

Emotional/Behavior Disorder, Learning Disability, or English-Language Learner?

Edith: *"She's NOT handicap!"*

Born in the United States of Haitian parents, Edith had been exited from ESOL programming by the time we observed her in her third-grade class at Mabel Oakes Elementary School. Located in the southern end of the county, this school had a student mobility rate of 66%, and 99% of the students received free/reduced-price lunch. The student population comprised African American, Haitian, and Hispanic students, the last being mainly the children of migrant workers. Edith stood out in her class physically because she was very tall and overweight for her age, and was usually dressed in long skirts, which reflected the religious beliefs of her family. However, the data on her during that time are limited because, apart from her appearance, she did not stand out appreciably in terms of behavioral or academic difficulties. In the 2nd year of the study, the school counselor informed the researchers of Edith's EBD placement and expressed concern and surprise at this outcome.

FIRST YEAR OF THE STUDY: THIRD GRADE AT MABEL OAKS

A heavyset girl with large brown eyes and a broad, kind smile, Edith sat lethargically at the rear left of the classroom, adjacent to the wall. Most days, she actually faced the wall, with several objects in her vicinity to serve as a distraction to any instruction that may have been occurring at the front of

*Authors' note: This chapter was written by Juliet Hart.

the room. These mild diversions included the window above her desk, the class artwork next to her desk, the class plant terrariums on a table nearby, and the computers at the back of the room. When these objects were no longer interesting, Edith found ways to distract herself, including playing quietly with her water bottle, pencils, pens, pieces of paper, and hair.

EDITH GETS NOTICED: FOURTH GRADE AT MABEL OAKS

Although we did not observe Edith during her fourth-grade year, we gleaned much information about her referral and placement through interviews and informal conversations with her general education referring teacher, Mr. Peterson; her school counselor, Ms. Sanchez; and the school psychologist, Ms. Fernandez. Mr. Peterson reported, "I've known Edith since about first grade. You just couldn't miss her. I've got lots of Edith stories."

Mr. Peterson was a White male with a master's degree in ESOL education whose instructional and classroom management skills were rated by our research team as adequate. He had taught fourth grade for a number of years. He described Edith as "different":

Well, you could just tell she was different. It was Halloween. Edith really made an impression that day. We had a teacher dress up as the cowardly lion from the *Wizard of Oz*, and Edith just freaked. I don't know what her situation was. The teacher's costume was very realistic. Edith was crying and making a complete ass of herself in the office all day.

Mr. Peterson did not comment on whether this might be a response conditioned by Edith's culture and religion. He did concede that "by fourth grade, she did dress up for Halloween, like a fairy princess. She got into the culture some more." While he mentioned Edith's involvement in occasional conflicts with her classmates, he indicated that "the kids picked on her and she had to defend herself." He also commented that "in my class, she only stuck out because of her size. Otherwise, she wasn't much different than anybody else. She was just lumped in with the dregs of society."

THE REFERRAL: TEACHER'S PERCEPTIONS

When asked about the reasons for Edith's referral for special education, Mr. Peterson stated:

She's got no attention span, no focus. I don't know that she was ever told "a school's purpose is this" or if she understood what education is for. Edith didn't seem to understand the reason for school. Kids come to school for a lot of different reasons—some come for meals or to get out of their parents' hair. If I could teach her social skills so she could get a job and not get fired, that's a goal. . . . Lots of kids at this school will become labor. We create blue collar here.

Expanding on his perceptions of the level of parental involvement and the family's understanding of schooling, he added:

There was no support for Edith. Her mom had two jobs, one of which was down in [a town about 30 miles away] as a maid. I suspect there were times when she did not even see her mom. She was practically raising herself and probably still is. I think she was more concerned with surviving. I did meet the mom at the staffing, but I threw the referral to the reading teacher because that's where her academic problems seemed serious. She initiated it; Edith was referred for her academic problems. I think when they did the testing, all of her other issues came up.

THE ASSESSMENT

Analysis of Edith's records and an interview with Ms. Fernandez, the psychologist, confirmed that Mr. Peterson had initially referred Edith "due to her poor academic performance and behavior difficulties at school." Intellectual functioning was determined to be in the low-average range, with deficits in reading and writing, and a relative strength in mathematics. Personality assessment was conducted using the usual projective battery, on the basis of which the psychologist concluded that Edith had EBD. Ms. Fernandez never mentioned conducting actual observations of Edith in her classroom or any other environment and there is no record of such observation in the report.

