

A Multi-Site Review of Policies Affecting Opportunities for Children with Developmental
Disabilities to Become Bilingual

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Abstract

This review of special education and language-in-education policies at six sites in four countries (Canada, United States, United Kingdom, and Netherlands) aimed to determine the opportunities for bilingualism provided at school for children with developmental disabilities (DD). While research has demonstrated that children with DD are capable of learning more than one language (see Kay Raining Bird et al., this issue), it was not clear whether recent policies reflect these findings. The review, conducted using the same protocol across sites, showed that special education policies rarely addressed second language learning explicitly. However, at all sites, the policies favoured inclusion and educational planning based on individual needs, and thus implied that students with DD would have opportunities for second language learning. The language-in-education policies occasionally specified the support individuals with special needs would receive. At some sites, policies and educational options provided little support for minority languages, a factor that could contribute to subtractive bilingualism. At others, we found stronger support for minority languages and optional majority languages: conditions that could be more conducive to additive bilingualism.

Learning outcomes: Readers will become familiar with variations in special education and language policies; gain knowledge relevant to the specific sites; and could apply the protocol we present to obtain local data (i.e., at sites of interest to the reader). Readers will also become more aware of variation in the language learning opportunities for students with DD, depending on whether students' first language is a majority or minority language, and might thus better appreciate important differences in the challenges that students with disabilities face.

Keywords: bilingualism, developmental disabilities, inclusive education, language policy, special education, special needs

A Multi-Site Review of Policies Affecting Opportunities for Children with Developmental Disabilities to Become Bilingual

In many regions of the world, knowledge of more than one language (i.e., bilingualism) is essential for children to function daily in their families and communities. In other contexts, bilingualism is not critical, but parents (amongst others) may still consider it a form of language enrichment and an asset (King & Fogle, 2008), in line with research showing that bilingualism can be advantageous for children. For example, studies of typically developing children have shown that bilingualism has positive effects on cognitive and metalinguistic skills (e.g., Bialystok, 1999; De Houwer, Bornstein, & De Coster, 2006; Nicoladis & Genesee, 1996). There is also evidence that dual language learning by children with developmental disabilities (e.g., autism, intellectual impairment, or specific language impairment) does not exacerbate language impairments, particularly when exposure to each language is relatively balanced (see Kay-Raining Bird et al., this issue). Bilingualism might even benefit children with such disabilities by expanding their possibilities for social interactions and access to services. The language-learning opportunities currently available to children with DD are also important to investigate, since these influence whether children will become bilingual at all and the kind of bilingualism they are likely to experience: subtractive bilingualism in which a second language is acquired at the expense of the first (i.e., the first language is displaced, eroded, or lost) or additive bilingualism in which both languages continue to develop (Baker, 2011).

In the present paper, we examine the opportunities for bilingualism for children with DD indicated by a comprehensive review of educational policies at multiple sites that were selected to ensure variety in sociolinguistic contexts and to harness research expertise on DD and/or bilingualism (see Introduction, this issue). Three of the six sites were located in Canada, and one

each in the United States, the United Kingdom, and the Netherlands, and thus allow both inter-site and international comparisons. Educational policies were selected as a focus given the potential of schooling to foster childhood bilingualism (see, for example, Genesee & Lindholm-Leary, 2008 on dual language education), though we know little to date about how schooling affects bilingual development in children with DD (Kay Raining Bird et al., this issue). More specifically, the opportunities for children with DD to become bilingual were examined through a review of policies and educational options in two areas: *special education* and *language-in-education*, discussed in turn below. The term *policies* encompassed documents labelled as such, as well as written guidelines, regulations, and action plans. Laws informing the policies were identified but legislation was not exhaustively reviewed.

1.1 Special Education/Inclusive Education Policies

Special education is generally understood to be education designed to meet the individual needs of children with disabilities. In contemporary research articles, didactic texts (e.g., textbooks), and policy documents from various parts of the world, however, the term and indeed the notion of *special education* has been increasingly linked to *inclusive education*. Inclusive education has been defined in various ways. Sometimes it has been defined with explicit reference to special needs: for example, as specialized instruction and support for students with disabilities, provided in the general education classroom (Florida State University Center for Prevention & Early Intervention Policy, 2002). Increasingly, however, definitions refer to the needs of all children and to the school or teacher's role in fulfilling them: for example, inclusive education has been defined in terms of teachers having the required supports to foster all children's participation in learning and relationships with others (Crawford, 2005). In a related vein, documents on special and/or inclusive education often refer to *differentiated instruction* or *adaptive teaching*. These two terms, defined similarly in the literature, refer to adaptations to teaching and/or to the curriculum and environment in order to accommodate individual differences amongst learners (for differentiated instruction, see, e.g., Iris Centre, n.d.; for elaboration of adaptive teaching, see Corno, 2008). As Corno (2008) claims, teachers engaged in adaptive teaching view individual differences as "opportunit[ies] for learning" rather than as "obstacles to be overcome" (p. 171).

