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Using an Ever–English Learner Framework to Examine Disproportionality in Special Education

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Abstract

Whereas most existing research has examined the prevalence of current English learners (ELs) in special education, we propose and test the use of the ever-EL framework, which holds the subgroup of EL students stable by following all students who enter school classified as ELs. Drawing on two administrative data sets, discrete-time hazard analyses show that whereas current EL students are overrepresented in special education at the secondary level, students who enter school as ELs are significantly underrepresented in special education overall and within most disability categories. Reclassification patterns, in part, explain these findings: EL students with disabilities are far less likely than those without disabilities to exit EL services, resulting in large proportions of dually identified students at the secondary level. These findings shed new light on EL under- and overrepresentation in special education and offer insights into policies and practices that can decrease EL special education disproportionality.

For several decades, there has been concern over disproportionate identification of different subgroups of students into special education by race or ethnicity, gender, socioeconomic status, and English learner (EL) status. *Disproportionality* is defined as an individual from a given subgroup (e.g., ELs) having a higher or lower likelihood of being identified in a category (e.g., special education or a specific disability category) than what would be expected given that subgroup's representation in the overall (student) population (Oswald & Coutinho, 2006). Researchers have found disproportionality for students of color and students classified as ELs, raising serious concerns about educational equity (Skiba et al., 2008). Disproportionality in the form of overrepresentation suggests that more students of a particular subgroup may be identified for special education services than actually need them, likely affecting these students' educational opportunities and experiences by reducing access to rigorous academic content (Bianco, 2005) and generating social stigma (Higgins, Raskind, Goldberg, & Herman, 2002). Disproportionality in the form of underrepresentation, on the other hand, suggests that fewer students of a particular subgroup may be identified and provided with special education services than actually need them, thereby limiting access to crucial educational supports (Wagner, Francis, & Morris, 2005).

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Special Education Disproportionality Related to Language Background

Research on EL students in special education has shown variable patterns, with findings of over- and underrepresentation across different locales, disability categories, and grade levels. (In this article, we use the term *dually identified students* for students who are identified as EL and as having a disability.) These differences in findings are likely related to variation in studies' samples, identification variables (for special education and for EL status), comparison groups, and analytic techniques. They also likely reflect on-the-ground variation in special education identification patterns, resulting from variation in the ways in which EL students are identified with disabilities and served in different locales.

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Despite variation, prior research has identified certain patterns. ELs are likely to be identified later than non-ELs for special education services (Hibel & Jasper, 2012; Samson & Lesaux, 2008) and are underrepresented in most disability categories (Morgan et al., 2015). ELs tend, however, to be far overrepresented in special education in middle school and high school (Artiles, Rueda, Salazar, & Higareda, 2005). Though not mutually exclusive, these findings have created confusing messages about the challenges to correctly identifying and serving dually identified students.

Although theory building has been limited, researchers have investigated how and why ELs face disproportionality in special education. Contributing factors include (a) assessments and identification procedures that fail to distinguish typical learning trajectories for students acquiring English from atypical non–language acquisition related development (Ortiz et al., 2011; Spinelli, 2008), (b) explicit or implicit bias against EL students (Figueroa & Newsome, 2006), and (c) limited or delayed assessment of EL students for special education services (Samson & Lesaux, 2008).

Prior literature typically has taken one of two approaches to examining disproportionality related to language background. One group of studies has analyzed disproportionality among students currently classified as ELs (called *current ELs*; e.g., Artiles et al., 2005; Sullivan, 2011; Sullivan & Bal, 2013; Wagner et al., 2005). However, the EL subgroup changes over time as students attain English proficiency and are *reclassified* (the term used to describe exiting from EL status). Therefore, such analyses do not provide information about disproportionately among the full group of students who enter school as ELs. Meanwhile, another group of studies has analyzed disproportionality among students who speak a language other than English at home or among students who are the children of immigrants (e.g., Hibel & Jasper, 2012; Morgan et al., 2015; Samson & Lesaux, 2008). Such studies examine a stable group of students. However, neither group is a perfect proxy for ELs, particularly because EL classification can affect student experiences (Umansky, 2016).

Ever-EL Framework

ELs, by definition, are a nonstable group of students; most students who enter U.S. schools as ELs eventually meet English proficiency criteria, reclassify out of EL services, and are no longer considered part of the EL subgroup (Slama, 2014). This has profound implications for research (Hopkins, Thompson, Linquanti, Hakuta, & August, 2013). The sample of students who are ELs in kindergarten is a very different group of students from, for example, the sample who are ELs in sixth grade. Specifically, as students progress across grades, those who remain ELs have, on average, lower English language linguistic and academic outcomes than their peers who meet English proficiency criteria and exit the EL subgroup

(Linquanti, Cook, Bailey, & MacDonald, 2016; Saunders & Marcelletti, 2012).

This makes comparisons of outcomes for current ELs across time misleading. One example of this is the National Assessment of Educational Progress. Taken by a nationally representative sample in fourth, eighth, and 12th grades, widely publicized results suggest that EL performance declines across grades. This fails to account for the fact that many ELs are reclassified between the fourth and eighth grades, for example, resulting in very different EL samples at the different grade levels (Thompson, 2017; Umansky & Reardon, 2014).

To address this problem, researchers and policy makers are increasingly using a framework that holds the EL subgroup stable by defining a group of students as *ever-EL*. This stable group of students includes all students who enter school as EL, regardless of whether or when they reclassify (Linquanti et al., 2016). The comparison group is *never-EL* students (i.e., students who do not enter school as EL and are therefore never classified in school as EL). This ever-EL framework has largely been discussed in the realm of educational accountability. For example, the Every Student Succeeds Act (ESSA; 2015), the new federal legislation on elementary and secondary education, steps closer to an ever-EL framework by allowing states to count former ELs in their calculations of EL outcomes for up to 4 years after reclassification. In this article, we hope to demonstrate the utility of the ever-EL framework in other aspects of research, policy, and practice—specifically, the crucial educational equity issues affecting EL students with disabilities.

The momentum toward using the ever-EL framework has been greatly buoyed by increased access to and use of longitudinal student-level data systems at the school, district, and state levels (Dynarski & Berends, 2015). In addition to the creation and use of these systems by education agencies, a growing focus on researcher–practitioner partnerships has increased researchers' access to these data (Coburn & Penuel, 2016). This study benefits from two such researcher–practitioner partnerships: one at the state level and the other at the district level.

Our study aimed to contribute to the literature by examining how and why existing research has come to such divergent conclusions about disproportionality related to language background. In addition to using the ever-EL framework to examine special education disproportionality, this study is also the first study of EL disproportionality to explore the role of reclassification in explaining over- and underrepresentation. Further, we employed longitudinal administrative data, allowing for the use of direct variables for special education identification, EL status, reclassification, language and academic assessments, and student background characteristics. This is an advance over other studies that have had to rely on cross-sectional analysis or proxies for the key variables of interest (Artiles et al., 2005; Morgan et al., 2015; Samson & Lesaux, 2008).

Research Questions

We applied the ever-EL framework to examine special education disproportionality using longitudinal administrative data from two different locations, allowing for a comparison of patterns. Our research questions were as follows:

> *Research Question 1*: Cross-sectionally by grade, how do findings about the proportion of students receiving special education services differ with the use of a current-EL framework as compared to an ever-EL framework?
> *Research Question 2*: Longitudinally and by cohorts of students over time, how does the likelihood of special education identification differ between ever-ELs and never-ELs, and what is the nature of this difference?
> *Research Question 3*: What is the role of reclassification in explaining disproportionality among ELs in special education?

