

INTERVENTION, ASSESSMENT, AND ELIGIBILITY PROCESS FOR LIMITED ENGLISH PROFICIENT (LEP) STUDENTS

INTRODUCTION AND BACKGROUND

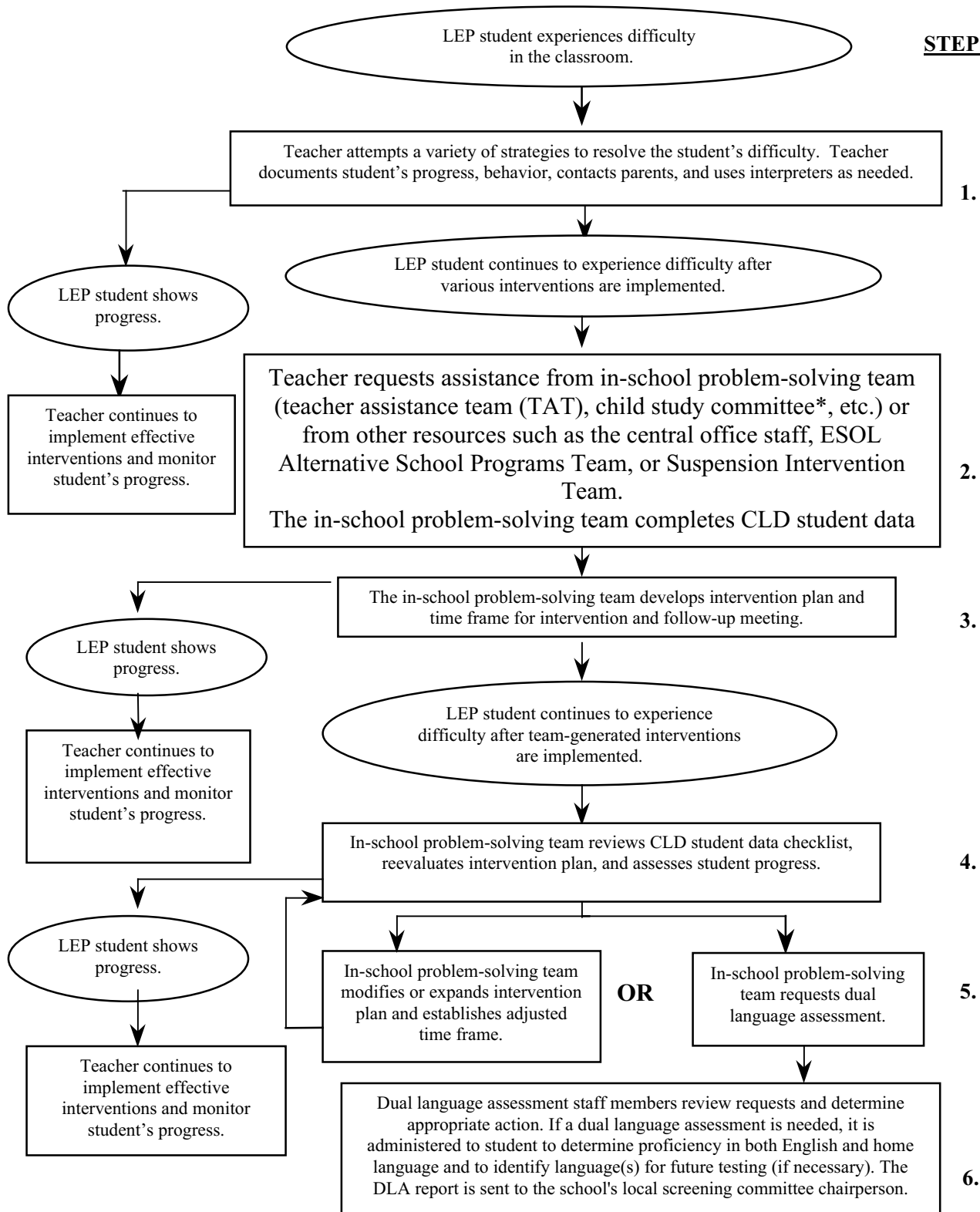
Fairfax County Public Schools (FCPS) is committed to offering the least restrictive educational environment for all its students. Providing extensive interventions and using diverse teaching methodologies in the general education classroom are strongly encouraged. By collaboratively designing and implementing appropriate strategies, the academic and language needs of many LEP students who might otherwise be referred for special education can be addressed effectively within the student's general education and ESOL classrooms. By encouraging collaboration between general education, special education, and ESOL teachers from the initial stages of concern, the FCPS model described in this section can help schools develop appropriate instructional plans for individual students.

