

## Guidance Regarding Implementing Response to Intervention (Rti)with English Language Learners



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The New York State Education Department (NYSED) has established a regulatory policy framework for Response to Intervention. Response to Intervention--RtI--is a three-tiered prevention system in which each tier provides progressively intensive services to students. The results of screening and progress monitoring assessments are used to decide students' appropriate services and programs among the 3 tiers, either to improve student learning and/or behavior. The three tiers of intervention to support students are: Core Instruction (Tier 1), Strategic Intervention (Tier 2), and Intensive Intervention (Tier 3). NYSED's RtI framework establishes policy governing the use of RtI to meet the diverse educational needs of learners.

With ever-increasing numbers of English language learners (ELLs) who are being educated in classrooms throughout New York state (NYS) and the need for increased understanding of second language acquisition and language

disabilities/disorders, this Fact Sheet provides information on how RtI can address the diverse needs of ELLs who are struggling in attaining NYS learning standards or may have a learning disability. The information contained in this Fact Sheet is excerpted from the *NYSED document, "Response to Intervention: Guidance for New York State School Districts October 2010"* which can be accessed in its entirety, at the following link: <http://www.p12.nysed.gov/specialed/RTI/guidance-oct10.pdf>

### *Language Difference or Disability*

When conducting assessments and developing instructional programs for an ELL student, care must be taken so that issues of language differences are not confused with language disorders and that patterns of performance related to the student's socio-cultural background or interrupted prior schooling are not mistaken for signs of a disability. Assessments in both the student's native or primary language (L1) and in English, the student's second language (L2), should be conducted for comparison before appropriate educational decisions can be made.

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## *Assessing and planning appropriate instruction for ELLs -Three Variables to Consider*

When designing the school district's RtI process, three major variables should be considered when assessing and planning appropriate instruction for ELL students: language-literacy and oral language development in both native and second languages- culture, and prior educational history.

These variables remain consistent across all tiers; what changes is the intensity of instruction, possibly the instructional setting (e.g., instruction in another classroom with students who have similar concerns), and depending on the tier, some of the key instructional staff may vary. It is also important to ensure consistency in the language of instruction among tiers: students receiving core reading instruction in the home language who also need Tier 2 instruction, should receive Tier 2 instruction in the home language.

### *Screening*

In accordance with NYS Commissioner's Regulations Part 154, when a student entering a NYS school for the first time comes from a home where a language other than English is spoken, a home language questionnaire (HLQ) and accompanying informal interview must be completed. If the HLQ and informal interview indicate that the student may not be proficient in English, the Language Assessment Battery-Revised (LAB-R) is then administered. The LAB-R is used to determine the student's level of English proficiency in the four areas of language arts: listening, speaking, reading, and writing. The English proficiency level should be used to guide the differentiation of instruction necessary to meet the diverse needs of ELL students.

When reading instruction occurs in a language other than English, it is strongly recommended that schools administer screening instruments in the language of instruction in addition to English. It is important that the screening tools used to identify students who are struggling and not meeting benchmarks should be tools that have been validated on the populations to be screened.

As a result of screening, ELL students who have been identified as struggling and/or not meeting benchmarks may need further language screening and assessment. In this case, educators should use standardized and/or informal tools. Language assessments should be conducted in both the native language and English in all four language areas – listening, speaking, reading, and writing.

When an ELL student becomes the focus of concern, the instructional program itself must be examined to determine the match between the demands of the curriculum and the student's current proficiency in the language of instruction. It is important to examine the achievement of the student's "true peers" (i.e., students with similar language proficiency levels and cultural and experiential backgrounds) to see if they are excelling or not. If a majority of "true peers" within the school are struggling, this is an indication that the instruction is less than optimal for that group of students.

### *Linguistically and culturally appropriate instruction and intervention for ELL students*

For students identified as ELLs, appropriate instruction includes instruction that is linguistically and culturally responsive. This means that instruction and interventions must consider and build upon a student's cultural background and experiences as well as their linguistic proficiency-in both English

and the native language. In some cases, a student may not benefit from a specific learning strategy simply because he/she needs a different learning or teaching approach, not because he/she cannot comprehend the content of the lesson.

### ***Assessing prior educational experiences***

When differentiating instruction for ELL students based on the student's level of English proficiency, it is also important to assess the student's prior educational experiences in order to address cultural and linguistic differences. When determining appropriate instruction/intervention at all proficiency levels for ELL students:

- ❑ Consider the amount and type of ESL instruction the student received in the past and is currently receiving.
- ❑ Consider the amount and type of native language instruction the student received in the past and is currently receiving, if applicable.
- ❑ Ensure that the language(s) used for interventions matches the language(s) used for core instruction.
- ❑ Consider the impact of language and culture on instruction and learning.
- ❑ Contact the family to receive feedback and guidance regarding the student's strengths, interests, and needs.
- ❑ Ensure that bilingual and/or ESL personnel serve on the instructional decision-making team.

