

Key Issues in Bilingual Special Education Work Paper #4 Considerations in Assessment

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New York State Education Department***

Fall 2002

Although in general, administrators understand State and federal requirements, they may never have had a request or known the specific regulations or laws that are involved in an evaluation of a limited English proficient student. This paper is intended to provide a useful overview.

The Regulations of the Commissioner require that:

(i) tests and other assessment procedures:

(a) are provided and administered in the student's native language or other mode of communication, unless it is not clearly feasible to do so;.....

(d) are administered so as not to be racially or culturally discriminatory;

(xvi) materials and procedures used to assess a student with limited English proficiency are selected and administered to ensure that they measure the extent to which the student has a disability and needs special education, rather than measure the student's English language skills. (Part 200.4 (b) (6))

The purpose of assessment is to determine the need for special education; care must be taken to assure that the child's scores are not the result of limited English proficiency rather than a disability. In some cases, the special education process may be used for second language learners who could be more appropriately served in bilingual education or English as a second language (ESL) classes. It is important for the school district to identify these children before they are referred to special education because placement in special education could be inappropriate. The school district can often avoid overrepresentation of these children in special education and possible identification under Chapter 405 by accurately distinguishing between a *disability* and a *language difference*.

General Education Alternatives

One way the district can help avoid overrepresentation of culturally and linguistically diverse students in special education is by having a pre-referral process in place for second language learners. Providing professional development on appropriate referrals and prereferral interventions for second language learners can help decrease inappropriate referrals, resulting in decreases in overrepresentation. The district should be sure that all students, including second language learners, are provided with all appropriate opportunities in *general education* before referrals are made for evaluation.

Some of the questions that should be asked prior to referral are:

- Has the student been given a chance to acclimate to his/her new school setting?
- Did he/she attend school in his/her native country?
- How well does his/her development compare to other children of his/her age and sociolinguistic community?
- Has someone spoken to the parents in their home language about his/her background?
- Has the school district provided the student with English as a second language or bilingual classroom experiences?
- And, most importantly, has the school program experimented with various educational interventions before referring the student to special education, or is special education the only intervention other than the usual general education program being offered?

Test Administrator Qualifications

Commissioner's Regulations require that tests:

(c) are administered by trained and knowledgeable personnel in accordance with the instruction provided by those who developed such tests or procedures; (Part 200.4 (b) (6) (i) (c))

New York State requires certification and training programs for bilingual school psychologists. A certified bilingual school psychologist will have completed coursework as well as demonstrated competency in English and a second language. The State has also provided guidance in the use of language interpreters to assist in less frequently occurring languages.

Psychometric Criteria

(i) tests and other assessment procedures:

(b) have been validated for the specific purpose for which they are used.

(ii) if an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report; (Part 200.4 (b) (6))

Care in the selection of evaluation instruments is as important if not more important when evaluating second language learners because of the scarcity of psychometrically acceptable instruments. The concepts of validity and reliability for tests and procedures are essential in safeguarding the rights of the children. It is equally important to realize that if the instrument is not valid with the target population the scores may not be reported *as if they were valid*. The district must assure that the persons conducting the evaluation know how to review the documentation provided on assessments in order to determine their validity for children who are English language learners.

Language(s) Used in Assessment

In order to conduct an appropriate evaluation, a decision must be made on the language or languages that will be used for the evaluation. It is important to note that the purpose of the evaluation is to gain as much information as possible about the student. It may be necessary to use the student's home and second language to be able to create a full picture of the student's development, because the student may need to switch between languages in order to express some concepts.

There are a few dual language measures that can be used as screening devices to determine language proficiency. Care must be taken in reviewing the measure's technical manual to determine their appropriateness with the specific student.