Inclusion has also been asserted as a human right in treaties or policy documents with an international scope, including the Convention on the Rights of the Child of 1989; UNESCO's 1994 Salamanca Statement and Millennium Development goals; and the 2006 United Nations' Declaration of the Rights of Persons with Disabilities (Global Campaign for Education, 2014; Towler, 2015). In keeping with a rights-based approach, inclusive education has been described as a path to social justice (European Agency for Special Needs and Inclusive Education, 2014). In this view, disability is a social construct that interacts with other factors (e.g., ethnicity, race, class, and gender) to produce inequalities in school experiences and achievement (Liasidou, 2012). Consequently, one of the tasks of an inclusive approach is to elucidate and challenge the interlocking constructs that privilege some children and marginalize others. According to Dei and Kempf (2006), an inclusive approach requires that the 'problem' of school failure be reformulated; rather than focusing on why some groups of children fail at school, educators and policy-makers must examine why so many schools fail particular groups of children. Arguing for systemic change, the authors maintain that "[i]nclusion is not simply about bringing people into

that which already exists. Instead, it is about forging new educational spaces" (p. 37) that promote equality and are committed to all learners, including those with disabilities.

1.2 Language-in-Education Policies

Language-in-education policies are not necessarily labelled as such by policy-makers. The term, however, is widely used amongst researchers to capture the manifestations of language policies in educational contexts, as well as the socio-political factors that shape the languages that are used and valued in schools (e.g., Ball & McIvor, 2013; Lin & Martin, 2005). We adopt the term here to encompass policies that set forth the languages in which children will be instructed or have opportunities to learn. The term thus includes policies that address (a) the language(s) of instruction (hereafter, LoI); (b) support for LoI acquisition for children acquiring a different first language (L1) at home; (c) maintenance or revitalization of home languages other than the LoI; and (d) second language classes (i.e., as subject matter). These policies are sometimes easily identifiable (e.g., English-as-a-second-language policies), but given the relationship between culture and language, they may also be embedded in policies designed to foster either multi- or interculturalism. The languages children learn at home or at school can also be described as either *majority* or *minority* languages. These two statuses can be based simply on the number of speakers within a given region, but other factors play a role in determining whether a language is perceived and described as *majority* or *minority*, such as the use of a language in local and wider contexts; the political and economic power associated with a language or its speakers; and the official status of a language (Wei, Dewaele, & Housen, 2002).

For monolingual children who speak the LoI, language-in-education policies shape the opportunities they will have at school to learn additional languages and the likelihood of their interactions with speakers of other languages within and beyond their geographical borders. Such policies also shape the school experience of children instructed in a language other than their L1. For instance, policies can oblige assimilation to the LoI (typically but not always a majority language) by providing material and ideological support primarily for this language. As a case in point, Turkish children in the Netherlands are embedded in a Dutch-only school environment. Alternatively, policies can provide for minority language learning (e.g., a Spanish-speaking child in a dual language program in Albuquerque), in accordance with research demonstrating the benefits of a well-developed L1. For example, studies have shown that L1 skills in some linguistic domains transfer to the L2 (Verhoeven, 1994), and that minority language support has positive effects on educational outcomes (De Jong, 2002; Gómez, Freeman, & Freeman, 2005), fosters self-esteem (Wright & Taylor, 1995), and contributes to positive social identities and cultural continuity (Phinney, Romero, Nava, & Huang, 2001). The presence or absence of minority language support is directly relevant for immigrant children who are not being schooled in their L1. It is also important for indigenous children whose heritage languages may be of minority status, and thus require support to either be maintained or revived after being lost through assimilative and often repressive processes, such as punishing indigenous language use in Canadian residential schools (Ball, 2009).

2 The Present Study: A Policy Review

The main goal of the present study was to assess how special education and language-in-education policies shape opportunities for children with DD to become bilingual. In line with this aim, we examined the opportunities that special education policies at each site provide for children with DD. Given our prior knowledge of educational trends in North America and Europe, we expected that the policies would generally favour children with DD's attendance in 'regular' schools and classes, but would also underscore the need to take individual needs into

account in determining educational placements. We also speculated that the policies might include statements about children with DD's participation in various language options at school, and thus explicitly address concerns about exposing children with DD to more than one language. We had heard concerns about overtaxing children expressed by parents, teachers, and/or school administrators, as had an advisory board at one site (Advisory Board on English Education, 2006). Moreover, as Kay-Raining Bird et al. and Marinova-Todd et al. (this issue) describe, there is evidence that parents at other sites have been counselled to use only the LoI with their children.

