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U. S. Mainland-Born and Non-Mainland-Born Children Referred for Special Education

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In this study, we compared the referrals for special education evaluation of U.S. mainland-born children with those of mostly Latino non-mainland-born children in two school systems in the Northeastern United States. The investigation focused on whether there was a significant difference between referrals for special education from each group, based on either language or behavior. According to the literature, nonnatives are both overrepresented and underrepresented in special education, with reasons for referral including problematic use of language and inappropriate behavior. The researchers found that referrals for behavior in our sample were more frequent among natives compared with nonnatives, while referral for language use did not differ significantly between the groups. We discuss variables that could account for these findings including nonnative acculturation, the availability of alternative curricula for these learners, and the fact that many native children in inner-city schools speak alternative English varieties that contrast with the standard language used in school settings.

Latino children and other English language learners, most recently referred to as emergent bilinguals (EBs; Garcia & Kleifgen, 2010) are often mistakenly referred for special education or bypassed for referral due to misunderstandings regarding their language and behavior (Artiles & Ortiz, 2002; Artiles, Trent, & Palmer, 2004; Baca, Baca, & de Valenzuela, 2004; Samson & Lesaux, 2009). Christina (1993) notes the importance of distinguishing the normal sociocultural and linguistic development of nonnatives from possible language and culture differences due to special education needs. She reports that, unfortunately, even when evaluators have been alerted to this issue, assessment of nonnatives for special education is sometimes inappropriate. At the same time, Latino children and other EBs may fail to receive proper attention because their developmental and behavioral deficits are mistakenly attributed to their nonnative status (Chamberlain, 2006; Zetlin, Beltran, Salcido, González, & Reyes, 2011). However,

while there is ample evidence for over-referrals in the literature, under-referrals of nonnative speakers are not as well documented.

United States Census data for the past two decades reflect significant growth in the population of individuals who were not born on the U.S. mainland, particularly among those who share the Spanish language. Partial reports from the 2010 census continue this trend (Passel, 2011). Not surprisingly, there has been concurrent growth in the number of non-mainland-born, immigrant children (in the case of children from Puerto Rico, migrant children) attending U.S. schools, children for whom the schools are expected to provide relevant and appropriate instruction. EBs in the United States in PreK–12 education settings rose to 57.17% compared with an increase in the general learner population of only 3.66% (Ballantyne, Sanderman, & McLaughlin, 2008; National Clearing House for English Language Acquisition, 2006). A significant proportion of non-mainland-born children grow up in poor economic circumstances and live in depressed neighborhoods consistent with low socioeconomic status and limited long term prospects (Tienda & Haskins, 2011). These socioeconomic factors are also true of mainland-born children who live in the same communities and/or who participate in shared networks including schools (Leventhal & Brooks-Gunn, 2004; RAND, 2005). This study considers how the language and behavior of EBs and their native peers impact referrals for special education.

In this article, we review the literature on variables relevant to our study, including social and educational acculturation, socioeconomic status, interlanguage and academic language development, referrals based on behavior as well as language, and educating school personnel to accurately differentiate sociocultural, linguistic, and behavioral factors when making referrals for special education. Our method involved integrating a range of data sources taken from school records in two urban school districts differing in size. The discussion analyzes the patterns of over- and underrepresentation of nonnative students in special education classes in light of findings from our data and the literature review. New directions of research to expand the exploration of these issues are also suggested.

Background

Socioeconomic Status and Acculturation for Nonnative Children

Researchers seeking an understanding of diverse populations have attempted to address, or at least acknowledge, differences in acculturation based on the amount of time individuals have lived in the United States. Ortega (2009) highlights the fact that the degree to which an individual participates in the norms and values of the mainstream culture as the second language (L2) is acquired is highly complex and that "affective and social-psychological variables that arise from non-linguistic dimensions of the environment remain important when explaining L2 learning." (p. 59). In their study of support groups for Latino families of children with Down syndrome, Shapiro and Simonsen (1994) recognized that members of an ethnic group might be

at different points along the acculturation continuum (the degree to which an individual has internalized the norms and values of a particular society). They targeted families of Mexican origin who had lived in the United States for five years or fewer as particularly in need of support. When discussing the acculturation of nonnatives, it is also important to consider how the target group is situated in the larger community. Acculturation will be based to some degree on contact with particular communities and subcultures. Latino children and other immigrant EBs are likely to interact with natives who come from poor or working-class environments and whose subcultures contrast with that of the mainstream U.S. culture represented in school (Dzidzienyo & Obler, 2005).

