tests. The student's academic achievement in English was determined by administering the Wechsler Individual Achievement Test, Second Edition (WIAT II). Spanish achievement scores were determined by The Woodcock Language Proficiency Battery-Revised (WLPB-R). Gene's scores are shown in Table 35 below.

Table 35

Gene's Third Grade Wechsler Individual Achievement Test, Second Edition (WIAT II) Standard Scores and Woodcock Language Proficiency Battery-Revised (WLPB-R) Scores

	IQ	English Standard Scores	Spanish Standard Scores
Oral Expression	106	80	94
Listening Comprehension	106	82	80
Written Expression	106	Not assessed	Not assessed
Basic Reading Skill	106	72	51
Reading Comprehension	106	69	40
Mathematics Calculations	106	94	*
Mathematics Reasoning	106	89	*

*Denotes areas not tested in Spanish.

Identification of a learning disability. The scores above indicate that Gene had more than a 16 point discrepancy in the areas of listening comprehension, basic reading, reading comprehension and mathematics reasoning. A student qualifies for a learning disability when there is a 16 point negative difference between a students' IQ and their performance on a section of the achievement test.

The diagnostician chose the highest score from either the English or the Spanish language assessment to determine the discrepancy. For example, in oral comprehension, Gene scored an 80 in English and a 94 in Spanish. He used the Spanish language score

of 94 and indicated that Gene did not qualify in that area since his Spanish score was not more than 16 points below his IQ (106 minus 94 equals eight).

However, the diagnostician did qualify Gene with a learning disability in the area of mathematics reasoning without a Spanish assessment in that area. His English score was only 17 points below his IQ which barely qualified him in that area. He also described the results stating that "math operations are a strength while both reading and writing seems to be a weakness." But, he did not give any scores for written language in either English or Spanish.

Fifth Grade. As previously stated, IDEA requires ARD committees to re-evaluate students every three years (Public Law 94-142, 1975). Therefore, Gene was re-evaluated in April of his fifth grade year. The evaluations are discussed below.

Intelligence Quotient. Gene's IQ was determined using the same IQ test he was given in the second grade. The Universal Nonverbal Intelligence Test (UNIT) standard test was administered to determine his intelligence quotient (IQ). The diagnostician indicted Gene scored a 98 which is within the average range of intellectual ability. The new IQ was a drop of eight points from his previous IQ of 108 when he was in the second grade. The diagnostician included the scores from the UNIT subtests which were previously described in detail in David's section. All of Gene's standard scores are within the average range. All the scores are shown below in Table 36.

Table 36

Gene's UNIT Fifth Grade Scores

Quotient	Standard Score	Descriptive Classification
Memory Quotient	100	Average

Reasoning Quotient	97	Average
Symbolic Quotient	103	Average
Non-symbolic Quotient	94	Average
Full Scale IQ	98	Average

Achievement test. Gene was again given the WIAT II in fifth grade to determine his academic proficiencies. The diagnostician noted Gene was in the bilingual program and that a bilingual evaluator conducted the evaluation. The report states that due to the student's language abilities, the evaluation was conducted in a combination of English and Spanish. However, the scores given in the report do not indicate whether they were in English or Spanish. In addition, the diagnostician who signed the report is not bilingual. Gene's scores along with the degree of discrepancy between his IQ and performance are shown below in Table 37.

Table 37

Gene's Fifth Grade Wechsler Individual Achievement Test, Second Edition (WIAT II) Scores

	Full Scale IQ	Fifth Grade Standard Scores	Degree of Discrepancy
Oral Expression	98	95	3
Listening Comprehension	98	81	17
Written Expression	98	68	30
Basic Reading Skill	98	50	48
Reading Comprehension	98	60	38

Mathematics Calculations	98	87	11
Mathematics Reasoning	98	83	15

As shown in Table 37 above, Gene had severe discrepancies between his full scale IQ of 98 and four out of seven areas which qualified him to continue to be labeled as a student with a learning disability: listening comprehension (17 point discrepancy); written expression (30 point discrepancy); basic reading skill (48 point discrepancy); and reading comprehension (38 point discrepancy).

Review of existing evaluation data (REED). As with David, upon recommendation of the same diagnostician David had, Gene was not given any further IQ or achievement tests and continued to qualify for special education. As stated before, Texas allows the ARD committee to decide whether or not additional evaluation data is needed to determine if the student continues to qualify for a learning disability (Texas Education Agency (2012). Therefore, during Gene's eighth grade year, the committee reviewed the assessment conducted in Gene's fifth grade year and concluded that Gene continued to need special education placement. His three year assessment is due again next year. Therefore, no other assessment data is available.

Summary

The data presented above was discussed in order to answer the sub-question: How were the students identified for special education? The section began with a review of the data from the permanent record file and special education program records followed by a review of the data from the parent and student semi-structured interviews. Below is a summary of this section.

Permanent record files. The permanent record files indicated that Gene had difficulty in reading beginning in kindergarten and first grade. He was retained in first grade and his grades improved the second time in first grade, but his norm-referenced tests national percentile scores were very low. He was promoted to second grade where his fourth sixth weeks reading and English language arts grades were failing. He was then referred to special education.

Special education records. The special education records indicate that Gene was referred for special education at the end of second grade. The forms were mostly completed by the principal and the counselor who also completed both observations for the referral. A non bilingual evaluator completed the IQ test and the achievement tests in both English and Spanish.

The evaluation was completed at the end of second grade but not presented to the ARD committee until the beginning of his third grade year. The report indicated that Gene had an IQ of 106 on the UNIT. His IQ score was compared to his achievement scores and the ARD committee determined that he qualified as a student with a learning disability. Gene had a discrepancy between his IQ and his achievement scores in the areas of listening comprehension, basic reading, reading comprehension and mathematics reasoning in either English or Spanish. The diagnostician chose the higher achievement score to qualify Gene, but failed to conduct math assessments in Spanish.

Gene's three year re-evaluation was conducted when he was in the fifth grade. Even though he was given the same IQ test, his IQ dropped from 106 to 98. He continued to qualify as a student with a learning disability. When comparing Gene's third and fifth grade scores, he scored above his third grade score in oral expression and

below his third grade scores in all the other areas. His basic reading skill was more than twenty points below his third grade score. A comparison of Gene's third grade scores and fifth grade scores in English are shown below in Table 38.

Table 38

Gene's Wechsler Individual Achievement Test, Second Edition (WIAT II) Scores

	Full Scale IQ	Third Grade Standard Scores	Fifth Grade Standard Scores
Oral Expression	98	80	95
Listening Comprehension	98	82	81
Written Expression	98	Not assessed	68
Basic Reading Skill	98	72	50
Reading Comprehension	98	69	60
Mathematics Calculations	98	94	87
Mathematics Reasoning	98	89	83

As with David, further assessments were not required by the ARD committee for Gene in the years following due to the practice of not assessing secondary students. Instead, the ARD conducted a review of existing evaluation data (REED) and determined the student continued to qualify as a learning disabled student. This practice will be discussed further later in the findings of this study.

The next section discusses the findings concerning the second sub-question: what were the student's academic paths?

What was the Student's Academic Path?

This study investigated one main research question: What are effects of the early identification of a learning disability on Hispanic English language learners? The first section discussed the first sub-question. This section discusses the second sub-question: What were the students' academic paths? This sub-question is answered by looking at three data sources: permanent record files, special education records, student and parent surveys, and student and parent interviews. The discussion begins with the permanent record files which includes grades through the tenth grade, bilingual education data, and special education instruction.

Permanent Record File

The permanent record files indicated that Gene has received most of his public school education at the school district of this study. Even though Gene stated he began school at the local Head start, there is no documentation that he attended pre-kindergarten at the same time. The district has an agreement with the local Head Start which allows four year old students who qualify for the Head start program attend half a day at the Head start program and half a day at the district of this study. The district transports and picks up children on a daily basis.

District records indicate that Gene entered a district elementary school in kindergarten at age five. Gene also attended an elementary at a neighboring district for a few weeks when in the first grade and then returned to the district. The permanent record indicated that he was retained in first grade and remained at that campus until completing the second grade. There is no indication that he was in special education classes when in kindergarten, first, or second grades.

Gene attended third through fifth grade at the same school district. He then was promoted to the sixth grade which is located at the district's junior high school. Report cards in the file indicate that he was promoted to the ninth grade. Unlike David, Gene passed all his courses and his state assessments which are required for promotion. All of Gene's assessments are discussed in a later section.

Gene's core subject year end grades are shown below in Table 39. The reading and English language arts grades from third grade through seventh grade are special education class grades. Gene was then mainstreamed into regular education classes with modifications to help him succeed. His modifications are described later in this section. Gene's grades throughout school are passing except for one failing grade in reading (59) the first time in the first grade.

Table 39

Gene's Core Subjects Year End Grades

	Reading/ELA		Social Studies	Math	Science
First Grade	59		89	81	79
First Grade (Second Time	76		91	95	87
	Reading	ELA	Social Studies	Math	Science
Second Grade	72	71	75	90	74
Third Grade	80*	80*	95	95	91
Fourth Grade	94*	91*	84	83	82
Fifth Grade	85*	80*	81	91	76
Sixth Grade	83*	82*	77	84	86

Seventh Grade	76	82*	77	84	83
Eighth Grade	76	72	91	86	79
Ninth Grade	English I		World Geography	Algebra I	Integrated Physics & Chemistry
	82		80	77	84
Tenth Grade	English II		World History	Geometry	Biology
	81		74	74	77

*Denotes special education class

Bilingual Education Records

Gene's home language survey was completed by his mother when he registered for kindergarten. The form indicated that the language in the home was Spanish and that Gene spoke only Spanish. Therefore, the following section discusses how Gene was labeled as a limited English proficient (LEP) student and placed in the bilingual program.

Oral proficiency tests. Gene like David was assessed using the IDEA Oral Proficiency test (IPT) in both English and Spanish by a bilingual assessor. Scores on the IPT range from "A to F." A represents the lowest score and F represents the highest possible score. Gene scored a level "A" on the English IPT and was determined to be limited English proficient by the Language Proficiency Assessment Committee (LPAC).

Upon entering kindergarten, Gene's mother approved and signed the form for his placement in the bilingual program. According to the Texas Education Code, parental permission must be obtained for entrance into the bilingual program. The records

indicate that Gene was placed in a bilingual classroom from kindergarten until the seventh grade when the ARD committee together with the LPAC committee determined that Gene was no longer LEP.

Gene's language proficiency scores for grades kindergarten to the sixth grade are listed in table 40 below. Scores range from letter A to letter F, with F being the highest score. Gene's scores indicate a progression of increasing proficiency in English. His language proficiency in Spanish dropped from kindergarten to first grade and did not improve until second grade where he reached a score of F.

Table 40

Gene's IDEA Oral Proficiency test (IPT) Scores

Grade	English Score	Spanish Score	Score Needed for Fluency Designation
End of Year Review in Kindergarten	C	E	E
End of Year Review in First Grade	B	D	E
End of Year Review in First Grade (2nd time)	D	D	E
End of Year Review in Second Grade	E	F	F
End of Year Review in Third Grade	E	F	F
End of Year Review in Fourth Grade	F	Not tested in Spanish	F
End of Year Review in Fifth Grade	F	Not tested in Spanish	F

End of Year Review in Sixth Grade	F	Not tested in Spanish	F

Texas English language proficiency assessment system (TELPAS). The TELPAS is an assessment of English language proficiency and assesses four language domains: listening, speaking, reading, and writing (Texas Education Agency, 2011b). As with David, Gene was tested in order to meet federal accountability standards and evaluate the progress of English language learners' English academic proficiency. Gene's bilingual folder indicated that he was assessed using TELPAS from the second grade when the test was first administered through exit in the seventh grade. His proficiency levels are shown in table 41 below.

Table 41

Gene's Texas English Language Proficiency Assessment System Scores (TELPAS)

(Advanced High = Passing Standard in each area)

Grade	Listening	Speaking	Reading	Writing
Second	Intermediate	Beginning	Beginning	Beginning
Third	Intermediate	Beginning	Beginning	Beginning
Fourth	Advanced	Intermediate	Intermediate	Intermediate
Fifth	Intermediate	Intermediate	Advanced	Intermediate
Sixth	Intermediate	Intermediate	Intermediate	Intermediate
Seventh	Advanced	Intermediate	Advanced High	Intermediate

Exit from LEP and bilingual education. TEA requires students to be fluent in English in speaking and listening as evidenced by an oral proficiency assessment. All

students must also meet the advanced high level in reading and pass the writing section of the TAKS test in order to exit. The passing scaled score for all TAKS tests including writing is 2100.

In 2008, the Texas Education Agency's (TEA) guidelines changed the exit criteria to allow for the ARD and LPAC committees to jointly decide on the exit criteria for special education LEP students (Texas Education Agency, 2010d). Like David, the LPAC in collaboration with the ARD committee agreed to lower the exit standards in order for Gene to exit from the bilingual programs. However, the requirements for Gene to exit were much lower than the requirements for David to exit.

While David had to meet advanced high in listening and advanced in speaking, the committee determined that Gene needed to only reach the intermediate level in the listening and speaking. Both David and Gene had to meet the 2100 passing standard for TAKS reading; which is the standard for all students. They both also had to meet only the intermediate level in writing. The determination standards for Gene developed by the ARD and LPAC committees are shown below in Table 42.

Table 42

Gene's ARD and LPAC LEP Exit Criteria

	Assessment Instrument	ARD Performance Standards
Listening	TELPAS	Intermediate
Speaking	TELPAS	Intermediate
Reading	TAKS A	2100*
Writing	TELPAS	Intermediate

*Denotes the required score for all students.

The TELPAS standards set by the ARD committee were the exact scores that Gene had already received in the sixth grade. He had also passed the reading TAKS A assessment with a score of 2241 in the sixth grade. Therefore, Gene surpassed the LPAC and ARD committee's required standards for exit in the area of listening scoring advanced. Gene scored intermediate in speaking and writing. He also passed the seventh grade reading TAKS A test with the required scaled score of 2100. The committee's then jointly exited Gene from the LEP label and the bilingual program at the end of his seventh grade year.

Special Education Records

As discussed with David, Gene's special education records include the admission, review, and dismissal (ARD) committee meeting documents. The ARD documents include the academic and elective classes Gene took and whether they are taught in a regular education classroom or in a special education classroom. Also included in the ARD document are goals, objectives and modifications, and state assessments. All of these are described below.

Academic and elective classes. The academic classes Gene was enrolled in from third grade to eighth grade included reading, English language arts, math, social studies, and science. Elective classes include fine arts, physical education, technology, and health. He also took Spanish in high school in both the ninth and tenth grades.

The majority of Gene's instruction was given by bilingual education teachers in a mainstreamed classroom. However, Gene was removed from the bilingual education classroom from third grade to sixth grade to receive reading and English language arts

instruction by a special education teacher. He also spent time with the special education teacher for math in the fifth grade. His special education teachers were not bilingual or certified to teach students in a bilingual program. The subject and minutes spent in a special education instructional setting are shown in Table 43below.

Table 43

Gene's Special Education Classes

Grade	Reading	English	Math
Third	60 minutes	45 minutes	n/a
Fourth	60 minutes	45 minutes	n/a
Fifth	60 minutes	45 minutes	60 minutes
Sixth	60 minutes	60 minutes	
Seventh	No special education classes		
Eighth	No special education classes		
Ninth	No special education classes		
Tenth	No special education classes		

As shown in Table 43, Gene received reading and English language arts instruction by a special education teacher until sixth grade. At the beginning of Gene's seventh grade year, an ARD meeting was held to change Gene's schedule. There were no ARD meeting minutes, but the ARD document did state that Gene would no longer take any special education classes and would take English and reading in the regular classroom.

Goals, objectives and modifications. The ARD committee collaboratively designs the instruction the special education student receives including goals, objectives,

and modifications when developing the individual education program (IEP) (Public Law 107-110, 2002). Gene's instructional goals, objectives and modifications are show in Table 44 below.

Table 44

Gene's Goals, Objectives and Modifications

Grade	Goals & Objectives	Modifications for Classroom Assignments/Tests
Third	Master elementary reading and written language skills at the 1st grade level.	Math problem solving read orally to student
Fourth	Master elementary reading and written language skills at the 3rd grade level.	Math problem solving read orally to student; For science and social studies: reduced assignments, extra time for completing assignments, opportunity to respond orally, and open book exams taken with study sheet.
Fifth	Master elementary math skills at the 3rd grade level focusing on comprehension, decoding, and vocabulary.	For science and social studies: extra time for completing assignments, opportunity to respond orally, opportunity to state and explain instructions, extra time for oral responses, encouragement for classroom participation, and peer tutoring paired working arrangement.
Sixth	Increase reading and	Short instructions, seat near teacher, provide

	language arts skills to the fifth grade TEKS level. Increase oral language skills in English and improve grammar skills.	written notes, when possible, paired working arrangement
Seventh	Study Skills: Increase compensatory and study skills to a seventh grade TEKS level.	Oral test, calculator, place marker, math notebook, proximity to instructor, and seating near front of room.
Eighth	Study Skills: Increase compensatory and study skills to an 8th grade TEKS level with 70% mastery.	For language arts, math, social studies, science, and reading: Extra time for completing assignment (1 day), reading assistance for testing (not for reading), frequent feedback, encouragement for classroom participation, peer tutoring/paired working arrangement, place-marker for reading, calculator for math and science.
Ninth	Study Skills: Increase mastery of compensatory and study skills to a 9th grade TEKS level with 70% mastery	For language arts, math, social studies, science, fine arts, Spanish I, and career and technology class: Extra time for completing assignment (1 day) and a copy of class notes.
Tenth	Math: with the use of a	Extra time for completing assignment (1 day).

	graphing calculator, Gene will understand the concepts and use of measurement and similarity. Language Arts: analyze and draw conclusions about expository text and provide evidence from the text to support his understanding; Science: know that cells are the basic structure of all living things with specialize parts that perform specific functions and the importance of the cell cycle; Social Studies: understand how major scientific and mathematical discoveries and technological	

	innovations have affected societies throughout history.	

