THE ASSESSMENT OF AFRICAN AMERICAN STUDENTS THROUGH A RESPONSE TO INTERVENTION PROCESS

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A Project

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Abstract

of

THE ASSESSMENT OF AFRICAN AMERICAN STUDENTS THROUGH A RESPONSE TO INTERVENTION PROCESS

by

Hilary Kirk

April Lorraine Seto

Statement of Problem
The continued confusion of how to appropriately assess African American students for special education eligibility and the continued use of intelligence tests has resulted in the sustained overrepresentation of African American students in special education. Although the Larry P. Task Force provided guidance on alternative assessments and included a list of intelligence tests that fell under the ban, many uncertainties remain on how educational agencies should determine special education eligibility for African American students. Many school districts provide no guidelines to their employees on how to determine special education eligibility for African American students and over 50% of California school psychologists are not satisfied with the current assessment practices of African American students.

Sources of Data
This project was created through research and analysis of journal entries, books, and personal correspondence. Topics reviewed include the history of Larry P. v. Wilson Riles, Intelligence Testing, Overrepresentation, Dead End Programs, Program Improvement, No Child Left Behind Act, Highly Qualified Teachers, Assessment, Alternative Assessment, and Cognitive Measures.

Conclusions Reached
From the review of research, a training resource was created to educate all school staff on the following topics: overrepresentation of African American students in special education, Response to Intervention, and bias free assessments of African American students. This project provides introductory training to staff on the use of the Response to Intervention model as a tool to reduce special education referrals of African American students.
students; hence, reducing overrepresentation. Additionally, this project provides training in the implementation, tracking, and decision making of progress monitoring. Finally, the project trains attendees on how to conduct special education assessments through the RIOT/ICEL Matrix. In conclusion, by educating schools and their districts on Response to Intervention and ways to decrease overrepresentation of African American students in special education, we hope to see more students' needs being met within the general education setting.

Committee Chair
Catherine Christo, Ph.D.

4/15/09
Date
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Chapter 1

INTRODUCTION

Statement of Collaboration

This project was researched and created by Hilary Kirk and April Seto, who are graduate students in the School Psychology program at California State University, Sacramento. The responsibilities of the project included: research, Chapters 1 through 4, and the project titled “The Assessment of African American Students through a Response to Intervention Process”. Creation of each of these components was shared equally.

Background of the Problem

In 1971, a class action suit was filed against Wilson Riles, Superintendent of Public Instruction in California, the California State Department of Education, and the San Francisco Unified School District Board of Education over the placement of five African American students in classes for the educable mentally retarded (EMR). This case, titled Larry P. v. Wilson Riles, claimed that the placement decisions were based solely on standardized intelligence tests that were culturally biased against African American students, leading them to be inappropriately placed in EMR classes and causing an overrepresentation of African American students in Special Education (Evans-Pongratz & Yaklin, 2006; Hilliard, 1992; Taylor, 1990). In the 1970’s, African American students made up 25% of the students in EMR classes in California, while representing only 10% of the total student population (Sutter County SELPA, n.d.). On December 12, 1979, Judge Robert F. Peckham ruled in favor of the Plaintiffs, determining that intelligence tests were biased and could not be used to determine the classification of
EMR for African American children. In addition Judge Peckham ordered that the overrepresentation of African American students in EMR classes be eliminated (Evans-Pongratz & Yaklin, 2006; Sutter County SELPA, n.d.; Taylor, 1990). He believed that the EMR programs African American students were being placed in were inappropriate and found no evidence that these classes actually benefited the students placed in them (Hilliard, 1992). Years later, in 1986, Judge Peckham expanded his ruling to include a ban on the use of intelligence tests for placement of African American students in any special education program (Taylor, 1990).

Following this ruling, educational agencies have struggled to find appropriate methods for the determination of special education eligibility for African American students. After the hearing, the Larry P. Task Force was developed in order to provide guidance on alternative methods of assessment and provide a list of intelligence tests that could no longer be used when assessing African American students. The problem; however, is that many educational agencies continue to use standardized intelligence tests when assessing African American students (Dawson & Simmons, 2006). Many simply use standardized tests purporting to measure cognitive ability that have been created since the banned list of tests was published (Dawson & Simmons, 2006; Evans-Pongratz & Yaklin, 2006). A study conducted in 2006, by Dawson and Simmons found that school psychologists do not feel as though they have been given guidelines for appropriate assessment and over 50% of school psychologists are not satisfied with current practices for assessment of African American students.
As a result of the continued use of intelligence tests for special education eligibility decisions, the overrepresentation of African American students in special education persists (Dawson & Simmons, 2006; Evans-Pongratz & Yaklin, 2006). California Department of Education data from 2006-2007 found African American students represented 7.6% of the public school enrollment and 16.2% of the special education students. Data from the previous year showed that African American students represented 7.8% of the public school enrollment and 11.5% of the students in special education (Dawson & Simmons, 2006). This is problematic because of the negative consequences of placement in special education. Evans-Pongratz and Yaklin (2006) believe that special education services prevent students from accessing general education curriculum, create a social stigma, prevent students from being with typically developing peers, and place them in inappropriate programs with poor academic outcomes. It is unacceptable to continually place African American students in special education at a higher rate than the majority culture.

Statement of the Research Problem

The continued confusion of how to appropriately assess African American students for special education eligibility and the continued use of intelligence tests has resulted in the sustained overrepresentation of African American students in special education. Although the Larry P. Task Force provided guidance on alternative assessments and included a list of intelligence tests that fell under the ban, many uncertainties and gaps remain on how educational agencies should determine special education eligibility for African American students. A study conducted by Dawson &
Simmons (2006) found that many school districts provide no guidelines to their employees on how to determine special education eligibility for African American students and that over 50% of California school psychologists are not satisfied with the current assessment practices of African American students.

Purpose of the Study

This study aims to produce a project containing guidelines for educational agencies to use when assessing African American students for special education eligibility. Our guidelines will include methods of assessment that are within the law and do not require the use of standardized intelligence tests. We believe that this can be done by following the Response to Intervention (RTI) model of assessment. RTI is a systematic approach to providing interventions and monitoring the progress of all children. It provides three tiers of interventions with the first two tiers occurring in the general education setting. This method of progress monitoring and intervention is important because it addresses concerns and provides guidance to many of the issues raised in the Larry P. v. Wilson Riles case. Most importantly, RTI moves away from the use of intelligence tests. The goal of this presentation is to create an introductory training that school psychologists can use to introduce the need for Response to Intervention procedures within a district and school setting. It will explain why overrepresentation occurs and will provide practical ways in which school districts can decrease the overrepresentation of African American students in special education services.
Theoretical Framework

Response to Intervention (RTI) is a systematic approach to providing interventions and monitoring the progress of all children. RTI is a “general education approach to high quality instruction, early intervention, and prevention and behavioral strategies” (California Department of Education [CDE], 2008, p.1). RTI provides three tiers of interventions with the first two tiers occurring in the general education setting, while the third tier helps determine special education eligibility. RTI developed as a way to move away from the traditional discrepancy based eligibility model to an intervention-based model in education. The progress of all students is monitored within the general education environment. When students fail to make progress, research based interventions are provided within small groups. When students fail to make progress within small groups, students are then considered for special education eligibility. This approach allows all students to receive intervention services within the general education setting.

The goal of an RTI evaluation shifts from looking at what is wrong or discrepant to looking at what the student needs in order to learn. Burns, Jacob, and Wagner (2007) believe RTI based assessments benefit all students and help to lessen the bias in determining learning disabilities.

As there are currently unclear guidelines to determine special education eligibility for African American students, RTI provides a clear and fair guide. RTI is used with all students eliminating bias related to the traditional referral process. RTI does not require the use of psychometric evaluations, thus eliminating test bias. RTI allows interventions
to occur in the general education setting reducing the amount of time the student needs to spend in the special education setting. RTI changes the negative image of special education by bringing general education and special education closer together.

By using the RTI model more African American students will have their learning needs met within the general education environment. The result should lead to fewer referrals and decreased overrepresentation of African American students in special education.

Definition of Terms

*Intelligence/Intellectual Functioning*

The ability to learn or understand from experience, acquired learning potential, mental ability, and global ability (Evans-Pongratz & Yaklin, 2006).

*Cognitive Measures*

Numerically scored assessments in which responses can be either correct or incorrect. Types of cognitive assessments include intelligence tests, achievement tests, aptitude tests, and neuropsychological tests (Sattler & Hoge, 2006)

*Intelligence Test*

A standardized measure used to assess one's intellectual functioning (Sattler & Hoge, 2006).

*Culture biased*

Describes a test on which the items, whether intentionally or not, are easier for one cultural subgroup than for another or others (Lyman, 1998).
No Child Left Behind (NCLB)

The No Child Left Behind Act is the most recent re-authorization of the Elementary and Secondary Education Act (federal legislation). NCLB focused on holding schools accountable for failing programs, slow progressing children, and unqualified teachers. NCLB redefines the federal role in K-12 education, requires accountability for all children, including student groups identified by level of poverty, race and ethnicity, disability and limited English proficiency. The purpose of NCLB was to help close the achievement gap between disadvantaged, disabled and minority students and their peers (Pearson, n.d.).