Method

Data

The first data source for our study was a large urban school district in a traditional immigrant destination state (*State A district*). Students of color are a majority in the district. Half of each incoming kindergarten cohort has a primary language other than English, and the largest ethnic groups within the EL population are Chinese and Latino students. The second location was a medium-sized, new immigrant destination state (*State B*), with a mixture of urban, suburban, and rural communities, in which White and English-speaking students are a majority. About 20% of the most recent incoming kindergarten cohorts had a primary language other than English, and the majority of these students were Latino. See Table 1 for descriptive statistics for ever-ELs and never-ELs included in our main analytic samples, by locale.

We conducted parallel analyses in both locations to compare and contrast EL disproportionality in different contexts. Our purpose in analyzing two strategically different locations was to examine how EL disproportionality in special education may vary by locale. Although neither setting is generalizable to

Table 1. Descriptive Characteristics of the Analytic Sample, by Linguistic Status and Location.

	State A district			State B		
	Ever-EL	Never-EL	Total	Ever-EL	Never-EL	Total
Ever special education	0.14	0.17	0.16	0.20	0.23	0.22
Ever SLI	0.05	0.04	0.05	0.11	0.12	0.12
Ever SLD	0.06	0.07	0.06	0.08	0.06	0.07
Ever AUT	<.01	0.01	0.01	0.01	0.02	0.02
Ever OHI	0.01	0.02	0.02	0.01	0.03	0.03
Ever ED	<.01	0.01	0.01	<.01	0.01	0.01
Ever HI	<.01	<.01	<.01	<.01	<.01	<.01
Ever VI	<.01	<.01	<.01	<.01	<.01	<.01
Ever ID	<.01	<.01	<.01	0.01	0.01	0.01
Ever OR	<.01	<.01	<.01	<.01	<.01	<.01
Ever other	<.01	<.01	<.01	<.01	<.01	<.01
Female	0.50	0.49	0.49	0.48	0.49	0.49
FRPL[a]	—	—	—	0.92	0.50	0.58
First score (standardized)[b]						
ELA	−0.12	0.14	0.00	−0.30	0.08	0.00
Math	−0.03	0.05	0.00	−0.25	0.06	0.00
Race/ethnicity[c]						
Latino	0.36	0.13	0.24	0.79	0.10	0.23
White	0.04	0.23	0.13	0.08	0.78	0.64
Asian/Pacific Islander	0.53	0.27	0.40	0.10	0.03	0.04
African American	0.01	0.22	0.11	0.01	0.03	0.02
American Indian	0.00	0.01	0.01	0.01	0.02	0.02
Decline to report	0.04	0.08	0.06	<.01	<.01	<.01
Multiethnic	—	—	—	0.01	0.05	0.04
Other ethnicity	0.02	0.06	0.04	—	—	—
n	19,320	20,120	39,440	34,847	139,303	174,150

Note. EL = English learner; SLI = speech/language impairment; SLD = specific learning disability; AUT = autism; OHI = other health impairments; ED = emotional disturbance; HI = hearing impairment; VI = visual impairment; ID = intellectual disability; OR = orthopedic impairment; FRPL = free/reduced-price lunch; ELA = English language arts.
[a]FRPL data unavailable for State A district. [b]ELA and math scores are standardized to have a mean of 0 and standard deviation of 1 across the analytic sample. In State A district, achievement tests are given for the first time in second grade. In State B, achievement tests are given for the first time in third grade. [c]Because the two locations have slightly different reporting categories for race/ethnicity, the proportion of multiethnic students is only available in State B, and the proportion of students of other ethnicity is available only in State A district.

other settings, we believe that the comparison of a traditional immigrant destination to a new immigrant destination can shed light on how disproportionality may operate differently in different contexts.

In State A district, we used districtwide data over 13 years (2000–2001 through 2012–2013). In State B, we used statewide data over 8 years (2006–2007 through 2013–2014). Table 2 shows the number of incoming ever- and never-EL students in each sample by academic year. In our analyses, we included only students who entered the district or state as kindergartners, to avoid confounding patterns for kindergarten entrants versus late arrivers. We followed these kindergarten entrants for as long as they remained in our data sets. For the cohorts in our sample, kindergarten entrants constitute 62% of ever-ELs in State A district and 86% of ever-ELs in State B.

In both data sets, our analysis relied on key variables relating to EL status and special education status. The EL status variable in both data sets is a categorical variable that, for each year in school, identifies a student as a current EL, a former EL, or a never-EL. We combined the current EL and former EL categories to create the ever-EL indicator. There are two special education-related variables. The first is an indicator (yes/no) for whether a student qualifies for special education services in a given school year. The second is a categorical variable that indicates the specific disability category for which a student is identified in a given year. In our analysis, we included only primary disability identifications. In State A district, the categorical disability variable was not reliable for the full 13 years of data; therefore, analysis by disability category was limited to the most recent 5 years of data in this location.

Consistent with national trends (U.S. Department of Education, 2016), in both locations the predominant disabilities for ever- and never-ELs are speech or language impairment (SLI; 40% of students identified with a disability) and specific learning disability (SLD; 39% of students identified with a disability). In general, SLI is identified early, in kindergarten for many students, and unlike most other disability categories the number of students with SLI decreases substantially in later grades, indicating that

Table 2. Incoming Ever-EL and Never-EL Kindergarten Entrants by Entry Year and Location.

	State A district			State B		
Cohort entry year	Ever-EL	Never-EL	Total	Ever-EL	Never-EL	Total
2000–2001	2,641	1,814	4,455	—	—	—
2001–2002	2,305	1,830	4,135	—	—	—
2002–2003	2,349	1,844	4,193	—	—	—
2003–2004	2,340	1,764	4,104	—	—	—
2004–2005	2,268	1,804	4,072	—	—	—
2005–2006	2,471	1,848	4,319	—	—	—
2006–2007	2,274	1,690	3,964	7,901	32,075	39,976
2007–2008	2,288	1,913	4,201	7,919	31,346	39,265
2008–2009	2,182	2,163	4,345	8,183	32,153	40,336
2009–2010	2,373	2,298	4,671	8,061	31,574	39,635
2010–2011	2,525	2,123	4,648	8,107	32,139	40,246
2011–2012	2,665	2,100	4,765	8,090	33,108	41,198
2012–2013	2,706	2,078	4,784	8,080	34,101	42,181
2013–2014	—	—	—	8,013	34,373	42,386
Total	31,387	25,269	56,656	64,354	260,869	325,223

Note. EL = English learner.

schools remove students' SLI identification as they progress. SLD, by contrast, tends to be identified later (in Grades 2–4 for most students in both locales) and is typically a permanent identification.

EL and Special Education Policy Contexts in the Two Locales

The basic elements of EL identification and reclassification are laid out in federal law, case law, and federal regulations, with state and district policies filling in specifics. Across the country, when a student first enrolls in a given school district, that student's family completes a form asking several questions about language use at home. Students with a dominant language other than English must complete the state's English language proficiency (ELP) assessment within 30 days of the student first entering the district (Linquanti et al., 2016). Education agencies have established thresholds on these assessments for determining English proficiency. Students scoring below the thresholds for proficiency are classified as EL, whereas students scoring at or above the thresholds are not. If students are classified as ELs, they have particular rights in school—namely, the right to instruction aimed at acquiring the English language and the right to accessible grade-level academic content (*Lau v. Nichols*, 1974).