The psychologist's report indicated that Edith's response to a single item was of particular concern: To the statement "I feel like hurting myself," Edith responded, "All the time." As a result of her assessment, the psychologist concluded that Edith "presented as an unhappy youngster with a negative self-image" who "is experiencing a significant amount of emotional difficulties." During the interview, when asked about her impressions of Edith, Ms. Fernandez stated:

I can recall Edith somewhat. I remember because I had to do crisis intervention with her because she mentioned suicidal thoughts. She was a very needy child. She was somber, but at the same time, eager to please. She'd interact regardless of knowing me. She sought attention and affection, was rejected by her peers. She didn't have a lot of positive interactions with her peers. I think she told me she wanted to kill herself, with a knife? [raised intonation]. I took the case seriously.

There was no record in the psychologist's report of Edith's stating she wanted to kill herself with a knife.

FAMILY PERSPECTIVES

The researchers paid several visits to the home and discovered a strong family unit, with Edith's mother, stepfather, and a total of six siblings living in a well-kept home about 5 miles away from the school to which Edith had been moved for the EBD program. Her original school was a short walk to her home. While the mother worked long hours, an elder sister was clearly in charge of daily housekeeping. Two of her siblings attended a local college, and two were in high school. Edith attended a Haitian church on a weekly basis and participated in Sunday school class and choir practice with a dozen other girls her age. One of the researchers went to church one Sunday with Edith and observed her in the Sunday school class, where she participated with full compliance, showing no distinction between her behaviors and those of her peers.

In a lengthy interview, Edith's mother emphatically disagreed with the school's assessment of Edith:

Edith is not handicap! . . . I tell them at school, Edith do lots for me at home. I send her to the store, she get everything I need, no problem. She listen at home and do what I tell her. She behave. She no have problem in the brain. She fine. I pray to God and she fine. I have six children. Two in college, two in high school, doing fine. I have a 4-year-old and he doing fine too. . . . There was these kids, bothering Edith every day, that's why. Edith come home, she cry every day. I go to the school, the principal don't do nothing about it. They tell me Edith have problem. So I take her to doctor. He say she fine. No handicap. I take her to another one. Same thing. I take her to three doctor. They all say she fine! They [school personnel] say Edith say she want to die, so she have problem. I tell them, kids been bothering

Edith every day and she cry, she upset. That why she say that. . . . She fine with me at home. She go to church every week. She walk with her cousins. She sing in the chorus at church. She going to be in a play at church in December 25. Edith, she OK. She fine. She need help with her reading and writing, but she not handicap. I went to the school [placement conference]. I am not agree with them about Edith. They tell me Edith cannot read and write, and she have problem. . . . They say she stay in program one year. She still there. If she need help to read, they should help her.

When we asked the psychologist if it was possible the mother was making a valid point about Edith's emotional difficulties, she acknowledged that they were "mostly school related." Ms. Fernandez said that Edith was upset because of her mother's insistence that she had to wear a skirt to school. Regarding Edith's threat to "kill herself," Ms. Fernandez felt that "if a child is making those kind of serious statements, there must be something more going on, and I don't think the mother recognized this." Regarding her perceptions of Edith's family involvement, Ms. Fernandez concluded, "Edith's parents need to continue becoming involved in her educational and emotional well-being."

SPECIAL EDUCATION DETERMINATION

Following the psychological assessment, placement for Edith in the EBD program was swift. In an interview regarding the mother's role in the staffing, Mr. Peterson reported, "The mother was there. She went along with everything. She may not have understood everything going on, although there was an interpreter there, a Haitian kindergarten teacher we have." When asked about her current school placement, Edith herself reported in an interview:

My mom want me to go to Sunny Acres Middle by my house, 'cause I could walk, but I got to go to Lafayette [school with EBD program to which she was bused]. One day I came home from school. My mom said I have to go to Lafayette because they gave her a paper that I'm supposed to go.

Ms. Sanchez, the school counselor from Edith's referring school, stated:

We have a majority of students who are minorities and who are from the migrant community. . . . One of the biggest problems is that the

people from these communities will sign away anything, and they don't know the questions to ask. Some of the parents come in and they're so confused, and they ask me, "What's this paper? What do I do?" I imagine Edith's mom just signed whatever paperwork she was given.