Individual with Disabilities Education Act (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a federal law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children and youth with disabilities. It was most recently re-authorized in 2004 with the Individuals with Disabilities Education Improvement Act.

Response to Intervention (RTI)

RTI is a systematic approach to providing interventions and monitoring the progress of all children. It is a “general education approach to high quality instruction, early intervention, and prevention and behavioral strategies” (California Department of Education [CDE], 2008, p.1). RTI provides three tiers of interventions with the first two tiers occurring in the general education setting.
Assumptions

The development of this project is based on the assumption that the use of the RTI model for the assessment of African American students will decrease the use of intelligence tests for the assessment of African American students and decrease the overrepresentation of African Americans in special education.

Justifications

Since the 1970's African American students have continuously been placed in special education programs at a higher rate than students from the majority culture leading to an overrepresentation of African Americans in special education (Dawson & Simmons, 2006). This is problematic due to the fact that special education services prevent students from accessing general education curriculum, create a social stigma, prevent students from being with typically developing peers, and place them in inappropriate programs with poor academic outcomes (Evans-Pongratz & Yaklin, 2006). This project attempts to contribute to efforts to decrease and eventually eliminate the overrepresentation of African American students in special education.

Limitations

This project was developed from research on the overrepresentation of African American students in special education and the effectiveness of the RTI model of assessment. Educational agencies must have training in RTI and use the RTI model for this method of assessment to provide successful guidance. Schools districts must be willing to move away from traditional assessment methods which include the use of
intelligence tests. This project intends to provide a guide for educational agencies; however, RTI methods must already be in place.
Chapter 2

BACKGROUND OF THE STUDY

Assessment of African American Students

On December 12, 1979, in the court case of Larry P. v. Wilson Riles, Judge Robert F. Peckham determined that intelligence tests were biased and could not be used to determine the classification of educable mentally retarded (EMR) for African American children and that the overrepresentation of African American students in EMR classes be eliminated (Evans-Pongratz & Yaklin, 2006; Sutter County SELPA, n.d.; Taylor, 1990). This ruling stemmed from an overrepresentation of African American students in special education in the 1970’s, when African American students made up 25% of the students in EMR classes in California, while representing only 10% of the total student population (Sutter County SELPA, n.d.). Additionally, in 1986, Judge Peckham expanded his ruling to include a ban on the use of intelligence tests for placement of African American students in any special education services (Taylor, 1990). After the 1986 hearing, the Larry P. Task Force was developed in order to provide guidance on Judge Peckham’s ruling on the use of alternative assessments and develop a list of intelligence tests that fell under the ban.

Although the Larry P. Task Force provided guidance on alternative assessments and included a list of intelligence tests that fell under the ban, many uncertainties and gaps remain on how educational agencies should determine special education eligibility for African American students. A study conducted by Dawson & Simmons (2006) found that many school districts provide no guidelines to their employees on how to determine
special education eligibility for African American students. Additionally, they found that there continues to be widespread use of standardized intelligence tests or cognitive assessments with African American students in California and that the overrepresentation of these students in special education continues to exist despite the Larry P. v. Riles ruling.

The goal of this project is to develop a training that builds from the research of the Larry P. Task Force, Office of Special Education and Rehabilitation, California Department of Education, and the Northern California Diagnostic Center. Dawson & Simmons (2006) found that 50% of California school psychologists are not satisfied with current assessment practices of African American students. This training will give school psychologists in California guidance on how RTI can be beneficial when assessing African American students. More consistent approaches to assessment and awareness of cultural differences may help to decrease the overrepresentation of African American students in special education. This review is organized into the following themes: Larry P. v. Wilson Riles, Program Improvement, and Assessment. Subtopics include: intelligence testing, overrepresentation/disproportionality, dead end programs, No Child Left Behind, highly qualified teachers, response to intervention, alternative assessments, and cognitive assessments.

*Larry P. v. Wilson Riles*

The court case of Larry P. v. Wilson Riles (1979) brought to attention many important issues regarding education in California Public Schools. Two earlier cases, however, paved the way for the Larry P. case; Diana v. State Board of Education (1970),
and Guadalupe v. Tempe (1972). These two cases were never actually brought to trial, but made a significant impact in the assessment of minority students for special education. Diana v. State Board of Education and Guadalupe v. Tempe focused on the inappropriate use of intelligence tests for students with limited English proficiency, and resulted in requirements that special education decisions be based on multiple sources of information and that students be tested in their dominant language (Taylor, 1990).

The case of Larry P. v. Riles came about in 1979, and is perhaps the most well known case addressing the overrepresentation of minority students in special education classes. In this case, Judge Robert F. Peckham determined intelligence testing on African American students was culturally biased and inappropriate, producing inaccurate reflections of these students’ intelligence. This inaccurate measure of intelligence resulted in the overrepresentation of African Americans in special education classes (Taylor, 1990). He further found that African American students were being placed in inappropriate programs. Judge Peckham found no evidence that classes for the educable mentally retarded (EMR) actually benefited the students placed in them (Hilliard, 1992). The case of Larry P. resulted in the judge’s decision to impose a ban on IQ testing to place African American students in EMR classes (Taylor, 1990). In 1986, this ban was expanded to include a ban on using IQ tests for placement of African American students in any special education services (Taylor, 1990).

After the hearing, the Larry P. Task Force was developed. The goal of the Task Force was to provide guidance on Judge Peckham’s ruling on the use of alternative assessments. The Larry P. Task Force also included a list of intelligence tests that could
no longer be used when assessing African American students. The Task Force developed seven recommendations to improve general education and assessment for African American students. These seven recommendations for alternative assessment will be discussed later in this paper.

*Intelligence testing.* In the state of California intelligence tests are illegal to use with African American students to determine special education placement. An intelligence test can be defined as a standardized measure used to assess one’s intellectual functioning (Sattler & Hoge, 2006). Intelligence, or intellectual functioning, can be described as the ability to learn or understand from experience, acquired learning potential, mental ability, and global ability (Evans-Pongratz & Yaklin, 2006). An important component to the Larry P. v. Riles hearing discussed the use of intelligence tests to determine placement of African American students in special education classes. Judge Peckham imposed the ban on this form of assessment because he felt that intelligence tests were culturally biased. Grubb (1992) and Naglieri, Rojahn, Matto, & Aquilino (2005) have found evidence to support Judge Peckham’s view that intelligence tests are culturally biased. They demonstrated that African Americans typically score one standard deviation or 15 points below whites on intelligence tests. However, no true difference in intelligence exists (Grubb 1992; Naglieri, Rojahn, Matto, & Aquilino, 2005). With these differences in scores, an African American student might score in the below average range while his/her score is actually average when compared with other African American students. This cultural bias has posed a significant problem when attempting to determine special education eligibility of African American students.
At the time of Larry P. v. Riles educational agencies determined eligibility for African American students in EMR classes solely based on the results of intelligence testing (Hilliard, 1992). Due to the significant cultural bias of intelligence tests an overrepresentation of African American students in EMR classes existed (Hilliard, 1992; Taylor, 1990). Current practices for the assessment of a student for mental retardation require educational agencies to examine a student's intellectual functioning, using an intelligence test, the student's adaptive functioning, and their achievement level in reading, writing, and mathematics. This method is deemed appropriate for students from the majority culture; however, it continues to cause confusion and uncertainty when used with African American students. Educational agencies struggle to develop consistent and unbiased guidelines for the determination of eligibility of African American students as mentally retarded. In addition, the overrepresentation of African American students in special education persists (Dawson & Simmons, 2006)

The use of intelligence tests is a source of confusion when determining eligibility of African American students for special education under the classification of "specific learning disability" as well. For a student with a suspected learning disability, the assessor looks for a discrepancy between intellectual functioning and achievement existing concurrently with a processing deficit [Section 300.8 (c) (10) of the IDEA Code of Federal Regulations (CFR), p. 46551]. This method of determining a learning disability is referred to as the "discrepancy model." Many educational agencies continue to use standardized intelligence tests and the discrepancy model, despite the ban. This may be due to a lack to direction or guidelines in the use of alternative assessments.
In addition to the question of bias and appropriate use of intelligence tests for African American students, there are many conflicting views and much research on the validity of intelligence tests in general. Hilliard (1992) argues that intelligence tests are invalid and lack connection between ability and achievement. She believes the lack of connection is due to differences in culture, environment, and education. Hilliard (1992) also argues that research indicates intelligence tests do not provide useful information to help children learn. She believes that although we can learn a child’s strengths and weaknesses from many intelligence tests there is no guarantee that the classroom will support each child’s strengths and weaknesses. Others report that there is no difference between ability and achievement tests because they measure the same thing (Naglieri, Rojahn, Matto, & Aquilino, 2005; Taylor, 1990). However, Naglieri et al. (2005), also suggests that cognitive processing tests produce a more accurate reflection of intelligence in both black and white individuals.

