Instructional Intervention/Progress Monitoring (IIPM) Model
Pre/Referral Process

and

Special Education Comprehensive Evaluation

for

Culturally and Linguistically Diverse (CLD) Students

Guidelines and Resources
for
Eugene School District 4J

January 8, 2009

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Note: Oregon Administrative Rules for Special Education Updated 2008, Oregon Department of Education, may be found at the District's website: http://www.4j.lane.edu/adminrules and at the website of the Oregon Department of Education: http://www.ode.state.or.us

Context/History

District's Student Achievement Goal and Important Instructional Initiatives

Eugene School District 4J is committed to providing the best possible educational environment to ensure all students have the opportunity to succeed. One of the goals endorsed by the School District Board of Directors is to increase achievement for ALL students and close the achievement gap. The Board is committed to providing equal opportunities for ALL students to succeed. ALL students shall enjoy success in school and have the support needed to reach their full potential. In our current system, inequalities exist among schools in terms of their ability to address ALL students' educational needs. These inequalities affect student performance and contribute to an achievement gap. Some schools - particularly those serving low income and/or low achieving students - may require additional resources to achieve the same student outcomes in terms of meeting district and state academic goals.

The District formed the Access to General Education Committee representing diverse stakeholder groups during the 2006-2007 school year. This committee has been working to provide direction to general education and special education teachers, classified staff, and administrators as they make decisions regarding providing services to special education students. The committee has developed three core principles to guide educational practices throughout the District:

1. All students must have access to the general education curriculum.
2. District wide, a continuum of services must be provided for students receiving special education services; special education students are served in the least restrictive environment (LRE).
3. Throughout the District, approximately 70% of the students receiving special education services should be in general education classrooms/environments at least 80% of the time.

The shared understanding of these three core principles by teachers and administrators ensures all students, including special education and Culturally and Linguistically Diverse (CLD) students, have access to and participate in the general education curriculum. Operating schools and classrooms following these core principles guarantees CLD students will have an opportunity to learn and be taught in the general education curriculum supplemented as necessary by the District's Instructional Intervention/Progress Monitoring Model (IIPM) and the English Language Development (ELD) program.

In September 2006, the District approved the Language Arts Adoption Guidelines for elementary and middle schools. The new language arts adoption and implementation began in fall, 2007. The implementation of these guidelines is necessary to support the instructional and procedural components of the new Instructional Intervention/Progress Monitoring (IIPM) Model, IIPM Pre/Referral Process and Special Education Comprehensive Evaluation for CLD students. CLD/SPED Comprehensive Evaluation that will ensure all students will receive quality reading instruction, research-based interventions, and progress monitoring of academic growth. The K-8 guidelines require every school to:

- Adopt one comprehensive language arts program approved by the Board;
- Adopt one comprehensive program for language arts instruction that best meets the needs of all students at the school, including special education students, English Language Learners (ELL) and Talented and Gifted (TAG) students;
- Ensure all teachers implement their school's adopted comprehensive program as designed by the program developers, using the core program and including interventions and supplements as appropriate for best meeting the needs of individual students. All schools must establish a building team -- i.e., an administrator with the IIPM Team, general education, special education, Title 1 and ELL teachers, specialists (School Psychologist, SLP, Facilitating Teacher) and members from the IEP or TAG teams -- to determine when a student needs instructional interventions in addition to the core reading curriculum.

In 2007, the District developed the Instructional Intervention/Progress Monitoring (IIPM) Model to serve the educational needs of our ELL, CLD and Special Education (SPED) students. Demographic projections show that by 2030, Limited English Proficient (LEP) students will constitute 40% of students in public schools. In combination, the three District initiatives -- i.e., forming the Access to General Education Committee, creating the Language Arts Adoption Guidelines and developing the three tiered Instructional Intervention/Progress Monitoring Model (IIPM) and IIPM Pre/Referral Process -- assure ALL students will achieve success in school.

Section A: Instructional Intervention/Progress Monitoring (IIPM) Model and IIPM Pre/Referral Process for Culturally and Linguistically Diverse Students

Introduction

Emerging practices suggest any referral for special education evaluation and services for Culturally and Linguistically Diverse (CLD/ELL) students should occur only after the student participates in a pre/referral process that includes instructional intervention and progress monitoring in the general education and/or English Language Development (ELD) curriculum. A pre/referral process is especially critical for CLD students who may have a suspected disability, as it provides a methodology to document student performance on culturally responsive and scientific, research-based (SBR) instructional interventions implemented within the general classroom and, if needed, in the ELD program.

The IIPM Model and the Pre/Referral process are essential procedural components of the District's CLD/SPED Comprehensive Evaluation Model. These components provide instructional interventions, progress monitoring, and cultural and linguistic information to rule out exclusionary factors -- i.e., inadequate instruction, linguistic/cultural, socioeconomic and/or ecological/environmental differences -- as the primary reasons for a student's academic failure. The IIPM Model and IIPM Pre/Referral Process provides a thorough investigation of a CLD student's academic performance in response to receiving instruction in a comprehensive core reading or mathematics curriculum, as well as an analysis of the effectiveness of instructional interventions**.** Research continues to support the effectiveness of pre/referral procedures, including instructional interventions and RTI methodology, that may resolve 70% or more of the special education referrals of CLD students (Collier, 1998; Ortiz, 1999) and reduce the number of students inappropriately considered for special education eligibility and services (Fuchs, 2008).

The District implemented a major initiative for language arts instruction in the 2007-2008 school year with the adoption of a new language arts curriculum (K-8) and a tiered instructional delivery model referred to as the Instructional Intervention/Progress Monitoring (IIPM) Model. This initiative provides the guidelines and necessary supports to ensure all students receive quality reading instruction and interventions with progress monitoring of academic growth in the general education classroom. The District plans to follow the same process for the implementation of the mathematics curriculum in the 2008-2009 school year. A standards-based comprehensive core mathematics curriculum, SBR instructional interventions, and progress monitoring assessments (e.g., EasyCBM) will be incorporated into the District's IIPM Model.

Overview of IIPM Model and IIPM Pre/Referral Process and RTI (RtInst) Assessment

The District's IIPM Model and IIPM Pre/Referral Process and RTI (RtInst) Assessment incorporates an instructional and progress monitoring methodology derived from behaviorist learning theory and a Response to Intervention (RTI) methodology. The IIPM Model is a formal, structured approach to the provision of high-quality instruction and intervention matched to students' academic and learning needs. The approach requires frequent progress monitoring to assess student academic performance and learning rate to guide instruction, and is conceptualized in the IIPM Model as a Response to Instruction (RtInst) methodology. The IIPM Pre/Referral Process provides extensive pre/referral information necessary for non-discriminatory and fair assessments of CLD students. The IIPM Pre/Referral Process and the incorporated RtInst methodology effectively address early identification of and intervention for any academic difficulties within the general education environment. Further, the Individuals with Disabilities Education Improvement Act of 2004 (IDEIA) (PL 108-446) defines RTI as one piece of evidence that may be used in the determination of a specific learning disability:

> "… In addition, the criteria adopted by the State … must permit the use of a process based on the child's response to scientific, research-based *instructional* interventions; and may permit the use of other alternative research-based procedures for determining whether a child has a specific learning disability …" (Federal Register, August 14, 2006, p 467-86).

Instructional Intervention/Progress Monitoring (IIPM) Model and IIPM Pre/Referral Process

All students, including CLD students receiving instruction in the ELD curriculum, receive instruction in the comprehensive core reading and mathematics programs. The District's IIPM Model includes procedures and guidance for instruction, instructional interventions, progress monitoring, and supports for CLD students whether they are currently in the ELD program or reclassified as Fluent English Proficient (FEP). The following explanation of the IIPM Model Tiers I-III describes the model for reading. A similar process with variation for instructional time is utilized for a student receiving instruction in mathematics.

Tier I – Comprehensive Core Reading Instruction

All students receive instruction in the comprehensive core reading curriculum (Tier I and II) for a minimum of 40-90 minutes daily. Tier I instruction focuses on the five essential components of reading. Students are assessed periodically using the District's Reading Assessments and other CBM measures (EasyCBM or DIBELS). If a student scores below the 20th percentile s/he may be recommended by the IIPM Team for Tier II – Instructional Differentiation with progress monitoring. If a CLD student, including a student on monitoring status or who is receiving instruction in the ELD curriculum (in addition to the core reading curriculum), scores below the 20th percentile, the IIPM Team must consult with the District CLD/SPED Team before recommending Tier II Instructional Differentiation with progress monitoring.

Tier II – Comprehensive Core Reading Instruction with Differentiation

All students receive instruction in the Tier II Comprehensive Core Reading Instruction with Differentiation. Tier II instruction is more differentiated and skill focused than in Tier I and allows the general education teacher, with collaborative support from Title 1, reading specialist, facilitating teacher, and/or special education teacher, to address the instructional, learning, and cultural/linguistic needs of individuals and/or group of students (on, below, language support, or challenge level) in the core curriculum. Teachers may also use supplemental instructional materials.

Only students recommended from Tier I for progress monitoring receive a minimum of six weeks of differentiated instruction with three progress monitoring data measures in Tier II. The District's IIPM Pre/Referral Process (including RtInst methodology) begins with the student's recommendation for Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring. The IIPM Pre/Referral Process may continue through Tier III – Targeted Instructional Interventions. Written Parent Notification is required for progress monitoring in Tier II and Tier III as part of the IIPM Pre/Referral Process and RtInst methodology. Consultation with the CLD/SPED Team is required for CLD students recommended from Tier I for Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring.

CLD students receiving instruction in the ELD curriculum and recommended from Tier I for Tier II – Instructional Differentiation with progress monitoring – will:

- Continue to receive progress monitoring in the ELD curriculum using appropriate CBM assessments;
- Receive instructional differentiation with progress monitoring in the ELD curriculum for 12 weeks; and
- Receive Tier II – Comprehensive Core Reading Instruction with Differentiation in the general education classroom.

A student may be recommended by the IIPM Team from Tier II for Tier III – Targeted Instructional Intervention when:

- After receiving a minimum of six weeks (twelve weeks for students receiving instruction in the ELD curriculum) of Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring;

- After collection of three sets of data (six sets of data for students receiving instruction in the ELD curriculum); and

- Measured achievement falls below the projected aim line or produces a flat progress trend.

The IIPM Team may discontinue or extend Tier II progress monitoring if interventions are successful based on progress monitoring and RtInst methodology data.

Tier III – Targeted Instructional Interventions with Progress Monitoring

A student receiving instruction in Tier III – Targeted Instructional Interventions with progress monitoring will have a minimum of an additional 60 minutes per week of small group instruction using targeted, direct and explicit instructional interventions that are matched to the student's academic, learning, and cultural/linguistics needs. These interventions may be provided by the general education teacher, Title 1, reading specialist, ELD curriculum teacher, facilitating teacher, and/or SPED teacher depending on the resources available at each building.

Students in Tier III will receive a minimum of six weeks of targeted instructional interventions and additional progress monitoring assessments every two weeks. The District's IIPM Pre/Referral Process and RtInst methodology continue through Tier III.

Consultation with the CLD/SPED Team is required for CLD students recommended for Tier III – Targeted Instructional Interventions with progress monitoring. A CLD student currently receiving instruction in the ELD curriculum and recommended from Tier II to Tier III will:

- Also receive targeted instructional interventions in the ELD curriculum for six weeks with progress monitoring using appropriate CBM assessments in the ELD program every two weeks; and

- May also receive targeted instructional interventions for six weeks in the general education classroom with progress monitoring every two weeks.

Written Parent Notification is required for progress monitoring in Tiers II and III as part of the IIPM Pre/Referral Process. In addition, parent consent is required for ELL students in Tier III to complete information collection and assessments.

