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# LEARNING DISABILITIES RESEARCH & PRACTICE

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# Learning Disabilities Research & Practice

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## The Erosion of FAPE for Students with LD

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How schools fulfill Free and Appropriate Public Education (FAPE) requirements has evolved. Decades of general and special education reforms have led to dramatic increases in expectations for students in special education to be included in the general education classroom and curriculum and to achieve to the same high standards as their general education peers. Students with learning disabilities (LD) in particular are impacted by these reforms. The notion of their individually-appropriate education has been slowly eroded as limitations in special education practices and the goals of education reform have been responded to. As special education intentions and practices advance, stakeholders have a responsibility to protect the FAPE of students with LD, to ensure meeting these students' individualized learning needs.

The right of students with disabilities, including students with learning disabilities (LD), to receive a free and appropriate public education (FAPE) is a central tenet of special education law (P.L. 94–142, most recently reauthorized as the *Individuals with Disabilities Education Improvement Act* [IDEA], 2004). The United States Supreme Court recently ruled in *Endrew F. v. Douglas County School District* (2017) that “to meet its substantive obligation under IDEA, a school must offer an IEP reasonably calculated to enable a child to make progress appropriate in light of the child’s circumstances.” Historically, an “appropriate” education has been limited to access to an education “sufficient to confer some educational benefit” (as established in *Board of Education of the Hendrick Hudson Central School District v. Rowley*, 1982), not “the best possible education” (Wenkart, 2000). As such, courts have primarily considered whether required procedures were followed, and have deferred to the judgments of educators when considering educational benefit (Yell & Bateman, 2017). The *Endrew* decision provides a new frame of reference for how “appropriate” is defined, and clarifies the standard by which we evaluate how successful schools are in providing a *meaningful* benefit to students in special education. Academic outcomes are one indicator of whether meaningful benefit has been attained, and for students with LD, these outcomes are of concern. One set of factors that has influenced students’ with LD achievement is education reform—both general and special education. It is the responsibility of the

special education profession to fight for the fulfillment of FAPE for students with LD in light of these reforms.

### Students with Learning Disabilities

The most recent National Assessment of Educational Progress (NAEP) data indicate that students with LD or emotional disturbance (excluding those with 504 Plans only; the NAEP data does not disaggregate disability groups further) display alarmingly discrepant achievement outcomes compared to their nondisabled peers across 4th, 8th, and 12th grades in reading, mathematics, and science (National Center for Education Statistics, 2018). Additionally, outcomes reported in the most recent *State of Learning Disabilities* published by the National Center for Learning Disabilities (Cortiella & Horowitz, 2014) are similarly dismal for this specific population. Students with LD have lower grade point averages (2.2 compared to 2.7 for general education students), fail courses more often (69 percent failed one or more secondary courses, compared to 47 percent of general education students), and have higher rates of disciplinary removals (1 in 2 students with LD are suspended or expelled). Students with LD are also less likely to attend four-year colleges (21 percent, compared to 40 percent of general education students), and upon leaving school have low rates of employment (46 percent) and low-paying jobs (67 percent earn \$25,000 or less per year). Furthermore, a large proportion of persons with LD have some type of involvement with the criminal justice system (55 percent). These poor outcomes for students with LD suggest that, as a group, they are not receiving the “meaningful benefit” promised through FAPE, and certainly

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## Examining IEPs of English Learners with Learning Disabilities for Cultural and Linguistic Responsiveness

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Effective education of English learners (ELs) with learning disabilities requires special educators to deliver culturally/linguistically responsive instruction within the context of special services, embracing the interaction between exceptionality and diversity. A critical concept is the notion that cultural and linguistic features are mandated by law to remain integral to teaching and learning once ELs are appropriately placed for special services. We examined a sampling of IEPs for ELs receiving special education for learning disabilities for cultural/linguistic responsive features to inform instruction. We found from our pilot study that the IEPs contain little to no reference to ELs' diverse linguistic and cultural qualities to (1) meet legislative mandates, and (2) guide delivery of appropriate special education. Practitioner implications for developing culturally and linguistically responsive IEPs are provided to support educators who teach ELs with learning disabilities.

For over 40 years, federal legislation has mandated that students with learning disabilities representing culturally and linguistically diverse (CLD) backgrounds with varying levels of English proficiency be provided with special education that incorporates both language and content development, which should be documented on the learner's Individualized Education Program (IEP) (See PL 94–142; Every Student Succeeds Act, 2015; Individuals with Disabilities Education Act, 2004). Furthermore, when the student is an English learner (EL) with a learning disability, legislative mandates require that school districts (1) consider the learner's language needs as these relate to the IEP, and (2) inform parents of the EL as to how language instruction programming meets the IEP objectives. Specifically, the Individuals with Disabilities Education Act (IDEA) (2004) "requires that the IEP team consider, among other special factors, the language needs of a child with limited English proficiency as those needs relate to the child's IEP" (DCL, 2015, p. 26–27).