Without consistent guidelines for appropriate assessment methods, education agencies are left with no clear alternative, resulting in the continued use of intelligence tests to assess African American students for special education eligibility. Dawson and Simmons (2006) found that over 50% of School Psychologists are unhappy with the current practices for the assessment of African Americans. Many education agencies continue to use the discrepancy model, using “cognitive” assessments that were developed after the Larry P. v. Riles court case and were not included in the banned list of intelligence tests. Dawson and Simmons (2006) believe that the inconsistent and
inappropriate use of intelligence tests, has led to continuing overrepresentation of African American students in special education

*Overrepresentation.* The Larry P. v. Wilson Riles case partially developed because of the overrepresentation of African Americans in EMR classes. According to Sutter County SELPA (n.d.) on the Assessment of African American students, African American children made up 25% of the students in EMR classes in California in the 1970’s, while they only represented 10% of the total student population. African American students were being placed in special education classes at a higher rate then would be expected, creating a disproportional amount of African American students in special education. Disproportionality exists when a group is in special education at a higher rate than the population average (Pearson, n.d.). This means more students are being placed into special education programs than statistically appropriate.

In order to ensure special education qualification is being monitored and over identification of specific groups is not occurring the federal government has provided regulations. IDEA requires states to prevent the “inappropriate over identification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment” (U.S. Department of Education, 2007). Therefore, states are required to monitor and prevent overrepresentation from occurring. Although states are required to monitor rates, over identification of African American students remains a problem.

Within the state of California, despite the ban on IQ testing, there continues to be an overrepresentation of African American students in special education classes.
California Department of Education data from 2006-2007 found African American students represented 7.6% of the public school enrollment and 16.2% of the special education students. Data from the previous year showed African American student represented 7.8% of public school enrollment and 11.5% of special education enrollment (Dawson & Simmons, 2006). This data suggests an increase in African American students in special education classes. Dawson & Simmons (2006) suggest part of the overrepresentation is due to the discrepancy model. The discrepancy model entails looking at an individual's ability and comparing it to their academic achievement. It also requires the identification of a processing disorder in one of the following areas: visual processing, auditory processing, sensory motor skills, attention, or cognitive abilities.

Guidelines within California remain unclear on how to determine cognitive abilities. In addition there is a fine line between cognitive abilities and intelligence. According to Encarta (2009) cognitive ability is the "capacity to perceive, reason, or use intuition". Intelligence usually refers to "general mental capability to reason, solve problems, think abstractly, learn and understand new material, and profit from past experiences" (Intelligence, 2009). As reported above, the Larry P. Task Force created a list of banned intelligence tests. However, since that time new tests have been developed that are considered measures of cognitive abilities. Many educational agencies believe these tests are acceptable measures in determining an estimate of cognitive ability (Dawson & Simmons, 2006; Evans-Pongratz & Yaklin, 2006). Thus, a loop-hole has developed allowing educational agencies to continue using a discrepancy model without an "intelligence test".
Evidence indicates that despite awareness from Larry P. and federal requirements to prevent overrepresentation/identification there continues to be an increase in overrepresentation of African Americans in special education programs. This becomes a problem for several reasons. First, many people view students who need services as retarded, unable to learn, and not as capable of those in general education (Taylor, 1990). Second, students who qualify for special education services do so because academically they are significantly behind their general education peers. Therefore, the curriculum being taught in special education has to be adapted to fit their academic level. This level is then significantly lower than what is taught in general education. Third, the educational outcomes for students enrolled in special education are bleak; as Judge Peckham noted, students often end up in “dead-end” classes. Evans-Pongratz and Yaklin (2006) believe special education services prevent students from accessing general education curriculum, create a social stigma, prevent students from being with typically developing peers, and place them in inappropriate programs with poor academic outcomes.

*Dead end programs.* Another important precursor to Larry P. vs. Wilson Riles was the outcomes of students in special education. Special education was designed to provide students with the supports they would need to get them back to grade level and return to general education. As was the case prior to Larry P vs. Riles students who enter special education often never leave. With unclear guidelines in determining cognitive ability, African American students are often placed inappropriately into special education programs. The California State Department of Education states that less than 20% of
students in special education classrooms are returned to regular education. This means the remaining 80% of students do not reach grade level. Unfortunately, a system that was designed to help support students has inadvertently hindered them.

Special education programs are also considered inappropriate because, as noted above, students placed in them miss out on general education curriculum and fall further behind their peers. According to Hilliard (1992), there is no evidence that special education classes benefit students or improve their outcomes. Hilliard attributes part of this to variability among how students are taught. Programs are run differently and some special education programs pull students from their general education classroom and provide separate curricula. Other programs provide support to general education curricula by modifying and adapting work from the general education setting. Rea, McLaughlin & Walther-Thomas (2002) completed a study on outcomes for students in special education programs. They compared students in pullout programs to students who are fully included within the general education classroom setting. They found students in fully included programs had higher achievement and better behavioral outcomes than students who participated in pullout programs. This suggests that students who continue to remain in their general education environment have better outcomes than students who receive instruction in special education.

Improving Programs

Currently, efforts are underway by the federal government and educational researchers to improve educational programs. One focus is on changing how students qualify for special education services. For example, the federal law prohibits states from
requiring educational agencies to use a discrepancy approach for determining special education placement. According to IDEA (2004), a state “Must not require the use of a severe discrepancy between intellectual ability and achievement for determining whether a child has a specific learning disability; must permit the use of a process based on the child’s response to scientific, research-based intervention; and may permit the use of other alternative research-based procedures for determining whether a child has a specific learning disability” (p.1). Changes to federal law also include how students are serviced in general and special education settings. For example, many special education programs are moving towards a push-in approach. A push-in approach consists of special educators who work alongside general educators and provide modifications to the general education curriculum within the classroom to meet each student’s needs. As mentioned earlier Rea, McLaughlin & Walther-Thomas (2002) found the push-in approach to be most effective. In addition to changes in how special education is implemented significant changes have been made to the provision of general education services with a focus on using research based instruction and intervention. This helps to eliminate the need for special education referrals. The educational initiatives relevant to this discussion on improving programs include the No Child Left Behind Act, requirements regarding Highly Qualified Teachers and implementation of Response to Intervention models of service provision.

*No Child Left Behind act.* No Child Left Behind (NCLB) was enacted in part to make schools accountable for failing programs, slow progressing children, and unqualified teachers. NCLB went into effect on January 8, 2002. According to Pearson
(n.d.), NCLB redefines the federal role in K-12 education, requiring accountability for educational results for all children, including student groups identified by level of poverty, race and ethnicity, disability and limited English proficiency. NCLB makes states more accountable, which in turn makes local agencies more accountable. The purpose of NCLB was to help close the achievement gap between disadvantaged, disabled and minority students and their peers (Pearson, n.d.).

To ensure that no child is left behind, states are required to monitor student progress. Monitoring progress requires educational agencies to collect data on all their students. This includes tracking the progress or lack of progress each student makes each year. In addition to state wide testing of all students, academic data on all students is collected periodically through the National Assessment of Educational Progress (NAEP). In 2007 the Nation’s Report Card (based on NAEP data) found progress to be occurring across the nation. This was most evident with 4th & 8th grade African American students. These students made significant gains in reading and math (New Mexico Public Education Department, 2007).

As students make progress in the general education settings the number of special education referrals is likely to decrease. This helps to eliminate the need for special education assessments and lessen the challenge of determining special education eligibility for African American students.

Highly qualified teachers. Another aspect of program improvement is having highly qualified teachers. A highly qualified teacher is someone who is properly trained and certified to work with students with varying levels of achievement and cultural
differences, and who is effective in classroom management (Pearson, n.d.). Having highly qualified teachers is crucial to ensure equal educational opportunities to all children. As stated earlier a major reason there is contention regarding intelligence testing and African American students is due to the differences in education these students have traditionally received from less well trained teachers.

Research has shown African American students have the highest rates of poverty at 33.1% (Sattler & Hoge, 2006). Higher poverty rates are often found in urban and rural areas. In addition urban districts have difficulty finding highly qualified teachers. Without good educators, students are likely to fall behind, which has contributed to overrepresentation of specific groups in special education. However, with the implementation of NCLB, the Department of Education requires states to recruit and retain highly qualified teachers in urban areas. In addition, the department states that poor and minority children cannot be taught by unqualified or inexperienced teachers at a higher rate than other students (US Department of Education Accountability Report, 2008). The federal government is raising the bar in education to ensure all children are provided with quality education and are taught by qualified professionals.

The same rules governing teachers within the general education setting also affect special educators. In addition to holding a single subject credential, special education teachers must also hold a special education credential (US Department of Education Accountability Report, 2008). This means that special education teachers must receive additional training in working with students with disabilities. Requiring a more comprehensive training should ensure better education within special education and
reduce the negative stigma of special education.

Providing all children with highly qualified teachers, in order to assure equal education, is one of the goals of NCLB. This will help to decrease bias in education and overrepresentation of minority students in special education. Qualified teachers are trained in cultural differences and thus expected to be able to provide appropriate interventions to match each child’s unique needs. Highly qualified teachers can ensure students are being taught what they should be and will be held accountable if they are not. Quality teaching is seen as a critical factor in reducing the achievement gap as well as the need for special education.

Response to intervention. The final educational initiative we would like to address is Response to Intervention (RTI). RTI is a systematic approach to providing interventions and monitoring the progress of all children. It is also seen as an alternative to the discrepancy model for SLD eligibility determination. It is expected that early interventions will reduce academic failure and will also reduce referrals to special education. RTI is a “general education approach to high quality instruction, early intervention, and prevention and behavioral strategies” (California Department of Education [CDE], 2008, p.1). RTI provides three tiers of interventions with the first two tiers occurring in the general education setting.