Latino children, particularly those from rural or agrarian backgrounds, may arrive with limited exposure to school culture (Nieto, 2002; Salend & Reynolds, 1991). Additional issues of relevance for referral to special education include a focus on group rather than individual achievement, indicating a mismatch between traditional Latino and U.S. values (McEachern & Kenny, 2002). For example, Eisenstein Ebsworth and Ebsworth (2000) found that Latinos encultured in Puerto Rico judged behavior as appropriate only when its impact on the community was favorable. In contrast, continental North Americans allowed for the possibility of a behavior that could be judged favorably when it benefitted the individual irrespective of its community impact. Pérez and Torres-Guzman (2002) report that Mexican-American children experienced dissonance between approaches to performing collectively organized tasks at home and more teacher-directed tasks at school. That is, eliciting help from other children was encouraged at home but not equally supported at school. In addition, as learners go through the acculturation process, making meaning of different norms and expectations, their behavior may reflect their anxiety and stress. "There is a clear need to help educators understand that many potentially troubling behaviors of culturally and linguistically different children are normal and should be anticipated given their cultural, linguistic, and acculturational backgrounds" (Collier & Hoover, 1987, p. 3).

The extent to which immigrant families' experiences with mainstream U.S. society relate to their inclination to internalize particular U.S. mores and act on them has implications for their children's classroom behaviors and, therefore, their children's susceptibility to referral for special education. Chamberlain (2006) notes: "Institutions encode and prescribe distinctive vantage points that the people who inhabit those institutions adopt as part of the process of fitting in their institutional roles" (p. 229). In a study of referrals for special education in a largely Latino community (Gottlieb & Weinberg, 1999), several teachers commented that children who recently came to the United States were better behaved than children who were born here. According to these teachers, immigrant children seemed more respectful and were more inclined to obey class rules. Also, if being respectful and well-behaved are more valued traits in traditional Latino cultures, it would explain, in part, findings from prior research suggesting that Latino parents tend to be more likely than African American or Caucasian parents to initiate referral for special education in order to address their children's behavioral problems (Gottlieb, Gottlieb, & Trongone, 1991). However, the same study indicated that teachers referred African American

children more often than Latinos on this basis. Furthermore, both groups were referred for evaluation more frequently than children classified as Caucasians, irrespective of whether the referral was initiated by parents or teachers.

Interlanguage Development

Interlanguage is a construct that refers to the nature of an individual's systematic mental representation of an L2 at a particular point in time (Cheatham & Ro, 2010; Gass & Selinker, 2008). Proper assessment of a nonnative speaker's interlanguage proficiency remains difficult, especially with regard to assessment for special education eligibility (Baca & Cervantes, 2004). It is crucial to separate issues of second-language development from possible signs of disability (Carrasquillo & Rodriguez, 2002). Accurately characterizing the L2 competence of learners is difficult in and of itself. Learners going through the early stage of preproduction, also known as the silent period, are focused on understanding and processing L2 input and may be reluctant to produce speech, relying largely on nonverbal communication (Diaz-Rico, 2007; Orosco & Klingner, 2010).

Even at the advanced fluency stage of development (Krashen & Terrell, 1983; American Council for the Teaching of Foreign Languages, 1999, 2001), Lakshmanan and Selinker (2001) indicate that confusion in determining L2 development in interlanguage is common, and it is not unusual to either underestimate or overestimate learners' L2 proficiency. An additional dimension that is relevant is the variation of language needed to function in casual versus academic settings. Cummins (2000) has drawn the distinction between basic interpersonal communicative skills and cognitive academic language proficiency and focuses on the range of literacies needed in today's world (Cummins, Brown, & Sayers, 2007). As a result, nonnative children who are able to function adequately in informal settings with peers may continue to experience challenges in the use of academic language in the classroom. Matching interventions to stages of L2 acquisition is also extremely complicated (Hearne, 2000). The reality of EBs usage of translanguage, the use of more than one language in a specific context (Garcia, Bartlett, & Kleifgen, 2007) can further complicate the perceptions of monolinguals regarding these children. Guidelines and resources are offered in the literature but involve a synergy of linguistic and performance factors in order for the practitioner to identify learners' stages of language development (Education Evaluation Center, 2007).