A Look at Assessment for Second Language Learners

Figuroa and Garcia (1994) wrote that "standard" assessments presumed a high degree of homogeneity of experiences. This assumption cannot be made for many of our students. Valenzuela and Cervantes in Baca and Cervantes (1998) believe that the *new* purposes of assessment are:

1. *To describe the student.*
2. *To describe the educational context.*
3. *To describe the interaction between the student and the educational context.*
4. *To describe the apparent difficulties.*
5. *To propose several possible reasons for the difficulties, reserving the assumption that the problem lies in the student until all other possibilities have been exhausted.*
6. *To develop several potential teaching strategies and modifications of the curriculum based upon the prior descriptive information and hypothesized locus of the problem.*

According to Valenzuela and Cervantes, the assessment process can include 'modified standardized tests' that will provide an indicator of the student's performance against that demanded in the academic environment, but modified standard tests cannot be used alone to compare the student to the normative population. The authors envision the assessment process as including an array of non-standard techniques that together will provide a picture of the student's performance.

Resources

Baca, Leonard M. and Hermes T. Cervantes (1998). The Bilingual Special Education Interface.

Issues in Testing Students from Culturally and Linguistically Diverse Backgrounds. Figuroa, Richard A. and Eugene Garcia pp 10-19 in *Multicultural Education*, Fall (1994).

ERIC Identifier: ED356232

Publication Date: 1992-07-00

Author: Geisinger, Kurt F. - Carlson, Janet F.

Source: ERIC Clearinghouse on Tests Measurement and Evaluation Washington DC.

Assessing Language-Minority Students. ERIC Digest.

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Today, 15% to 20% of our schoolchildren speak a foreign language at home, and their number is growing rapidly. By definition, these limited-English proficient (LEP) students do not speak English as their primary language, and their culture frequently differs from that of most Americans. These differences in language and culture influence how LEP students do in school and on the various tests we generally use to evaluate students.

However, we cannot cluster all LEP students into a single, identifiable group. For example, while we may view Mexicans, Puerto Ricans, Cubans, and Central Americans all as Hispanics, each group has significant demographic, behavioral, and geographic differences (see Geisinger, 1992).

This digest discusses important aspects of assessing LEP students:

- o understanding the role of culture,
- o evaluating and selecting tests,
- o determining the validity of those tests, and
- o administering tests.

WHAT IS THE ROLE OF CULTURE?

Many language-minority students emerge from cultures that differ from the dominant culture in American society. According to the Standards for Educational and Psychological Testing: "Behavior that may appear eccentric or that may be judged negatively in one culture may be appropriate in another. For example, children from some cultures may be reluctant to establish rapport with unknown adults. [They] may be trained to speak to adults only in response to specific questions.... Thus, in a testing situation such children may respond to an adult who is probing for elaborate speech with

only short phrases or by shrugging their shoulders' (American Educational Research Association, et al., 1985, p. 74).

Therefore, we need to understand how cultural background influences LEP students' approaches to test taking. Especially with tests measuring and interpreting personality, we may need to consider the student's individual level of acculturation. Acculturation is the process of changing attitudes and behavior after living for some time in a different culture.

HOW SHOULD WE EVALUATE AND SELECT TESTS?

When evaluating tests for LEP students, we can use many of the same criteria used for evaluating tests for all students. For the explicit use intended, tests should be

- o properly developed,

- o normed,

- o reliable, and

- o validated.

- Norm samples should include adequate numbers of language-minority students, and reliability and validation (criterion-related or construct validation-related) research should include adequate numbers of LEP students. Besides the evidence to justify using the test with all students, separate evidence should document the reliability and validity of the test scores of LEP students.

In addition, test publishers need to document their efforts to ensure the fairness of their tests--for example:

- o having sensitivity panels review test questions early in development,

- o documenting evidence showing the effective use of the test with LEP students, and

- o citing differential validation research showing that the test is equally valid and appropriate for use with language-majority and -minority students.

- Test developers generally investigate the bias of individual test questions as well as the whole test. Some test developers also provide useful guidelines on how to use test scores in certain contexts.

HOW VALID ARE TESTS LIKELY TO BE WITH LEP STUDENTS?