The decision rules for the IIPM Pre/Referral Process and RtInst methodology in Tier III require the IIPM team review and analyze the six – twelve weeks (twelve – eighteen weeks for students receiving instruction in the ELD curriculum) of Tier II and Tier III targeted instructional interventions progress monitoring data points, as well as other assessment or background information -- i.e., classroom performance, exclusionary factors, and CLD information. The IIPM Team may discontinue Tier III Targeted Instructional Interventions with progress monitoring if the student's data suggests interventions have been effective. The team may also determine the need for additional data and extend the Tier III interventions for an additional six weeks. If the student is not making adequate progress -- i.e., continues to perform at a level below the academic aim line or measurements of progress produce a flat trend line and the IIPM Team suspects the student may have a disability -- the team will refer the student for a CLD/SPED Comprehensive Evaluation.

If a student is referred for a CLD/SPED Comprehensive Evaluation, Tier III – Targeted Instructional Interventions will be reviewed at the evaluation planning meeting and continued through the evaluation period with progress monitoring weekly.

Considerations for the Use of IIPM Pre/Referral Process and RtInst Methodology for CLD Students

The appropriate use of the IIPM Pre/Referral Process and a RtInst methodology with CLD students requires an understanding of and ability to implement culturally responsive instruction in the core and ELD curricula as well as an ability to provide instruction methods that meet diverse learner needs. Some additional considerations include the need to:

- Utilize pre/referral process and progress monitoring measures that account for the differential rate of development between native language acquisition, second language acquisition, and acculturation (Ortiz, 2006);

- Recognize there is more instability in progress monitoring of CLD students that affects data outcomes and, therefore, the progress monitoring may consequently underestimate student performance levels or skills knowledge particularly when students have received limited or inconsistent instruction and, particularly for ELL students, have low proficiency in oral English (Gerber, 2004);

- Understand standardized procedures for instructional intervention and progress monitoring assessments (CBMs) attempts to maximize external validity and measurement reliability in determining RtInst methodology for ELL students; and

- Recognize there is considerably more to learn about the RtInst approach. Specifically:

    1 What effective SBR instruction looks like in both the core reading program and as implemented in Tier II – Instructional Differentiation and Tier III – Targeted instructional interventions for CLD students;

    2 How research can guide the instruction and intervention process; and

    3 What are the essential components required for the delivery of a pre/referral process and RtInst (RTI) methodology for CLD students? (ODE, 2007; Klingner, Artiles, Barletta, 2004).

The Oregon Department of Education, Office of Student Learning and Partnerships has a number of valuable links discussing the use of pre/referral procedures and RtInst (RTI) methodology for students who are struggling to learn and may be eligible for special education services. The link below provides pertinent information and is frequently updated as pre/referral and RtInst (RTI) information becomes available.

http://www.ode.state.or.us/search/page/?id=315

Instructional Intervention/Progress Monitoring Team (IIPM Team)

The Instructional Intervention/Progress Monitoring (IIPM) Model is an essential component of the District's adoption and implementation of the language arts and mathematics curricula, tiered instructional delivery, and progress monitoring of student academic performance. Each building in the district is required to identify a team of teachers and specialists to be members of a team to support the IIPM Model. The IIPM Team may include general education, special education, Title 1, and ELD teachers, specialists (school psychologists, SLP, facilitating teachers, etc.), and building principal. In practice, the composition of the IIPM Team is fluid, often beginning with grade level instructional teams or cross-level teams and with other staff members and parents added, when appropriate throughout the IIPM Pre/Referral Process.

The building's IIPM Team works collaboratively with the District's CLD/SPED Team to ensure:

1 The IIPM Model and IIPM Pre/Referral Process for CLD students includes culturally and linguistically responsive instruction in the core and ELD reading curricula;

2 Differentiated and targeted instruction meets individual learner needs; and

3 Progress monitoring occurs in the general education classroom and, if needed, in the ELD program.

The CLD/SPED Team is composed of two bi-lingual/cultural specialists (school psychologist and speech/language therapist) supported by Educational Supports Services and the ELD Program.

The IIPM Team I consultation with the CLD/SPED Team will:

1 Review all information, including District assessments and other CBM measures, when considering recommending a CLD student for Tier II – Instructional Differentiation with progress monitoring and Tier III – Targeted Instructional Intervention with progress monitoring;

2 Plan and review appropriate instructional interventions and progress monitoring in Tier II and Tier III;

3 Apply decision rules for extending, moving or exiting a CLD student within the IIPM Model and IIPM Pre/Referral Process with progress monitoring;

4 Collect additional information (Tier III);

5 Address exclusionary factors;

6 Refer a student for CLD/SPED Comprehensive Evaluation, if a CLD student is suspected of having a disability; and

7 Review and continue the Tier III – Targeted Instructional Interventions through the evaluation period with progress monitoring weekly.

Considerations for Implementing the IIPM Model and IIPM Pre/Referral Process for CLD Students

The IIPM Team, in consultation with the CLD/SPED Team, should have sufficient instructional and progress monitoring data, as well as language/cultural information to determine if a CLD student's learning difficulties can be attributed to:

- An inadequate match between student characteristics, e.g., language and cultural background, and the implemented instruction, interventions, and learning environment;
- A lack of appropriate instruction or opportunity for instruction and learning; and /or
- A suspected disability (Ortiz, 1999).

For CLD students, special consideration should be given to the following four areas:

1 Instruction

- Consider previous instructional programs and the quality of the learning experiences or opportunity to learn for the student;
- Review existing programs and services -- e.g., curricular accommodations in the classroom, bilingual services, CLD program, and Title I instruction;
- Determine if the current instruction and instructional interventions are culturally and linguistically responsive and designed to meet the students needs;
- Review differentiated (Tier II) and targeted (Tier III) instructional interventions for SBR quality and integrity of implementation; and
- Consider the CLD student's cognitive processing and language development in the second language, when developing and reviewing instructional interventions, the pace of instruction, requirements for oral responses, test taking, and other accommodations.

2 Progress Monitoring

- Review the progress monitoring data for the student to determine if standardized assessment procedures were followed -- i.e., external validity and measurement reliability of the progress monitoring assessments;
- Analyze RtInst methodology to ensure the student's progress monitoring results can be linked directly to instructional interventions and student learning experiences, i.e., ecological and treatment validity of the methodology; and
- Progress monitor student performance in the first and second languages to determine if language development in either language is a concern; make decisions based on the student's data from both languages.

3 Student Information

- Utilize a member of the CLD/SPED Team or an IIPM Team member who is knowledgeable about the student's culture and acculturation experience as well as first and second language background to ensure appropriate information is obtained during the IIPM Model and IIPM Pre/Referral Process;
- Utilize parents as members of the IIPM Team to obtain background information and family history; and
- Provide a bilingual/bicultural staff or trained interpreter, who is fluent in both English and the parent's native language and understands their cultural background, to assist in obtaining background information and family history.

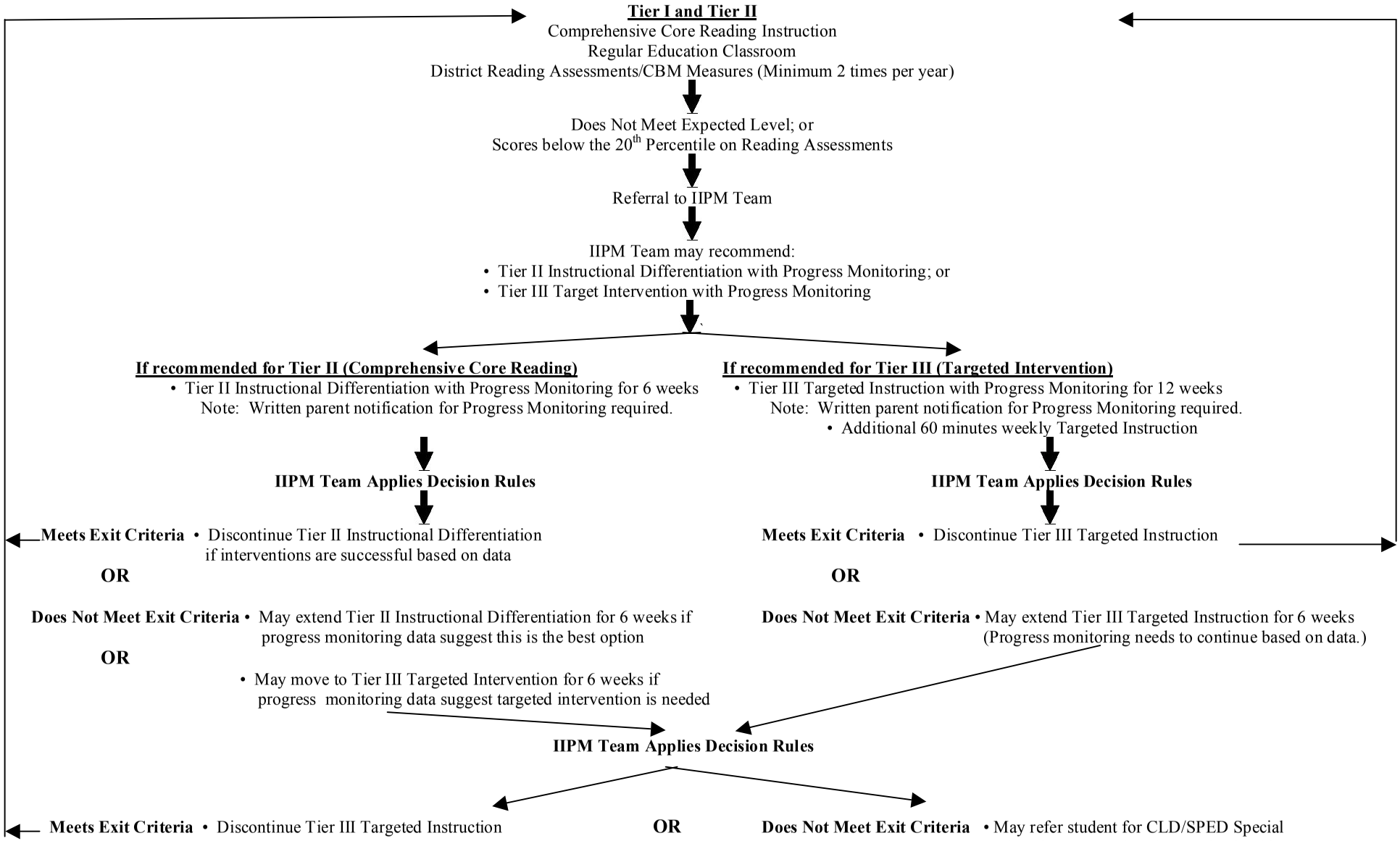
4 Exclusionary Factors

The IIPM and CLD/SPED Teams apply the District's decision rules and consider exclusionary factors for CLD students who are in Tiers I, II and III of the IIPM Pre/Referral Process. The following are exclusionary factors (adapted from Figueroa & Newsome, 2006) to consider when reviewing a CLD student's performance:

- Socio-cultural differences -- e.g., world view, low level of acculturation;
- Economic disadvantage;
- Lack of instruction as a result of inconsistent schooling or attendance;
- Inappropriate instruction and instructional interventions;
- Ecological/environmental issues in the classroom; and
- Typical second language acquisition/development stages.

Implementing the IIPM Model – Pre/Referral Process for CLD Students

The chart below provides a schematic of the IIPM Model – Pre/Referral Process with variations for CLD students on monitoring status or receiving instruction in the ELD Program Appendix A). In addition, detailed checklists follow for each of the IIPM Pre/Referral Process variations (Appendix A).



December 1, 2008

Checklist 1: IIPM Pre/Referral Process

The IIPM Pre/Referral Process checklists provide the IIPM and CLD/SPED Teams a format to ensure the appropriate steps are followed and information is collected.

Tier I – Comprehensive Core Reading Instruction

Step 1: For all students:

____ Review District Reading Assessment (or CBM measures) scores for all students;

____ Identify students with scores below the 20th percentile;

____ Consider recommending students for Tier II – Differentiated Instruction with progress monitoring;

____ Initiate (start) the building's data form for each student; and

____ Determine if the student is a CLD or CLD/English Language Learner. (Check Program page on ESIS to determine if the student is in the ELD program, on monitoring status, or has been reclassified as FEP).