The following groups developed the suggested plan of action collaboratively: English for speakers of other languages (ESOL); monitoring and compliance; student services; special education; and the CLiDES Handbook Team (including staff members from general education, special education, ESOL, adult education, the Parent Education Center, and administrators). The resulting CLiDES flowchart details ten steps within the prereferral, referral, eligibility, and placement processes that promote interdisciplinary partnerships, classroom-based interventions, and the reduction of inappropriate referrals for special education consideration. The flowchart, following on pages 29 and 30, is a recommended model that consists of ovals and rectangles:

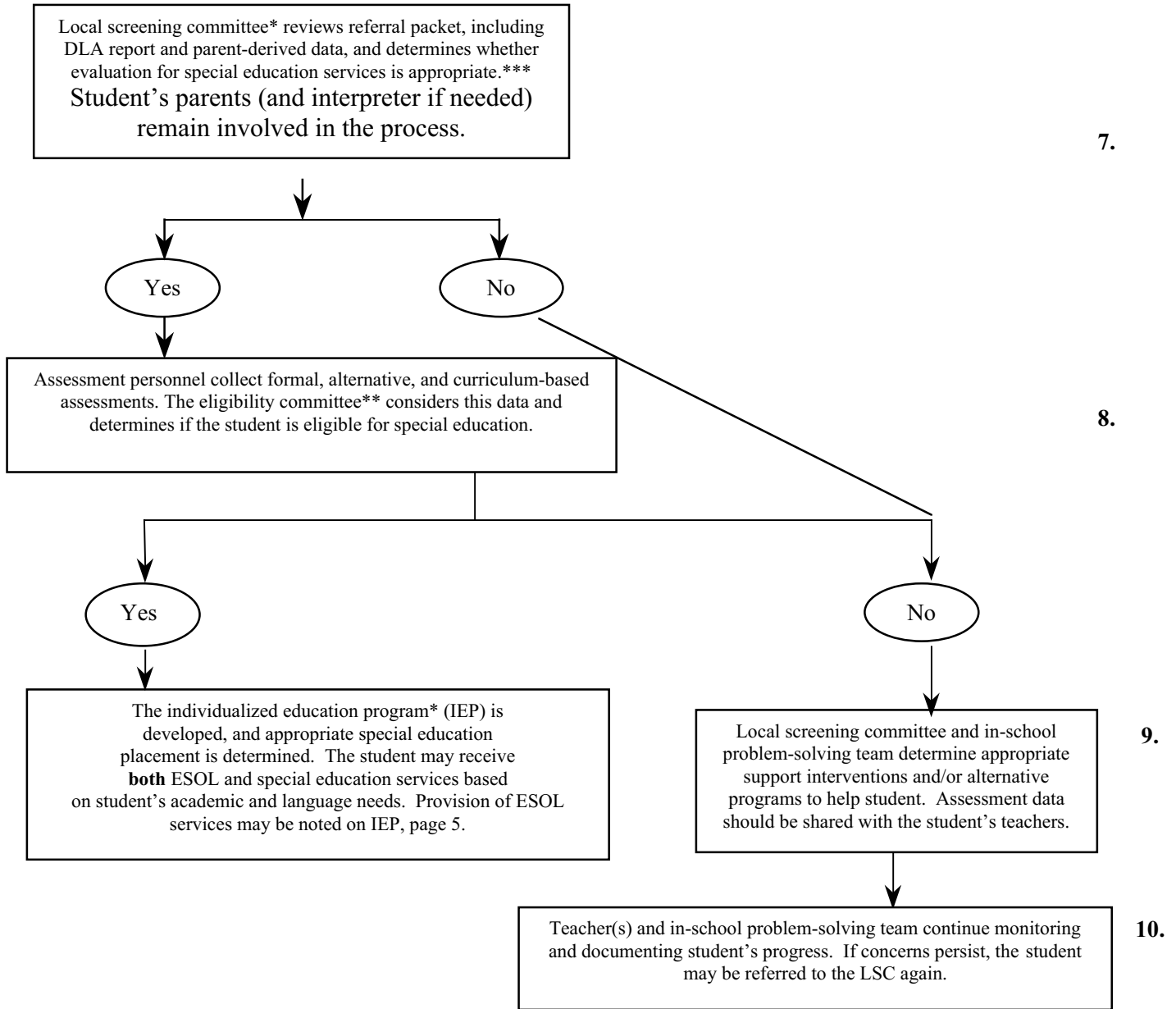
- Ovals refer to the LEP student's behavior or classroom performance.
- Rectangles delineate the educator's responses to the student.

CLiDES FLOWCHART

STEPS:



* Child study, local screening, and IEP committees should include student's ESOL teacher or input from other individual with second language acquisition process expertise (FCPS Regulation 2217.1).