It can also be difficult to separate the appropriate use of language to match the situation in which it is used and the learner's stage in the acquisition process. Agar (1994) uses the term *language culture* to indicate that language use and cultural knowledge are inextricably entwined (p. 60). The connection between sociocultural context and appropriate language use is explored by Fetzer (2007), and the difficulty of using one's second language to send a message to others that correctly encodes the speaker's intention is well documented in the research on intercultural pragmatics (Eisenstein Ebsworth & Ebsworth, 2000; House, Kasper, & Ross, 2003). Finally, in part due to the difficulties noted above, overdependence on language tests for educational decisions regarding bilingual special education students has been noted and

criticized (Roseberry-McKibbin & O'Hanlon, 2005). The use of natural language samples to assess bilingual learners has been found to yield greater validity than language elicited and evaluated through formal testing and analysis (MacSwan & Rolstad, 2006).

An additional dimension of second language acquisition for Latino students in inner cities is that their target for second language learning may include African American vernacular English (AAVE) or a Latino variety that incorporates its influence (Gutiérrez-Cieben & Simon-Cereijido, 2007; Eisenstein & Berkowitz, 1981). The fact that AAVE differs from standard U.S. English linguistic and rhetorical patterns, and that this disconnect can result in difficulties for communication and success in school, is well established (Michaels & Cazden, 1986; Smitherman, 1977). This factor may have consequences for referral to special education both for Latino nonnatives and for natives who speak AAVE or a local Latino variety of English (Zhang & Cho, 2010).

Referrals Based on Behavior

Despite its importance, language is not the sole reason why many students are referred for special education. The role of behavior in the referral of nonnative children in general and Latino children in particular has also received attention in the research literature, though the data are inconsistent. Indeed, research conducted in urban schools with high concentrations of minority students has indicated that these students tend to be over-referred relative to their numbers in the population at large (Fruchter, Berne, Marcus, Alter, & Gottlieb, 1996), often for inappropriate behavior (Gottlieb & Alter, 1994). A meta-analysis comparing referral of Hispanics and African Americans (Hosp & Reschly, 2003) noted that African American students appeared to be disproportionately referred for behavior compared with Caucasian students while contrary to some other research, referral rates of Hispanic students were not significantly different from those of Caucasians. The authors suggested that a "mismatch of expectations might affect the referral rates of non-Caucasian students" (p. 68). This demonstrates that study in additional contexts and considering additional variables is needed to understand why the literature reveals conflicting information regarding whether Latinos are or are not over-referred for special education and to identify variables that may mediate differential outcomes.

Disruptiveness and inattention are among the behaviors associated with emotional disturbance in children (Algozzine & Ysseldyke, 2006). Inappropriate behavior on the part of EBs may be the result of the traumatic experiences and dislocation that immigrant children have gone through (Christina, 1993). The researcher points out, however, that inappropriate behavior by nonnatives is often more likely to require counseling and understanding than placement in special education, except for cases of serious mental or emotional disorders. The research clearly demonstrates that over-referral of nonnatives for perceived behavioral problems is pervasive (Kastner & Gottlieb, 1991; Gottlieb & Weinberg, 1999; Harry & Klingner, 2007). However, while recent research such as the national study of Samson and Lesaux (2009) has found over-referral of bilingual learners in kindergarten and Grade 1, changing to under-referral in Grade 3, the possibility that the behavior of immigrant children might actually make them less likely to be

referred than their native peers is rarely reported.

Educating School Personnel

The majority of research about making EB referrals more accurate, especially of Latino students, has been concerned with educating school personnel about the nuances of normal bilingual development and the factors that distinguish such development from language and social behavior characteristic of a learning disability (Harry & Klingner, 2006; Schiff-Myers, Djukic, McGovern-Lawler, & Perez, 1994). The intent of such work is to avoid inappropriate teacher referrals to special education and the subsequent inappropriate eligibility determinations by child study teams. Our study, which considers the potential roles of language and behavior in both over-referrals and under-referrals, will add to the existing literature by expanding the understanding of researchers and practitioners of how to make special education decisions more accurate for nonnative populations.

Research Questions

This research had two purposes: to determine (a) whether misbehavior as a reason for referral occurs more or less often for non-mainland-born children than for mainland-born children; and (b) whether non-mainland-born and mainland-born students are perceived by teachers to exhibit language issues that are differentially cited as reasons for referral.

