BEST PRACTICES IN NON-DISCRIMINATORY ASSESSMENT:
A REVIEW OF THE LITERATURE, CURRENT PRACTICES, AND A LOOK TO
THE FUTURE

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School Psychology

By

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Dedication

To my husband, whose unwavering support kept me going through endless hours of research and studying these last three years; to my beautiful children for their unconditional love. To Elba, Luis, and Sandra Solanot whose help and understanding was essential in this journey. Finally, to my mother for no words can describe my eternal gratitude.
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ABSTRACT

BEST PRACTICES IN NON-DISCRIMINATORY ASSESSMENT:
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The aim of this study was to examine current practices of school psychologists in the assessment of diverse students, namely limited English proficient (LEP) students. A link to the electronic survey was made available to 247 school psychologists in Southern California, 78 participated. Of the respondents, 94 percent (n=73) of the sample indicated to consider the length of instruction in English as part of the assessment. However, only 47 percent (n=37) of the sample stated they measure CALP and BICS as part of the assessment. The most commonly used instrument was the CAS (85%) followed by the TAPS III (78%). Moreover, 86 percent (n=68) answered yes to using alternative procedures in the assessment of LEP students and 46 percent responded that Non-Verbal assessment are not the most appropriate instruments to use with ELP students. Of the sample, 96 percent (n=75)
reported to consider family history and cultural factors when interpreting test data in
the assessment of students learning English. Yet, when specific acculturation models
were presented, such as Bio Ecological or BCA-Bil model, they were minimally
endorsed. Overall, the study showed a high percentage of the participants endorsed
items highly aligned with best practices which is an encouraging trend, but when
specific items were presented the endorsement rate decreased severely, thus resulting in
a discrepancy between knowledge of best practice vs. involvement in best practice.
Implications for future research are also addressed.
It is not by accident that existing approaches to the standardized assessment of educational achievement are insufficiently sensitive to the diversity of the student populations served and to the pluralism of society. The prevailing standards by which academic competence is judged are calibrated in large measure against either: (a) what most persons at a specific level of development can do, or (b) what society agrees is necessary for students to meet the demands of increasingly challenging level of work. That some persons have greater difficulty than others or seem unable to achieve these standards is generally thought to be a problem of individual and group differences in abilities or productivity, not a problem of the appropriateness of the assessment instruments or practices used (Gordon, 1995, p.360).

Although Edmund Gordon’s quote above is referring to the academic assessment of children of diverse populations, the same could be said about the psychoeducational assessments carried out by school psychologists to address the needs of diverse children, especially those children whose English is not their first language. School children who are not able to learn at the same pace of their peers, and for whom interventions have failed are usually referred by the classroom teacher or parents for a full psychoeducational assessment. This assessment is normally conducted by the school psychologists and other members of the multi-disciplinary team. The purpose of the assessment is, ideally, to identify the child’s areas of weaknesses and strengths. Then, while gathering plenty of data such as the one mentioned and more from several
different sources who know the child, the team comes up with an individualized educational program (IEP) that addresses the child’s needs and that will, ideally, allow the child to access the curriculum. This process is called the referral process and along with the assessment and special education placement must adhere to strict guidelines established in the special education law, specifically, the Individuals with Disabilities Education Act (IDEA) most recently reauthorized in 2004. The term “ideally” has been used several times throughout mainly because although this process is explicitly required by law and ideally every child is subject to it, the psychoeducational assessment of diverse children has been proven a challenge for school psychologists (Ortiz, Flanagan, & Dynda, 2008).

Second Language Learners

With the growth in the numbers of students from diverse backgrounds, many school psychologists are called on to assess students whose first language is not English. Student proficiency in English varies greatly among students from diverse backgrounds, and some students demonstrate language deficiencies that pose serious challenges for the assessment of conditions, such as learning disabilities (Marrs & Eccles, 2009). Two terms frequently used to describe students who are not yet proficient in the use of the English language include: Limited English Proficiency (LEP) and English Language Learners (ELL). Lopez (2008) noted that these terms are often used interchangeably in the literature, but that both refer to students who are learning English as a second language. In the survey project described in this research, the term LEP was used and will be used from this point forward. However, because of the similarities in understandings of the terms in the literature, the results also may
apply to English Language Learners. Although there are many definitions of LEP, Public Law 103-382 refers to the term "limited English proficient," which describes an individual: whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the individual the opportunity to successfully achieve in classrooms where the language of instruction is in English or to fully participate in society due to one or more of the following reasons: (1) was not born in the United States or whose native language is a language other than English; (2) is a Native American or Alaska Native, or a native resident of the outlying areas, and who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or (3) is migratory, and whose native language is other than English, and who comes from an environment where a language other than English is dominant (Rhodes, Ochoa, & Ortiz, 2005, p. 1). For the purposes of the current study, LEP will refer to difficulties in the use of English, particularly when compared to proficiency in a native language (Rhodes et al., 2005). For example, an individual may be fluent in Spanish but be only minimally competent in English. Although LEP students represent more than 400 language groups, approximately 75% of LEP students in the U.S schools are Spanish-speakers (Kindler, 2002).

*Historical Overview*

Historically, many of the regulations in place today are a direct result of early struggles. It has been recorded that as early as 1967 aptitude tests were used to place minority students in low ability classes, as stated in *Hobson vs. Hansen (1967-69)*. In this case the court decision was to abolish the tracking system due to the fact that
aptitude tests were standardized on white middle class children and therefore their scores could not be accurate when representing African-American students or other minorities (Jacob & Hartshorne, 2007). In Diana v. State Board of Education (1970), Diana was classified as educable mentally retarded (EMR) based on an IQ test. However, when she was later assessed by a bilingual psychologist, she was not found EMR. The consent decree required that children be assessed in their primary language or with sections of tests that do not require English (National Clearinghouse for English Language Acquisition, NCELA 2010). In Guadalupe Organization, Inc. v. Tempe Elementary School District (1972) Yaqui Indian and Mexican American students who did not speak English were assessed in English only. As in Diana it was required that students be assessed in their primary language, but it also provided additional safeguards such as assessment of adaptive behavior, interview with the parents in the home, and informed consent for evaluation and placement (NCELA 2010). Larry P. vs. Riles (1979) further addressed issues regarding bias in testing. The allegation in this case was that the use of IQ testing resulted in biased placement of African American children in EMR classes. These allegations were supported with evidence that the standardization of the Wechsler Intelligence Scale for Children was based upon white students only. The court ruled in favor of the plaintiff stating districts failed to adopt non-discriminatory practices (Sawyer & Marquez, 1993).

In order to align their practices with legal and ethical requirements, professional associations involved in the assessment of school children, such as the American Psychological Association (APA) and the National Association of School Psychologists (NASP) have enlisted “Best Practices” and ethical mandates when
evaluating children of diverse groups and those who do not yet speak English. However, despite the law and organization efforts to establish evaluation regulation and safeguards to ensure non biased and non-discriminatory assessments that will prevent the misclassification of minority groups and LEP students, misclassification of minority groups and LEP student continues today (Artiles & Trent, 1994; Finn, 1982; Oswald, Coutinho, & Best, 2000). In California, Artiles, Rueda, Salazar, and Higareda (2005) found an overrepresentation of LEP students starting in fifth grade and remaining clearly until the 12th grade in 11 urban school districts with high proportions of LEP’s, high minority enrollment, and high poverty levels. Their study found LEP student were 27% more likely than English-proficient students to be placed in special education in elementary grades and almost twice as likely to be placed in secondary grades. Ruedas and Windmueller (2006) state that overrepresentation continues to be an issue, although specific patterns have changed. According to Artiles, Harry, Reschly, and Chinn (2002) African American and Chicano/Latino share the highest proportions in mild mental retardation (MMR) and emotional disturbed (ED) classification in special education and LEP students are placed in high numbers under specific learning disabilities (SLD) and/or language and speech categories (LAS).

As it has been discussed, although 25 years have passed after the landmark cases of Diana vs. Board of Education and Lau vs. Nichols, the call for fair practices continues today. Several court cases have brought to light regulations and provisions needed in the areas of assessment of minority students; however, as indicated above, diverse students including LEP continue to be misclassified and overly represented in special education programs. It is critical, then, to identify what the current assessment
practices among school psychologists are, to determine whether or not they are following the regulations and provisions reflected in the law and in the organizations that represent them. The purpose of this study is to bring awareness to one particular group at high risk for misclassification and its consequences: minority students who are not yet proficient in English (LEP students). A survey was developed intended to answer the following question: how much knowledge do school psychologists have in regards to Best Practices in assessing LEP students? This paper will contribute to the field of education, mental health, social work, and others in close relation or in a position to educate, inform, and evaluate children who are not yet proficient in English.
Terminology

ELL= English Language Learners. This term refers to students whose first language at home is other than English.

CELDT= California English Language Development Test. This a test developed by the California Department of Education to assess English language.

CLDE= Culturally and Linguistically Different Exceptional. This is a term used by Baca (1990) that refers to LEP student who have needs for special education services.

ESL= English as a Second Language. This term refers to classes offered to students learning English.

FEP: Fluent English Proficiency

IEP= Individual Educational Plan. This term refers to the specific accommodations modifications and special services a student needs in order to access the curriculum.

LEP= Limited English Proficient. This term refers to students whose first language at home is other than English. It is used interchangeable with ELL. On this paper, we will use the term LEP.

IDEA= Individuals with Disability Education Act, federal law.

WISC= Weschler Intelligence Scale for Children

WLMS= Woodcock Language proficiency Battery

WMLs= Woodcock Munoz Language Survey
According to the National Center for Education Statistics (NCES, 2010) between 1980 and 2008, the racial/ethnic composition of the United States shifted—the White population declined from 80 percent of the total population to 66 percent and the Hispanic population increased from 6 percent of the total to 15 percent. Additionally, 44 percent of the Hispanic population was born outside of the United States. In 2007, about 69 percent of Hispanic elementary/secondary school students spoke a language other than English at home (NCES, 2010). About 18 percent of Hispanic students spoke English with difficulty, compared with 7 percent of Native Hawaiians or Other Pacific Islanders, 3 percent of American Indians/Alaska Natives, and 1 percent each of Whites and Blacks, according to the NCES (2010). On the 2007 National Assessment of Educational Progress (NAEP, 2010) reading assessment, approximately 70 percent of fourth-grade ELL students, compared to 31 percent of non-ELL students scored below the basic reading level. According to Yesil-Dagli (2010) this gap goes beyond a language difference and can be better attributed to socio-economic status (SES). Zehler et al. (2003) reported that 75 percent of ELL students across the United States are eligible for a free or reduced-price school lunch. In addition, students from low-income families and from minority ethnic groups usually attend high-poverty and underachieving schools (Zehler et al., 2003). Furthermore, in 2008 18 percent of Hispanic students dropped out of high school compared to 10 percent of African American students and 5 percent of White students (NCES, 2010). This issue is not new, Baca (1990) called LEP students, “High Risk” due to their socioeconomic status.
and culture differences, he continues “Perhaps the greatest risk factor some of these
students face is that their schools, curricula, and teachers are disadvantaged in the sense
that they are ill prepared to communicate with them in their native language and to
understand their cultural differences, motivational patterns and academic learning
styles.” Baca (1990), over twenty years ago, proposed a framework to better serve
LEP students whose premises continue to be relevant to this date: (a) Stress prevention
of handicapping conditions for LEP students by emphasizing cultural and linguistic
pluralism and academic excellence within general education; this could done be in
today’s schools with the organization of, for example, a new comers group and the
inclusion and celebration of other cultures in the curriculum; (b) Strengthen the
capacity of general educators in meeting the needs of at risk language minority
students. This could be done through improved pre-service and in-service training that
includes native language and ESL models and approaches as well as techniques for
serving these students; (c) Provide support and training for the parents of at risk
language minority students before their children begin to experience frustration and
failure in the regular classroom. Parent training, involvement and empowerment will,
in the long run, result in improved student performance; the research in the correlation
between parent involvement and higher school performance has been well established
in the literature (Michigan Depmiment of Education) ; (d) Prioritize the need for strong
and effective pre-referral models and interventions under the auspices of regular
bilingual and ESL programs; in other words, appropriate interventions must take place
before a referral for special education takes place; (e) Implement an assessment
process that is student advocacy-oriented and naturalistic as opposed to psychometric
and administrative in orientation; (f) Utilize dynamic, process-oriented assessment models, including ecological and curriculum-based assessment along with diagnostic and analytic teaching approaches to assessment (g) Use diagnostic placements in optimal instructional settings as alternatives to excessive and costly individualized testing approaches; (h) Hold high expectations for at-risk and CLDE students by providing an enriched, challenging optimal learning environment and curriculum; (i) Utilize the students' native language and culture as valuable teaching resources to promote the maximum cognitive and affective development; (j) Stress the acquisition of English by providing comprehensible ESL instruction that is natural and that stresses communication; (k) Utilize an interactive rather than a transmission model of instruction within the regular as well as the bilingual special education classroom; (l) Incorporate a rich whole language approach that utilizes culturally meaningful material to teach reading and writing; (m) Promote the use of cooperative learning opportunities within the bilingual special education as well as the mainstream class setting; (n) Prioritize the need for effective consultation and collaboration by teams of bilingual and monolingual mainstream teachers with special education and bilingual special education teachers; (o) Support the regular education initiative and provide bilingual special education services within the least restrictive and mainstream educational environment to the greatest extent possible. (Baca, 1990, p.17)

Although much progress has been made in regards to educating and assessing LEP students and minorities, much work is still ahead. In the next few sections we will discuss the current parameters and safeguards provided by the law, the different theories in second language acquisition, current assessment models used in the
evaluation of LEP students and, lastly, we will review the classification of learning
disable within the LEP population.