Table 44 above depicts Gene's instructional goals which were set below grade level from the third to sixth grades and increased to grade level in seventh grade due to changes in the requirements from the Texas Education agency which required all students to be instructed with grade level essential knowledge and skills. In addition, because he no longer had resource classes for reading or English language arts, his seventh, eighth and ninth grade objectives were developed for study skills only. Gene, like all regular education students, will need to pass all core subject state assessments in order to graduate from high school. State assessments are discussed in the next section.

State assessments. Like David, Gene took some state assessments at a modified level and some at the accommodated level. All state assessments are criterion referenced assessments and measure content area mastery. Gene's state assessments are discussed next.

Third through fifth grade. Table 45 below shows Gene's third through fifth grade state assessment scores. ARD meeting records indicate that the committee selected the state approved modified assessments for the reading and writing tests in third through fifth grades and the fifth grade math test. The third and fourth grade math tests for Gene were the TAKS accommodated version in which the questions and answer choices were read to Gene. He was not given any state assessment in science. Table 45 below depicts Gene's scores on the state assessments for grades three through six.

Table 45

Gene's Texas Assessment of Knowledge and Skills Results (TAKS)-Beginning in Third Grade (2100=Passing); State Developed Modified Assessment (SDAA For Special Ed.)

Grade	Reading	Math	Writing	Science
Third	I-III Passed	2152-Passed (TAKS Oral Exam)	n/a	
Fourth	2-II Failed	2057-Failed (TAKS Oral Exam)	K/I – III Passed	n/a
Fifth	3-II Passed	4-II Passed	n/a	Exempt by the ARD committee

Interpreting the results. Table 45 above indicates that Gene passed the SDAA third grade test in reading surpassing the ARD required achievement level. However, the ARD committee only required Gene to test at the first grade, achievement II level. He also passed the fourth grade math TAKS accommodated test which was read orally to him. He scored a 2152 which means he answered 30 out of 40 correctly. The passing standard was set at correctly answering 27 out of 40 questions that particular school year.

However, in the fourth grade, Gene failed the reading state developed alternative assessment (SDAA) at the second grade level. Gene only reached the second grade SDAA test at level I which means he answered less than nine questions correctly on the second grade level test when in the fourth grade. He also failed the math TAKS accommodated test which was read to him. He answered 26 out of 42 correct. He needed to have answered 28 correct to successfully pass the assessment (Texas Education Agency, 2012b).

Gene passed both reading and math assessments when in the fifth grade. However, he was given both exams at a lower grade level. He took the reading SDAA assessment at the third grade level and the math SDAA assessment at the fourth grade level.

Sixth through eighth grade. The ARD meeting records indicate that the committee selected Texas Assessment of Knowledge and Skills accommodated (TAKSA) assessments for all tests with the exception of the seventh grade writing test for Gene from the sixth to eighth grades. The TAKS A differs from the regular TAKS test by having fewer items per page, larger font, and no field test questions.

Gene was given the Texas Assessment of Knowledge and Skills Modified assessment (TAKSM) in writing in the seventh grade. The TAKS M test follows the same format changes as the TAKS A, but also has fewer answer choices, simpler word usage, and less sophisticated vocabulary. Table 46 below depicts Gene's scores on the state assessments for grades sixth through eighth grades.

Table 46

Texas Assessment of Knowledge and Skills Accommodated Version (TAKS-A) Scores (2100=Passing Standard)

	Reading	Math	Writing	Science	Social Studies
Sixth	2241 Passed	2139 Passed	n/a		
Seventh	2100 Passed	2192 Passed	2305 Passed (TAKS M)	n/a	
Eighth	750 Passed	810 Passed	n/a	2183 Passed	2310 Passed

Interpreting the results. Gene passed the sixth grade TAKS Accommodated test versions in both reading and math. His scores indicate that he correctly answered 34 out 42 reading questions and 32 out of 46 math questions. He also passed both the reading and math in the seventh grade answering 34 out of 48 reading questions and 35 out of 48 math questions. His TAKS M writing score of 2305 indicates that he passed this assessment by correctly answering 32 out of 38 questions. In the eighth grade, Gene passed all of his TAKS A tests during the first administration of the exams. This allowed Gene to participate in the eighth grade promotion ceremony.

Ninth and tenth grades. In the ninth and tenth grades, Gene was administered the regular TAKS tests and not the accommodated version for special education students. Gene's scores are shown in Table 47 below.

Table 47

Gene's Texas Assessment of Knowledge and Skills (TAKS) Ninth-Tenth Grade Scores

	ELA	Math	Science	Social Studies
Ninth	2019 Failed	2238 Passed	n/a	n/a
Tenth	2163 Passed	2080 Failed	2001 Failed	2162 Passed

Interpreting the results. However, Gene failed the ninth grade reading assessment scoring slightly below the required score of 2100 correctly answering only 23 out of 42 questions correctly. A minimum of twenty-seven correct responses were needed for passing the assessment. He did pass the math assessment answering 37 out of 52 correctly. Only 28 correct answers were needed to pass this test.

In the tenth grade, Gene passed both the English language arts and social studies TAKS assessments. He failed the math by one question scoring a 2080 which was

correctly answering only 31 out of 42 questions. Thirty-two correct answers were needed to obtain a passing score. He also failed the science test, scoring a 2001, which was his lowest score of all tests taken. Gene was only able to answer 26 out of 55 correctly. Thirty-three correct answers were needed to pass the science test.

In Gene's junior year of high school, he will need to pass all four assessments which include English language arts, math, social studies, and science. These tests are needed in order to graduate. If he doesn't pass an assessment in the spring of his junior year, he will have two more chances to pass the assessments before the May graduation ceremony, once in October and once in March.

What are the students' perceptions of their own academic abilities?

Like David, Gene completed a survey and participated in semi-structured interviews. This section begins with a discussion of Gene's perceptions of the first language support he received. Following the first language support section, is a discussion about his academic abilities. This is followed by a discussion of his special education instructional program. The last section discusses his plans for the future.

First Language Support

All of the instruction Gene received throughout elementary school was in English. Gene explained that he spoke Spanish when he immigrated to the U.S. until the time he entered school. He began school when he was three years old at the local Head Start program. The instruction at the Head Start was solely in English. When asked if he spoke any English prior to entering school, he explained

No, I started speaking Spanish all the time until they made me like watch videos about English. So pretty much I learned about that. Then in school I learned a little bit more. But, I still don't got the whole writing thing good.

Gene remembers the focus in elementary school was English. "They teach me mostly in English. Just English. They said no Spanish." He remembered that it was hard, "but then I got used to it."

Gene indicated that he still speaks Spanish at home, but speaks English when he leaves home. He does speak in English to his two little brothers. When the researcher asked him if his little brothers speak only English, he stated "Well, yes cuz they started with English first. They didn't speak no Spanish. They're from here. But, we taught them how to speak Spanish cuz they really need it." Gene also commented that his parents are trying to learn English, but they still mostly speak in Spanish.

Gene doesn't know how to read and write in Spanish proficiently. When asked why, he said, "I wasn't taught. I wasn't taught my own language. I just pretty much know what I know for talking and speaking and hardly reading." However, he did take a Spanish class in high school where his grades were in the 80's.

Academic Abilities

Like David, Gene's survey responses indicate that he strongly agreed with the statement that he had more trouble reading than the other students. He also agreed that he had trouble getting good grades in most of his academic classes. Gene also agreed with the survey questions that stated "I sometimes don't study very hard before exams so I have an excuse if I don't do as well as I hoped" and "I tried very hard to learn in elementary school."

When asked about why he was retained in first grade during the first interview, Gene said that it was due to failing his exams. During the second interview, Gene spoke a little more about why he was retained and stated "Well cuz, I wasn't trying that year, I didn't feel so good that year. So I just didn't try and I blew it off so the next year I had to do it again."

Gene's favorite subject is math and he feels confident about his abilities in math. However, when he discussed that he had failed the TAKS test in math, he said "Yeah, but I don't know what happened this year. I don't know. I just, I missed it by one. It was like triangles. There was triangles, and I really tried to focus on the triangles."

Special Education Instruction

Gene answered interview questions asking why he had been referred to special education. The questions asked about his experiences in school beginning in elementary. There were also questions such as: When were you identified as a special education student, Why do you think you were placed in special education? and What did you feel about that placement at that time? There were also questions specifically asking about his reading ability and the grades he received and if anyone in his family experienced learning problems. All the student interview questions are located in Appendix B.

Gene does not remember being tested for special education but remembers he started special education classes when he was in the third or fourth grade. When asked why he was placed in special education, he at first said that he simply didn't know but then quickly added that it was because he didn't know English. He said, "Maybe because I was from Mexico, and I came over here. And they thought I didn't' know that much English. So that's what I think."

Gene, like David remembers going to the special education class for the entire morning or afternoon during elementary school. He explained that he believed that he benefitted from the classes because he was really shy, the classes were small and the teachers gave him more assistance. "Cuz, it was like a small class. We were like 7 or 9 of us. You could talk in there and the teachers paid attention in there. You could ask questions and it was okay." He further stated:

> Yeah, they did help. I was a very shy person. I would not speak a lot and she (the teacher) would make me talk. I'm still shy, but not as shy. She helped made me talk. In a small group, you were called on. If you are in a big class, no one would call on you.

He also felt that the special education teachers were able to teach him skills he had not learned in his regular class. "I didn't get it when I was in third grade. I didn't get it as much. Like Mrs. Pool (the special education teacher), she really knew how to teach us skills like the multiplication tables. Mrs. Pool helped me memorize tables."

Gene feels he still gets assistance from being in special education, even without being in a resource class. He explained that his high school social studies teachers help in different ways:

> He gives us like notes. When we take notes, he just prints it out for me. Like if I write it, I have those notes to look over if I don't spell it right, it is there for me to see. He would take one answer choices off the test. If they would have four answer choices, he would take one out. So I would only have three. That would really help me a lot to have only three answer choices.

Gene stated that he participates in the Admission, Review, and Dismissal committee meetings and that both his parents also attend. He does remember discussions about his graduation plans and state assessments, but he is not sure what those plans are or if his state assessments are the assessments given to special education students.

Future Plans

Unlike David, Gene did not have any concrete plans for the future during our first interview. When asked if he was going to go to college, Gene said, "Well, I'll try to go to college, but if there is no hope, well I might as well start working or find another job that pays more money." His not so optimistic view of college may be due to the fact that his oldest brother did not go to college. "My brother didn't get the chance to go to college. He didn't have the money or help needed to go to college." Another brother who just also graduated has not attended college either.

However, during the second interview, he told the researchers that he wanted to be a policeman. We discussed what classes he was taking to prepare him and how he was going to pay for it. "Well, if I plan to go to college, I better start thinking." Gene then discussed that he was good at math and that construction had a lot of math, so that might be a choice. He has gone with his father to the construction site and plans to ask his father to take him along in the future.

In the following section, there is a discussion of Gene's mother's survey and interview responses including her perceptions of the first language support Gene received, his academic abilities, what she feels about his experiences in special education, and her future hopes for Gene.

What are the parents' perceptions of their children's academic abilities?

Gene's mother completed a survey and participated in one semi-structured interview which provided the researcher with her understanding of Gene's first language support instruction, his academic abilities, how she felt about the his learning disability, and her dreams for Gene's future.

First Language Support

Gene's mother told the researcher that she wants her children to speak, read, and write in Spanish. She also believes Gene received Spanish instruction since he was always in the bilingual education program.

She wonders now if the bilingual program taught him Spanish, however, since Gene doesn't read in Spanish. She asked:

> Les digo yo tradúcemelo en español. Me dicen, es que ya se me olvidó. ¿A poco si yo aprendo el inglés, me voy a olvidar el español? Yo no creo porque ya lo traen. Así me dice Gene. El español no le entiende. ¿Por qué si yo en todas las clases yo les pedí que los enseñan en las dos idiomas? (I tell them to translate it for me into Spanish. They say "I already forgot." Do you think if I learn English am I going to forget Spanish? I don't believe so because they already know it. That's what Gene tells me. He doesn't understand Spanish. Why if I asked them to teach them in both languages in all the classes?

Academic Abilities

Gene's mother explained that she is very conscientious about her children and always worked with them, and she knows they are smart including Gene. Some of her neighbors do not take their children to Head Start, but she took Gene. She stated,

"Cuando él entró a Head Start el ya sabía sus colores, los números en español. Yo lo enseñé. Ya sabía. Muchos papás no los mandan." (When he entered Head Start, he knew his colors and his numbers in Spanish. I taught him. He knew. Many parents do not send them.)

When asked about his problems in school, Gene's mother stated that she never noticed any problems with Gene's work at school. "For the most part, he had good grades. He would sometimes not study, and that would make his grades go down." But then he would study and his grades would go back up. His mother told the researcher that she he didn't have more trouble than any other student. However, she did admit that Gene was very shy. She encouraged him to speak up and ask for help when he doesn't understand. However, she said that Gene, like her other sons, tell her that the teachers often look down on them and say "Ya te lo expliqué" (I already explained it to you). She said she teaches her children to be respectful and not to argue or offend the teachers. So, Gene mostly stays quiet in class.

Special Education Instruction

Like David's mother, Gene's mother answered questions regarding how Gene was referred to special education. She was asked questions such as when she first noticed a problem with Gene's learning abilities and what problems he was having in school. Appendix D and D1 lists questions used in the parent interviews in English and Spanish (D1).

The second grade teacher told Gene's mother that he needed help and that they could give him special attention if she would agree. "Me dijeron que necesitaba ayuda para orientarlo," (he needed help in order to train him.) Like most respectful parents, she

and her husband agreed with the teacher even though they did not think that Gene had trouble with learning. Gene's mother commented that:

> Nosotros nos preocupamos; quedamos bien con la maestra. Yo sé que mis hijos saben. Pero la maestra me dijo que el niño lo necesitaba ayuda y yo no le voy a oponer a la maestra. Y si dicen eso, mi esposo y yo respetamos a la maestra. Queremos que los niños avancen. No queremos que reprueben. (We worry. We want to do what the teacher wants. I know that my children know things. But the teacher told me that the child needed help and I am not going to oppose the teacher. And if they say that, my husband and I respect the teacher. We want our children to get ahead. We don't want them to fail.)

However, she was saddened when they said he had a disability. She said, "como que se oye muy raro." (like it sounded strange). She doesn't quite understand why they said that, but doesn't want to question them. She also discussed that at the bottom of every paper she receives, it states that the district

> no discrimina a base de raza, color, origen nacional, religión, sexo, edad o discapacidad en las actividades. (does not discriminate on basis of race, color, national origin, religion, sex, age or disability in its programs)

She doesn't believe they follow that statement. However, she does feel that the special education instruction Gene received has helped him with his studies.

Future Plans

Gene's mother hopes Gene goes to college but is saddened because none of her children have gone to college. Gene, like his brothers does not believe he can go. When asked if Gene was going to college, she said:

> Sí, pero él dice que no puede. Porque ya ves que la escuela es muy cara. El dice que tal vez no va a estudiar. Como toda madre quiera que vaya. ¿Le digo que hay carreras pequeñas, verdad? (Yes, but he says he can't. You see, the university is very expensive. He said he probably won't go. Like every mother, I want him to go. I tell him that there are short term careers, right?)

When asked about the discussions in the ARD committee meetings about Gene's future and whether they give her information about college, she said, "Sí, nos dicen que necesitamos preguntar. Pero no nos dicen aquí es el numero o con quien" (They tell us to ask for information. But they don't give us a phone number or who to call.) She also stated that if he doesn't go to college, "Pues va a trabajar. Lodemás hermanos están trabajando" (Well he will work. His other brothers are working).

Summary

Gene immigrated to the United States with both his parents and his two older brothers when he was three years old. His two younger brothers were born in the U.S. Gene started school at the local Head Start program where he received only English instruction. He was labeled as an English language learner when he entered school in kindergarten and continued in the bilingual/ESL program until the end of his seventh grade year. He was not given instruction in his first language even though he was in the bilingual program through the seventh grade. He did not gain proficiency in English for exit, but was exited from the limited English proficiency label based on the lowered exit proficiency levels set by the ARD committee in collaboration with the LPAC. He still speaks Spanish at home with his parents and brothers.