Method

Participants

Our samples were drawn over a period of three years from two urban school systems located in neighboring states in the Northeast United States[1]. These data were obtained and analyzed at the request of one of the school districts at a point in time when the district believed it was overwhelmed with referrals for special education and it wanted to gain a better understanding of why the volume of referrals, and their accompanying costs, had been so large. Special education cost has been a recurring concern to school districts over the years and continues to be so, as is most recently evident from New York City Mayor Michael Bloomberg's testimony before the New York State legislature (Fertig, 2011).

The first school system where we collected data was large, while the second was considerably smaller. Latino students represented the largest subgroup in both school systems. In fact, the smaller school system was recruited primarily because its student population was heavily Latino, as it was in the larger school district. Our rationale for studying the research questions in two separate school districts was that we wished to determine whether the same relationships existed in separate school districts of different sizes located in different states so as to increase the generalizability of the findings. Recent research shows contrasting approaches in

alternate school districts, even within the same system (Sánchez, Parker, Abkayan, McTigue, 2010). We were particularly interested in studying the sensitive nature of special education referrals in districts that differed substantially in size where, presumably, students and families may have been known in greater or lesser depth as a function of school and district size.

Large urban school system (>250,000). As part of a larger study of assessment practices in the larger school system that was requested by the school administration, a random sample of 336 school records was selected. Sample size was limited by the available manpower and time as provided by the school district. Our original target sample was 350; however, errors and inconsistencies in school records required us to drop 14 records from the sample. All students attended one of six districts that comprised one region of this urban school system. The 336 students included children referred for initial evaluation (n = 194) and children referred for re-evaluation (n = 142). In this sample, 59% was Latino, 32% was African American, and 4% was Caucasian. Age of arrival on the U.S. mainland was as follows: 22% age 2 or younger, 18% ages 2–5, 16% ages 5–11, 38% ages 11–14, and 2% ages 14–18. Although our current focus is on referrals for special education and not determinations of eligibility and eventual service recommendations, other data culled from this data set, from the larger study, indicated that close to 90% of students referred by classroom teachers were subsequently found eligible for special education services by their respective multidisciplinary assessment teams.

The remaining 5% of the sample were divided among Asians (2%), offspring of interracial marriages (1%), and the missing data on race and/or ethnicity accounted for the remainder. Fourteen percent of the school population was enrolled in special education, about 1% higher than the average for the urban school system as a whole. Eighty-eight percent of the special education children in this sample participated in the district's free lunch program. Finally, 52% of the entire teaching staff was either African American or Latino.

Of the 336 students whose records were sampled, data on place of birth were available for 271 students (80.7%); of the 271 students 49 (18.1%) were immigrants and 222 were born on the mainland. Forty-six of the 49 immigrant or migrant students came from Spanish-speaking areas, with the largest subgroups representing Puerto Rico (n = 18) and the Dominican Republic (n = 12). On average, the immigrant or migrant children attending the larger school system entered the mainland United States at 7.1 years of age.

Small urban school system (< 1500). The second school system, located in a contiguous state and selected to provide a contrast to the larger school system, but with a much smaller population of students similar in ethnic and racial backgrounds, enrolled approximately 1,200 students. In this district, we obtained child study team records for the entire population of 49 children referred for evaluation for special education during a single school year.

At the time of data collection, 5.65% of the student population was enrolled in special education programs. Of the total student population, 63% was Latino, 28% was Caucasian, 7.7% was Asian, and 1.5% was African American. Almost 39% of the families whose children attended this school district participated in the Aid to Families with Dependent Children program.

Data on place of birth were available for 35 of the 49 (71.4%) students. Seven (20%) of the 35 students for whom data were available were not born on the mainland; all were born in Spanish-speaking countries, primarily in Puerto Rico (*n* = 4), and one each from Mexico, Dominican Republic, El Salvador. On average, the non-mainland-born children in the smaller school district entered the mainland United States at 6 years of age.

Limitations

We must acknowledge that our background information was limited by the current practices of the schools in reporting demographics. These reports conflate ethnicity and race. We also note that Latinos represent a range of racial backgrounds including mixed African descent, Indigenous and mixed Indigenous descent, and Caucasian (typically Spanish ancestry) and mixtures of these groups. The categories for native English speakers are equally problematic. Nevertheless, the data reflect the associations of the participants from their own perspectives and/or those of their families.

