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English Language Learners with Disabilities:
A CALL FOR ADDITIONAL RESEARCH AND POLICY GUIDANCE

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THE COUNCIL OF CHIEF STATE SCHOOL OFFICERS

The Council of Chief State School Officers (CCSSO) is a nonpartisan, nationwide, nonprofit organization of public officials who head departments of elementary and secondary education in the states, the District of Columbia, the Department of Defense Education Activity, and five U.S. extra-state jurisdictions. CCSSO provides leadership, advocacy, and technical assistance on major educational issues. The Council seeks member consensus on major educational issues and expresses their views to civic and professional organizations, federal agencies, Congress, and the public.

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Overview

An increasing number of American educators are faced with a compelling need to appropriately instruct and assess the English language learners[1] (ELLs) in their classrooms. In 2013, 9.2% of U.S. public school students was identified as an ELL (U.S. Department of Education, 2015). It is expected that the population of English language learners will continue to increase over time (Education Commission of the States, 2013).

For several decades, the number of students dually identified for both special education and ELL services has also increased at a steady pace (OSEPAC, 2015). ELLs are significantly more likely to be identified as having a disability than their non-ELL peers (Shifrer, Muller, & Callahan, 2011). In the 2009-2010 academic year, 518,088 ELLs received special education services in United States public schools (Watkins & Liu, 2013). In states or districts with high populations of ELLs, there has been a long history of overrepresentation among ELLs in special education, particularly at the secondary school level (Artiles, Rueda, Salazar, & Higareda, 2005; Linn & Hemmer, 2011; Sullivan, 2011).

Underrepresentation of ELLs, on the other hand, is often evident in the primary grades and is particularly prevalent among early education students (Samson & Lesaux, 2009). Disproportionate representation of ELLs suggests that some students who could potentially benefit from special education are not being referred to receive such services, while others are receiving services that they may not need (Oswald & Coutinho, 2006). Proportionate representation of ELLs in special education is not the ultimate goal, however; rather educators aim to ensure that students are properly identified as having a disability and that the documented disability is accurate. Unfortunately, there are concerns for ELLs on both counts. Of the ELLs in special education, some do not have a disability at all while others are inappropriately classified under the wrong disability category (Ortiz, Robertson, Wilkinson, Liu, McGhee, & Kushner, 2011).

Previous research clearly identifies an ongoing systematic problem of misidentification among ELLs receiving special education services. However, the literature is remarkably silent on empirical solutions for remedying this problem. Furthermore, little is known about how to best design and implement Individualized Education Programs (IEPs) to support ELLs with disabilities. Teachers often report low levels of self-efficacy in their ability to determine appropriate instruction, assessments, and resources for ELLs with disabilities (Paneque & Barbetta, 2006). Much of this stems from teachers' difficulties distinguishing between language difference and disabilities (Klingner & Artiles, 2006).

While current research does not provide adequate information for practitioners working with students dually identified for special education and ELL services, educators are further stymied by the lack of detailed policy guidance. Though there is policy and regulatory guidance with which state and local educational agencies must comply, there is a lack of specific guidance about how to properly execute federal regulations most effectively. For example, recent federal guidance stipulates that all ELLs with disabilities must participate in state English language proficiency (ELP) annual assessments (U.S. DOE,

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1   In this paper, we define English language learners (ELLs) as those students identified as needing additional language support to develop their English language proficiency. ELLs across the nation are a diverse group of students who receive a variety of programming based on their language proficiency level, home language background, and educational context.

2014), and states must develop guidelines for accommodations and alternate assessments that do not invalidate ELP assessment scores. There is little guidance, however, on appropriate alternate assessments and accommodations that educators could use. Teachers, administrators, and specialists at the district level need clearer regulatory frameworks on how to support ELLs in order to 1) avoid misidentification of eligibility for special education services, 2) advance the academic achievement of ELLs receiving special education services, and 3) ensure timely and appropriate exit from English language education programs and *if and when appropriate* from special education services.

Figure 1 outlines the potential academic trajectory of an ELL determined eligible for special education (detailed figures for each part of this trajectory are included in the appendix and referenced in their respective sections; all figures are adapted from various state policies on special education and ELL status). The steps in this process can be grouped into three areas where additional research and/or policy guidance is needed for educators to best support English language learners with disabilities: 1) initial identification, 2) instruction and services, and 3) exit from ELL services and *if and when appropriate* from special education services.

Figure 1. Academic Trajectory of K-12 English Language Learners in Special Education
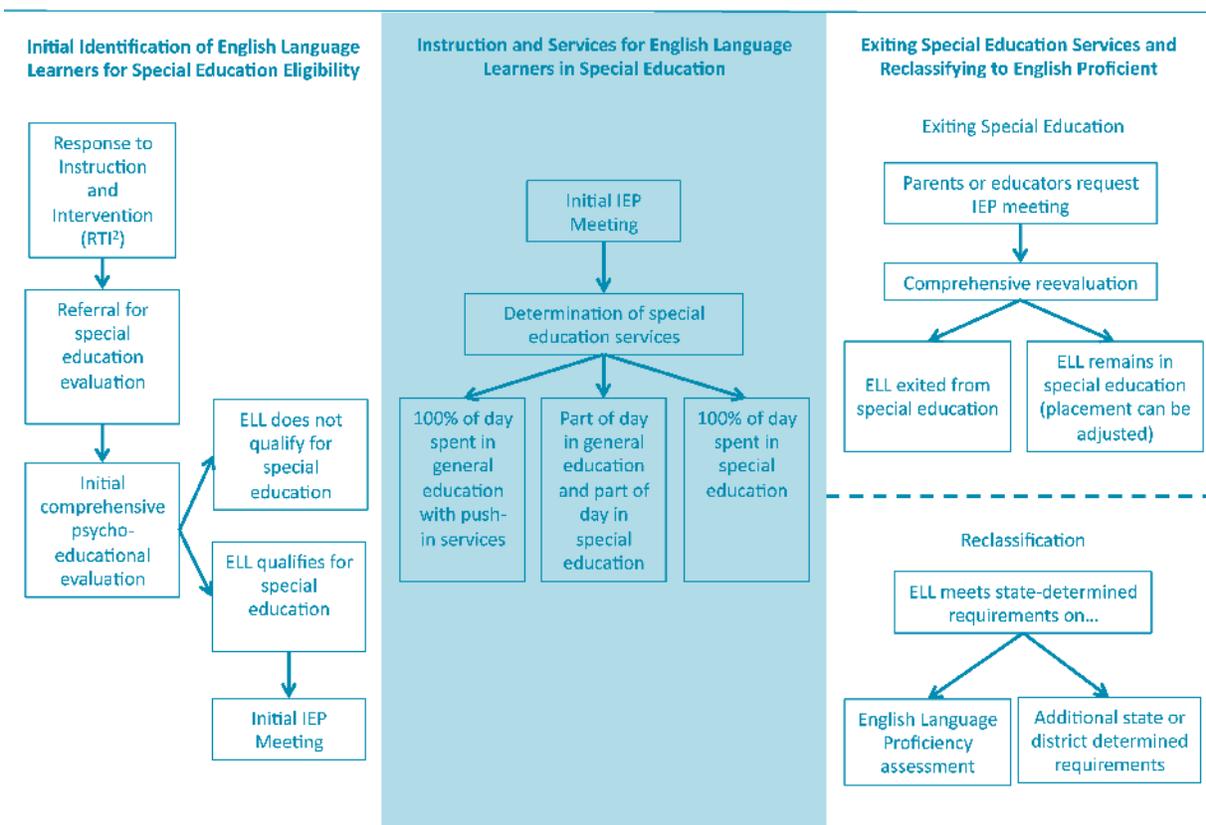
This document is primarily intended for 1) states, who we recommend identify, monitor, and research promising practices related to ELLs with disabilities, as well as develop guidance that can be included in federal policies; 2) the United States Department of Education (hereafter U.S. DOE), which can fund research in the following areas – initial identification, instruction and services, and

exit from ELL and special education services. We suggest that states and the U.S. DOE collaborate on these efforts to facilitate effective practices and consistent policies for ELLs with disabilities in all states. This paper specifically targets ELLs considered for and identified as having *high incidence disabilities* (specific learning disabilities, mild intellectual disabilities, speech language impairment, and emotional disturbance).