Turning to language-in-education policies, we supposed these could mirror the special education policies or differentiate them based on factors such as the kind or severity of DD, or the particular languages a child might speak. As alluded to earlier, children's language learning opportunities at school partly depend on whether they belong to a linguistic majority or minority. Extending this to children with DD, we expected their opportunities for bilingualism to vary within and across sites, depending on the majority-minority status of their language(s). We were also interested in exploring minority language support, given demographic trends (i.e., increases in immigration, resulting in high proportions of minority language speakers at each site) and in some contexts, laws asserting the "language rights" of indigenous peoples and/or linguistic minorities more generally (see Results for references related to both points).

3 Method

3.1 The Sites

Policies from six sites were reviewed. Three sites were in Canada: (1) Halifax, Nova Scotia; (2) Montreal, Quebec; and (3) Vancouver, British Columbia. The remainder were in different countries: (4) Albuquerque, New Mexico (United States, hereafter U.S.); (5) Manchester (United Kingdom, hereafter UK); and (6) Nijmegen (Netherlands). Information about each site is presented in Table 1: population size; the number and percentage of people that speak the majority language(s) as an L1, defined in this context as the most widely spoken languages and/or the languages with official status; the number and percentage of people that speak non-majority languages; and the most widely spoken minority languages.

[insert Table 1 about here]

3.2 Scope of Review and Inclusionary Criteria

Through a series of face-to-face and online meetings, investigators from each site collectively decided the scope of the policy/document review. The consensus was to examine documents in *special education* and *language-in-education*, on the assumption that these two policy areas would capture the possibilities for children with DD. The policies could address the education of all children with special needs, or subgroups of children (e.g., children conventionally labelled as having a DD, such as autism or intellectual impairment, as well as children with specific language impairment or language-learning disability). There were no constraints on authorship; thus, documents could stem from educational agencies as well as health or social service agencies, as long as they addressed the research objectives. The main criterion for inclusion in the review was that the documents retrieved be relevant to at least one of the policy areas and contain relevant search terms (see Search Strategies).

The policy also had to be current, to the best of our knowledge. We did not circumscribe publication dates given that a current policy could date back years, but undertook the reviews primarily in 2012-2013 (the months of initiation and termination varied by site). Well-publicized, major changes in policy that occurred after this period are noted in Table 2 (i.e., the Children and

Families Act in the UK and *Wet Passend Onderwijs* (translated as the 'Law on Appropriate Education' or 'Tailored Education Act') in the Netherlands.

At each site, we reviewed the policies that were most relevant to the research aims. For Halifax, Montreal, and Vancouver, provincial policies were the focus of review since provinces (and territories) govern education, and there is no federal (i.e., Canadian) department of education. However, we also examined more local policies (e.g., school board level) when the provincial policies allowed for local variation. For Albuquerque, federal (U.S.) and state policies were both important, given that federal legislation establishes most education policy, including special education, while states determine how to implement federal legislation and regulations, as well as set state-specific policy. Adoption of federal policy is not mandatory, but states must follow federal regulations if they accept federal funding to implement educational legislation. In Manchester, national (UK) government policy was particularly important as it addresses the identification and support of children with special education needs, functions that are then carried out by local educational authorities (see United Kingdom, 2001). For the Nijmegen site, national policy was also the focus given that the educational system in the Netherlands is centralized (administered by the Ministry of Education, Culture and Science).

3.3 Search Strategies

3.3.1 Sources

The research team at each site first examined government websites, focusing on federal, regional, provincial or state, or more local sources as described above, and branched out as needed. The websites were searched as systematically as possible given their design; for example, when site maps were available, these were used to organize and track the search (e.g., <http://www.education.gouv.qc.ca/en/site-map/>).

3.3.2 Search terms

A set of search terms and Boolean operators (to extend and limit searches) were developed by the 'head' site (Halifax, Nova Scotia, Canada); reviewed by the remaining sites; and edited to best reflect terms in use across the sites. Originally in English, the terms were translated and adapted to French (for searches within the Canadian context), and to Dutch, for the Nijmegen, Netherlands context. English and French search terms appear in the Appendix. These terms were entered into the advanced searches option in the Google search engine (in two steps, given the search engine's limit on the number of searchable terms per search).

Research assistants implemented the searches. They received centralized (i.e., across-site) training on the review's goals and procedures, were supervised throughout the process by investigators at their respective sites, and communicated directly with one another across sites to share or clarify search strategies. Moreover, each assistant had training in one of the fields relevant to the review (i.e., were graduate students in special education, communication sciences and disorders, applied linguistics, or psychology).