Gene spent two years in first grade and was referred to special education when he was in the second grade. He was tested mostly in English by a non bilingual assessor. The ARD committee did not meet until the beginning of his third grade year where he was quickly placed in a special education class all afternoon for instruction from a special education teacher in both reading and math from third grade until seventh grade. His special education teacher was not bilingual.

Gene's state assessments in elementary were either modified or accommodated, and he failed all of his tests in the fourth grade. However, he passed all of them in sixth, seventh and eighth grades and took the regular state assessments in the ninth grade. He failed two of the four tests he was given in the ninth, but failed one by only one question. He feels that the special education classes helped him learn since he was in classes that had fewer students and the special education teachers explained the information more clearly. He was also not as shy to ask questions in that environment.

Gene is a very shy young man who feels that he will be unable to attend college due to the high cost. He also believes there is no point in going to college since he was told early on by his fifth grade teacher, that like his older brothers, he will not be able to work after college without a social security card.

In contrast, Gene's mother hopes that Gene will go to college and that he will be able to at least get a two year degree. She did want him to get Spanish instruction, but has come to the realization that Gene does not read or write Spanish proficiently. She thinks that the special education instruction Gene received helped him and that he excels in math. She knows that Gene is very shy, but that he is smart and hopes that he will mature and graduate.

Unlike David or Gene, the next case study student, Patty has one Hispanic parent from Mexico and a non Hispanic parent from Ohio. Patty's parents met when her father worked in a *maquiladora* plant in Mexico. A *maquiladora* is an assembly plant in Mexico run by U.S. companies.

Chapter six describes Patty and her life as she travels between two families and two countries. Patty was born a short distance away from the district of the study, but across the Mexican border. She began school in the U.S. while living in Mexico. She spoke both Spanish and English and was labeled as limited English proficient upon entering prekindergarten and labeled as a learning disabled in the third grade. In the next chapter, I describe her special education assessments, her academic path, and the perceptions that Patty's father has about her education. Additionally, a cross case analysis of all three case studies will be presented at the end of the chapter.

Chapter 6-Findings Part 3

Introduction

Chapter Six discusses the third and last case study - Patty. This chapter begins with a description of Patty and how she lived in Mexico but started elementary school in the U.S. Following Patty's description is a discussion of Patty's parents' blended families. Then the chapter details how each of the four sub-questions was investigated to answer the research questions. As was done in chapter five with Gene's description, each section provides the data collected on Patty with reference to various testing instruments described in Chapter Four.

In the final part of the chapter, there is a cross case analysis of the three case studies. The section is organized focusing on each of four sub-questions and comparing and contrasting the findings from each case study.

Patty

Patty was born in a city in the northern portion of Mexico that borders Texas. Patty's mother is of Hispanic decent and her father Anglo. Her father was born in Ohio and her mother was born in a small village in Mexico five hours south of the Texas Mexico border. Patty, like Gene and David, is soft spoken, and she has a light complexion and light brown hair. Patty always seems happy and is very friendly with those around her.

Patty's father met and married her mother while working at a *maquiladora* plant in a border city of Mexico. When the *maquiladora* closed and relocated back to the U.S., Patty's father stayed in Mexico but found a job in the city where the study's district is located.

Patty, her mother and father, together with her mother's older children lived in Mexico until Patty was about eight years old. However, Patty began kindergarten in the district of this study at five years old while still living in Mexico. Her father would commute every day, bringing Patty to school while he worked at a local restaurant. They often did not return home until late in the evening after midnight since her father was the night manager.

The commuting lasted until Patty was in second grade. Her father decided to move to the U.S. with Patty, leaving her mother and her other children in Mexico. The home they lived in was in a very poor section of the city and has since been demolished, but Patty told the researcher she like the home because she had her own room. Eventually, her father and mother reunited. Patty's mother and siblings from Mexico moved to the U.S. In addition, Patty's father's two younger daughters also moved in with them leaving their birth mother in Ohio. Her parents have gone through many separations and now her father lives in his recreational vehicle near the high school Patty attends, and Patty's mom and siblings live in a trailer closer to town. Patty continues to travel back and forth between the two homes, preferring to stay with her father.

Patty recently completed the tenth grade and is beginning her junior year in high school in the fall. She was a member of the color guard, which marches with the band during football half-time performances. This will be her third year on the squad, and she hopes to continue with the squad until graduation. She also assists the school's mariachi group as the group's manager helping the director and the students during their performances. In her spare time, she helps baby sit her older sister's baby who is ten months old.

Family Background

The interviews with Patty and her mother provided the researcher with a picture of Patty's family life. Patty would switch from one parent to another going from one household to the other. Spanish was spoken in her mother's home and English in her father's home. Patty is the youngest of three daughters on her father's side. She is also the youngest child of her mother's two sons and daughter.

Patty's father's family. Patty's father was born, went to school, and graduated from high school in Ohio. He moved to Texas when he relocated working for a U.S. plant manufacturing parts for automobiles in Mexico. Patty's father was married twice before and had one daughter with his first wife and two daughters with his second wife. His oldest daughter lives in Indiana. His two younger daughters moved from Ohio to live with their father when they were in elementary school. Two years ago the younger of the two died from a brain tumor. The older daughter lives in the district with her family and children. The oldest daughter recently moved from Indiana to Texas with her family to live with her father. Patty, who had lived mostly with her father, had to move in permanently with her mother to make room since there was no room in her father's small recreational vehicle.

All three of Patty's older sisters from her father's side graduated from high school. One graduated in Ohio and the two younger ones graduated from the district of this study. Neither Patty's father nor her sisters went to college. Her two living sisters on her father's side have not attended college.

Patty's father has no family in the area other than his daughter. Patty occasionally visited her grandparents in Ohio staying with them for several weeks each time.

However, one visit caused her to miss school. As a result of these absences she was retained in kindergarten. Because of this, she was unable to accompany her father when her grandfather died a couple of years ago, nor did she go with her father to bury her grandmother.

Patty's mother's family. Patty's mother was born in a small village in Mexico where she attended school up to the sixth grade. She moved to the border town where she met Patty's father. At the time she had three children but was never married before. She speaks mostly Spanish and a little English. She works periodically cleaning apartments and homes, but does not have permanent employment.

Patty's mother's oldest son went to school in Mexico and graduated from high school there. He now lives in the town of this study with his girlfriend and works with Patty's dad at the restaurant as a cook. They have a ten month old baby and live in a trailer across the street from Patty's mom in the same trailer park.

Patty's sister and brother on her mother's side graduated from high school in the district of this study. Her sister attends the local junior college, working on a criminal justice and communications degree. She has a ten month old baby who is cared for by Patty and her mom. Patty's brother also attends college and works in the construction industry but hasn't decided on a major. He is currently renovating the inside of the trailer that they all live in.

The findings for each sub-question of the research study beginning with the first sub-question will be detailed next. First the findings from the permanent record file and special education records will be reported. This will be followed by findings from the student and parent survey and interview.

How were the students identified for special education?

This section begins with a brief overview discussing how Patty was identified for special education. Following the overview is the document review beginning with the permanent record file from kindergarten through second grade. Next there is a discussion of Patty's special education records beginning with the referral documents dated in December of Patty's third grade year including a discussion of the assessments given to Patty in third grade. This is followed discussion of the special education admission, review, and dismissal committee meetings (ARDs) determinations which kept Patty identified as a learning disabled student throughout junior high and high school.

Overview

Students are often referred for an evaluation due to low academic progress. As with Gene, Patty was referred in the third grade because of concerns about her academic progress. The next section discusses Patty's academic achievement records in school prior to assessment and placement in special education. The section begins with a discussion of Patty's grades from the permanent record file beginning in kindergarten and continuing into second grade.

Permanent Record File

Patty's assignment to special education was based on a documented lack of progress in school at the time of referral and prior to the referral. Patty had low grades in kindergarten and repeated kindergarten. She also had low grades in reading in the first grade. Her grades improved in second grade but then dropped significantly from second to third grade as shown below. The following discussion comes from the documentation in Patty's permanent record file.

Kindergarten (two years). Patty entered school in kindergarten at age five. At this time, she still lived in Mexico, and commuted back and forth every day with her father. She did not attend prekindergarten. Her kindergarten grades show that she struggled and was retained in kindergarten. Her grades in both years in kindergarten are shown below in Table 48 below. The permanent record file does not show any grades for Spanish instruction. She was absent eighteen days her first year in kindergarten and seven days the second year in kindergarten.

Table 48

Patty's Core Subjects Year End Kindergarten Grades

	Reading Readiness	Math	Social Studies	Science
Kindergarten	Improving	Improving	Satisfactory	Satisfactory
Kindergarten (retained year)	Satisfactory	Excellent	Excellent	Excellent

First grade. Patty's grades in first grade show that she struggled in reading averaging a 70 for the school year. Like the permanent record files for both David and Gene, there were no grades listed under language arts due to the grading policy at the time. In addition, there were no grades for Spanish reading. However, unlike David and Gene, Patty's parents denied their prior permission in kindergarten for the early exit bilingual program. Therefore, Patty did not receive any first language support after her first year in kindergarten. The record also shows that Patty only missed two days the entire school year. Her complete first grade scores are shown in table 49 below.

Table 49

Patty's Permanent Record Grades in First Grade

First Grade	Reading	Social Studies	Math	Science
First Semester	72	91	87	82
Second Semester	69	89	89	86
Year Average	70	90	88	84

Dyslexia assessment. Although there was not any indication in the permanent record file, that Patty was in the dyslexia program, an assessment report form found in the student's special education records indicate that Patty was assessed for dyslexia at the end of first grade. The WISC-III listed her full scale IQ as a 92.

As discussed with David, the WISC III assessment provides three scores without requiring reading or writing; verbal IQ, performance IQ (non-verbal) and a full-scale IQ (Kaufman, A. S., 1994). Patty's report indicated a verbal score of 84 and a performance score of 102, with the full scale IQ score of 92.

Perhaps, her increase in grade average from the first to the second grade is due to the dyslexia assistance she may have received. Or, she could have also been learning some English. Patty's achievement scores in the second grade are discussed next.

Second grade. Patty's grades improved in second grade. Her reading, language arts, social studies, and science grades were in the 80's and her math grades were above 90. Table 50 below lists Patty's grades for all core subjects by semester and for the end of year.

Table 50

Patty's Permanent Record Grades in Second Grade

Second Grade	Reading	Language Arts	Social Studies	Math	Science
First Semester	84	82	84	91	85
Second Semester	82	83	85	91	84
Year Average	83	83	85	91	85

Third grade. Unlike her second grade averages, Patty's third grades scores dropped significantly during the first half of second grade. Her social studies, and science grades were in the 70's and her math grade average was an 80. Her reading average was below 60 dropping from an 84 in the second grade to a 55. Her language arts grade also dropped significantly to a 63. These grades prompted the teacher to refer Patty to special education. Table 51 below lists Patty's grades for all core subjects by semester and for the end of year. It is important to note that the second semester grades in reading and language arts were from a special education class.

Table 51

Patty's Permanent Record Grades in Third Grade

Third Grade	Reading	Language Arts	Social Studies	Math	Science
First Semester	55*	63*	77	80	76
Second Semester	81	83	79	77	77
Year Average	68	73	78	79	77

Norm-referenced test data. The school district administers a norm-referenced assessment to measure student academic progress beginning in kindergarten. The

Spanish assessment given to Patty during her first year in kindergarten was *La Prueba Riverside De Realización En Español*. Patty scored at the 50th national percentile in reading and at the 19th percentile in math on this Spanish assessment in kindergarten. Her composite score was also given. Table 52 lists all of Patty's norm-referenced scores in kindergarten

Table 52

Patty's La Prueba Riverside De Realización En Español Kindergarten Results

	Lectura	Mathematicas	Sumario
Kindergarten	50	19	34

However, when Patty was retained in kindergarten and her parents waived their right to bilingual education. Therefore, Patty was given the norm-referenced test in English the second year in kindergarten. She was also given the English assessments during first and second grades. Patty's national percentile scores increased in comparison to her Spanish scores, but dropped in first and second grades. Table 53 below depicts Patty's national percentile scores for three years.

Table 53

Patty's Iowa Test of Basic Skills National Percentile (NPR) Results

	Reading	Language	Mathematics	Social Studies	Science
Kindergarten	84 (Vocabulary Only	50	62	n/a	n/a

First Grade	21	37	33	39	80
Second Grade	22	37	24	68	38

Special Education Records

Third grade. Special education records indicate that Patty was referred and evaluated for a learning disability during December of her third grade year. The referral reason indicated on the referral form stated low reading grades and benchmark failures and was completed and signed by Patty's third grade teacher. Patty's father completed the parent information documents. Information requested in the forms included home language, LPAC information, attendance, achievement data, teacher data, observation data, and information from the parent and will be discussed next.

Home language/LPAC information. The student's home language indicated on the form was listed as Spanish; however, the parent had denied bilingual education services when Patty was retained in kindergarten. The referral form also asked if the student was limited in Spanish speaking and/or English speaking, but that section was left blank.

Teacher data. The grades listed by the teacher in the referral listed the progress report grades for the third six weeks and the current grades. Like her second grade first semester scores given in Table 48, Patty was failing, reading in the low 50's and language arts in the mid 50's to mid 60's. There were no grades given for Spanish reading or Spanish language arts since Patty was not in the bilingual program.

The achievement data given in the referral listed the grade equivalents from the Iowa Test of Basic Skills (ITBS) administered in April of the prior year instead of the

current year. Patty's grade equivalent from these assessments in the second grade included language at a 2.5, a 2.0 in reading and a 2.2 years grade equivalent in math.

Screening form. The screening form was completed and signed by Patty's teacher. The teacher indicated several concerns: poor progress acquiring basic reading and math skills, difficulty in spelling and producing written work, and poor attention and concentration. In regards to academic progress, she noted that her grades have dropped suddenly in the third grade. The interventions that were utilized prior to the referral checked by the teacher were: counseling (one date given), literacy lab since September, and tutoring since October.

Observation data. One observation form was included in the referral that was completed by the assistant principal. The assistant principal observed Patty during reading instruction and indicated that the student did not follow written directions, did not participate in class discussions, and took time to begin working. She also indicated that Patty was helped by the teacher several times and that she got along with the other students.

Parent information. The parent answered many questions on the referral form. Patty's father indicated in the referral that he and his wife were separated until they get their trailer repaired. He stated that Patty speaks Spanish to her mother and English with him. He also indicated that Patty might have a dyslexia problem and that she needed more help at school. He noted that she was having problems when she was retained in kindergarten due to too many absences. Patty's father signed permission for her to be evaluated in December and the Full and Individual Evaluation Report (FIE) was completed in January.

Third Grade. The ARD meeting was held soon after the full and individual evaluation was completed. The ARD committee met January 14th with both parents present at the meeting. Special education services began the following Monday. The special education records indicate that Patty's evaluation was completed by a non-bilingual evaluator even though she was an identified limited English proficient student (LEP) and given a nonverbal IQ test normally given to LEP students. This is the same IQ test that was given to David and Gene. However, unlike David and Gene, Patty was only tested in English. Patty's scores are described below.

Language Dominance Assessment. The diagnostician did not mention any assessment to determine language dominance. However, the diagnostician (evaluator) noted that Patty's English receptive skills were below average and her expressive skills were low average.

Intelligence Quotient. Patty like Gene and David was given the Universal Nonverbal Intelligence Test (UNIT) standard test to determine her intelligence quotient (IQ). As discussed previously with both David and Gene, normal intelligence is considered to be 100. The diagnostician indicted that Patty's IQ was 100 which is within the average range. There was no other information given to explain the IQ score of 100 in the report.

Achievement tests. The student's academic achievement in English was determined by administering the Wechsler Individual Achievement Test, Second Edition (WIAT II). Patty's scores are shown in Table 54 below.

Table 54

Patty's Third Grade Wechsler Individual Achievement Test, Second Edition (WIAT II) Standard Scores

	Full Scale IQ	Third Grade Standard Scores	Degree of Discrepancy
Oral Expression	100	89	11
Listening Comprehension	100	82	18
Written Expression	100	67	33
Basic Reading Skill	100	81	19
Reading Comprehension	100	84	16
Mathematics Calculations	100	95	5
Mathematics Reasoning	100	83	17

Identification of a learning disability. The scores above indicate that Patty had more than a 16 point discrepancy in the areas of listening comprehension, written expression, basic reading, and mathematics reasoning. A student qualifies for a learning disability when there is a 16 point negative difference between a students' IQ and their performance on a section of the achievement test.

Review of existing evaluation data (REED). As with David and Gene, upon recommendation of the diagnostician, Patty was not given any further IQ or achievement tests and continued to qualify for special education. However, both David and Gene were assessed twice, and Patty was only assessed once for special education.

As stated before, Texas allows the ARD committee to decide whether or not additional evaluation data is needed to determine if the student continues to qualify for a learning disability (Texas Education Agency (2012). Therefore, during Patty's sixth

grade and eighth grade years, the committees reviewed the assessment conducted during Patty's third grade year and concluded that Patty continued to need special education placement. Her three year assessment is due again next year. Therefore, no other assessment data is available.