Relaying further her feelings about the appropriateness of Edith's EBD placement, Ms. Sanchez stated:

In my heart, I believe it was wrong, inappropriate. When Edith was here, she knew who she could come to. The counseling services she was referred for [counseling program] were not forthcoming. That wasn't her fault. This is a full-service school. She could get services she needed right here. Now she travels out of her community to another school, where she doesn't have those connections. I think the worst part is that there was absolutely no closure for her. One day she was here, and the next day she was just gone. The child will experience that as 'There must be something wrong with me. They sent me away.' She had a caring nest here at Mabel Oakes. She doesn't have that anymore.

THE PLACEMENT: BEHAVIOR MANAGEMENT IN A RESTRICTIVE ENVIRONMENT

Edith began her self-contained fifth-grade EBD placement the following fall at Lafayette Elementary School, a school similar demographically to her home school. Lafayette is a relatively large building that has a center courtyard with well-kept grass and trees. Edith's EBD class was located out in the portables at some distance from the main building and common areas such as the office, cafeteria, and library.

The EBD teacher was Mr. Donovan, a handsome, heavyset Black man with a booming voice, shaved head, and wide smile. He commented on having several years of teaching experience, though it was unclear whether he was certified to teach students with EBD. He was the behavior management teacher for the EBD unit at the school, and he remarked that he likely would seek an administrative position in the near future. He described the students in the program:

Well, we get a lot of students just out of control. We want to give them self-worth, and reinforce them to feel good about themselves. You've got to control them. You've got to allow them to learn according to their modalities. A big issue here is new staff. They're not trained with

safe physical management. . . . They're apprehensive. There's steps to it. You've got to calm them down, use nonverbal, verbal, touch, gestures, speaking calm. You, the teacher, need to back into the corner, not back the kid in the corner. You have to avoid confrontation.

Our observations of this classroom revealed daily instructional and organizational routines based totally on teacher control. Routines included supervised breakfast in the cafeteria at a later time than that of the general education population and supervised bathroom breaks at specified times. Students were required to line up daily to have their pencils sharpened by the teacher or aide; to line up by behavioral level for out-of-class activities; and when transitioning, to keep a specified distance between themselves and the next student.

Our observations of Mr. Donovan's management style contrasted sharply with his own description, as in the following excerpt:

As I approached Mr. Donovan's class as they walked from the cafeteria, he yelled, "File the line!" Students are required to keep a distance of [approximately] 3 feet and to be silent, hands at their sides. One student was sent to the back of the line for failing to keep the distance rule. Edith reported that a student called her a name. This student was also sent to the back of the line. Mr. Donovan yelled to the student, "You are off level!" And to the paraprofessional he instructed, "Add him another day! You keep it up, and you and me will be on the floor today! If this line is not in order, I'll cancel PE!"

In addition to *file the line*, Mr. Donovan and his assistant frequently used commands and threats such as *Heads down*, *Bury your face*, *You're off level*, *You just got three extra days*, *PE is canceled*, *Stand in the corner*, *Give him zeroes*, *I'll give you something to cry about*, and *You and me will be on the floor*. Staff would also use physical intimidation tactics, such as the teacher and assistant walking menacingly toward students, grabbing student's faces, the teacher's banging of a chair or desk en route to deal with an off-task student, and the use of physical restraint with students for "becoming verbally disrespectful" (as reported by Mr. Donovan).

SCHEDULE

The restrictive nature of the EBD program was manifested in several ways. Since separate scheduling resulted in the students returning from breakfast

no earlier than 9:05 A.M., and as late as 9:15 A.M., they received 35–45 fewer instructional minutes than did their nondisabled peers. They attended only one class, PE, with the general education students, and whenever Mr. Donovan did not “cancel PE,” he would accompany the students to “show his face,” in order to “keep his students in line.” Instruction in music and art was delivered to these students in the self-contained setting.

When asked about possible mainstreaming for students, Mr. Donovan replied, “I’m a big advocate for inclusion. We don’t want our kids isolated. We’ve had some students be very successful.” However, out of 14 students in Edith’s class, none was mainstreamed in any subject area. With regard to Edith, Mr. Donovan reported that she was “doing great” and “has really improved.” However, when asked about her possible return to the mainstream, Mr. Donovan said, “Maybe she’ll be *partially* mainstreamed by high school.”

EDITH’S EDUCATIONAL NEEDS: THE INSTRUCTIONAL ENVIRONMENT

Although Mr. Donovan occasionally provided instruction that resonated with his students, the majority of his instruction was of the worksheet variety. When whole-group instruction did occur, Edith was often silent, though attentive, appearing not to understand or to be able to keep up with the rest of the group. Our field notes illustrated that during reading activities, Edith was commonly “staring off,” “silent,” “flipping pages,” or “grimacing.” Her off-task behavior seemed to be related to lack of understanding of content or difficulty with written language rather than purposeful misbehavior.