3.3.3 Document retrieval and screening

The list of websites consulted was stored in Excel databases, including the initial access date, the website name, the uniform resource locator (url), and the document name. The website documents were initially screened only to determine whether they addressed special education or language-in-education policies; if they did, they were saved in their original format or the webpage was captured (e.g., with NCapture in Nvivo, 2012) for later analysis.

3.4 Document Review

At each site, the site investigators and research assistants organized the retrieved documents into hierarchical categories reflecting their jurisdiction: national, provincial or state,

regional (e.g., counties; metropolitan areas), or lower (e.g., school board districts within a city). The documents were saved and stored in office applications (e.g., Microsoft Office ®) or imported to Nvivo (2012) folders. They were then reviewed at each site by the site investigator and/or assistant(s) in order to (a) gather data reflected in the Results and (b) identify statements related to opportunities for children with disabilities to become bilingual. For those sites using Nvivo software, an automated search was added to isolate documents in which search terms from both sets of policies (special education and language-in-education) appeared. The documents cited in the results (section 4) are provided in the reference list, identified by an asterisk.

4 Results and Discussion

4.1 Special Education Policies

4.1.1. Inclusive Philosophy

Key information about special education at each of the sites gathered through the policy review is presented in Table 2. As the table illustrates, the four countries examined all have federal laws that affect special education policies. Although there is variation in the role that 'lower' bodies (e.g., provinces, states, regions) play in policy-making, the sites exhibit considerable uniformity in their stated approach to special education. More specifically, policies at five of the six sites make explicit reference to inclusion, while at the remaining site (Albuquerque), state policy follows federal laws that guarantee a free and appropriate public education to all students, and an education in the *least restrictive environment* (LRE) to students with disabilities. According to the principle of LRE, students with disabilities should be educated in the general education classroom "to the maximum extent appropriate" (20 U.S.C. §§ 1412 (a)(3); Sec. 612 (a)(5)), but individual needs must be taken into account (consequently, the general education classroom might be deemed the LRE for one child, but not another). Similarly, policies at the five other sites stipulate that education should be adapted to individual needs, as reflected in individualized plans (IEPs, IPPs, or SAPs, as defined in Table 2) and options for educational placement, ranging from full participation in general education classrooms to education in 'special' settings. Policies at five of the six sites also stipulated that teaching should be adapted to the learners' needs, as reflected in references to *adaptive teaching* and *differentiated instruction* in Table 2. The exception was Vancouver. While the provincial special education policy applicable at this site (British Columbia Ministry of Education, 2013), does not discuss adaptive teaching or differentiated instruction, it notes repeatedly that adaptations might be part of an IEP and describes adaptations in teaching as "best practice" (p. v).

[Insert Table 2 about here]

4.1.2. Inclusive Practices

As Table 2 also shows, children at the different sites do not have identical opportunities with respect to inclusion. Children with disabilities were more likely to attend special schools at some sites than at others (e.g., there were no public special schools in Vancouver and Halifax but some schools at other sites, usually reserved for children with severe or multiple disabilities, autism, or significant vision or hearing impairments). The special school system in the Netherlands was the most extensive of the six sites. In addition to offering support to children with special needs in 'regular' schools and special education classes, the public system includes special schools (organized into four special need clusters). These are attended by a fairly large number of students (70,000 in 2013/14; Landelijke Monitor, 2015), but still a low percentage (5% of all students). However, a recent law on appropriate education (Netherlands, 2014) calls for restructuring of the administration of special schools and greater collaboration of 'mainstream' and 'special needs' schools and reasserts inclusive principles (Netherlands Youth

Institute, 2013), factors that could affect the nature of special education in the Netherlands in the coming years. To deliver education tailored to student needs, 77 regional collaborative school councils have been formed; these are in charge of planning education (in 'special' or inclusive settings) for children with cognitive, physical and behavioural impairments, while support for children with sensory and language impairments is provided by federal councils.

In addition to the cross-site variation in special schools, there was variation across and even within sites regarding the proportion of time children in 'regular' schools spend in 'regular' (i.e., 'mainstream' or 'general education') classes vs. special classes or services (e.g., 'resource rooms'). For an example of within-site variation, at the Albuquerque site, schools in one district included children in the general education setting for the majority of the day at nearly double the rate than in a second district. At the Montreal site, some school boards included all children with DD in general education classes, while others maintained special classes, and even special schools. Thus, the general preference for inclusive policy noted across sites is accompanied by significant between- and within-site variability. Additionally, the findings do not preclude barriers to inclusion in practice. In fact, barriers at the very sites discussed here have been identified through interview data (see de Valenzuela et al., this issue).

