

Service Delivery to Culturally and Linguistically Diverse Individuals Position Paper

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PURPOSE OF THE POSITION PAPER

The purpose of the position paper is to update two previous position papers entitled:
A) Service of Individuals whose Primary Language is other than "English" (3/85)
B) Overview of Bilingual Education (4/85).

Since 1985, an increasing number of speech-language pathologists (SLPs) practicing in California in various settings such as schools, clinics, hospitals and rehabilitation centers, have encountered individuals who have been exposed to a language other than English. Some of the dilemmas facing those SLPs include:

1. Considering legal and ethical requirements in the process of identifying and serving culturally and linguistically diverse (CLD) individuals.
2. Determining if the linguistically diverse individual's language performance reflects a true language disorder.
3. Prescribing intervention treatments that include appropriate goals for CLD individuals.
4. Being adequately trained to provide appropriate clinical services to CLD.

This position paper will answer the above questions and offer additional guidelines to SLPs who work with CLD individuals

BACKGROUND

California is unique in that it is not only bordering Mexico, where Spanish and numerous other Indian dialects are spoken, but is also home to two of the largest international ports, San Francisco and Los Angeles. As the most populated state in the USA, it is also the state with the highest number of individuals speaking languages other than English.

Statistical Highlights

The following statistics highlight the growth of individuals speaking languages other than English in California:

- 40% of California residents ages 5-17 speak a language other than English;

- Between 1990 and 2000, the percentage of growth of California’s population who do not speak English well grew from **26.2 %** to **39.5%**;
- **One third** or **1.5 million** of the total national ELL (English language learners) consisting of approximately 4.5 million total students, reside in California.
- In California, **one in four** students is ELL. An additional **13.5%** are FEP (Fluent English Proficient). Thus, one in three K-12 students speak a language other than English at home.

<http://www.ncela.gwu.edu/states/reports/statedata/2001/index.html>

Impact of Proposition 227 on ELL Students

Following the passage of Proposition 227 in 1997, ELL students may be permitted to retain native language instruction for one year, but should attain sufficient proficiency to perform in an only English curriculum environment unless waivers from parents are obtained.

It should be noted that the term bilingual program is a loose definition as it may entail a variety of models of instruction from truly bilingual programs to only English as a Second Language Instruction (ESL). It is important for the SLP to be aware of the various programs offered to ELL students at a given school district, site, or agency.

LEGAL AND ETHICAL REQUIREMENTS

1. Considering legal and ethical requirements in the process of identifying and serving culturally and linguistically diverse (CLD) individuals.

Legal Requirements

Federal law (IDEA) and California state law both state that students up to 22 years old must be assessed in their primary language in order to adequately diagnose a true language disorder.

IDEA specifically requires that “Each local educational agency shall ensure that tests and other evaluation materials used to assess a child under this section

- (i) are selected and administered so as not to be discriminatory on a racial or cultural basis; and
- (ii) are provided and administered in the child's native language or other mode of communication, unless it is clearly not feasible to do so.”

California’s education code states that “Tests and other assessment materials meet all the following requirements:

- (i) are provided and administered in the pupil’s primary language or other mode of communication, unless the assessment plan indicates reasons why this provision and administration are not clearly feasible.”

In addition to the requirement that students be assessed in their primary language, both federal and state law include the following legal requirements for the assessment materials:

- Materials and procedures used to assess a child must be selected and administered so as not to be racially, culturally, or sexually discriminatory. In addition, “materials and procedures used to assess a child with limited English proficiency must be selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills”.
- A variety of assessment tools and strategies are used to gather relevant functional and developmental information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general curriculum (or for a preschool child, to participate in appropriate activities) that may assist in determining a disability.
- Any standardized tests given to a child must be validated for the purpose of which they are being used and must be administered by trained and knowledgeable personnel according to the test's instructions.
- If an assessment is not conducted under standard conditions, a description of the extent to which it varied from standard conditions (e.g., the qualifications of the person administering the test, or the method of test administration) must be included in the evaluation report.
- Finally, federal law also requires that when developing an IEP for students who are limited in English proficiency, the IEP team shall “consider the language needs of the child as such needs relate to the child's IEP”.
- California state law is more specific in its requirement that the IEP should include “linguistically appropriate goals, objectives, programs and services”.

<http://www.nichcy.org/regohs/subprte2.htm>

<http://www.edlaw.net/service/ideacont.html>

<http://cde.ca.gov/spbranch/sed/lawsreg2.htm#top>

Ethical Requirements

Although federal and state laws have certain legal requirements for assessing and serving CLD students up to the age of 22, there are no legal requirements for older clients, or clients seen outside of the realm of education. In the absence of specific laws protecting the linguistic rights of these CLD clients, SLPs are referred to ASHA’s position papers (i.e., *Cultural Competence, 2005*; *Clinical Management of Communicatively Handicapped Minority Language Populations, 1984*; *Bilingual Speech-Language Pathologists and Audiologists: Definition, 1988*).