Although Edith’s work samples were extremely difficult to decipher, she received average grades and little corrective feedback. For example, she received “happy faces” on journal essays that were barely comprehensible. The class was using a fifth-grade basal text, but both Mr. Donovan’s reports and our testing on the Woodcock Johnson Test in reading established Edith’s level at close to third grade (3.1 for letter-word identification and 2.8 for passage comprehension). When she failed an accelerated reading test based on a book that was beyond her level, Mr. Donovan reported, “I pass her with D’s because she tries.” When asked about addressing Edith’s academic needs, Mr. Donovan reported, “I taught the kids context clues to help them,” explaining that he did this so that his students would be more successful in taking the state standardized assessment. Edith’s performance on that test was in the third percentile for reading and in the fifth percentile for mathematics problem solving.

Mr. Donovan, like the referring teacher, Mr. Peterson, reported that Edith “speaks the language well,” and has “made much improvement.” However,

her work samples, class participation, grades, and conversations evidenced both written and oral language proficiency problems. For example, in Edith's interview, her language suggested an interplay of influences from her first language and African American Vernacular English such as "We play bowling," "We set up the carpet," "We put ten bowlers there," "When is nighttime I be scared," "But I only fight one time," "On Christmas I get gifts and go to places," and "She don't tell me why." These difficulties with tense, subject-verb agreement, and vocabulary were not addressed in her educational program.

EDITH'S RESPONSES TO BEHAVIOR MANAGEMENT

The focus of the EBD program was on behavior, and our observations showed Edith as consistently and quietly compliant with staff directions or reprimands. The fact that she was usually quietly off task during instruction presented a contrast to many of the other students in the EBD program, who tended to react sarcastically to staff reprimands or who were repeatedly disciplined for verbal disrespect, disobedience, and aggression. Across 16 classroom observations of Edith during her fifth-grade year, the only indication of troubling behavior was a report from school personnel that Edith had had to be "taken down" (physically restrained) for "foul language" and "telling lies on the other kids." Mr. Donovan added:

Immediately, she went home and told her family about it. Her brother came out to the school to ask why. Her mom didn't know Edith could be restrained. . . . At the staffing, parents are told what *could* happen. They don't raise questions. It's possible she didn't understand the language, although we have a Haitian Creole person to translate.

Edith described the restraint, stating:

I been restrained one time. A girl, Ayesha, want to fight me. Her and her auntie want to double-team me. They told the teacher. I was already cool down and they restrain me and my momma got mad, because I didn't do nothin' to the girl. Plus, I got surgery on my leg and my hand was hurting. I got pins on my legs. My mom told my brother to come and tell them don't restrain anymore. I don't like the school at all.

During an interview with one of the researchers, it turned out that Mr. Donovan was unaware of Edith's history of surgery, although this information was in her cumulative file.

Mr. Donovan's views of Edith's family were similar to those of Ms. Fernandez, the school psychologist. He stated that Edith's parent was one of those "who don't show up." However, Mr. Donovan also related that the mother sent the child's adult brother to school on the only occasion that there was a disciplinary issue to be addressed and consistently signed the daily home note and point sheet. When asked if he had attempted to schedule a parent conference, Mr. Donovan stated, "I think I tried to schedule a conference for her IEP. I'm sure I did. Let's check the cum." Upon checking the cumulative file, Mr. Donovan found no record that he had scheduled a conference.

Edith continued in the EBD program on into middle school, at a school at some distance from her home. Readers are encouraged to refer to Hart (2003) for follow-up on her case and a description of the quality of her special education middle school placement.

Questions

1. Review the definition for EBD. Do you feel that Edith is a student with EBD? Why or why not?
2. In recent years, there have been many cases that have made national headlines of students who were ridiculed and who reacted by "striking back" with acting-out behavior. Do an online search of local newspapers to find at least one such case in the past 5 years. What do you think might account for such behavior? Report the case you find back to your class.
3. If you were hired as an advocate for Edith's family, what recommendations would you have made to Edith's mother? What types of services might you have suggested to assist Edith?
4. Edith's placement at Lafayette employed a behavioral system for students with EBD. What was your opinion of the behavioral system in place? Do you think this system worked for Edith? Why or why not?
5. Pretend you were hired to be Edith's general education teacher. How would you address the cultural discontinuities evident in many of the school personnel's perceptions of Edith's family? How would you address the issue of peer teasing?