I. Laws and Mandates

Federal law

There are now many procedural safeguards and evaluation regulations established in
IDEA to ensure a non-biased assessment of minority children, including those whose
primary language is not English. Some are addressed on IDEA Part 300/D/ 300.304
(Department of Education, DOE, 2010).

(a) Notice. The public agency must provide notice to the parents of a child with
a disability, in accordance with Sec. 300.503, that describes any evaluation procedures
the agency proposes to conduct.

(b) Conduct of evaluation. In conducting the evaluation, the public agency
must--

(1) Use a variety of assessment tools and strategies to gather relevant
functional, developmental, and academic information about the child, including
information provided by the parent, that may assist in determining--

(i) Whether the child is a child with a disability under Sec. 300.8; and

(ii) The content of the child's IEP, including information related to
enabling the child to be involved in and progress in the general education curriculum
(or for a preschool child, to participate in appropriate activities);
Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and

Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

Other evaluation procedures. Each public agency must ensure that--

Assessments and other evaluation materials used to assess a child under this part--

(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;

(ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;

(iii) Are used for the purposes for which the assessments 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 the assessments.

Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
(3) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

(4) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities;

(5) Assessments of children with disabilities who transfer from one public agency to another public agency in the same school year are coordinated with those children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with Sec. 300.301(d)(2) and (e), to ensure prompt completion of full evaluations.

(6) In evaluating each child with a disability under Sec. Sec. 300.304 through 300.306, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

(7) Assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided (DOE, 2010).

In addition to the Federal laws listed above, states also have codes and regulations to ensure unbiased practices in the assessment of LEP students. What follows is a list of California’s codes and regulations.

**State Law**

The state of California has two sets of laws in which provisions are made in regards to the assessment of LEP students: The Education Code (EC) and California
Code of Regulations (CCR; California Department of Education, 2010). The full set of codes and regulations can be found at the California Department of Education (CDE) website (www.cde.ca.gov). The following section provides a brief review of those regulations pertaining to the assessment of LEP and diverse students:

Assessments shall be administered by qualified personnel who are competent in both the oral and 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 is clearly not feasible, 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 (CCR 3023a).

The IEP should include linguistically appropriate goals, objectives, and programs (CCR 3001t)

The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a handicapping condition (CCR 3023b)

[…] assessment findings are corroborated by other assessment data including information provided by the parent (CCR 3030j4a)

A determination concerning the effects of environment, cultural, or economic factors (EC 56327g).

Tests and other assessment materials are used for purposes for which the assessments or measures are valid and reliable (EC 56320b2)
Professional Mandates

In addition to the state law and regulations mentioned above, professional organizations, such as APA and the National Association for School Psychologists (NASP), have published ethical and professional guidelines for assessment. Ortiz (2008) wrote a chapter for NASP’s Best Practices in School Psychology on non-discriminatory assessment. Ortiz (2008) includes the following components: Hypothesis testing, cultural and linguistic competence, understanding of norms, bias, and native language testing as part of non-discriminatory assessment. Hypothesis testing refers to the practice of assuming the difficulties in learning are purely external, therefore we avoid looking for patterns to confirm our preconceived notions during the assessment. Also, he emphasizes that the focus of the assessment should be in ways to improve school performance and learning rather than looking for an underlying cause (Ortiz, 2008). Ortiz (2008) further explains that cultural and linguistic competencies are necessary to minimize bias in assessing diverse students. Cultural competency refers to the set of skills necessary to select assessment tools and cultural sensitive methods that take in consideration the child’s cultural context. Linguistic competency refers to knowledge of language development, second language acquisition, and models of second language instruction and its relationship to achievement and school-based learning. In regards to using standardized tests, bias in testing, and native language testing, Ortiz (2008) states that school psychologists must be aware that using United States (US) based normed tests are not comparable to the performance of students whose cultural background is not the US. Although psychometric bias has been reduced to non-existent, tests lie on a continuum of culture and language load.
Additionally, native language assessments are still in its infancy and should not be relied on solely (Ortiz, 2008).

The American Psychological Association (APA), the American Educational Research Association (AERA), and the National Council on Measurement in Education (NCME) in collaboration have published “Standards for educational and psychological testing” (1999). The standards cover from test construction, to fairness in testing to testing applications. In regards to fairness in testing, this standard reminds test users to be mindful of scores differences within subgroups of the population and its implication for interpretation and use of those scores (standard 7.1). The standards also call for test developers to collect data for each linguistic subgroup (standard 9.2), to measure relative proficiency in both language when assessing LEP students (standards 9.3), and to use instruments that measures a variety of language skills as opposed the same one or one skill (standard 9.10). In addition to these standards, the AERA, APA, and NCME standards propose that it is also important as part of the assessment to understand the degree of bilingualism of the individual and give consideration to cultural considerations in regards to the student’s “reluctance to speak in elaborate language” (p.97).

Use of Interpreters

According to Rhodes et al. (2005), both monolingual and bilingual school psychologists who serve diverse populations often require the assistance of interpreters. O’Bryon and Rogers (2010) described discouraged practices related to the use of interpreters including: using an untrained interpreter, using friends and /or family to interpret, translating standardized measures, or performing on-the-spot translations of
published assessment among others. Satler and Hoge (2006) state that several difficulties may arise when using an interpreter: (a) Failure to reveal symptoms: Interpreters may pick and choose what symptoms to reveal depending of what they consider uncomfortable topics or taboo topics in their culture. This would for sure alter the assessment process and diagnosis; (b) Mistrust of the interpreter. Some families may not be comfortable with the presence of an interpreter; (c) Preaching examinees: Some interpreters may take it upon themselves to preach to the child for certain behaviors; (d) Lack of equivalent concepts: Some concepts may not have a literal translation; (e) Dialectical and regional differences: There are regional variations to consider, some Spanish words, for example, vary from country to country; (f) Mixture of two languages: Some children’s vocabulary consists of a mix of two languages, for example, Spanish and English words, such as lonche, (lunch), or raite (ride); (g) Changes in difficulty level: A word that is difficult in English may translate to a simple or common word in Spanish, and vice-versa. Thus, losing the meaning of the concept; (h) Alteration of meaning: expanding on the previous concept, translations may inadvertently bring up offensive words or profanity; for example eggs’ literal translation into Spanish is huevos which has crude connotations. Ochoa, Riccio, Jimenez, Garcia de Alba, and Sines (2004) found that 50 percent of the surveyed respondents in their study indicated using interpreters to translate standardized measures, and 26 percent indicated using an untrained interpreter. Ochoa et al. (2004) state “the impact that this potentially has on obtaining appropriate diagnosis cannot be emphasized enough.” (p.202). To get a better understanding of professional and current standards in using interpreters, we will now discuss NASP’s Best Practices
recommendations. Lopez (2008) authored a chapter for NASP's Best Practices in School Psychology in regards to the use of interpreters: "Despite the potential benefits of improved communication and increased rapport, providing education and psychological services via interpreters is a difficult task" (p.1753). According to Lopez (2008) school interpreters should have the following competencies: (a) high levels of proficiency in the source and target language; (b) knowledge about and skills in the process of translation; (c) an understanding of their roles as interpreters along with the abilities to remain objective, and professional (e.g., confidentiality); (d) knowledge of educational contexts (e.g., education system, district policies, school policies, technical vocabulary such as diagnostic categories, instructional programs, psychological terms) and psychological issues relevant to providing translation services. Lopez (2008) also details competencies required by the school psychologist: (a) an understanding of the facilitators, barriers, and challenges of working with interpreters; (b) skills in working with interpreters to establish rapport; conduct interviews, assessments, meetings, and consultation sessions via interpreters; (c) skills in assessing and obtaining problem identification data via interpreters and in interpreting and reporting assessment data (formal and informal) collected via interpreters; (d) skills in training interpreters to translate in educational and psychological contexts; and (e) skills in evaluating the validity of the information/data obtained via interpreters and the utility of the process. More importantly, Lopez (2008) describes common competencies that both school psychologists and interpreters must share: (a) an understanding of the problems inherent in the translation process within educational and psychological contexts; (b) knowledge of the cultural backgrounds of the students and families; (c) knowledge of
language development and second language acquisition; (d) knowledge of cultural
differences in regards to views of exceptionality, cross-cultural communication, child
rearing, educational practices, and other issues relevant to working with ELL students
and their families; (e) knowledge and skills relevant to working together to provide
educational and psychological services (e.g., briefing, debriefing) to students and
families (Lopez, p.1757).

*What are the implications of state regulation and professional standards?*

State regulations and the above mentioned professional standards when followed
translate to best practices when assessing LEP students. The APA, AERA, and NCME
standards place great significance in the norming of the tests used in the assessment of
LEP students. They emphasized that although the test may include let’s say,
Hispanics, it does not mean that the linguistic competence or acculturation level of the
norm group is that of the examinee. As we will see in the next chapter, current
practices in the psychoeducational field include many popular tests which are not
normed for the LEP population they are examining.

During the first part of this chapter we have reviewed the growing population of
LEP students in the US, we have listed Federal and State laws that govern the
assessment and services to such students, and we have briefly reviewed guidelines and
standards from professional organizations. Although knowledge of the law and
professional standards is important, equally important is knowledge on second
language acquisition and frameworks of bilingual assessment. As Baca (1990)
described above, LEP students have unique needs that will require a shift and a better understanding of culture and language differences in the assessment process.

II. Language Development

Before any further discussion may begin in regards to the assessment of LEP students, it is important to understand the development of language acquisition and its academic implications. Currently there are several theories of language acquisition and its process. As it was described above, state and federal laws require that “The normal process of second-language acquisition, as well as manifestations of dialect and sociolinguistic variance shall not be diagnosed as a handicapping condition” (California Department of Education (CDE): CCR 3023b). It is important, then, to discuss what the normal development of language acquisition is. In the next section some of the most popular and cited theories will be discussed.