The Larry P. Task Force recommended changes in the assessment of African American students. They suggested an alternative approach to assessment including collaboration between general and special educators. Early researchers of Larry P. vs. Wilson Riles also suggested an approach similar to currently proposed RTI models.
Lambert (1981) believed we should change how we think about special education, expressing the need to help all students. Taylor's research (1990) also aligned with RTI ideals, believing more attention should be placed on improving programs to fit each child's individual needs. RTI is important because it addresses and provides guidance to many of the Larry P. concerns. RTI moves away from intelligence testing, and has the potential to decrease overrepresentation, and improve both general education and special education programs.

By focusing on early intervention for all students RTI approaches have the potential to reduce the achievement gaps found between children of different racial and socio-economic groups. This in turn will help to eliminate disproportionality in special education. Improvements in general education occur in the first two tiers of RTI models through: high-quality classroom instruction, research-based instruction, universal screening, continuous classroom progress monitoring, research-based interventions, progress monitoring during instruction and interventions, fidelity of program implementation, and parent involvement (Burns et al. 2007; Burns & Gibbons, 2008; CDE, 2008). Learning disabilities are not considered until the third tier, and are considered a last resort. In addition RTI provides the involvement of both general and special educators by pushing-in special education services to the general education setting. By doing this, special education is improved because more students' needs are met within the general education setting. Also, students who do require special education services will be able to exit services sooner with the supports of RTI interventions in the general education classroom. As more students' needs are met within the general
education setting and learning disabilities are considered a last resort, the need for traditional intelligence/cognitive testing is reduced.

Data collected through RTI becomes a critical component to determine eligibility within the learning disability category. RTI moves away from intelligence testing by reducing the need for such assessment. In IDEA (2004) RTI is presented as an appropriate way to determine eligibility. Within the RTI model, when a student fails to respond to research based interventions and continues to perform below what is expected in relation to his or her age or grade level peers a comprehensive evaluation is carried out to determine if the child is eligible for special education services. This evaluation is different from the traditional psychoeducational evaluation, as it may no longer require traditional approaches to intelligence testing. The goal of an RTI evaluation shifts from looking at what is wrong or discrepant to looking at what the student needs in order to learn. Burns, Jacob, and Wagner (2007) believe RTI based assessment benefits all students and helps to lessen the bias in determining learning disabilities.

An RTI based assessment corresponds to the five IDEA requirements of psychoeducational evaluations. Those five requirements are that assessments must be multifaceted, comprehensive, fair, useful, and valid. Hosp (2006) discusses the RTI assessment in a multifaceted framework through the RIOT/ICEL model. RIOT/ICEL stands for Review, Interview, Observation, Test, Instruction, Curriculum, Environment and Learner. Within the RIOT/ICEL model instruction, curriculum, environment, and the learner can be reviewed, interviewed, observed, and tested as needed. Figure 1
outlines the potential assessment sources within the RIOT/ICEL model. Examples of assessments that could be included are as follows:

- **Example 1: Review/Curriculum**
  
  Review the curriculum being used in the classroom and any curriculum used in the past. Questions to ask may include: Is the curriculum research based? Is it appropriate for the student? Is the curriculum being taught at an appropriate pace?

- **Example 2: Interview/Learner**
  
  Interview the student being assessed along with others, in order to obtain input on his or her academic struggles. Questions to ask may include: What is reading like for you? Do you like to read? Why do you think reading is hard for you?

- **Example 3: Observe/Instruction**
  
  Observe how the content, or curriculum, is presented to the students. Questions to ask may include: What types of materials are being used? How are the students grouped together? How many opportunities does the student have to respond?

- **Example 4: Test/Environment**
  
  Test changes in the environment. Changes to try may include: changes in seating, changes in level of noise, changes in lighting, reducing distractions, etc.
Figure 1

The RIOT/ICEL Matrix

<table>
<thead>
<tr>
<th></th>
<th>R</th>
<th>I</th>
<th>O</th>
<th>T</th>
</tr>
</thead>
<tbody>
<tr>
<td>RIOT</td>
<td>Review Interview Observe Test</td>
<td>Review Interview Observe Test</td>
<td>Review Interview Observe Test</td>
<td>Review Interview Observe Test</td>
</tr>
<tr>
<td>IIT</td>
<td>Instruction Instruction Instruction Instruction</td>
<td>Instruction Instruction Instruction Instruction</td>
<td>Instruction Instruction Instruction Instruction</td>
<td>Instruction Instruction Instruction Instruction</td>
</tr>
<tr>
<td>LLL</td>
<td>Review Learner Review Learner Review Learner Review Learner</td>
<td>Interview Learner Interview Learner Interview Learner Interview Learner</td>
<td>Observe Learner Observe Learner Observe Learner Observe Learner</td>
<td>Test Learner Test Learner Test Learner Test Learner</td>
</tr>
</tbody>
</table>


Not all of the RIOT factors have to occur. Information is only gained based upon need. The need is based on the student and what the educational agency needs to know about the student in order to meet the student's learning needs. RTI models that incorporate the assessments identified through the ICEL/RIOT model can provide comprehensive data, which reduces the need for a traditional intelligence/cognitive testing. This can include looking at how the students respond to interventions, what their specific academic needs include, if there are processing concerns, and how those can be addressed.

RTI is considered a culturally fair approach because it is used with all students. Specific groups are not singled out and interventions are selected based on the student's individual needs. An RTI assessment is useful, as it targets each student’s strengths and weaknesses. It provides information regarding a student’s present academic levels and gives educators an opportunity to create and track goals.
With improvements in general and special education programming and the decreased need for intelligence testing, RTI decreases overrepresentation of specific groups in special education. Fuchs, Fuchs, & Speece (as cited in Newell & Kratochwill, 2007) and VanDerHeyden (2006) state that the RTI model has the potential to decrease the number of students identified with disabilities and to reduce the overrepresentation of minority students in special education, specifically in the categories of mental retardation and learning disabilities. VanDerHeyden posits that this is so because of changes in pre-referral practices leading up to consideration for special education. Within an RTI model referral for assessment for special education eligibility is based on student progress not merely on teacher identification. The model requires that students receive interventions prior to referral for special education, that their progress in these interventions is monitored and that this progress is compared to that of other students. Thus, potential teacher bias is eliminated and objective data on student response to intervention is used in determining both referral for eligibility assessment and need for special education. As a result VanDerHeyden (2006) has found African American referrals have significantly dropped as their needs are now being met within the general education setting with interventions.

Although RTI addresses many of the issues surrounding Larry P. there are still concerns surrounding the use and implementation of RTI. Concerns include lack of outcome research and the determination of learning disabilities within an RTI framework.

Burns et al. (2007) believes there has been a lack of research on effective research based curriculums and interventions. More research needs to be completed but it is
difficult because local agencies are only allowed to implement research-based curriculum. Also Burns et al. (2007) identify inherent problems in the use of RTI assessment to determine the presence of learning disabilities. They suggest that by labeling a child as learning disabled because they fail to respond to interventions is determining diagnosis based on prognosis. That is, just because a child fails to respond to certain interventions does not mean they have a learning disability. However, does the student need a label or should the focus be on the student’s needs?

Kovaleski (2007) and Bender & Shores (2007), also discuss the challenge of determining learning disorders solely within an RTI model. They suggest more research should be conducted on how students should qualify for special education services through the RTI model. Kovaleski also questions the blurring of special education and general education services: If students are provided targeted interventions within the general education setting then what will be different with special education? Finally, he discusses the additional supports the general education environment will need in order to provide more intensive services. More educators are needed to provide small group instruction and districts will need additional funding to provide these services.

In general the goal of the RTI approach is to provide all students with interventions they need in order to succeed within the general education environment. The overrepresentation of African American students is decreased because learning and behavioral needs are addressed within general education. Culturally biased intelligence tests are no longer needed as students’ needs are met through their response to interventions. Although there are still concerns about the implementation of RTI and the
determination of learning disabilities researchers are finding the benefits outweigh the costs as more students' needs are being met and overrepresentation rates have dropped.

Assessment

The Larry P. Task Force describes assessment as collecting information and data from a wide variety of appropriate sources. Testing is not the equivalent of assessment; assessment encompasses a much wider scope of information. Sattler & Hoge (2006) recommend a multimethod assessment in order to obtain a complete assessment with relevant and valid information about an individual and his or her problems. Here a multimethod assessment includes information from multiple sources, multiple assessment methods, and multiple areas of functioning. They believe information should come from the following sources: the child, parents, teachers, other family members, other informants, and a review of the child’s records and previous evaluations. Assessments methods used should include norm-referenced tests, interviews, observations, and informal assessment procedures. All of these areas assessed should then be compiled to form conclusions and recommendations to benefit the child’s educational and emotional functioning.

Hosp (2006) provides a view of assessment that coincides with the RTI model. He views assessment as the process of collecting information and evaluation as the process of using information to make decisions. He believes that assessments should be direct, using only measures that directly assess the skills of interest. In addition, assessments should require the least amount of inference possible. For example, directly observing a student perform a specific task of interest would fall at the lowest level of
inference. Hosp believes educational agencies should use the acronym, RIOT/ICEL model discussed above, when collecting information for an assessment. To repeat, RIOT stands for four different methods of assessment: Review, Interview, Observe, and Test. In addition, Hosp states that within each method of assessment one should follow the ICEL acronym representing Instruction, Curriculum, Environment, and Learner. Within this model of assessment, the assessment is complete once enough information is gathered to make an informed educational decision.