Each of the following sections provides a brief review of relevant research, as well as recommendations for additional policy and/or research. The ELL SCASS hopes that state leaders and the U.S. DOE will consider the concerns outlined in this paper. To effectively and appropriately meet the needs of ELLs with disabilities, educators across the country are in need of additional guidance that offers concrete examples of practice and procedure that are based on promising research. Additional research should be conducted to determine appropriate, effective practices and procedures for ELLs with disabilities. Without additional guidance and research, states, districts, and educators will continue to meet the "letter of the law" but will struggle to meet its true intent — to provide ELLs with disabilities with the appropriate support and access needed to academically and linguistically succeed in school.

Past Activities of the ELL SCASS Related to English Language Learners with Disabilities

The Council of Chief State School Officers (CCSSO) helps state agencies collaborate with one another through a variety of programs. One such program is the State Collaboratives on Assessment and Student Standards (SCASS), which includes several SCASS groups that meet on a regular basis around standards and assessment issues related to specific content areas or student groups. The ELL SCASS brings state education agency staff, researchers, and policy experts in the field of ELL education together to discuss pressing ELL state standards and assessment issues. One ongoing area of deliberation and concern among ELL SCASS members has been how to effectively meet the needs of ELLs with disabilities.

For the past two years, the ELL SCASS has elevated the issue of ELLs with disabilities to a top priority for ongoing work. In addition to highlighting the topic as one of five areas of focus for the ELL SCASS (CSSSO, n.d.), in October 2013 the ELL SCASS (CCSSO ELL SCASS, n.d.) responded to a U.S. DOE Request for Information to help inform a Title III research agenda with a paper that identified the topic as a priority for future research. In October 2013, a workgroup on ELLs with disabilities was formed to help direct the work of the larger ELL SCASS on this topic, and at ELL SCASS meetings in 2013 and 2014, outside experts presented research related to ELLs with disabilities. Additionally, U.S. DOE staff have been invited to ELL SCASS meetings to provide additional guidance to states. Despite the group's interest in understanding how to better meet the needs of their ELLs with disabilities and the ELL SCASS' attempts to become better informed, the research to date provides more information about what has not worked rather than on what has. Moreover, federal guidance has concentrated on legal requirements about what must or must not be done, but has been lacking in specific policies and practices that are both in compliance with the law as well as effective and appropriate for ELLs with specific disabilities. The purpose of this paper is to explicate in more detail the specific issues where

additional research and guidance are needed, and to galvanize collective will, resources, and efforts to move beyond theoretical ideals and legal requirements to practical guidance about how to better serve ELLs with disabilities in the U.S.

Initial Identification of English Language Learners as Eligible for Special Education

Problems and Shortcomings Identified in Research

When an English language learner does not make adequate academic progress, educators working with that child must determine whether the student struggles academically due to language proficiency issues, and/or the presence of a high incidence disability. The challenge of distinguishing between language difference and disabilities has been a consistent topic of concern among researchers and educators working with ELLs (Klingner & Artiles, 2006). ELLs and students with high incidence disabilities have been found to have similar language development patterns (Case & Taylor, 2005; Chu & Flores, 2011; NEA, 2007). This makes the proper identification of ELLs with disabilities complicated.
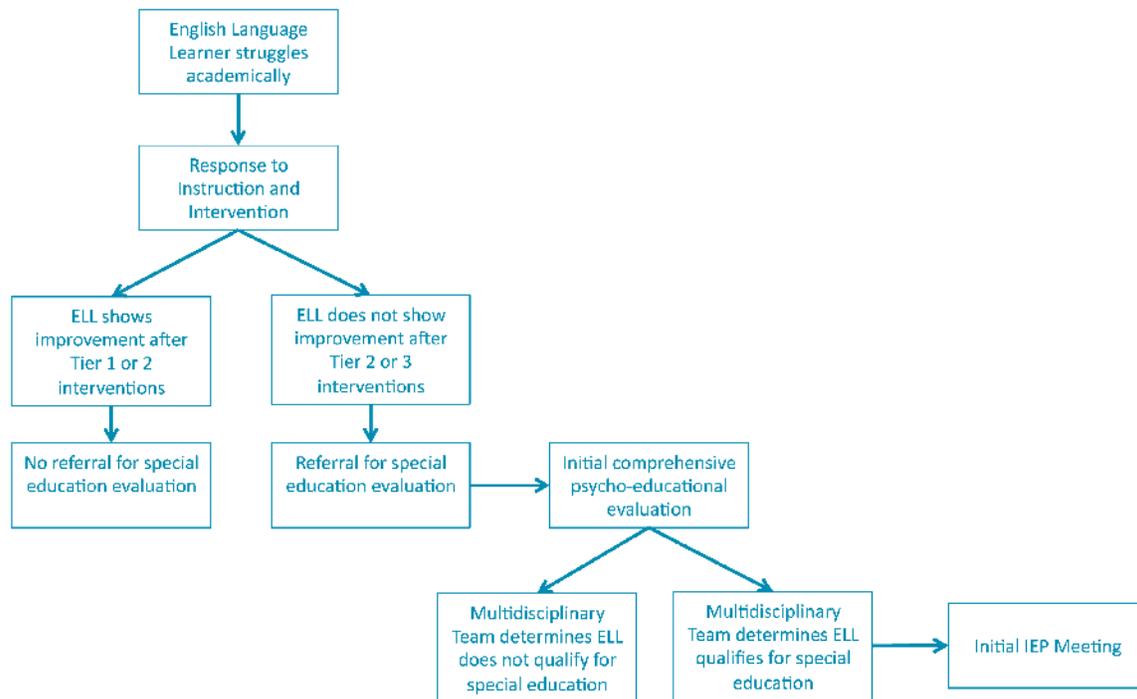
Because educators lack sufficient guidance on how to appropriately identify ELLs as eligible for special education, and because the assessments used in the special education evaluation process are not normed on ELL populations and are often culturally biased (Ortiz, 2002), scholars recommend that schools rely heavily on a response to instruction and intervention (RtI[2]) model (Chu & Flores, 2011; Klingner, Artiles, & Barletta, 2006; Rinaldi, Ortiz, & Gamm, 2014). RtI[2] was first introduced in IDEA 2004 as an alternative to the discrepancy model traditionally used to identify students with disabilities. Federal regulation states that local education agencies can "consider a child's response to scientific, research-based intervention as part of the specific learning disability determination process" (IDEA 2004, 20 USC 1401(30)). Many schools across the nation use RtI[2] to provide interventions and monitor student progress (Fuchs & Fuchs, 2006). Though it is not yet implemented nationwide, scholars and practitioners consider RtI[2] important for instructional best practice, academic/linguistic support, and the provision of data in determining special education eligibility for ELLs (Rinaldi, Ortiz, & Gamm, 2014)[2]. Unfortunately, practitioners and researchers alike are conflicted about which interventions and instructional strategies are most effective for ELLs in the RtI[2] process (Rueda & Ragusa, 2010). Research suggests that many of the interventions used in RtI[2] are not tailored to the unique linguistic and academic needs of ELLs, often failing to be culturally and linguistically responsive (Haager, 2007; Xu & Drame, 2007).

If ELLs still do not show adequate academic progress after receiving robust Tier 1 instruction and Tier 2 or Tier 3 interventions as warranted, they may be referred for a comprehensive initial special education evaluation. (See Figure 2 for a breakdown of the steps for initial special education identification.) It is important to note that students may be referred for evaluation at any point in time. Scholars repeatedly critique the lack of valid and reliable assessment measurements for ELLs (Artiles & Ortiz, 2002; Huang, Clarke, Milczarski, & Raby, 2011; Liu, Ortiz, Wilkinson, Robertson, & Kushner, 2008; Shore & Sabatani,

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2   Additional information on RtI[2] tiers of support are available at http://www.rtinetwork.org/learn/what/whatisrti.

