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# ACADEMIC ASSESSMENT OF ENGLISH LEARNING SCHOOL-AGED CHILDREN WITH SUSPECTED LEARNING DISABILITIES

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ABSTRACT

The investigators sought to determine whether education evaluators, mainly school psychologists, complied with federal, state, and professional practice guidelines when assessing English learning (EL) school-aged children suspected of a learning disability in three northern California school districts. In accordance with the Individuals with Disabilities Education Improvement Act (U.S. Congress, 2004), all intellectual and academic assessments must be selected and administered by properly trained assessors so as not to be racially, culturally, and linguistically inappropriate. The investigators reviewed the academic assessment reports of 88 EL children who, at the time of the study, had been receiving both special education as well as English as a Second Language instruction. We investigated the cumulative files to identify if evaluators consider the student's primary language by using culturally appropriate tests and interpreters, communicating with families, and consideration other important factors such as their attendance, grades, sex, and other factors. The investigators discovered that out of the 88 children, 76 were assessed in English only although all spoke English as their second language. In addition, none of the school psychologists employed the use of an interpreter during any portion of the assessment process. Findings present a compelling case for greater university program and local in-service training on appropriate assessment procedures for school psychologists when assessing EL children for LD.

*Keywords*: English learning children, English language learner, special education, assessment

## Introduction

According to the U.S. Department of Education (2013), between 1980 and 2009, the number of English learning (EL) school-aged children rose from 4.7 to 11.2 million. This increase is substantial considering that the total public and private school enrollment rates changed by only 2% for 5- and 6-year-olds. In addition, one in five children in public schools live in homes where English is not the primary language. The U.S. Department of Education predicts that by 2030, nearly 40% of the school-aged population will speak a language other than English at home. The composition of this ever increasing number of EL school-aged children is one of diversity in culture and variability in their prior language experience (Zong & Batalova, 2015). Meeting the instructional and assessment needs of a broad spectrum in the numerous languages spoken by this

population can be challenging; especially concerning the employment of appropriate sets of assessment tools for EL children (Olvera, 2010). Therefore, the challenge for those who assess EL children for a suspected learning disability (LD) is to identify how best to adapt their current assessment practices to meet the linguistic needs of these children. As such, the appropriate and valid determination of the presence of an LD is vital to ensuring that appropriate services are provided to children who truly possess an LD. Federal and state regulations provide information pertinent to the appropriate assessment requirements of EL children. For this study, the following policies include The Individuals with Disabilities in Education Improvement Act (IDEIA) and California Department of Education, CA Code of Regulation 3023. These polices recommend that educators must be cautious when documenting and labeling EL children as learning disabled. Although, specific guidelines in terms of the types of assessments is not presented there is agreement that the individual assessing an EL child must consider the child's first language status. For example, the Individuals with Disabilities

Education Improvement Act [IDEIA (U.S. Congress, 2004)] includes the following text:

> Each local agency shall ensure that assessments and other evaluation materials used to assess a child under this section (i) are selected and administered so as not to be discriminatory on a racial or cultural basis; (ii) are provided and administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is not feasible to so provide or administer; (iii) are used for purposes for which the assessment or measures are valid and reliable; (iv) are administered by trained and knowledgeable personnel; and (v) are administered in accordance with any instructions provided by the producer of such assessment.

Also pursuant to Section 1412(a 6) (B) of Title 20 of the United States Code, the assessment materials and procedures shall be provided in the pupil's native language or mode of communication, unless it is clearly not feasible to do so. Therefore, tests and other assessment materials should meet all of the previously stated requirements so that we assess what the pupil knows and can do academically, developmentally, and functionally, unless it is not feasible to so provide or administered required by 1414(b) (3) (A) (ii) of Title 20 of United States Code.

> In terms of CA Code of Regulation 3023, this statute states:
> (a) In addition to provisions of Education Code Sections 56320, assessments shall be administered by qualified personnel who are competent in both the oral or sign language skills and written skills of the individual's primary language or mode of communication and have a knowledge and understanding of the cultural and ethnic background of the pupil. If it clearly is not feasible to do so, an interpreter must be used, and the assessment report shall document this condition and note that the validity of the assessment may have been affected.