Summary

The data presented above was discussed in order to answer the sub-question: How were the students identified for special education? The section reviewed the data from the permanent record file and special education program records. Below is a summary of this section.

Permanent record files. The permanent record files indicated that Patty had difficulty in reading beginning in kindergarten. She was retained in kindergarten; however her reading grade improved only slightly the second time in kindergarten. Her yearly average for reading in first grade was a 70, but her reading grade improved in second grade. It then dropped below 60 during the first half of her third grade year.

Her norm-referenced tests national percentile score in Spanish reading in kindergarten was average (50). The following year, she only took the vocabulary portion of the English reading assessment where she scored in the 84th percentile. Her national percentile then dropped significantly in first and second grade. These assessments were in English. Her math scores were equally low in first and second grade.

Patty was promoted every year after being retained in kindergarten. It should be noted that Patty's third grade low reading grade indicated (68) that she should be retained. However, she was placed in the fourth grade on the recommendation of the Admission, Review, and Dismissal (ARD) committee.

Special education records. The special education records show that Patty was referred for special education in December of third grade upon recommendation of her third grade teacher. A non bilingual evaluator completed the IQ test and the achievement tests in English even though Patty was labeled as a limited English proficient student.

The evaluation was completed within one month, presented to the ARD committee, and Patty was placed in special education in the middle her third grade year. The report indicated that Patty's IQ was a 100 on the UNIT. Her IQ score was compared to her achievement scores and the ARD committee determined that she qualified as a student with a learning disability. The ARD noted that Patty's achievement scores in the areas of listening comprehension, written expression, basic reading, and mathematics reasoning in English were more than 16 points below her IQ. This difference qualified her for special education services as per the ARD.

As with David and Gene, further assessments were not required by the ARD committee for Patty. Instead, the ARD conducted a review of existing evaluation data (REED) and determined the student continued to qualify as a learning disabled student.

The next section discusses the findings concerning the second sub-question: what was the student's academic path?

What was the Student's Academic Path?

This study investigated one main research question: What are effects of the early identification of a learning disability on Hispanic English language learners? The first section discussed the first sub-question. This section discusses the second sub-question: What was the student's academic path? This sub-question is answered by looking at three data sources: permanent record files, special education records, student and parent

surveys, and student and parent interviews. The discussion begins with the permanent record files, which includes grades through the tenth grade, bilingual education data, and special education instruction.

Permanent Record File

The permanent record files indicate that Patty received all of her public school education at the school district of this study. Patty entered school in kindergarten at age five. Patty did not attend pre-school nor did she attend the local Head Start. Although Patty told the researcher in her interview that she lived in Mexico, she commuted back and forth from prekindergarten until second grade. Her permanent record, however, does not indicate she came to pre-kindergarten, but that she was retained and spent two years in kindergarten. There is no indication that she was in special education classes when in kindergarten, first, or second grades. Nor was there any documentation in the permanent record file that she had a dyslexia accommodation plan even though her assessment results were found in the special education file.

Patty attended third through fifth grade at the same school district. Her third grade teacher indicated that she was placed in the fourth grade by the ARD committee. She was promoted to the fifth grade and then was promoted to the sixth grade, which is located at the district's junior high school. Report cards in the file indicate that she was promoted to the ninth grade. Unlike David, but like Gene, Patty passed all the courses and state assessments that are required for promotion. All of Patty's state assessments are discussed in a later section.

Patty's core subject year end grades are shown below in Table 55. The reading and English language arts grades from fourth grade through fifth grade are special

education class grades in which she had a modified curriculum and therefore modified grades.

In the sixth grade, Patty did not have a reading class. But, she had a double math class. One math class was in the regular education setting. Then she had a second math class with the special education teacher reviewing the same instruction. She also had inclusion support from a special education teacher who assisted her periodically in the regular education setting in sixth to eighth grades. Patty's grades throughout school are passing except for one failing grade in reading (68) in the third grade.

Table 55

Patty's Core Subjects Year End Grades

	Reading/ELA		Social Studies	Math	Science
First Grade	70		90	88	84
	Reading	ELA	Social Studies	Math	Science
Second Grade	83	83	85	91	85
Third Grade	68	73	78	79	77
Fourth Grade	92*	95*	75	74	75
Fifth Grade	90*	89*	73	86	78
Sixth Grade	n/a	75	79	82	78
Seventh Grade	80	80	82	80	79
Eighth Grade	79	77	89	79	84
Ninth Grade	English I		World Geography	Algebra I	Integrated Physics &

				Chemistry
	83	90	82	89
Tenth Grade	English II	World History	Geometry	Biology
	83	83	74	83

*Special education modified grades

Bilingual Education Records

Patty's home language survey was completed by her father when he registered her for kindergarten. Her father indicated that the language in the home was Spanish and that Patty spoke only Spanish. Therefore, the following section discusses how Patty was labeled as a limited English proficient (LEP) student and placed in the bilingual program.

Oral proficiency tests. Patty, like both Gene and David was assessed using the IDEA Oral Proficiency test (IPT) in both English and Spanish by a bilingual assessor. Scores on the IPT range from "A to F." A represents the lowest score and F represents the highest possible score. Patty scored a level "A" on the English IPT and was determined to be limited English proficient by the Language Proficiency Assessment Committee (LPAC).

After beginning school in kindergarten, Patty's father approved and signed the form from the Language Proficiency Assessment Committee for her placement in the bilingual program. The records indicate that Patty was placed in a bilingual classroom for only one year while in kindergarten. On the last day of kindergarten after Patty was retained, her father signed a form waiving his permission for instruction in the bilingual program. However, the state of Texas continues to monitor and test students who are qualified as limited English proficient until they meet exit standards.

Patty's language proficiency scores for grades kindergarten to the sixth grade are very limited as shown below in Table 56 below. The IDEA Oral Proficiency Test scores range from A to F, with F indicating a fluent speaker. Patty's kindergarten scores indicate that Patty had both limited English and Spanish oral language skills. There are no scores for other grades after her first year in kindergarten except for the second grade where she scored as a limited English speaker. The LPAC committee should have assessed her English skills and reviewed her assessments even after her father waived the right to bilingual instruction; however, they did not. Table 56 details her scores and the lack of assessment information from kindergarten until sixth grade.

Table 56

Patty's IDEA Oral Proficiency test (IPT) Scores

Grade	English Score	Spanish Score
End of Year Review in Kindergarten	C	C
End of Year Review in Kindergarten (second time)	None found. LPAC dated state no scores.	
End of Year Review in First Grade	None found. LPAC dated state no scores.	
End of Year Review in Second Grade	E	Not tested in Spanish
End of Year Review in Third Grade	Review not completed	
End of Year Review in Fourth Grade	None found	
End of Year Review in Fifth Grade	None found	
End of Year Review in Sixth Grade	None found	

When Patty was in the seventh grade, the district of this study changed the English language proficiency assessment to the Woodcock-Munoz Language Survey. This assessment measures a student's oral language as well as reading-writing and broad English ability. This time Patty was assessed, and her results of these assessments through ninth grade are shown below in Table 57.

Table 57

Patty's Woodcock-Munoz Language Survey Results

	Oral Language	Reading-Writing	Broad English Ability
End of Year Review in Seventh Grade	Level 3-4 (Limited to fluent English oral language ability)	Level 3-4 (Limited to fluent English oral language ability)	Level 3-4 (Limited to fluent English oral language ability)
End of Year Review in Eighth Grade	Level 3 (Limited English oral language ability)	Level 3 (Limited English oral language ability)	Level 3 (Limited English oral language ability)
End of Year Review in Ninth Grade	Level 4 (Fluent English oral language ability)	Not assessed.	

Patty's end of year review scores in the seventh grade, indicate a limited to fluent oral language ability (level 3-4) in all areas. In the eighth grade, Patty's scores decreased to level 3, limited English oral language ability. However, when in the ninth grade, Patty

scored at the fluent level (4) in the oral language area, which includes listening and speaking.

Texas English language proficiency assessment system (TELPAS). The TELPAS is an assessment of English language proficiency and assesses four language domains: listening, speaking, reading, and writing (Texas Education Agency, 2011b). As with David and Gene, Patty also was assessed to determine if the federal accountability standards were met. Patty's bilingual folder indicated that she was not assessed in the second grade when the test was first administered. The LPAC committee mistakenly listed her as having been exited from the LEP label since her father waived the right to bilingual education. However, when she transferred to the next elementary school for third grade, the LPAC committee recognized that she was still a LEP student and assessed her with the TELPAS. Patty's proficiency levels in English from the third through eighth grades are shown in table 58 below.

Table 58

Patty's Texas English Language Proficiency Assessment System Scores (TELPAS)

(Advanced High = Passing Standard in each area)

Grade	Listening	Speaking	Reading	Writing
Second	Not tested			
Third	Advanced	Advanced	Intermediate	Intermediate
Fourth	Advanced	Intermediate	Advanced High	Advanced High
Fifth	Advanced	Advanced	Advanced High	Advanced High
Sixth	Advanced High	Advanced High	Advanced High	Advanced High
Seventh	Advanced High	Advanced	Advanced High	Advanced

Eighth	Advanced High	Advanced High	Advanced High	Advanced
Ninth	Advanced	Advanced	Advanced High	Advanced High

Exit from LEP and bilingual education. TEA requires students to be fluent in English in speaking and listening as evidenced by an oral proficiency assessment. Depending on the grade level, students must also meet the advanced high level on the TELPAS writing or TAKS writing if tested at the grade level, and pass the reading section of TAKS test in order to exit. The passing scaled score for all TAKS tests including writing is 2100.

In 2008, the Texas Education Agency's (TEA) guidelines changed the exit criteria to allow for the ARD and LPAC committees to jointly decide on the exit criteria for special education LEP students (Texas Education Agency, 2010d). However, unlike David and Gene, there is no documentation that the LPAC or ARD committees agreed to lower the exit standards other than those set in the seventh grade.

Patty was exited at the end of the ninth grade by meeting the exit criteria standards set by the Texas Education Agency for all students and not by the LPAC and ARD collaboration. Patty's scores on the Woodcock-Munoz Language Survey at the fluent level, passing the TAKS reading test, and scoring advanced high on the TELPAS in the ninth grade allowed the LPAC to exit her without any collaboration with the ARD committee.

Special Education Records

As discussed with David and Gene, Patty's special education records include the admission, review, and dismissal (ARD) committee meeting documents. The ARD documents included Patty's academic and elective classes and whether they were taught

in a regular education classroom or in a special education classroom. Also included in the ARD document are goals, objectives and modifications, and state assessments. All of these are discussed next.

Academic and elective classes. Patty's core academic classes from third grade to tenth grade included reading, English language arts, math, social studies, and science. Elective classes include fine arts, physical education, technology, and health. She took Spanish in high school in both the ninth and tenth grades and was enrolled in band for the color guard and the mariachi class. She also took two technology classes in high school.

The majority of Patty's instruction was given by regular education teachers in a regular education classroom. She did attend reading and English language arts instruction in a special education class the second half of her third grade year and during fourth and fifth grades. Patty, like Gene, attended the special education class for math in fifth grade. And unlike David or Gene, Patty had an inclusion teacher in the eighth grade for social studies. The subject and minutes spent in a special education instructional setting are shown in Table 59 below.

Table 59

Patty's Special Education Classes

Grade	Reading	English	Math
Third (January-May)	60 minutes	45 minutes	n/a
Fourth	60 minutes	45 minutes	n/a
Fifth	60 minutes	45 minutes	60 minutes
Sixth	No special education classes		
Seventh	No special education classes		

Eighth	No special education class, inclusion services in social studies 90 minutes per week
Ninth	No special education classes
Tenth	No special education classes

Goals, objectives and modifications. The ARD committee collaboratively designs the instruction for each individual special education student including the goals, objectives, and modifications (Public Law 107-110, 2002). Patty's instructional goals, objectives and modifications are show in Table 60 below.

Table 60

Patty's Goals, Objectives and Modifications

Grade	Goals & Objectives	Modifications for Classroom Assignments/Tests
Third	Master elementary reading and written language skills at the second grade level.	Math, science, and social studies: reduced assignments, opportunity to respond orally, and opportunity to repeat and explain instructions, frequent and immediate feedback, encouragement for classroom participation, teacher check for understanding. For math only: math problem-solving read orally to student

Fourth	Master elementary reading at the third grade level and written language skills at the second grade level	Math, science, and social studies: reduced assignments, extra time to complete assignments, and extra time for oral responses.
Fifth	Master elementary reading, writing, and math skills at the 3rd grade level.	For science and social studies: reduced assignments, extra time for oral responses, consider effort/participation as part of the grade, peer to read materials.
Sixth	Goal 1: Increase compensatory and study skills to a sixth grade TEKS level.	Extra time, proximity to instructor, seating near front of room, pre-teaching of expectation, calculators, and dictionary or thesaurus.
Seventh	Study Skills: Increase compensatory and study skills to a seventh grade TEKS level.	Extra time, Oral tests, calculator for math, place marker, math journal, proximity to instructor, and seating near front of room, pre-teaching of expectation, times table chart for math, dictionary, and thesaurus.
Eighth	Study Skills: Increase compensatory and study skills to an 8th grade TEKS	For language arts, social studies, science, and reading: Extra time

	level with 70% mastery.	for completing assignment (1 day); for Language arts only: No penalty for spelling errors; For math, social studies, and science: reading assistance; for math and science: calculator; for all subjects: extra time for oral response, encouragement for classroom participation, and teacher check for understanding.
Ninth	Goal 1: After graduation, Patty will attend a college that offers medical degrees. Goal 2: Patty will use a variety of topics and material swill summarize text to explain main idea and be able to express an opinion of what was read with 75% accuracy.	None listed.
Tenth	Goal 1, Vocational: After graduation, Patty will attend a college that offers medical degrees. Goal 2, Language Arts: Explain the specific purpose of an expository text and distinguish the most	None listed.

	important from the less important details that support the author's purpose with 75% accuracy. Goal 3, Math: When presented with algebraic and geometry related problems, the student will utilize mathematical processes and tools with 70% accuracy. Goal 4, Social Studies: Create written, oral, and or visual presentation of World and U.S. Expository information with 75% accuracy. Goal 5, Science: Given correctly performed biology and chemistry examples to follow, the student will collect data and make measurements with accuracy and precision with 70% accuracy.	

Table 60 above depicts Patty's instructional goals, which were set below grade level from the third to fifth grade. In the sixth through eighth grades, Patty's individual educational plans only included study skills goals as was the procedure since she was no longer in a special education class. Her goals and objectives in high school targeted the

skills needed in order to pass all core subject state assessments in order to graduate from high school. State assessments are discussed in the next section.

State assessments. Like David and Gene, Patty also was administered state assessments at either the modified or accommodated level. All state assessments are criterion referenced tests and determine mastery of content knowledge.

Third through fifth grade. Table 61 below shows Patty's third grade through fifth grade state assessment scores. The Admission, Review and Dismissal (ARD) committee selected the state developed modified assessments for reading and writing in third through fifth grades and for the fifth grade math test. However, she was given the regular state assessment given to all students in math in third and fourth grades, but the questions and answer choices were read to her. The ARD committee chose to exempt her from the fifth grade state assessment in science.

Table 61

Patty's Texas Assessment of Knowledge and Skills Results (TAKS) and State Developed Modified Assessment (SDAA)

	Reading	Math	Writing	Science
Third Grade	2-II Passed	1990 Failed (TAKS Oral Exam)	n/a	
Fourth Grade	3-II Passed	1921 Failed (TAKS Oral Exam)	2-II Passed	n/a
Fifth Grade	5-II Passed	4-III Passed	n/a	Exempt as per the ARD committee

Interpreting the results. Table 61 above indicates that Patty passed the SDAA third and fourth grade reading assessments by meeting the ARD required achievement levels at the second grade level during third grade and at the third grade level in fourth grade. She also passed the fifth grade reading assessment; however, the ARD committee only required Patty to achieve level I, which she surpassed. Patty did not pass the third or fourth grade math assessments given to her orally. These assessments were not modified. In the fifth grade, the ARD chose to give her the modified math assessment at the fourth grade level. She surpassed the ARD's expectation by achieving the highest level possible (III).

Sixth through eighth grade. The ARD meeting records indicate that the committee selected Texas Assessment of Knowledge and Skills accommodated (TAKSA) assessments for Patty's sixth and seventh grade assessments in reading, math, and writing. The TAKS A differs from the regular TAKS test by having fewer items per page, larger font, and no field test questions.

In the eighth grade, Patty was given the Texas Assessment of Knowledge and Skills (TAKS) test for all subjects except math. She was given the TAKSA test in math. Table 62 below depicts Patty's scores on the state assessments for grades sixth through eighth grades.

Table 62

Patty's Sixth through Eighth Grade Texas Assessment of Knowledge and Skills (TAKS) and Texas Assessment of Knowledge and Skills Accommodated Version (TAKS-A)

	Reading	Math	Writing	Science	Social Studies

Sixth	2063 Failed TAKS A	2100 Passed TAKS A	n/a		
Seventh	2100 Passed TAKS A	2207 Passed TAKS A	2227 Passed TAKS A	n/a	
Eighth	750 Passed TAKS	745 Passed TAKS A	n/a	2033 Failed TAKS	2161 Passed TAKS

Interpreting the results. Patty failed the reading TAKS A assessment in the sixth grade by correctly answering only 26 out 42 reading questions. Twenty-seven correct answers were needed for passing. She passed all of her other assessments in the sixth through eighth grades except for science. Patty correctly answered 30 out of 50 questions on the science assessment needing thirty-three correct answers to pass.