Like initial classification, EL reclassification procedures are codified at federal, state, and sometimes district levels. Reclassification is triggered by meeting specified thresholds on one or more assessments. All EL-classified students must be evaluated annually to determine if they have reached English proficiency in four domains: listening, speaking, reading, and writing (ESSA, 2015). In some locales, students must meet other thresholds, such as a given level on academic assessments, course grades, or teacher approval (Linquanti et al., 2016).

Although EL policies in both locations we studied follow federal guidelines, there are important differences in how these policies are implemented. Home language survey questions differ in the two locations, as does the ELP assessment. In addition, State A district and State B have different reclassification criteria. During the period we examined, State A district included students' performance on the state content area assessment in English language arts as a reclassification criterion, along with student grades and teacher judgment. In State B, districts had the ability to consider factors in addition to the ELP assessment, such as teacher recommendations and writing samples. Finally, students could not be reclassified in State A district until the third grade, whereas students could be reclassified at any grade level in State B.

Like EL classification, the basic process undergirding special education identification is established in federal law. The Individuals with Disabilities Education Act (IDEA; 2006) is the cornerstone of federal special education law. The formal steps involve (a) referral for evaluation by a teacher, administrator, or parent; (b) individualized evaluation of all suspected disabilities; (c) a special education eligibility decision made by school professionals and parents or guardians; and (d) an individualized education program (IEP) meeting. Although referral is the first formal step, in many cases there is a prereferral process in which students experiencing difficulties in school receive tiered interventions to see if they respond to intervention or if they continue to show signs of possible disabilities (Ferlis & Xu, 2016). Identification is always linked to one or more of 14 federally defined disability categories. Services for students who qualify for special education services are established by each student's IEP and are typically laid out as accommodations, supports, and modifications. The IEP must be reviewed annually, student progress must be monitored and reported to parents or guardians, and the child must be reevaluated at least every 3 years (20 U.S.C. § 1414[a][2]). Policies in State A district and in State B follow federal law.

As with EL policy, however, there are differences across the two locales in terms of policy implementation. For example, in State

A district, initial disability assessment for ELs must involve personnel qualified to understand EL language development and nonbiased assessments, and IEPs should include ELP goals. In State B, special education identification procedures can vary by district. For example, some small rural districts in State B rely on regional education offices to carry out special education functions, including evaluation and services for students with particular types of disabilities. However, larger districts in State B, like State A district, conduct evaluations and provide services in-house.

Two key differences between EL classification policy and special education identification policy deserve attention. First, EL classification, unlike special education identification, happens at only one moment—within 30 days of enrollment in a district; special education identification can happen at any point in a student's educational trajectory. Second, EL classification is meant to be temporary. In some cases, special education status may be a temporary classification—for example, if a student with articulation issues resolves those issues and no longer has a speech and language impairment. However, with disabilities that are typically permanent conditions, there is no expectation that a student's disability identification will be removed—for instance, students with autism spectrum disorder or visual impairment.

Analytic Methods

Examining the proportion of students in special education through current- and ever-EL frameworks. To begin, we tabulated the proportion of students receiving special education services by grade level using the most recent year of data available, first with a current-EL framework and then an ever-EL framework. Specifically, we compared the proportion of current ELs participating in special education by grade level with the proportion of non-ELs. Then we compared the proportion of students *ever* identified as ELs participating in special education by grade level with the proportion of students *never* identified as ELs.

Likelihood and timing of special education identification among ever-ELs. The main analyses for this study—for Research Questions 2 and 3—involved longitudinal discrete-time hazard models. In Research Question 2, we ask how the likelihood and timing of special education identification differ for students who enter kindergarten as EL (the ever-EL group) as compared with those who do not enter as EL (the never-EL group). If ever-ELs are proportionately identified in special education, there will not be a significant difference in the likelihood of special education identification for ever-ELs and never-ELs.

In hazard analyses, *hazard* is defined as the likelihood that an event will occur for an individual in a particular period, given that the event has not already occurred for that person. This method is based on a logistic regression framework with a dichotomous variable for event occurrence as the outcome. Adding predictors to the model enables estimating the relationship between these predictors and event occurrence. Utilizing this method, we first constructed a person–period data set (Singer & Willett, 2003), with observations for each student, i; in each period (year), j; until either the event occurred or the student no longer appeared in the data (either because no additional years of data were available or because the student left the district or state). We predicted four related outcomes. Our primary analysis predicted enrollment in special education overall. Our secondary analyses predicted identification with SLI, SLD, or any other disability category. We combined all non-SLI and non-SLD disabilities into one group to maximize power, given the low incidence rates of these disabilities.

$$
\begin{aligned}
logit\left(h_{it}\right) = {} & \begin{bmatrix} \alpha_1 D_{1ij} + \alpha_2 D_{2ij} + \ldots \\ + \alpha_J D_{Jij} \end{bmatrix} + \\
& \beta_1 EverEL_i + \\
& \begin{bmatrix} \beta_2 EverEL_i * D_{1ij} \\ + \beta_3 EverEL_i * D_{2ij} \\ + \ldots + \beta_J EverEL_i * D_{Jij} \end{bmatrix} \\
& + \boldsymbol{B_X X_i} + \boldsymbol{B_A A_i} + \boldsymbol{B_C C_i} + \\
& \boldsymbol{B_D D_i} + \varepsilon_{ij}
\end{aligned} \tag{1}
$$

Equation 1 illustrates the full model (Model 3). To analyze likelihood of event occurrence over time, we included indicator variables for each period D (D_{1ij} to D_{Jij}), where *1* through J are the periods included in the analysis. Our key variable of interest was an indicator for whether the student was ever classified as an EL (*EverEL*). To test whether the difference in the likelihood of special education identification for ever-ELs and never-ELs changes over time, we included interactions between the *EverEL* indicator and the indicator variables for each period.

In this model, α_J's provided the baseline hazard rate, which is the log odds of special education identification (or, in later models, specific disability identification) in period j for never-ELs (i.e., have a the value of 0 for the *EverEL* indicator). The parameters of interest were the coefficients on *EverEL* and the coefficients on the interaction terms, which estimate the difference in likelihood of special education identification for ever-ELs and never-ELs in each period. Using the parameter estimates, we calculated students' likelihood, by ever- and never-EL status, of special education identification in each period. We also estimated their cumulative likelihood of identification over time. In addition to testing the significance of the parameter estimates for each ever-EL-related variable, we ran a test of their joint significance. This test told us if, over the time examined, the likelihood and timing of special education identification were significantly different for ever-ELs versus never-ELs. We then repeated these analyses and tests using likelihood of identification with specific disabilities (i.e., SLI, SLD, and a combination of all other disability categories) as the outcomes.