Thus, according to IDEIA and California Department of Education, a nondiscriminatory assessment involves evaluating how a child uses his or her two languages to perform targeted academic and cognitive tasks. That is, assessments must compare performances on tasks across two languages if the evaluator is unable to identify whether or not a child's primary language is a

non-factor in the assessment process (this is usually determined with the use of linguistically and culturally competent interpreters who validate that the child's home language is virtually non-existent). An individual who assesses an EL child suspected of having an LD exclusively with English tests will more than likely acquire invalid test scores.

Determining the presence of an LD in monolingual English-speaking children is often accomplished with the administration of English-language standardized achievement and intelligence tests. The employment of such tests for English only children is appropriate as the tests have been developed and normed on monolingual English speakers. Problems arise when these tests are administered to EL students. When used to determine an LD in EL children, results will be misleading and possibly lead to inappropriate program placement (Artiles, Rueda, Salzar, & Higareda, 2005; Artiles, Rueda, Salzar, & Higareda, 2002; Artiles, Trent, & Kuan, 1997). As such, without carefully-developed bilingual versions of these tests at their disposal, evaluators must rely on available tests, regardless of psychometric validity.

Two commonly used achievement tests used for school-aged children are the Woodcock-Johnson Tests of Achievement III (WJ ACH III) (Woodcock, McGrew, & Mather (2007) and the *Batería III Woodcock-Muñoz* (WM III) (Woodcock, Muñoz-Sandoval, McGrew, & Mather, 2007). Although the WJ ACH III has been recently updated to the WJ IV (Schrank, McGrew, & Mather; 2014) the WJ III remains in circulation. Regardless of the version of the WJ, they are designed to allow educational evaluators to assess a child's level of achievement in reading, writing, and math by assessing reading fluency, reading comprehension, written language, spelling, and math skills. The WJ ACH III and WJ IV are intended for English-only speaking children and should not be used for EL children.

The WM III is the Spanish translation of both the WJ ACH III and the Woodcock-Johnson Test of Cognitive Abilities III (WJ COG III) (Woodcock, McGrew, & Mather (2007) and is recommended for use for Spanish speaking children. The WM III measures general intellectual ability, specific cognitive abilities, scholastic aptitude, oral language, and achievement. Using the above achievement tests as main tools can cause complications on the diagnosis of dyslexia, as the most common disability among various learning disabilities, for English language learners (Proctor, C., Mather, N., & Stephens, T. 2015) since dyslexia affects EL children' primary language characteristics on their speaking and reading (Mather & Wendling, 2012, p. 223) as well. The nature of the writing system or orthography affects their reading process. Therefore, the characteristics of dyslexia in languages may exhibit differently (Proctor, C., Mather, N., & Stephens, T. 2015) and many EL children are consistently misidentified as students with learning disabilities (Barrio, 2017).

Commonly used tests of intelligence include the Kaufman Assessment Battery for Children, second edition (KAB-C) (Kaufman & Kaufman, 2001) and the Wechsler Intelligence Scales for Children, fourth edition (WISC IV) (Wechsler, 2004). Even though these tests are available in Spanish, Ortiz (2004) states that "psychometrically sound" tests of intelligence do not exist in languages other than English. When used with children immersed in a predominantly English culture and educational system (even those in EL programs), Spanish versions of tests demonstrate unacceptably high false positives or, as Figueroa (1989) states, error rates. That is, identifying a child as having an LD when indeed he or she does not. Subsequently, scores from different Spanish tests used with any EL child may lead to such widely differing diagnoses leading to a lack of diagnostic validity (Figueroa, 1989). As such, the failure to consider an EL child's first language during intellectual and/or academic assessment can increase the misdiagnosis of a LD by as much as 9% (Klingner & Artiles, 2003, p. 67).

Rather than rely on data from verbal intelligence tests educational evaluators may employ nonverbal intelligence tests. Commonly used tests include the Comprehensive Test of Nonverbal Intelligence (CTONI) (Hammill, Pearson, & Wiederholt, 1996), the Universal Nonverbal Intelligence Test (UNIT) (Bracken, & McCallum, 2000), and the Raven's Progressive Matrices (Raven & Raven, 2003). These tests developers report that these tests are culturally fair, the fact is that an EL child's performance on these tests may reflect cultural differences in exposure to the types of problem-solving assessed by these tests rather than his or her nonverbal intellect (Geva & Wiener, 2015).