Step 2: For CLD/FEP/ELL students not on monitoring status and only receiving instruction in the general education curriculum:

____ Consult with the CLD/SPED team before recommending Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring and Tier III – Targeted Instructional Interventions with progress monitoring;

____ Send Parent Notification for progress monitoring in Tier II and Tier III;

____ Gather information about the student's language proficiency in the native language (L1) and English (L2); and

____ Review information about the student's language proficiency in the native language (L1) and English (L2).

Step 3: Ensure all the correct checklists and processes are completed:

- For CLD students not on monitoring status and no longer receiving services in the ELD program, follow the IIPM Pre/Referral Process (Appendix A – Checklist 1).
- For CLD/FEP/ELL students on monitoring status and not receiving ELD services, follow the IIPM Pre/Referral Process for CLD Students (Appendix A – Checklist 2).
- For CLD/ELL students receiving instruction in the ELD curriculum (ELD program), follow the IIPM Pre/Referral Process for CLD/ELL Students (Appendix A – Checklist 3).

Checklist 2: IIPM Pre/Referral Process for CLD Students (For ELL Students Currently on Monitor Status)

Tier II – Comprehensive Core Reading Instruction with Differentiation

CLD/FEP/ELL students on monitoring status and receiving instruction in the general education curriculum in Tier I may be recommended for Tier II – Differentiated Instruction with progress monitoring. Instructional methodology is based on the cultural, linguistic, and learning needs of the student.

Step 1: Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring:

____ Provide appropriate instructional differentiation for the referred student for at least six weeks;

____ Consult with the District CLD/SPED Team to design instructional differentiation;

____ Assess each student using progress monitoring measures a minimum of every two weeks;

____ Document three progress monitoring data points;

____ Review student progress after six weeks of instructional differentiation and progress monitoring; and

____ Apply decision rules.

Step 2: Determine the next step:

____ Continue (extend) Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring if progress monitoring data indicate the student is making adequate progress;

____ Discontinue Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring, if progress monitoring data indicate the instructional differentiation is successful; or

____ Move to Tier III – Targeted Instructional Interventions with progress monitoring, if the student is not making adequate progress.

Tier III – Targeted Instructional Interventions with Progress Monitoring

CLD/FEP/ELL students who are recommended from Tier I or Tier II to Tier III receive targeted, direct and explicit instructional interventions with progress monitoring. Instructional methodology is based on the cultural, linguistic, and learning needs of the student.

Step 1: Tier III – Targeted Instructional Interventions with progress monitoring:

____ Provide targeted instructional interventions for at least six weeks;

____ Provide a minimum of 60 minutes per/week of small group instruction;

____ Consult with the District CLD/SPED Team when designing targeted interventions;

____ Assess each student using progress monitoring measures a minimum of every two weeks;

____ Document three progress monitoring data points;

____ Review student progress after six weeks of targeted instructional intervention and progress monitoring;

____ Apply decision rules;

____ Obtain written Parent Consent to collect additional information; and

____ Arrange for interpreter or translation services, if needed.

Step 2: Collect additional information:

____ Conduct an interview with the parent;

____ Conduct a comprehensive review of student's academic records;

____ Gather information about language dominance and the student's motivation to learn English or to speak in his/her native language;

____ Gather information about the student's language proficiency in the native language (L1) and English (L2); and

____ Review services, accommodations, and instructional interventions implemented in the classroom.

Step 3. Determine the next step:

____ Continue (extend) targeted instructional interventions with progress monitoring, if progress monitoring data indicate the student is making adequate progress;

____ Discontinue targeted instructional interventions with progress monitoring, if progress monitoring data indicate the targeted instructional intervention is successful;

____ Consider any apparent exclusionary factors and/or factors that must be further explored; or

____ If the student is not making adequate progress and the IIPM Team suspects the student has a disability, the team will refer the student for a CLD/SPED Comprehensive Evaluation;

____ Develop a working hypothesis to guide the IEP – Evaluation Planning; and

____ Review and continue the Tier III – Targeted Instructional Interventions through the evaluation period with progress monitoring weekly.

Checklist 3: IIPM Pre/Referral Process for CLD/ELL Students (For ELL Students Receiving Instruction in the ELD curriculum)

Tier I – Comprehensive Core Reading Instruction and Instruction in the ELD curriculum

Step 1: ELL/CLD students receiving Tier I – Comprehensive Core Reading Instruction:

_____ Review District Reading Assessment (or CBM measures) scores for ELL/CLD students;

_____ Identify students with scores below the 20th percentile;

_____ Consider recommending students for Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring;

_____ Initiate (start) the building's data form for the student; and

_____ Consult with the District CLD/SPED Team before recommending the student for Tier II – Comprehensive Core Reading Instruction with Differentiation and progress monitoring and Tier III – Targeted Instructional Interventions with progress monitoring.

Step 2: ELL students receiving Tier I instruction in the ELD curriculum:

_____ Confirm the student has received instruction in the ELD curriculum for at least eighteen weeks (a minimum of 90 minutes per week);

_____ Review student performance on the ELD curriculum (chapter tests or other CBM measures);

_____ Determine if the student is not making progress in the ELD curriculum;

_____ Complete the IIPM Pre/Referral form for the student;

_____ Consult with the CLD/SPED Team before recommending the student from Tier I to Tier II – ELD curriculum with Differentiation and progress monitoring;

_____ Send Parent Notification for progress monitoring in Tier II and Tier III; and

_____Gather information about the student's language proficiency in the native language (L1) and English (L2).

Tier II – ELD Curriculum Instruction with Differentiation

CLD/ELL students who are recommended from Tier I to Tier II receive instruction in the ELD curriculum with Differentiation and progress monitoring. Instruction is more differentiated and skill focused using the ELD curriculum and additional supplemental materials.

Step 1. ELL/CLD students receiving Tier II – ELD curriculum with Differentiation and progress monitoring;

_____ Provide appropriate instructional differentiation for referred students in the ELD curricula for at least twelve weeks;

_____ Consult with District CLD/SPED Team to design instructional differentiation;

_____ Assess each student using progress monitoring measures a minimum of every two weeks;

_____ Document six progress monitoring data points;

_____Review student progress after twelve weeks of instructional differentiation and progress monitoring; and

_____ Apply decision rules.

Step 2: Determine the next step:

_____ Continue (extend) Tier II – ELD curriculum with Differentiation and progress monitoring if progress monitoring data indicate the student is making adequate progress;

_____ Discontinue Tier II – ELD curriculum with Differentiation and progress monitoring if progress monitoring data indicate the instructional differentiation is successful; or

_____ Move to Tier III – Targeted Instruction Intervention with progress monitoring, if the student is not making adequate progress.

Tier III – Targeted Instructional Intervention in the ELD Curriculum

ELL students who are recommended from Tier II to Tier III receive targeted instructional interventions with progress monitoring in the ELD curriculum. Instruction is more direct, explicit and skill focused using the ELD curriculum and additional supplemental materials.

Step 1: ELL/CLD students receiving Tier III – Targeted Instructional Intervention in the ELD curriculum:

_____ Provide a minimum of 30 minutes per/week of small group instruction for at least six weeks;

_____ Consult with the District CLD/SPED Team when designing targeted interventions;

_____ Assess each student using progress monitoring measures a minimum of every two weeks;

_____ Document three progress monitoring data points;

_____ Review student progress after six weeks of targeted instructional interventions and progress monitoring;

_____ Apply decision rules;

_____ Obtain written Parent Consent to collect additional information; and

_____ Arrange interpreter or translation services, if needed.

Step 2: Collect additional information:

_____ Conduct an interview with the parent;

_____ Conduct a comprehensive review of student academic records;

_____ Gather information about language dominance and the student's motivation to learn English or to speak in his/her native language;

_____ Gather information about the student's proficiency in the native language (L1) and English (L2); and

_____ Review information services, accommodations, and instructional interventions implemented in the classroom.

Step 3. Determine the next step:

_____ Continue (extend) targeted instructional interventions with progress monitoring if progress monitoring data indicate the student is making adequate progress;

_____ Discontinue targeted instructional interventions with progress monitoring if progress monitoring data indicate the targeted instructional intervention is successful;

_____ Consider any apparent exclusionary factors and/or factors that must be further explored; or

_____ If the student is not making adequate progress and the IIPM Team suspects the student has a disability, the team will refer the student for an CLD/SPED Comprehensive Evaluation;

_____ Develop a working hypothesis to guide the IEP – Evaluation Planning; and

_____ Review and continue the Tier III – Targeted Instructional Interventions throughout the evaluation period with progress monitoring weekly.

IIPM Pre/Referral Process and CLD/SPED Comprehensive Evaluation For CLD Students Successful only with Tier III – Targeted Instruction Interventions

For a CLD student who has previously made adequate progress in Tier III – Targeted Instructional Interventions (Comprehensive Core Reading and ELD Curricula) and who is subsequently recommended for Tier III after making inadequate progress in Tier II, the IIPM Team may refer the student for a CLD/SPED Comprehensive Evaluation and/or review and continue the Tier III – Targeted Instructional Interventions with progress monitoring.

IIPM Pre/Referral Process and CLD/SPED Comprehensive Evaluation For CLD/ELL Students Exhibiting Significant Learning Difficulties

For a CLD/ELL student who exhibits significant learning difficulties, the IIPM Team may refer the student for a CLD/SPED Comprehensive Evaluation in conjunction with appropriate instructional interventions and progress monitoring in the IIPM Pre/Referral Process.

The IIPM Pre/Referral Process and CLD/SPED Comprehensive Evaluation requires:

1 Completion of the appropriate steps in Checklist 3; and

2 Completion of the IIPM Pre/Referral Process, Evaluation Planning and the CLD/SPED Comprehensive Evaluation within thirty (30) school days of referral to Special Education.

Conclusion: Instructional Intervention/Progress Monitoring (IIPM) Model and IIPM Pre/Referral Process

The IIPM Model provides a formal, structured approach to high quality instruction, instructional intervention and progress monitoring. The IIPM Pre/Referral Process is an essential component of the District's instructional program. CLD students receive instruction in the core curriculum (and, if required, in the ELD program) based on the cultural, linguistic and learning needs of the student. The IIPM Team, in consultation with the CLD/SPED Team, should have sufficient instructional and progress monitoring data and language/cultural information to determine if a CLD student's learning difficulties may be attributed to exclusionary factors or to a suspected disability. If the student is not making adequate progress and the IIPM Team suspects the student has a disability, the team will refer the student for a CLD/SPED Comprehensive Evaluation as described in Section B.

Section B: Special Education Comprehensive Evaluation Model for Culturally and Linguistically Diverse (CLD) Students

Introduction

Many of the current referral and assessment practices in special education fail to adequately differentiate between a disability and a learning difficulty or underachievement that can be attributed to cultural and/or linguistic difference. As a result, there are a disproportionate number of CLD students identified and receiving special education services. Research in culturally responsive and SBR instructional and non-discriminatory assessment practices suggests that overrepresentation, across disability categories in special education, often occurs as a result of a) inadequate instruction and intervention in general education, b) inappropriate special education referral and assessment procedures; and c) biased assessment practices (Ortiz, 2002; Carrasquillo, 1991; Baca and Cervantes, 2004).

To help address these critical issues, the District has implemented the Instructional Intervention/Progress Monitoring (IIPM) Model and the IIPM Pre/Referral Process with variations for CLD students, CLD/FEP/ELL students currently on monitoring status, and CLD/ELL students receiving instruction in the ELD curriculum. As described in Section A, the IIPM Model provides a formal, systematic approach to high quality instruction, differentiated and targeted interventions, as well as on-going progress monitoring of student achievement to ensure CLD students receive instruction based on the appropriate academic, cultural, linguistic and learning needs of the student.