Only limited evidence addresses the validity of tests with LEP students. Pennock-Roman (1990) has studied the use of various tests of admission to higher education with language-minority students, and her results apply for many uses of educational tests. In general, she concludes that tests like the Scholastic Aptitude Test (SAT) appear valid for most language-minority students. She also indicates, however, that these results hold only for the short term because students' language abilities generally improve over time. For students with very weak English language skills, tests such as the SAT probably will not

validly predict success. She also found that tests of educational achievement in Spanish improved the prediction of college grades over and above the SAT.

Language-proficiency tests play an important role in the valid assessment of LEP students, and educators often use these tests to identify students likely to benefit from bilingual education (Duran, 1989). Perhaps we don't need to administer such tests when LEP students succeed on tests in English. But when LEP students struggle with tests in English, we need to routinely administer and interpret language-proficiency tests, perhaps along with achievement tests in students' native language.

Unfortunately, many language-proficiency tests are flawed. For example, they commonly test students in a single modality--a paper-and-pencil test that ignores spoken and oral comprehension (see Duran, 1989; Oller and Damico, 1991). Multimodal measurement is important because of the longer time it takes to acquire language proficiency needed for academic learning than for ordinary communication.

HOW SHOULD WE ADMINISTER TESTS TO LEP STUDENTS?

Figueroa (1990) suggests that, in accordance with PL 94-142, we should assess linguistic minorities in both English and their native language. This ideal rarely is possible, however. Few tests are available in languages other than English. Further, test developers cannot simply translate a test from one language to another; they must also independently establish reliability, validity, and norms for the translated test (AERA et al., 1985).

In all testing situations, we need to understand the cultures that test takers come from so we can consider their behavior from their cultural perspective. Under the best conditions, we should be able to communicate in students' native languages when necessary.

Researchers have recommended other ways to test LEP students. Figueroa (1990) has suggested using non-verbal tests of intelligence instead of English-language-dependent tests; however, such tests frequently do not predict future educational performance as effectively as verbal tests. Duran (1989) has advocated using a test-teach-test paradigm: After testing to ensure that an LEP student does not know a particular concept, a test administrator teaches the student the concept and then tests the student again. But this technique is hard to quantify, standardize, and validate, as well as being time-consuming. Still, it may informally describe a student's learning ability.

CONCLUSION

Research findings often drive assessment practices. But now, driven by practical needs, we are beginning to establish sound practices for testing LEP students. Because the LEP population is growing so rapidly, it has received increasing attention. Educational testing is particularly important because of the practical policy questions facing educators. For example, policy questions have led to legal battles over the disproportionate numbers of LEP students placed in remedial education classes (e.g., Childs, 1990; Elliott, 1987).

In 1985, three professional associations published a new edition of the standards for testing, which for the first-time addressed the testing of language minorities. By adhering

to sound and professionally accepted testing practices, we will continue to make progress in testing LEP students.

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This publication was prepared with funding from the Office of Educational Research and Improvement, U.S. Department of Education, under contract number R-88-062003. The opinions expressed in this report do not necessarily reflect the position or policies of OERI or the Department of Education. Permission is granted to copy and distribute this Digest.

Title: Assessing Language-Minority Students. ERIC Digest.

Document Type: Information Analyses---ERIC Information Analysis Products (IAPs) (071); Information Analyses---ERIC Digests (Selected) in Full Text (073);

Available From: American Institutes for Research, 3333 K Street, N.W., Suite 300, Washington, DC 20007 (free).

Descriptors: Academic Standards, Cultural Awareness, Cultural Differences, Educational Assessment, Elementary Secondary Education, English (Second Language), Ethnic Groups, Language Tests, Limited English Speaking, Minority Groups, Non English Speaking, Special Needs Students, Student Evaluation, Test Construction, Test Reliability, Test Validity

Identifiers: Diversity (Student), ERIC Digests, Language Minorities

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