Assessing EL children suspected of an LD is a complex and challenging task due to the limitations of the aforementioned standardized tests. Educational evaluators who rely on scores derived from these tests may be misidentifying these children as LD. Such practices may result in dire consequences for the child and his or her family. The expectations for a child designated as LD may undershoot parent and teacher expectations reserved for typical learners. As such, a mislabeled child may not have the educational experience he or she deserves or expects. As such, we sought to determine whether educational evaluators working in an urban area of northern California adhered to IDEIA and California Department of Education guidelines when assessing EL children for LD.

**Purpose and Specific Aims**

The purpose of this study was to document the assessment practices of educational evaluators (school psychologists, special education teachers, resource specialists, psychometricians, etc.) assessing EL children for LD. We sought to determine whether educational evaluators, mainly school psychologists in this study, working in three urban northern California school districts adhered to IDEIA and California Department of Education guidelines when assessing EL children. Our specific aims consisted of:

Specific Aim 1: Determine whether educational evaluators adhered to federal and state guidelines when assessing EL children for LD. In order to systematically address this aim, we reviewed psycho-educational assessment reports for the following data: (1) special education determination was due to use of a discrepancy criteria, (2) types of assessment (standardized or non-standard measures such as RtI data, classroom observations, etc., (3) modifications to standardized tests, (4) use of interpreters for any portion of the assessment, and (5) whether California English Language Development Test (CELDT) scores were considered in the assessment process. In order to organize our data collection and analysis in an organized fashion, we adapted items used by Figueroa and Newsome (2006).

Specific Aim 2: To document the names of standardized tests and the frequency in which they were used along with any non-standardized measures employed during a child's initial psycho-educational assessment.

## Method

In order to examine the assessment practices of educational evaluators, we conducted a systematic review of psycho-educational reports of EL children enrolled in three urban northern California school districts. The review began the fall of 2014 and completed in 2015. The collected data and the initial analysis were shared with the relevant districts as requested and the LDFA (Learning Disabilities Foundation of America) since the organization funded the study the following years.

Each district reported to the investigators that they have been identified by the California Department of Education as having an over-representation of EL children, especially among Latinx. At the time of the study the student population for grades PK-12 was approximately 10,000. In 2013, Latinx comprised 52% of the student population (www.kidsdata.org). English learners have been a significant portion of California public school children. To be considered as ELs in California, the parents of children fill in the Home Language Survey (HLS, accessible at: https://bit.ly/2v7LufA) when parents register children at a school for the first time by California *Education Code*, Section 52164.1 and children meet the state's EL definition. The survey contains legal requirements which direct schools to determine the language(s) spoken in the home of each student (CDE EL Forms, 2019). Based on the definition by CA Department of Education (CDE), these are children whom there is a report of a primary language other than English on the state-approved Home Language Survey (2019) **and** who, on the basis of the state approved oral language (grades kindergarten through grade twelve) assessment procedures and literacy (grades three through twelve only), have been determined to lack the clearly defined English language skills of listening comprehension, speaking, reading, and writing necessary to succeed in the school's regular instructional programs (2019). (R30-LC) Statewide policy determines which children are initially classified as ELs, but the determination of current versus former ELs (as well as the type of EL instruction) varies across school districts. ELs usually start schooling as Kindergarteners, but not all ELs begin as kindergartners because some of them enter California schools as they move from abroad. The majority of California's ELs are native-born—but, not surprisingly, a large share of older EL children are foreign-born (Hill, 2012). In the 2018–19 school year, there were approximately 1.196 million English learners (19.3 percent) enrolled in California public schools (Facts about English Learners in California – CalEdFacts, 2019).

EL children who attend a California school, the English Language Proficiency Assessments for California (ELPAC) (2019), transitioned from the California English Language Development Test) is required by the California Department of Education (CDE) as a test for English language proficiency (ELP). ELPAC must be administered annually to all eligible EL children from kindergarten through grade twelve children whose primary language is a language other than English. This test encompasses two separate ELP assessment purposes: (1) the initial identification of children as English learning , and (2) for the purpose of an annual summative assessment to verify and measure each EL child's progress in learning English in order to identify the child's level of ELP (CDE, ELPAC, 2019).