Section B outlines the District's CLD/SPED Comprehensive Evaluation Model that consists of the following two components:

1 IIPM Pre/Referral Process; and

2 Evaluation planning and CLD/SPED Comprehensive Evaluation.

Section B also describes the steps in the Individual Educational Program (IEP) process -- i.e., eligibility determination, IEP development, placement and service decisions. The CLD/SPED Comprehensive Evaluation Model and IEP process have new and revised procedures that address inadequacies in previous CLD/SPED assessment methodologies and evaluation procedures, eligibility and placement decisions, as well as service recommendations.

The IIPM Pre/Referral Process and the CLD/SPED Comprehensive Evaluation components are designed to reduce the over and under representation of CLD students in special education by integrating instructional, tiered intervention, progress monitoring and pre/referral information into a comprehensive evaluation model. Such integration places more appropriate value on responding to the instructional and learning needs of CLD students, beginning with the presumption of needs rather than disability, and addressing the barriers to learning (e.g., socio-cultural differences, second language acquisition, inconsistent schooling or attendance, inappropriate instruction, and economic disadvantage) that may significantly impact a student's performance. This approach resonates with the current view of many special education professionals that a student's access to and instruction in the core curriculum with appropriate, culturally and linguistically responsive instructional interventions and assessments should be considered before attributing a student's learning difficulties to a disability.

The Law: Evaluation Procedures

The Individuals with Disabilities Education Improvement Act (IDEIA 2004), Section 504 Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, the standards for educational psychological testing from the American Psychological Association (APA, 1996) and the Oregon Administrative Rules (ODE, 2008) provide guidance in planning and implementing evaluation procedures for all students, including CLD students who are suspected of having a disability. This guidance strongly emphasizes the importance of considering cultural and linguistic differences. The District's procedures ensure consistency of a nondiscriminatory assessment process and eligibility determination.

The General Evaluation and Reevaluation Procedures referenced in the Oregon Administrative Rules (581-015-2110) outline the requirements of conducting an evaluation. The procedures include:

1 Evaluation planning;

2 Notice and consent;

3 Conduct of evaluation;

4 Other evaluation procedures;

5 Evaluation timelines

6 Exceptions; and

7 Transfer students,

This administrative rule and other related rules identify the evaluation requirements and, specifically, what procedures should be followed to complete a comprehensive evaluation that addresses linguistic and cultural factors in a non-biased and non-discriminatory manner.

When determining a student's eligibility for special education, the IEP team should review the eligibility procedures in this document (p. 31 - 32) and the Evaluation Procedures in Section 300.304 (IDEIA 04) that detail specific evaluation and assessment procedures. Section 300.304 states:

"Each public agency must ensure:

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

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

b. 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;

c. Are used for the purposes for which the assessments or measures are valid and reliable;

d. Are administered by trained and knowledgeable personnel; and

e. Are administered in accordance with any instructions provided by the producer of the assessments.

1 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;

2 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);

3 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;

4 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…to ensure prompt completion of full evaluations;

6 In evaluating each child with a disability…the evaluation is sufficiently comprehensive to identify all of the child's special education needs, whether or not commonly linked to the disability category in which the child has been classified; and

7 Assessment tools and strategies that provide relevant information that directly assists Special Education Assessment Process for Culturally and Linguistically Diverse Students persons in determining the educational needs of the child are provided."

The above evaluation procedures provide useful guidance regarding the appropriate selection, administration and use of assessments and methodologies that would be "sufficiently comprehensive to identify all of the child's special education needs…" (Federal Register, August 14, 2006, p 46785). The section also identifies those procedures that will ensure the assessment process is nondiscriminatory (1, i-v) which are required to determine eligibility for CLD/FEP/ELL students.

Nondiscriminatory Assessment

Nondiscriminatory assessment incorporates a wide-range of approaches and procedures designed to systematically reduce bias. Nondiscriminatory assessment methodologies "…collectively seek to uncover as fairly as possible relevant information and data upon which decisions regarding functioning and performance can be equitably based" (Ortiz, 2002).

The District has reviewed and adopted the *Comprehensive Framework for Nondiscriminatory Assessment* (Ortiz, 2002; 2004) to help guide and inform the CLD/SPED Comprehensive Evaluation Model. The framework supports a collaborative assessment process that allows members of the IIMP and evaluation (IEP) teams and parents to work together, share information and make decisions jointly. The result of the assessment process will significantly improve the likelihood our CLD students will be assessed in a nondiscriminatory manner. The *Comprehensive Framework for Nondiscriminatory Assessment* framework includes the following elements:

1. Assess and evaluate the learning ecology;
2. Assess and evaluate language proficiency;
3. Assess and evaluate opportunity for learning;
4. Assess and evaluate educationally relevant cultural and linguistic factors;
5. Evaluate, revise, and re-test hypotheses;
6. Determine the need for and language(s) of assessment;
7. Reduce bias in traditional testing practices;
8. Utilize authentic and alternative assessment procedures;
9. Evaluate and interpret all data with the context of the learning ecology; and
10. Link assessment to intervention.

The elements of *Comprehensive Framework for Nondiscriminatory Assessment* are explained in more detail in Best Practices in School Psychology IV – Volume 1 (Alex Thomas and Jeff Grimes).

Team Participants and Responsibilities

The membership and responsibility of the school teams change as the CLD student moves through the IIPM Model, IIPM Pre/Referral Process, CLD/SPED Comprehensive Evaluation and IEP process -- i.e., eligibility determination, IEP development, placement and services. Parents are active members of the school teams and should be given the opportunity to participate and contribute in every step of the pre/referral and comprehensive evaluation process (OAR 581-015-2190 – Parent Participation – General and OAR 581-015-2195 - Additional Parent Participation Requirements for IEP and Placement Meetings).

IIPM Team

The building's IIPM Team works collaboratively with the District CLD/SPED Team to implement the IIPM Model and IIPM Pre/Referral Process (including RtInst methodology) for CLD students. The RtInst methodology included culturally and linguistically responsive instruction in the core and ELD program reading curricula, differentiated and targeted instruction that meets individual learning needs in the general education classroom and, if needed, in the ELD program.

The IIPM Team is responsible for following the tiered IIPM Model and IIPM Pre/Referral Process, including the development of instructional differentiation and targeted instructional interventions, progress monitoring assessments, and application of the decision rules (and steps) for Tiers I-III. If the student is CLD/ELL or FEP, the IIPM Team must consult with the District's CLD/SPED team, follow the considerations for implementing the IIPM Model and IIPM Pre/Referral Process for FEP/ELL or CLD/ELL students (p. 21 - 22), and review exclusionary factors and additional information (Tier III Step 2) before deciding whether or not, to refer a student for a CLD/SPED Comprehensive Evaluation. Parents are important members of the IIPM Team. Parent participation is necessary to obtain background information and family history as well as to ensure parental input into the IIPM Pre/Referral Process and assure there is informed decision-making by both the parents and the IIPM Team.

CLD/SPED Team

The CLD/SPED Team is composed of two bi-lingual/cultural specialists (school psychologist and speech/language pathologist) supported by Educational Support Services and the ELD Program. The CLD/SPED Team works collaboratively with the building's IIPM Team to ensure the IIPM Model and IIPM Pre/Referral Process for CLD students includes culturally and linguistically responsive instruction in the core and ELD program reading curricula, differentiated and targeted instruction that meets individual learner needs, and progress monitoring in the general education classroom and, if needed, the ELD program (see Considerations for Implementing the IIPM Model and IIPM Pre/Referral Process for CLD/ELL Students, p. 6). Members of the CLD/SPED Team or members of the IIPM Team who are knowledgeable about the student's culture and acculturation experience as well as first and second language background obtains appropriate student information and family background, including any information that needs to be considered in the discussion of exclusionary factors. If the student is suspected of having a disability, and is referred by the IIPM Team for a CLD/SPED Comprehensive Evaluation, the CLD/SPED Team consults with the IEP Team to conduct evaluation planning, complete the CLD/SPED Comprehensive Evaluation, and participate in the appropriate components of the IEP process -- e.g., eligibility determination, IEP development, placement and service decisions.

IEP Team

In accordance to OAR 581-015-2210, the IEP Team for each child with a disability includes the following participants:

(a) One or both of the child's parents, except as provided in OAR 581-015-2195;
(b) The child where appropriate;
(c) At least one regular education teacher of the child, if the child is or may be participating in the regular education environment;
(d) At least one special education teacher of the child or, if appropriate, at least one special education provider of the child;
(e) A representative of the school district, who may also be another member of the team, who is
    (A) Qualified to provide, or supervise the provision of, specially designed instruction;
    (B) Knowledgeable about the general education curriculum;
    (C) Knowledgeable about district resources; and
    (D) Authorized to commit district resources and ensure that services set out in the IEP will be provided.
(f) An individual who can interpret the instructional implications of the evaluation results (who may also be another member of the team);
(g) Other individuals, including related services personnel as appropriate, invited by:
    (A) The parent, whom the parent determines to have knowledge or special expertise regarding the child; or
    (B) The school district, whom the school district determines to have knowledge or special expertise regarding the child; and
(h) Transition services participants.

The IEP Team (minimum) must include: (a) General Ed Teacher; (b) Special Ed Teacher; (c) Parent(s); (d) District Representative; (e) Individual knowledgeable about the child's disability and can interpret the implications of evaluation results on instruction. The recommended IEP Team members for a CLD/ELL student may also include the CLD/SPED Team, ELL program teacher(s), interpreter and/or and someone knowledgeable of the student's language and culture. The IEP Team consults with the CLD/SPED Team to conduct evaluation planning and the CLD/SPED Comprehensive Evaluation, and completes the IEP process -- e.g., eligibility determination, IEP development, placement and service decisions -- in accordance with District procedures and Oregon Administrative Rules.

CLD/SPED Comprehensive Evaluation Model

The District's CLD/SPED Comprehensive Evaluation Model was developed to evaluate diverse student populations for special education eligibility and services. The CLD/SPED Comprehensive Evaluation Model includes two components and incorporates evaluation procedures with accompanying assessment methodologies:

1 IIPM Pre/Referral Process (the evaluation procedure is described in Component 1 and Component 2: Step 2); and

2 CLD/SPED Comprehensive Evaluation (the evaluation procedure and assessment elements are described in Component 2: Step 3).

Component 1: IIPM Pre/Referral Process

The IIPM Pre/Referral Process is the first component of the District's CLD/SPED Comprehensive Evaluation Model. This component includes instruction in the core content areas (reading and mathematics), a tiered model for instructional differentiation and targeted interventions, and progress monitoring of student achievement. In the IIPM Pre/Referral Process, the IIPM Team reviews and determines the effectiveness of academic interventions that were implemented to address the instructional, cultural, and linguistics needs of the diverse learner and thoroughly investigates the CLD/ELL student's academic performance in response to instruction (RtInst). The IIPM Team also gathers additional cultural, linguistic and background information to consider as potential sources of a student's academic performance.

IIPM Model - Pre/Referral Process and Referral for CLD/SPED Comprehensive Evaluation

The IIPM Team will complete the following before referring a student for a CLD/SPED Comprehensive Evaluation:

- **Review** Tier I-III instructional interventions, progress monitoring data, and additional information completed by the IIPM Team – i.e., the IIPM Pre/Referral Process Checklist;

- **Assign** a building-level case manager and member of the CLD/SPED Team who will review the IIPM - Pre/Referral Process information, including progress monitoring data and background information and information collected to consider as exclusionary factors;

- **Discuss** the IIPM Pre/Referral Process information including a thorough review and consideration of exclusionary factors;

- **Determine** if the student is not making adequate process;

- **Decide** if the IIPM Pre/Referral Process information provides sufficient evidence for a suspected disability and, if the IIPM Team suspects the student has a disability, then the student will be referred for a CLD/SPED Comprehensive Evaluation;

- **Decide** if the IIPM Pre/Referral Process information does not provide sufficient evidence for a suspected disability and determine what additional data should be collected before proceeding with the referral for a CLD/SPED Comprehensive Evaluation;

- **If a student is referred** for a CLD/SPED Comprehensive Evaluation, Tier III – Targeted Instructional Interventions will be reviewed (at the Evaluation Planning meeting) and continued through the evaluation period with progress monitoring weekly;

- **Develop** a working hypothesis to guide the Evaluation Planning;

- **Explain** to the parent(s) the IIPM Team's decision to refer the student for a CLD/SPED Comprehensive Evaluation, and the suspected disability. Provide the parents an opportunity to express their concerns and opinions, and spend time to build a working relationship with the parents, acknowledging and respecting their socio-cultural background and knowledge of the child; and

- **Provide** copies of the written Parent Notification and the Notice of Procedural Safeguards (Parent Rights for Special Education) and obtain consent in the parents' native language as specified under IDEA 2004. Review the information with the parents to ensure the parents understand and provide informed consent.