In the education system, students are assessed in order to determine eligibility for special education and to provide information for educational program planning and successful instructional interventions (Larry P. Task Force, 1989). According to the Individuals with Disabilities Education Act (IDEA) there are thirteen categories in which a student can qualify for special education. The thirteen categories include: Autism, Deaf-Blindness, Deafness, Emotional Disturbance, Hearing Impairment, Mental Retardation, Multiple Disabilities, Orthopedic Impairment, Other Health Impaired, Specific Learning Disability, Speech or Language Impairment, Traumatic Brain Injury, and Visual Impairment. For the purpose of this paper, the mental retardation category and specific learning disability category will be discussed further.

According to IDEA, a student can be classified as mentally retarded if one has: “significantly sub average general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affect a child’s educational performance” [Section 300.8 (c)(6) of the IDEA Code of Federal Regulations (CFR), p. 46551].
The IDEA classification of a specific learning disability is as follows: "Specific learning disability means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia" [Section 300.8 (c)(10) of the IDEA Code of Federal Regulations (CFR), p. 46551].

Dawson & Simmons (2006) conducted a study on the assessment of African American students. The study surveyed school psychologists to determine what measures were being used to determine special education placement. They found most psychologists were not using the recommendations made by the Larry P. Task Force; instead they preferred to use cognitive tests that were not a part of the banned list of tests. Below are the alternative assessment measures recommended by the Larry P. Task Force, and cognitive measures that were not included in the Larry P. v. Riles ban.

*Alternative assessments*. The Larry P. Task Force (1989) proposed seven different types of alternative assessments, or conceptual strategies, which can be used when assessing an African American student for special education. These seven conceptual strategies do not use cognitive measures to assess "intelligence" and include: Developmental Assessment, Dynamic Assessment, Ecological Assessment, Information Processing, Neuropsychological Assessment, Psychological Processing, and Skills with Subjects.
A developmental assessment is largely based on the Piagetian developmental theory and considers intelligence a form of how an individual can organize and adapt to the environment. This type of assessment is used to determine the developmental level of an individual. In order to determine how well an individual adapts to a task, one must first determine the cognitive structure present, which is scored as follows: (a) the concept is just beginning to emerge at a given level of development, (b) the concept is in the early stages of development where one requires prompts to engage in a desired behavior, and (c) the concept is reasonably generalized and can be consistently used in daily living. Using the above criteria one can assess an individual’s method of problem solving, sequencing, classification processes, and linguistic and intellectual processes requiring reason, logic, and recognition of cause and effect (Larry P. Task Force, 1989).

Dynamic assessment is based on cognitive psychology and is not a standardized procedure. Dynamic assessment can be described as a process in which the examiner interacts with the examinee using different tests to determine the input, elaboration, and output of cognitive functions of a child. The examiner will then locate specific cognitive deficits and see if they can be improved, looking at the examinee’s ability to apply what they are learning throughout assessment (Larry P. Task Force, 1989). There are five different models of dynamic assessment. These models include: (a) test-train-test assessment, (b) the Learning Potential Assessment Device (LPAD), (c) Mediation assessment, (d) testing-the-limits assessment, and (e) graduated prompting assessment (Jitendra & Kameenui, 1993). Dynamic assessment is especially useful in differentiating between cultural differences and legitimate cognitive deficits. It looks at the areas of
cognitive functioning, learning style, how easy or difficult it is for a child to adapt to
different learning dynamics, and appropriate interventions. Due to the unstandardized
nature of this type of assessment, it should not be used to label or classify children (Larry

An ecological assessment is based on the theory that equal attention should be
given to the child and the environment in terms of an appropriate “fit” or “match” with
the child; the focus is not on the deficits of the child. This type of assessment appears
similar to traditional non-test based assessment procedures; however, it operates from a
different philosophical orientation (Larry P. Task Force, 1989). The subject of an
ecological assessment is the student’s observable behaviors, regardless of the assessment
tools used (Heron & Heward, 1988). The goal of ecological assessment is to figure out
specific points in which the child and his or her environment clash and attempt to change
the environment, rather than to “fix” the child. An ecological assessment follows the
following steps, in order, and stops once the issues are resolved: (a) analyzing of
environmental factors, (b) observing the child in a variety of settings with a variety of
people, (c) informal assessment, (d) formal assessment, (e) placement to meet special

An information processing approach to assessment is viewed as examining how
sensory input is transformed, reduced, elaborated, sorted, retrieved, and used by an
individual (Larry P. Task Force, 1989). Sternberg (as cited in Flanagan & Harrison,
2005) defines information processing as “the sequence of mental operations and their
products involved in performing a cognitive task”. Information processing can be used to
better understand how individuals input, process, and output information, as opposed to only looking at the output of information. The examiner can determine how well an individual can use and efficiently process information presented (Larry P. Task Force, 1989).

A neuropsychological assessment is based on the relationship between brain and behavior. That is, behavior is affected by how well the brain is functioning. One can complete a psychological assessment looking at the relationship between the brain and the development of language, cognition, perception, and motor skills. The areas assessed in a neuropsychological assessment depend on the age of the child, the referral concern, and the neuropsychological techniques being used by the examiner. In order to assess using this method, one must have extensive training in child development, neurodevelopment stages, and the effect of injury or disease on the brain (Larry P. Task Force, 1989).

A psychological processing assessment uses testing instruments to analyze the basic processing areas. This assessment model assumes that psychological processes underlie cognitive ability. The processes included in this model are association, conceptualization, expression, attention, visual-processing, auditory-processing, and sensory-motor processing. Psychological processing assessment can be used to assess strengths and weaknesses and to develop instructional strategies. School psychologists are well qualified to conduct this type of assessment (Larry P. Task Force, 1989).

Skills within subjects is an assessment method which is based on the assumption that if a student achieves at or close to grade level, his or her cognition is normal unless
proven otherwise. In order to determine functioning levels in school related activities, a diagnostic assessment is carried out attempting to identify strengths, weaknesses and specific barriers to learning. Strengths within subjects approaches can include evaluations of listening, thinking, speaking, writing, spelling, and mathematical calculations using work samples, sentence/story repetition, achievement tests, and language samples or clinical interviews. A school psychologist should have the training necessary to carry out this type of assessment (Larry P. Task Force, 1989).

**Cognitive measures.** Cognitive measures are a type of assessment used as part of a psychological assessment. Sattler & Hoge (2006) describe cognitive measures as numerically scored assessments in which responses can be either correct or incorrect. Types of cognitive assessments include intelligence tests, achievement tests, aptitude tests, and neuropsychological tests. The Larry P. ban was specifically on the use of intelligence tests or tests that purport to measure intelligence. This means that when assessing an African American student for special education, one can make use of achievement tests and neuropsychological tests.

The Larry P. Task Force developed certain guidelines to follow when making the decision on whether a test falls under the intelligence test ban for African American students. One must ask these three questions: (a) Is the test standardized and does it intend to measure intelligence (cognition, mental ability, or aptitude)? (b) Are test results reported as an IQ or mental age? (c) Does the validity of the test rely on correlations with IQ tests? If the answer is “yes” to any of the above questions, the test in question may fall under the ban.
Summary

This review of literature has focused on three main topics concerning the assessment of African American students for special education. These three topics include: the Larry P. v. Wilson Riles court case, Program Improvement efforts, and Assessment.

The Larry P. v. Wilson Riles court case brought attention to many issues in special education. In this case, Judge Peckham banned the use of intelligence tests when assessing African American students for placement in educable mentally retarded (EMR) classes, stating that the tests were culturally biased. This ban was the result of an overrepresentation of African American students in special education. At the time of the ban, African American students made up 25% of the students in EMR classes, while they represented only 10% of the total population. He also found that African American students were being placed in inappropriate programs. These programs were often referred to as dead end programs, meaning that once a student enters this program, there is little chance the student will re-enter a general education classroom. In addition, Hilliard (1992) has found no evidence that special education classes benefit students or improve their outcomes.

Currently, efforts are underway by the federal government and educational researchers to improve educational programs and the outcomes for students. This is being accomplished through the No Child Left Behind Act (NCLB), Highly Qualified Teachers, and the Response to Intervention Model.
No Child Left Behind was developed to make schools accountable for failing programs, slow progressing children, and unqualified teachers and went into effect on January 8, 2002. NCLB requires states to monitor the progress of all students, including African American students, and has found that African American students have made significant gains in reading and math since taking effect. NCLB also requires that teachers be highly qualified. This includes having teachers that are properly trained and certified to work with students with varying levels of achievement, cultural differences, and who are effective in classroom management. NCLB also encourages early intervention for children who are struggling academically.

The goal of RTI models is to provide all students with the interventions they need in order to succeed within the general education environment. In districts implementing RTI models, the overrepresentation of African American students in special education has decreased because learning and behavioral needs are addressed within general education (VanDerHeyden, 2006). RTI has also decreased the need to use traditional intelligence tests, as students' needs are being met through their response to interventions. Although there are still concerns about the implementation of RTI and the determination of specific learning disabilities researchers are finding the benefits outweigh the costs as more students' needs are being met. Requiring highly qualified teachers and using RTI, should provide a starting point to develop consistency in determining special education eligibility for African American students.