In order to review the academic reports, the investigators obtained a list of all EL children from the Director of Special Education for each school district. In order to be included in this study the child must, at the time of the study: (1) speak Spanish as his or her first language as indicated by parents/caregivers on the school's home language survey, (2) attended kindergarten through 12th grade at the time of his or her initial academic assessment, and (3) was receiving special education services for a documented LD. Rather than review all qualified psycho-educational reports (approximately 600), the investigators randomly selected 90 reports (30 from each district). Two reports were excluded due to having incomplete data, thus leaving 88 reports for review. Gender and Grade level of EL children in the reports are presented in Table 1.

Table 1.

| Grade Level at time of assessment | | Gender at time of initial assessment | |
|---|---|---|---|
| | | Female | Male |
| Pre-K | 3 | 2 | 1 |
| Kindergarten | 6 | 1 | 5 |
| 1st Grade | 12 | 3 | 9 |
| 2nd Grade | 15 | 2 | 13 |
| 3rd Grade | 17 | 2 | 15 |
| 4th Grade | 14 | 4 | 10 |
| 5th Grade | 8 | 2 | 6 |
| 6th Grade | 8 | 3 | 5 |
| 7th Grade | 2 | 0 | 2 |
| 8th Grade | 3 | 0 | 3 |
| Total | 88 | 19 | 69 |

**Data Analysis**

To address specific aim 1, we reviewed each assessment report for: (1) standardized and non-standard assessment measures, (2) presence of RtI data, classroom observations, etc., (3) mention of modification to standardized tests, (4) mention of how interpreters were used during the assessment process, and (5) whether California English Language Development Test (CELDT) scores were considered in the assessment process. The following items were used to frame the data analysis of each report. The following 12 items were adapted from Figueroa and Newsome (2006):

1. Is there a determination that the "discrepancy is due to a disorder in one or more of the basic psychological processes and is not the result of the environmental, cultural, or economic advantage?"
2. Are California English Language Development Test scores cited? Or scores from another English language development test that measures a range of language features?
    a. And are these scores used in the diagnosis?
    b. And used in determining which language to test?
3. Is there consideration of the child's language background? Or is there any discussion in the report about the child's language dominance and English language proficiency?
4. Is standardized testing the only form of assessment?
5. Is there any discussion in the report about RtI before referring the child to assessments for possible LD?
6. Are the diagnostic assessments conducted in the child's most proficient language?
7. Is there any discussion of the child's language dominance and English proficiency?
8. Is there discussion of time spent in the United States/time of exposure to English language?

9. Is there mention of the parental or caregiver information of language spoken at home?
10. Is there mention of the use of an interpreter in the report?
    a. If yes, was the interpreter familiar with the cultural and linguistic variations of the language?
11. Did the assessment involve any analysis of the child's schoolwork?
12. Did the assessment include a "disclaimer" regarding the use of monolingual assessment tools?

To address specific aim 2, we documented the names of standardized assessments and the frequency in which they were used. For ease of analysis all data were entered into an Excel file.

## Results

Several interesting findings must be considered: (1) the discrepancy criterion was used to determine the presence of an LD in each EL child (N=88), (2) standardized tests were the only means of determining an LD in these children, (3) only 10 out of the 88 assessments were conducted using Spanish language tests, and (4) informal measures (discussed in detail the Discussion section) were not documented in any of the 88 reports reviewed. Table 2 presents the results of 12 assessment items. To simplify presentation of the data, the three districts are combined.

Table 2 – Results of the 12 Assessment Items.

| Item | Yes | No |
|---|---|---|
| 1. Is there a determination that the "discrepancy is due to a disorder in one or more of the basic psychological processes and is not the result of the environmental, cultural, or economic advantage?" | 88 | 0 |
| 2. Are California English Language Development Test (CELDT) scores cited? Or scores from another English language development test that measures a range of language features? | 73 | 15 |
| 2a. and are these CELDT scores used in the diagnosis? | 0 | 88 |
| 2b. and used in determining which language to test? | 0 | 88 |
| 3. Is there consideration of the student's language background? Or is there any discussion in the report about the pupil's language dominance and English language proficiency? | 0 | 88 |
| 4. Is standardized testing the only form of assessment? | 88 | 0 |
| 5. Is there any discussion in the report about RtI before referring the student to assessments for possible LD? | 0 | 88 |
| 6. Are the diagnostic assessments conducted in the student's first language? | 10 | 78 |
| 7. Is there any discussion of the student's language dominance and English proficiency? | 0 | 88 |