When working with an individual who speaks a language other than English, the SLP who has self-nominated him/herself as bilingual should have the required skills as defined by ASHA and adopted by CSHA in 2001. These required skills state the bilingual SLPs have concurred with or signed a statement indicating they are able to speak their primary language and speak (or sign) at least one non-English language with native or near-native proficiency in lexicon (vocabulary), semantics (meaning), phonology (pronunciation), morphology (syntax/grammar) and pragmatic uses during clinical

Additionally, ASHA indicates that the following competencies are necessary in order to provide appropriate bilingual assessment and remediation services in the client's language:

- 1) Ability to describe the process of normal speech and language acquisition of both bilingual and monolingual individuals and how those processes are manifested in oral or (manually coded) and written language.
- 2) Ability to administer and interpret formal and informal assessment procedures to distinguish between communication differences and communication disorder in oral (or manually coded) and written language.
- 3) Ability to apply intervention strategies for treatment of communication disorders in the client's language; and
- 4) Ability to recognize cultural factors which affect the delivery of speech-language pathology and audiology services to the client's language community.

If the SLP is unable to assess a CLD individual in his/her primary language, collaboration with a trained interpreter/translator to determine the student's proficiency in the first language is necessary. (Please refer to CSHA's position statement on working with interpreters.)

CLD LANGUAGE PERFORMANCE

2. Determining if the linguistically diverse individual's language performance reflects a true language disorder.

Four steps should be followed by the SLP to determine whether a CLD student demonstrates a language disorder.

A. STEP ONE - RIOT

Follow the suggested guidelines of **Review, Interview, Observe, Test, or RIOT**, as described in greater detail in Langdon & Cheng, 2002, pp.83-86):

- *Review* various pieces of information such as school and medical records while learning about the individual's cultural, social and family background.
- *Interview* family members/significant others, peers and teachers regarding their perceptions and the individual's experiences and exposure to language(s), school and literacy events
- *Observe* the individual in as many contexts as possible including the classroom environment if the individual is a student, and determine if adequate teaching techniques are implemented to maximize learning in English and acquire academic skills.
- Keep in mind the difference between everyday use of language (Basic Interpersonal Communication Skills or BICS) vs. language that needs to be used in a learning environment (Cognitive Academic Language Proficiency of CALP) (Cummins, 1981).
- Are there signs of language loss that seem to transcend normal limits?
- *Test* while taking into account that multiple sources of information should

be considered such as authentic and dynamic assessment, analyze portfolios and gather data on how the student has progressed over time.

- Take into account the legal and ethical considerations listed above during this process.

B. STEP TWO - Red flags

Look for the following **RED** flags:

- The student has made slow progress in learning English and academics despite accommodations and special classroom interventions.
- The individual has a significant medical history that may have impaired speech and language development.
- Family reports impairment in the primary/native language.
- Teachers and parents report student is learning very differently from other siblings and/or students who have had similar linguistic background and learning opportunities.
- When the above areas have been considered and the student should be assessed, it is important to determine if assessment should be done in one or two languages

C. STEP THREE – Primary language testing

Determine whether to test or not test in the primary/dominant language:

- Legally under IDEA, the SLP must test in the child's primary language. In other settings, ASHA's guidelines should be followed: "[For clients who] are proficient in their native language but not in English, assessment and intervention of speech and language disorders of limited English proficient speakers should be conducted in the client's primary language.... [For clients who are] possessing limited communicative competence in both languages... speech and language should be assessed in both languages to determine language dominance."
- If the SLP is not proficient in the student's primary language, a trained interpreter will be essential for a valid assessment and accurate diagnosis.

D. STEP FOUR - Assessment process

Complete the following assessment process:

- Assess each language during separate segments to assess performance in each language.
- Select appropriate assessment instruments and procedures. Both informal and formal procedures should be utilized.
- Informal assessment may include examining previous assessment data, family (patient, parent/caregiver) interview, review of educational and health history, language sampling and dynamic assessment.
- Formal procedures may include the use of standardized tests normed on the target population. SLPs should not use standardized tests unless normed on the same linguistic background as the individual being tested. A variety of standardized tests are available in Spanish with few instruments available in other languages. (See "Resource Guide to Multicultural Tests and Materials", ASHA, for a list of such tests; or Langdon & Cheng, 2002).