The Larry P. Task Force has also recommended the use of alternative assessments when assessing African American students for special education. They recommend
seven types of alternative assessments, including: Developmental Assessment, Dynamic Assessment, Ecological Assessment, Information Processing, Neuropsychological Assessment, Psychological Processing, and Skills with Subjects. Also included in the Larry P. Task Force report are guidelines one should follow in order to determine if a cognitive assessment falls under the ban. These alternative assessments and guidelines for appropriate cognitive assessments can be used along with RTI methods, with the goal being to further reduce the overrepresentation of African American students in special education.
Chapter 3

METHODS

The information for this project was gathered through a systematic review of current literature, consultation with professionals working in the field, and coursework. Resources were obtained from educational journals, book reviews, Internet searches, educational websites, and scholarly conferences.

In order to create this project we collaborated with Catherine Christo, PhD., a professor at California State University at Sacramento.

From consultation and a review of current literature a decision was made to create a full day Instructional Service Training. This training tool could be used to educate school staff on issues of overrepresentation, implementation of the Response to Intervention Model, and how to conduct special education assessments using a Response to Intervention framework. This is accomplished through readings, discussions, activities, and case examples.

Please see appendix A for the project.
Chapter 4

FINDINGS

This project provides school districts with a training resource to educate all staff on the following topics: overrepresentation of African American students in special education, Response to Intervention, and bias free assessments of African American students. The goals of the training are to educate staff on: what overrepresentation is, why it is an issue, why it continues to be an issue, and what can be done to reduce the overrepresentation of African American students in special education. This project provides introductory training to staff on the use of the Response to Intervention model as a tool to reduce special education referrals; hence, reducing overrepresentation. Additionally, this project provides training in the implementation, tracking, and decision making of progress monitoring. Finally, the project trains attendees on how to conduct special education assessments through the RIOT/ICEL Matrix. This training can be implemented during a full day training session. It is helpful for all staff including school psychologists, principals, special education teachers, and general education teachers.

In conclusion, by educating schools and their districts on Response to Intervention and ways to decrease overrepresentation of African American students in special education, we hope to see more students' needs being met within the general education setting. We believe that by focusing on the use of research based curriculum and progress monitoring of all students' performance there will be fewer special education referrals for African American students. Instead, these students will be receiving the support they need within general education classrooms. This project is intended as an
introductory training regarding implementation of RTI and the current overrepresentation of African Americans in special education and is recommended to be presented as an Instructional Service Training.

This presentation can be put to practical use by providing school psychologists with a way of introducing the need for Response to Intervention procedures within a district and school setting. The presentation provides practical ways to decrease the overrepresentation of African American students in special education services. The presentation also provides the audience with reasons why overrepresentation occurs and the issues surrounding overrepresentation. Finally, the training provides school psychologists with an introduction in how to conduct bias free assessments for African American students.

As stated above, this project was developed as an introduction to the issues surrounding the overrepresentation of African American students in special education and RTI. Unfortunately, many schools still do not use the RTI model and continue to use intelligence tests when assessing African American students. We believe there is a need for more work to be done on the implementation of RTI. Specifically, a step by step manual on how a school that is interested in beginning the process of implementing RTI should go about doing so. This manual should describe exactly where to start and where to go from there.

We also believe that more studies should be conducted on exactly how much the use of the RTI model contributes to the decrease in the overrepresentation of African American students in special education. There is a need for further research and more
data to support the benefits of RTI when working with minority students. With more data to support RTI's effectiveness, more schools and districts will be willing to begin the process of implementing RTI in their schools.
APPENDICES
APPENDIX A

The Assessment of African American Students Through a Response To Intervention Process

PowerPoint Presentation
The Assessment of African American Students Through a Response to Intervention Process

By Hilary Kirk & April Seto
Suggested Pre-reading

- Larry P. Task Force. Policy and Alternative Assessment Guideline Recommendations by California State Department of Education
- Assessment Practices and Response to Intervention by John L. Hosp
- Revisiting Larry P. v. Riles by Bernard Yaklin at the California Department of Education
Presentation Overview

- Overrepresentation
- Response To Intervention
- Progress Monitoring
- Case Studies
- Assessment
Issues of Overrepresentation

- What is overrepresentation?
- Why is overrepresentation an issue?
- Why does overrepresentation of African American students continue?
- What is being done to reduce overrepresentation of African American students?
What is overrepresentation?

- Inappropriate over identification or disproportionate representation by race and ethnicity of children as children with disabilities, including children with disabilities with a particular impairment (IDEA, 2004)
- Despite CA ban on IQ testing there continues to be an overrepresentation of African American students in special education classes
Discussion: 1

Are African American students being overrepresented in special education classes within your district?

Why or Why not?
Rates Of Overrepresentation

- **1970's:**
  - African American children made up 25% of the students in EMR classes in California while they only represented 10% of the total student population.

- **2004-2005:**
  - 7.8% of African American students in public school enrollment.
  - 11.5% in special education (Dawson & Simmons, 2006).

- **2006-2007:**
  - 7.6% of African American students in public school enrollment.
  - 16.2% of the special education students (Dawson & Simmons, 2006).

- **African American students are 1.2 times as likely to be found as having a learning disability** (Pearson, n.d.)
Why is overrepresentation an issue?

- Special education prevents students from being with typically developing peers, and it places them in programs with poor academic outcomes and reduced access to the general curriculum (Evans-Pongratz & Yeh, 2006)
- Fewer than 20% of students in special education classrooms return to regular education (Larry P. Task Force, 1989)
What factors might be causing overrepresentation to occur within your districts?
Why does overrepresentation of African American students continue?

- IQ Testing
- Special Education Referral process
There has been a continued use of IQ tests for special education eligibility under the categories of Specific Learning Disability and Mental Retardation.

Literature suggests these IQ tests are culturally biased. African Americans typically score one standard deviation below whites on IQ tests. However, no real difference in intelligence exists (Grubb 1992 & Naglieri, Rojahn, Matto, & Aquilino 2005).
Special Education Referral Process

- Current referral process of students to special education
  - Based on teacher view of student, not data and weekly progress monitoring
  - Many other factors may contribute to special education referral, rather than progress monitoring data

Other factors may include behavior, motivation, attendance, etc. Referrals for special education for the suspicion of a learning disability should be based on progress monitoring data in the area of concern.
Discussion: 3

What are you or your district doing to reduce the overrepresentation of African American students in special education?

What could you or your district do differently?
What is being done to reduce overrepresentation of African American students?

- No Child Left Behind
- Highly Qualified Teachers
- Response to Intervention
No Child Left Behind

What is NCLB?
- Went into effect on January 8, 2002
- Redefines the federal role in K-12 education
- Requires accountability for all children, including student groups based on poverty, race and ethnicity, disability and limited English proficiency.
- Ensure all schools have highly qualified teachers.
- Goal is to help close the achievement gap between disadvantaged, disabled and minority students and their peers.
No Child Left Behind

Why is NCLB important to reducing overrepresentation of African American students?

- 2007: Nation’s Report Card found progress is occurring across the nation.
- Most evident with 4th & 8th grade African American students. These students made significant gains in reading and math (U.S. Department of Education, 2007).
What is a Highly Qualified Teacher?

- Teachers must be properly trained and certified to work with students with varying levels of achievement, cultural differences, and are effective in classroom management (Pearson, n.d.)
- Special Education teachers must hold a credential in special education.
Why are Highly Qualified Teachers important to decreasing the overrepresentation of African American students?

- By requiring teachers to be trained in working with varying levels of achievement and cultural differences, teachers will be better able to address learning challenges within the general education setting versus referring the student to special education.

Fewer students are referred, needs are met within the classroom,
Response to Intervention

What is Response to Intervention?

- Response to Intervention (RTI) is a systematic and data-based method for identifying, defining, and resolving students' academic and/or behavioral difficulties (Brown-Chidsey and Steege, 2005).
- Response to Intervention breaks down the barriers separating special education from general education.
- It is a way to provide interventions to all students in need.
Based on a Pyramid/3 Tier model
The Three Tiers of RTI

Tier 1
- Scientifically based general education instruction with regular progress monitoring

Tier 2
- Intensive small group scientifically based instruction with regular progress monitoring.

Tier 3
- Comprehensive evaluation for special education services using a problem-solving model.

(Brown-Chidsey and Steege, 2006)
Discussion: 4

- Is your district currently implementing RTI?
- What does it look like?
- How does this relate to decreasing overrepresentation?
Tier 1

Overrepresentation is decreased through:
- Scientifically based general education
  - Eliminates cultural, environmental, and educational difference that have previously occurred.
- Regular progress monitoring
  - Reduces referral bias, referral based on data
- Students receive quality instruction
  - Reduces educational difference
- Research shows 80% of students needs are met at Tier 1

When a student is not responding to Tier 1 curriculum they are referred to Tier 2 interventions that include small group instruction. Within the traditional model of education a student not succeeding within the general education setting would be referred to special education services.
Tier 2

Overrepresentation is decreased through:
- Research based interventions for students who are not progressing in Tier 1
  - Decision on participation in Tier 2 interventions is based on data which eliminates cultural, environmental, and educational differences.
- Students who respond to Tier 2 interventions based on progress monitoring data are not referred for special education assessment
  - More students needs are met in general education environment
- Progress monitoring data allows teachers to compare students progress to themselves and other students receiving the same intervention
  - Referral based on data
- Research shows 15% of students needs are met at Tier 2

Tier 2 is important in the reduction of overrepresentation of African Americans because students are receiving the extra support they need in the general education setting. In settings not using RTI a student who is not progressing within the general education curriculum is referred for special education.
Overrepresentation is decreased through:

- The use of a problem solving model to determine special education services.
  - This allows local educational agencies to move away from the discrepancy model.
  - Therefore eliminating the need to determine intelligence/cognitive abilities and decreasing bias in testing.