Ninth and tenth grades. In the ninth and tenth grades, Patty was administered the regular TAKS tests and not the accommodated version for special education students. Patty's scores are shown in Table 63 below.

Table 63

Patty's Ninth-Tenth Grade Texas Assessment of Knowledge and Skills (TAKS)

(2100=Passing Standard)

	ELA	Math	Science	Social Studies
Ninth	2123 Passed	2072 Failed	n/a	n/a
Tenth	2133 Passed	2128 Passed	2067 Failed	2235 Passed

Interpreting the results. Patty failed the ninth grade reading assessment scoring slightly below the required score of 2100 correctly answering only 27 out of 52 questions

correctly. Correctly answering one more question, or 28, was needed for passing the assessment.

In the tenth grade, Patty passed the English language arts, math and social studies TAKS assessments. She failed the science by only two questions scoring a 2067, which was correctly answering only 31 out of 55 questions. Thirty-three correct answers were needed to obtain a passing score.

Like David and Gene, Patty will need to pass all four assessments, which include English language arts, math, social studies, and science in her junior year. These tests are needed in order to graduate. If she does not pass an assessment in the spring of her junior year, she will have two more chances to pass the assessments before the May graduation ceremony.

What are the students' perceptions of their own academic abilities?

Patty, like David and Gene, completed a survey and participated in semi-structured interviews. This section first discusses Patty's perceptions of the first language support she received and her academic abilities. Next, her views of her special education instructional program are discussed. Finally, a discussion of her future plans is presented.

First Language Support

Patty noted on the survey that she felt good when her teachers helped her in Spanish. And even though Patty received almost all of her instruction throughout elementary school in English, she remembers being instructed in Spanish her first year in kindergarten. When asked if she spoke more Spanish than English when she was little, she stated:

> When I was at Cooper, I was like between, maybe. But now it's been more English than Spanish. Like a girl that came here, she didn't speak any English. But I talked with her and now she barely speaks any Spanish.

But Patty, unlike David or Gene, lived in Mexico from kindergarten through second grade while attending school in the U.S. She explained that she would speak English at school and then go home and speak only Spanish. When asked what she remembered about that time in her very young life, she explained

> I lived in Mexico. I would always come to school. I had a Spanish class in Elementary I think. I would come to school here, and my dad would get out at like, one in the morning, and we had to drive across the bridge to Mexico. And then I would go to sleep like around three maybe, and then had to get up early in the morning to come back to school.

Patty stated that she can speak, read and write in Spanish and speaks it at home with her mother and siblings. Patty often speaks Spanish with her friends, but speaks in English with her father who knows Spanish, but prefers to speak English. Her mother is still trying to learn English, but still mostly speaks in Spanish. "With my sister, I speak both, but with my mom, she's trying to learn English. Slowly I'm trying to teach her English. I talk Spanish with her."

Academic Abilities

Similar to those of David and Gene, Patty's survey responses indicate that she had more trouble reading than the other students; however, she did not agree with the statement that she had trouble getting good grades in most of his academic classes. Patty, like Gene, agreed with the survey question that stated "I sometimes don't study very hard

before exams so I have an excuse if I don't do as well as I hoped." She strongly agreed with the statement that stated "I tried very hard to learn in elementary school" and "I feel very pleased with myself when I really understand what I'm taught at school."

Patty was retained in kindergarten and stated that she was retained due to missing too many days of school. "It was because I think I missed too many days. I think it was because I went to see my grandmother and grandfather in another state."

Presently, Patty is doing well in school and states that her grades "are pretty good," but "I can do better in some classes." Patty feels that her teachers helped her do well and that she had great teachers. She is a very positive young lady and stated that when she would take a test she "tried to think I was going to pass." However, sometimes she missed passing by one on some of her state assessments as discussed earlier.

Patty's favorite class is science, and she enjoys her color guard class. She gets up early to go to practice for Friday night football games and state competitions. She feels confident she will pass all her classes to graduate during the next school year. When discussing her past TAKS test, she stated that she passed all her tests except for science and that she was worried that she was going to fail the social studies test. However, when she received the results, social studies was her highest score.

Special Education Instruction

Patty answered interview questions asking about her experiences in special education and specifically asking when she was first referred and how she felt about the instruction she received. The questions were the same as those asked of David and Gene. Student interview questions are located in Appendix B.

Patty remembers being tested for special education and stated that she didn't mind being called out for tests. "Yes, I would go to the portable behind the gym, and they would show me some pictures for a test." And when asked why she thought she was placed you in special education, Patty stated, "Because I was Spanish, I think."

Patty doesn't remember spending a lot of her time in special education but remembers taking tests with the other special education students. In response to the question: What did you tell your friends about where you were going? she said, "I tell them it is because it is special ed." In junior high, she remembers getting help when taking the state assessments. "They told me they would help me if I needed help on anything, but they couldn't give me the answers. They could read it to me, but they couldn't give me the answers."

When asked, How do you feel about the instruction you received? Could they have taught you more? She stated, "It was good, but I guess I could have learned more." Patty also stated that she could have gotten the help she needed in her regular classes. When asked what she thought about the classes and if they helped her, Patty replied:

> It didn't, but it did. Like, it helped me because it be where I'm at, the place where I was learning. But it didn't because I didn't learn what the grade I was with was learning. So, I didn't get what they were learning. But I understand, because I needed to learn first what I missed. So it did, but it didn't.

Future Plans

Patty is quite sure about her plans for the future. At the end of her sophomore year, she knew that she wanted to pursue a career as a nurse working with children. "I want to be a children's nurse. They talked to me today about that. The counselor did."

When asked how she was going to pay for college, she stated that she had already interviewed for a summer job and was making plans to save her money. “I hope to get the job at the movie theatre this summer to buy what I need and for college. If I don’t get enough money, my dad said he would help me out.”

Additionally, Patty explained during the second interview that she wanted to be a nurse because “I like helping kids.” Patty explained that she had just finished her child development class in which she had prepared a Power Point presentation on the developmental stages of a child. As for what classes she was planning to take the following year to prepare her for her career, Patty was said she was not sure.

The following section includes a discussion of Patty’s mother’s and father’s joint survey and interview responses. The questions for her parents were similar to David’s and Gene’s parents’ questions and include questions on their perceptions of the first language support Patty received, her academic abilities, what they felt about her experiences in special education, and their plans for Patty’s future.

What are the parents’ perceptions of their children’s academic abilities?

Unlike David’s or Gene’s, Patty’s parents participated in the research study. They completed the survey together and also participated in one semi-structured interview together. The interview was in both Spanish and English with her mother speaking Spanish and her father speaking English with some Spanish. They explained how they both assisted Patty in her studies and discussed their understandings of Patty’s first language support instruction, her academic abilities, how they felt about the learning disability label, and what they hoped for in Patty’s future. Appendix C and C1 lists the

survey questions and Appendix D and D1 lists questions used in the parent interviews in English and Spanish.

First Language Support

Patty's parents stated that they wanted Patty to come to school in the United States even when they lived in Mexico. Her father stated, "I wanted her to go to school here. I'm not disrespecting the Mexican schools, but I wanted her to go here. Patty's mother added, "Mucha mejor oportunidad aquí que allá." (The opportunity is much better here than there.)

Therefore, Patty started kindergarten when she was five and was placed in the early exit transitional bilingual program. But, by the end of Patty's first year in school, her father signed a waiver to be removed from that program. Her father stated

> She wasn't doing too well because we started her out in a Spanish speaking kindergarten and she didn't seem to grab on. She didn't like that teacher that much. The next year we put her in an English kindergarten. She caught on. She had to know English over here. She would get enough Spanish at home. Her mother and sisters didn't know any English when they came over here. So I decided to take her out of Spanish.

Academic Abilities

When asked about Patty's grades and her academic progress, Patty's mom remembered that Patty had been retained in kindergarten, but this time the reason was different. When asked why she was retained, her mother stated that "había una semana cuando se murió su abuelo y su papá la llevó con él por una semana, y eso le bajó

puntos." (There was one week when her grandfather died and her father took her for a week, and her grades dropped.) Her father added

> She missed more than her allotted days. She got sick. We lived out of my car over here until it was time to go home. I traveled 80 miles one way. She got sick and I took her to her mom. She missed more than her allotted days. She was a good kid, but she struggled for a little bit, but I will chalk that up to that we traveled a bit to get here every day. The bus would drop her off at my place of employment, and she would have to wait for me until I got out until 2 or 3 in the morning. It took quite a bit of effort on both our parts.

Patty's father and mother noted on the survey that Patty's grades ranged from B's and C's to 90's. They also stated that she may be a bit lazy, but for the most part she does her school work with some encouragement. Patty's mother added, "Si lo hace bien, cuando estaba chica era su papá que le ayudaba más. Él le decía ándale Patty." (She did her work well, when she was young; her father was the one who helped her more. He would tell her "Patty, get going".)

When asked about her problems in school, Patty's father stated "Well, she had problems when she was in first and second. She had trouble with her letters. They put her in the dyslexia program. She used to go upstairs for help." When I asked about her drop in grades in the first semester of third grade, Patty's father added

> It's really hard to say, new surroundings, new place. Should have been with some of the same kids, but they were not in the same class. It might even have had something to do with the home life, mom and dad struggling to make ends meet and so forth. It is a learning process for all of us.

He also added that some of the new classmates influenced Patty in a negative way causing her even more problems.

> Peer pressure. She got in trouble at Cooper. Something about a girl stealing stickers out of the teacher's desk. Patty was accused of being involved. Patty was the look-out person. . . She got punished for that. It was the only time she got in trouble.

Special Education Instruction

Patty's parents answered questions regarding how Patty was referred to special education. Her father stated that they were told that Patty "tested below what she was supposed to be at." When asked if they thought she had a disability and her father responded by saying "No more than anybody else." He then remembered her early problems in school and said

> And you would not believe, we practiced. It was an 80 mile trip in our commute to and from, we worked on our spelling words. When you are tired, things don't stick as well, you're not as fresh.

Her mother added,

> Fue muy difícil para ella, porque traía ya hasta morados aquí los ojos, de donde no dormía bien, no comía bien. Se estaba enfermando. No le ayudaba ser gordita y si por dentro no estaba bien. Yo le miraba en los ojos. Se le reflejaba en los ojos. Cansada. (It was very hard for her because she had dark purple circles under her eyes from not sleeping well, not eating well. She was getting sick. It didn't help being slightly plump if she was sick inside. I saw it in her eyes. Her eyes showed it; tiredness).

They do remember her getting help in special education. Her father stated that he went to many Admission, Review, and Dismissal (ARD) meetings. He also added, "She's not in the special classes no more. I like what you've done."

Future Plans

Patty's parents are happy that Patty already knows what she wants to do and that she wants to go to college. Patty's mother stated, "Sí, como pediatra por niños. Es muy buena carrera. Y Patty decidió a estudiar pediatra para ayudarles a los niños con problemitas." (Yes, she wants to be a pediatrician for children. It is a good career. She wants to study that to help children with problems.) However, Patty's father expressed that, "I wish right now that, how would you say it, that she would be a little more hungry for what she wants to be."

When asked about the discussions in the Admission, Review and Dismissal (ARD) committee meetings about Patty's future and whether they got information about college, they stated that they haven't received any information. Patty's father also stated that "she doesn't have any help from special education anymore." He also stated that he hadn't been to any meetings lately.

Summary

Patty started school in the United States at five years old, commuting from Mexico on a daily basis. Her father, who was originally from Ohio, chose to work in the city of research study while still living in Mexico and would make the 80 mile drive to work and to bring Patty to school. This commute weighted heavily on five year old Patty, who never attended preschool in Mexico or the United States. She was retained in kindergarten due to too many absences according to the records and her parents.

However, her parents stated that Patty did not do well in her first year in kindergarten due to Patty not grasping the bilingual instruction and not liking her teacher. After being told that Patty was being retained, her father chose to remove her from the bilingual program. He believed that Patty would get enough Spanish language from her family and that she needed more English.

Patty enjoyed being in the English classes, but she continued to struggle and was placed in the dyslexia program. Her grades did not reflect a severe problem until she entered the third grade and was referred to special education. She was only tested in English by a non bilingual assessor even though she was still labeled as a limited English proficient student.

Upon receipt of the special education evaluation, the ARD committee quickly met and placed her special education class for almost two hours a day for reading and English language arts and increasing the special education instruction in the fifth grade for math. The committee probably decided to add the math instruction due to the fact that she correctly answered only forty percent of the fourth grade state assessment in math. Patty's was mostly given the modified state assessments in third through fifth grades.

However, when Patty entered the sixth grade, the Texas Education Agency began to closely monitor assessments for special education students. Patty's ARD committee decided to give her only the accommodated versions of the assessments and not the modified versions. She was also placed in a mainstream or inclusion setting and was not placed in classrooms solely designed for special education students. Patty's state assessment results improved passing often with some failures, but only by one to three questions when she did fail. Consequently, all her state assessments in high school are no

longer modified or accommodated. She passed three of her state assessments last year only failing the science test by two questions.

Patty thinks she was placed in special education due to her speaking Spanish. In addition, she believes the special education classes helped her learn at the level she was at, but she also thinks she could have received that help in a regular education setting. She knows she did not receive the same instruction students in her elementary grades received and feels sadly about not learning what the other students were learning.

Patty has decided on her future career and plans to become a pediatric nurse. She has started working during the summer vacation to save for tuition and stated her father plans to help her as well. Patty chose that career because she wants to help children who have physical or mental problems, but her high school classes have only included one class in child development. She is unaware of the offerings her high school has for her chosen career and has not recently attended an ARD meeting. The ARD is required to develop a transitional plan for each student to transition students to either work or higher education. There is documentation that the plan was developed, however; Patty's plan includes elective classes such as color guard and mariachi which do not focus on her career goal.

Likewise, Patty's parents are hopeful for Patty's future but are also unaware that she is still in special education and of the course offerings at the high school. Her parents are grateful for the attention Patty received and believe that Patty will do well in college and will earn the pediatric nursing degree she desires. They stated that she is not in special education anymore, and therefore, they do not attend ARD committee meetings. The documents show that the parents have not attended the meetings, but documentation

indicates that the parents gave permission to have the meetings without them. Patty's parents plan to call the school and schedule an ARD meeting soon to discuss revising her schedule to include more classes in the health profession.

Cross-Case Analysis

This section compares the three case studies in relation to the research question: What are effects of the early identification of a learning disability on Hispanic English language learners? The goal of this cross-case analysis is to identify patterns as well as differences. The data is discussed in a similar order used for each case study by addressing each major category for each sub-question.

How were the students identified for special education?

The first research sub-question focused on identifying how the students were identified for special education. The first case study student, David, was referred by his mother when he was in first grade because she noticed his grades were low. The other two case study students, Gene and Patty, were not referred by their parents, but rather by their teachers. Each student was referred at a different grade level as shown below in Table 64.

Table 64

Cross Case Comparison of the Referred by and Grade of Referral for Special Education

	David	Gene	Patty
Grade Level	First Grade	Second Grade	Third Grade
Referred by	Parent	Teacher	Teacher

Assessment. All three students had average or above average intelligence as determined by the initial Universal Nonverbal Intelligence Test (UNIT) standard test was

used to determine each student's intelligence quotient (IQ). David's initial IQ on the UNIT was 115, while Gene's was a 108 and Patty's was 100.

Upon re-evaluation, David's initial IQ score of 115 dropped to 80 on a different assessment (WISC III) during his three-year re-evaluation. Gene's IQ score also dropped from 105 to 98 on his re-evaluation but Gene was assessed with the UNIT non-verbal assessment. Patty was not re-evaluated. However, she was evaluated in the first grade for dyslexia prior to her third grade special education assessment. Her IQ score on the WISC III, which has a verbal component, was a 92.

All three students qualified for special education due to their low performance (more than 16 points) in comparison to their IQ in several areas. This difference or discrepancy in one or more areas qualifies a student for special education. A comparison of the degree of discrepancy for each student in each area is shown in Table 65 below.

Table 65

Cross Case Comparison of the Degree of Discrepancy from the Students' IQ on Initial Evaluation

	David	Gene	Patty
Oral Expression	26	12*	11
Listening Comprehension	39	24	18
Written Expression	58	Not Assessed	33
Basic Reading Skill	41	34	19
Reading Comprehension	46	37	16
Mathematics Calculations	41	12	5
Mathematics Reasoning	38	17	17

*Indicates assessment in Spanish was used to determine the discrepancy.

Table 65 above indicates that each student qualified in a variety of areas (those greater than 16 points). However, David qualified in all areas in English, and his Spanish scores were much lower. Gene qualified in four areas, but was not assessed in written expression, and he was not given the math calculations or math reasoning sections in Spanish. Patty also qualified in four areas, including written expression.

What was the student's academic path?