To these baseline models, we then added a vector of demographic controls, $\boldsymbol{X_i}$, fixed effects for cohort, $\boldsymbol{C_i}$, and fixed effects for schools in State A district and for districts in State B, both referred to as $\boldsymbol{D_i}$ (Model 2). This model examined whether an ever-EL faced the same likelihood of identification for special education services as a never-EL with similar background characteristics in the same school (State A district) or district (State B). Specifically, in both locations, we included an indicator variable for gender and a set of indicators for race/ethnicity. In State B, we also included an indicator for whether the student qualified for free or reduced-price lunch. In State A district, we did not have an indicator for socioeconomic status. Given the important role of socioeconomic status in predicting outcomes, including special education identification (Cross & Donovan, 2002; MacMillan & Reschly, 1998; Michelmore & Dynarski, 2016), we conducted two sensitivity checks to investigate the possible implications of not having a socioeconomic status variable in State A district. We report the results of these checks at the end of the Results section.

Finally, in Model 3, we added a set of achievement controls, $\boldsymbol{A_i}$. Specifically, we added students' scores on statewide content assessments in English language arts and mathematics during the first year that each student took the assessment, which is second grade in State A district and third grade in State B. Student achievement is a highly significant predictor of special education identification (Morgan et al., 2015). We included achievement controls in our final model because we wanted to understand whether the likelihood of special education status differed for ever-ELs and never-ELs with similar achievement profiles.

Including achievement controls, however, raises two concerns. First, achievement is not a fixed characteristic; it is influenced by students' experiences in school. Because our achievement measure was collected several years after students entered school, it is not a purely exogenous control variable. A second concern with including achievement scores in the model is that tests taken in English have reduced validity and reliability when taken by students with limited English proficiency. Construct-irrelevant linguistic demands of the assessment may interfere with students' ability to demonstrate their knowledge of the construct being measured (Abedi, 2002; Robinson, 2010). To address the potential bias related to including student achievement in our model, we took several steps. First, we included only students' first observed test scores to minimize endogeneity

(Singer & Willett, 2003). Second, we compared results across Models 1–3 to determine the extent to which including student achievement changed our results. We also conducted a third sensitivity check pertaining to the smaller sample size available when including only students with achievement score outcomes.

Exploring the role of reclassification. For our third research question—analyzing the role of reclassification in disproportionality for ELs—we also used hazard models. In this case, hazard analysis enabled us to examine whether there is a significant difference in likelihood of reclassification for students with and without disabilities. Our outcome was reclassification, and the sample included only EL students. Our key variable of interest was an indicator for whether students ever qualified for special education services (*SpedEver*). We included a set of indicator variables for each period and interactions between the special education indicator and each period. Similar to the prior analysis, the interactions allowed the difference in the reclassification hazard rate for students who do and do not qualify for special education to vary over time. We also used a set of demographic controls, $\boldsymbol{X_i}$ (gender; race/ethnicity; and in State B, free/reduced-price lunch participation), cohort fixed effects, $\boldsymbol{C_i}$, school fixed effects (State A district) or district fixed effects (State B), $\boldsymbol{D_i}$, and students' initial scores on the state's ELP assessment at kindergarten entry, $\boldsymbol{E_i}$. We included only students' first ELP scores to avoid endogeneity. The equation for this model was as follows:

$$logit(h_{it}) = \begin{bmatrix} \alpha_1 D_{1ij} + \alpha_2 D_{2ij} \\ + \ldots + \alpha_J D_{Jij} \end{bmatrix} + \beta_1 SpedEver_i + \begin{bmatrix} \beta_2 SpedEver_i * D_{1ij} + \\ \beta_3 SpedEver_i * D_{2ij} + \ldots + \\ \beta_J SpedEver_i * D_{Jij} \end{bmatrix} + \boldsymbol{B_X X_i} + \boldsymbol{B_C C_i} + \boldsymbol{B_D D_i} + \boldsymbol{B_E E_i} + \varepsilon_{ij}. \quad (2)$$

The parameters of interest were the coefficients on the indicator *SpedEver* and the coefficients on the interactions between special education participation and time. We again ran tests of joint significance, as described.

Results

Descriptive Comparison of Current-EL and Ever-EL Frameworks

Figure 1 presents a comparison of the proportion of students in special education according to the current-EL framework and the ever-EL framework, based on cross-sectional data for State A district (top cells) and State B (bottom cells). Examining the left-hand cells of the figure—which use the current-EL framework and therefore show special education participation rates for current ELs and current non-ELs—reveals that in both locations, current ELs were highly overrepresented in special education at the middle and high school levels. In both locales, for example, seventh- and eighth-grade ELs were roughly 2.5 times as likely to receive special education services as their non-EL counterparts.

Seventh- and eighth-grade ELs were roughly 2.5 times as likely to be in special education when compared with their non-EL counterparts.

Comparing ever-ELs to never-ELs in the two locales, however, changes the story dramatically (see the right-hand cells of the figure). There was no evidence of overrepresentation of ever-ELs in special education in either location. Instead, two new patterns emerged. In State A district, there was evidence of possible underrepresentation of ever-ELs in special education at nearly all grades except kindergarten and first grade. In State B, there was evidence of possible delayed identification of ELs for special education services, with special education identification peaking for never-ELs in fourth–fifth grade and in fifth–sixth grade for ever-ELs.

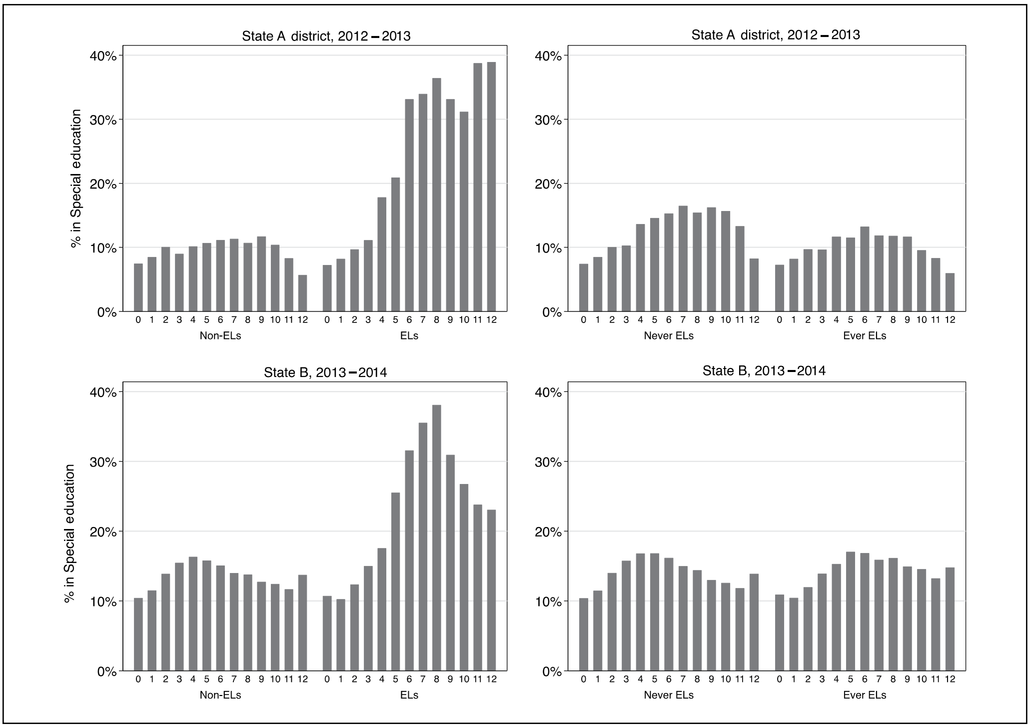

Figure 1. Percentage of students in special education by grade in the most recent available year of data for non-ELs and ELs (left-hand cells) and for never-ELs and ever-ELs (right-hand cells), in State A district (top cells) and in State B (bottom cells). EL = English learner.