Component 2: CLD/SPED Comprehensive Evaluation

The second component of the District's CLD/SPED Comprehensive Evaluation Model includes both Evaluation Planning and the completion of the CLD/SPED Comprehensive Evaluation. This component also adds Step 4: Patterns of Strengths and Weaknesses (PSW) Assessment Methodology and Step 5: Interpretation of Evaluation Data.

The Evaluation Planning (OAR 581-015-2115) requires the IEP Team, including the parents, meet to review the existing evaluation data, student performance and observation data, information from parents and, for the CLD student, cultural and linguistic background information which is collected from Tier III of the District's IIPM Pre/Referral Process. The IEP Team determines if any other evaluation procedures and assessment methods/materials are required to ensure the evaluation plan is individualized to assess the specific area of suspected disability(s) and areas of educational need. The CLD/SPED Comprehensive Evaluation follows the Evaluation Planning and includes procedures and assessments methods/material that are sufficiently comprehensive to meet the criteria outlined in Section 300.34 – Evaluation Procedures (IDEIA 04) and OAR 581-015-2160 – Evaluation and Reevaluation Requirements and the District's non-discriminatory assessment guidelines.

Following the completion of the CLD/SPED Comprehensive Evaluation, the IEP Team must schedule a meeting to interpret the evaluation data prior to the eligibility meeting. This meeting to interpret the evaluation data should also ensure the IEP Team, including the parents, has collected information from all appropriate sources and the evaluation data are carefully considered (OAR 581-015-2125).

Step 1: Evaluation Planning

- **Review** with the parents and other members of the IEP team the following information:

    a. Existing evaluation data;

    b. Evaluation and information provided by the parents of the child;

    c. Current classroom-based, local, or state assessments, and classroom-based observations;

    d. Observations by teachers and related services providers; and

    e. Exclusionary factors, including the appropriate consideration of cultural and linguistic background information.

- **Determine** based on the above review and input from the student's parents, if any other evaluation procedures and assessment methods/materials are required to determine whether the student is, or continues to be, a student with a disability (OAR 581-015-2130 through 581-015-2180). Also complete the following:

    a. Review and continue Tier III – Targeted Instructional Interventions through the evaluation period with progress monitoring weekly;

    b. Assess relevant functional, developmental, and academic information about the student; and

    c. Identify information related to enabling the student to continue to be involved in and progress in the general education curriculum (OAR 581-105-2110).

- **Develop** an individualized evaluation plan designed to assess the specific disability(s) and areas of educational needs of the student, including a working hypothesis about specific barriers to student learning and/or other referral concerns or question; and

- **Elicit** parent concerns regarding the evaluation plan.

The IIPM Pre/Referral Process is the first evaluation procedure of the CLD/SPED Comprehensive Evaluation. The IIPM Pre/Referral Process is an essential part of the District's instructional program and ensures CLD students receive instruction in the core curriculum, instructional interventions and progress monitoring, and that instruction that is based on the cultural, linguistics and learning needs of the student. The IIPM Pre/Referral Process, which is also the first component of the CLD/SPED Comprehensive Evaluation Model, utilizes a Response to Instruction (RtInst/RTI) assessment methodology that requires frequent progress monitoring to assess a student's academic performance and learning rate. The RtInst assessment methodology provides accurate academic performance information and data necessary to meet the Evaluation Procedures requirement of section 300.34 (IDEIA 04). During Tier III of the IIPM Pre/Referral Process, the District obtains additional, relevant student information, including cultural, linguistic and background information the IEP Team should consider as potential sources of a student's academic performance.

Step 2: IIPM Pre/Referral Process (Evaluation Procedure/RtInst Assessment Methodology)

- **Review** the core instruction and instructional interventions implemented in the general education and/or ELD programs during the IIPM Pre/Referral Process. Consider the following:

    a. Review the student's previous instructional programs and the quality of the learning experiences or opportunity to learn for the student;

    b. Review the student's current programs and services -- e.g., curricular accommodations in the classroom, bilingual services, ELD program, and Title I instruction;

    c. Determine if the student's current instruction and instructional interventions are culturally and linguistically responsive and designed to meet the students needs;

    d. Review differentiated (Tier II) and targeted (Tier III) instructional interventions for SBR quality and integrity of implementation; and

    e. Consider the student's language development and cognitive processing in the second language when reviewing instructional interventions, the pace of instruction, requirements for oral responses, test taking, and other accommodations.

- **Review** progress monitoring data to determine if student is making adequate progress. Consider the following:

    a. Review progress monitoring data for the student to determine if standardized assessment procedures were followed -- i.e., review the external validity of the procedures and measurement reliability of the progress monitoring assessments;

    b. Analyze RtInst methodology to ensure the student's progress monitoring results can be linked directly to instructional interventions and the student's learning experiences -- i.e., ecological and treatment validity of the methodology; and

    c. Evaluate the student's progress monitoring performance in the first and second languages, and determine if language development in either language is a concern, then make decisions based on the student's data from both languages.

- **Review** the additional information from Tier III, Step 2 including cultural, linguistic and background information. This includes information from:

    a. Interview with the parent;

    b. Academic records;

c. Information regarding language dominance and the student's motivation and supports to learn English or to speak in his/her native language; and

d. Student's proficiency in L1 and L2.

- **Review** exclusionary factors when considering a CLD student's performance. These include:

a. Socio-cultural differences -- e.g., world view, low level of acculturation;

b. Economic disadvantage;

c. Lack of instruction as a result of inconsistent schooling or attendance;

d. Inappropriate instruction and instructional interventions;

e. Ecological/environmental issues in the classroom; and

f. Typical second language acquisition/development stages.

The second evaluation procedure is the CLD/SPED Comprehensive Evaluation. It is not only comprehensive, but is individualized and informed by the IIPM Pre/Referral Process. The CLD/SPED Comprehensive Evaluation is designed to assess the specific area(s) of disability and educational needs of the student. The CLD/SPED Comprehensive Evaluation follows the District's Special Education (SPED) Comprehensive Evaluation Model and utilizes the Patterns of Strengths and Weaknesses (PSW) assessment methodology. The District developed the PSW assessment methodology to provide a framework to organize, review and evaluate assessment data in terms of the student's pattern of strengths and weaknesses in performance, achievement, intellectual development/basic psychological processes, and as related to the specific areas of disability(s) and the educational need of the student. An explanation of how to apply the PSW assessment methodology as an approach to reviewing, organizing and evaluating assessment data, and to apply decision rules for determining the patterns of strength and weaknesses for both initial evaluations and reevaluations are in appendix C and in Step 5 below.

Step 3: CLD/SPED Comprehensive Evaluation Procedure and Assessment Elements

Review each assessment element described below. All elements must be sufficiently addressed in the CLD/SPED Comprehensive Evaluation to meet the District's evaluation criteria.

1 Speech

- Assess the student in the area of articulation of speech sounds. An articulation disorder is the atypical production of speech sounds characterized by substitutions, omissions, additions or distortions that may interfere with intelligibility;

- Assess the student in the area of fluency. A fluency disorder is an interruption in the flow of speaking characterized by an atypical rate, rhythm, and repetition in sounds, syllables, words, and phrases. This may be accomplished by excessive tension, struggle behavior, and secondary mannerisms;

- Assess the student in the area of voice. A voice disorder is characterized by the abnormal production and/or absences of vocal quality, pitch, loudness, resonance, and/or duration, that is appropriate for an individual's age and/or sex;

- Review indicators of speech difference and determine if the indicators are present in L1 and L2. A speech/phonological disorder should be present in L1 and L2 to be considered a disorder rather than a difference; and

- Consider additional assessments and suggestions:

  - Use standardized and norm-referenced measures with caution;

- Obtain a developmental sequence of sound acquisition;

- Use rating scales/checklists; and

- Include informal inventories for those languages in which no formal standardized norm-referenced test exists.

2 Language Development and Language Disorder

- Assess the language development of the child. Assess the language proficiency in both languages using formal (i.e., Woodcock Munoz Language Survey – Revised, 2005) and informal methods -- i.e., observations, questionnaires, interviews, teacher rating scales, storytelling, language sample, etc.;

- Determine the level of language development in both Basic Interpersonal Communication Skills (BICS) and Cognitive Academic Language Proficiency (CALP). Assess the level of language proficiency (i.e., CALP), including "complex, abstract dimensions of language use that are related to literacy development, e.g., problem solving, inferences …" (Ortiz, 1997);

- Assess the amount of exposure and opportunity to use the language for the student. The amount of exposure will vary from student to student;

- Assess the transition time needed for the student to learn a second language. Some languages have more structures in common with English and consequently require fewer changes to learn English than other languages. Socio-cultural influences may also affect communication behaviors so that the transition in learning a second language may take months to years;

- Assess the student in the form, content, and function of language (phonology, morphology, syntax, semantics and pragmatics). A language disorder is an impairment in comprehension and/or use of spoken, written and/or other symbol systems. The disorder may involve: (1) the form of language (phonology, morphology, and syntax); (2) the content of language (semantics); and/or (3) the function of language in communication (pragmatics) in any combination;

- Assess the level of functional communication/pragmatic skills in different settings and by a variety of observers, such as parents, teachers, support staff, and speech language pathologists. It is important to gather information in different settings because the student may have BICS (Basic Interpersonal Communication Skills) in a routine or familiar setting, e.g., playground and classroom, but not in others; and

- Consider additional assessments and suggestions:

    - Use standardized and norm-referenced measures with caution;

    - Complete parent interview/questionnaires;

    - Conduct direct observations in a variety of settings (both structured and unstructured);

    - Use behavioral checklists;

    - Obtain work samples and portfolios;

    - Obtain language, writing, and narrative samples in both languages; and

    - Conduct alternative assessments (e.g., dynamic and authentic assessments).

- Language should not be considered disordered:

    - If the linguistic difference can be attributed to exclusionary factors; or

    - If the language differences result from normal transitions in second language acquisition such as: a) inappropriately transferring culturally acceptable behaviors in the dominant

language to English, b) code switching (switching back and forth from one language to another in the middle of an utterance, c) omission and/or overextension of morphological inflections, d) double marking and misordering of sentence components (placing adjectives after the noun), and e) using one member of a word class for all members, and using all members of a word class interchangeably without concern for the different meanings; and

- A language related disorder must be present in both L1 and L2 and not be the result of language loss to be considered disordered (Goldstein, 2004).

3 Academic Achievement

The assessment of academic achievement should be based on the CLD student's instructional program, instructional and grade level skills, and language proficiency level. Assessment data should describe the student's performance in the instructional and learning environment in both languages when applicable. This includes:

- Reviewing academic performance on District Reading Assessments and/or CBM measures;
- Reviewing IIPM Pre/Referral progress monitoring data in reading and/or mathematics;
- Recognizing the measurement instability in progress monitoring assessments may affect data outcomes and, consequently, may result in an inaccurate estimate of a CLD/ELL student's performance levels, skills or knowledge, particularly when the students have received limited or inconsistent instruction and have low proficiency in oral English or differences in cultural background;
- Considering standardized test data as part of the Patterns of Strengths and Weaknesses (PSW) Methodology. However, if a standardized achievement test is administered, strict validity and reliability criteria should be applied to reduce cultural and linguistic bias and the non-discriminatory assessment guidelines should be reviewed;
- Administering and reviewing alternative assessments which may be informal in nature, including authentic assessment data -- e.g., work samples, portfolios, and classroom observations;
- Utilizing dynamic assessment strategies to obtain more information about the student's learning strengths and weaknesses and problem solving and processing skills;
- Utilizing the PSW Methodology as an approach to organizing, reviewing and evaluating academic achievement data to determine the impact on a student's educational and functional performance; and
- Considering the exclusionary factors when reviewing the student's academic performance.