Procedures

Procedures for data collection were similar in both school systems in that the data were obtained from school records. To retrieve the data in the larger school system, a team of seven experienced members of the district's multidisciplinary assessment teams participated in the development of a records-review form. Seven individuals collected all data on the 336 students. Six of the seven data collectors were bilingual, of Latino origin, and had been employed in various roles on multidisciplinary assessment teams for an average of seven years. The chief data collector, who was not Latino, was involved in training multidisciplinary team members in state regulations pertaining to the assessment process. All seven were doctoral students in either special education or school psychology.

We collected demographic and reason-for-referral data, among other variables, from both subgroups (students initially referred and those referred for reevaluation). These particular data points were a subset of a larger data set consisting of over 100 variables that required three months of training for seven bilingual graduate students to establish inter-rater agreement. When all seven data collectors reached a minimum of 80% agreement on each of the variables on the data collection form, training was suspended and data collection began. For approximately 90% of the variables, reliability was easily established since data were transferred verbatim from the students' records.

An abbreviated version of the data collection form was developed for the current study and appears the Appendix. The variables of concern to this study included (a) the child's place of birth, (b) reasons why the child was initially referred for special education, and (c) general education teachers' ratings of children's language ability at the time of the referral. Scoring of the reason for referral required data collectors to interpret teachers' written narratives in the school records. Major categories of referral reasons were identified through a recursive review of narrative statements. For the purposes of this study, referral for behavioral reasons was

operationally defined as referral when behavior was a primary reason as opposed to both behavioral and academic reasons. Inter-rater reliability for reason for referral was .92. It is possible that academic reasons may incorporate elements of language-based skills including oral and literate, receptive, and productive language. However, in these cases, teachers' comments focused primarily on content issues rather than on students' language.

Data on the role of language facility in the referral decision were obtained from teachers' responses to a referral form developed by the larger school district, which all teachers were required to complete when referring a student. Teachers checked "yes" or "no" to indicate whether the student could successfully (a) express him/her self orally, (b) use age-appropriate language, (c) understand what is said, or (d) produce grammatically accurate language. If any one of these categories were identified as a contributing factor, this was counted as referral for language. (A more fine-tuned view of degree of perceived language challenge is beyond the scope of the current paper.) Sufficient data were available in the student records of the smaller district to allow same questions to be answered.

Results

Comparisons on Place of Birth and Reason for Referral

In the larger school system, data on place of birth and reason for referral were available for 271 children, aggregated across all ethnic groups in the sample. Of these, 222 were born on the mainland and 49 were born in non-mainland regions, including Puerto Rico. One hundred and seven of the 222 native-born students (48.2%) were referred for misbehavior. Sixteen of the 49 (32.7%) non-mainland students were referred for misbehavior. This difference is statistically significant ($\chi^2 = 3.91$, $df = 1$, $p < .05$) and moderately powerful ($\alpha = .52$).

In the smaller school system, data on place of birth and reason for referral were available for 35 children. Eleven of the 28 (39.3%) native-born students and one of the seven (14.3%) non-mainland-born students were referred for misbehavior. This difference was not statistically significant.

When the data for the two school systems were combined, 118 of 250 (47.2%) mainland-born students and 17 of 56 (30.4%) non-mainland-born students were referred for misbehavior. This difference is statistically significant ($\chi^2 = 5.26$, $df = 1$, $p < .02$) and moderately powerful ($\alpha = .65$).

Comparisons of Latino Students

The previous analyses compared reasons for referral of all mainland-born and non-mainland born students in our samples. These analyses most often involved non-mainland-born Latino children who were being compared with a combined group consisting primarily of mainland-born Latino and African American students. We replicated the preceding analyses, but

this time included only the subsample of 179 Latino students (of 336 total) in the larger school system. We conducted these sub-analyses to control for the variable of ethnicity in our mainland population. In the Latino subsample, 49.6% of the native Latinos and 33.3% of the immigrant Latinos were referred for behavioral reasons. The chi-square analysis for this difference did not reach significance. This demonstrated that place of birth in itself did not significantly discriminate between the Latinos in the sample born within or outside continental United States.

Teachers' Perceptions of Language Competence and Referrals

In the larger school system, we compared teachers' responses to the four language-related items for mainland-born and non-mainland-born students on the schools' referral form. None of the comparisons was statistically significant. That is, teachers did not indicate more language difficulty for non-mainland born students compared with their mainland-born peers. A summary of these data appears in Table 1.