Likelihood and Timing of Special Education Identification Among Ever-ELs

Table 3 shows discrete-time hazard analysis results analyzing likelihood and timing of identification for special education by ever- and never-EL status. As a reminder, there were different numbers of years of data for the two locales, permitting longer analysis in State A district. The table shows Models 1–3, with similar results across the three models (our preferred model is Model 3).

We first considered overall identification for special education services. In both locations, there was a significant difference in the pattern of special education identification between ever-ELs and never-ELs. Figure 2 presents Model 3 for the State A district (top cells) and for State B (bottom cells). The left-hand cells of the figure display the likelihood of identification with a disability for ever- and never-ELs each year, given that students had not yet been identified with a disability. The right-hand cells of the figure display the cumulative proportion of ever- and never-EL students identified for special education by year. Students who entered school as ELs were less likely to be identified with a disability at nearly every time point, as indicated by the fact that the ever-EL line is almost always below the never-EL line in the left-hand cells of the figure. The right-hand cells of the figure show that, cumulatively, ever-ELs were roughly a third less likely to be identified with a disability over the course of their K–12 experience in State A district and roughly a quarter less likely to be identified with a disability over the 8 years examined in State B, when compared with those who did not enter school as ELs. The tests of joint significance indicated that this difference between ever- and never-ELs was highly significant in both locales.

Table 3. Coefficient Estimates for Discrete-Time Hazard Models of Special Education Identification Likelihood, by Location.

	State A district			State B		
	Model 1	Model 2	Model 3	Model 1	Model 2	Model 3
Ever-EL	−0.006	0.069	−0.133*	−0.231***	−0.310***	−0.564***
	(0.055)	(0.059)	(0.061)	(0.022)	(0.026)	(0.030)
× Year 2	0.119	0.124	0.123	−0.155***	−0.163***	−0.291***
	(0.083)	(0.084)	(0.086)	(0.045)	(0.045)	(0.050)
× Year 3	−0.142	−0.138	−0.162~	−0.049	−0.062	−0.106*
	(0.088)	(0.089)	(0.091)	(0.042)	(0.042)	(0.046)
× Year 4	−0.328***	−0.325***	−0.377***	0.192***	0.174***	0.222***
	(0.088)	(0.089)	(0.091)	(0.040)	(0.040)	(0.043)
× Year 5	−0.191~	−0.185~	−0.234*	0.474***	0.450***	0.573***
	(0.097)	(0.098)	(0.100)	(0.047)	(0.047)	(0.049)
× Year 6	−0.406***	−0.397***	−0.464***	0.670***	0.647***	0.781***
	(0.117)	(0.118)	(0.120)	(0.061)	(0.061)	(0.063)
× Year 7	−0.253~	−0.241~	−0.307*	0.439***	0.410***	0.559***
	(0.142)	(0.142)	(0.144)	(0.105)	(0.105)	(0.106)
× Year 8	−0.821***	−0.795***	−0.855***	0.565***	0.534**	0.686***
	(0.202)	(0.202)	(0.204)	(0.170)	(0.170)	(0.171)
× Year 9	−0.722**	−0.691**	−0.771**			
	(0.236)	(0.237)	(0.238)			
× Year 10	−0.254	−0.215	−0.318			
	(0.277)	(0.278)	(0.279)			
× Year 11	−0.970*	−0.948*	−1.032*			
	(0.429)	(0.430)	(0.431)			
× Year 12	−0.743	−0.707	−0.799			
	(0.512)	(0.512)	(0.514)			
× Year 13	−0.048	−0.045	−0.185			
	(1.003)	(1.003)	(1.005)			
Demographic controls		×	×		×	×
Cohort		×	×		×	×
Fixed effects[a]		×	×		×	×
Achievement			×			×
Log likelihood	−27,048	−26,094	−23,093	−151,451	−147,710	−133,511
n	257,353	257,353	257,353	888,250	888,250	888,250
Joint test[b]	0.000***	0.000***	0.000***	0.000***	0.000***	0.000***

Note. Coefficients (standard errors) are provided on the indicator for ever-EL status and on interactions between the ever-EL indicator and each time point. Joint test shows the test of joint significance of ever-EL status and its interactions with time. Because only 8 years of data were available for State B, models for State B include only interactions for eight time points. EL = English learner.
[a]School fixed effects (for State A district) and district fixed effects (for State B). [b]Joint test shows the test of joint significance of ever-EL status and its interactions with time.
~$p < .10$. *$p < .05$. **$p < .01$. ***$p < .001$.

Although disability identification patterns in both locations shared much in common—most notably, the underrepresentation of ever-ELs—there were several notable differences. First, in State A district, identification of ever- and never-ELs was relatively similar up through students' third year in school, after which time ever-ELs were comparatively less likely to be identified for special education. By contrast, underrepresentation in State B

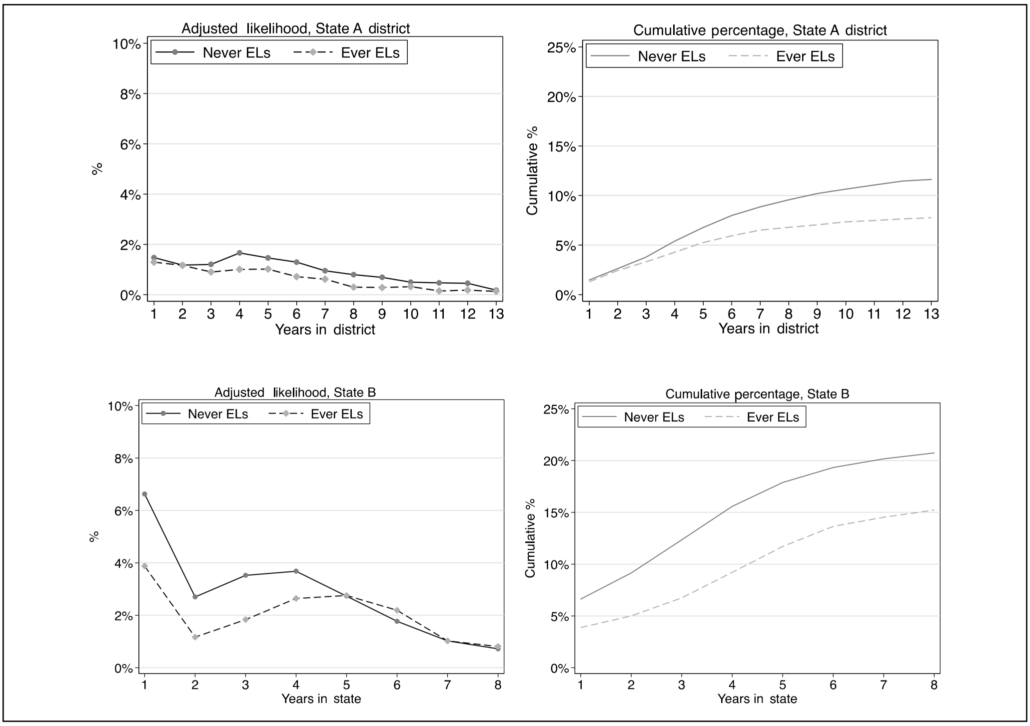

Figure 2. Adjusted likelihood (left-hand cells) and cumulative percentage (right-hand cells) of students in special education in State A district (top cells) and in State B (bottom cells), by year and linguistic status. EL = English learner.

began in kindergarten and continued until the upper elementary grades, when the likelihood of special education identification for ever-ELs and never-ELs become similar. Related to this, disability identification in State A district tended to occur later in school for many ever- and never-ELs, as compared with State B. The modal year for special education identification in State A district was students' fourth year, whereas in State B the modal year was students' first year. Finally, likelihood of special education identification was lower across-the-board in State A district versus State B. In State B, ever-EL students had about a 15% likelihood of special education identification by their eighth year. In State A district, by comparison, ever-ELs had about a 7% likelihood of special identification by that same year.