2009). There is also concern that many of these multiple tiered systems of support and targeted interventions fail to be culturally and linguistically appropriate for ELLs (Richards, Artiles, Klingner, & Brown, 2005; Rinaldi, Ortiz, & Gamm, 2014; Rueda & Ragusa, 2010).

Figure 2. Initial Identification of English Language Learners for Special Education Eligibility

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                    English Language
                     Learner struggles
                       academically
                            │
                            ▼
                     Response to
                    Instruction and
                      Intervention
                      ╱          ╲
                     ╱            ╲
         ELL shows                 ELL does not show
       improvement after          improvement after
          Tier 1 or 2                Tier 2 or 3
         interventions              interventions
              │                          │
              ▼                          ▼
      No referral for special    Referral for special      Initial comprehensive
       education evaluation       education evaluation  ──▶  psycho-educational
                                                                evaluation
                                                             ╱          ╲
                                                            ╱            ╲
                                      Multidisciplinary          Multidisciplinary
                                     Team determines ELL         Team determines ELL
                                     does not qualify for        qualifies for special  ──▶  Initial IEP Meeting
                                      special education              education
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Furthermore, several studies have found numerous shortcomings in the process of ultimately determining whether an ELL qualifies for special education services. Researchers and higher education faculty with expertise in the field of bilingual special education have been found to disagree with district decisions to place ELLs in special education. When looking at archival data that includes students' cumulative files and eligibility decision paperwork, these experts often conclude that many ELLs determined eligible for special education may have learning difficulties that stem from causes other than disabilities. They also identify problems with the special education identification process. These include limited numbers of languages supported by assessments; informal (read, non-standardized) translation of assessments; assessing ELLs in only English or the native language; language proficiency information being missing or outdated; and eligibility decisions being made almost a full year after the initial evaluation was conducted (Liu et al., 2008; Wilkinson et al., 2006).

Research on reports from initial psycho-educational evaluations also find that psychologists who conduct these evaluations often fail to follow federal and state professional guidelines on identifying ELLs with disabilities (Figueroa & Newsome, 2006). These guidelines include taking into account students' English language proficiency as well as other contextual factors. For example, IDEA 2004 includes an exclusionary clause that states that in order for a student to qualify for special education there must be documented evidence that the academic struggles of the child in question are not a result of

environmental, cultural, or economic disadvantage. Psychological evaluations, used to meet the intent of this exclusionary clause, have been found to lack sufficient evidence eliminating these factors as the root cause for a student's learning difficulties (Figueroa & Newsome, 2006).

Policy Guidance Needed

Based on recommendations from existing research on the identification of ELLs as eligible for special education, educators and other practitioners who provide services to ELLs and students with disabilities could benefit from guidance in the following areas:

1. Licensure training on culturally and linguistically responsive identification of ELLs with disabilities.

Culturally and linguistically responsive practice involves a complex approach to drawing from and relating to children's backgrounds and experiences in order to make learning relevant for students (Klingner, Artiles, Kozleski, Harry, Zion, Tate, Duran, & Riley, 2005). Approaching the process of identifying ELLs as eligible for special education services with cultural and linguistic responsiveness can help prevent the misidentification of ELLs for special education services. It is imperative, therefore, that all educators working with ELLs who struggle academically have the knowledge and skills necessary to ferret out cultural differences from disability determinations. Rueda and Ragusa (2010) suggest that educators specifically take into account linguistic, cultural, and socioeconomic dimensions of students' experiences when considering referral to special education. Given the difficulty of disentangling disability, language proficiency, and cultural differences from one another and the importance of appropriately identifying when a disability exists, educators should receive training on culturally responsive approaches relative to special education identification and determination among ELLs. While all educators could benefit from this training, it is essential for education staff responsible for special education identification and service provision (i.e., the IEP team), as well as education staff responsible for ELL identification and service provision. Training for general education staff — including bilingual and ESL teachers, interpreters, specialists, administrators — is particularly important since they are often the ones who initiate special education referrals. **As such, additional policy guidance is needed to help identify what kinds of training should be offered and whether this training should be required for licensure of new professionals. Guidance should also be developed on the ongoing professional development of currently licensed professionals.**

2. Use of culturally and linguistically responsive processes when ELLs are referred for RtI[2].

Many researchers argue that educators should be careful when referring ELLs for special education evaluation so as to avoid misidentification. The RtI[2] process[3] is believed to be one means of ensuring that the referral is made after intensive interventions and strategies have been tried to address students' difficulties. An essential component of such an RtI[2] process is the multidisciplinary team of general and special educators that designs and implements an intervention plan to meet the individual needs of a student (i.e., the problem-solving approach to RtI[2]) (Ortiz et al., 2011). When the team develops this plan, they should take into account the following: 1) how culturally meaningful

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3   We recognize that not all districts use RtI[2]. While we do not feel that RtI[2] can be a requirement, we highly recommend that it be used to identify ELLs for disabilities in lieu of the traditional discrepancy model.

the intervention tasks are, 2) how to ensure that teachers and ELLs have a shared understanding of the intervention activities, 3) how to incorporate diverse students into classroom discourse, and 4) how to avoid deficit-oriented ideologies about culturally and linguistically diverse students (Rueda & Ragusa, 2010). (See appendix for some resources on culturally and linguistically responsive RtI[2].) Finally, the multidisciplinary team should include individuals with expertise relevant to cultural and linguistic difference, as well as parents who can provide additional information about their children's needs and culture (Rinaldi, Ortiz, & Gamm, 2014). **Given the importance of RtI[2] in the intervention and referral process, we suggest the development of provisions on how local education agencies can implement RtI[2] for ELLs in culturally and linguistically meaningful ways that might prevent inappropriate referrals for special education evaluation. These provisions should include guidelines on 1) who is in charge of the RtI[2] process, 2) which personnel should be involved and what roles each person should take on, 3) suggestions for how to implement RtI[2] in a culturally and linguistically responsive manner, and 4) how parents can be included in the multidisciplinary team throughout the RtI[2] process. Guidance is also needed on how to incorporate data gathered during the RtI[2] process into the special education evaluation (e.g., universal screening, benchmarking, continuous progress monitoring).**

3. The importance, composition, and role of multidisciplinary teams in the special education identification and eligibility process for ELLs.

Regardless of whether RtI/RtI[2] is implemented, having a multidisciplinary team that includes diverse professionals with expertise in working with ELLs and in special education is essential for ensuring ELLs are appropriately identified for special education (Hart, 2009; Shore & Sabatani, 2009). **We recommend that SEAs and LEAs develop guidance that specifies 1) that a multidisciplinary team should be formed to determine ELLs as eligible for special education services, 2) what expertise — in terms of language development, special education, and assessment — these individuals should have, and 3) ways to ensure that parents/guardians understand and are able to participate in team decisions. This includes arranging for an interpreter for parents whose native language is not English.**