4.2 Language-in-Education Policies

4.2.1. Support of the LoI

As was the case for the special education policies, we have summarized language-in-education and related policies in table form. As Table 3 shows, there was considerable variation in the language-learning context across sites, both for typically developing children and children with disabilities. At some sites, there was a sole or highly dominant LoI (as the reader will recall, LoI refers to language of instruction). More specifically, Manchester offers instruction in a single language (English) in state schools. In Nijmegen, students in primary school typically receive instruction in Dutch (but see section 4.2.3 regarding bilingual programs). In Montreal, French is the LoI for most students in public schools, particularly 'non-official' minority language speakers, though some English L1 speakers have the right to attend school in English. Education in French is specified by law (see Table 3) and expressed in various policies, including the policy for "educational integration and intercultural education", which states: "[m]astering and using French, the language of public life, learning about and supporting shared values and acquiring the skills necessary to participate actively in the development of a democratic and pluralistic Québec society are major goals that apply to all students" (Ministère de l'Éducation, 1998, p. 22).

In the cases of a single LoI, children who do not speak the LoI upon school entry will necessarily be faced with learning it since there are no other options. In a sense, then, children with or without DD who speak minority languages in a context of a majority LoI do have "opportunities", even the obligation, to become bilingual to function at school. In these contexts, however, support for learning the LoI (i.e., English-, Dutch-, or French-second-language support, at the sites considered here) will affect how successful students are. The three sites just discussed - Manchester, Nijmegen, and Montreal - were highly variable in the delivery models for providing LoI support and given this, likely also differ in the intensity of support. In Manchester, where English is the LoI, English-second-language (ESL) support was the responsibility of teachers, a factor that could lead to considerable within-site variability in the kinds and degree of support students receive. This is comparable to the situation in Nijmegen, where Dutch is the LoI.

In the Greater Montreal area, the most common form of support offered to students not speaking French as a mother tongue is "welcome classes", an intensive form of support whereby students

attend closed classes, for as long as two school years, while fewer schools offer other forms of support (e.g., weekly support by a French teacher) (Armand, 2011). For the remaining three sites (Halifax, Vancouver, and Albuquerque), Table 3 shows there was also considerable variability in terms of the form and intensity of support for minority language speakers receiving instruction in a majority LoI (i.e., English at the named sites; bilingual and immersion programs are discussed separated below).

4.2.2. Support of 'Unofficial' and 'Official' Minority Languages

The level of support for children's L1 or home language while children are receiving majority-LoI instruction contributes to whether bilingualism is additive or subtractive. As Table 3 shows, this too varies across sites. Continuing with the examples in 4.2.1, in Montreal, publically-funded heritage language and "ethnic language" programs exist, but these are relatively small-scale and likely do not meet the needs implied by large numbers of minority language speakers (see Table 1). In Nijmegen and the Netherlands generally, extracurricular school support of immigrant languages was offered in the past (1997-2004), but this policy was discontinued (as stated in the Primary Education Act), leaving the support to local initiatives. Likewise, in Manchester, community initiatives support specific home languages and culture in the form of supplementary schools, typically run by volunteers, and provision of multilingual stock in the city's libraries (Multilingual Manchester, 2013).

In short, as Table 3 and these brief examples show, children who are attending school in a majority LoI but have a (non-official) minority language as their mother tongue are receiving varied and limited support for L1 and sometimes for the LoI as well. Limited or no support of the L1 places minority language speakers - with or without DD - at risk of losing that language and potentially slows L2 development by decreasing the potential for linguistic transfer, while insufficient LoI support can engender academic difficulties. The situation is somewhat different for speakers of "official" minority languages. For example, at the Halifax and Vancouver sites, instruction in French is available to students of Canadian French Heritage (as established by the Official Languages Act, clause 23). Similarly, students in the Dutch province of Friesland have the right to instruction in Friesan ('Fries' in Dutch). For children who are offered such opportunities, the L1 and the LoI may coincide (e.g., a child learns French at home and attends school in French), while for others, the heritage language will be learned as an L2, making these students' experience somewhat comparable to students in immersion, discussed in section 4.2.4.

4.2.3. Support of Indigenous Languages

Canada and the U.S. each has a significant indigenous population (i.e. First Nations, Inuit, or Métis people in Canada; Native American in the U.S.), and the sites within the two countries addressed indigenous language support in law and policy, as reflected in Table 3. For example, the education of Mi'kmaq (First Nation) students in Nova Scotia is overseen by the Federal Mi'kmaq Education Act and a memorandum of understanding between the province and the Mi'kmaw Kina'matnewey (the Mi'kmaq education authority). These provide the Mikmaw with both the jurisdiction and responsibility to educate students in band schools in Mi'kmaw communities (none of which are in Halifax) and to collaborate with the province to develop and implement quality programming in the provincial public schools that "recognizes and celebrates the culture, language and history of the Mi'kmaq of Nova Scotia" (Mi'kmaw Kina'matnewey & the Province of Nova Scotia, 2014, p. 3). Indigenous control of education also exists in Quebec (e.g., via the Cree and Kativik School Boards, amongst others), as do policies that address Indigenous languages and culture in education. While these policies apply most widely outside of Montreal, they are also relevant in the Montreal vicinity. For example, in Kahnawake, near