Table 1

Teachers' Ratings of Language Difficulties for Mainland-born and Non-mainland-born Students (Larger School System Only)

	Mainland-born (*N* = 222)	Non-mainland-born (*N* = 49)
Significant difficulty with	*n* (%)	*n* (%)
language usage	45 (20.3)	11 (22.4)
grammatical accuracy	50 (22.5)	13 (26.5)
understanding	49 (22.1)	13 (26.5)
oral expression	67 (30.2)	14 (28.6)

Only 1 of the 49 students in the smaller district was referred primarily for language difficulties, a nonnative Latino. We did not have data on the specific place of birth for that student. Finally, we compared the narrative comments appearing in the students' school records that teachers in the larger school system provided when they indicated that speech/language difficulties were the primary reason for referral. Teachers reported that 37 of the 222 (16.7%) mainland-born students were referred primarily because they had difficulties with language. Ten of 47 (21.3%) of the non-mainland-born students were cited by their teachers as being referred primarily for language-related difficulties. A chi-square analysis showed that this variable did not significantly differentiate the two groups.

Discussion

Our findings contrast with the trends of over-referral of nonnatives reported in the literature. Non-mainland-born students in our samples were less likely than mainland-born students to be referred by classroom teachers for behavior problems. Furthermore, the data also

showed that teachers' perceptions of children's language facility did not significantly differentiate referrals between the two groups.

The fact that non-mainland-born students in our study tend to be referred less frequently for behavior problems than their native-born peers illustrates the complexities in interpreting teachers' referrals. One possible explanation is that the behavior of non-mainland-born and mainland-born children actually differs. Non-mainland-born children, striving for acceptance in their new country, may be more likely to behave in accordance with standards that parents and teachers expect and reward. Further, teachers in students' countries of origin may enjoy a higher social status, a status that makes it less acceptable to be disrespectful to teachers (Eisenstein Ebsworth & Ebsworth, 2000).

An additional or alternative explanation for the data is that it is possible that children's actual behavior does not differ, but that teachers use different standards to evaluate the appropriateness of behavior displayed by the two groups of students. To illustrate, Harry (1992) described teachers' prejudices, racial biases, and the inconsistent expectations they hold for students of ethnic, cultural, and linguistic backgrounds that differ from their own and discussed how these factors influence the referral of minority students. Our data, dealing primarily with Latino students, could suggest that teacher biases and prejudices may surface primarily when children seem similar to mainstream peers. By contrast, when they are clearly different, as when the children are immigrants or migrants, teachers may judge children by alternative standards.

The role played by the interaction of place of birth and ethnicity was also of interest. When the comparison was confined to Latino children, more mainland-born Latino than non-mainland-born Latino students were referred for misbehavior, the ratio being approximately 3:2 although this difference did not attain statistical significance. While observed differences did not reach significance, in part perhaps due to sample size, the present data are provocative. The descriptive difference in referrals of mainland-born to non-mainland-born students was observed in two separate school districts, suggesting that we should not dismiss the overall conclusion regarding the relationship between immigrant or migrant status and behavioral reasons for referral of Latino children. The findings that emerged from our data suggest that the relationship may exist. Replication on a larger sample is clearly warranted.

The fact that mainland-born and non-mainland-born students were not referred at different rates for perceived language problems is somewhat, although not totally, surprising. One explanation is that non-mainland-born mostly Latino children who exhibit language difficulties are entitled to bilingual education or English as a second language (ESL) if they score below the 40th percentile on the Language Assessment Battery. In the larger school district from which the present data were sampled, the bilingual population receiving services for language development is at least as large as the special education population, each containing more than 130,000 students. It is possible that were it not for the existence of targeted programs for EB students, more English learners might have been referred for special education. Thus, because many children whose native language is not English are filtered out by the bilingual/ESL

program alternatives, the children remaining for referral for special education tend to have educational difficulties and needs similar to those of other children whose native language is English.

That the availability of programs for EBs reduces the number of referrals for special education may be observed from a comparison of our sample with the population from which it was derived. In our sample of 336 children referred for special education, 16.4% received some form of ESL or bilingual education, being enrolled either in a full or partial bilingual program or in a program for ESL. By contrast, 21.3% of the 133,896 elementary and middle school general education students in the six school districts were recorded as students with limited English proficiency. Thus, the rate of referrals for children participating in the EB education system is about three-fourths that of children not receiving special ESL or bilingual services

Two additional reasons why teachers in mainstream classes may be less aware of potential language disabilities among immigrant or migrant children are that children whose native language is not English may be embarrassed by their lack of linguistic skills and choose not to speak much in class, thus providing teachers with limited language samples on which to render judgment. Indeed, Duff (2002) reported that nonnative speakers in mainstream classes have difficulty participating fully due to conflicting expectations of peers and teachers, as well as a lack of community-based knowledge about classroom behaviors and cultural literacy.