We next examined likelihood and timing of identification for particular disabilities. These results are shown, for Model 3 only, in Table 4. Our findings indicate that whereas ever-ELs were underrepresented in most disability categories, they were equally represented or overrepresented in particular categories in both locations. To illustrate these patterns, Figure 3 shows the cumulative likelihood of identification by disability type in each location for SLI, SLD, and the joint "other" disability category.

In State A district, ever-ELs were underrepresented in the SLD category and for the joint disabilities category at every time point. However, they were not underrepresented in SLI. In that category, there was no significant difference in identification patterns in any period. In State B, ever-ELs were underrepresented in the SLI and joint disability categories at all time points. However, whereas identification in SLD in State B was lower for ever-ELs than for never-ELs in

Table 4. Coefficient Estimates for Discrete-Time Hazard Models of Special Education Identification Likelihood, by Location and Disability Type (Model 3 Results).

	State A district			State B		
	SLI	SLD	Other	SLI	SLD	Other
Ever-EL	−0.029	−0.978	−0.780***	−0.118***	−1.943~	−0.812***
	(0.105)	(0.601)	(0.193)	(0.034)	(1.021)	(0.064)
× Year 2	0.029	0.264	−0.358	−0.223***	1.245	0.056
	(0.249)	(0.640)	(0.354)	(0.049)	(1.033)	(0.099)
× Year 3	0.224	0.498	0.421	−0.114~	1.444	−0.196*
	(0.304)	(0.617)	(0.301)	(0.059)	(1.023)	(0.100)
× Year 4	−0.133	1.111~	0.703~	−0.056	1.756~	−0.141
	(0.460)	(0.626)	(0.377)	(0.062)	(1.022)	(0.097)
× Year 5	1.022	0.991	0.623	−0.043	2.148*	−0.047
	(1.123)	(0.665)	(0.460)	(0.082)	(1.022)	(0.104)
× Year 6				0.368**	2.434*	−0.026
				(0.116)	(1.023)	(0.126)
× Year 7				0.694***	2.341*	−0.303~
				(0.205)	(1.025)	(0.175)
× Year 8				0.755	2.568*	0.308
				(0.501)	(1.034)	(0.222)
Demographic controls	×	×	×	×	×	×
Cohort	×	×	×	×	×	×
Fixed effects[a]	×	×	×	×	×	×
Achievement	×	×	×	×	×	×
Log likelihood	−2,941	−1,756	−1,588	−86,948	−53,315	−49,021
n	44,093	44,635	44,483	945,939	997,927	985,926
Joint test[b]	0.834	0.020*	0.072~	0.000***	0.000***	0.000***

Note. Coefficients (standard errors) are provided on the indicator for ever-EL status and on interactions between the ever-EL indicator and each time point. The "other" category includes all non-SLD and non-SLI disability categories. SLI = speech or language impairment; SLD = specific learning disability.
[a]School fixed effects (for State A district) and district fixed effects (for State B). [b]Joint test shows the test of joint significance of ever-EL status and its interactions with time.
~$p < .10$. *$p < .05$. **$p < .01$. ***$p < .001$.

Grades K–3, identification of ever-ELs in SLD outpaced that of never-ELs beginning in Grade 4. By the seventh grade (Year 8), SLD identification of ever-ELs was approximately 1 percentage point higher than that of never-ELs, and this difference was statistically significant.

Exploring the Role of Reclassification

Table 5 presents parameter estimates for our three models exploring the role of reclassification in explaining the patterns of underrepresentation of ever-ELs and overrepresentation of current ELs in secondary school in special education. Across models, results indicate that in both locations, ELs who were identified with disabilities were less likely to attain English proficiency criteria and be reclassified than were ELs who were not identified with disabilities. Figure 4 displays the results of Model 3. In State A district (left-hand cell)—after controlling for gender, race/ethnicity, cohort, school, and initial English proficiency scores at kindergarten entry—students who entered school as ELs in kindergarten and were ever identified with a disability were roughly 35