Montreal, education is locally controlled and instruction is offered in English, French, and Kanien'keha (Mohawk) through a range of programs (bilingual, trilingual, and immersion; see <http://kec.qc.com>). In the Vancouver area, the support of Indigenous languages includes policies establishing Aboriginal Head Start and "language nests" at the preschool level (for discussion of similar initiatives Canada-wide, see Ball, 2009). Similar complexity in the governance of education for Native American students exists in the U.S. At the Albuquerque site, support of Indigenous languages is treated in law and policy (see Table 3), and partly expressed in bilingual programming, discussed in the immediately following section (4.2.4).

4.2.4. Support of Dual Languages: Bilingual Programs, Immersion, and L2 Classes

Various language learning paths have been proposed in educational milieus to achieve an additive version of bilingualism. Amongst these are bilingual programs intended to promote both the L1 and the L2 (here, used to refer to a language developed after or in parallel with the L1). Intensive language (e.g., Intensive French in Vancouver) and immersion programs are also generally based on the premise that students will learn an L2 while retaining their L1 (notwithstanding debate about L1 risk when the L2 is a majority language). Similarly, second language classes generally follow from the idea that the L2 will be learned without negative consequences to the L1. As Table 3 shows, these language-learning options exist at all of the sites. However, for the sake of brevity, we elaborate on four - Halifax, Vancouver, Albuquerque, and Nijmegen - noting parallels with the other two sites when appropriate.

[Insert Table 3 about here]

At the Halifax and Vancouver sites, French Immersion programs are available to support French learning in children with English majority language backgrounds and, increasingly, children with minority home languages (in Montreal, French immersion is typically reserved for English speakers). These programs comprise "early" immersion (e.g., beginning in kindergarten in Halifax) and "late" immersion (e.g., beginning in grade 7 in Halifax). Additionally, intensive French is offered and French classes are mandatory at elementary and secondary levels in schools where English is the LoI (similarly, English classes are mandatory in French schools). The Vancouver site offers similar options. As shown in Table 1, the Vancouver site has also recently begun offering English-Mandarin bilingual programs, reflecting the prevalence of Chinese languages reported on the recent census, as shown in Table 1. Bilingual programs appeared most extensive at the Albuquerque site; there, five varieties of bilingual programs were offered (see Table 3), in accord with language policies supporting Spanish and indigenous languages in New Mexico. However, not all of the programs are available at all, or even most, of the schools within the two school districts included at this site. Finally, in the Netherlands, bilingual Dutch-English programs are common at the secondary level, and more limited Dutch-German programs are also available (European Platform, 2013). At the primary school level, experimental Dutch-English programs have recently been set up in various locations, including in Nijmegen (Rijksoverheid, 2014).

In summary, at several of the sites, children with DD who already speak and/or understand one instructional language as an L1 could potentially learn another language by participating in a bilingual, intensive, or immersion program. Indeed, the inclusive policies discussed in section 4.1 imply that children with DD will have access to such opportunities. Nonetheless, it is not clear that the policies translate directly to practice. Interview data at the sites (reported in de Valenzuela et al., this issue) suggest that such opportunities are limited and that it is often left up to parents to initiate a request for such services. Furthermore, there is some evidence, albeit from other provinces in Canada, that French immersion programming has catered to an elite student

body (that is, high achieving and of high socioeconomic status) (Arnett & Mady, 2010; Wilmms, 2008). Finally, second language classes (as subject matter) were offered at all sites and were usually mandatory, though there were possibilities at several sites for students with DD to opt-out of second language classes under certain conditions, as elaborated in section 4.3.2 below. To more fully understand the opportunities for bilingualism for children with DD, we sought and documented explicit statements of language-learning opportunities in the special education policies and explicit statements of the needs of students with DD in the language-in-education policies. These results are presented and discussed next.

4.3 Intersection of Special/Inclusive Education and Language-in-Education Policies

4.3.1. Special Education Policies Addressing Bilingualism/Dual Languages

Special education policies rarely explicitly addressed the languages in which children with DD should be educated or have access to learning. However, documents reviewed at all of the sites expressed at least one and typically all three of the following related principles: that children with disabilities should (a) not be disadvantaged or discriminated against relative to children without disabilities, (b) have access to the same learning opportunities as peers, and (c) not be systematically excluded from certain educational options or settings. These principles were expressed in the following sources: for Halifax, Nova Scotia Department of Education (2008); Montreal, Ministère de l'Éducation (1999); Vancouver, British Columbia Ministry of Education (2013); Albuquerque, Section 504 of the Rehabilitation Act of 1974 (29 U.S.C. § 794(a)); Manchester, the United Kingdom Special Educational Needs and Disability Act, 2001, sec 13.1.a and 13.1.b; and Nijmegen, the Netherlands law on appropriate education (Ministry of Education, Culture and Science, 2014).