By eliminating the need for an IQ/Cognitive test fewer African American students would qualify for special education services under the categories of Mental Retardation and Specific Learning Disability. Research completed by (Grubb, 1992; Naglieri, Rojahn, Matto, & Aquilino, 2005) has shown African American students score approximately 15 points lower on IQ tests then Caucasian students.
Progress Monitoring

Is a scientifically based practice of assessing students' academic performance on a regular basis for two purposes:

- To determine whether students are benefiting appropriately from the instructional program
- To build more effective programs for children who are not benefiting appropriately.

(Fuchs & Fuchs, n.d.; Mollard & Johnson, 2008, p. 44)
Progress Monitoring (cont.)

- Occurs in three continuous stages
- Stage 1: Data Collection
  - Tier 1: Every benchmark (Fall, winter, spring)
  - Tier 2: For at least three weeks of an intervention with at least 6-8 data collection points (i.e. twice a week).
Progress Monitoring (cont.)

Stage 2: Graphing of data
- Collecting data in a systematic way and tracking progress

Stage 3: Decision making
- Creating goals
- Choosing interventions
- Implementing interventions
Case Studies & Activities
Case Studies

- Stella - Has been attending Penny Lane Elementary since kindergarten.
- Chante - Has been attending Penny Lane Elementary since kindergarten.
- Latrell - Transferred to Penny Lane Elementary at the end of 3rd grade.

All three students are in 4th grade and have been receiving Tier 1 reading instruction through the Open Court curriculum. All three students are also making steady progress in math.
Research Based Tier 1 Curriculums

- Core reading curriculum in CA
  - Open Court
  - Houghton Mifflin
Progress Monitoring
Activity: 1
Stage 1

Data Collection
  – See Handout: 1

- Curriculum-Based Measurement: Directions for Administering and Scoring CBM Probes in Oral Reading Fluency
Directions for Administering and Scoring CBM Probes in: Oral Reading Fluency
Directions

When I say, 'start,' begin reading aloud at the top of this page. Read across the page [demonstrate by pointing]. Try to read each word. If you come to a word you don't know, I'll tell it to you. Be sure to do your best reading. Are there any questions? [Pause] Start.
Scoring

Words read correctly are scored as correct:
- Self-corrected words are counted as correct.
- Repetitions are counted as correct.
- Examples of dialectical speech are counted as correct.
- Inserted words are ignored.
Scoring (cont.)

- Mispronunciations are counted as errors.
- Substitutions are counted as errors.
- Omissions are counted as errors.
- Transpositions of word-pairs are counted as 1 error.
- Words read to the student by the examiner after 3 seconds have gone by are counted as errors.
Probe Administration

Activity 2
Probe Administration

See Handout: 2
- Fourth Grade Scoring Booklet DIBELSTM Benchmark Assessment

Page: 2 & 3
Recording Fluency

See Handout: 3
- Student Record Form: Curriculum-Based
  Measurement: Oral Reading Fluency
Student Record Form: Curriculum-Based Measurement: Oral Reading Fluency
Recording Data

Activity 3
Recording Data

- TRW: # of total read words
- E: # of errors made
- CRW: # of correct read words
- %CRW: Percentage of correct read words
Oral Reading Fluency (ORF) baseline data taken from Fall benchmarks:
- Stella: 110
- Chante: 63
- Latrell: 60
# 4th Grade Benchmarks

Red indicates Average 50th percentile

WCPM=Words read correct per minute

<table>
<thead>
<tr>
<th>Percentile</th>
<th>Fall WCPM</th>
<th>Winter WCPM</th>
<th>Spring WCPM</th>
<th>Avg Weekly Improvement</th>
</tr>
</thead>
<tbody>
<tr>
<td>90</td>
<td>145</td>
<td>166</td>
<td>180</td>
<td>1.1</td>
</tr>
<tr>
<td>75</td>
<td>119</td>
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</tr>
<tr>
<td>10</td>
<td>45</td>
<td>61</td>
<td>72</td>
<td>0.8</td>
</tr>
</tbody>
</table>
Graphing Data

Activity 4
Graphing Data

- Graphs can be made in Excel
- Pre-made graphs can be found at www.interventioncentral.org
Progress Monitoring

- Stella
- Chenie
- Latrell
- 90% Benchmark
- 50% Benchmark

Benchmark:
- Fall
- Winter
- Spring

WCPM
0
20
40
60
80
100
120
140
160
180
200
Creating Goals

Activity 5
Creating Goals

Goals are made to gage progress and determine if changes in interventions are needed.

Goals are created by taking the average weekly improvement rate and multiplying it by the weeks of intervention (See Handout 4).

For example: student is reading 94 WCPM at Fall we would expect them to gain 0.9 new words per week. If the next probe is given in 10 weeks we would expect the student to now be reading 103 WCPM.
Winter Goals

- Stella = 110 + (1.0 * 10) = 120
- Chante = 63 + (1.0 * 10) = 73
- Latrell = 60 + (1.0 * 10) = 70
Winter Goals

Progress Monitoring
Winter Goals

[Graph showing progress monitoring with different markers representing different goals and benchmarks]
Decision Making

At Tier 1
Stella

- Currently responding to Tier 1 curriculum
- Continue to participate in class wide instruction
- Continue to take Fall, Winter, and Spring benchmark data
- If falls below benchmarks, consider Tier 2 interventions
Chante and Latrell are not meeting grade level Fall benchmarks. They will need to participate in Tier 2 reading fluency interventions. Their progress will be monitored 2x's per week. Data and progress will be graphed.
Tier 2 Interventions to increase Oral Reading Fluency

Interventions conducted in small groups:
- Assisted Reading Practice
- Listening Passage Preview
- Paired Reading
- Peer Tutoring: Kids As Reading Helpers
- Repeated Reading
- Error Correction

These interventions are considered to be Tier 2 interventions when conducted in small groups. They can also be used class wide as Tier 1 instruction strategies.
Decision Making

At Tier 2
Progress Monitoring: 
Tier 2 Interventions

- Charte
- Label
- 50% Benchmark
- C. Goal
- L. Goal

A: Paired Reading  B: Repeated Reading
Chante

- Not responding to the first Tier 2 intervention, Paired Reading
- Second intervention, Repeated Reading was introduced
- Chante met her weekly goal of 1.0 WCPM each week
- Continue Repeated Reading Tier 2 intervention
- Continue progress monitoring 2x's per week
- Re-evaluate intervention if Chante begins to fall below her goal line
Not responding to the first Tier 2 intervention, Paired Reading
- Second intervention, Repeated Reading was introduced
- Latrell is not making enough progress toward his weekly goal of 1.0 WCPM each week
Discussion: 5

Why isn't Latrell making progress?
What are the next steps?
Latrell (cont.)

Next steps
- Special Education Assessment
Special Education Assessment:
Using a Problem-Solving Model

This model is composed of 6 steps
- Problem identification
  • Is there a problem?
- Problem definition
  • Is the problem important?
- Designing intervention plans
  • What can be done to help solve/fix the problem
- Implementing the intervention
  • Is the intervention working/is the problem being fixed?
- Problem solution
  • Has the original problem been solved?
(Brown-Chidsey and Staage, 2006)
Problem Solving Model & Assessment

Example:
- RIOT/ICEL Matrix
  - Information gathered based on need

When enough information is gained to determine the students' needs and to develop an intervention process can stop.
The first step in conducting an assessment should be to review prior records or any other type of permanent product that might be relevant.

Anyone with knowledge of the student and his skills should be interviewed. This might include teachers, administrators, parents, or the student herself. Multiple perspectives and input are crucial to decision making.

Sometimes we need to actually see what is occurring in a classroom or other setting. Whether to use structured or informal approaches should depend on what type of information we are looking for (i.e., relevant yet unknown).

This is what most people think of when we talk to them about assessment. There is good reason to sometimes it is important to administer tests to students because it is the best way to get certain types of information.

This is what we usually think of as teaching. How content is presented to students can vary in many different ways: type of materials, grouping, opportunities to respond, etc.

This is the content that is actually taught. Scope and sequence would be included here as well as pacing within and between topics.