| | | |
|---|---|---|
| 8. Is there discussion of time spent in the United States/time of exposure to English language? | 0 | 88 |
| 9. Is there mention of the parental or caregiver information/ primary language spoken at home? | 0 | 88 |
| 10. Is there documentation stating an interpreter was used during the assessment? | 0 | 88 |
| 10a. If yes, was the interpreter familiar with the cultural and linguistic variations of the language? | 0 | 0 |
| 11. Did the assessment involve any analysis of the child's schoolwork? | 0 | 88 |
| 12. Did the assessment include a "disclaimer" regarding the use of monolingual assessment tools? | 0 | 88 |

In addressing specific aim 2, we present the names and frequency of the assessments employed by educational evaluators in Table 3. For ease of presentation all districts are combined in the table.

Table 3 – Tests Used by Educational Evaluators in District 1, 2, and 3. Ordered alphabetically.

| Test | Frequency | | |
|---|---|---|---|
| | District 1 | District 2 | District 3 |
| Adaptive Behavioral Assessment system II | 5 | 4 | 4 |
| Behavioral Assessment System for Children II | 16 | 0 | 5 |
| Batería III Woodcock-Muñoz | 0 | 1 | 7 |
| Brigance Test | 0 | 4 | 0 |
| Brief Visuospatial Memory Test II | 11 | 6 | 18 |
| Children's Test of Nonverbal Intelligence | 9 | 2 | 6 |
| Children's Test of Phonological Processes | 21 | 5 | 5 |
| Kaufman ABC II | 28 | 3 | 12 |
| Naglieri Nonveral Ability Test | 7 | 7 | 1 |
| Test of Auditory Processing III English | 8 | 7 | 14 |
| Test of Auditory Processing III Spanish | 3 | 3 | 1 |
| Test of Visual Perceptual Skills III | 0 | 0 | 1 |
| Universal Nonverbal Intelligence Test | 0 | 2 | 6 |
| Weschler Intelligence Scales - Children IV | 6 | 9 | 11 |
| Weschler Intelligence Scales - Children IV (Spanish) | 0 | 0 | 1 |
| Wechsler Individual Achievement Test | 0 | 20 | 0 |
| Wide Range Assessment of Memory and Learning II | 1 | 0 | 1 |
| Woodcock Johnson III | 30 | 0 | 24 |
| Total different tests employed | 12 | 13 | 16 |

These data suggest that educational evaluators relied on various standardized tests to determine the presence of an LD in EL children. Interestingly, Spanish versions of available achievement and intelligence test were seldom used. In addition, although there is some overlap among the districts as to which tests were administered, the overwhelming popular tests were the Kaufman ABC, the Woodcock Johnson II, and the Wide Range Assessment of Memory and Learning; all English-only tests.

## Discussion

Since the ultimate goal of this study was to ensure non- or even less-discriminatory assessment practices for EL children and all norm referenced standardized tools should be ‘‘undertaken with the intentions of improving children’s development and helping persons make wise and informed decisions’’ (Oakland, 1976, p. 3), its conceptual theoretical framework was impacted directly our understanding on second language acquisition theories and best practices of nondiscriminatory assessment (Ortiz, S. 2002). The second language acquisition theory infers that language is taught by through formal instruction, focusing on grammar lessons, but subconsciously obtained by the children while interacting with people through conversation in the language enriched and natural environment also. One of Krashen’s five fundamental second language acquisition theories (1982) is natural order hypothesis. The theory proposed that children pick up components of language, specifically grammar, in a predictable order as language learners while acquiring their second language. Clear understanding of the different stages and the general progression of a child who is undergoing second language acquisition will result in more accurate understanding of students’ levels of language proficiency that will consequently bring proper assessment result analysis for the possibility of a learning disability (Baseggio, 2018). Ortiz (2002) claimed that we need to administer tests in manner necessary to ensure full comprehension including use of any modifications and alterations necessary to reduce barriers to performance, while documenting approach to tasks, errors in responding, and behavior during testing, and analyze scores both quantitatively and qualitatively to confirm and validate areas as true weaknesses as the best practices of nondiscriminatory assessment.