4. The languages of assessment and language skills of test administrators.

During many initial evaluations to determine eligibility for special education, ELLs are often assessed solely in English and not in their native language or a combination of languages. Assessments in English may be too linguistically complex for ELL students depending on their English proficiency (Chu & Flores, 2011; Klingner et al., 2006). When assessments in the students' native language are used, however, these instruments are often informally and inappropriately translated, causing them to further lack validity and reliability (Wilkinson et al., 2006). Additionally, the assessment process typically does not involve evaluations to determine students' dominant academic language (the recent "Dear Colleague" letter released by the U.S. Departments of Education and Justice refer to the importance of ensuring that ELLs are evaluated for special education services in their "dominant" language. Following this model, we too use the term "dominant" while recognizing the complicated nature of this term – see footnote 4). Educators should not assume that ELLs' home language is their dominant academic language. It may be the case that students' families speak a non-English language at home; however,

this does not mean that the children have academic proficiency in that language. They may only be able to engage in that non-English language conversationally, while English is actually their dominant academic language. Administering assessments such as the Bilingual Verbal Ability Test (BVAT; Muñoz-Sandoval, Cummins, Alvarado, & Ruef, 2011) or the Woodcock-Muñoz Language Survey®-Revised (WMLS®-R) (Woodcock, Muñoz-Sandoval, Ruef, & Alvarado, 2005) would help practitioners distinguish students' dominant academic language. **We recommend that policy guidance be provided explicating that initial evaluation of ELLs be conducted in both English and the native language[4] – taking into account which is the dominant academic language of the child[5] – by trained bilingual personnel who have a strong understanding of language acquisition and the special education evaluation process** (Klingner & Artiles, 2003; Ortiz, 1997)**, as well as the ability to accurately interpret the results of both language assessments**. **Assessment of language proficiency in both languages provides a more complete profile of students' language skills, even when the student may not receive native language instruction. Education agencies should develop capacity that allows for the administration of assessments to culturally and linguistically diverse students and for the ability to conduct family interviews across a variety of languages, including those that are considered to be low incidence. It is also important that dual language assessments be conducted across grades, not only at initial entry, to understand how the students' proficiency is changing over time. We underscore once more the importance of having trained assessment personnel who are bi/multilingual.**

5. Alternative assessments for ELLs considered for special education.

Assessments commonly used for the initial comprehensive evaluation following referral to special education have been found to not be valid for determining whether ELLs have a high incidence disability (Artiles & Trent, 1994; Huang et al., 2011; Shore & Sabatani, 2009). As such it is recommended that educators use alternative or, ideally, multiple measures to either replace or supplement the standardized testing frequently used for special education qualification, as already outlined in IDEA 2004. One such alternative assessment is curriculum-based dynamic assessment (CBA) (Barrera, 2006). This is a formal assessment framework where students are evaluated based on the skills they acquire as they are being taught a lesson. Instead of solely assessing students on what they already know, this measure relies on a naturalistic setting where students are taught an unfamiliar concept. Students' understanding is measured through their completion of a new task related to that concept. Though there is limited research on the use of CBA to determine special education eligibility among ELLs, this framework shows promise in providing additional layers of information that offer a more holistic picture of an ELL's academic capabilities (Barrera, 2006; Huang et al., 2011). Another similar framework is dynamic assessment, developed by Elizabeth Peña, which has been shown to be useful in trying to distinguish between language difference and language disorder (Peña, Iglesias, & Lidz, 2001). Dynamic assessment uses a test-teach-retest model that focuses on the learning process, as evaluators teach children problem solving strategies and then observe the students apply those strategies to a test. States would benefit from additional research on the effectiveness of both assessment frameworks as well as others in determining whether an ELL has a disability.

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4   This guidance may not be practical for all languages.
5   It is important to note that ELLs may not have a single dominant language, much less a single dominant academic language. In the future, assessments should include translanguaging options that allow for multiple languages to be used in a single assessment, given the complicated nature of language dominance.

Non-standardized assessments are also often recommended in the literature. These include portfolios; language samples; analytic teaching, where teachers modify instruction, observe students, and document results; narrative analysis, involving transcription of student talk or collecting of writing samples that are analyzed for form, content, and function; curriculum based assessments, which measure what students already know, what they need to know, and in what directions instruction should go; and performance based assessments in which students can demonstrate language, literacy, cognitive, social, and motor skills (Hart, 2009; Ortiz, 1997; Spinelli, 2008). Additional formative assessments could give teachers and specialists a more holistic picture of students' performance in school. They also provide data that can inform interventions and instructional decisions. Because educators are often at a loss for how to comprehensively evaluate ELLs for special education eligibility (Klinger & Artiles, 2006) and commonly use standardized achievement and ability assessments are not appropriate for ELLs (García & Ortiz, 1988)**, we suggest that funding be provided to support research and the development of alternative assessments (including standardized and non-standardized, as well as formative, interim, and summative assessments) that can and should be used for ELLs in the initial evaluation process to determine special education eligibility.**

6. Holistic observation process to understand ELLs' entire learning context.

Given the complex nature of trying to distinguish between whether an ELL struggles academically because of language proficiency issues or because of a high incidence disability, it is highly important that educators look at various aspects of the ELL's learning environment. Garcia and Ortiz (1988) provide a framework for gathering holistic information on ELLs before a referral is made to have the students evaluated for special education eligibility. Unfortunately, despite its having been first introduced decades ago, this framework has yet to be implemented in many schools. Garcia and Ortiz recommend that educators first look at whether the instruction and/or curriculum students receive are scientifically based and effective for culturally and linguistically diverse students. Additionally, practitioners should see if students' learning difficulties occur across academic settings and subjects.

Other contextual factors educators should consider are the quality and experience of students' teachers, the level of engagement of instruction, the language of instruction, access to academic supports, students' language proficiency, and continuity of exposure to curricula. This requires that the multidisciplinary team evaluating ELLs during this initial identification process observe students frequently to develop a nuanced understanding of their learning context (Garcia & Ortiz, 1988; Spinelli, 2008). This team should also consider the students' home environment and the linguistic context of their communities outside of school. This means trying to understand the culture, socioeconomic status, and predominant language use of the individuals that students interact with most frequently outside of school (Artiles & Trent, 1994; Figueroa & Newsome 2006). **We ask that policy guidance on the initial identification process for ELLs considered for special education eligibility includes provisions on how to take into account the contextual factors described above. Until we do this, we will not be able to address IDEA's exclusionary clause stipulating that educators must ensure that a child's academic difficulties are not a result of contextual factors, including limited English proficiency.**

7. IEP teams that include ELL and special education experts and that develop IEPs sensitive to the language and learning needs of students.

It is crucial that IEP teams resemble the composition of the multidisciplinary team (see #3 above), specifically in terms of including personnel with ELL and special education expertise (Hart, 2009; Shore & Sabatani, 2009). Ideally there would be at least one person on the team who is familiar with both ELL and special education programs. Currently, few IEP teams include ELL experts; this should be required in policy guidelines. IDEA does not specify that an ELL expert should be on IEP teams for ELLs. The IEPs produced for ELLs should incorporate services and goals that will support both students' academic growth and their English language development. As such, it is important the initial IEP meeting include careful analysis of classroom instructional data and of language proficiency assessment results (such as results from screeners, interim assessments, summative assessments). It is also important that IEP teams consider contextual factors (see #6 above) when determining services for ELLs. **We recommend that SEAs and LEAs develop policy guidance on the composition of IEP teams considering special education services for ELLs. Such guidance should specify how these teams can take into account both the academic growth and English language development of ELLs. Finally, we feel it is important that states come together to suggest protocols for where and how to use language proficiency in the determination of special education eligibility and appropriate services for ELLs. These protocols would include guidelines for creating specific academic language goals for ELLs.**

The requested policy provisions would clarify expectations of local education agencies in determining the eligibility of ELLs for special education services.

Research Needed

The ELL SCASS recognizes that in order for some of the requested guidance to be provided, more research is required on various aspects of the initial special education determination process for ELLs with disabilities. As such, we recommend further research be conducted and funded in the following areas. SEAs and LEAs should initiate research agendas in these areas with funding from the U.S. DOE:

1. Research that aims to create and validate protocols and tools for identifying ELLs as eligible for special education. These protocols should be assessed for their cultural and linguistic relevance as well. (See list of additional resources in the appendix for protocols that could be studied.)
2. Studies that help distinguish language difference from high incidence disabilities.
3. Empirical evaluations of the efficacy of alternate and alternative assessment measures.
4. Empirical studies evaluating accommodations for assessments specific to linguistic and cultural contexts for ELLs.
5. Regular collection and documentation of descriptive statistics related to ELLs with disabilities across the nation.