Another possible explanation for our data is that alternative language varieties and limited control of academic language may be pervasive in inner-city schools so that teachers do not identify any single population as being in particular need. In fact, our native population included many students who were likely to be speakers of alternative varieties of English such as AAVE. This population is also at risk for over-referral, as their language, discourse, and learning styles contrast with those of the mainstream (Adger, Wolfram, & Christian, 2007; O'Connor & Fernandez, 2006; Seymour, Champion, & Jackson, 1995). This explanation is supported by information we obtained in another portion of the data set for the current research which indicated that teachers rated African American and Latino children who were referred for special education as exhibiting similar degrees of language difficulties. To illustrate, 25.8% of African American children as compared with 22.3% of Latino children were reported by classroom teachers to have difficulties with articulation. Additionally, 23.7% of African American children as compared with 22.9% of Latino children were reported to have difficulty producing grammatically accurate speech. Perhaps in urban environments where many children who attend public schools come from at-risk circumstances, African American children, as reported by Coulter (1996), are likewise overrepresented in every category of special education. In such a population, EBs may not stand out as having especially severe language difficulties. The educational challenges faced by speakers of AAVE are well documented, although the best educational practices to address them remain controversial. Clearly, the composition of the district may be relevant for outcomes.

Of interest is also the fact that the English spoken by Latino children who grow up in a

large metropolitan area has often been observed to include many of the same nonstandard features as AAVE, due to the proximity and interaction of members of both speech communities (Adger et al., 2007; Eisenstein & Jimenez, 1983). Further, both communities reflect not only linguistic differences as compared with Standard English, but also contrasting styles and patterns of discourse (Cazden, 1988; Delpit, 1995). Michaels and Cazden (1986) found that misunderstandings of AAVE by Standard English–speaking educators often involved contrasting discourse patterns. Children who spoke AAVE during show-and-tell (referred to as sharing time in Michaels's study) were believed by teachers to lack coherence in their discourse when in fact they were simply displaying a different discourse style (Morgan, 2002; Smitherman, 1977).

Conclusions, Implications, and Future Research

Our findings show that for the population sampled, language was not a significant factor differentiating the referral of native v. nonnative students for special education, whereas behavior was. Whether nonnative speakers such as Latino immigrants are overrepresented in special education as indicated in much of the literature, or underrepresented as indicated by our data, more work must be done with educators and evaluators to ensure more accurate assessment and placement.

In this respect, Christina (1992, 1993) reports on a project intended to educate in-service teachers on how to differentiate between the normal language or interlanguage and the culture-based behavior of EBs that might be different from native usage. It was hoped that an understanding of how linguistic and sociolinguistic differences in the language use of Latino children or other EBs were distinct from usage indicating a language disability would help to reduce inappropriate referrals of Latino and other EB children to special education.

Current research indicates that accurately referring EBs for special education remains a continuing challenge. In an exploratory study of eligibility decisions for native Spanish speakers, Liu et al. (2008) reported that many students were misplaced. They concluded that "this study's results suggest a lack of clear policies, procedures, and practices for early intervention, referral, assessment, and eligibility determinations involving ELLs at the school district level" (p. 185).

More recent changes in federal law (IDEA, 2004) opened the way for a response to intervention model for identifying children with a variety of educational challenges, including language challenges, prior to referring those children for special education assessment. This three-tiered approach would monitor students' response to increasingly targeted instruction and support (Linan-Thompson, Vaughn, Prater, & Cirino, 2006) and would culminate in evaluation for special education rather than start there (Vaughn & Fuchs, 2003). However, administrators are among those who express concern over implementation (Wiener & Soodak, 2008). Orosco and Klingner (2010), using a qualitative case study approach, presented the difficulties that arose when response to intervention was applied in an urban elementary school with a large EB population including Latinos. The authors concluded that "everything that was developed, implemented, and practiced by the majority of participants was based on a deficits-based

approach." (p. 276).Teachers did not have a good knowledge of L2 pedagogy, nor did they understand the impact of the L2 acquisition process on learners' evaluation and performance.