- Modifications of tests may be necessary to gain maximum information. All instruments must be examined for relevancy to the referred individual. For example, a vocabulary test normed in Cuba would not be an appropriate test for a recent arrival from Oaxaca, Mexico.
- It must be recognized that translations of English tests have many limitations. They do not provide normative or developmental information and, if used at all, should be used cautiously, to gain general information about the CLD individual's language and academic skills.
- In the event there are no language tests available in the individual's primary language, the SLP is encouraged to team with a speaker of the target language to help conduct a structured assessment and/or obtain a language sample.

INTERVENTION TREATMENTS

3. Prescribing intervention treatments that include appropriate goals for CLD individuals.

The following guidelines are offered when prescribing intervention treatments for CLD individuals:

- Develop goals that are individual-centered, functional, attainable, and that are “consistent with the family's cultural values and beliefs and capable of being utilized within the context of the family and the community” (Harris, 2002).
- Determine language(s) of intervention and personnel necessary for service delivery. ASHA's guidelines state “[For clients who] are proficient in their native language but not in English, assessment and intervention of speech and language disorders of limited English proficient speakers should be conducted in the client's primary language...[For clients who are] possessing limited communicative competence in both languages... speech and language should be assessed in both languages to determine language dominance.... The most appropriate language for intervention would be determined from this assessment.” (For more information, see the brochure “**Language of Intervention**” at http://www.csha.org/MAIN_openingsite/diversity_issues.htm)
- The IEP is developed by a team. Generally, the composition of such a team is a group of special educators, linguistically diverse trained in the specific areas of needs of the child. As required by law, consider the language needs of the child and develop linguistically appropriate goals and services.
- **CSHA's Prop. 227 Position Statement (2000)** states the following: “[It] affects only the language used for instruction in general education in California. Students with special needs are exempted... Intervention may be provided in the student's primary language. The IEP team determines which language or languages will be used to facilitate the student's communication skills for access to the core curriculum and meeting standards...If the IEP team decides to place an ELL student in English-language instruction, a speech-language pathologist is not limited to the language used in the classroom.” For more information, see position statement available at www.csha.org.

SLP TRAINING

4. Being adequately trained to provide appropriate clinical services to CLD.

ASHA Position Paper titled *Knowledge and Skills Needed by Speech-Language Pathologists and Audiologists to Provide Culturally and Linguistically Appropriate Services* (2003) outlines the roles and responsibilities of SLPs and audiologists in working with diverse populations the following areas: cultural competence; language competence of the clinician; and outlines specific roles in treatment of language, articulation/phonology, resonance/voice and fluency, swallowing, hearing/balance and includes a short glossary of terms.

CONCLUSION

Clearly, there is no magical formula for determining the most effective, least restrictive and linguistically appropriate services. What is clear is that the laws, ethics, and position statements regarding speech-language pathology service delivery indicate that reviewing background information, interviewing family and professionals, observing the individual, and using appropriate assessment instruments will guide SLPs in the provision of appropriate services to CLD individuals.

FUTURE DIRECTIONS

As a professional organization, CSHA must remain directly involved in the professional and legislative policy- and decision-making process. It is our professional responsibility to continue to develop high standards within our field. Our goal is to best serve the population with communication disorders.

Essential courses of action for immediate implementation include:

1. School districts and hospitals will utilize their bilingual SLPs to conduct primary language assessment and treatment of the referred individual.
2. Monolingual SLPs or SLPs who are not proficient in the client's primary language will conduct assessment using a trained bilingual Interpreters/Translators (I/Ts) when no trained bilingual SLPs are available. (CSHA Position Statement).
3. Bilingual Speech-Language Pathologist Assistants (SLP-As) and paraprofessionals need to be trained in several areas ranging from confidentiality to specific test administration. Paraprofessionals will work under the direct supervision of the certified specialist.

Future directions for employers, universities and professional organizations should include:

1. Employers, universities and professional organizations will:
 - Conduct workshops, in-service training and staff development on all aspects of the assessment and treatment process

- Become directly involved in the decision making process at the legislative level to:
 - (i) acquire appropriate funding
 - (ii) ensure competency/certification of personnel
 - (iii) maintain high academic and professional standards
2. Universities will:
- Continue to provide a specific required course within the Communicative Disorders (CD) department regarding the assessment and treatment of ELL individuals
 - Recruit bilingual and/or bicultural students
 - Require CD students to be knowledge-seeking about other cultures
 - Encourage CD students to become proficient in a language other than English
3. Researchers will:
- Make use of new technology to study various languages
 - Facilitate the bridge between theory and practice
 - Include CLD individuals as research subjects
 - Collaborate with service delivery professionals to add data to the National Outcome Measurements System (NOMS)
 - Conduct research which will assist in determining types of successful intervention strategies

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