This means the classroom environment things such as physical arrangement of the room, where the student sits and next to whom, lighting, noise, etc.
Review

- **Instruction**
  - Latrell has had consistent instruction and good attendance since kindergarten
- **Curriculum**
  - Open Court and Tier 2 interventions (Paired Reading and Repeated Reading) are research based
- **Environment**
  - Latrell has been sitting in the front of the class next to his teacher and a strong reading peer all year
- **Learner**
  - Record review indicates Latrell has always given his best effort
Interview

From interviews with Latrell's teacher, principal, parents, and Latrell himself:

Instruction
- Latrell has received after school tutoring, peer support, 1:1 help from the teacher

Curriculum
- Using Open Court, taught at a pace in which most other students in the class are able to keep up

Environment
- Latrell has preferential seating near teacher, classroom can get quite noisy at times

Learner
- Latrell stated that he knows he is not good at reading, but loves math. He said he likes to read, but it takes him a long time.
Observe

- **Instruction**
  - Teacher speaks clearly and engages students in reading instruction, offers class point for participation, calls on Latrell to respond from time to time

- **Curriculum**
  - Curriculum is research-based, at 4th grade level, and taught at an appropriate pace for majority of students

- **Environment**
  - Latrell is close to the teacher and a strong reading peer

- **Learner**
  - Latrell pays attention and appears to be following along with the lesson. However, he does not participate in choral group responses or raise his hand to answer questions.
Test

- **Instruction**
  - Latrell is not making progress when given research based tier 2 interventions. Latrell requires more intensive small group instruction.

- **Curriculum**
  - Latrell is not meeting grade level standards in reading on classroom assessments, not meeting CBM benchmarks, not showing enough improvement with Tier 2 interventions

- **Environment**
  - Latrell is not making progress in small group setting. Latrell likely requires one-on-one instruction in the resource setting.

- **Learner**
  - Discussion (next slide)
What information is needed to complete Latrell's assessment?
Latrell's assessment should include...

- Achievement Test
  - WJ-III ACH
  - WIAT
- Tests of Auditory Processing
  - CTOPP
  - TAPS
- RTI data that has already been completed
How is this helpful for African American students like Stella, Chante, and Latrell?
This is helpful because...

- Do not have to use IQ tests or cognitive tests
- Do not violate Larry P. ruling
- Students receive research based interventions
- Stronger referral process leads to less special education assessments and more students benefiting from the general education environment
What would an RTI Report look like?

See Handout: 5

- Sample Report
Discussion: 8

Does this report give you enough information to determine special education eligibility?
If yes, why?
If no, what information would be needed?
**Resources**

😊 CBM Warehouse

😊 IRIS Modules
- [http://iris.peabody.vanderbilt.edu/rii01_overview/halfflycycle.htm](http://iris.peabody.vanderbilt.edu/rii01_overview/halfflycycle.htm)

😊 Intervention Central
- [http://www.interventioncentral.org](http://www.interventioncentral.org)

😊 Aimsweb
- [http://www.aimsweb.com](http://www.aimsweb.com)
Questions???
References

References (cont.)

The End
APPENDIX B

Facilitators Handbook
The Assessment of African American Students Through a Response To Intervention Process

Facilitators Handbook

By: Hilary Kirk & April Seto
Table of Contents

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Facilitators Information

How to Use This Guide
This guide provides you with the information you will need in order to present The Assessment of African American Students Through a Response to Intervention Process. The presentation is designed to be presented as an Instructional Service training. With breaks the training should take approximately 5 ½ hours. Two 10-15 minute breaks can be given at the presenter’s discretion. The information in this guide is organized around facilitator information, discussion questions, activities, and handouts.

How to Use the CD-ROM
The CD-ROM includes the presentation, pre-reading materials, information on how to present activities, and the handouts for participants. The minimum computer requirement to run this CD is the installation of Microsoft PowerPoint 2000, Microsoft Word 2000, and Adobe Acrobat Reader. A free installation of Adobe Acrobat Reader is available at http://get.adobe.com/reader/.

Background Knowledge Needed
The facilitator needs to have a basic understanding of (a) overrepresentation and how it relates to African American students in special education (b) Response to Intervention and how it can be used to decrease overrepresentation of African American students and (c) progress monitoring and how it is used to determine interventions and referrals for special education. The facilitator should also have an understanding of current practices
for special education assessment as well as alternative assessment for special education.

For further information on these issues the facilitator should refer to the suggested pre-readings, resources, and reference list.

Materials

Prior to presenting the facilitator will need the following materials:

- **Activity Handouts**
  - Please print handouts for each participant. Handouts can be obtained from the CD-ROM under the file Participant Handouts.

- **Computer**
  - A computer with minimum software application of *Microsoft PowerPoint 2000* is needed.

- **Projectors**
  - A projector that is compatible with the above mentioned computer will be needed to display presentation and activities.

- **Writing Instruments**
  - Pens and/or pencils and notebooks paper should be provided to participants to take notes.

- **Presentation Room**
  - A room should be obtained that is large enough to hold participants. It should include chairs and tables.
Presentation

The presentation is composed of three main sections: Information, discussions, and activities. The presentation provides participants with training to implement RTI assessments within their school districts. The presentation should take approximately 5 ½ hours to complete with two 10-15 minute breaks. The information sections should take about 90-minutes, the discussion sections 120-minutes, and the activities sections 75-minutes. It is up to the facilitator to manage time wisely and incorporate breaks at appropriate times.
Facilitator Directions: Discussions should last 15-20 minutes per discussion section. Participants should first discuss questions in small groups of 3-4 and then come together as a whole group to share ideas.

Discussion 1:

- Questions
  - Are African American students being overrepresented in special education classes within your district?
  - Why or Why not?
- Goals
  - Discussion should help participants think about overrepresentation within their own district and the reasons it occurs.

Discussion 2:

- Questions
  - What factors might be causing overrepresentation to occur within your districts?
- Goals
Discussion should lead participants into thinking about common reasons why overrepresentation happens (i.e. lack of interventions, referrals, and assessment process)

Discussion 3:

- Questions
  - What are you or your district doing to reduce the overrepresentation of African American students in special education?
  - What could you or your district do differently?

- Goals
  - Discussion should help participants think about ways to decrease overrepresentation of African American students in their districts.
  - In addition, participants should think about their current process of assessment. Is their assessment processes increasing or decreasing the overrepresentation of African American students?

Discussion 4:

- Questions
  - Is your district currently implementing RTI?
  - What does it look like?
  - How does this relate to decreasing overrepresentation?

- Goals
  - Discussion should help participants recognize parts of RTI they may be currently implementing. Participants may come to realize they are already
implementing parts of RTI that can help decrease the overrepresentation of African American students.

Discussion 5:

- Questions
  - Why is Latrell not making progress?
  - What are the next steps?

- Goals
  - Discussion should help participants to think about the intervention process and how it can be used to guide referrals for assessments.
  - In addition, Participants should see a shift in their approach from being problem centered to solution-focused. The view of Latrell changes from what is wrong with him to what can we do for him.
  - Participants should discuss options for a student who is not making progress with interventions (i.e. new interventions or referral for assessment).

Discussion 6:

- Questions
  - What information is needed to complete Latrell’s assessment?

- Goals
  - Discussion should help participants think about core components of an alternative assessment (i.e. no longer needing an intelligence or cognitive test).
If participants feel an intelligence or cognitive test is needed, a discussion should occur about information gathered from those tests. Is the information beneficial in determining what Latrell needs?

Discussion 7:

• Questions
  o How is this helpful for African American students like Stella, Chante, and Latrell?

• Goals
  o Discussion should help participants understand that information from a cognitive or intelligence test does not help form interventions for the students.
  o In addition, participants should understand that data from intelligence and cognitive tests can be biased for African American students. For further information please refer to suggested pre-readings, resources, and reference lists.

Discussion 8:

• Questions
  o Does this report give you enough information to determine special education eligibility?
    o If yes, why?
    o If no, what information would be needed?

• Goals
Discussion should help participants understand more research needs to be completed when it comes to the RTI assessment process. Some individuals may feel more information is needed while others may feel the information within the report provides enough background knowledge of the student's needs to proceed with special education eligibility.
Activities

Activities should be completed within small groups of 2-3 participants. Activities should take between 15-20 minutes to complete.

Activity 1: Progress Monitoring

For further background information on progress monitoring please refer to the pre-reading documents found on the CD-ROM.

- Objectives
  - Using handout 1, Facilitator will teach participants how to use progress monitoring to collect data.
  - Participants will learn how to administer Curriculum Based Measurement Probes in Fluency.

Activity 2: Probe Administration

- Objectives
  - Using handout 2, Participants will practice administering 4th grade reading fluency probes on each other.

Activity 3: Recording Data

- Objectives
  - Participants will learn how to record data using handout 3.
  - Using handout 3, participants will practice recording data from Activity 2.

Activity 4: Graphing Data
• Objectives
  
  o Participants will learn about graphing options.
  
  o If time permits facilitator can have participants graph their data recorded in Activity 3.

Activity 5: Creating Goal

• Objective
  
  o Participants will learn how to create a goal line using handout 4.
  
  o If time permits participants will graph their goal line.
Each participant should receive a handout packet. Documents can be found on the CD-ROM in the folder labeled Participant Handouts. Each handout includes a copy of the following:

1. Presentation slides 3-per page
2. Handout 1: Curriculum-Based Measurement: Directions for Administering and Scoring CBM Probes in - Oral Reading Fluency
3. Handout 2: Fourth Grade Scoring Booklet DIBELSTM Benchmark Assessment
4. Handout 3: Student Record Form: Curriculum-Based Measurement: Oral Reading Fluency
5. Handout 4: Oral Reading Fluency Norms
6. Handout 5: Sample Report
7. Graph Paper
APPENDIX C

CD-ROM

REFERENCES