Cummins’ theory of second language acquisition

The major elements of Cummins’ theory of bilingual proficiency are: the threshold hypothesis, the developmental interdependence hypothesis, and the Basic Interpersonal Communication Skills/Cognitive-Academic Language Proficiency dichotomy. Cummins' use of socio-cultural variables such as "bicultural ambivalence" and his analysis of the empowerment of minority students are then considered. The threshold hypothesis “proposes that there may be threshold levels of linguistic competence which a bilingual child must attain both in order to avoid cognitive disadvantages and allow the potentially beneficial aspects of bilingualism to influence his cognitive and academic functioning” (Cummins, 1979 p. 222) In other words, the
higher the proficiency in the child’s first language (L1) the more effective the acquisition of the second language (L2) (Baral, 1987). The developmental interdependence hypothesis proposes that the development of competence in a second language is partially a function of the type of competence already developed in L1 (Cummins, 1979). Cummins (1979) proposed that although the surface of a language may sound or look different there is an underlying common proficiency that influences second language acquisition. The third major component of Cummins theory involves the concept of Basic Interpersonal Conversational Skills (BICS) and Cognitive Academic Language Proficiency (CALP). Cummins (1984) suggest that every day conversational language is acquired first and it takes about two years to acquire it. However, the language required academically to succeed in school requires at least seven years, sometimes more, to be able to successfully access an academic curriculum (Cummins, 1979, 1984). In later articles Cummins noted that socio-cultural factors also play a role in second language acquisition (Cummins, 1984; Cummins, 2000). He stated that minority students who consistently have high rates of failures in school may experience bicultural ambivalence (Cummins, 2000). They may develop resentment toward the dominant social group and become insecure about their own culture and language. These feelings may transform into low motivation and low performance in school (Cummins, 1984). In fact, this became Cummins (2000) great defense of bilingual programs which, he claims, by validating the student’s culture and language it reverses the pattern of failure.
Krashen's theory

Krashen (1981) made the distinction between language acquisition, which he states is a subconscious process, and language learning, which he states is a conscious process. Krashen's (1981) theory is largely known as the Monitor Model. Schutz (2010) summarizes Krashen's theory into five main hypotheses: (a) the Acquisition-Learning hypothesis, (b) the Monitor hypothesis, (c) the Natural Order hypothesis, (d) the Input hypothesis, and the (e) Affective Filter hypothesis. The Acquisition-Learning distinction is the most fundamental of all the hypotheses in Krashen's theory and the most widely known among linguists and language practitioners (Schutz, 2010).

According to Krashen (1981), there are two independent systems of second language performance: the acquired system and the learned system. The acquired system or acquisition is the product of a subconscious process very similar to the process children undergo when they acquire their first language. It requires meaningful interaction in the target language - natural communication - in which speakers are concentrated not in the form of their utterances, but in the communicative act. The learned system or learning is the product of formal instruction and it comprises a conscious process which results in conscious knowledge about the language, for example knowledge of grammar rules. According to Krashen (1981) learning is less important than acquisition. The Monitor hypothesis explains the relationship between acquisition and learning and defines the influence of the latter on the former (Krashen, 1981). The monitoring function is the practical result of the learned grammar. According to Krashen (1981), the acquisition system is the utterance initiator, while the learning system performs the role of the monitor or the editor. The monitor acts in a planning, editing and correcting function.
when three specific conditions are met: that is, the second language learner has sufficient time at his/her disposal, he/she focuses on form or thinks about correctness, and he/she knows the rule (Schutz, 2010). It appears that the role of conscious learning is somewhat limited in second language performance. According to Krashen (1981), the role of the monitor is minor, being used only to correct deviations from normal speech and to give speech a more polished appearance. Krashen (1981) also suggests that there is individual variation among language learners with regard to monitor use. He distinguishes those learners that use the monitor all the time (over-users); those learners who have not learned or who prefer not to use their conscious knowledge (under-users); and those learners that use the monitor appropriately (optimal users). An evaluation of the person's psychological profile can help to determine to what group they belong. Usually extroverts are under-users, while introverts and perfectionists are over-users. Lack of self-confidence is frequently related to the over-use of the monitor (Krashen 1981; Schutz, 2010).

The Natural Order hypothesis is based on research findings (Dulay & Burt, 1974; Fathman, 1975; Makino, 1980, as cited in Krashen, 1987) which suggested that the acquisition of grammatical structures follows a natural order which is predictable. For a given language, some grammatical structures tend to be acquired early while others late. This order seemed to be independent of the learner's age, L1 background, conditions of exposure, and although the agreement between individual acquirers was not always 100% in the studies, there were statistically significant similarities that reinforced the existence of a Natural Order of language acquisition. Krashen (1981), however, points out that the implication of the natural order hypothesis is not that a
language program syllabus should be based on the order found in the studies. In fact, he rejects grammatical sequencing when the goal is language acquisition (Schutz 2010). The Input hypothesis explains how the learner acquires a second language. In other words, this hypothesis is Krashen's explanation of how second language acquisition takes place. So, the Input hypothesis is only concerned with acquisition, not learning (Schutz, 2010). According to Krashen (1981), the learner improves and progresses along the natural order when he/she receives second language input that is one step beyond his/her current stage of linguistic competence. This means that language input should be slightly higher than their current level of understanding. Since not all learners can be at the same level of linguistic competence at the same time, Krashen (1981) suggests that natural communicative input is the key to designing a syllabus, ensuring in this way that each learner will receive input slightly higher that is appropriate for his/her current stage of linguistic competence (Krashen, 1981; Schutz, 2010). Finally, the fifth hypothesis, the Affective Filter hypothesis, embodies Krashen's (1981) view that a number of affective variables play a facilitative, but non-causal role in second language acquisition. These variables include: motivation, self-confidence and anxiety. Krashen (1981) claims that learners with high motivation, self-confidence, a good self-image, and a low level of anxiety are better equipped for success in second language acquisition. Low motivation, low self-esteem, and debilitating anxiety can combine to raise the affective filter and form a mental block that prevents comprehensible input from being used for acquisition. In other words, when the filter is up it impedes language acquisition. On the other hand, positive affect is necessary, but not sufficient on its own, for acquisition to take place.
Schumman's Acculturation Model:

Schumman (1986) proposes an acculturation model for second language acquisition: “Acculturation means the social and psychological integration of the learner with the target language (TL) group” (p.379). Schumman (1986) suggests that social-psychological factors influence second language acquisition. He further describes two types of acculturation: type I and type II. In type I the learner is socially integrated and is psychologically open to the TL so that input becomes intake; in type I, the learner doesn’t necessarily wish to fully adopt the life style of TL speakers (Schumman, 1986). In type II, the learner is socially integrated, open to intake psychologically, and wishes consciously or unconsciously to adopt the lifestyle of TL speakers (Schumman, 1986). Schumman (1986) also stresses that social and psychological contact with TL is essential to acculturation and therefore to second language acquisition (SLA). Table 1 describes Schumman’s acculturation model.

Table 1. Schumman’s Acculturation Model.

<table>
<thead>
<tr>
<th>Social Factors</th>
<th>Dominance; Nondominance; Subordination; Assimilation; Acculturation; Preservation; Enclosure; Cohesiveness; Size; Congruence; Attitude; Intended Length of Residence in the target language area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affective Factors</td>
<td>Language Shock; Culture Shock; Motivation; Ego-permeability.</td>
</tr>
<tr>
<td>Personality Factors</td>
<td>Tolerance for Ambiguity; Sensitivity to Rejection; Introversion/Extroversion; Self-esteem.</td>
</tr>
<tr>
<td>Cognitive Factors</td>
<td>Cognitive Development; Cognitive Processes: imitation, analogy, generalization, rote memorizations; cognitive style; filed dependence, category width, cognitive interference, monitoring.</td>
</tr>
<tr>
<td>Biological Factors</td>
<td>Lateralization; Transfer; Infrasystems.</td>
</tr>
</tbody>
</table>

Table 1 includes social, affective, personality, cognitive, biological, aptitude, personal, input, and instructional factors. Let us now look at each of those factors. Social Factors include Dominance and Non-dominance: when two groups are in social contact, but speak a different language, one group is the second language learning
group (2LL) and the other is the target language group (TL) (Schumman, 1986). If the 2LL group is inferior politically and economically then there will be social distance from the TL and resistance to language acquisition (Schumman, 1986). In Schumman’s (1986) theories, the learner may be placed at a continuum that ranges from social psychological distance and social psychological proximity with speakers of the TL. In this regard Schumman (1986) describes that assimilation yields the most proximity to TL and therefore, higher degrees of second language acquisition. Preservation, on the other hand, makes it unlikely that the 2LL will acquire the TL. In this case the 2LL group maintains its own values and lifestyle and rejects the TL group values and lifestyle. Enclosure refers to the opportunities in society for the two groups to interact. If the two groups, have different professions, crafts, churches, recreational facilities, etc then the enclosure is said to be high and contact with TL group low which reduces opportunities for language acquisition (for full description of social factors, see Schumman 1986). The next factor, in Schumman (1986) model is Affective Factors: A student in language shock may be embarrassed to speak the language or may be in fear of ridicule by his/her peers. A student may be in culture shock when activities that were routine in the native country are now a great ordeal which cause stress, anxiety and disorientation; thus, reducing the energy and desire for language acquisition (for full description of affective factors see Schumman 1986).

Cognitive Models

Nagle and Sanders (1986) state that theories like the ones mentioned above, such as, Krashen’s Monitor model, Schumman’s Acculturation theory and others focus on learner variables instead of psycholinguistic processes. They believe that cognitive
processes and, specifically, input comprehension complements second language acquisition. The authors propose a model of listening comprehension processing. This model involves input, sensory intake, short term memory, attention, executive controls that derive in automatic and controlled processes which tap into long term storage of implicit and explicit knowledge; retrieval and synthesis along with arousal (sustained attention) influence output. Nagle and Sander (1986) speculate that the input (new information) is registered by the sensory register and placed in short term memory storage; then the control system sends it to a control process (inferences made by the learner) where explicit linguistic knowledge (learning) is stored and interacts with previous knowledge. Once the student has practiced enough with the new input, the authors propose, it then becomes an automated process and turns into implicit linguistic knowledge. For these authors, comprehensible input is key in order for the full processes of linguistic knowledge to take place.

Implications of these theories in the assessment of LEP / Diverse students

In the previous section, a brief review has been provided on theories of second language acquisition. An in-depth review of second language acquisition is beyond the scope of this paper; however, the reader is encouraged to take this as the first step to a broader understanding of second language acquisition. (Cummins, 1979, 1984, 2000; Krashen, 1981, 1987; Schumman 1986) Based on Cummins, Krashen, and Schumman’s language acquisition theories mentioned in the previous section, school psychologists and other professionals assessing LEP students should keep in mind the following questions: (a) What is the language proficiency of the student? Is the student at a conversational level or academic level; (b) Is there enough proficiency in L1 to
transfer skills to L2?; (c) What has the instruction in second language been like?; (d) Given that language acquisition requires cognitive processes such as attention, memory, inferences and storage, are these processes intact in the student? In other words, are any of these processes impeding learning?; (d) What about the social-psychological aspects of the student (acculturation, affective filter, monitor)? Are any of these factors impeding learning? A student who is quiet, embarrassed, and with a high degree of anxiety will be much more at risk for academic failure than one who is willing to ask questions, with a low filter and a low monitor; (e) What about instructional match? (teacher/student relationship, motivation, and validation of student’s culture and language). Tharp (1989) suggests that it is our professional responsibility to consider socio-cultural and psycho-cultural variables into the assessment process to ensure that contextualization, meaning understanding of the student experiences and development, occurs.

III. Current Models of Bilingual Assessments.

*Multidimensional assessment model for bilingual individuals (MAMBI)*

Rhodes et al. (2005) describe their model as a method which can assist practitioners select the most appropriate type and language of assessment for any particular case. The MAMBI model looks at four variables when assessing LEP students: Language Profile, Instructional Programming/History, Current grade level, and Assessment Modality. Table 2 shows the nine language profiles used in the MAMBI model.

*Table 2. MAMBI's nine Language Profiles*
Table 2 shows the first variable in the MAMBI model: Language Profile. Taking in consideration that LEP students may begin their school careers at various ages and with different levels of CALP, Rhodes et al. (2005) present nine different profiles of possible proficiency combinations of CALP in L1 and L2. According to each language profile, grade, and instruction program, an assessment modality is suggested. The authors state that CALP levels are usually five levels. Levels 1 and 2 are considered minimal proficiency; Level 3 is considered emergent, and Levels 4 and 5 are fluent. In regards to how to obtain the student’s CALP level Rhodes, et al. (2005) warn that given the limitation of assessment with proper norms for LEP students a wide variety of data should be gathered to determine the student’s level. For those students who speak Spanish, they suggest the use of the Woodcock-Munoz Language Survey (WMLS; Woodcock & Munoz-Sandoval, 1993) along with informal and classroom data. The most recent version of the WMLS is the Woodcock Johnson Language Survey-Revised-Normative Update (WMLS-R NU; Shrank, Wendling, Alvarado, &
Woodcock 2010). This test is composed of seven subtests that yield eleven clusters in reading, writing, and oral expression. The test offers six levels of CALP. Table 3 shows a description of each.