4 Intellectual Assessment / Basic Psychological Processes

- Basic Psychological Processes must be addressed as an element of the Pattern of Strengths and Weaknesses Methodology (Step 4 of the CLD/SPED Comprehensive Evaluation Model);
- Determine the purpose of an assessment of intellectual development—i.e., identify the specific cognitive areas/abilities and/or processes that will be assessed;
- Utilize intellectual assessments that are designed to identify individual differences from two perspectives:
  - Intra-individual differences that involve variations within the individual over different cognitive tasks, and
  - Inter-individual differences that involve variations between persons on the same tasks.

- Appropriate use of assessments requires contextual and careful judgments about:
  - The selection, administration, and interpretation of measures;
  - Interpretation of assessment results (Reschly and Grimes, 2002); and
  - Prevention of misuses and misconceptions (Reschly and Grimes, 2002). Assessment misuses are minimized by considering the following:
    - Intellectual assessment should be used when the results are directly relevant to well-defined referral questions, and other available information does not address those questions. Evaluations should be goal directed. (Reschly and Grimes, 2002);
    - Intellectual assessment should not dominate the assessment process; rather, it should be one component of a comprehensive evaluation that is designed to address the referral problem(s) and oriented to determining specific educational/instructional needs;
    - Select procedures and tests that are appropriate for measuring cognitive abilities or intellectual functioning in equitable ways (Flanagan & Halsell-Miranda, 1995);
    - The results of an intellectual assessment should relate to the development of educational interventions. For a measure to have treatment validity, it must lead to effective treatments (i.e., instructional and behavioral interventions, instructional programming, teacher implemented strategies, etc.) (Witt & Gresham, 1985);
    - The IEP Team must avoid the inappropriate use of intellectual assessments to reach conclusions, without considering a wide variety of other information. Information should be consistent over settings, sources and data collections methods. Application of the convergent validity principle provides a method to integrate and evaluate multiple sources of information (Witt & Gresham, 1985);
    - The examiner's reporting and interpretation of assessment results must reflect the limitations of the test, including technical adequacy, measurement error, and general performance ranges;
    - Limitations in the norms of the test, in reliability or stability of scores, and questionable or undemonstrated validity - particularly for CLD students - must be carefully considered and communicated to consumers of test information;
    - The results of intellectual assessments may vary as a function of changes associated with the individual's environment and overall adjustment (McCall, Apelbuam, & Hogarty, 1973). This would support the most common interpretation of test results as reflecting current intellectual functioning;
    - A measure of intellectual functioning may be directly affected by the individual's goal-directedness, motivation, persistence, concentration skills, and emotional and behavioral stability;
    - The focus of intellectual assessment should be on the process of learning rather than obtaining a score. Examiners should investigate how well students adapt to new learning situations and how well they can apply new skills in a variety of contexts; and
    - There are very few measures of cognitive ability normed on diverse linguistic and cultural populations. The few current cognitive ability measures normed on CLD populations "do not account for varying levels of proficiency in two different languages that mark bilingual students as distinct from native students or English-only speakers" (Rhodes et al., 2005 p.167);

- Examiners are legally and ethically mandated to review the psychometric properties of every cognitive measure before assuming that a test can be used to generalize and predict a CLD student's performance, i.e., review the instrument's standardization procedures and normative sample to ensure it is appropriate and useful for the particular CLD student;

- Bilingual students' language and cognitive development as well as academic achievement differ significantly from those of monolingual students. Second language acquisition related constructs include: slower mental processing, slower auditory memory, and slower reading fluency and comprehension in the weaker language (Figueroa et al., 2006);

- Bilingual Verbal Abilities Test (BVAT) is a standardized test that measures a child's cognitive language proficiency in both English and their native language. It provides a broad measure of a student's receptive and expressive language in the student's two languages combined. This assessment comes in many languages, but at this point, we only have the assessment in English/Spanish. The BVAT goes beyond the existing practices of testing separately the student's mastery of English and first language. It provides a holistic overall estimate of a bilingual student's cognitive language mastery;

- Nonverbal IQ measures such as the Universal Nonverbal Intelligence Test (UNIT) and the Naglieri Nonverbal Ability Test (NNAT) could be used when assessing CLD students if other intellectual assessments cannot be appropriately conducted in L1;

- Structured observations of a student's development in cognitive abilities/skills and processing are useful if gathered through direct measures of the student's behavior and learning in various settings.

- Factors to consider when assessing a CLD student's intellectual development may include:

  - Basic Psychological Processes (see Step 4 of the CLD/SPED Comprehensive Evaluation Model);

  - Social judgment;

  - Concrete vs. abstract thinking;

  - Creativity; and

  - Practical skills/knowledge base.

- Additional Assessments and Suggestions:

  - Use the Cattell-Horn-Carroll (CHC) Cross-Battery Approach (Flanagan et al, 2006) which classifies standardized, norm-referenced tests;

  - Consider the degree to which each subtest is culturally loaded;

  - Consider the extent of an assessment's inherent linguistic demands;

  - Use tests based on theoretical formulations of cognitive processes (Naglieri, 1999);

  - Use tests that focus on hands-on problem-solving tasks (e.g., K-ABC, CAS, UNIT); and

  - Use dynamic or modified assessment procedures to present standardized materials (test-teach-retest), but do not report test scores.

5 Socio-Cultural/Emotional/Behavioral Needs

- Emotional or behavior difficulties of a student may be misattributed to environmental or experiential factors or internal dynamics of the student or family, rather than the unique circumstances and/or acculturation of the student;

- Gather data through informal and formal methods in a variety of contexts, including home, school, and community. Use ecological/environmental assessment techniques to observe and document student behavior;

- Utilize standardized assessments with caution -- e.g., behavior checklists or rating scales, personality or others;

- Rely on interviews and self-reports, review of background information, and observations of the student in the school environment to develop instructional/behavioral interventions, direct assessment planning, and to make program decisions;

- Assess problematic behaviors using a Functional Behavior Analysis (FBA) approach and, if required, write a Behavior Support Plan;

- In this process of collecting information, it is critical school personnel attempt to build trust with the family (Anderson and Canter, 1999) and careful consideration should be given to cultural influences that may affect the student's behavior in various contexts or settings; and

- When evaluating behaviors, observers should consider:

  - Student's worldview;

  - Parent's worldview;

  - Behavior appropriate in the native culture;

  - Role of education and religious beliefs in the native culture;

  - Student behaviors that significantly differ from the ones socially acceptable in his/ her native culture and in the American culture;

  - Information that may help explain the target behavior including English proficiency and/or second language acquisition stage;

  - Comprehension or knowledge of appropriate social norms and rules;

  - Acculturation level or process; and

  - Motivation to learn English.

6 Transition/Vocational Skills

- If the CLD student is age 14 or older, collect transitional and vocational information which should have:

  - Transition skill assessment that would include assessing independent living, personal care, and social interaction skills;

  - Vocational or career assessment that would include noting vocational aptitudes, interests and matching strengths and interests to career goals; and

- Consult with transition specialists for more information or suggestions for data gathering.

7 Related Services

- In Step 2: Evaluation Planning, the IEP Team determines if any other evaluation procedures

and assessment methods/materials are required to ensure the evaluation plan is individualized to assess the student's specific area of suspected disability(s) and areas of educational need; and

- If the team suspects the student's needs would require related services, collect data and/or assess those needs and provide the results to the IEP Team. The IEP Team will determine what related services are needed by the CLD student, including the use of an interpreter or language assistance, to receive educational benefit from Special Education services.

8 Adaptive Behavior

- If a student is suspected of having cognitive disability, an evaluation must include an adaptive behavior assessment; and

- Collect information – e.g., valid adaptive behavior scale, from teacher and parent(s) or main caregiver. Provide the parent(s) the opportunity to ask questions or clarify their answers, and to acknowledge and understand their socio-cultural background.

Step 4: Pattern of Strengths and Weaknesses (PSW) Methodology

- **Organize** data gathered across evaluation procedures, conduct a comprehensive review of the data and identify if there are any patterns of strengths and weaknesses in a student's performance, achievement or intellectual development / basic psychological processes;

- **Review** the PSW Methodology (see Appendix C) as an approach to address any relevant exclusionary factors and measure outcomes from the working hypothesis as developed during evaluation planning

- **Utilize** PSW Data/Measures Guidance and decision rules to help determine the Pattern of Strengths and Weaknesses relevant in determining any suspected disability(ies); and

- **Review** all assessment data and background information from the CLD/SPED Comprehensive Evaluation Procedure and Assessment Elements (Component 2 Step 3).

Step 5: Interpretation of Evaluation Data

- **Schedule** a meeting to interpret the evaluation data prior to the eligibility meeting and initiation of the IEP process (these do not need to be separate meetings, but may be done consecutively);

- **Include** an interpreter in the meeting to ensure the parents understand and can be fully involved and participate in the process; and

- **Review** the evaluation data to ensure the team, including the parents, has gathered information from all appropriate sources and, further, the evaluation information is documented, understood, and carefully considered (OAR 581-015-2125).

IEP Process - Eligibility Determination, IEP Development, Placement and Service Decisions

The IEP process consists of four steps: 1) eligibility determination, 2) IEP development, 3) IEP placement, and 4) IEP service decisions.

At each step of the IEP process, the IEP Team will consider the following:

- Whether the CLD/ELL student needs ELL/ELD program assistance for the student to access and benefit from special education services and the general education curriculum;

- When scheduling and considering the amount of instruction a student will receive during the school day, what effect removing the student's ELL/ELD services may have on the student's English-language development, on the provision of special education and on general education services; and

- When the IEP Team reduces or removes a CLD/ELL student's ELL/ELD services or Special Education

services, whether the IEP Team has made the decision in order to meet the student's individualized educational needs and not because of administrative reasons unrelated to a student's educational needs.

Step 1: Eligibility Determination

- **Provide** written Parental Notification in the parent's native language as specified under IDEIA 2004 and invite parents to attend the meeting -- i.e., IEP notice for determining the student's eligibility for special education services;

- **Ensure** required members of the team attend the eligibility determination meeting, including the parents, and two or more qualified professionals in accordance with OAR 581-015-2190;

- **Include** an interpreter in the meeting to ensure the parents understand and can be fully involved in the process;

- **Review** all evaluation and assessment results including information from the IIPM Pre/Referral Process (RtInst information and progress monitoring data), additional information from Tier III – i.e., cultural and linguistic information -- and information from the CLD/SPED Comprehensive Evaluation Procedure and Assessment Elements;

- **Review** the *Comprehensive Framework for Nondiscriminatory Assessment* and apply the approaches and procedures that are designed to systematically reduce bias;

- **Apply** the PSW Methodology as an approach to organize, review, and evaluate assessment data;

- **Apply** PSW Data/Measures Guidance and decision rules to help determine a Pattern of Strengths and Weaknesses;

- **Review** exclusionary factors when considering the student's performance;

- **Elicit** parent input regarding eligibility. School personnel should assist parents in becoming familiar with the special education disability category(ies) being considered, so they can be active participants in the eligibility decision-making process. Parents should receive verbal and written notification in their native language of their right to agree or disagree with eligibility decisions and to receive appropriate eligibility documentation;

- **Follow** the procedures outlined in the Determination of Eligibility (OAR 581-015-2120);

- **Determine** student eligibility by following District procedures and the Oregon Administrative Rules for Special Education (2007);

- **Documen**t all assessment data and conclusions including a statement of eligibility for special education, noting any inconsistencies in data, and a record of the discussion regarding the significance of cultural, linguistic, socio-economic, environmental factors and the student behaviors and learning factors related to the assessment data; and

- **Refer** CLD students who do not meet the Special Education eligibility requirements or who have learning difficulties that result from exclusionary factors, to the building's IIPM Team for continued instructional interventions and progress monitoring in the IIPM tiers.

