**Checklist for Addressing IDEA Exclusionary Clauses\***

Chieh Li

***Addressing the IDEA exclusionary clauses of environmental, cultural, language and economic disadvantages; of visual, hearing, or motor disability; and of inappropriate instruction***

For example, in determining SLD eligibility, the multidisciplinary team must rule out that the primary cause of the deficit is caused by (a) a visual, hearing, or motor disability; (b) limited English proficiency; (c) inadequate instruction; (d) cognitive disability; (e) emotional disturbance; (f) cultural factors; or (g) environmental or economic disadvantages.

***How to establish these evidences for ELL students***

|  |  |  |  |
| --- | --- | --- | --- |
| **Inquiring:** | Yes | No | Comments |
| Who made the referral for an evaluation of suspected learning disability and for what reason |  |  |  |
| Whether the learning difficulty is related to English language proficiency |  |  |  |
| If so, whether the student’s teachers are cognizant of the process of second language acquisition and its implications for student learning in the classroom |  |  |  |
| Whether the child has received appropriate instruction |  |  |  |
| What formal and informal interventions have been tried and for how long, and what were the child’s responses to the interventions |  |  |  |
| Whether parents/care-givers and teachers share the same concern about the child |  |  |  |
| **Collecting comprehensive background information on the child:** |  |  |  |
| School history |  |  |  |
| Developmental history |  |  |  |
| Functioning at school, including relationships with peers and teachers |  |  |  |
| Functioning at home, including relationships with family parents, siblings |  |  |  |
| Mental and physical health, including visual, hearing, and motor functioning |  |  |  |
| Linguistic information of the child and family, such as languages spoken by the child and parents at home |  |  |  |
| Cultural background of the child and family, such as culture of origin, birth place, and years in the U.S. |  |  |  |
| Acculturation level of the student and parents |  |  |  |
| Environmental and socio-economic conditions at home |  |  |  |
| **The information is collected from multiple sources, including a careful review of the school record, and interviews with the child, parents/care-takers and teachers.** |  |  |  |
| **Addressing the IDEA exclusionary clause of** **lack of exposure to English language** |  |  |  |
| How long has the child been in English language environment? |  |  |  |
| Gauging English and native language proficiency |  |  |  |
| Assessing language dominance |  |  |  |
| **Addressing the IDEA exclusionary clause of inappropriate instruction** |  |  |  |
| Teacher perceptions of lack of academic progress: examine comparison standards: |  |  |  |
| Is the ELL student compared to native English speakers? |  |  |  |
| To what extent does the student understand the teacher’s instruction in each class? |  |  |  |
| Does the instruction address the student’s needs? |  |  |  |
| **Addressing the IDEA exclusionary clause of emotional disturbance** |  |  |  |
| Review the information from the referral source, school records, and interviews with the child, parents/care-takers, and teachers |  |  |  |
| **-**If no concern about socio-emotional functioning from any source, no formal assessment in this area will be warranted. |  |  |  |
| -If there are concerns: Take into account the stressors from differential expectations between home and school. Conduct an assessment based on the IDEA criteria for emotional disturbance |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Addressing the IDEA exclusionary clause of cognitive disability** |  |  |  |
| Gauging English and native language proficiency and acculturation level especially before testing with nationally standardized norm-referenced instruments |  |  |  |
| Applying non-discriminatory assessment approach that takes language and culture into consideration when using standardized intelligence tests |  |  |  |
| Consider cultural factors in assessing adaptive functioning, including   * Informants (who knows the child best) * Caretaker attributes (Language, acculturation level) * Family SES * Assessment method * Assessment tools |  |  |  |
| Consider linguistic factors when interviewing ELL parents, including gaining an understanding of children and parents’  - preferred mode of communication  - language dominance  - language proficiency  - second language acquisition and its impact on the expression of feelings  - verbal & nonverbal communication |  |  |  |
| If an interpreter is used   * how the interpreter was selected? * how the interpreter was trained? * How the interpreter was used? |  |  |  |

\* Adapted from Chieh Li and Zhengzheng Wang (2014) School-based assessment with Asian children and adolescents, in Lorraine T. Benuto, Nicholas Thaler, and Brian D. Leany (Eds.), *Guide to Psychological Assessment with Asian Americans*, 393-405. New York, NY: Springer.