Further research in these areas would help eliminate the confusion practitioners experience when identifying ELLs as eligible for special education. As educators across the nation aim to best support their ELL students, they rely on scholarship to provide empirically based recommendations to help them

do so. **We suggest the development of a system of collecting and elevating promising practices in the evaluation of ELLs with disabilities (or suspected of having disabilities) that can be studied through state-initiated projects with support from the U.S. DOE to fund this research.**

Instruction and Services for English Language Learners with High Incidence Disabilities

Problems and Shortcomings Identified in Research

Once an ELL student is identified as eligible for special education, appropriate services for that child are considered in an Individualized Education Program (IEP) meeting. (See Figure 3 for a breakdown of instruction and services). Any student that qualifies for special education is required to receive services that are provided by special educators, specialists, and/or general education teachers with the consultation of these specialists. These services range from full inclusion in general education classrooms with push-in special education support to full day placement in self-contained special education classrooms with minimal access to general education settings. In between these two extremes, students can spend part of the day in general education, resource classrooms, specialist therapies, and self-contained settings at varying levels of time and intensity. All of this falls within the requirements for a least restrictive environment (LRE) outlined in IDEA 2004.

Figure 3. Instruction and Services for English Language Learners with Disabilities
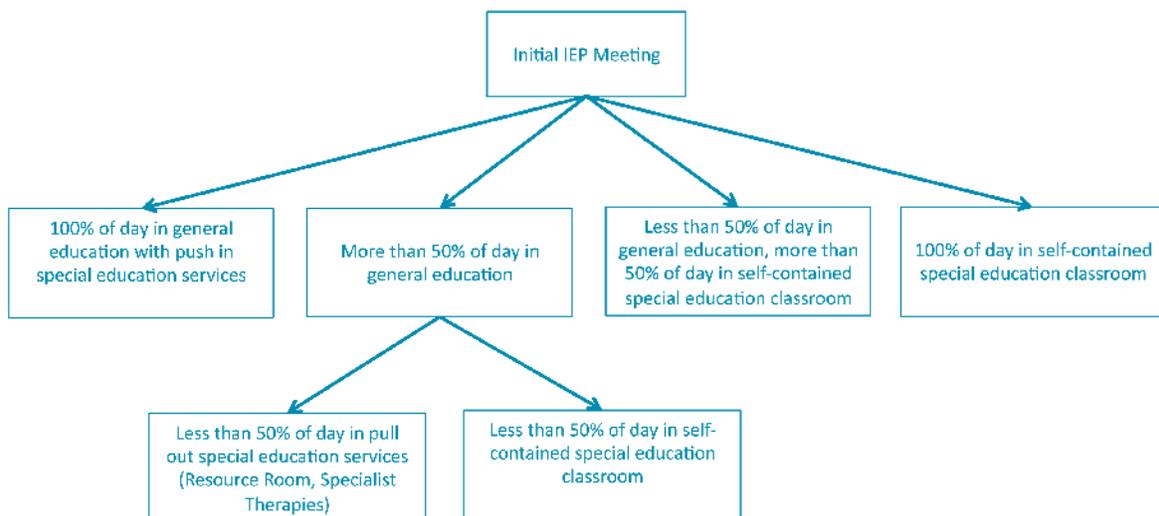
Scholars who have looked at the instruction and services provided to culturally and linguistically diverse students in special education have raised a number of questions related to equity. Research has found that students from historically underserved groups[6] are more likely to be placed in the

6   *Historically underserved groups* are "students from diverse racial, cultural, linguistic, and economically disadvantaged backgrounds who have experienced sustained school failure over time" (Artiles et al., 2010, p. 279-280).

most restrictive environments of self-contained special day classrooms than their peers who are part of the dominant culture and who have the same disability label (Artiles & Trent, 1994; Artiles, Kozleski, Trent, Osher, & Ortiz, 2010). At the elementary level, one study revealed that ELLs with disabilities in structured English immersion programs were about three times more likely than their counterparts in bilingual programs to be sent to resource specialist classes. ELLs with disabilities in structured English immersion programs were also 19% more likely than ELLs with disabilities in bilingual programs to be placed in more segregated self-contained classrooms (Artiles et al., 2005). Many resource and self-contained classes have been found to rely primarily on skills-driven, reductionist instruction, which targets less-demanding learning objectives. Consequently, many ELLs with disabilities are not provided the opportunity to engage in more cognitively demanding curriculum and instruction – especially those involving reading complex texts and discussing them with peers – or the opportunity to develop the academic language skills needed to be successful in school. This has been found to result in minimal growth in oral language and literacy skills among these students (Ruiz, 1999).

Regardless of where ELLs with disabilities receive services and instruction, research shows that teachers often lack the training needed to support ELLs, much less ELLs with disabilities. Less than one fifth of public school teachers who have at least one ELL in their classrooms have appropriate certification to teach ELLs (Brown & Doolittle, 2004). General education teachers and administrators also report that they receive minimal training in special education, as well as on instructional interventions for culturally and linguistically diverse students (Ortiz & Yates, 2001). Professional development in these areas is lacking at districts and institutes of higher education, where practitioners are most likely to receive their training.

Even those teachers trained in special education report that they cannot adequately support ELLs with disabilities. Paneque and Barbetta (2006) administered a self-efficacy survey to over 200 elementary special education teachers working in schools with classrooms for ELLs with disabilities. They found that the teachers rated themselves lowest in their capacity to utilize appropriate school or community resources and in their ability to provide primary language support to their ELLs. Other areas where respondents rated themselves low in self-efficacy included getting through to the most difficult students and incorporating appropriate content and materials. Research has also found that teachers generally have difficulty differentiating curriculum and instruction to meet the needs of ELLs with disabilities (Hoover & Patton, 2005).

Based on recommendations from existing research on the placement and instruction of ELLs with disabilities, the ELL SCASS suggests the following.

Policy Guidance Needed

It is imperative that ELLs with disabilities receive special education services and supports that are effective, equitable, and culturally responsive (Klingner et al., 2006). Additionally, instructional practices and interventions must be provided that meet the unique needs of ELLs with disabilities in culturally relevant ways. Such practices should also be based in research conducted with ELLs with disabilities. **The**

ELL SCASS recommends that SEAs and LEAs develop additional guidance on the issues identified below in order to make instruction and services for ELLs with disabilities culturally responsive, equitable, and research-based. Such development of guidance might be supported by research funded by the states, the U.S. DOE, and other entities that share an interest in or responsibility for ELLs with disabilities.

1. Proper provision of free and appropriate educational programs and services in the least restrictive environment.

As mentioned above, culturally and linguistically diverse students are often disproportionately placed in self-contained special education classrooms, suggesting that other options are not adequately considered before this placement is made (Artiles et al., 2010). Before placing ELLs with disabilities in self-contained classes, alternative options and interventions should be considered through an intensive RtI[2] process (Ortiz et al., 2006). It is important that in this process, teams of teachers and specialists work together to see how ELLs with disabilities respond to the various interventions that are implemented. Such teams would develop an intervention plan, assign different individuals to carry out the interventions with the students in question, and devise a follow-up plan to monitor and discuss students' progress (Ortiz, 2001). The interventions decided upon should first be provided in the general education classroom. If adequate academic progress is not made, students should then be incrementally placed in increasingly restrictive environments beginning with pull out resource classrooms for targeted academic support. Self-contained special education classrooms should not be the default placement for ELLs with disabilities struggling in the general education classroom.