Step 2: IEP Development

- **Provide** written parental notification in the parent's native language as specified under IDEIA 2004 to attend the IEP meeting (i.e., Notice of IEP Team Meeting) as required in OAR 581-015-2190 – Parent Participation and OAR 581-015-2195 – Additional Parent Participation Requirement;

- **Ensure** the required members of the IEP Team attend the IEP meeting in accordance with OAR 581-015-2210 – IEP Team;

- **Include** an interpreter in the meeting to ensure the parents understand and can be fully involved in the

process;

- **Review** all evaluation and assessment results including information from the IIPM Model Pre/Referral Process (RtInst information and progress monitoring data), additional information from Tier III -- i.e., cultural and linguistic information -- and information from the CLD/SPED Comprehensive Evaluation Procedure and Assessment Elements;

- **Elicit** parent input regarding IEP development. School personnel should assist parents in becoming familiar with IEP development so they can be active participants in the process;

- **Develop** an individualized education program (IEP) in accordance with the content requirements of OAR 581-015-2200. In developing the student's IEP, the team must review and consider special factors required in OAR 581-015-2205 – IEP Team Considerations and Special Features and OAR 581-015-2220 – When IEPs Must Be In Effect (See District Administrative Rules – District Special Education Policies and Procedures.):

- **Consider** the student's language needs in the IEP development (e.g., ELL services, ELD program, language assistance in special education, bilingual aide and culturally and linguistically appropriate instruction); and

- **Provide** parents with copy of the Prior Notice of Special Education Action in the parents' native language and a copy of the completed IEP.

- **Step 3: Placement and Least Restrictive Environment**

- **Provide** written parental notification in the parent's native language as specified under IDEIA 2004 to attend the IEP meeting (i.e., Notice of IEP Team Meeting) to determine placement as required in OAR 581-015-2250 – Placement of the Child and 581-015-2195 – Additional Parent Participation Requirement;

- **Ensure** the required members of the IEP Team, including staff who are knowledgeable about the student's language and culture, attend the IEP meeting. The IEP Team determines the educational placement of the student in accordance with OAR 581-015-2250 – Placement of the Child;

- **Include** an interpreter in the meeting to ensure the parents understand and can be fully involved in the process;

- **Review** the student's IEP and consider the individual instructional and behavioral needs of the student, including cultural and linguistics factors. Document consideration of these factors in the student's IEP;

- **Review** the continuum of placement options available to implement the student's IEP services;

- **Consider** all placement options, including placement options requested by the parent;

- **Elicit** parent input regarding placement options. School personnel should assist parents in becoming familiar with placement options and the decision process for determining placement in the least restrictive environment;

- **Determine** placement in the least restrictive environment in accordance with the requirements of OAR 581-015-2250; and

- **Provide** parents with copy of the Prior Notice of Special Education Action in the parent's native language and a copy of the completed IEP.

Step 4: Service Decisions

- **Ensure** the IEP Team reviews the proposed special education and related services in the student's IEP for appropriateness;

- **Include** an interpreter in the meeting to ensure the parents understand and can be fully involved in the process;

- **Elicit** parent input regarding the proposed special education and related services;

- **Determine** if the proposed special education and related services in the student's IEP adequately address the student's instructional, learning, and linguistic and/or cultural needs;

- **Determine** if the student needs language assistance to receive educational benefit from the IEP and related services – e.g., ELL services, ELD program, language assistance in Special Education, bilingual aide and culturally and linguistically appropriate instruction; and

- **Implement** the student's IEP and related services in accordance with OAR 581-015-2040 - the Free Appropriate Public Education (FAPE).

Glossary of Terms and Acronyms *

There are many terms and acronyms used in general and special education settings as well as those used in the evaluation and assessments. The glossary provides definitions of terms and acronyms used in the Eugene School District procedures and forms for the Instructional Intervention/Progress Monitoring Model (IIPM), IIPM Pre/Referral Process, and the CLD/SPED Comprehensive Evaluation.

***Adapted from:**

"Special Education Assessment Process for Culturally and Linguistically Diverse Students Guidelines and Resources for the Oregon Department of Education" - 2007 Revision
National Organization for Bilingual Education (NABE, 2005);

Acculturation

Acculturation is the process of adapting to the cultural worldviews, customs, and traditions of mainstream society. Acculturation occurs with individuals and with groups of people. Acculturation influences all aspects of human behavior and functioning including: cognition, emotion, behavior, perceptions, ideologies, beliefs, values and language (Cuellar and Paniagua, 2000). See Appendix C for more information.

Adaptive Behavior Assessment

Adaptive behavior refers to everyday coping with environmental demands and includes the skills in daily living that people perform to care of themselves and relate to others (Grossman, 1983). The American Association on Mental Retardation (AAMR, 1992) emphasized that adaptive behavior includes an array of important competencies and identified 10 specific areas of adaptive skills: communication, self-care, social, community-use, self-direction, health and safety, functional academics, home living, leisure, and work.

Alternative Assessment Procedures

Alternative assessment procedures have been developed to gather information on culturally and linguistically diverse (CLD) students given the substantial limitations of standardized test measures. Alternative assessment procedures may be informal in nature and emphasize dynamic or authentic assessments, e.g., work samples, portfolios, classroom observations. Assessment information describes the student's performance in the instructional and learning environment.

Assessment

Assessment is a process of collecting data for the purpose of (a) specifying and verifying problems, and (b) making decisions about students (Salvia and Ysseldyke, 1999). In the context of the IIPM Model – Pre/Referral Process and the CLD/SPED Comprehensive Evaluation, assessment practices and methodologies may include standardized and alternative assessments (e.g., curriculum-based measures, performance and portfolio assessments, and dynamic, authentic or progress monitoring assessments). Federal guidelines (IDEIA 2004) require that all assessment practices and methodologies sufficiently address cultural and linguistic factors in order to reduce bias in the assessment process.

Basic Interpersonal Communication Skills (BICS)

Basic Interpersonal Communication Skills (BICS) are skills used in day-to-day interactions with others. Examples of BICS may include: playground conversations between children and informal verbal interactions with a parent, a friend or a neighbor. Second language learners need an average of one to three years of exposure to the second language to reach appropriate levels of conversational proficiency with peers (Cummins, 2004).

BICS

See above.

Biculturalism

Biculturalism is the successful integration of new cultural patterns into the cognitive and behavioral patterns of the first culture and language.

Bilingual Assessment

The evaluation of a bilingual individual, by a bilingual individual and in a bilingual manner constitutes true bilingual assessment (Rhodes, Ochoa & Ortiz, 2005). A bilingual practitioner needs to have:

- knowledge about, and be familiar with the examinee's culture;
- knowledge about how culture and language differences affect test performance;
- training and education in non-discriminatory assessment; and
- ability to speak the examinee's language fluently enough to adequately evaluate functioning.

Common Assessment Approaches**:**

- Nonverbal assessment;
- Assessment in the native language; and
- Assessment in the second language.

Bilingual Education

Bilingual education refers to approaches in the classroom that use the native languages of English language learners (ELL) for instruction. Goals include:

- teaching English;
- fostering academic achievement;
- assisting immigrants in the process of acculturation;
- preserving a minority group's linguistic and cultural heritage;
- enabling English speakers to learn a second language;
- developing national language resources; and
- any combination of the above (NABE, 2005).

Bilingual Verbal Abilities Test (BVAT)

The BVAT is a standardized test that measures a child's cognitive language proficiency in both English and their native language. It provides a broad measure of a student's receptive and expressive language in the students two languages combined. This assessment comes in many languages, but at this point, we only have the assessment in English/Spanish. The BVAT goes beyond the existing practices of testing separately mastery of English and the child's first language. The BVAT provides a holistic overall estimate of a bilingual child's cognitive language mastery.

CALP

See Cognitive Academic Language Proficiency.

CLD/SPED Comprehensive Evaluation Model

The District developed the CLD/SPED Comprehensive Evaluation Model to evaluate diverse student populations for special education eligibility and services. In addition to the three components of the CLD/SPED Comprehensive Evaluation Model, the model incorporates two evaluation procedures with accompanying assessment methodologies.

CLD/SPED Team

The CLD/SPED Team is composed of two bi-lingual/cultural specialists, i.e., school psychologist and speech/language therapist, supported by Educational Support Services and the ELD Program. The team works collaboratively with the building's IIPM Team to ensure the IIPM Pre/Referral Process with CLD students includes culturally and linguistically responsive instruction in the core and ELD reading curricula, differentiated and targeted instruction that meets individual learner needs, and progress monitoring in the general education classroom and, if needed, in the ELD program.

Clinical Judgment

Clinical judgment or professional judgment is the ability to synthesize information obtained from a variety of

sources to help inform and make decisions about the educational needs, special education eligibility and placement, and the provision of services for students with disabilities. During the IIPM Pre/Referral Process and, when evaluating CLD students for special education eligibility and services, assessment information should include a careful and thorough review of the linguistic and cultural factors that contribute to the student academic performance and any exclusionary factors that may affect learning.

Cognitive Academic Language Proficiency (CALP)

CALP is the ability to use and understand complex linguistic meaning in verbal or written communication. CALP illustrations may include engaging in sophisticated, intellectual conversations or writing school essays. CALP development varies, and it may take five to seven years, on average, to reach peer-appropriate grade norm levels in academic areas taught in a second language (Cummins, 2004).

Comprehensive Core Reading Instruction (Tier I and Tier II)

All students receive instruction in the comprehensive core reading curriculum in Tier I and Tier II for a minimum of 40-90 minutes daily. Tier I and Tier II instruction focuses on the five essential components of reading. Tier I and Tier II instruction and the IIPM Model will be expanded to include mathematics when the District adopts and implements the new mathematics curriculum in K-8.

Convergent Validity Principle

The convergent validity principle applies to the use of a methodology to integrate and evaluate multiple sources of information to establish a convergent pattern indicating a correspondence between the measures of the same construct (e.g., memory).

Culture

Edwards, Ellis, Ko, Saifer, and Stuczynski (2004) define culture as, "A way of life." Culture is especially related to the socially transmitted habits, customs, traditions, and beliefs that characterize a particular group of people at a particular time. It includes the behaviors, actions, practices, attitudes, norms, values, language patterns, traits, etiquette, spirituality and superstitions, of a racial, ethnic, religious, or social group. Culture influences how we process learning, solve problems, and teach. "Culture is the lens through which we look at the world. It is the context within which we operate and make sense of the world". (p. 9)

The language and culture relationship explains how individuals acquire language through socialization, and how, in turn, language exerts a significant role in individuals' perceptions of their physical and social world. In order to address linguistic differences appropriately, acknowledging and respecting cultural differences is crucial. (Manning and Baruth, 2000).

Culturally and Linguistically Diverse (CLD) students

CLD students are those who have a language other than English and/or a different cultural background. Some students may have been born in or outside of the US, or they may have been raised in a home environment where a language other than English was dominant. CLD students may exhibit difficulties speaking, reading, writing, or understanding English and/or the predominant culture. Other terms used to identify these children include: English as a Second Language (ESL), Limited English Proficient (LEP) or the most updated terms: English Language Learner (ELL) and Second Language Learners (SLL).

Culturally Responsive Practices

Culturally Responsive Practices are practices that respond to the needs of CLD students, and take into account the socio-cultural-historical contexts that influence students' functioning and interactions.

Common Underlying Proficiency (CUP)

CUP refers to cognitive/academic proficiency that underlies academic performance in both languages. Information learned in the native language facilitates the learning of the same concept in the second language.

EasyCBM

The EasyCBM is a research-based assessment and progress monitoring system developed for use in a Response to Intervention (RTI) framework. The EasyCBM is designed to assess early literacy skills of students in

kindergarten through fifth grade. The system will expand in 2008-2009 to include K-8 reading and mathematics measures with alternative forms. The EasyCBM provides online training in test administration and scoring, web-based access to the assessments, data storage and retrieval, and printable reports showing student performance.