After initial work with these school districts, the investigators suspected that the majority of EL, Latinx assessed for LD may not have been appropriately assessed. The doubts pushed them to research on EL assessment practices at these three school districts. Then the findings suggest that evaluators failed to fully comply with federal, state, and professional practice guidelines during their assessment practices. The fact that a vast majority of achievement and intelligence tests administered were English-only versions, standard scores may have been based on said child’s English proficiency rather than academic and/or intellectual ability. While it may be true that older school-aged children may have been exposed to academic English and, thus, present adequate English skills, the fact remains these children are designated as EL learners and must be assessed as such. To ignore this fact is simply poor practice that may lead to misdiagnosis and inappropriate program placement (Graham-Rivas, 2011).

In light of these assessment issues there are many concerns regarding the reports reviewed. The fact that none of the reports included parent interview information, the use interpreters during any part of the assessment process, no mention of the amount of time the children resided in the United States, and classroom observation data. The only assumption that can be made is that 78 of the 88 EL children were assessed as if they were mono-lingual English speakers. Test scores derived from the administration of formal assessment measures may not be a valid representation

of an EL child's true intellectual or academic abilities. Such scores are likely to be a closer reflection of a child's English language proficiency rather than reading, written language, math calculation, skills. Conversely, if the scores gathered from formal assessments are combined with informal or "non-standardized" measures, a 'more ecological and comprehensive' assessment may result. The following section discusses several commonly used informal measures educational evaluators can employ to supplement their current practices.

**Recommended Practices**

**In-depth Parent/Caregiver Interviews**. Results from a thorough parent/caregiver interview will provide educational evaluators and other educators with valuable insight into the child's language history. If unable to speak fluently in the tested language, evaluators should arrange for an interpreter to assist with the interview process. Interpreters can assist in acquiring the following information: (1) developmental milestones such as age of first steps, first word, first sentence production, (2) current language and problem solving abilities, such as the caregiver's knowledge of his or her child's expressive language and daily activities compared to siblings and /or playmates in both languages, (3) caregiver's knowledge of his or her child's native language production, (4) language spoken by family members (e.g., mother, father, grandparents, aunts, uncles, siblings, and childcare personnel), (5) age when the student was first exposed to English, (6) literacy behaviors such as whether or not the child has been exposed to books (and the language of books exposed to), is interested in books and is reading, (7) any emotional information suggesting that the child gets frustrated when communicating, and (8) family history in terms of level of education and profession. As a whole, this information will assist in painting a clearer picture of a child's language status and developmental history.

**Classroom Observations.** Classroom observations often consist of an evaluator's informal note-taking while observing a child's behavior in the context of receiving instruction. Educational evaluators should document on- and off-task behaviors as well as whether the student advocates on his or her own behalf. The Classroom Assessment Scoring System (CLASS) is a standardized behavior tool that is recommended for assisting in the observation process. Details on the CLASS can be found in the work of Pianta, LaParo, and Hamre (2008).

**Student Portfolio Data.** In addition to classroom observations, a review of an EL child's portfolio is strongly recommended since standardized tests in English do not usually reflect the child's true content knowledge or abilities. Yet, informal assessments may provide an ecological representation of an EL child's skills, abilities, and ongoing progress. Not only can the EL child's classwork be compared to his or her own curricular goals and objectives that are in progress, but the same work can also be compared to that of a peer with a similar cultural and linguistic background. In addition, Every Student Succeeds Act (formerly No Child Left Behind legislation, 2015) requires that scrupulous records be maintained on the progress of EL children. Having these records available for review will be helpful when educational evaluators and teachers make decisions for possible program placement and educational services.

**Response to Intervention (RtI).** This intervention approach is favorable as compared to reliance on standardized assessments to identify EL children with LD. Rather than rely on an evaluator's interpretation of standardized assessment data (which typically lacks the consideration of an EL child's linguistic status, and perhaps, most importantly, his or her cultural background), RtI monitors both the effectiveness of individual and small group intervention of a particular children (National Center on Response to Intervention, 2010). However, RtI can be prone to systematic errors in identifying children with LD, especially EL learners, since they are overrepresented

within the population of underachieving children and children who are at risk and in need of specialized supports and instruction may be inappropriately identified as having a learning disability from other reasons, such as lack of motivation and emotional stress (National Joint Committee on Learning Disabilities (NJCLD) Report (2005).