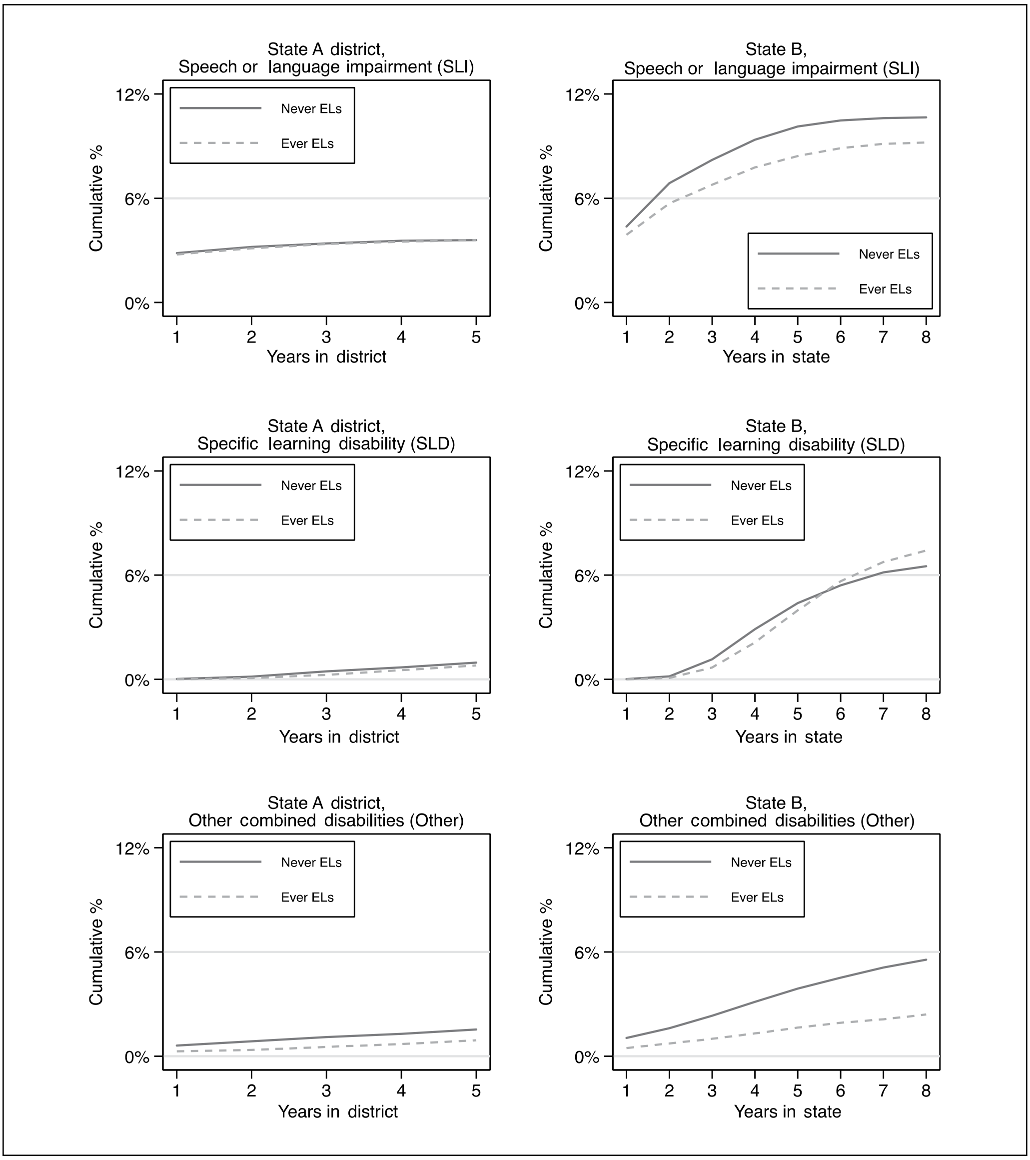

Figure 3. Adjusted cumulative percentage of students identified with a speech or language impairment (SLI; top cells), a specific learning disability (SLD; middle cells), and a combined other disability category (non-SLI and non-SLD; bottom cells), in State A district (left-hand cells) and in State B (right-hand cells), by year and linguistic status. EL = English learner.

percentage points less likely to be reclassified after 12 years in the district than were their peers without disabilities. In State B, the gap in reclassification likelihood for ELs with and without identified disabilities was 12 percentage points after 8 years (right-hand cell). Thus, results confirmed the central role of reclassification in explaining current ELs' overrepresentation in special education in middle and high school.

Sensitivity Checks

We conducted a variety of sensitivity checks for our main findings. The first two checks pertain to the absence of a socioeconomic

Table 5. Coefficient Estimates for Discrete-Time Hazard Models of Reclassification Likelihood, by Location.

	State A district			State B		
	Model 1	Model 2	Model 3	Model 1	Model 2	Model 3
Ever-SPED	−2.148***	−2.023***	−1.900***	−1.539***	−1.492***	−1.317***
	(0.108)	(0.110)	(0.111)	(0.135)	(0.135)	(0.136)
× Year 2				−0.005	−0.010	−0.010
				(0.164)	(0.164)	(0.164)
× Year 3				0.165	0.160	0.163
				(0.176)	(0.176)	(0.176)
× Year 4				0.044	0.037	0.037
				(0.159)	(0.160)	(0.160)
× Year 5	0.466**	0.435**	0.419**	0.240~	0.220	0.211
	(0.151)	(0.153)	(0.154)	(0.145)	(0.146)	(0.146)
× Year 6	0.587***	0.463**	0.433**	0.873***	0.861***	0.856***
	(0.140)	(0.143)	(0.144)	(0.146)	(0.146)	(0.146)
× Year 7	0.838***	0.608***	0.575***	1.669***	1.661***	1.668***
	(0.150)	(0.154)	(0.155)	(0.151)	(0.151)	(0.151)
× Year 8	1.285***	1.030***	1.011***	1.962***	1.962***	1.971***
	(0.178)	(0.182)	(0.182)	(0.173)	(0.174)	(0.174)
× Year 9	1.677***	1.390***	1.387***			
	(0.188)	(0.193)	(0.194)			
× Year 10	1.504***	1.167***	1.135***			
	(0.245)	(0.251)	(0.252)			
× Year 11	1.286***	0.983**	0.962**			
	(0.347)	(0.355)	(0.356)			
× Year 12	0.510	0.274	0.227			
	(0.676)	(0.686)	(0.687)			
Demographic controls		×	×		×	×
Cohort		×	×		×	×
Fixed effects[a]		×	×		×	×
ELP[b]			×			×
Log likelihood	−19,906	−18,459	−18,143	−55,332	−55,155	−54,505
n	39,084	39,084	39,084	200,283	200,283	200,283
Joint test[c]	0.000***	0.000***	0.000***	0.000***	0.000***	0.000***

Note. Coefficients (standard errors) are provided on the indicator for ever-SPED status and on interactions between the ever-SPED indicator and each time point. State A district does not reclassify students until third grade; hence, there are no coefficient estimates for years 2–4 interactions with ever-SPED. SPED = special education.
[a]School fixed effects (for State A district) and district fixed effects (for State B). [b]ELP indicates the inclusion of students' initial kindergarten English language proficiency score in the model. [c]Joint test shows the test of joint significance of ever-SPED status and its interactions with time.
~p < .10. *p < .05. **p < .01. ***p < .001.

status control variable in State A district. First, we fit Model 3 in State B without the indicator for whether students qualified for free or reduced-price lunch to see how this affected parameter estimates. Findings remained effectively unchanged. Second, we fit Model 3 in State A district, including an alternate socioeconomic status variable: mother's education level. We did not include this variable in the main analysis, because only 50% of students had non-missing data for this variable. The inclusion of this variable for

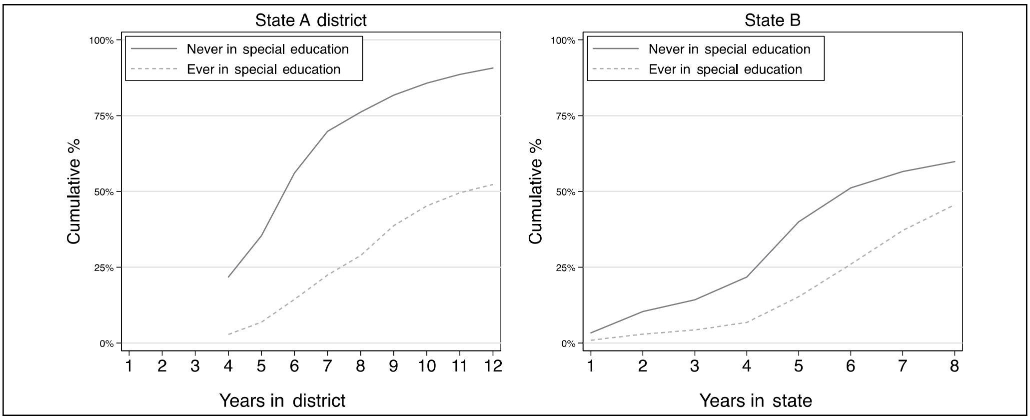

Figure 4. Adjusted cumulative percentage of English learners reclassified, by year and special education status, in State A district (left) and State B (right).

State A district did not change results in any substantive way. In summary, both these sensitivity checks suggest that the omission of a socioeconomic status variable in State A district was unlikely to bias results.

Our third sensitivity check examined whether we biased results by restricting the sample to students who had achievement data in Grade 2 (State A district) or Grade 3 (State B). In this sensitivity check, we fit Models 1 and 2 with the larger sample, not restricted to students who remained in the education agency through the grade at which content area achievement tests were first administered and whose scores on these first achievement tests were not missing. Here again, we found no meaningful alteration of findings. Results for these three sensitivity checks are available on request.