While the special education policies we reviewed rarely addressed bilingualism or forms of dual language learning specifically by children with DD, there were some exceptions. For instance, at the Montreal site, one school board offering only bilingual or early French immersion programs (<http://www.lbpsb.qc.ca>) indicated that nearly 88% of students with disabilities were included in the general education stream, suggesting that children with DD had opportunities to become bilingual (Lester B. Pearson School Board, 2012). The review at the Montreal site also yielded a few published statements asserting the need for greater support of children with disabilities in learning a second language: notably, one prepared by the provincial order (a licensing body) of speech-language pathologists and audiologists (OOAQ, 2001; see also Association multi-ethnique pour l'intégration des personnes handicapées, 2001 and the Advisory Board on English Education, 2006). Additionally, a recent curriculum document notes the importance of offering students with special needs adequate support for learning French when it is not their mother tongue (Ministère de l'Éducation, du Loisir et du Sport, 2014, p. 5).

Another exception was found at the Vancouver site. There, provincial funding formulas made clear that at least some children with DD would be learning second languages. This example is elaborated in the following section (4.3.2), as it relates to funding policies for language-in-education.

4.3.2. Language-in-Education Policies Addressing Special Needs

Language-in-education policies sometimes made explicit provisions for children with disabilities. This could be in addition to laws or policies affirming the rights of linguistic minorities generally. For example, in the U.S., the rights of language minority students to educational programs designed to develop the LoI are supported by a variety of legal and legislative provisions, including: (a) §601 of the Civil Rights Act of 1964; (b) the *Lau v. Nichols* decision (414 U.S. 563 (1974)), based on the Civil Rights Act, which affirmed school districts'

responsibility to provide language education programs to limited English speaking students; and (c) the Equal Education Opportunities Act of 1974 (20 U.S.C. § 1701 *et seq.*).

In addition, in British Columbia, the province where the Vancouver site is situated, language-in-education policies included provisions for students who might struggle with acquiring the LoI. The Ministry of Education affirms: "Where English language learners [ELL] cannot demonstrate their learning in relation to the expected learning outcomes of the provincial curriculum, school districts should ensure that appropriate ELL services, including English language instruction, are provided" (British Columbia Ministry of Education, 2012, Educational Programs section, para. 4).

Furthermore, the provincial *K-12 Funding – Special Needs* policy (British Columbia Ministry of Education, 2002) and the *K-12 Funding – English Language Learning (ELL)* policy (British Columbia Ministry of Education, 2011) establish that schools can simultaneously receive funding from the Ministry of Education to support specific children who have both special needs and are learning English or French as a second language, thus acknowledging that children with disabilities might be learning additional languages. There are, however, "opt-out" provisions. For example, students with disabilities are permitted to opt out of all non-LoI language instruction should they be "unable to demonstrate learning in relation to the expected learning outcomes of the second language course" (British Columbia Ministry of Education, 2004, Policy in Full section).

The Nova Scotia Program Policy for French Second Language Programs (Nova Scotia Department of Education and Early Education, 1998), applicable to the Halifax site, also recognizes that students with special needs are capable of learning a second language, and should be exempt only after sustained lack of success with accommodations and on the recommendation of a planning team. The policy (now under review) states clearly that schools are obliged to provide human and material resources to meet the needs of students with disabilities in French language programs, when these programs are available. Furthermore, the Special Education Policy Manual (1996) acknowledges that students requiring ESL programming and services will display a full range of abilities; thus, "the fact that [such students] ... may require extra assistance to learn the language of instruction does not exclude the possibility that they may have special education needs" (p. 18).

In Montreal, language-in-education policies available during the period of review (2012/13) did not address language learning by children with DD directly, although the issue was brought to the fore in 2014 during a public debate about whether intensive English should be made mandatory in French-language primary schools across the province and whether it would be beneficial for French-speaking children with disabilities. Le Conseil Supérieur de l'Éducation (2014), an autonomous body providing counsel to the Ministère de l'Éducation, presented L2 learning by children with various learning difficulties or 'handicaps' as an issue of equity and described the harmful effects of L2 learning on such students as a "myth" (p. 35).