Table 3. CALP levels by the WMLS

<table>
<thead>
<tr>
<th>Level</th>
<th>Instructional Implications</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>very Advanced</td>
</tr>
<tr>
<td>5</td>
<td>Advanced</td>
</tr>
<tr>
<td>4.5</td>
<td>Fluent to Advanced</td>
</tr>
<tr>
<td>4</td>
<td>Fluent</td>
</tr>
<tr>
<td>3.5</td>
<td>Limited to Fluent</td>
</tr>
<tr>
<td>3</td>
<td>Limited</td>
</tr>
<tr>
<td>2</td>
<td>Very limited</td>
</tr>
<tr>
<td>1</td>
<td>Negligible</td>
</tr>
</tbody>
</table>

Table 3 shows the six levels of CALP obtainable from the WMLS-R; the original version WMLS has been found to be an adequate test to measure language proficiency with Spanish speaking students (Laija-Rodriguez, Ochoa, & Parker, 2006 p.91); research is still needed with students speaking other languages. In California any student who speaks a language other than English at home, must take the California English Development Language Test (CEDLT). This test classifies language proficiency in five levels: Advanced, Early Advanced, Intermediate, Early Intermediate, and Beginning. This test covers listening and speaking skills for students in kindergarten and first grade. For students in second through twelfth grade, it covers listening, speaking, reading, and writing. Student progress is measured annually. For more information on the CELDT the reader is referred to its website, www.celdt.cde.ca.gov/. Other tests that purport to measure CALP are the Bilingual Verbal Ability Test (BVAT; Munoz-Sandoval, Cummins, Alvarado, & Ruef 1998), the Basic Inventory of Natural Language (BINL; Herbert, 1986), and the IDEA Oral Language
Proficiency Test (Dalton, 1991). The reader is referred to the tests’ technical manuals for further review of each test’s validity and limitations. The second variable in the MAMBI model is Instructional Programming/ History and Current Grade Level: According to Rhodes et al. (2005) LEP students fall into three educational circumstances depending on where they live: (a) all instruction in English with or without ESL support. In this scenario, CALP in the native language has not been considered, and research has shown that these types of students may make adequate progress up to third or fourth grade but will decline severely academically (Thomas & Collier, 2002); (b) the student was in a bilingual program and is now receiving English only instruction. If the bilingual program was a transitional program in which students are forced exited by third grade, then there has not been enough time for CALP to develop. In this case practitioners should be careful not to confuse conversational proficiency in English with CALP; (c) the student participates in a well established bilingual education program. In this case the length of instruction should be considered, given that proficiency in L1 is highly related to acquisition in L2 (Rhodes, et al., 2005). The next step in the MAMBI model, after looking at the language profile, current and program history along with current grade, is to decide what assessment modality to use. There are four options under MAMBI guidelines: (a) nonverbal assessment (NV); (b) assessment (L1); (c) assessment in English (L2); and (d) true bilingual assessment (BL) (Rhodes, et al. 2005). MAMBI recommends the use of nonverbal assessment for language profiles 1, 2, 4, or 5 with minimal or emergent L1 or L2. Figueroa (1989) recommended caution with the use of non-verbal assessment. In addition, Harris, Reynolds, and Koegel (1996) described some of its limitations,
including the narrow range of cognitive abilities, which do not generalize to other domains, and they are not completely language free. In terms of assessment in the native language, MAMBI recommends using such tests for informational purposes only due to the lack of proper norming; adding to this last point native language assessment may be appropriate with students entering the US with academic level in their native language. The third assessment option included in MAMBI is the assessments in English only. According to the MAMBI model this type of assessment should provide a broader range of cognitive abilities, such as verbal skills, non-verbal skills, memory, processing speed, and planning. For the last assessment practice under MAMBI, bilingual assessment, this model recommends its use with students who have not yet acquired CALP in their native language and are currently learning English (Rhodes, et al., 2005). To complete the assessment following MAMBI principles, Rhodes et al. (2005) recommend an additional step. They propose to follow the cultural and linguistic loadings of subtests as illustrated in the CHC cross battery model. By identifying whether these loadings are low, moderate, or high the practitioner can better discern where the true difficulties lie. Cultural loading refers to the degree to which subtests require specific, knowledge, experience, or integration with the mainstream US culture. On the same note, linguistic loadings refers to the degree to which subtests require linguistic abilities, such as receptive and expressive language requirements, and verbal and non-verbal requirements in the administration of the test. More recently, Flanagan, Ortiz, and Alfonso (2007) have developed the Culture Language Interpretive Matrices (C-LIM) which expands a review of culture and language loadings to about eleven different tests of cognitive abilities. However,
the utility of this approach has still to be proven. One particular study on the
Woodcock Johnson (WJ-III) by Kranzler, Flores, and Coady (2010) did not
substantiate the use of C-LIM for students of diverse backgrounds, at least for the WJ­
III. The reader is referred to the Kranzler et al (2010) article for further details.

Cross Battery Assessment

The Cross Battery Assessment (XBA) model was developed by Flanagan, Ortiz and
Alfonso (2007). According to its authors, this model is based on the theory of
intelligence by Carroll-Horn-Cattel (CHC). Briefly, CHC theory involves three
stratums of cognitive abilities: stratum III is g (general intelligence), stratum II are
broad abilities (1) Crystallized Intelligence (Gc); (2) Fluid Reasoning (Gf); (3) Visual –
Spatial (Gv); (4) Long-Term Retrieval (Glr); (5) Short-Term Memory (Gsm); (6)
Auditory Processing (Ga); (7) Processing Speed (Gs); (8) Decision /Reaction
Time/Speed (Gt); (9) Quantitative Knowledge (Gq); (10) Reading and Writing Ability
(Grw-). The last stratum, stratum I, is comprised of up to seventy six narrow abilities
(Flanagan et al., 2007). The cross battery approach proposes to obtain data on seven
out of the ten broad abilities. Reading and writing are best measured by academic
assessments and speed reaction is not currently being measured by any instrument
available (Ortiz & Flanagan, 2002). Flanagan et al. (2007) further state that a couple of
subtests (narrow abilities) for each broad ability are recommended for a comprehensive
XBA (although a short form is also provided). Flanagan et al. (2007) state that “the use
of XBA methods along with the C-LTC and C-LIM represents a significant
advancement in the practice of bilingual, cross-cultural, nondiscriminatory assessment
that is well within the professional reach of most practitioners.” (p.201)
Additional models found in the literature include Alvarado’s (1999) Broad Cognitive Ability-Bilingual Scale (BCA-Bil). The BCA-Bil draws selected tests from the BVAT, the WJ-R COG, and the Bateria-R COG to measure seven of the common measured broad abilities of the CHC theory. According to Alvarado (1999), this combination of language reduced tests and bilingual testing of bilingual ability allows the examiner more opportunity to explore the capabilities of bilingual and multilingual individuals. However, Rhodes et al. (2005) state that the BCA-Bil represents a sophisticated adaptation of available tests that may estimate the global functioning of individuals from diverse backgrounds; yet, they warn, some caution is necessary due to norms and validity issues previously mentioned with the BVAT or Spanish versions of cognitive tests. Table 4 shows the subtests that comprised this model.

Table 4. Subtests that comprise the BCA Bil

<table>
<thead>
<tr>
<th>Cognitive Factors</th>
<th>English of other language dominant: WJ-COG and BCA-Bil</th>
<th>Spanish language dominant: Bateria-R and BCA-Bil</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verbal Ability (Gc)</td>
<td>BVAT BVA</td>
<td>BVAT BVA</td>
</tr>
<tr>
<td>Long-Term Retrieval (Gl)</td>
<td>Test 1: Memory for Names</td>
<td>Test 1: Memoria pra nombres</td>
</tr>
<tr>
<td>Short-Term Memory (Gsm)</td>
<td>Test 17: Numbers Reversed</td>
<td>Test 17: Inversion de numeros</td>
</tr>
<tr>
<td>Processing Speed (Gs)</td>
<td>Test 3: Visual Matching</td>
<td>Test 3: Pareo Visual</td>
</tr>
<tr>
<td>Auditory Processing (Ga)</td>
<td>Test 18: Sound Patterns</td>
<td>Test 18: Configuracion de sonidos</td>
</tr>
<tr>
<td>Visual Processing (Gv)</td>
<td>Test 12: Picture Recognition</td>
<td>Test 12: Reconocimiento de dibujos</td>
</tr>
<tr>
<td>Fluid Reasoning (Gf)</td>
<td>Test 7: Analysis-Synthesis</td>
<td>Test 7: Analisis -Sintesis</td>
</tr>
</tbody>
</table>

Table 4 shows seven abilities measured by the Woodcock Johnson Cognitive Ability Test (WJ-III Cog): verbal ability, long term retrieval, short term memory, processing speed, auditory processing, visual processing, and fluid reasoning. For each ability, the BCA-Bil model uses one subtest of the WJ-III. To measure verbal ability this model uses the BVAT and its BVA scale is; to measure long term retrieval subtest 1, memory
for names is used in the BCA-Bil model; to measure short term memory, the BCA-Bil model uses subtest number 17; to measure processing speed the BCA-Bil model uses visual matching. The correspondent equivalent in the Spanish version of the test are also shown on table 4.

Bio Cultural or Bio Ecological Model

The last approach that will be described, is that of Gopaul-McNicol and Armour-Thomas (1997). These two authors developed a “Bio-cultural approach” to assessing diverse students. The Bio-cultural or Bio-ecological approach by McNicol and Thomas (1997) proposes that: cognition is, in part, a culturally dependent construct. People are born with diverse capacities that predispose them to engage in activities within any given ecology. Behavior may be described as “intelligent” to the extent that the nature and quality of experiences to which people are socialized require the exercise of these capacities (p.133). According to McNicol-and Thomas (1997) who based their model on the works of Vygotsky (1978), Ceci (1990), and Sternberg (1988), when assessing diverse students “it cannot be assumed that (a) the cognitive capacities measured are the only ones of interest; (b) the experiences sampled on the test are common across populations; and (c) the concept of time has the same meaning across populations” (p.133). Given these conditions, McNicol and Thomas (1997) state that psychometric assessment should be used in conjunction with non-psychometric assessments. These non-psychometric measures involve: (a) Family/Community Support Assessment; (b) Other Intelligence assessments; (c) Item Equivalence Assessment Measurement; (d) Test-Teach-Retest Assessment Measure; (e) Ecological Taxonomy of Intellectual assessment; (f) Stage of Acculturation; (g) Teacher Questionnaire. To measure
Family/Community Support, McNicol and Thomas (1997) administer a questionnaire to obtain information in regards to who lives at home, length of residence, and occupation, among other items. As part of the family questionnaire linguistics is also an area of inquiry. The questionnaire obtains a level of proficiency for each adult in the family, including literacy levels. Educational achievement by the adults in the family and homework support is also included as part of the family assessment (McNicol & Thomas, 1997). To measure Social Community McNicol and Thomas (1997) ask information in regards to church participation, youth activities, sports, and jobs. In regards to the second non-psychometric measure of this model, other intelligences, McNicol and Thomas (1997) state that two commonly overlooked intelligences in diverse children are musical and kinesthetic intelligence. They provide the reader with two questionnaires for each category. One questionnaire is used with the child and another with the parents. Personal Intelligence: Intrapersonal (self-concept) and Interpersonal (social skills) are also measured under this model. McNicol and Thomas (1997) provide a set of questions for the child and the parents in order to obtain an ecological view of the child. For the third measurement in this model, Item Equivalence Assessment Measurement, McNicol and Thomas (1997), propose that two scores should be tabulated here. One is the score obtained using standardized measures; the second score is the “potential” score. The potential score includes retaking those failed subtests with cultural accommodations for example, no time limit on timed task. Similarities items can be replaced with items pertaining to the culture of the child. The authors, describe, that for example apple may not be a familiar fruit for children of the tropics, and it could be replaced with let’s say mangoes. Vocabulary, they further
explain, is not learned in isolation and unless the child has had extensive or enriched
school experience, a more sensitive practice would be to ask for the word to be used in
a sentence, as opposed to ask for an isolated definition. If the child fails the arithmetic
subtest, the potential score could be used by giving the child paper and pencil and have
him/her solve the problems then. The fourth non-psychometric measure of the Bio-
culture model, test-teach-retest, looks at learning potential. McNicol and Thomas
(1997) state that if it is determined that the child never played with blocks or puzzles
the child should be allowed to play and learn how to use them. Potential scores are
given after the child passes the teaching items. The authors believe that valuable
information can be obtained in this process, such as, how much did the child benefit
from the teaching, how much training was needed, and how much did the child retain
certain skills. The fifth element of the Bio-cultural model, ecological taxonomy of
intellectual assessment, proposes that the child should be assessed in different settings
and in their "natural" setting interacting with family and friends. The authors
recommend looking for: the way they communicate, the way they socialize, and what
activities they play (McNicol & Thomas, 1997). In regards to the sixth element of the
Bio-cultural model, stage of acculturation, McNicol and Thomas, (1997) state that
there are three different types of changes a diverse child may be going through and
should be considered as part of the assessment: (a) physical changes: new place where
smog and cars to mention a few might be completely new; (b) cultural changes:
linguistic and social institutions, and new social networks (c) psychological changes:
cultural shock, and home values vs. host country values; (d) adjusted: an individual has
adjusted to the host country's values and retains his/her own. The last item of the
model, teacher questionnaire involves obtaining information from the teacher in regards to the student’s behavior, educational history, attention, and motivation. Table 5 shows the general guidelines for the BioCultural model or Bio Ecological Model (McNicol & Thomas, 1997)