The three students took similar academic paths. All three were retained in either kindergarten (Patty) or first grade (David and Gene). All three had passing grades and all three struggled in reading. All three were in the early exit bilingual education program, but received very little first language support. When placed in special education, all three were removed from their general education classroom and placed in a more restrictive setting. These topics including their state assessments are discussed below.

Grades. All three students had adequate grades with a few exceptions in reading especially in first grade. Patty was retained in kindergarten while David and Gene were retained in first grade. Table 66 below is a comparison of their first grade scores. These scores reflect the first year in first grade for David and Gene.

Table 66

Cross Case Comparison of the First Grade Scores

First Grade	Reading	Social Studies	Math	Science
David	69	86	82	85
Gene	59	89	81	79
Patty	70	90	88	84

First Language Support. All three students were assessed upon entering school and determined to be an English language learner. Patty and Gene remember receiving some first language support during their first year of kindergarten, and neither went to pre-kindergarten. However, Gene attended the Head Start program for two years prior to kindergarten. David went to the Head Start program and pre-kindergarten but doesn't remember any first language support.

David's and Gene's mothers noted that they wanted their children to be bilingual. However, David's mother waived her right to bilingual education when David was in the sixth grade. Patty's father also signed a waiver to remove Patty from bilingual education stating that she could get all the Spanish she needed at home. In contrast, Gene's mother always wanted Gene to learn in both languages and wonders why he can't read and write in Spanish.

Special Education Classes. All of the students were placed in resource classes in reading and English language arts when they were first placed in special education although the Individuals with Disability Act otherwise known as IDEA requires that children be placed in the least restrictive environment (Public Law 94-142, 1975). All three students had a resource class for reading and language arts beginning in third grade. Gene and Patty were given a math resource class in the fifth grade. Patty stopped having resource class in the sixth grade, Gene in the seventh grade, and David in the eighth grade. Table 67 below details the special education resource classes each student had per grade level.

Table 67

Cross Case Comparison of the Special Education Resource Classes

	David		Gene			Patty		
	Reading	English	Reading	English	Math	Reading	English	Math
Third Grade	X	X	X	X		X	X	
Fourth Grade	X	X	X	X		X	X	
Fifth Grade	X	X	X	X	X	X	X	X
Sixth Grade	X	X	X	X	X			
Seventh Grade	X	X						
Eighth Grade								
Ninth Grade								
Tenth Grade								

X denotes special education class.

State assessments. All three students took either a modified or accommodated state assessment in elementary school. Gene and Patty were given the math modified assessment after they failed the regular math assessment in the fourth grade. Their participation with the modified or accommodated assessments continued into junior high for all three students and continued in high school for David. Table 68 below indicates whether each student took a modified or accommodated state assessment for reading or math per grade level.

Table 68

Cross Case Comparison of the State Assessments

	David		Gene		Patty	
	Reading	Math	Reading	Math	Reading	Math
Third Grade	M	M	M		M	
Fourth Grade	M		M		M	
Fifth Grade	M	M	M	M	M	M
Sixth Grade	M	M	A	A	A	A
Seventh Grade	M	A	A	A	A	A
Eighth Grade	A	A	A	A		A
Ninth Grade	A	A				
Tenth Grade	A	A				
Eleventh Grade	A	A				

M denotes modified state assessment; A denotes accommodated state assessment.

What are the students' perceptions of their own academic abilities?

David remembers that he was placed in special education due to his difficulties with reading. In contrast, Gene and Patty believe they were placed in special education because they were Spanish-speaking students. All three believe the special education classes helped them pass, but all three also believe they could have been taught more and that they did not have access to the educational opportunities the regular education students had. David would even make up stories as to where he was going when he went to special education resource classes.

All three plan to go to college; however, David's dreams of going to a four year university and studying architecture have changed to becoming a welder or mechanic like

his father. Gene wants to go to college, but feels he may not have the opportunity to do so, and Patty is already saving her money to attend college to become a pediatric nurse.

What are the parents' perceptions of their children's academic abilities?

All of the case students' parents are proud of their children and hope they can go to college. However, all three have not received the information they need about the requirements their children need to attend nor the coursework that is available for the students at the high school to prepare them for their chosen careers.

All of the parents remember the struggles their children had, but none believes that their children have a disability. Gene's and David's mothers believe that their children were rather shy and didn't speak up enough in class. Patty's father believes their home life may have contributed to her poor performance when they traveled back and forth from Mexico. However, all three are thankful to the school district for providing a good education for their children.

In the next chapter, I will discuss the findings, conclusions, and implications for this research study. The implications will be divided into three sections: students, parents, and school personnel. I will also discuss needs for future research studies on special education English language learners. And finally, a summary of the study will complete my dissertation.

Chapter 7 – Discussion

Introduction

It is by now a well known, and amply documented fact, that African American and Latino students living in poverty are recommended by their teachers for gifted and talented programs in far lower numbers than are White and Asian students even though they may be just as gifted. The same is true of placement in AP and Honors courses in high schools. Conversely, students of color are far more likely to be placed in special education than are their peers (Oakes, 2005; Harry & Klingner, 2006), fulfilling what Alfredo Artiles has termed "the racialization of ability" (Artiles, 2011). This kind of tracking often results in permanent placements that are almost impossible to change as the years pass, yet they are sometimes made on the flimsiest of evidence (Nieto, in press). The results of this study confirm Nieto's words and urge that as educators who value the abilities of all children, there is much work to be done.

This chapter provides a summary of this research study followed by the findings, conclusions and implications. Following the implications will be a discussion of the need for future research studies involving English language learners and special education.

Summary of the Study

The purpose of this study was to explore the effects of the identification of a learning disability and placement in special education on Hispanic English language learners. Studies have found that there is an overrepresentation of minority students in special education. In addition, Artiles and colleagues (2005) found an overrepresentation of Hispanic students in special education in schools with high numbers of Hispanic students such as the district of this study. Furthermore, Blanchett, Klingner, and Harry

(2009) explain that despite progress in appropriate identification of students in special education, a learning disability is a socially constructed disability that affects many linguistically diverse students. Unfortunately, there are few qualitative studies on the effect of the placement of these students in s (Artiles & Klingner, 2006).

Therefore, this study focused on three Hispanic English language learners who had normal IQ's and were identified as learning disabled, a discretionary label of special education. The students' education and family background was reviewed in order to conduct the analysis. In addition, the students' educational path from pre-kindergarten through their current grade in high school was studied and then described. The data included an in-depth review of the students' records, a survey of the students' and parents' perceptions, and semi-structured interviews with the students and the students' parents. In some cases, additional interviews were conducted with school personnel as questions arose from the data.

The permanent record file was reviewed for each student. The files included, grades, norm referenced assessments, bilingual education assessments and state assessment data. Also reviewed were the students' special education referral documents, special education assessments, and Admission, Review, and Dismissal meeting documents.

This research study contributes to the scarcity of research studies on Hispanic English language learner special education learning disabled students. This study allowed the researcher to make an in-depth analysis of three English language learners in special education and their academic paths. Through the analysis of the three case studies, this research study provides data on how the schools identified, assessed, and

educated these students, their academic progress, the students' feelings towards the learning disabled label, and parent and students perceptions of the help they received through special education.

Findings

This study's key research question was: What are the effects of the early identification of a learning disability on Hispanic English language learners? Four sub-questions were then developed:

- How were the students identified for special education?
- What was the academic path of the students?
- What are the students' perceptions of their own academic abilities?
- What are the parents' perceptions of their children's academic abilities?

Listed below are the researcher's findings for each research sub-question beginning with the first sub-question.

How were the students identified for special education?

The findings related to the first sub-question indicate problems with the referral process, pre-referral interventions, the special education assessment process, teacher knowledge of the language acquisition process, and the permanent placement of the students in special education. These findings are further discussed below.

Referral process. The referral documents and the ARD documents indicate that the entry into special education was neither monitored nor were the required procedures enforced by district personnel. Many referral documents were blank. The teachers and other personnel who completed the documents only sparingly entered the required information.

The lack of documentation is confirmed through the interviews with the students and parents. The result indicates that the teachers and administrators rushed to complete the documents, had little understanding of the students' backgrounds and language proficiencies, and ignored outside factors including the students' home lives.

Pre-referral interventions. The referral documents indicate the lack of pre-referral interventions and the lack of teacher knowledge as to appropriate interventions and progress monitoring strategies that the students should have received. Other researchers have also found that few pre-referral interventions if any are implemented prior to referring ELLs to special education (Klingner, Harry, Sturges, Artiles, & Wimes, 2003; Klingner & Artiles**,** 2003).

The referral documents include a section on interventions completed by the teachers. However, the teachers checked off very few interventions, such as bilingual education, Title 1 services, and tutoring, but did not indicate the length of time the interventions were implemented. One document had three interventions checked off and one date given under the how long column. Another one had only two checked off and the how long column was blank.

Special education assessment process. At the time of the students' placement in special education, the Individuals with Disabilities Education Act (IDEA) required students to show an academic need. In addition, IDEA required that the evaluator be qualified to conduct the assessments and rule out any environmental, cultural or economic factors (Public Law 94-142, 1975). Records show that the English language learners in this study had normal intelligence and were determined eligible for special education services based on the discrepancy model.

Academic need. All three students had adequate grades in the 70's and 80's. The only failing year end grades the students received were in reading with one student scoring either a 68 or a 69 and the last student scoring a 59. Two of the students were retained because of the failing grades. The other student was not retained, but the low grade was due to her failing grades prior to being referred to special education. However, she had been retained in kindergarten due to absences.

Culture and outside factors. The interviews with the students, parents, and the referral documents provide data which indicates the students and parents culture and way of life were unknown to some of the teachers. One teacher did state that she remembered the student because the small one bedroom trailer they were living in had a curtain instead of a front door. However, the referral document did not indicate any family problems nor did the ARD take his home life situation into consideration prior to placing him in special education. Nor did the referral or ARD document indicate that Patty lived 80 miles away in Mexico which contributed to her absences and lack of English acquisition.

In addition, the diagnosticians and ARD committees also paid little attention to the fact that the students were English language learners. As Artiles and Klingner (2003) state:

> The assessment of culturally and linguistically diverse students is fraught with theoretical misunderstandings and flawed practices. Schools that use the same few tests with most students and fail to take language proficiency into account are setting up diverse students for assessment failure. . . Even students who have

> demonstrated English fluency on oral language measures may not be ready to demonstrate their achievement on tests at higher cognitive levels in English. (p. 4)

Furthermore, the students were assessed by a non bilingual assessor qualified to complete assessments in English. On one of the students' evaluation, the assessor noted that the student was not an English language learner. On another student's evaluation, the assessor noted that "the student appears to be English dominant." But then, the assessor also noted that the students' Language Assessment Proficiency Committee (LPAC) noted that the student was neither English, nor Spanish fluent. Yet another student's referral observer noted that the student was "unsure reading out loud and pronouncing words." The data shows that all three students' identification did not include, then, the ruling out of "cultural" factors, namely their limited English proficiency. The assessors and the members of the ARD committee also did not understand the language acquisition process.

Normal intelligence. The primary finding was that all three students had a normal intelligence on the IQ test (UNIT), but demonstrated low performance on in several of the academic areas (WIAT II and or WLPB-R). They were all determined to meet the criteria for special education as a learning disabled student based on the discrepancy model. The discrepancy model compares a student's achievement test scores with the student's IQ. If the IQ is 16 points higher or more than a student's achievement score, the student qualifies as a learning disabled student.

Discrepancy model. The students were all determined to meet eligibility for special education based on the comparison difference between their IQ scores and their academic achievement. Specifically, David and Gene scored in the low 70's in basic

reading and in the high 60's in reading comprehension during their first evaluations. Upon re-evaluation, both students' scores dropped significantly with Gene's basic reading dropping to 50 and David's in the low 60's. Their reading comprehension scores also dropped to the low 60's. However, Patty's basic reading and reading comprehension scores were in the low 80's and she was not re-evaluated. The discrepancies, however, may have been due to the students' limited English proficiencies. As, Barrera (2006) explains, ELLs often display discrepancies between their academic potential or IQ and their academic performance similar to students determined to have a learning disability.

Lack of teacher knowledge of language acquisition. The interviews with the students, parents, and teachers allowed the researcher to document the amount of first language support the students received, leading to questions for the teachers interviewed.

The teachers shared that they provided the students with instructions in Spanish, but the content and practice was only provided in English, confirming the student survey and interview data. They also stated that they focus on English language development and that the students quickly pick up the language and transition into English leaving the Spanish behind. One teacher mentioned that the students do struggle, but they work hard on transitioning the students quickly so they can learn the content.

One second grade teacher commented that they wanted the student to keep their Spanish language, so they practiced speaking in Spanish daily. When asked if the students read and write in Spanish, she stated, "No."

Permanent placement in special education. The most disturbing finding was the fact that none of the students have been reassessed since the fifth grade with one only being assessed once in the third grade. Two of the students have passed most of their

state assessments without accommodations or modifications. The unwritten policy that is not monitored by district personnel allows the diagnostician to not re-evaluate the students.

In lieu of re-evaluation, the students have received a review of existing data (REED) which is allowable under special education guidelines. However, the committee must look at previous evaluations, evaluations and information provided by the parents, teacher information/observations, and classroom based, local, and state assessments (Texas Education Agency, 2012d). The ARD must determine

> whether the student is a student with a disability and the educational needs of the student or, in the case of a reevaluation of a student, whether the student continues to be a student with a disability and whether the student continues to need special education services. (Texas Education Agency, 2012d, p. 1)

The REED documents in each of the students' files indicate that previous evaluations were reviewed and that the committee did not require additional evaluations. However, there are no deliberations included except for one student's recent REED document, which states this information about the parent:

> They are happy with her doing well her first two years in high school. They are aware that she has been considered for dismissal since Jr. High. She is passing all her classes but continues to struggle with math tests and grades.

However, this student's course grades are all passing and she passed all three of her state assessments, failing the science assessment by only two questions. Furthermore, her father stated that she was doing so well she was not in special education any more,

clearly indicating that the REED and the student's continued placement in special education was not fully discussed and explained to the parents.

What was the student's academic path?

The primary finding in this section is the fact that the students did not receive first language support. Once in special education, the students received a limited curriculum and were instructed by special education teachers who were not bilingual or bilingual certified. In addition, the students were given modified state assessments at below grade level standards. Each of these findings is discussed below.

First language support. All three students were labeled as limited English proficient when they entered school. Texas now refers to these students as English language learners. All three students' parents agreed and signed for the students to be in the bilingual program. The findings from the document review, student, parent, and teacher interviews indicate that the district only seemingly provided bilingual education.

The students and parents stated that the students received all of their instruction in English except for about one year in pre-kindergarten or kindergarten. The teachers also confirmed that fact and that the administration required an English only curriculum. The teachers for the most part were told to teach only English which caused the students to be mostly immersed in English rather than receiving first language support required for students in a bilingual education program. This is a violation of the Commissioner's rules on bilingual education from Chapter 89 of the Texas Education Code (Texas Education Agency, 2012c).

During one visit to the district's pre-kindergarten through second grade elementary campus, the researcher was told by one of the bilingual teachers, "We were

told not to teach Spanish, but I won't tell you who told me not to. But go down the hall to Mrs. Gomez. She has recent immigrants, and she teaches in Spanish. The rest of us don't." This practice was confirmed by the principal, who only two years ago told the school board when discussing the progress of her campus, "We have ten kindergarten classrooms, five are English and five are bilingual with one class teaching Spanish." There are no bilingual programs in the district other than Spanish and English; therefore, even today, the bilingual teachers only teach in English with the exception of one.

In addition, that same principal once explained that she had to make sure the students transitioned into English by the of second grade so they could take the state assessments. She did not know that the state assessments are available in Spanish from third grade through the fifth grade.

Furthermore, the parents of the two students who continued in the bilingual program through elementary and junior high stated that the students did not receive Spanish instruction or support. One parent was very saddened by the fact that her son could not read and write in Spanish after so many years in bilingual education.

Several researchers have documented the fact that first language support is essential for English language learners' academic success (Cummins, 1980; García, 2010; Baker, 2006; Thomas & Collier, 1997; August & Shanahan, 2005). As Cummins (1984) found, schools often transition students early into all English programs when they have only developed conversational English without academic language proficiency. Because of the lack of appropriate instruction, these ELLs became long-term ELLs (Klingner, Artiles & Barletta, 2006). Furthermore, the similarities between a learning disability and

the lack of language acquisition led these students to be referred and placed in special education (Harry & Klingner, 2006).

This data confirms the same data from the parents who stated that their children quickly switched to English and received no Spanish instruction. The fact that the teachers' goal was to quickly transition the students to English and that a second grade teacher believed that speaking Spanish was all that was needed to maintain and develop the students' first language indicated that the teachers do not understand the language acquisition process.

The findings also indicate that two of the three students state that they cannot read or write in Spanish effectively, leaving them to take Spanish courses in high school. However, none of the students' graduation plans developed by the counselors and the ARD committee include Spanish three, leaving them not proficient enough to pass the advanced placement assessment, which could earn them college credit.