Over the past several decades, researchers have documented the need for educators to facilitate relevant curricular access for all diverse learners, with and without disabilities, highlighting the significance of meeting federal mandates by incorporating cultural and linguistic strengths and

qualities into teaching and learning (see Cummins, 1986; deBettencourt, Hoover, Rude, & Taylor, 2016; Hoover, Baca, & Klingner, 2016; Ortiz, Robertson, Wilkinson, Liu, McGhee, & Kushner, 2011; Tharp, Doherty, Echevarria, Estrada, Goldenberg, & Hilberg, 2004). Specifically, culturally and linguistically responsive (CLR) education "recognizes and uses the students' culture and language in instruction and respects the students' personal and community identities" (Metropolitan Center for Urban Education, 2008 p. 3). Though the literature includes many definitions of and explanations about CLR instruction (see Aceves & Orosco, 2014; Gay, 2010; Hoover, Klingner, Baca, & Patton, 2008; Kosleski, 2010; Ladson-Billings, 1995), most value the features of diverse students' backgrounds, languages, heritages, and ways of learning. It is important to note that CLR education for diverse learners with disabilities is both mandated through federal legislation and articulated in various leading documents designed to guide meaningful interpretation of legislative directives (e.g., DCL, 2015; U.S. Department of Education, 2016). Collectively, these sources inform the research examination of IEPs for cultural and linguistic responsiveness. This article provides a summary of a research project that examined existing IEPs for ELs

# Text Writing within Simple Sentences: A Writing Fluency Intervention for Students with High-Incidence Disabilities

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Good sentence construction, the act of writing multiple words into sentence types that make semantic and syntactic sense, is needed for clear and meaningful written expression. The present study investigated the effects of a multi-component writing intervention, sentence instruction and frequency building to a performance criterion, on the simple sentence construction of intermediate-grade level students with high-incidence disabilities. Four special education teachers delivered intervention to small groups of two students, a total of eight students, and assessed for retention. Overall results were positive but inconsistent across the small groups. Three of the four small groups improved their text writing within simple sentences during and following intervention, and moderate to large *Tau-U* values for correct word sequences and for incorrect word sequences, respectively, were found. Results suggest that postinstruction writing fluency practice can be an effective part of writing intervention for intermediate-grade level students with high-incidence disabilities.

The ability to express oneself through writing is an important part of the educational experience. Students write to demonstrate their knowledge to teachers, and teachers use student writing to assess learning and encourage further engagement with academic content (Graham & Harris, 2005; Graham & Hebert, 2011). As students progress along grade levels, the act of writing becomes an avenue for learning; for example, compositions are often used to make connections across the spectrum of academic curricula (Bangert-Drowns, Hurley, & Wilkinson, 2004; Deshler, Palinscar, Biancarosa, & Nair, 2007).

Unfortunately, a preponderance of the literature demonstrates a significant gap between students with high-incidence disabilities, such as learning disabilities (LD), and their typically developing peers on all aspects of the writing process (Graham, Harris, & McKeown, 2013). A recent meta-analysis found that students with LD performed significantly lower than their peers (i.e., between 0.42 and 1.50 standard deviations below) on all included writing outcomes, ranging from text production skills to writing knowledge and quality (Graham, Collins, & Rigby-Wills, 2017). Additional research supports this finding: many students with high-incidence disabilities struggle to generate text and to revise what they have written (Bui, Schumaker, & Deshler, 2006; Gillespie & Graham, 2014). Furthermore, students with LD may struggle with the cognitive or knowledge aspects of written expression, showing difficulties with working memory, self-regulation, and knowledge of different writing topics (Graham & Harris, 2009; Swanson, Harris, & Graham, 2013).

## WRITTEN EXPRESSION AND MEMORY

Students' widespread difficulties are problematic because written expression relies on a network of complementary and interrelated skills and resources (Berninger & Amtmann, 2003). Graham (2018) describes written expression as stemming from a complex relationship of multiple socio-cultural and cognitive factors—a writers-within-community model. According to the model, students rely on numerous cognitive mechanisms and specialized writing knowledge to effectively communicate to members of their writing community (e.g., writers, readers, and collaborators).

Some of the cognitive mechanisms involved in written communication are related to working memory and long-term memory. In working memory, timely and relevant information regarding a specified writing task and writing community is retained. In long-term memory, resources connected to production (i.e., processes related to transcription and translation of ideas) and specialized writing knowledge are maintained. Students draw upon well-developed production and specialized writing knowledge in long-term memory and use working memory to attend to other aspects of a writing task (Berninger & Amtmann, 2003). Conversely, students who struggle with multiple aspects of production and specialized writing knowledge do not draw these resources from long-term memory, thereby constraining working memory (McCutchen, 2011).

Students' struggles with production can occur across multiple levels of written language, including sublexical, lexical, and text (Kim, Gatlin, Al Otaiba, & Wanzek, 2018). The sublexical and lexical levels refer to transcription of individual alphabetic letters into correctly spelled words. The text level is the translation of ideas into multiple words