Table 5. General Guidelines for the Bio Ecological Model

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Do a differential diagnosis by first looking at</td>
</tr>
<tr>
<td>(a)</td>
<td>Review school/clinic records to secure the child’s medical history</td>
</tr>
<tr>
<td>(b)</td>
<td>Teacher interview-ask about linguistics, medical history, and other intelligences and run the teacher questionnaire</td>
</tr>
<tr>
<td>(c)</td>
<td>Parent interview at school ask about the child’s medical history, other intelligences, and administer the family/community questionnaire to establish linguistic abilities, educational experience, and family issues.</td>
</tr>
<tr>
<td>2.</td>
<td>Assess the child’s psychometric intelligence and potential intelligence</td>
</tr>
<tr>
<td>3.</td>
<td>Assess the child ecologically (home/community)</td>
</tr>
<tr>
<td>4.</td>
<td>Parent interview: in the home/community</td>
</tr>
<tr>
<td>5.</td>
<td>Teacher interview: observe child in the classroom/playground.</td>
</tr>
</tbody>
</table>

Table 5 lists the general principal of the Bio-cultural or Bio-Ecological model proposed by McNicol and Thomas (1997), which include reviewing school and medical records, assessing with standardized measures and non-standardized measures, and assessing the child ecologically, meaning at school, home, and the community (McNicol & Thomas, 1997).

The brief summary of the current models of non-discriminatory assessment, assessment of diverse students, LEP’s or bilingual student is not exhaustive, Response to Intervention will be discussed later in this chapter. In the next section, attention will be given to another aspect of the assessment of LEP students: the distinction between normal language acquisition development and a language based learning disability.
IV. Learning Disability or Learning Two Languages?

According to Klingner, Artiles, and Barletta (2006) the majority of LEP students placed in special education receive services under a specific learning disability (SLD) category with reading as the core problem (56%); the next disabling category under which LEP students are placed is speech-language impairment (24%). Moreover, Klingner et al. (2006) indicate that LEP students with disabilities are more likely to receive fewer language support services and to be instructed only in English and the majority of them (55%) tend to receive special education services in segregated classes. Zehler et al. (2003) found that educational programs for LEP students in special education were not as aligned with State performance standards. Barrera (2006) refers to this phenomenon as “A Perfect Storm of Inadequate Practices” (p.142). He further states that distinguishing between learners with limited English proficiency and those who also have SLD is critical for two reasons. First, special education law requires this distinction (IDEA); “second despite legal mandates misidentification of these students continues to plague school programs nationally” (Barrera, 2006 p.143). Klinger et al (2006) state that LEP students placement in special education is more complex than the placement of other diverse students because linguistics and immigration factors are added to cultural, socioeconomics, and ethnic factors. Klinger et al (2006) conclude that to add to the above mentioned factors, the distinction between LD and language development in LEP students is compounded by policy issues, identification procedures, and institutional factors. Policy issues refer to the political climate that sways educational policy; for instance bilingual programs and/or native language support has been abolished in many states. Identification procedures vary from state to
state and from district to district making data comparison difficult. Institutional factors referred to the fact that although IDEA mandates the segregated data at the state and district level on LEP students’ achievement, the infrastructures and capabilities of distinguishing by language proficiency, gender, ethnicity etc among LEP students is not yet adequate or available (Klinger et al, 2006). Yet others argue that these problems are not exclusively pertaining to the LEP student population but rather to the field of SLD (Johnson, Mellard, Humphrey, Woods & Swanson, 2010; Swanson, 2009).

Currently the debate in the SLD field centers around the procedures for identifying a student as a student with a SLD. Some favor the traditional cognitive process model of SLD definition, which includes the discrepancy model (Ofiesh, 2010; Kavale, Kauffman, Bachmeier, & Lefever, 2008) and others favor the new operationalize model under RTI (Reschly, 2005; Restori, Gresham, & Cook, 2008). The literature on SLD and this debate is abundant and the reader is encouraged to be familiar with that literature; however on this paper we will focus on SLD and how it relates to LEP students.

Current methods in identifying LEP student with a specific learning disability.

According to Barrera (2006) in order to reduce misclassification, general recommendations to practitioners have been to reduce bias in assessing. These recommendations include (a) to avoid reliance on standardized test that are not validated with limited English speakers, and (b) to rely more on information assessment measures, including actual student work samples based on the curriculum to which the students is exposed (Ortiz, 1997). The current models for assessing LEP students with a potential SLD include alternative assessment, dynamic assessment dual
discrepancy assessment, and RTI. These models are different from the previous models described earlier in that alternative assessments, dynamic assessments, and RTI shift their focus from bilingual abilities and acculturation to learning potential and rate of progress.

*Alternative assessment:*

There are many types of alternative assessments. Alternative assessments include the use of curriculum based assessment (CBA) and curriculum based measurements (CBM). According to Deno (2003), a CBA is a non-standardized assessment that the teacher may perform in the classroom based on classroom curriculum. This first assessment is to establish the student’s point of entry in a specific topic (instructional level; baseline data). CBM are short measures of testing to see student progress after instruction. Many CBM are standardized and widely available for specific tasks (reading fluency, comprehension, etc). This model is based on a test-teach-test model (Jitendra, Rohena-Diaz, & Nolet, 1998). Barrera (2006) points out that although the research is promising in regards to exceptional LEP students and the use of alternative assessments, more direct empirical is needed to validate measurement options. Specifically, Barrera (2006) points out, that lack of progress in reading, does not provide evidence for a lack of reading experience, language, content experience or suspected LD. Kung (2008) found that LEP students who read 130 correct words per minute (cwpm) had a 29% chance to pass state accountability tests; whereas monolingual English students who read the same amount of cwpm had 75% chance of passing the test. Linan-Thompson, Cirino, and Vaughn, (2007) found that when untimed measures were used 72% of LEP students met benchmark; but when a timed
task was added only 17% of LEP students met benchmarks. Due to these findings Linan-Thompson (2010) states that although the valid use of curriculum-based measurement as a means for screening and monitoring student progress throughout the elementary grades is well documented for monolingual students, it may not be enough when making instructional decisions about LEP students: “These data clearly indicate that relying on a single measure as a benchmark is misguided. If teachers rely on this measure to make decisions about who needs instructional support, they may over identify students in the early grades for Tier 2 interventions” (Linan-Thompson, 2010 p.973). Linan-Thompson (2010) proposes that to mitigate this issue, LEP students should be given additional time to respond to regular instruction before moving on to Tier2 and to monitor learning potential through dynamic assessments. Given the lack of thorough research on curriculum based assessment with LEP students, this type of assessment may still be biased.

Dynamic Assessment

Swanson and Howard (2005) state that one possible alternative or supplement to traditional assessment is to measure a child's gain in performance when given examiner assistance. Thus, "potential" for learning new information (or accessing previously presented information) is measured in terms of the difference between unassisted performance to a performance level with assistance (Swanson & Howard, 2005). Procedures that attempt to modify performance via examiner assistance in an effort to understand learning potential are called dynamic assessment. Dynamic assessment is a term used to characterize several distinct approaches, and it includes two critical features: to determine the learner's potential for change when given assistance, and to
provide a prospective measure of performance change independent of assistance. Unlike traditional testing procedures, score changes due to examiner intervention are not viewed as threatening task validity (Swanson & Howard, 2005). Barrera (2006) conducted a study using dynamic assessment involving 38 teachers and 114 work samples from three distinct groups: LEP students, LEP students with a SLD, and high achieving Bilinguals. The task consisted on writing notes on a vocabulary lesson along with two sentences for each new word. The results are summarized as follows: (1) Learners with limited English proficiency and a SLD can be differentiated through data collected from dynamic assessment. (2) LEP students with a SLD tended to write copious notes with low quality result. (3) High achievers wrote less notes but they included more key words with high quality result and tended to skip the sentence task. (4) Many of the measurements used did not demonstrate statistically significant differences among LEP students and LEP with a SLD. Barrera (2006) notes that differentiation among the groups was clearest with quantitative measures such as words and letters written, percentage of words spelled correctly, and number of complete sentences. He adds that these results seem to indicate that an important variable in differentiating LEP students with a SLD from LEP students lies in whether or not LEP students are able to develop sufficient vocabulary. Barrera’s (2006) results commensurate with another study by Carlo et al. (2004) in which findings showed that vocabulary aimed interventions for fifth grade LEP students showed greater results in comprehension, word knowledge, and multiple meaning than control groups.

*Dual discrepancy Assessment*

Speece and Case (2001) state that this assessment combines response to intervention
(RTI) with a discrepancy model. Under this model, students who show a discrepancy between intelligence and achievement and who also show a slow rate of academic progress compared to his peers demonstrate evidence of processing difficulties in learning. Barrera (2006) points out that this model overemphasizes the role of evidence based instruction as one size fits all and overlooks the need for individualized instruction for students with a SLD. Not to mention the lack of appropriate instruction for ELL students, as well as the lack of opportunity for equal access.

**RTI, LEP students and SLD**

According to Fuchs and Deschler (2007) the response to intervention (RTI) model is now widely recognized as a system of prevention with a three tier system implementation, and also as a system of identification of learning disabilities. Linan-Thompson (2010) adds that “In the literature, the purpose of RTI is described as either a framework for implementing a school-wide prevention model or as a systematic model for identifying children with specific learning disabilities or both” (p.971). This means that as preventive model, Tier 1, with its universal screening and evidence based practices is in place in the school setting. As a framework for identifying children with specific learning disabilities, Tier 2 is in place. Tier 2 includes individual, intensive interventions along with monitoring rate of progress and alternative assessments to measure learning potential. As a prevention model, the goal of RTI is to ensure that students, who enter school without the requisite literacy skills, develop these foundational skills in a timely manner so that they can benefit from the instruction provided in the classroom (Linan-Thompson, 2010). As a model for identifying children eligible for special education, the goal is to determine whether children who
are significantly different from their peers on screening measures, exhibit difficulty learning, and are unresponsive to instruction as measured by formative assessments have a learning disability (Linan-Thompson, 2010). Haager (2007) states that given that one of the fundamental premises of RTI is high quality reading instruction in the general education classroom, “important questions arise regarding ELLs. What do we really know about effective reading instruction for ELLs? Are the curricula, practices, and assessments used with non-ELLs as effective with ELLs? (p.216)” In the most comprehensive effort to date to examine the research on ELL literacy development, Snow (2006) summarized the work of the National Literacy Panel on Language-Minority Children and Youth: "The literature we reviewed reveals remarkably little about the effectiveness of different aspects of instruction, and provides only limited guidance about how good instruction for second-language speakers might differ from that for first-language speakers (p. 638) “Most discouraging, the research we reviewed provides little basis for deciding whether or what kinds of accommodations or adaptations are most helpful to second-language learners" (Snow 2006, p. 639). To some extent, the lack of answers from research may be related to constraints imposed by the politics of educational policy, most notably arguments over bilingual versus second-language instruction (Gersten, 2006; Gersten & Baker, 2000). Nonetheless, Haager (2007) makes the following recommendations in the use of RTI to identify LEP students with a SLD: (a) there should be no one-size-fits all models of RTI that can be used across the diverse LEP population; (b) More research is needed to examine how RTI models might be adapted based on cultural and contextual factors (urban schools vs. rural school, for example); (c) development of tools used for measuring student
responsiveness valid for LEP students, especially in primary grades is still needed; (d) further defining responsiveness or non-responsiveness within the LEP population is an important aspect. "Until these questions are answered, it will be important for school personnel to act not on cut scores alone, but to also factor in teacher observation of students and their day-to-day performance (p.220). In addition, Klinger, Hoover and Baca (2008) make similar recommendations. Klinger et al. (2008) state that RTI holds promise for ELLs students if certain practices are in place, such as interventions that have been researched with ELL students, teacher training, support for teachers to implement interventions, and implementation of cultural responsive instruction.