Discussion

In this study, we set out to explore how the ever-EL framework can shed light on disproportionality for ELs in special education. This overarching question led us to seek answers to three analytic questions. Our first question asked how ever-EL and current-EL frameworks compare in terms of ELs' identification in special education cross-sectionally. Our second question examined how likelihood of special education identification for ever-ELs and never-ELs compares when students are followed longitudinally. Finally, we examined the role that reclassification out of EL status plays in explaining the differences in patterns of disproportionality conveyed by the current- and ever-EL frameworks. In this discussion, we reflect on our findings and their implications, as well as the limitations of our analyses.

Underrepresentation of Ever-ELs in Special Education, With Some Variation

Prior work on EL disproportionality in special education has either studied current-EL students cross-sectionally or used proxies to attempt to hold the EL population constant. Shifting to an ever-EL framework allows for stabilization of the EL subgroup, more accurate longitudinal analyses of outcomes, and an understanding of the role of reclassification in EL special education disproportionality. Our findings suggest that analyzing outcomes just for current ELs masks important patterns that are revealed only when tracking stable groups of students over time. Using the ever-EL framework, we found underrepresentation of ever-ELs in special education in State A district and in State B. This finding parallels those in other studies that examined ELs in the early grades or that stabilized the cohort—for instance, by studying all language minority students (Morgan et al., 2015; Samson & Lesaux, 2008).

Despite this overarching pattern in both locales, nuanced aspects of our findings support prior research suggesting that patterns of disability identification for ELs vary by context (Artiles et al., 2005). We see two main variations in disproportionality trends in the two data sets. First, we found underrepresentation of ELs in special education only after Grade 1 in State A district, and delayed identification of ELs in special education in State B. Second, we found different exceptions to the overall pattern of underrepresentation in the two locales. In State A district, ever-ELs were not underrepresented but instead equally represented in the SLI category. In State B, ever-ELs were overrepresented in the SLD category by middle school.

This variation in patterns of EL special education identification may be due to local policies and embedded practices. It may reflect the highly variable ways in which schools, districts, and states are working to meet EL students' needs. One important difference in the contexts of our two data sets is that State A district has a large and historical EL population, whereas in State B the EL population has historically been quite low. As a result, State A district, for example, has in place policies that allow for alternative reclassification criteria for ELs with disabilities. It also has bilingual speech pathologists and bilingual special education teachers, unlike many State B districts.

Although our findings suggest an overarching pattern of underrepresentation for ever-EL students, this in no way negates practitioners' and researchers' concerns regarding the overrepresentation of current ELs with disabilities at the secondary level. Yet an assumption that this overrepresentation is due to too many ELs being identified with disabilities appears ungrounded, at least in the two locales examined here. Instead, our analyses point to the important role of reclassification in explaining the simultaneous overrepresentation of current ELs (at the secondary level) and underrepresentation of ever-ELs.

Reclassification Bottleneck

Examining the likelihood of reclassification of ELs with and without disabilities, we found that a crucial reason why current ELs at the secondary level are overrepresented in special education is that ELs without disabilities are far more likely to be reclassified out of EL status than are those with disabilities. This finding connects two existing bodies of research: one that has found that ELs in special education are less likely than their peers to be reclassified as English proficient (Slama, 2014) and the other that has shown that large proportions of ELs at the secondary level qualify for special education services (Umansky et al., 2015). Our analysis did not examine other contributing factors to overrepresentation of current ELs at the secondary level, but prior research has pointed to inappropriate assessments and evaluation procedures for students acquiring English, among other factors (Linan-Thompson, 2010).

This variation in patterns of EL special education identification may be due to local policies and embedded practices.

A variety of factors may create this reclassification bottleneck. In most places, reclassification criteria are the same for students with and without disabilities (Burr, Haas, & Ferriere, 2015). There is little federal or state guidance about acceptable modified criteria or processes for reclassifying EL students with disabilities (Linquanti et al., 2016). Students' disabilities, however, are likely to constrain their ability to reach standard reclassification criteria. Disabilities may influence students' literacy skills, cognitive skills, or content knowledge, all of which may be central to attaining thresholds on ELP assessments and other criteria used for reclassification decisions. Given the central role of the reclassification bottleneck, limiting initial identification of ELs for special education services will not resolve overrepresentation of ELs at the secondary level. Instead, our findings suggest that reclassification procedures for dually identified students require attention.

Implications for District Policy and Practice

Our findings have implications for districts' implementation of special education identification policies. Studies have documented policies that delay or prevent EL identification into special education categories, especially in the early grade levels, to curb perceived overrepresentation of ELs in special education (Samson & Lesaux, 2008; Sullivan, 2011). These policies may be attempting to remedy a problem whose characteristics and causal mechanisms are different than construed. Instead, districts should focus attention on building capacity to make accurate and timely assessments of EL students, given evidence that early intervention is beneficial for students with disabilities (Bruder, 2010).

Our findings also point to variability in special education disproportionality by location and disability category. Because of this, districts may benefit from examining disproportionality by category and consider policies and practices that can remedy any local patterns of inappropriate over- or underidentification.

Implications for State Policy

Our findings have implications for state policy in the areas of reclassification and teacher preparation. Federal education law makes reclassification policy a state issue, requiring that states establish standardized procedures for reclassifying ELs and eliminating the district-level variation in EL reclassification procedures present during the period of this study (ESSA, 2015). This creates an opportunity for states to address the reclassification bottleneck for dually identified students. One possible policy solution is to allow for team- and portfolio-based reclassification decisions for students with IEPs (Burr et al., 2015), although given current uncertainty about ESSA regulations, whether this is allowable is not yet clear.

An additional area of state policy for which our findings have implications is teacher certification. Results indicate that in both locations, approximately one third of current ELs at the secondary level qualify for special education. Yet teachers certified to work with ELs and/or to teach of English language development classes typically are not required to have any additional coursework about educating students with disabilities beyond that required of all teacher candidates. Similarly, special education teachers are not required to have any additional coursework about educating ELs. Given the large population of current ELs in special education at the secondary level, states may want to consider revising credentialing requirements to ensure that EL specialists and special education teachers have appropriate preparation to meet the needs of dually identified students.

Limitations and Future Research

This study has several important limitations. First, we looked at only two locales. Future work is needed with the ever-EL framework in other locations to see in what ways patterns are similar or different. Second, we looked only at students who entered school in kindergarten. ELs who enter U.S. schools after kindergarten may encounter unique challenges with regard to appropriate special education identification, particularly for students with limited formal schooling in their home countries.

Third, we did not explore how special education identification patterns may differ for ELs of different genders, ethnicities, nationalities, or home languages. It is conceivable that, due to differing contexts of reception (Portes & Rumbaut, 2006), students encounter unique challenges with regard to appropriate disability identification that is correlated with home language, country, gender, and ethnicity. Finally, we did not explore the crucial topic of how to effectively support and educate dually identified students. All of these limitations point to the importance of future research.

Conclusion

Research and policy regarding EL students is increasingly turning to an ever-EL framework to stabilize the EL population and accurately assess how this group of students does over time as they progress through school. Applying the ever-EL framework to special education identification enables more understanding of patterns of under- and overrepresentation of EL students in special education, providing insights about future actions needed to improve educational equity. Implications of the current study point to the importance of accurate and timely identification of disabilities among ELs, appropriate accommodations in reclassification policies for ELs with disabilities, and intersectional teacher preparation for EL and special education teachers likely to work with dually identified students.

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