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 ***Due process procedures as outlined in Regulation 3401 4 apply to the special education process

STEPS IN CLIDES FLOWCHART

STEP 1: *Teacher attempts a variety of strategies to resolve the student's difficulty. Teacher documents student's progress, behavior, contacts parents, and uses interpreters as needed.*

The CLD student data checklist ensures that the referring source reviews the student's cumulative files for pertinent information about the student's current academic difficulties. In some cases, data obtained from formal records may indicate a need for ESOL, medical treatment, or alternative instructional placement not previously noted by the school.

STEP 2: *Teacher requests assistance from in-school problem-solving team [teacher assistance team (TAT), child study committee*, etc] or from other resources such as central office staff members; ESOL alternative school programs team, or suspension intervention team.*

The in-school problem solving team completes the CLD student data checklist or preschool language student data form with input from parents or family and interpreter as needed.

STEP 3: *The in-school problem solving team develops intervention plan and time frame for intervention and follow-up meeting.*

Through early collaboration, a systematic intervention plan and implementation schedule can be designed that offers the at-risk student alternative instructional assistance and support. The in-school problem-solving team for LEP students should include an ESOL teacher or someone with second language acquisition expertise. The in-school problem-solving team:

- Supports classroom teachers on a day-to-day basis.
- Serves as a peer problem-solving group.
- Is designed to provide prompt, accessible support to teachers.
- Places the initiative for action squarely in the hands of the classroom teacher(s).
- Allows teachers to share knowledge and talent with each other.
- Determines the time frame of the interventions based on the student's progress.

Central office ESOL and special education staff members are also available as resources. The ESOL alternative school programs team:

- Offers instructional support to teachers and administrators in the alternative school programs.
- Serves as advocates and provides direct instruction for ESOL students placed in alternative learning centers, intervention support programs (ISP), or interagency alternative schools in FCPS.
- Acts as a liaison between the student's base school and alternative programs.

The suspension intervention program staff members:

- Are available to address the needs of students displaying anger, aggression, or other inappropriate behavior.
- Provide alternative behavioral management strategies to students and staff members in

elementary, middle, and high school.

When no formalized in-school problem-solving committee exists, an ad-hoc team consisting of general and ESOL teachers, counselors, and other personnel involved with the student can be created for the purpose of identifying interventions and reviewing the student's progress. The student's progress and response to recommended interventions must be carefully monitored and documented by the teacher and shared at follow-up meetings with the in-school problem-solving team.

STEP 4:*In-school problem-solving team reviews CLD student data checklist, reevaluates intervention plan, and assesses student progress.*

STEP 5:*In-school problem-solving team modifies or expands intervention plan and establishes adjusted time frame.*

OR

In-school problem-solving team requests dual language assessment (DLA).

The in-school problem-solving team reconvenes after the agreed-upon interventions and strategies have been systematically implemented for the predetermined length of time. At this second meeting, the team reviews recent samples of the LEP student's work, teacher anecdotal records, and other relevant documentation in order to assess the progress achieved and to determine the next course of action. If team members decide that steps taken are producing satisfactory results, they may recommend further implementation, modification, or expansion of the intervention plan and establish the next review date. If the team determines that the LEP student is making insufficient progress despite the interventions, the team, as a group, may request a dual language assessment. The team also agrees to meet again after the bilingual evaluation is completed and/or consultation with staff members from dual language assessment services has taken place.

The dual language assessment request is made on a multipurpose referral form, sent to dual language assessment services at Devonshire Center, and should include:

- Specific statements of concern (teacher narratives may be attached) and/or pertinent observations of student behavior.
- Evidence that an in-school problem-solving team has reviewed the case and that steps 1-4 of the CLiDES process have been followed.
- A copy of the completed CLD student data checklist.
- Any relevant information that will help determine the need for or appropriateness of a dual language assessment.

STEP 6:*Dual language assessment staff members review requests and determine appropriate action. If a dual language assessment is needed, it is administered to a student to determine proficiency in both English and home language and to identify language(s) for future testing (if necessary). The DLA report is sent to the school's local screening committee chairperson*

Upon receipt of the multipurpose referral form and attachments (available at each school), a dual language assessment staff member studies the case, obtains additional information from Student Registration, and reviews entry-level language testing results to consider the need for a dual language assessment. If a DLA teacher determines a dual language assessment is unnecessary, consultation between DLA staff members and the referring source takes place and the dual language assessment staff members provide formal documentation detailing the student's needs. If an assessment is necessary, a DLA teacher schedules a testing date and procures trained interpreters as needed. A copy of the dual language assessment report is sent to the local screening committee chairperson.