### ***Instruction matched to English proficiency level***

Differentiated instruction should be used to meet the diverse needs of ELL students. The proficiency levels for English, as established by the NYSED, present the stages of growth for the four language arts areas: listening, speaking, reading, and writing. The *New York State Teaching of Language Arts to Limited English Proficient/English Language Learners: Learning Standards* illustrates the levels of proficiency paired with examples of instructional activities to support each level of proficiency. This document provides guidance as to how instruction can be differentiated to "scaffold" or support the instruction of ELLs at varying English proficiency levels. The guide is available for downloading at the following link: [http://www.highered.nysed.gov/kiap/precoll/service\\_learn/standards/esl.pdf](http://www.highered.nysed.gov/kiap/precoll/service_learn/standards/esl.pdf)

### ***Grouping to address ELL students' English proficiency level and prior educational experiences***

When designing differentiated instruction for ELL students, the student's level of English proficiency and prior educational experiences as well as cultural and linguistic differences should be considered. Differentiated instruction should employ a variety of ways of grouping ELL students to ensure that the ELL student's levels of proficiency in the native language and English, in addition to the knowledge and skills that are to be learned, are addressed. Whenever feasible, differentiated instruction should include grouping to address (1) the student's levels of proficiency in the native language, (2) the student's levels of proficiency English and (3) the knowledge and skills in the content area that are to be learned. For example, ELL students can be grouped with native language peers, other ELL students that do not speak the same native language, or with native speakers of English. When determining appropriate instruction/intervention at all levels for ELL students:

- ❑ Consider the amount and type of ESL instruction the student received in the past and is currently receiving.
- ❑ Consider the amount and type of native language instruction the student received in the past and is currently receiving, if applicable.
- ❑ Ensure that the language(s) used for interventions matches the language(s) used for core instruction.
- ❑ Consider the impact of language and culture on instruction and learning.
- ❑ Contact the family to receive feedback and guidance regarding the student’s strengths, interests, and needs.
- ❑ Ensure that bilingual and/or ESL personnel serve on the instructional decision-making team.

***Tier 1: Core Instruction for ELLs***

Core instruction, also referred to as Tier 1 instruction, should consist of high-quality, standards-based classroom instruction. The following guidelines should be used when differentiating instruction to meet the needs of second language learners at the Tier 1 level:

- ❑ Analyze assessment/screening data to determine performance levels in both L1 and L2.
- ❑ Use this assessment data to plan instruction.
- ❑ Differentiate this instruction based on academic performance levels; the student’s L1 and L2 levels; and the cultural background of the student.
- ❑ Base the L2 performance levels on the NYSED Proficiency Levels for English as a Second Language.

***Tiers 2 and 3: Strategic and Intensive Levels of Intervention for ELLs***

ELL students who continue to struggle with the academic material will need further intervention, either “Strategic Intervention”, or Tier 2, or “Intensive Intervention”, or Tier 3. If using a problem-solving model, the student data and the classroom instructional data should be provided to the instructional decision-making team for analysis to determine an appropriate instructional plan. If using a standard protocol model, it is recommended that districts develop a protocol for ELLs which includes a menu of interventions that have been validated with ELLs in addition to the set of interventions that have been validated with native speakers of English. The problem-solving team should:

- ❑ Review and analyze the data collected in Tier 1 documentation and conduct further assessments as needed, and make recommendations for Tier 2 intervention(s). For ELL students, the documentation should include the:
  - explanation of how instruction was differentiated to address native and second language issues and cultural differences;
  - amount and type of ESL instruction; and,
  - amount and type of native language instruction (as appropriate).
- ❑ Select the instructional areas that need further, more intense intervention.
- ❑ Determine the extent of ESL instruction and/or native language instruction needed during Tiers 2 and 3 interventions to ensure the student will benefit from the intervention.

### ***Progress Monitoring - When monitoring the progress of ELLs:***

- ❑ If instruction is being provided in the student’s native language and in English, all on-going assessments should be conducted in both the native language and English.
- ❑ When evaluating instructional programs for students in either native language or in English, the results of instruction should be compared to results for “true peers” (i.e., students with the same native language and culture and similar educational histories). The performance of true peers should be used to benchmark progress and decide whether the student is responding adequately to the intervention or needs more intensive intervention.
- ❑ Whenever possible, the comparative sampling of true peers should be large enough for making educationally valid decisions.
- ❑ Knowledge of typical second language development and the student’s history of first and second language use should be considered when setting benchmarks and interpreting progress.

### ***Considerations for Reading Instruction***

Prior to making decisions about a student’s reading fluency, teachers should consider the relationship between the student’s language proficiency and his/her literacy skills. In the case of ELL students, reading fluency and comprehension may be strongly determined by vocabulary comprehension and linguistic proficiency in both the first and second language.

### ***Considerations for Math Instruction***

The issue of linguistic proficiency and vocabulary comprehension is also important when collecting data and measuring math skills. Vocabulary comprehension has been identified as a major variable in the understanding of math concepts. Computational concepts, algorithms, numerical concepts, measurement concepts and the structure of word problems are not necessarily universal.

**Source: NYSED Response to Intervention: Guidance for New York State School Districts October 2010**  
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