At a national level, there are limited bilingual options in resource and self-contained classrooms (Ortiz & Yates, 2001). It is important that, regardless of the placement of ELLs with disabilities, opportunities for primary language supports be offered as needed for a wide range of academic and social tasks. Teachers with assistance in providing primary language support to their ELLs with disabilities report that they feel better able to guide their students in developing both content knowledge and language proficiency (Paneque & Barbetta, 2006). **We recommend that SEAs and LEAs develop policy guidance that explicates an intensive process for determining appropriate services and instruction for ELLs with disabilities. This process should incorporate RtI[2] and careful observation of ELLs with disabilities in the general education classroom. This would help prevent the premature and potentially inappropriate placement of ELLs with disabilities in the most restrictive self-contained special education settings. Additionally, guidance on determining instruction and services for ELLs with disabilities should recommend that primary language support be offered to all such students (and their parents) regardless of the setting in which they receive services.**[7]

2. Professional development and training for teachers and administrators who work with ELLs with disabilities.

Scholars suggest a multitude of topics that should be covered in professional development and training for educators working with ELLs with disabilities (García & Tyler, 2010; Hoover & Patton, 2005; Ortiz & Yates, 2001; Rodriguez, 2005). These include, but are not limited to

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7 We recognize this may not be practical for all languages.

- Second language process and theory, particularly how this relates to language development among ELLs and the language trajectories of students with language-related disabilities

- Increasing educators awareness of the types of academic and social language demands their ELLs with disabilities encounter. This type of training could involve guiding teachers to pay attention to the reading levels of texts and other materials; text complexities and structures; word and concept consciousness that may be difficult for ELLs to understand; various forms of oral, written, verbal, and nonverbal expression that are part of the language demands of school, and that could be unfamiliar to ELLs; and potential bias in the representation of diverse peoples.

- The effective integration of language development and content instruction. Included in this is learning how to provide primary language support and embedded English language development across the content areas.

- Universal Design for Learning (UDL) and delivery of multi-modal instruction, which includes multiple means of engagement, representation, and expression. This involves scaffolding and differentiating instruction to meet the individual needs and learning styles of all students including ELLs with disabilities. Active, inquiry-based learning should be emphasized in professional development on this topic.

- Increasing teachers' cultural competencies and acknowledgement of the value of cultural and linguistic diversity. This would entail guiding teachers to understand how language, culture, family, and other background characteristics have an important influence on future learning, as well as supporting teachers to be aware of and build on these characteristics. Such training would also inform educators of the different patterns of child development that exist within and between cultures. This would assist educators to identify and combat deficit orientations toward students and their families, as they would come to understand cultural differences in the perceptions of disabilities and the types of services families of ELLs with disabilities are more likely to seek out.

- Developing curricula where academic content is relevant to students' culture, background, experiences, and funds of knowledge.

We suggest that SEAs and LEAs develop specific guidelines on the type of training and professional development districts and institutes of higher education should provide to teachers and administrators for initial and continuing licensure requirements to ensure that ELLs with disabilities receive a free and appropriate education along with the requisite instructional supports and services.

3. Examples of research-based instructional interventions educators should consider for ELLs with disabilities.

There exists limited research on specific interventions and instructional practices that have been found to be effective for ELLs with disabilities. At the early childhood level, intensive interventions focusing on phonological awareness have been found to be particularly effective among ELLs considered at risk for

reading disabilities (Gersten & Geva, 2003; Healy, Vanderwood, & Edelston, 2005; Leafstedt, Richards, & Gerber, 2004). Other potentially useful interventions for such students include those that emphasize phonemic awareness, letter-sound correspondences, syllable reading, word recognition, connected text fluency, and comprehension (Vaughn, Mathes, Linan-Thompson, & Francis, 2005).

In terms of instructional practice, a few strategies and programs have been empirically found to result in improved literacy outcomes for ELLs with disabilities. Instructional conversations are small group text-based discussions led by the teacher that involve asking students to provide linguistically complex responses to open-ended questions. This instructional practice has been found to result in increased oral language development and reading comprehension among ELLs with learning disabilities (Echevarria, 1995). Another program found to have promising results is the Peer-Assisted Learning Strategies (PALS) program. This reciprocal class-wide tutoring program has been found to have significant effects on standardized reading comprehension items for ELLs with disabilities, as well as for mainstream general education students (Sáenz, Fuchs, & Fuchs, 2005). Finally, the Olé Project is a holistic, balanced approach to literacy that intends to create opportunities for students to authentically and meaningfully use oral language and literacy skills. A single case study of this program revealed that an ELL with disabilities receiving this type of instruction improved in reading and writing by several grade levels in one and a half years (Ruiz, Vargas, & Beltran, 2002). Looking across these studies, it is evident that providing rich language experiences for ELLs with disabilities is more effective than the reductionist instructional practices often used with such students.

Though most of the existing literature on instruction for ELLs with disabilities focuses on literacy, limited research on other content areas (such as mathematics) suggests that such students would benefit from the integration of language development in these subjects as well. This emphasis on language development should involve breaking down vocabulary and grammar for students, while also engaging them in conversations with their teachers and peers about their content learning (Cuevas & Beech, 1983). The increased language demands put on teachers and students with the new Common Core State Standards further calls for the need to implement instructional strategies that integrate rich language development and content mastery (Pompa & Thurlow, 2013).

Taking into account the limited existing research on best instructional practices for ELLs with disabilities, we recommend SEAs and LEAs develop guidance on family engagement, interventions and instructional practices that encourage opportunities for such children to engage with linguistically rich learning materials and activities that emphasize meaningful discourse with peers and adults. Policy should guide school leaders and teachers to implement effective strategies that integrate language instruction with content learning, avoiding reductionist interventions often used for ELLs with disabilities.

4. Incorporating differentiated instruction, UDL, and formative assessment strategies in instructional practices for ELLs with disabilities.

Differentiated instruction, UDL, and formative assessment strategies have been found to meet a variety of student needs in diverse classrooms. The frameworks are predicated on the basic concept of increasing access to instructional content for a wide range of learning styles and improved design and delivery of accommodations and accessibility features that support the individualized needs of ELLs.

Differentiated instruction calls for the following principles being central to teachers' practice: 1) know and respect your students by observing and assessing them regularly, as well as by taking into account their prior knowledge and contexts; 2) create varied avenues to learning using an array of scaffolds, frontloading, and modalities; 3) plan effective instruction that considers both students' language and disability needs and incorporates instructional scaffolding as well as collaborative peer instruction (Kronberg, 2013). There are a number of approaches available which can be used to appropriately scaffold and differentiate instruction for ELLs. (See appendix for a list of additional resources.)

UDL is a framework that can reduce barriers to learning for students by providing multiple means of engagement, multiple means of representation, and multiple means of action and expression for students with varying levels of English language development. In order to implement this framework appropriately for culturally and linguistically diverse learners, educators should consider the diverse knowledge, behaviors, and beliefs that learners bring with them to the classroom. Classroom instruction should be provided in ways that are meaningful and relevant to culturally and linguistically diverse students (Chita-Tegmark, Gravel, Serpa, Domings, & Rose, 2012). Lundgren, Mabbott and Kramer (2012) found that teachers who integrated multi-modal instruction (visuals, realia, multi-lingual references/resources, interaction, etc.) were more likely to also have language objectives; integrating multi-modal instruction was an initial step to clear identification of content objectives, which led to teachers thinking about the language desired and what must be taught.

Use of formative assessment strategies ensures that educators are monitoring student knowledge and understanding during instruction, and are immediately responding to students' growth toward instructional targets (Alvarez, Ananda, Walqui, Sato, & Rabinowitz, 2014). The Educative Assessment approach in Understanding by Design, for example, focuses on giving students real models, ongoing feedback, clear targets in the form of objective assessment criteria, and consistent opportunities to learn and improve their performance (McTighe & Wiggins, 2005; Wiggins, 1998). ELLs are likely to perform better when expectations are clearly outlined and they are provided specific feedback on their performance in relation to these expectations.

Because differentiated instruction, UDL, and formative assessment strategies are centered on the principle of inclusion, incorporating such frameworks into classroom instruction could increase learning opportunities for ELLs with disabilities across content areas. **We therefore suggest the development of guidance on instructional practices that would incorporate differentiated instruction, linguistically and culturally responsive forms of Universal Design for Learning, and formative assessments strategies in classrooms where ELLs with disabilities are being served.**[8]

The policy provisions requested above would assist educators in better supporting the academic and linguistic growth of ELLs with disabilities through culturally relevant means. Furthermore, the recommended policy guidelines would support educational equity and the free and appropriate education of ELLs with disabilities in the least restrictive learning environments.