Appropriate curriculum. Another finding is the lack of an appropriate curriculum in both the bilingual education program and special education program. The data from the student surveys, interviews, and the students' Admission, Review, and Dismissal (ARD) committee meetings show that the students did not received the content instructional program received by the students non learning disabled peers.

All ARD documents include a section discussing the consideration of potential harmful effects by removing the student from the general education classroom. The effects indicated for all three students on their IEP's included stigmatization and diminished access to a full range of curriculum. The document also states that the benefits to the student outweigh potential harmful effects.

The students were all placed in special education resource classrooms for reading and language arts that provided content instruction at lower levels than in the regular classrooms. One student stated that she understood why, but that she did not learn what the other students in her grade were learning. Another student said that he told the ARD committee he that he did not want any special education classes since her realized he would need to learn more in order to survive in the real world. The students' statements confirm what the ARD documents show.

In addition, the special education teachers were not certified to teach bilingual students. The students, therefore, did not receive any first language support in reading or language arts from third through fifth grade.

State assessments. Special education students are eligible for modified or accommodated state assessments. All three students were given essentially the same modified assessments in the third through fifth grades at below their instructional grade level. Gene was given the modified assessments in reading in third through fifth at two grade levels below his current grade level. David was given modified state assessments in reading one year below during third and fourth grades and two years below when he was in the fifth grade. All three were given a modified assessment in math in the fifth grade after failing the regular state assessment in the fourth grade.

What are the students' perceptions of their academic abilities?

The primary finding for this sub-question was that the three English language learners who were placed in special education did not feel that the special education placement helped them. Furthermore, two of the students believe that they were placed in special education not because they had a learning disability, but rather because Spanish

was their first language. The other student felt that the placement helped him pass from one grade level to the other as well as pass the state assessments, but the placement did not help him to be prepared for his future endeavors.

The three case study students felt that they could have learned more in the regular classroom. One student stated that he was clearly told "no Spanish," a clear violation of the state's requirement to provide bilingual education upon acceptance by the parent.

What are the parents' perceptions of their children's academic abilities?

The findings on the parents' perceptions indicate a variety of understandings and feelings. One parent is happy with the special education program and thinks her son can read and write in Spanish. Another doesn't understand why her son cannot read and write in Spanish since he has been in the bilingual education program throughout school. She also does not feel her child has a disability, but was placed because the teacher requested it. Lastly, the third student's parents are happy with the education she received, think she does not have a disability, and are happy that she is out of special education. However, the student, as well as the other two case study students, is still in special education.

As Valdés (1996) found, the parents were very committed to their children's education and placed a high value on schooling. However, they did not fully understand the programs offered at the school. And even when they doubted that their children had a disability, they agreed with the placement. Two agreed to the placement because their children were failing; and the other one because she did not want to go against what the teacher recommended.

Conclusions

This research study sought to answer the following research question: What are the effects of the early identification of a learning disability on Hispanic English language learners? and the four sub-questions. The researcher concluded that based on the findings, the students were placed in special education based on their lack of English language proficiency.

In addition, the researcher also determined several findings for each sub-question. The sub-questions along with the conclusion from each sub-question are listed in Table 69 below. The conclusions are further discussed following the table.

Table 69

Study's Sub-Questions Conclusions

Sub-Question:	Conclusion:
1. How were the students identified for special education?	1. There was a lack of knowledge of second language acquisition by school personnel throughout the identification process. 2. There was non-compliance with special education requirements in the referral and evaluation processes identifying the students as learning disabled and their placement in special education. 3. School personnel failed to include the students' culture and outside factors that contributed to the students' lack of academic success. 4. School personnel failed to adequately inform parents of

	the potential harmful effects of special education.
2. What was the academic path of the students?	1. The school district's English only policy contributed to the students' lack of academic success. 2. School personnel were uniformed of the state and federal assessment requirements for bilingual and special education students. 3. Students were given accommodated and modified tests in order for the campus and district to meet the state and federal accountability requirements. 4. The students received a below grade level curriculum resulting in the students' lack of preparation for college and career.
3. What are the students' perceptions of their own academic abilities?	1. Students believed that their placement in special education was due to their lack of English language acquisition. 2. Students have an unrealistic perception of their abilities to continue in higher education.
4. What are the parents' perceptions of their children's academic abilities?	1. Despite their children's placement in special education, the parents feel their children can be successful in college. 2. Parents did not believe that their children had a serious learning disability.

Sub-Question One Conclusions

There are four major conclusions from the first sub question of this study, How were the students identified for special education? First, there was a lack of knowledge of second language acquisition by school personnel throughout the identification process. Second, there was non-compliance with special education requirements in the referral and evaluation processes identifying the students as learning disabled and their placement in special education. Third, school personnel failed to include the students' culture and outside factors that contributed to the students' lack of academic success. And lastly, school personnel failed to adequately inform parents of the potential harmful effects of special education. These conclusions are discussed below.

The first conclusion is that there was a lack of knowledge of second language acquisition by school personnel throughout the identification process. The teachers and school administrators did not understand the needs of English language learners and created an English immersion program rather than an environment where the students' language was valued and supported. This lack of knowledge caused them to attempt to quickly replace students' Spanish language with English due to the need to meet state and federal assessment standards. As many researchers have found, the fact that educators face the pressures of meeting federal mandates, leads to the placement of ELLs in special education (Cummins, 1984; Klingner, Artiles & Barletta, 2006).

Second the finding showed that there was non-compliance with special education requirements in the referral and evaluation processes identifying the students as learning disabled and their placement in special education. In addition, the fact that the students were not assessed by bilingual assessors, calls into question the validity of the

placements. Furthermore, the unwritten policy of not re-evaluating ELLs once they entered junior high school resulted in the permanent placement of the students in special education.

The third conclusion was that school personnel failed to include the students' culture and outside factors, and this failure contributed to the students' lack of academic success. School personnel did not take into consideration the students' home life or the fact that one student lived in Mexico and traveled back and forth to school every day. All of the students were either born in Mexico or had at least one parent who was born in Mexico and did not speak English.

One interesting characteristic of all three students that was missed by the teachers, counselors, evaluators, and administration during the referral process, was that all three of the students were shy and, therefore, very quiet in classes and in their interactions with school personnel. This personality characteristic probably kept them from requesting assistance and may have hindered their learning. One parent commented that out of respect for the teacher, her son would not ask for help and when he did, had been told, "*Ya te lo expliqué* " or "I already explained it to you."

Valdés explains teachers sometimes do not understand a Mexican child's behavior:

> As children trained not to be disruptive, not to call attention to themselves, not to interrupt adult speech, and so forth, they behaved appropriately by following familiar rules of interaction. They did not speak out loud, ask for the teacher's attention, volunteer, or call out answers. They generally sat quietly, taking everything in, and when they had a question, they approached the person that

most resembled a family member . . . and whispered a question or remark. (Valdés, 1996, p. 146-147)

Such was the behavior of the three case study students. In one of the referral documents, the observer noted that the student did not participate in class discussions. On another student's referral document, the teacher noted that the student avoids communication and has minimal eye contact, and the observer noted that the student was extremely shy.

The fourth conclusion from the first sub question was that school personnel failed to adequately inform parents of the potential harmful effects of special education. Interestingly, the students noted that they were not receiving the same rigorous instruction that their grade level peers received, but their parents who attended the ARD meetings agreed to the placement and continued placement. The ARD documents clearly stated the harmful effects, but the harm was never discussed, and the parents, even today, believe the education their children received was appropriate.

Sub-Question Two Conclusions

The are also four conclusions drawn from the findings from the second sub question, What was the academic path of the students? The first conclusion for sub-question two is that the school district's English only policy contributed to the students' lack of academic success. The second conclusion is that school personnel were uninformed of the state and federal assessment requirements for bilingual and special education students. A third conclusion is that students were given accommodated and modified tests in order for the campus and district to meet the state and federal accountability requirements. The final conclusion for sub question two is that the

students received a below grade level curriculum resulting in the students' lack of preparation for college and career.

The school district's English only policy contributed to the students' lack of academic success. The lack of implementation of the bilingual program requirements caused the students to be taught solely in English. Therefore, the students did not receive appropriate content instruction in their first language while learning English. This lack of opportunity to learn caused the students to perform poorly on special education assessments. As Klingner, Artiles, and Barletta (2006) state:

> We must make sure that the child has in fact received culturally responsive quality instruction designed for ELLs *before* making this determination. The exclusionary criteria in the LD definition still apply—identification of LD should be based on students having received an adequate opportunity to learn. (p. 124)

Secondly, school personnel were uninformed of the state and federal assessment requirements for bilingual and special education students. The lack of providing bilingual instruction is a clear violation of the state's bilingual program requirements. The fact that the school believed that the students had a deficit instead of examining the school's and teachers' academic instruction or lack of first language support contributed to the students' continued placement in special education.

The third conclusion comes from the fact that students were given accommodated and modified tests in order for the campus and district to meet the state and federal accountability requirements. Researchers have found that once in special education, ELLs are given modified assessments in order to meet the state and federal standards (Klingner, Artiles & Barletta, 2006). This is also true for the students in this study.

The final conclusion from the findings on the second sub question is that the students received a below grade level curriculum resulting in the students' lack of preparation for college and career. In addition to the below grade level instruction, the special education resource classes did not provide first language support. Similarly, Harry and Klingner (2006) found that ELLs receive inadequate education once placed in special education.

Sub-Question Three Conclusions

There are two conclusions from the findings from sub-question three, What are the students' perceptions of their own academic abilities?: First, the students believed that the placement in special education was due to their lack of English language acquisition and second, the students have an unrealistic perception of their abilities to continue in higher education.

The students' discussion during the interview revealed that they felt that their placement in special education was due to their first language. One student commented, "They didn't teach me my language" when discussing his lack of progress in school.

Despite the students' placement, all three students will probably pass their exit exams and graduate; however ,they will not be academically prepared for college. Their future success in higher education and or a career may falter due to the lack of a rigorous curriculum and instruction they could have received if not in special education (Zehler, Fleischman, Hopstock, Stephenson, Pendzick & Sapru, 2003; Zhang and Benz, 2006).

Sub-Question Four Conclusions

There are two conclusions for sub-question four concerning the parents' perceptions. First, the parents did not believe that their children had a serious learning

disability, and second, despite their children's placement in special education, the parents feel their children can be successful in college.

The parents' perceptions of why their children were placed in special education differ; however, two parents did not feel their child had a learning disability. It is also important to note that all three case study students had parents who had limited schooling, lived from pay check to pay check, and lived in the poorest section in the district of this study.

Gándara, (2010) showed that the most significant factor in the success of children is the educational level of the mother. Only 41% of Latino mothers have a high school education. None of the case study students' mothers had a high school diploma from the U.S. or Mexico.

Many outside factors play a major role in the success of Latinos. As Nieto, (in press) states:

> It is worth keeping in mind that non-academic factors play a role in tracking, that is, whether a child speaks English or not, and within those who do speak English, whether they speak Standard English or Ebonics; whether a child is obedient and well-behaved or not; the social skills of the student; and many other nonacademic factors that keep tracking in place. Unless students have parents who are well versed in school policy, unless they speak English fluently (and understand educational jargon), and unless they feel as comfortable as middle-class parents in confronting school officials about these inequities, the situation remains unchanged.

Implications

The implications from the findings of this study include implications for teachers, assessment personnel, campus and district administrators, and parents.

Implications for Teachers

The need for teachers to understand the complex needs of an English language learner is a major concern. The misconception that more English leads to more English will continue to place more ELLs in special education if students continue to lack first language support in schools. Therefore, teachers must receive intensive, intentional, and sustained staff development on how to support English language learners.

In addition, teachers need to understand the complex needs of English language learners and insure that the ELLs master the curriculum in both languages. As Chapter 89 of the Texas Education Code states:

> The bilingual education program shall address the affective, linguistic, and cognitive needs of English language learners as follows.
>
> (1) Affective. English language learners shall be provided instruction in their home language to introduce basic concepts of the school environment, and instruction both in their home language and in English, which instills confidence, self-assurance, and a positive identity with their cultural heritages. The program shall address the history and cultural heritage associated with both the students' home language and the United States.
>
> (2) Linguistic. English language learners shall be provided instruction in the skills of listening, speaking, reading, and writing both in their home language and in English. The instruction in both languages shall be structured to ensure that the

> students master the required essential knowledge and skills and higher-order thinking skills in all subjects.
>
> (3) Cognitive. English language learners shall be provided instruction in language arts, mathematics, science, and social studies both in their home language and in English. The content area instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher-order thinking skills in all subjects. (Texas Education Agency, 2012c, p. 4)

Implications for Assessment Personnel

It is of utmost importance for special education assessment personnel to understand the language acquisition process. They must also insure that each student has had an opportunity to learn in their own language while also learning English. In addition, each assessor needs to insure that the assessments are appropriate for each student, or students may be misidentified as learning disabled. Therefore, assessment personnel also need intensive staff development on how to assess English language learners and the appropriate assessments to insure validity.

Implications for Campus and District Administrators

Administrators at both the campus and district level need to monitor teachers and assessment personnel to insure that each student is given an opportunity to learn prior to being referred for a special education assessment. They must inform and monitor teachers' progress monitoring tools and insure that teachers are providing interventions that will address the student's needs. In addition, they should educate parents on the procedures, laws, and guidelines to keep them informed. School districts that do not

meet the needs of ELLs will continue to see low performance rates and a propensity to place these students in special education.

Implications for Parents

The lack of well informed Hispanic parents is also a major concern. Hispanic parents need to learn to be advocates for their children and seek to learn how they can help their children receive a better education. Parents must make appointments to talk to teachers and seek ways to learn school policies. They need to learn what is available for their children in school to help in their future success in college and employment. They should also seek legal advice for undocumented students and how they can also attend college and earn a college degree.

Future Research

Recommendations for future research include the research on how recent changes in special education law have affected the placement and instruction of English language learners. One change in federal law under IDEA 2004 includes the provision that requires states not to require the use of the discrepancy model in determining a learning disability. The law also includes using research based intervention practices prior to determining a learning disability. Research is clearly need to determine if the research based practices are being implemented and how the implementation has affected the placement of English language learners in special education.

Future research is also needed in determining whether the provision of allowing Admission, Review, and Dismissal committees to collaborate with the Language Proficiency Assessment Committees has affected the requirement of providing ELLs linguistic accommodations in the classroom. In 2008, Texas revised the Commissioner's

rules regarding the instructional plan for English language learners and allowing the committees to "determine an appropriate assessment instrument and performance standard requirement for exit . . . for students for whom those tests would be inappropriate as part of the IEP" (Texas Education Agency, 2012c, p. 12). This provision allowed ARD committees together with LPAC committees to exit ELLs including learning disabled ELLs. However, the state did not provide guidelines until 2010, stating that the provision should only be used in rare cases. Therefore, several ELLs were exited from special education prior to these guidelines including two of the case study students. Research is needed in determining how these policy changes affected ELLs statewide.

I am particularly interested in future research on the qualifications of special education teachers who serve English language learners. Although there have not been any changes in the law requiring the certification of teachers in Texas, there is some evidence that many school districts seem to disregard an ELL's linguistic needs once placed in special education including the district of this study. Therefore, many districts may or may not be in violation of the requirement of the No Child Left Behind legislation requiring highly qualified teachers.

Overall Conclusions

This research study adds to the research on English language learners who were identified as learning disabled and placed in special education. The main overall conclusion is that the ELLs were labeled with a learning disability due to a lack of first language support. In addition, due to pressures to meet state and federal accountability measures, the teachers, evaluators, counselors, and administrators failed to provide pre-referral interventions, and recommended special education placement which placed the

students in a more restrictive environment with a limited curriculum, and selected modified or alternative assessments.

Moreover, the teachers and administrators did not take into account the exclusionary criteria, such as the students' culture and environment before making a determination of a learning disability as required by law (Klingner, Artiles, & Barletta, 2006). As Freeman and Freeman (2011) discuss, "A better approach is to recognize that school performance depends on the interaction of a number of factors both inside and outside the school" (p. 40).

Freeman and Freeman, (2011) describe a Contextual Interaction Model that brings together the many factors that affect an ELL's success. This model suggests that factors at the national and state levels, the community and family levels, and the school level interact in complex ways.

On the national and state levels, both legal mandates and mass media affect student school achievement. Legal mandates such as the NCLB have affected the case study students. Attitudes toward immigrants and the use of the Spanish language also had a negative effect.

Community and family contexts, including the family and neighborhood conditions, the family education levels, and developmental needs, affected the case study students. There were family separations, poor living conditions, and economic needs that affected their academic performance.

And lastly, the school context affected the students significantly. The school personnel's limited knowledge of the language acquisition process and their attitude

towards keeping and respecting the students' first language contributed to the students' lack of success and placement in special education.

In actuality, the schools saw the students as numbers and not as children who required instruction, understanding, and attention. In the words of Delpit (2006):

> If we are to successfully educate all of our children, we must work to remove the blinders built of stereotypes, mono-cultural institutional methodologies, ignorance, social distance, biased research, and racism. We must work to destroy those blinders so that it is possible to really see, to really know the students we must teach. Yes, if we are to be successful at educating diverse children, we must accomplish the Herculean feat of developing this clear-sightedness, for in the words of a wonderful Native Alaskan educator: "In order to teach you, I must know you." (p. 183)

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APPENDIX A - Student Survey

Please respond to each statement by placing a check mark in the accompanying box. Please check only one box for each statement.