By assessing an EL child's academic skill via RtI rather than standardized assessments a child's current level of performance can be targeted in each academic area (Brown & Sanford, 2011; Richards & Leafstedt, 2010). Selecting the non-biased tools for EL children in the RtI process is critical. For example, if a student has linguistic and educational experiences in both Spanish and English, one would screen the child's early literature skills by using Indicadores Dinámicos del Éxito en la Lectura (IDEL) as well as Dynamic Indicators of Basic Early Literacy Skills (DIBELS). Both measures have been demonstrated to be reliable predictors of EL children' reading outcomes (Baker, Cummings, 2007). As such, identifying EL child's needs and then monitoring their progress in both academic performance and English language development require this multi-tiered evidence-based approach.

Changes to how children who may have LDs were instituted with the release of IDEIA (2004). The Response to Intervention (RtI) approach within the reauthorization of the IDEA brought a major change in LD identification procedures and decreased numbers of children with LDs in special education. RtI has been offering data in academics to identify and solve problems proactively by providing interventions and analyzing issues in learning and teaching.

## Conclusion

The appropriate assessment of EL children continues to be a major issue in the education community. As seen in this study and those of Figueroa and Newsome (2006), Klingler and Harry (2006), and Wilkerson, Ortiz, Robertson, and Kushner (2006) many educational evaluators continue to rely on English-only standardized tests. While quick and somewhat easy to administer these tests are unfair and must not be used as the only measure when diagnosing an LD in the EL population, especially dyslexia (as a main LD) diagnosis due to a large number of risk genes (Plomin et al, 2016) in families with diverse cultural backgrounds (California Dyslexia Guidelines, CDE, 2017). Again, this specific population may not be assessed in the same way that western cultures assess because valuable factors may be driven by extreme environmental factors (e.g., wars or displacements) and may not be disclosed for cultural reasons (Paradis, Emmerzael & Duncan 2010).

Educational evaluators, school psychologists, special education teachers, and psychometricians must strive for conducting psychoeducational assessments that ensure all EL children receive the educational experiences that supports them in becoming content and well-educated members of society. This can be best achieved by ensuring each child has access to appropriate general and/or special education. As the number of school-aged, EL children continues to increase so must the number of educational evaluators knowledgeable of how to assess them appropriately. Efforts in researching current assessment practices must coincide with the development and training of evidence-based assessment practices. As such the onus is on both researchers and district administrators to work together to provide trainings at both the district and university levels. Future research efforts must address the development and utility of evidence-based, non-biased, ecologically valid psychoeducational assessment measures best suited for all EL children. The value of using the measures of high ecological validity for EL children is on helping assessors generalize the findings of research study to real-life settings because ecological validity is a measure of how test performance predicts behaviors in real-world settings. For EL

children, the use of ecologically valid formative assessment is to find out what they actually can do and what they know.

The investigators documented the initial test scores, grade, and gender of 88 EL children with the diagnosis of an LD. These children were currently receiving services but, in retrospect, current assessment data would have been beneficial to collect to determine whether academic gains had been realized. As such, t future studies should not only rely on initial assessment test data but also most recent assessment data -whether it be derived from formal testing or progress monitoring. Another area future investigators should consider is to consider extrinsic factors (California Practitioners Guide for Educating ELs with Disabilities, 2019, p. 109) that may affect an EL child's academic progress in special education, including interrupted schooling, limited education in the past, medical problems, homelessness, mobility, and other factors that might impact learning to their extended study.

These findings include specific courses in teacher preparation institutes where the investigators work and courses can be Assessment and Evaluation for Students with Disabilities and Teaching and Assessing ELs with Disabilities in a Inclusive Environment. They will also be included in local in-service school district trainings on appropriate assessment procedures for education evaluators, emphasizing school psychologists, when assessing EL children for LD.

## Study Limitations

There are several limitations with this study. Although findings of this study resemble those documented by Figueroa and Newsome (2006) the small sample of files reviewed cannot infer similar findings will be realized in other districts. In addition, due to the exploratory nature of this study descriptive statistics was used as the only method of analysis. Future studies should include a survey component to supplement the file review. Surveying educational evaluators may reveal factors influencing their test selection and assessment practices.

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