Klinger et al (2008) warn that unless those practices are in place RTI may experience the same fate as other pre-referral models. For a thorough review of RTI and LEP students reading interventions the reader is referred to Klingner et al.(2008) as well as Haager, Calhoon, and Linan-Thompson (2007) and Fuchs, Fuchs, and Stecker (2010).

To summarize their findings, learning disability and second language acquisition behaviors may appear similar; to avoid misidentification, practitioners should bear in mind that language acquisition is complex and is influenced by a variety of factors, including first language proficiency, cultural values/norms, personality, and acculturation. These and related factors, such as anti-discriminatory federal and state law, and professional ethical standards must be considered by evaluators with expertise in second language acquisition and skilled in the implementation of instruction and associated progress monitoring to obtain the most valid educational results for LEP students (Klingner, et al., 2008).
Previous Research on Current Practices:

The current practices of school psychologist in the assessment of bilingual or LEP students and school psychologists’ competency for such have been researched by different authors. In the next section we will discuss the results of some of them. Ochoa, Rivera, and Ford (1997) surveyed 1,507 school psychologists from eight states to investigate their level of training and competency in assessing bilingual or LEP students. In their study, Ochoa et al. (1997) found that almost 70% of the respondents endorsed less than adequate training in cross-cultural issues involved in bilingual psycho-educational assessment. Additionally, Ochoa, et al. (1997) found that the amount of training provided by school psychologist programs remained the same in the previous twenty four years examined.

In 2004 Ochoa, Riccio, Jimenez, Garcia de Alba, and Sines investigated assessment procedures conducted by school psychologist with ELL students suspected of an emotional disturbance. Among their findings, they noted that only 14% of the respondents used an acculturation measure when evaluating LEP students. Ochoa et al. (2004) also noted that NASP and AERA professional standards both call for cultural variables to be taken into account. Another area of concern found by this study was in the use of interpreters. Of the respondents, 50% indicating using interpreters to translate rating scales, and 25% reported using untrained interpreters. These practices are in conflict with professional standards (AERA standards 9.7 and 9.11).

McCloskey and Athanasiou (2000) conducted a survey in Colorado in a much smaller scale (96 participants). On this study, McCloskey and Athanasiou (2000) found some contradictions in the responses, for example although 30 respondents stated that
they had not evaluated any LEP student, only 4 respondents reported that English was the only language used in their schools. This study also found that, among their respondents, the WISC-III was the instrument most used with LEP students. Some of the respondents indicated that they only considered the performance scale, and others reported that they use the Spanish version of the WISC. It is important to remember that AERA standards call for practitioners to take test norming in consideration when assessing diverse students (standards 7.1,2,3). In regards to alternative assessment, the study found that they were more often used than expected, especially CBM’s. Lastly, McCloskey and Athanasiou (2000) found an overall comfort level assessing LEP students of 2.6 out of 5, which was considered low.

A study conducted by Figueroa and Newsome (2006) looked at 19 psychoeducational reports to determine current practices by school psychologists in identifying a learning disability in LEP students. In fifteen cases the students had a CELDT score of 1~3 or from beginning to intermediate. Their finding revealed that 68% of the reports did not test in the student’s primary language. The ones that did used the BVAT only. When asked if someone who spoke the primary language of the student and was knowledgeable about the cultural background of the student conducted the assessment, the answer was no on all those cases in which an interpreter was not used. Moreover, when an interpreter was used, it was not stated in the report. A worrisome finding on this study had to do with the Exclusionary Clause. Figueroa and Newsome (2006) state that the exclusionary clause has become a mere disclaimer and they consider this “inadequate and possibly an abrogation of the law” (p.207). These authors did not find any evidence on the reports analyzed that a process for determining
whether or not environmental, cultural or economic disadvantage could be the underlying factors of the academic difficulties ever took place. In other words, there was no data collected to determine or exclude those factors. Eleven of the reports simply had a disclaimer but not other information was provided as to how this conclusion was made and the other eight did not address this clause at all. Figueroa and Newsome (2006) note that one of the biggest absences from the reports was a discussion about a lack of progress possibly related to flaws “in the schooling process, particularly as it applies to English language development and literacy development in the first of second language” (Figueroa & Newsome, 2006 p. 212).

A more recent study was conducted by O’Bryon and Rogers (2010). This study surveyed 276 bilingual school psychologists from a NASP membership sample. Their results are summarized next: school psychologists, in their sample, were somewhat comfortable assessing language proficiency in LEP students with an average score of 3.6 out of 5. In addition they reported above average knowledge regarding second language acquisition. Respondents used both formal and informal assessment to assess language proficiency. The formal assessment most commonly used was the Woodcock-Munoz Language Survey (26%) and the BVAT (20%). Information was also obtained in regards to differentiating from difficulties due to language acquisition opposed to learning difficulties; respondents indicated using results of language assessment in both language and academic records, including academic assessments. The use of interpreter responses revealed a mix of best practices and discouraged practices (untrained interpreters, using family as interpreters, or using interpreters to translate tests). Of the respondents, 5% indicated to be somewhat comfortable with the use of interpreters.
As it has been discussed throughout this chapter, knowledge of second language acquisition, awareness of the special provisions in the law and the professional mandates enumerated in previous sections are intrinsic and most crucial when assessing LEP students. If these provisions are not closely followed then the validity of the assessment is questionable. Let us now turn our attention to current practices by school psychologists and see how they fare in relation to following these guidelines when servicing LEP students according to our present study.
Chapter Three

Methods

The present study is a descriptive research. Data will be collected on current school psychologists' practices to answer the following question: How much knowledge do school psychologists have in regards to Best Practices in assessing LEP students? We begin with the hypothesis that practitioners will not demonstrate knowledge of best practices in the assessment of bilingual students which include legal mandates and professional standards. In this section we will describe our sample, instruments and procedures.

Sample

The sample consisted of all school psychologist members of one Southern California Special Education Local Plan Area (SELP A) and one Southern California urban school district (N=247). A twenty item survey was made available via an internet website ( surveymonkey.com ) to the school district and the SELPA members. The districts that comprise this SELPA are small and with a mixture of rural and urban population. They also have a large Latino minority group, and one of the districts in this SELPA offers a Biliteracy program and employs bilingual psychologists. A total of 78 responses were collected (32%). The sample consisted of an experienced group with 26.9 % (n= 21) reporting 15 years or more of experience, 21.8% (n=17) reporting 11~15 years of experience, 29.5% reporting (n=23) 6-10 years of experiences and 21.8% (n=17) reporting 0~5 years of experience.
Data on level of training was provided by all respondents. About 67.9% of the sample had Masters degree (MA or MS; n=53) in school psychology. Almost twenty-one percent of the sample had a M.A/ B.S (20.5%; n=16). The remaining sample consisted of; (a) 6.4% (n=5) with a Doctorate level training; (b) 2.6% (n=2) with a Doctorate; (c) 1.3% (n=1) with B.A/BS; and (d) 1.3% (n=1) with a B.A/B.S.

**Demographics**

Most of the sample professionals serviced students at the elementary school level (73.1%; n=57); 46.2% serviced students at the intermediate school level (n=36); 30.8% serviced students at the Pre-K level (n=24); 42.3% serviced students at the High School (n=33); 5.1% serviced students at the College or University level (n=4), and 7.7% (n=6) responded “other.” Ninety-eight percent (n=77) reported that Spanish was spoken by the students at their school.

**Instrument**

The data were collected through the developmental of a 20 item survey entitled “Assessment of students learning English.” The survey was developed after reviewing research and the best practice literature in this area (Figueroa & Newsome, 2006; McCloskey & Athanasiou; 2000; Ochoa, Rivera & Ford, 1997; Ochoa, Riccio, Jimenez, & Garcia De Alba, 2004; Figueroa & Hernandez, 2000; APA, AERA, & NCME; NASP). The survey used for this study included items that solicited information about the different language groups assessed and assessment methods/instruments and practices used. The survey also included questions about language development considerations and the appropriateness of non-verbal
assessments. All of the questions were in a fixed choice format, with the exception of number eleven for which a Likert scale was used to assess the level of comfort in bilingual assessments: 1=Uncomfortable, 2=Somewhat comfortable, 3=Comfortable, 4=Moderately comfortable, and 5=Highly comfortable. The survey provided a list of 20 instruments from which respondents could indicate and evaluate their assessment practices. Blank spaces were provided to allow additional measures/methods not considered by the researcher. The survey also included items that solicited information about whether respondents assessed language dominance, acculturation, and instructional history. Information concerning the use and type of alternative assessment was also collected. Additionally, the survey contained items pertaining to the use of interpreters and methods for assessing a specific learning disability in LEP and/or bilingual students. The survey used for this study can be found in Appendix A.

Research Design

In order to address the hypothesis (school psychologists are not following best practices in the assessment of bilingual students which include legal mandates and professional standards) a cross sectional survey was created. Quantitative methods allow us to describe attitudes and practices in the assessment of LEP and/or bilingual student. Closed ended (fixed choice) questions were used in order to facilitate scoring and coding. Methods for internal validity include following the format in already published studies (McCloskey & Athanasiu, 2000; Ochoa, Rivera & Ford, 1997; Figueroa & Newsome, 2006). Additionally, advice and approval from a bilingual assessment expert, and a highly experienced school psychologist was sought out. Due to limitations of time and cost a pre-survey screener was not available. The criterion
measured was “Best practices” which includes: (a) Understanding of language development (questions 15 & 19); (b) Understanding of the most thorough assessment battery for LEP students (questions 8, 9, 10 & 14; (c) Understanding of the role of acculturation and instructional history (question 19); (d) Understanding the limitations of non verbal assessments (question 17); (e) Understanding legal mandates (questions 16, 17 & 20), and (f) Understanding the limitations of “norms” in standardized measures (question 19). The more options selected the more closely aligned with best practices.

Procedures

The survey was made available to one Southern California Special Education Local Plan Area (SELPA) and one Southern California urban school district via a confidential and secure internet link. The survey was administered by a commercial website: surveymonkey.com. It was available for four weeks. Responses were completely confidential. In an attempt to increase response rate, however, an option to enter a drawing for a gift certificate and/or obtain research results was given. In this case, twenty-three respondents made their emails addresses available to enter the drawing. A total of seventy-eight responses were collected.
Chapter Four

Results

Our hypothesis was that school psychologists would not demonstrate knowledge of Best Practices in the assessment of bilingual students which include legal mandates and professional standards. Data was collected using a cross-sectional survey. Each question or a combination of questions attempted to measure a competency in best practices: (a) Understanding of language development (questions 15 & 19); (b) Understanding of the most thorough assessment battery for LEP students (questions 8, 9, 10 & 14; (c) Understanding of the role of acculturation and instructional history (question 19); (d) Understanding the limitations of non verbal assessments (question 17); (e) Understanding legal mandates (questions 16, 17 & 20), and (f) Understanding the limitations of “norms” in standardized measures (question 19). The more options selected the more closely aligned with best practices.