1. I tried very hard to learn when I was in elementary school.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

2. I feel very pleased with myself when I really understand what I'm taught at school.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

3. The teachers in elementary school taught me both in English and Spanish.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

4. If I can't understand my schoolwork at first, I keep going over it until I understand it.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

5. I had very good teachers when I was in elementary school.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

6. I haven't made plans for work after high school.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

7. I sometimes don't study very hard before exams so I have an excuse if I don't do as well as I hoped.
- Strongly Agree

- Agree
- Disagree
- Strongly Disagree

8. I usually talk to my friends in Spanish.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

9. I was taught to read in Spanish in elementary school.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

10. I often think I did well on a test or assignment, but when I get my test/assignment I didn't do as well as I thought I did.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

11. I like to go to my special education classes, i.e., resource or inclusion.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

12. I believe that my special education classes have helped me do well in school.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

13. My teachers have helped me plan for work after high school during the special education meetings.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

14. I am able to read in both English and Spanish.
- Strongly Agree
- Agree
- Disagree

 Strongly Disagree

15. I have trouble getting good grades in most of my academic classes.
 Strongly Agree
 Agree
 Disagree
 Strongly Disagree

16. When I got in trouble in school, I was sent to the special education teacher.
 Strongly Agree
 Agree
 Disagree
 Strongly Disagree

17. I have more trouble reading than the other students in my classes.
 Strongly Agree
 Agree
 Disagree
 Strongly Disagree

18. I felt good when my teachers helped me in Spanish.
 Strongly Agree
 Agree
 Disagree
 Strongly Disagree

19. I plan to go to college after high school.
 Strongly Agree
 Agree
 Disagree
 Strongly Disagree

20. I really enjoy going to school.
 Strongly Agree
 Agree
 Disagree
 Strongly Disagree

APPENDIX B - Sample Student Interview Questions

The following is a list of sample questions for the student interview. Many of the best interviews begin with an idea and then become improvised based upon student responses. In addition, other questions may come up as the interview progresses.

The first set of questions will concern the student's experiences in school.

1. Tell me about your first experiences in school from pre-kindergarten to second grade?
2. What subjects did you like the best and what subjects are you good at?
3. What were your teachers like?
4. What language were your teachers teaching you in?
5. What language were your books and assignments in?
6. What language did you and your friends use while at recess or lunch?
7. When did you first learn to speak in English?
8. When did you first learn to read in English?
9. What kind of grades did you make?
10. Why do you think you made those kinds of grades?
11. What teacher did you like best and why?
12. If I were to ask your teachers about you, what would they say about you?

The second set of questions concern the placement of the student when placed in special education.

1. When were you identified as a special education student?
2. What did you feel about that placement at that time?
3. Why do you think you were placed in special education?
4. Did you have to leave your classroom to go to a special education teacher's classroom when you didn't understand the language? When you were disciplined? When you didn't do your homework? Or when you had to take a test?
5. Did the special education teacher help you with your assignments and tests?
6. Was your special education teacher able to help you in Spanish?
7. Did your grades improve after being placed in special education?
8. How do you feel about being placed in special education now?

The third set of questions concern the student's plans for the future after high school.

1. What do you plan to do after you get out of high school?
2. Have you done any career planning in your classes?
3. Have the members of the Admission, Review and Dismissal Committee (ARD) asked you about what you want to do in the future?
4. How are you planning to pay for your schooling after you finish high school?
5. How are you going to earn money when you finish high school?

APPENDIX C1- Parental Survey

Please respond to each statement circling your answer choice. Please circle only one answer for each statement.

1. Your child enjoyed school in elementary (pk-5)
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

2. Your child enjoyed school in junior high (6-8 grades)
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

3. Your child enjoys school in high school
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

4. Overall, across all subjects in elementary school (pk-5), your child gets . . .
- Mostly A's
- Mostly B's
- Mostly C's
- Mostly D's

5. Overall, across all subjects in junior high school (6-8), your child gets . . .
- Mostly A's
- Mostly B's
- Mostly C's
- Mostly D's

6. Overall, across all subjects in high school (9-12), your child gets . . .
- Mostly A's
- Mostly B's
- Mostly C's
- Mostly D's

7. Would you describe (his/her) work at school as . . .
- Excellent
- Above Average

- Average
- Below Average
- Failing

8. Your child finds school work challenging:

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

9. Your child sometimes didn't study very hard before tests.

- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

10. Does your child's disability/disabilities affect (his/her) ability to learn?

- Yes
- No

11. Did the school notify you that your child was having problems in school?
    Yes
    No

12. If yes, who contacted you?
    Teacher
    Nurse
    Principal or asst. principal
    Counselor
    Other

13. When did you first notice your child was having problems in school?
    Kinder

- First Grade
- Second Grade
- Third Grade
- Fourth Grade
- Fifth Grade
- Sixth Grade
- Seventh Grade
- Eighth Grade
- No, I never noticed

14. Did the school explain the testing that was given to your child?
    Yes
    No

15. What is your child's disability in?
Reading
Math
Writing

16. Was your child tested in English or Spanish?
English only
Spanish only
Both

17. Since starting kindergarten, has your child repeated any grades?
 Yes
 No

18. If yes, what grade or grades did (he/she) repeat?
 Kinder
 First Grade
 Second Grade
 Third Grade
 Fourth Grade
 Fifth Grade
 Sixth Grade
 Seventh Grade
 Eighth Grade
 No, never repeated a grade

19. Has your child been placed in . . .
 Detention
 An out-of-school suspension?
 Any in-school suspension, not counting detentions?
 Any District Alternative Education Placement?
 Has (CHILD) ever been expelled?
 No, none of the above

20. Was your child taught to read in Spanish in elementary school?
 Strongly Agree
 Agree
 Disagree
 Strongly Disagree

21. Was your child's taught both English and Spanish in school.
Strongly Agree
Agree
Disagree
Strongly Disagree

22. Does your child have more trouble reading than the other students?
Strongly Agree
Agree
Disagree
Strongly Disagree

23. Does your child usually talk to friends in Spanish?
Strongly Agree
Agree
Disagree
Strongly Disagree

24. Did your child attend special education classes, i.e., resource or inclusion?
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

25. The special education classes helped your child do well in school.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

26. The teachers have helped your child plan for work after high school during the special education meetings.
- Strongly Agree
- Agree
- Disagree
- Strongly Disagree

27. How far do your child to go in school? Would you say you expect (him/her):
- To receive less than a high school diploma
- To graduate from high school
- To attend a vocational or technical school after high school
- To attend two or more years of college
- To finish a four- or five-year college degree, or
- To earn a graduate degree or professional degree beyond a bachelor's?

28. Do you feel you have enough information about the amount needed for college or vocational school to start planning how to pay for (his/her) education?
- Yes
- No

29. Do you talk to your child about plans for further education after high school?
- All the time
- Some of the time
- Never

30. Do you talk to your child about plans for work after your child finishes (his/her) education?
- All the time
- Some of the time
- Never

Thank you very much for your participation!

APPENDIX C2 - Encuesta de Padres

Por favor responda a cada afirmación colocando una marca en el casillero correspondiente. Por favor marque sólo un casillero para cada afirmación.

1. ¿A su hijo/a le gustaba la escuela en primaria (pk-5)?

- Estoy totalmente de acuerdo
- Estoy de acuerdo
- No estoy de acuerdo
- Estoy totalmente en desacuerdo

2. ¿A su hijo/a le gustaba la escuela en secundaria (6-8)?

- Estoy totalmente de acuerdo
- Estoy de acuerdo
- No estoy de acuerdo
- Estoy totalmente en desacuerdo

3. ¿A su hijo/a le gusta la escuela en la preparatoria (9-12)?

- Estoy totalmente de acuerdo
- Estoy de acuerdo
- No estoy de acuerdo
- Estoy totalmente en desacuerdo

4. ¿En general, a través de todas las clases en la escuela, su hijo/a obtiene que calificaciones en pk-5?

- A’s
- B’s
- C’s
- D’s

5. ¿En general, a través de todas las clases en la escuela, su hijo/a obtiene que calificaciones en 6-8?

- A’s
- B’s
- C’s
- D’s

6. ¿En general, a través de todas las clases en la escuela, su hijo/a obtiene que calificaciones en 9-12?

- A’s
- B’s
- C’s

- D's

7. ¿Describiría el trabajo de su hijo/a en la escuela como. . .

- Excelente
- Promedio Alto
- Promedio regular
- Promedio bajo de normal
- Reprobando

8. Su hijo/a encuentra difícil el trabajo escolar.

- Estoy totalmente de acuerdo
- Estoy de acuerdo
- No estoy de acuerdo
- Estoy totalmente en desacuerdo

9. Su hijo a veces no estudia mucho antes de las pruebas
   Estoy totalmente de acuerdo
- Estoy de acuerdo
- No estoy de acuerdo
- Estoy totalmente en desacuerdo

10. ¿Le afecta la discapacidad/discapacidades de su hijo a su capacidad de aprender?
- Sí
- No

11. ¿Le informo la escuela de que su hijo/a tenía problemas in la escuela?
    Sí
- No

12. ¿Si alguin le informo, quien era?
    La maestra
    La infermera
    El director(a) o asistente del director(a)
    La consejera
    Otro

13. ¿ Cuándo notó por primera vez que su hijo tenía problemas en la escuela?
    Kinder
    primer grado
    segundo grado
    tercer grado
    cuarto grado
    quinto grado
    sexto grado
    séptimo grado

octavo grado
No, nunca me había fijado

14. ¿La escuela le explico las pruebas que se le dio a su hijo?
Sí
No

15. ¿Qué es la discapacidad de su niño en?
Lectura
matemáticas
escritura

16. ¿Le dieron las pruebas en inglés o en español?
Inglés
Español
En los dos idiomas

17. ¿A partir de jardín de niños, ha repetido su hijo cualquier grado?
- Sí
- No

18. ¿Qué grado o grados ha repetido?
- Kínder
- Primer
- Segundo
- Tercero
- Cuarto
- Quinto
- Sexto
- Séptimo
- Octavo
- No, nunca ha repetido

19. Ha sido su hijo colocado en...
- ¿Detención?
- ¿Suspensión fuera de la escuela?
- ¿Suspensión, en la escuela?
- ¿Educación alternativa del distrito?
- No, ninguno de los anterior

20. ¿Su hijo(a) aprendió a leer en español en la escuela primaria?
Estoy totalmente de acuerdo
Estoy de acuerdo
No estoy de acuerdo
Estoy totalmente en desacuerdo

21. ¿Fue su hijo enseñado en inglés y español en la escuela?
    Estoy totalmente de acuerdo
    Estoy de acuerdo
    No estoy de acuerdo
    Estoy totalmente en desacuerdo

22. ¿Tiene su hijo más problemas con lectura que los otros estudiantes?
    Estoy totalmente de acuerdo
    Estoy de acuerdo
    No estoy de acuerdo
    Estoy totalmente en desacuerdo

23. ¿Normalmente habla su hijo(a) en español con sus amigos?
    Estoy totalmente de acuerdo
    Estoy de acuerdo
    No estoy de acuerdo
    Estoy totalmente en desacuerdo

24. ¿Asistió su hijo(a) a clases de educación especial, es decir, recursos o inclusión?
    Estoy totalmente de acuerdo
    Estoy de acuerdo
    No estoy de acuerdo
    Estoy totalmente en desacuerdo

25. Las clases de educación especial ayudó a su hijo(a) a hacer bien en la escuela.
    Estoy totalmente de acuerdo
    Estoy de acuerdo
    No estoy de acuerdo
    Estoy totalmente en desacuerdo

26. Los maestros le han ayudado a ser planes para su hijo(a) para el trabajo después de la secundaria durante las reuniones de educación especial.
    Estoy totalmente de acuerdo
    Estoy de acuerdo
    No estoy de acuerdo
    Estoy totalmente en desacuerdo

27. ¿Hasta dónde quiere que su hijo/a termine su educación? ¿Diría que espera?
    ¿Menos de graduarse de la preparatoria?
    ¿Graduarse de la preparatoria?
    ¿Asista a una escuela vocacional o técnica?
    ¿Asista dos o más años en el colegio?
    ¿Complete cuatro o cinco años en la universidad?
    ¿Graduarse con un título profesional más universitario?

28. ¿Tiene usted suficiente información acerca de la cantidad necesaria para que vaya su hijo/a a la Universidad o escuela profesional para comenzar a planificar cómo pagar su educación?
- Sí
- No

29. ¿Habla con su hijo/a acerca de los planes de educación después de que terminar la preparatoria?
- Siempre
- Casi siempre
- Nunca

30. ¿Habla con su hijo acerca de los planes de trabajo después de que su hijo/a termine la preparatoria?
- Siempre
- Casi siempre
- Nunca

¡Muchas gracias por su participación!

APPENDIX D1 - Sample Parent Interview Questions

The following is a list of sample questions for the parent interview. Many of the best interviews begin with an idea and then become improvised based upon parent responses. In addition, other questions may come up as the interview progresses.

The first set of questions will concern the parent's perceptions of their student's experiences in school.

1. Tell me about your student's first experiences in school from pre-kindergarten to second grade?
2. What subjects did he/she like the best and what subjects was he/she good at?
3. What were your student's teachers like?
4. What language did your student's teachers teach your child in?
5. What language were your student's books and assignments in?
6. What language did your student use with his/her friends use while in recess or lunch? At home?
7. When did your student first learn to speak in English?
8. When did you student first learn to read in English?
9. What kind of grades did your student make?
10. Why do you think your student made those kinds of grades?
11. What teacher did your student like best and why?
12. If I were to ask the teachers about your student, what would they say about him/her?

The second set of questions concern the placement of the student when placed in special education.

1. When was your student identified as a special education student?
2. How did you feel about that placement at that time?
3. Why do you think your student was placed in special education?
4. Did your student have to leave his/her classroom to go to a special education teacher's classroom when he/she didn't understand the language? When he/she was disciplined? When your child didn't do his/her homework? Or when your child had to take a test?
5. Did the special education teacher help your student with his/her assignments and tests?
6. Was your student's special education teacher able to help your student in Spanish?
7. Did your student's grades improve after being placed in special education?
8. How do you feel about your child being placed in special education now?

The third set of questions concern the student's plans for the future after high school.

1. What does your student plan to do after high school?
2. Have you and your student discussed career planning?

3. Have the members of the Admission, Review and Dismissal Committee (ARD) discussed your student's plans for work or school after high school?
4. How are you or your student planning to pay for your student's schooling after high school?
5. How is your student planning to earn money after high school?

APPENDIX D2 - Preguntas Para Los Padres

The first set of questions will concern the parent's perceptions of their student's experiences in school.

1. ¿Por favor dígame sobre las primeras experiencias de su estudiante en la escuela de pre-kínder a segundo grado?
2. ¿Cuales temas le gustaba más y en cuales recibía mejores calificaciones?
3. ¿Cuáles fueron los maestros de su estudiante?
4. ¿Qué idioma usaban los maestros?
5. ¿En qué idioma estaban los libros y las tareas de su hijo/a?
6. ¿Qué idioma utilizó sus amigos en el receso o comida y en casa?
7. ¿Cuándo aprendió su estudiante hablar en inglés?
8. ¿Cuándo aprendió su estudiante a leer en inglés?
9. ¿Qué tipo de calificaciones recibió su estudiante?
10. ¿Por qué cree que su estudiante recibió ese tipo de calificaciones?
11. ¿Qué profesor le gustaba a su estudiante mejor, y por qué?
12. ¿Si yo le preguntara a profesores de su estudiante, que dirían acerca de él?

The second set of questions concern the placement of the student when placed in special education.

1. ¿Cuándo fue identificado su estudiante como estudiante de educación especial?
2. ¿Cómo se sintió acerca de esa la clasificación en ese momento?
3. ¿Por qué cree que su estudiante fue clasificado en educación especial?
4. ¿Tuvo su estudiante que salir de su clase para ir al salón del profesor de educación especial cuando no entendía el idioma? ¿Cuándo fue disciplinado? ¿Cuándo su hijo no hacía su tarea? ¿O cuándo su hijo tuvo una prueba?
5. ¿Pudo el profesor de educación especial ayudar a su estudiante con sus asignaciones y pruebas?
6. ¿Fue el profesor de educación especial capaz de ayudar en español?
7. ¿Mejoró las calificaciones de su alumno después de ser clasificado en educación especial?
8. ¿Cómo se siente ahora de que su hijo está en educación especial?

The third set of questions concern the student's plans for the future after high school.

1. ¿Qué piensa hacer su estudiante después de terminar la preparatoria?
2. ¿Han usted y su estudiante discutido planes de carrera después de la preparatoria?
3. ¿Han los miembros del comité admisión, revisión y despido (ARD) discutido los planes de su estudiante para el trabajo o la escuela después de la preparatoria?
4. ¿Cómo va usted o su estudiante va a pagar por los estudios de su alumno después de la preparatoria?
5. ¿Cómo va su estudiante a ganar dinero después de la preparatoria?