STEP 7:*Local screening committee* reviews referral, including DLA report and parent-derived data, and determines whether evaluation for special education services is appropriate.*

OR

School team determines appropriate support interventions or alternative programs to help student and continues to monitor and document student's progress.

Once the local screening committee chairperson receives the dual language assessment report and the referral is made to the LSC, all pertinent information should be made available to the committee members. The LSC should include an ESOL teacher or representative with expertise in the second language acquisition process. The LSC will meet within ten days of receipt of the referral to determine whether an evaluation is warranted. If testing is warranted, the LSC has 65 days from the receipt of the referral to complete the eligibility process. Parents should be notified and invited to participate in the process, and interpreters should be made available as needed. The local screening committee reviews the case to determine if evaluation for consideration of eligibility for special education services is appropriate and, if so, which assessments will be conducted. The student's ESOL teacher, dual language assessment teacher, or other personnel with expertise in the second language acquisition process should be included in the local screening committee meeting.

STEP 8:*Assessment personnel collect formal, alternative, and curriculum-based assessments. The eligibility committee** considers this data and determines if the student is eligible for special education.*

Depending on the recommendations within the dual language assessment report, eligibility assessment should be administered in one of three ways:

- Entirely in the LEP student's first language, ideally with a bilingual staff member or with the help of a trained interpreter.
- In both the home language and English. Bilingual testing may require the concurrent presentation of test items and directions in both languages.
- In English only.

All correct responses in one or both languages should be accepted in order to reduce the language and cultural bias inherent in standardized tests. In addition, all assessment results

should be interpreted with caution because LEP students are not representative of the norming populations used on most standardized testing instruments. Any nonstandard administration of tests should be documented in the professional's report.

STEP 9:*If the student is found eligible for special education services: The individualized education program* (IEP) is developed, and appropriate special education placement is determined. The student may receive both ESOL and special education services based on student's academic and language needs. Provision of ESOL services may be noted on IEP, page 5. (IEP-5).*

OR

STEP 10:*If the student is not found eligible for special education services: The local screening committee and in-school problem-solving team determine appropriate support interventions and/or alternative programs to help student. Assessment data should be shared with the student's teachers.*

Teacher(s) and in-school problem-solving team continue monitoring and documenting student's progress. If concerns persist, the student may be referred to the LSC again.

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** It is strongly recommended that the eligibility committee for LEP students include a student's ESOL teacher or input from another individual with second language acquisition process expertise.

To determine whether an LEP student is eligible for special education, consideration of his or her English language development should be given through interdisciplinary collaboration. Input from the ESOL teacher, the DLA teacher, or other personnel with expertise in the second language acquisition process at the eligibility meeting is strongly recommended. This interdisciplinary collaboration will help determine the extent of need for both ESOL and special education services.

If the LEP student is not found eligible for special education services, the local screening committee and in-school problem-solving team continue to serve as resources and to provide support to both the student and his or her teachers as needed. Such continued cooperation will ensure that ineligibility for special education does not result in an end to appropriate interventions or monitoring. If concerns persist despite support interventions and/or participation in alternative programs implemented to help the student, the school may consider reevaluating the student at a later date.

CONCLUSION

Although the instructional and placement needs presented by LEP students vary with each individual, the procedures detailed in the new FCPS Intervention, Assessment, and Eligibility Process flowchart strive to systematize the way in which LEP students who are experiencing academic difficulty are instructed, referred, and evaluated. At present, there is a limited availability of assessment instruments, a shortage of bilingual evaluators and educators, and a continued need for specifically designed programs to meet the needs of exceptional LEP students. These challenges dictate the need for a collaborative and innovative approach.

Most professionals working in the assessment of the LEP learner suggest that standardized tests be only one part of a multifaceted evaluation. The data that should drive placement and instructional decisions should also be derived from performance-based assessment in the classroom. The child's performance must be compared to that of other LEP learners of the same cultural group who speak the same dialect and who have had similar opportunities to hear and use English. There are few commercial tests in languages other than English. Those that exist are not standardized on second language children living in the United States. Tests standardized on children living in other countries or on monolingual English-speaking students may be linguistically and culturally biased. School systems should rely on performance-based assessment, observations, careful interpretation of test scores, and the collaborative expertise of ESOL teachers, classroom teachers, and test administrators. Observations by appropriate specialists (psychologists, speech language clinicians, special education teachers, etc.) are strongly recommended.

Since LEP students cannot be denied access to a free and appropriate public education due to the lack of appropriate test instruments and procedures, a continued and expanded commitment to exploring alternative prereferral and evaluation strategies is essential. Only by pursuing multidimensional and alternative forms of assessment and by seeking interdisciplinary input and informed dialogue between educators can the difficult task of intervention, evaluation, eligibility, and appropriate placement for second language learners be improved.