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8   We recognize that differentiated instruction is something that is beneficial for all students, and is also something that educators have difficulty implementing with all students (not just ELLs). As such, we feel that policy guidance and further research in this area will help improve instruction on a wide scale; this has important implications for educating ELLs.

Research Needed

The ELL SCASS recognizes that in order for some of the requested guidance to be provided, more research is required on instruction and services for ELLs with disabilities. As such, we call for further research to be conducted in the following areas. SEAs and LEAs should initiate research agendas in these areas with funding from the U.S. DOE:

1. Research on using RtI[2] to ensure appropriate referrals and services for ELLs in special education. Such research would look particularly at how to effectively bring together teams of teachers to develop and implement intervention plans before placing ELLs with disabilities in increasingly restrictive environments.

2. Studies looking at the current training and professional development educators receive to work with ELLs with disabilities. Additionally, research should examine what alternative types of training are most effective in equipping practitioners to support ELLs with disabilities in developing academic content knowledge and language proficiency.

3. Experimental studies on effective interventions and instructional practices for ELLs with disabilities. Such research should look at ELLs of varying language proficiency levels who fall under different high incidence disability categories. In-depth, single subject case studies might be particularly effective in looking at how educators address the individual needs of students with different high incidence disabilities.

4. It should be noted that all of the currently existing studies on interventions and instructional practices for ELLs with disabilities only involve elementary school students whose home language is Spanish. As such, more research is needed that looks at instruction for older students and children of different language backgrounds.

5. Research that looks at the effects of native language versus English interventions for ELLs with disabilities. Though limited, the research that has been conducted on instruction and interventions for ELLs with disabilities has primarily focused on instruction in English. Primary language instruction has been found to be beneficial for all ELLs. As such, in order to determine best practices for ELLs with disabilities, more studies are needed that compare the impact of primary language instruction (as well as bi/multilingual instruction where possible) with that of English language instruction when trying to improve the performance of ELLs with disabilities.

Further research in this area is required for practitioners to know how to support their ELLs with disabilities in the classroom in ways that are equitable, culturally responsive, and academically rigorous. **Again, we suggest the development of a system for collecting and elevating promising practices that can be studied through state-initiated projects with support from the U.S. DOE to fund this research. We recommend that SEAs/LEAs collaborate with the federal government to ensure there are effective practices and consistent guidance for ELLs with disabilities in every state.**

Exiting Special Education Services and Reclassifying to English Proficient

Problems and Shortcomings Identified in Research

After being placed in special education, it can be particularly difficult for ELLs with disabilities to exit ELL and/or special education services (Artiles et al., 2010). Exiting services does not mean that children stop developing English language proficiency or "outgrow" a disability; rather, it means that some ELLs with disabilities may no longer require additional academic or behavioral services in order to access curricular content and achieve in school. In order for students in special education to exit services, they must 1) show enough academic progress that their teachers or parents call an IEP meeting to reconsider the students' special education eligibility, or 2) a three-year reevaluation occurs. A reevaluation considers a student's progress in relation to the student's goals and disability. The reevaluation team may decide to revise the IEP based on current evaluation, modifying the goals and special education services, or it may choose to exit the student from services. (See Figure 4 for a breakdown of the steps in this process.) Unfortunately, ELLs with disabilities rarely show adequate academic progress once receiving special education services. As such, they often remain stuck in self-contained classrooms throughout their schooling (Artiles & Trent, 1994; NCES, 2013).

Figure 4. Exiting Special Education Services and Reclassifying to English Proficient
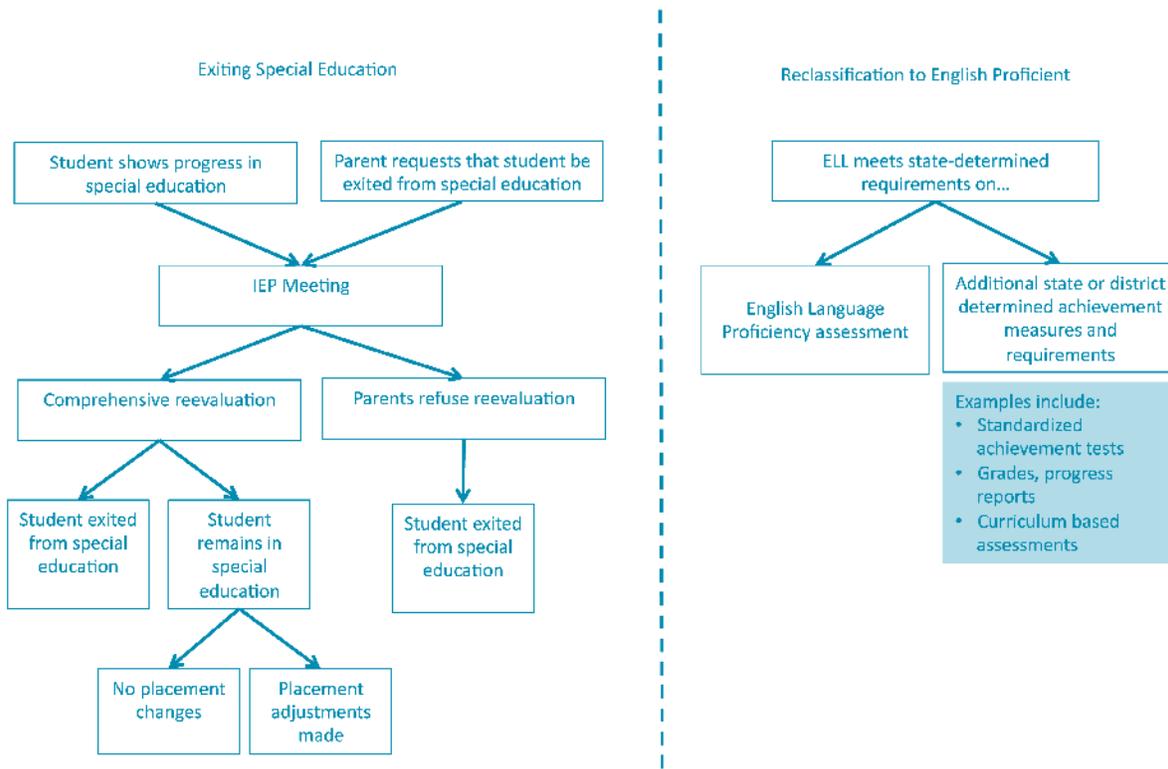
Educators also often report that they do not know how to appropriately assess ELLs with disabilities on their English language proficiency (ELP). This makes it extremely challenging to reclassify such students to English Proficient. (See Figure 4 for a breakdown of the steps to reclassify an ELL.) U.S. DOE recently released a guidance document on the inclusion of ELLs with disabilities in ELP assessments. This document, however, does not provide specific recommendations on the actions districts and schools should take to properly exit ELLs with disabilities from ELL status. Research is also remarkably silent on this issue. Practitioners are therefore at a loss for how to best ensure that their ELLs with disabilities exit at the proper time and do not languish in ELL programs when they could be better served through other instructional services.