English Language Development (ELD)

Instruction designed specifically for English Language Learners (ELL) to develop listening, speaking, reading and writing skills in English. This type of instruction is also known as English as a Second Language (ESL) and Teaching English to Speakers of Other Languages (TESOL). Standards are a version of English Language Arts standards designed to address the specific developmental stages of students learning English.

English Language Learners (ELL)

Students whose first language is not English and who are in the process of learning English. ELL students are sometimes referred to as LEP (Limited English Proficiency) students. They typically receive English as a Second Language (ESL) Instruction.

Emerging Practices

As our schools become more diverse and as educators gain added experience in working with students from diverse cultures and with languages other than English, instructional approaches and assessment methodology improve as a result of emerging practices based on scientifically-based research (SBR).

English as a Second Language (ESL)

ESL is an educational approach in which English language learners are instructed in the use of the English language. It is based on special curricula that typically involve little or no use of the native language, focus on language (as opposed to content) and usually taught during specific school periods. For the rest of the school day, students are placed in general education, an immersion program or a bilingual education program.

Exclusionary Factors

Exclusionary Factors are factors, external to the student, which can partially or fully explain a student's academic or behavioral difficulties, but are not suggestive of a disability. These exclusionary factors may include socio-cultural differences, economic disadvantage, lack of instruction as a result of inconsistent schooling or attendance, inappropriate instruction and instructional interventions, ecological/environmental issues in the classroom, and typical second language acquisition/development stages.

FBA

See Functional Behavioral Analysis**.**

Fluent English Proficient (FEP)

This term is used when an English Language Learner (ELL) has reached fluent English language proficiency as measured by an English language proficiency assessment.

Functional Behavioral Analysis (FBA)

FBA is a process for identifying the events that reliably predict and maintain problem behavior(s). Behavioral theory assumes that behavior is purposeful -- i.e., there is a "payoff", a maintaining consequence, for emitting the behavior(s). Behavioral theory asserts two beliefs:

- Behavior is predictable; and
- Behavior is changeable if it can be made irrelevant, inefficient or ineffective.

IEP

See Individualized Education Program.

IEP Process

The IEP process includes four steps: 1) eligibility determination, 2) IEP development, 3) placement, and 4) service decisions.

Individualized Education Program

OAR 581-015-2200

Content of IEP
(1) The individualized education program (IEP) must include:

(a) A statement of the child's present levels of academic achievement and functional performance, including how the child's disability affects the child's involvement and progress in the general education curriculum.

(b) A statement of measurable annual goals, including academic and functional goals (and, for children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of short-term objectives) designed to:

(A) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and

(B) Meet each of the child's other educational needs that result from the child's disability.

(c) A description of how the child's progress toward meeting the annual goals will be measured and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;

(d) A statement of the specific special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child:

(A) To advance appropriately toward attaining the annual goals;

(B) To be involved and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and

(C) To be educated and participate with other children with disabilities and children without disabilities,

(e) The projected dates for initiation of services and modifications and the anticipated frequency, amount, location and duration of the services and modifications described in subsection (1)(d) of this rule.

(f) An explanation of the extent, if any, to which the child will not participate with children without disabilities in the regular class and activities described in subsection (1)(d) of this rule.

(g) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide assessments of student achievement that are needed for the child to participate in the assessment:

(A) A child may not be exempt from participation in State or district-wide assessment, including extended and juried assessments, because of a disability, unless the parent has requested an exemption under OAR 581-022-0612.

(B) If the IEP team determines that the child must take an alternate assessment in any area instead of a regular State or district-wide assessment, a statement of why the child cannot participate in the regular assessment, and why the alternate assessment selected is appropriate for the child.

(2) For the purposes of transition, the IEP must include:

(a) Beginning not later than the first IEP to be in effect when the child turns 16, or younger, if determined appropriate by the IEP team, and updated annually thereafter:

(A) Appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills; and

(B) The transition services (including courses of study) needed to assist the child in reaching those goals.

(b) Beginning at least one year before a student reaches age 18, or when the district obtains actual knowledge that within one year the student will marry or become emancipated before age 18, a statement that the district has informed the student that procedural rights will transfer to the student upon age 18, marriage or emancipation, whichever occurs first.

Instruction with Differentiation (Tier II)

All students receive instruction in the Tier II Comprehensive Core Reading Instruction with Differentiation. The Tier II instruction is more differentiated and skill focused than Tier I. The instructional, learning and cultural/linguistic needs of students are addressed by utilizing scientifically based research (SBR) instructional interventions identified as appropriate from the core curriculum.

Instructional Intervention/Progress Monitoring Model Team (IIPM Team)

The IIPM Team is an enhancement of and replaces the Student Support Team (SST) in the buildings. The IIPM Team works to ensure that all students receive instruction, instructional interventions and progress monitoring through the District's IIPM Model, IIPM Pre/Referral Process and RtInst approach. The IIPM Team may include general education, special education, Title 1, and ELD teachers, specialists (school psychologists, SLP, facilitating teachers, etc.), and building principal. In practice, the composition of the team is fluid, often beginning with grade level instructional teams or cross-level teams and with other staff members and parents added, when appropriate. The IIPM Team works collaboratively with the CLD/SPED Team if a CLD student is recommended for IIPM Team support.

Interpreter

Interpreters assist in parent/school meetings and they may assist during the assessment process. The interpreter conveys information verbally from one language to another guided by the knowledge and familiarity of the appropriate methods of expression. The interpreter is fluent and literate in the target language (Harris county Department of Education Bilingual Assessment Leadership Group, Texas. 1997).

Intensive Positive Behavioral Supports (IPBS)

IPBS is a systems approach for screening and intervening with students who exhibit moderate to severe problem behaviors and who benefit from secondary (targeted) or tertiary (individualized) behavioral support in school.

L1

L1 is the native, primary or first language of the second language learner's parents.

L2

L2 is the second language a person acquires after learning their native language. In most cases, L2 refers to English.

Language Dominance

The dominant language is usually the language that a person:

- learns first;
- has the greatest ease using;
- prefers to use; and
- consistently chooses to use when speaking with bilingual individuals or with individuals who speak the

same dialect.

Language Proficiency

A student's language proficiency refers to the level of skill they have attained in understanding and using a language in both formal and informal settings. Language proficiency levels range from limited to advanced. Some characteristics a proficient language user has include:

- the ability to understand distorted messages;
- the ability to express messages effectively;
- the knowledge of linguistic rules; and
- the use of language fluently across a variety of contexts (Ortiz, 1997).

Limited English Proficiency (LEP) students

See Culturally and Linguistically Diverse (CLD) students

Monitor Status

After an English Language Learner (ELL) has reached fluent English language proficiency as measured by an English language proficiency assessment, he/she is reclassified to "monitor" status. An ELL student is on "monitor" status for two years to ensure that he/she is progressing academically in the general education environment, and no longer in need of ELL instructional services.

Multicultural Assessment

Multicultural assessment ensures that a Culturally and linguistically Diverse (CLD) student's aptitudes and abilities are measured by utilizing evaluation procedures and assessment methodologies that address linguistic and cultural factors in a nonbiased and nondiscriminatory manner.

Native or First Language

As described by IDEIA (2004), the native language is the primary language of the parents of a child.

Parental Involvement

Parents of CLD students should be fully involved in the IIPM Pre/Referral Process and SPED Comprehensive Evaluation. To ensure clear school/parent communications school personnel will need to use the primary language of the family. A qualified bilingual, bicultural interpreter or bilingual staff person should be involved for any face-to-face communication between parents and school personnel. Additionally, the forms parents must understand, read or complete should be provided in the native language of the family. Parents must have information about their roles, responsibilities, and rights as provided in IDEIA (2004) Procedural Safeguards.

Pattern of Strengths and Weaknesses (PSW) Methodology

The Pattern of Strengths and Weaknesses Methodology was developed by the District as a model or framework to organize, review and evaluate assessment data in terms of the student's strengths and weaknesses in performance, achievement, intellectual development / basic psychological processes, and as related to the specific areas of disability(s) and the educational need of the student.

Positive Behavior Support Plans

- Positive behavior support plans are designed to increase the rate of appropriate adjustment behaviors and decrease the frequency of problem behaviors. The plans rely on environmental redesign for success. The plans identify the specific changes to be made in the behavior of those who will implement the plan (usually educators or parents). Effective plans create environments wherein:
    - Positive consequences for appropriate behavior(s) are easily accessed;
    - Appropriate behavioral alternatives are taught and reinforced;
    - Problem behaviors are not rewarded; and
    - Aversive stimuli are altered in ways that are less likely to trigger problem behavior(s).

Pre/Referral Process - Instructional Intervention /Progress Monitoring (IIPM) Model

The District's IIPM Pre/Referral Process includes a tiered instructional and intervention process with progress monitoring within the core reading and mathematics curricula. Similar Response to Intervention (RTI) and IPBS approaches have recently emerged as a recommended practices.

Prevention

The prevention of student learning difficulties is an important goal of the IIPM Model and IIPM Pre/Referral Process. When CLD students are provided with high quality instruction in the core curriculum, scientific, researched-based (SBR) and culturally and linguistically responsive instructional interventions, students are more successful and the number of inappropriate referrals for special education are reduced. A prevention-oriented approach requires that all educational professionals continue to receive professional development and expand their knowledge of cultural and linguistic differences, second language acquisition, and instructional differentiation.

Response to Instruction (RtInst)

The IIPM Model provides a formal, structured approach to high quality instruction and instructional interventions matched to student academic and learner needs. The District has selected Response to Instruction (RtInst) as its instructional and assessment methodology for implementing tiered instruction and progress monitoring. The RtInst methodology emphasizes instructional differentiation based on frequent progress monitoring of student performance.

Response to Intervention (RTI)

The District utilizes a RtInst methodology similar to the more global Response to Intervention (RTI) approach based on behavioral learning theory as a component of the Special Education Comprehensive Evaluation to determine eligibility for special education under the category of Specific Learning Disability (OAR 581-015-2170 (i)). The District's Response to Instruction (RtInst) methodology is incorporated into the IIPM Pre/Referral Process.

Scientifically-Based Research

The No Child Left Behind (NCLB) Act of 2001 encourages the use of instructional methods based of scientific research that have been proven effective. The NCLB definition of "scientifically based", research must: [NEED ADDITIONAL LANGUAGE]

Scientifically-Based Research (SBR) Interventions

Scientifically-based research (SBR) instructional interventions in reading and mathematics are implemented as a component of the IIPM Pre/Referral Process. Culturally and linguistically appropriate instructional interventions for CLD students are identified and utilized to provide differentiated and targeted instruction with progress monitoring.

Second Language Acquisition Process

The second language acquisition process is a complex, and lifelong process similar to first language acquisition. Second language acquisition is best developed by exposure to meaningful activities that focus on language use (Collier, 1998). See Appendix X for associated linguistic patterns related to second language acquisition and development.

Standardized Tests

Using standardized tests to evaluate CLD students for special education services may be problematic. Collier (1998) notes that it is unethical to use standardized test scores to qualify students for special education services if: 1) the norms do not apply to the student; 2) the test items are biased or beyond the realm of the student's experience; and 3) the test has been modified in any way (such as administered through an interpreter). Standardized tests can be considered as part of the Patterns of Strengths/Weaknesses (PSW) Methodology and

included in a CLD/SPED Comprehensive Evaluation. If a standardized test is considered, strict validity and reliability criteria should be applied to reduce cultural and linguistic bias.

Targeted Instructional Interventions (Tier III)

A student recommended for Tier III – Targeted Instructional Interventions receives additional individual/small group instruction each week. Targeted instruction is based on SBR interventions matched to the student's academic, learning, and cultural/linguistic needs.

Worldview

An individual's worldview encompasses the social, economic and political climate, as well as family influences, personal characteristics, experiences, gender, sexuality, cultural background and spirituality of the individual. (New Mexico Department of Education, 2001).