An additional dimension is suggested by recent research (Garcia et al., 2007; Garcia & Kleifgen, 2010) indicating that bilingual students often integrate both of their languages in single conversations (translanguaging), obscuring their ability to use one of the languages exclusively when called upon. While such usage is normal in bilingual populations, this intertwined use of both languages may make it difficult for a teacher to accurately assess a learner's ability to function in either language. It is also possible that teachers simply do not have the depth of expertise in language development to tease apart a child's level of skill or delay.

In fact, the current state of the art requires an assessment that takes into consideration both first and second languages, so that a learner's linguistic development can be accurately evaluated. As translanguage is common in such children (Garcia & Kleifgen, 2010), both languages should be considered in assessment (Umbell, Pearson, Fernandez, & Oller, 1992). Bedore and Peña (2008) recommend "consideration of the way that two languages might interact or influence each other" (p. 20).

Parental involvement is also key in appreciating the context in which nonnative students are growing up. A study by Marshall (2000) found that while IQ was the most important factor correlated with placement in special education classes, when at least one parent or caretaker was present at the educational planning committee conference the likelihood that a student would be placed in an integrated setting was significantly increased.

Another interesting issue that emerged from this study involves the acculturation of immigrant and migrant children to the values and behaviors of their mainstream peers. When nonnatives live and study among other at-risk students, their integration into the local subculture, where behaviors contrast from middle class expectations (Hosp & Reschly, 2003), may actually result in less acceptable school behaviors thus making them more vulnerable to inaccurate referral for special education. Of relevance to this question, the movement toward critical pedagogy (Norton & Toohey, 2004; Wink, 2000) urges us to problematize issues of potential injustice to culturally and linguistically diverse students. Our study highlights the importance of context, culture, language, and behavior in formulating an accurate assessment of potential special needs children based not on a deficit model, but rather on a contextualized understanding and appreciation of language and culture.

Future research should consider that referral and placement in special education requires a nuanced evaluation of each learner, weighing a range of linguistic, social, and contextual variables that impact perceptions of learners' knowledge, skills, and performance. Alternative approaches such as the response to intervention model suggest a multilevel, recursive, process-oriented approach that engages teachers and support personnel in a collaborative endeavor (Brown & Doolittle, 2008). Professionals must accurately evaluate learners for placement and understand that even when students do need special support, actual placement might still be inappropriate. Students are legally entitled to placement in the least restrictive environment (Yeb, 1995).

Also, further research should incorporate a longitudinal approach to how nonnatives in such communities develop language and culture over time. Of particular interest is the group referred to as "generation 1.5" (Oudenhoven, 2006) who, while native born, retain sociolinguistic elements from their families and communities of origin. Finally, as our nonnative sample was overwhelmingly Latino, it is important to replicate this work with other immigrant communities.

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Notes

1 Original data for this study were collected over a period of three years during the 1990s in two contrasting school systems. This paper represents a review of previously unpublished data which we believe continue to be relevant in the current time and context.

Appendix

Data Collection Form (Short Version)

ID _____

Source of Referral	Teacher
	Parent
	Other school Personnel
	Not indicated
Reason for Referral	Academic
	Behavior
	Academic + Behavior (both)
	Other _____

How many years of schooling prior to referral _____

Years in monolingual classes _____

Years in bilingual program _____

Years in ESL program _____

If reason for referral either academic, behavioral, or both, indicate which, if any, specific reasons were cited by the teacher in the written narrative.

_____ general academic problem   _____ visual perception

_____ language problem(see below)   _____ attention problem

_____ reading problem   _____ hyperactivity

_____ arithmetic problem   _____ sensory problem

From reason for referral form, check if student was indicated to have significant difficulty with:

_____ expressing self orally

_____ using age-appropriate language

_____ understanding what is said

_____ speaking with grammatical accuracy

Student's date of birth _____

Place of birth _____

Child lives with: Mother and father   Mother only   Father only

                    Grandparent(s)   Foster parent   Other

If appropriate, age of entry into United States _____

How many years has family been in United States _____

Where were parents born?

Mother _____

Father _____

In what language did mother receive most of her education _____

In what language did father receive most of his education _____

What language is spoken most of the time at home _____

In what language does child usually speak to his parents _____

In what language does child usually speak to his friends _____

Was the student found to be handicapped _____ Yes _____ No