Sample

The sample consisted of experienced school psychologist with 26.9 % (n= 21) reporting 15 years or more of experience, 21.8% (n=17) reporting 11~15 years of experience, 29.5% reporting (n=23) 6-10 years of experiences and 21.8% (n=17) reporting 0~5 years of experience. Thus, roughly half of the sample had more than eleven years of experience. Also, several participant districts had a large population of bilingual and or LEP students. In addition, 98.7% (n=77) of the respondents stated that Spanish was the other language spoken by their students. Furthermore, 32.1% (n = 25) of the respondents stated to have assessed more than 15 LEP students in the past year.
Twenty percent \((n=16)\) stated to have assessed 11-15 LEP students; twenty three percent \((n=18)\) stated to have assessed 6-10 students; twenty percent \((n=17)\) stated to have assessed 1-5 LEP students, and two percent \((n=2)\) stated to have assessed zero LEP students. Lastly, 89.7 percent \((n=70)\) indicated that their district language services for LEP students included full immersion with ESL support until classified FEP. Twenty one point eight percent \((n=17)\) indicated that a Biliteracy/Bilingual program was available for their LEP students. Nine percent \((n=7)\) indicated full immersion with ESL support for one year only was available. Three point eight percent \((n=3)\) indicated English only with no ESL support was available. Six point four percent \((n=5)\) indicated “Other.” A review of these responses included: it varies, don’t know, Beyond the Bell interventions, ESL all day and on-going, and total communication for non-verbal students.

Results by criterion

(a) Understanding the role of language development (questions 15 & 19c)

Of the respondents, 93.6 % \((n=73)\) of the sample indicated to consider the length of instruction in English as part of the assessment and 94.9% \((n=74)\) of the respondents endorsed using CELDT scores in their assessments. It appears that those respondents who consider the length of instruction in English use the CELDT to do so as both criterion were selected equally. Slightly fewer respondents, however, indicated to mention home language in their report: 91.0% of \((n=71)\); this was a surprising rate of response, since 98% of the participants endorsed assessing LEP students; additionally this practice should be considered appropriate even when assessing monolinguals students. As the questions began to narrow down to specific practices to measure
language development such as program instruction and CALP measures, the rate for positive responses decreased: only 76.9% (n= 60) of the sample indicated they considered the English instructional program the child is participating and only 47.4% (n= 37) of the sample stated they measure CALP and BICS as part of the assessment. It appears that for those students who are considered advance or fluent in English, a small percentage of school psychologists no longer saw a need to consider language development: 12.8% (n= 10) of the respondents indicated no consideration of language development needed if the student is classified FEP. 1.3% (n= 1) of the respondents indicated to take no consideration of language development as this is measured by the Language-Speech Pathologist.

(b) Understanding of the most thorough assessment battery for LEP students (Questions 8, 9, 10 & 14)

These questions ask participants to list the most common instruments they use in their assessment, whether or not they use alternative assessments and to describe the alternative assessments used. Table 6 shows the assessments options available for standardized instruments and the response rate for each one of them.
Table 6. Standardized instruments used in the assessment of LEP students

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>WISC IV</td>
<td>2.60%</td>
<td>2</td>
</tr>
<tr>
<td>WJ COG</td>
<td>5.10%</td>
<td>4</td>
</tr>
<tr>
<td>UNIT</td>
<td>3.80%</td>
<td>3</td>
</tr>
<tr>
<td>CTONI</td>
<td>12.80%</td>
<td>10</td>
</tr>
<tr>
<td>TONI 3</td>
<td>10.30%</td>
<td>8</td>
</tr>
<tr>
<td>DAS</td>
<td>0.00%</td>
<td>0</td>
</tr>
<tr>
<td>KABC</td>
<td>0.00%</td>
<td>0</td>
</tr>
<tr>
<td>KABC II</td>
<td>7.70%</td>
<td>6</td>
</tr>
<tr>
<td>BVAT</td>
<td>5.10%</td>
<td>4</td>
</tr>
<tr>
<td>CAS</td>
<td>84.60%</td>
<td>66</td>
</tr>
<tr>
<td>MAT</td>
<td>9.00%</td>
<td>7</td>
</tr>
<tr>
<td>CTOPP</td>
<td>35.90%</td>
<td>28</td>
</tr>
<tr>
<td>TAPS III</td>
<td>78.20%</td>
<td>61</td>
</tr>
<tr>
<td>PPVT-III</td>
<td>6.40%</td>
<td>5</td>
</tr>
<tr>
<td>PPVT-R English</td>
<td>2.60%</td>
<td>2</td>
</tr>
<tr>
<td>WLPB-R</td>
<td>37.20%</td>
<td>29</td>
</tr>
<tr>
<td>WLPB-R Spanish</td>
<td>30.80%</td>
<td>24</td>
</tr>
<tr>
<td>WLMS-R English</td>
<td>29.50%</td>
<td>23</td>
</tr>
<tr>
<td>WMLS-R Spanish</td>
<td>25.60%</td>
<td>20</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>26.90%</td>
<td>21</td>
</tr>
<tr>
<td>answered question</td>
<td></td>
<td>78</td>
</tr>
<tr>
<td>skipped question</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

Table 6 shows participants responses in regards to standardized measures used in the assessment of LEP students. The most commonly used instrument was the CAS (85%) followed by the TAPS III (78%). This practice suggests school psychologists in these districts are aware of traditional assessments that have shown consistent lower scores for minority students. It also appears that they are looking for processing information as a more relevant aspect of their assessment. This result is promising, and it differs from McCloskey and Athanasiou results in which they found the WISC-R to be the most commonly used assessment. It appears that at least in Southern California, perhaps due to its large diverse population, school psychologists are looking for instruments that are potentially less discriminatory. Further, 27% of the participants
chose “other” as their response and gave examples of the instruments they use. Many of the examples given included the Test of Auditory Processing Skills, Third Edition (TAPS-III), English and Spanish version, several visual processing instrument, different developmental scales, consultation with the bilingual specialist, and alternative assessments. Table 7 shows the alternative assessment participants selected.

Table 7. Other Alternative Procedures used by respondents

<table>
<thead>
<tr>
<th>Procedure</th>
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</thead>
<tbody>
<tr>
<td>CELDT scores</td>
</tr>
<tr>
<td>Interviews and Observations</td>
</tr>
<tr>
<td>Teacher and Parent interviews</td>
</tr>
<tr>
<td>Work samples</td>
</tr>
<tr>
<td>Consultation with ESL teacher/coordinator, and/or bilingual specialist</td>
</tr>
<tr>
<td>Criterion Based assessment</td>
</tr>
<tr>
<td>Test-Teach-Retest</td>
</tr>
<tr>
<td>Adaptive rating scales and/or ordinal scales</td>
</tr>
<tr>
<td>Language survey for parents</td>
</tr>
<tr>
<td>Spanish version of TAPS-II and TVPS</td>
</tr>
<tr>
<td>Bilingual assessment</td>
</tr>
</tbody>
</table>

Of the respondents, 86% (n= 68) answered yes to using alternative procedures in the assessment of LEP students, and 12% (n= 10) answered no to using alternative procedures. Of those who said yes, Portfolio assessments were reported to be used by 58% of the sample (n= 45). Curriculum Based Assessments (CBM) were selected by 35% of the respondents (n= 28) and Dynamic assessment were selected by 22% of the respondents (n= 17); additionally, 23% (n= 18) reported to use local norms for cognitive performance. Eleven percent (n= 9) reported not applicable, and thirty four percent (n= 27) reported “other.” As shown on table 6, participants described a variety of “other” alternative instruments they use; some of those instruments included, interviews, observations, language surveys and Spanish version of processing measures.
In regards to what respondents thought was the most appropriate battery to evaluate a student learning English (Bilingual and or LEP), 74% (n= 58) answered English assessment and native language assessment, 59% (n= 46) answered alternative assessment, 33% (n= 26) indicated cross battery assessment, 12% (n= 10) indicated non-verbal assessments, and 1% (n= 1) indicated cross battery assessment and C-LIM. Four percent (n= 3) indicated any assessment guided by CHC theory of intelligence and three percent (n= 2) indicated the Bio-cultural assessment model by Mcnicols and Armour. Three percent (n= 2) indicated the MAMBI model by Ortiz and Ochoa and 6% (n= 5) responded “uncertain.”

(c) Understanding the role of acculturation and instructional history (question 19d)

Of the sample, 96.2% (n= 75) reported to consider family history and cultural factors when interpreting test data in the assessment of students learning English.

(d) Understanding the limitations of non-verbal assessments (question 17)

Twenty three percent (n= 18) of the respondents said Yes, non-verbal assessments are the most appropriate or accurate tools to use when assessing LEP student, 46% (n= 36) stated No, and 31% (n= 24) stated “other.” Table 8 reflects some of the considerations and comments participants who selected “other” made.
Table 8. Non-Verbal assessment

<table>
<thead>
<tr>
<th>Participants comments in regards to Non-Verbal assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>it is important to obtain a cognitive measure but must also consider visual processing</td>
</tr>
<tr>
<td>It is valuable but not the most appropriate or accurate</td>
</tr>
<tr>
<td>Use both (verbal and non-verbal) and take language skills and history into account</td>
</tr>
<tr>
<td>cross battery assessment: both verbal and non-verbal measures</td>
</tr>
<tr>
<td>It depends on the level of language in either language and if there are language concerns</td>
</tr>
<tr>
<td>Test selection depends on current CELDT levels</td>
</tr>
<tr>
<td>Test selection depends on strengths and weakness of the child</td>
</tr>
<tr>
<td>Only as part of a comprehensive assessment</td>
</tr>
<tr>
<td>Non verbal measures are no always the best. They rely heavily on one's visual processing abilities and if a student also has a visual processing deficit, then you would be testing them in a modality where they are already at a disadvantage.</td>
</tr>
</tbody>
</table>

Table 8 shows participants are cognizant of the role of non-verbal assessments but also of their limitations.

(e) Understanding legal mandates (questions 16, 17 & 20)

Question 16 requires further explanation. This question asks participants how they address the “Exclusionary Clause.” Our goal was to expand on Figueroa and Newsome (2006) findings: “This provision […] has basically become a disclaimer---a statement without proof.” (p.208). As stated earlier, Figueroa and Newsome (2006) found that this clause was not address at all or it was address as a mere disclaimer. In our study, 66% (n=52) of the participants endorsed collecting data and using that information as part of the assessment to rule out the exclusionary clause; and 20% of the participants (n=16) endorsed using a disclaimer. Additionally, 47% of the participants (n=37) did not think that non-verbal assessment are the most appropriate or accurate assessment for LEP students. Lastly, the criterion most used to determine a learning disability was the discrepancy model with 34% (n=27) of the participants endorsing this method. The second most used method was a pattern of strengths and weaknesses, 27% (n=21).
Fourteen percent of the participants chose “other” category and gave same examples of their choices. Table 9 shows those responses.

Table 9. SLD determination

<table>
<thead>
<tr>
<th>Other criteria described by participants in the SLD determination for LEP students.</th>
</tr>
</thead>
<tbody>
<tr>
<td>I use a combination of RTI and analysis of strengths and weaknesses</td>
</tr>
<tr>
<td>Depends on the student’s situation: discrepancy, strengths and weaknesses, team decision</td>
</tr>
<tr>
<td>The discrepancy model is observed, however the patterns of RTI is heavily used as well</td>
</tr>
<tr>
<td>We are still officially using the discrepancy model but moving towards RTI discussions.</td>
</tr>
<tr>
<td>So we have more flexibility during IEP team meetings. Also look at actual skills and grade level</td>
</tr>
<tr>
<td>As a school psychologist, you have to take everything in account. At the IEP meeting, it is ultimately based on the team decision which includes the child’s parents</td>
</tr>
<tr>
<td>A combination of the discrepancy model, RTI and team decision.</td>
</tr>
<tr>
<td>Consultation with Bilingual Specialist/Psychologist</td>
</tr>
<tr>
<td>follow district guidelines and procedures</td>
</tr>
<tr>
<td>If they have been in the US for many years and still haven't transitioned to FEP or if they also have issues related to math calculation. In addition if they haven't had much exposure to English but can't read in their native tongue and/or family report of educational history then SLD may be appropriate</td>
</tr>
</tbody>
</table>

Table 9 shows participants endorsing a combination of methods to determine SLD eligibility, namely, a combination of RTI and discrepancy model, pattern of strengths and weaknesses, and consultation with bilingual specialists.

(f) Understanding the limitations of “norms” in standardized measures (question 19e).

Sixty four percent (n= 50) of the respondents endorsed the item “norms of the assessment used” as one of the factors they consider when assessing a LEP student. Additional questions covered by the survey were how comfortable respondents were assessing LEP students, how they became familiar with alternative procedures and what types of services were offered to LEP students who qualify for special education services. Table 10 summarizes level of proficiency by the participants.
Table 10 Level of proficiency reported by participants.