Though there is limited research on exiting ELLs with disabilities from special education services and ELL status, educators can no longer wait to receive policy guidance on this matter. Children should not remain in services that are inappropriate for them. Furthermore, practitioners should not have to rely solely on the results of summative ELP assessments normed on students who do not represent the diverse population encompassed under the term "ELLs with disabilities." **As such, the ELL SCASS recommends that SEAs and LEAs develop guidance in the following areas with regard to exiting ELLs with disabilities from special education and reclassifying them as English Proficient. Such guidance should be based on research, including studies that could be funded by SEAs, the U.S. DOE, and other entities that share an interest in or responsibility for ELLs with disabilities.**

Policy Guidance Needed

1. Acceptable alternate and alternative assessment systems.

For reevaluation assessments to determine whether an ELL with disabilities should exit special education services, similar recommendations are made as those provided in the research on initial identification assessments. Like with the initial evaluation, reevaluation should include alternative measures that provide a more integrative and holistic picture of the student in question. Additionally, the assessment administration procedures should be culturally and linguistically responsive, involving proper translation of tests and evaluation in both the student's native language and English. Please see the guidelines above for guidance requested on initial evaluation. Policy guidance on reevaluation for exiting special education should consider the same recommendations. With regard to reclassification of ELLs with disabilities to English proficient, research indicates that alternate assessments are rarely used to determine the language proficiency of ELLs in general (O'Malley & Pierce, 1994; Klingner et al., 2006).

We believe policy guidance is needed on specific alternate assessment systems that can be used for ELLs with disabilities being reevaluated for special education qualification. Furthermore, specific guidance is needed on how to use English language proficiency standards and assessments at IEP meetings where the exiting of services is discussed. Such guidance might explicate how educators can make exiting decisions for different types of high incidence disabilities. Additionally, any guidance provided on exiting ELLs from special education should

include specifics on how IEP teams can include parents in exiting decisions. The team should do all they can to assist parents with meaningful participation in IEP meetings (e.g., provide interpreters where possible, hold phone conferences, offer home visits with an interpreter and special education teacher/administrator if necessary).

2. Appropriate monitoring of selection and use of accommodations.

The transition from paper-based to online testing affords the opportunity to rethink accommodations, which have been limited to specific sub-groups and have been developed as well as implemented following test item development (Russell, Hoffman, & Higgins, 2009, Shafer Willner & Rivera, 2011; Shafer Willner, 2012). While states are more responsive to ELLs in their ELL accommodation guidelines (Shafer Willner & Rivera, 2014), actual implementation of accommodation guidelines has lagged. Shafer Willner, Rivera, and Acosta's (2008) interview study of school decision-makers charged with assigning and implementing accommodations to ELLs during the National Assessment of Educational Progress (NAEP) catalogues widespread variation in accommodation assignment and implementation practices. School teams and test administrators used a diversity of approaches, even within the same building. Similar findings were found in U.S. DOE peer review letters and Title I monitoring reports, which indicated inconsistent feedback to state educational agencies on the need to reassess their ELL accommodation policies and to find methods for uniformly implementing ELL accommodations across their states (Shafer Willner et al., 2008; Shafer Willner, Rivera, & Acosta, 2010).

We recommend the development of explicit guidance on how accommodations provided to ELLs with disabilities on state-required content assessments and on ELP assessments should be monitored for validity of 1) test administration with accommodations, 2) provision of selected accommodations vs. actual accommodations, 3) training on accommodation implementation, and 4) appropriate placement of ELLs in either the standard assessment or its alternate form. These requirements should promote integration of ELL and disabilities accommodations monitoring systems, especially for those documented in student IEPs.

We also suggest that SEAs and LEAs, in collaboration with the federal government, produce guidance that addresses how to appropriately test ELLs with disabilities on their English language proficiency. For some ELLs with disabilities, limited English language acquisition is not the reason they are unable to meet the same EL reclassification criteria that is used for all ELLs. We feel that practitioners should be allowed to use alternative EL reclassification criteria that examines whether a student's disability impacts their demonstration of English proficiency. Unless alternative criteria are used, some ELLs with disabilities will have great difficulty being able to exit from ELL status via the same exit criteria applied to general education students. Provisions explicating when and how ELLs with disabilities can exit ELL services are critical for educators to provide necessary ELL services to their students, and to avoid unnecessarily keeping ELLs with disabilities in such programs.

The ELL SCASS recognizes that there is a dearth of research in this area of exiting ELLs with disabilities from special education and ELL services. It is imperative, therefore, that research be conducted to address the needs of the states. We call for research to be conducted in the following areas:

1. The development of valid, reliable, and culturally responsive protocols for exiting ELLs with disabilities from ELL programs and/or special education.

2. Experimental studies testing the effectiveness of alternate assessments, as well as of accommodations for properly exiting ELLs with disabilities from ELL programs and/or special education. These should be conducted for the reevaluation process to determine whether an ELL should continue in special education and for the process of reclassifying ELLs as English proficient.

3. Research helping to distinguish whether the struggles of ELLs whose language proficiency and academic achievement plateau are because of language proficiency issues or due to their disabilities. Many of these students end up never exiting ELL status when in fact their academic difficulties might no longer be due to language proficiency. As with the initial identification of ELLs with disabilities, research is needed to help educators tease apart language from disability in order to support decisions to exit students from special education services and/or ELL status.

This research agenda is essential to ensuring that ELLs with disabilities receive services that appropriately meet their needs. Additionally, educators no longer wish to see their students continually and inappropriately assessed. Research on the above topics is needed to guide critical decisions regarding how to exit students from ELL programs and special education in valid, reliable, and culturally responsive ways. **Again, we suggest the development of a system for collecting and elevating promising practices that can be studied through state-initiated projects with funding for this research from the U.S. DOE.**

Additional Topics of Concern

Though beyond the scope of this paper, there are additional questions frequently raised by the ELL SCASS that need to be addressed in future work related to ELLs with disabilities. This paper focuses on ELLs with high incidence disabilities; as such the needs of an entire group of students with low incidence disabilities (intellectual disabilities, hearing impairments, orthopedic impairments, visual impairments including blindness, deaf-blindness, deafness, other health impairments, traumatic brain injury, autism spectrum disorders, and multiple disabilities) are not sufficiently addressed here. There is a particular lack of knowledge among educators on how to best support the language acquisition of ELLs with such low incidence disabilities. Though this population has grown over the last few decades, there have been few changes in how teachers of such students are trained to provide academic language development support (Ahumada &

Williams, 2013; de García, 2013). As such, these children's needs for English language proficiency development are often not met.

Furthermore, what "English language proficiency" even means for ELLs with low incidence disabilities is unclear, especially given that there are many children who are non-verbal and/or use alternative means of communication (e.g. American Sign Language, augmentative and alternative communication devices). For example, deaf students cannot complete half of the domains on ELP assessments because they cannot use a sign language interpreter for the listening or speaking sections. Given this, should all four domains be required for all children when assessing English language proficiency? Another example is when blind students need to use braille to respond to the reading and writing portions of the ELP assessments. It is difficult for educators to know whether they are assessing students' braille proficiency or their English language proficiency. Educators are at a loss for how to appropriately determine English language proficiency and English language development services for students with low incidence disabilities. This is an area in need of much additional research and policy guidance. It is important that states and the U.S. DOE prioritize this issue as well.

Another area of concern that is beyond the scope of this paper is meeting the academic and social-emotional needs of students with interrupted formal education (SIFE). These children often suffer from post-traumatic stress disorder and other emotional difficulties. Policy guidance and research on how to best support and educate such students are also needed.

Conclusion

The above requests for additional policy guidance and funded research on ELLs with disabilities are based on the limited research that exists regarding best practices for this population. While research is slow to produce additional knowledge on how to effectively and appropriately support such students, ELLs with disabilities across the nation continue to struggle academically, as their teachers grasp for ways to better help these children in school. The ELL SCASS therefore recommends that the federal government and SEAs/LEAs collaborate to conduct relevant research and develop specific guidance on how to appropriately 1) identify, assess, and determine eligibility for ELLs with disabilities; 2) provide special education services with targeted interventions that adequately meet their needs; and 3) exit students from ELL and special education services as is developmentally appropriate. Developed guidance should provide great detail regarding how teachers and specialists can work with ELLs with disabilities and their families in ways that are effective and legal. Educators depend on and are in need of a much deeper research base and more detailed guidance on how to effectively meet the needs of ELLs with disabilities. We are hopeful this document will serve as a catalyst for concerted work by all of us at the federal, state, and local levels to ensure that ELLs with disabilities receive an appropriate, challenging, and meaningful education.

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