<table>
<thead>
<tr>
<th>Level of Proficiency</th>
<th>%</th>
<th>n</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non proficient</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Somewhat proficient</td>
<td>8</td>
<td>6</td>
</tr>
<tr>
<td>Moderately proficient</td>
<td>28</td>
<td>22</td>
</tr>
<tr>
<td>Proficient</td>
<td>51</td>
<td>40</td>
</tr>
<tr>
<td>Highly proficient</td>
<td>13</td>
<td>10</td>
</tr>
</tbody>
</table>

Table 10 shows that 13% (n=10) of our participants indicated to be highly proficient in assessing LEP students, and 51% (n=40) indicated to be proficient. This is a remarkable finding, especially when compared to the findings by McCloskey and Athanasiou in which only 24% of the respondents indicated to be moderately to completely comfortable with the assessment of LEP students. The difference could be attributed to the large diversity in Southern California and the opportunities for training.

In regards to how they became familiar with alternative procedures, 41% (n=32) of the respondents stated through in-services, 54% (n=42) stated workshops/professional development, 68% (n=53) stated on the job training, 55% (n=43) indicated interaction with other professionals 35% (n=27) indicated coursework, 19% (n=15) indicated journal articles, 11.5% (n=9) indicated not applicable, and 7.7% (n=6) indicated other. Participants who answered “other” offered the following alternatives: internship training, district policy, graduate programs, and ESL training.

In regards to what services were available for LEP students found eligible for special education, 33% (n=26) answered that they are usually placed in special education classes for all core academic classes, 27% (n=21) answered that they are usually placed in special education classes for language arts only and general education the rest
of the time, 53% (n= 41) answered general education classes with resource specialist pull out, 55% (n= 43) answered general education with resource specialist in the general education classroom, 67 % (n=52) answered English language development support (ESL, SDAIE, SIOP), 12.8% (n=10) answered uncertain, and 12.8% (n= 10) answered other. Those respondents who answered “other” offered these examples: depends on the needs of the child; we begin with Resource Specialist Program (RSP) then move up as needed, we offer accommodations as an ELD (English Language Development) student in the general education setting with ELD classes and ELD teacher support.
Chapter Five

Summary

The purpose of this thesis is to bring awareness to one particular group at high risk for misclassification based on assessment practices: minority students who are not yet proficient in English (LEP students). Edmund Gordon stated “That some persons have greater difficulty than others or seem unable to achieve [academic] standards is generally thought to be a problem of individual and group differences in abilities or productivity, not a problem of the appropriateness of the assessment instruments or practices used (Gordon, 1995, p.360). Historical struggles and court cases that gave rise to special education legislation and other safeguards for parents and minorities students in particular were discussed. However, despite the law and professional organizations, such as NASP and AERA’s efforts to establish evaluation regulation and safeguards to ensure non biased and non-discriminatory assessments that will prevent the misclassification of minority groups and LEP students, misclassification of minority groups and LEP student continues today (Finn, 1982; Artiles & Trent, 1994; Oswald, Coutinho, & Best, 2000). In California, Artiles, Rueda, Salazar, and Higareda (2005) found an overrepresentation of LEP students starting in fifth grade and remaining clearly until the 12th grade in 11 urban districts with high proportions of LEP’s, high minority enrollment, and high poverty levels. Their study found LEP student were 27% more likely than English-proficient students to be placed in special education in elementary grades and almost twice as likely to be placed in secondary grades. Ruedas and Windmueller (2006) state that overrepresentation continues to be an issue, although specific patterns have changed. According to Artiles, Harry,
Reschly, and Chinn (2002) whereas African American and Chicano/Latino share the highest proportions in mild mental retardation (MMR) and emotional disturbed (ED), another subgroup, LEP students are placed in high numbers under specific learning disabilities (SLD) and/or language and speech categories (LAS).

A review of the literature on language development, included a brief description of Cummins, Krashen, Schumman, and cognitive models. Legal requirements in the assessment of LEP students and professional standards as published by NASP and AERA were reviewed. Current models in the assessment of LEP students were also described. These models included MAMBI (Ochoa and Ortiz), Cross Battery, Biocultural, and BCA-Bil. In the last section the literature on the identification of LEP and students with a specific learning disability (SLD) was reviewed. Several methods currently being used to identify LEP student with a learning disability were discussed. These methods included, alternative assessment, dynamic assessment, and RTI was also discussed as an emerging model for intervention and identification.

Instrument, research design, and procedures to test the hypothesis was presented. The purpose of the study was to collect data on current practices of school psychologist in regards to the assessment of students learning English (bilingual and or LEP students). The question driving the study was “how much knowledge do school psychologist have in regards to Best Practice in assessing LEP students.” It was predicted that school psychologists would not demonstrate knowledge of Best Practices in the assessment of LEP students.

Discussion

According to the data collected, as a group, the majority of the participants reported to
consider language development, family history, acculturation, and length of instruction in English when assessing LEP students. Additionally, the majority showed an understanding of the limitations of non-verbal assessment. Alternative procedures were commonly used and portfolio assessments were endorsed by 45 of the 78 participants. Similarly, 64% of the participants (50 out of 78) reported to take in consideration the norms of the assessment used. All of these responses together align with Best Practices in the assessment of ELL students.

Surprisingly, although 58 participants endorsed the importance of assessing English and the student’s native language (and considering that 77 out of 78 participants stated Spanish was also spoken by their students) the Woodcock series with its several Spanish version available to measure native language were only marginally endorsed by participants (average of 30%); this could be attributed to the fact that using the Spanish version of the WJ-III series would require the use of interpreter, but this is highly unlikely given that the majority of the responses came from districts where bilingual psychologist were available. Additionally, this is a well versed group in matters of non-discriminatory practices, and 64% of them endorsed taking norms in consideration when selecting assessment; this awareness could be attributed to the participant’s low endorsement of traditional instruments.

The CAS was endorsed by 85% (66 out of the 78) of the participants as the assessment most frequently used in the assessment of LEP students. Although we can only speculate why participants chose the CAS over the WJ-III, it is possible that the CAS is recognized among this group as less discriminatory. The literature is abundant on the CAS vs. other traditional measures (Naglieri, 1997; Naglieri, 2000; Naglieri,
Additionally, as a group, the majority of the school psychologist chose a wide variety of instruments that measure processing areas as opposed to cognitive abilities, and perhaps they see this as a better practice in evaluating a LEP student.

Also, the TAPS (Test of Auditory Process Skills III -English version) was selected by 78% of the participants (n=61) in the assessment of students learning English. It is unclear how participants are measuring their student’s primary language when instruments such as WMLS, WLPB-R, and or the BVAT that measure language proficiency (unlike the TAPS which is in auditory processing measure) were not endorsed at the same rate as English measures. One can interpret this information to suggest the lower endorsement reflects that only bilingual psychologist selected these instruments, thus the lower percentage compared to the TAPS that is commonly used by monolingual psychologist. A more discouraging possibility could suggest that although school psychologist endorsed the importance of measuring language proficiency in both languages, they are not actually doing it. Of course, this would be a regrettable outcome and against ethical and professional practices.

On that same note, less than half of the participants 47% (n=37) endorsed measuring CALP and BICS. We can once again assume that only bilingual psychologist endorsed this item; however, monolingual school psychologist also evaluate LEP students and it is discouraging that a higher number of them did not endorse this practice. Evaluating the student’s basic interpersonal skills (BICS) and or the student’s cognitive academic language proficiency (CALP) in their native language
should be at the core of the evaluation process of LEP students. This practice would be at odds with California Code of Regulations and professional standards (CCR3023b; AERA 1999).

Similarly, although participants endorsed factors such as considering acculturation and family history, assessments that emphasize cultural models were minimally endorsed (Bio cultural 2%, MAMBI, 2%, Cross Battery and C-LIM, 1%). This could mean that only a small percentage of the participants were familiar with those models or that they use other methods that were not listed as options. This could also suggest that although participants have the knowledge of best practices is not translating to the day to day practices.

Overall, we can conclude that when presented with a list of choices, participants endorsed items aligned with Best Practice in high numbers, thus demonstrating knowledge of such information. However, when emphasizing items were presented (such as measuring CALP & BICS, measuring native language, and using cultural models) they were not highly endorsed.

Our findings in terms of acculturation measures are comparable with Ochoa et al. (2004). In their study, they found that only 14% of their participants endorsed using an acculturation measure. In our study, although 96% of the participants stated to take family and cultural factors into account; when cultural models were presented, such as the McNicol and Thomas or MAMBI, they were minimally endorsed (2%). As a possible explanation for their findings Ochoa et al. (2004) stated the various psychometric limitations of acculturation measures and their variety in terms of factors
measured and specific ethnic groups considered. In our study we could attribute it to a lack of familiarity to the models or a discrepancy between knowledge and actual practices.

In terms of considering second language development Ochoa et al. (2004) found that 78% of their participants indicated they used a measure of language proficiency; However, Ochoa et al. (2004) did not specify which measures their participants used. In our study 53% of the participants indicated to measure CALP and BICS; however, specific language proficiency measures, such as WMLS, WLPB, or BVAT were endorsed by 30% of the participants (whereas the TAPS-III was endorsed by 78% of the participants). Once again the pattern of knowledge versus actual practice emerge.

A more promising finding resulted in the area of assessments used. Processing instruments were highly endorsed as opposed to more traditional cognitive measures (CAS 85%, TAPS 78%, and alternative assessments 87%). This results differ from McCloskey and Athanasiou (2000) in which the WISC and non-verbal assessment were endorsed by 57% and 52% of their participants respectively. In our study the WISC was endorsed by only 3% and non-verbal instruments by 22% of the participants. This is an encouraging trend and speaks perhaps to more training programs and professional development opportunities in regards to diversity in Southern California. To add to this last point, 54% of our respondents indicated to participate in professional development, and 68% indicated receiving on-the-job training.
Limitations

It is important to note that there are some significant limitations in this study. The results are based on seventy-eight responses, which does not account for all practicing school psychologists in southern California. Consequently, the results of the study may not be truly representative of the assessment procedures among all of the region’s school psychologists and their treatment of second language learners, let alone be representative on a state or nationwide scale. However, the rate of response of 32% is similar to several other published surveys investigating current practices of school psychologists. McCloskey and Athanasiou (2000) had a rate of response of 33%, Ochoa et al. (2004) and Ochoa et al. (1997) had 29% response rate, and O’Bryon and Rogers 28% response rate.

The respondents, who volunteered to respond to the survey online and who chose to complete the survey may have included those who have a more significant interest in the topic and more potential to be impacted by bilingual assessments. Another issue with the results is that three of the four districts have a large Hispanic, LEP population. These districts also have bi-literacy programs, bilingual specialists, and bilingual psychologists readily; these conditions are not typical of the state and make this particular sample a very familiar and knowledgeable group on assessment of ELL students.

The format of some of the items was a limitation. For example, the question about instruments used could have been better explored by separating cognitive, processing, and language proficiency instruments.
Overall these findings revealed encouraging improvements in the general practice of assessing LEP students and highlight the gaps still to be covered.

**Future Research**

Although promising results overall, some aspects of acculturation measures need to be researched further. As noted earlier, participants minimally endorsed cultural models in the assessment of LEP students. This finding concurs with Ochoa et al. (2004) study. Future research would benefit from investigating the reason/causes given by school psychologist on their use or lack thereof of acculturation measures.

Another issue that deserves further exploration is the measure of CALP and BICS. Future studies may involve specific questions in regards to measures used, level of helpfulness, and norming concerns.

A pattern of knowledge vs. actual practice emerged as specific items were presented to participants. Perhaps a cross-sectional survey with multiple and forced choice may skew participants respondents to what would appear to be the “right” answer but does not correlate to actual practices. Therefore, future research should take the format adopted by Figueroa and Newsome (2006) in which the final product of the assessment of students learning English was analyzed: the psychological report. By analyzing the report and comparing it to professional standards and mandates, Figueroa and Newsome (2006) found discouraging practices that did not come up in our study.

An important issue to address in the future and it is one that underlines several aspects of assessing LEP students is norming. AERA (1999) calls for test developers to address norming and standardization issues related to diverse students growing up in
the United States. We echo AERA’s call and encourage other professional organizations to do the same. Our field has increased and improved its knowledge and awareness of the special needs of diverse students. We now have a corpus of ethical and professional standards. However, our study showed that school psychologists have the knowledge of best practices, but they are very limited by the availability of solid psychometric instruments to use with diverse students.
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