Another example of language-in-education policies that directly address the needs and rights of children with disabilities was found at the Albuquerque site. In the U.S. context, multiple memorandums from the federal Office for Civil Rights clarify language services policies related to the Equal Education Opportunities Act of 1974; the most recent of these (January 2015), issued jointly by the U.S. Departments of Justice and Education (2015), stated that students with disabilities who are also English language learners "must be provided both the language assistance and disability-related services to which they are entitled under Federal law" (p. 2); "must be evaluated in an appropriate language based on the student's needs and language

skills" (p. 2); and that "the team designing the plan include participants knowledgeable about that student's language needs" (p. 3). This memo further stated that while parents may opt out of the language services that students are entitled to, "school districts may not recommend that parents opt out for any reason" (p. 3).

In the Netherlands and UK contexts, policy documents did not explicitly address second language learning and special needs. However, in the Netherlands, where the LoI is Dutch, *Wet op het Primair onderwijs* [the Primary Education Act] (1981) stipulates that for children from a non-Dutch linguistic/cultural background, their first language might be used at school to foster linguistic transfer, and this statute would also apply to children with DD. In the UK, the LoI is English and there is no specific curriculum for children learning English as a second/additional language. However, teachers are expected to be able to meet the needs of diverse learners, and national organizations are engaged in professional development to help teachers support second/additional language learning amongst children with special needs (National Association for Language Development in the Curriculum [NALDIC], 2009).

In addition to addressing the education of children with special needs, some policies addressed the issue of assessment. For example, the Special Education Policy applicable at the Halifax site notes that assessment should be unbiased due to language or culture (Nova Scotia Department of Education, 2008, p. 31). At the Vancouver site, the British Columbia Ministry of Education (2013) specifies that care should be taken to minimize the impact of any linguistic or cultural biases inherent to standardized assessment. The U.S. federal special education legislation, the Individuals with Disabilities Education Act (20 U.S.C. §§ 1400 *et seq.*), relevant at the Albuquerque site, specifies that assessments must not be "racially or culturally discriminatory... [and must be] provided and administered in the child's native language or mode of communication" (20 U.S.C. §§ 1412(a)(6)(B)). These recommendations align with the literature on best practices in communication disorders and other fields.

5 Conclusions

In the conclusions, we focus on considering the findings in light of our initial expectations and the implications of the results, since the findings of our multi-site review of special education and language-in-education policies have been discussed in the preceding sections. First, several expectations were met; policies at all sites (a) clearly favoured the societal inclusion of children with special needs; (b) generally favoured children's attendance of 'regular' schools and classes; and (c) stressed the importance of individual needs in selecting educational placements and adapting instruction, a factor that presumably contributed to the variable rates of inclusion in 'regular' classrooms reported across and even within sites.

We also anticipated inter-site variability in second language learning support, based partly on the status of the languages an individual with DD might already speak. Related to this point, policies at the Canadian and U.S. sites infrequently but clearly expressed that children with special needs who were new to the language of instruction (the LoI) should be given adequate support to learn it (in addition to any support provided in the course of the instruction itself). The portrait that emerged from the sites in the UK and Netherlands was somewhat different; support for LoI learning relied primarily

on classroom teachers and policies related to language-in-education did not have specific clauses relevant to children with special needs. Inadequate support for learning the LoI could place a particularly heavy burden on L1 minority-language speakers with DD, who may also be at risk for subtractive bilingualism given a concurrent lack of support of the L1 at school. On the latter point, minority language support appeared to be greatest when the minority language was official (i. e., the support of French in the English provinces of Canada, or of English in Quebec) or the proportion of speakers of a particular minority language was high (i. e., Spanish in Albuquerque or Mandarin in Vancouver).

The policies reviewed at the Canadian and U.S. sites were also similar in that they stated or clearly implied that children with disabilities have the capacity to learn more than one language, but accommodated individual differences by allowing students to opt out of bilingual programs or second language classes that were normally obligatory. Moreover, documents at some sites clearly delineated the conditions of opting out, stating that the avenues for success should first be fully exhausted and/or that opting out should be initiated by parents.

Additionally, we speculated at the outset that kind or severity of disability might be raised in policies delineating language-learning options. Contrary to our expectations, policies did not differentiate opportunities based on the severity of the DD, likely reflecting the emphasis on tailoring education to individual needs alluded to earlier. However, a survey of professionals (including speech-language pathologists **and teachers**) conducted at the same six sites showed that severity plays some role in professional opinion; although respondents (on average) agreed that students with mild and severe disabilities had fewer second language learning opportunities than typically-developing children, and that both sets of students were capable of learning two languages, they were stronger in their endorsement of greater second language learning opportunities for those with mild disabilities (Marinova-Todd et al., this issue).

We also predicted that policies might directly address the belief that children with DD would be overtaxed by learning more than one language at school. As reported in section 4.3.2., only one document explicitly directly addressed the matter, calling the harmful effects of learning a second language learning by children with special needs "a myth" and citing pertinent research to support the claim (Conseil Supérieur de l'Éducation, 2014, p. 35). However, the results from the interview and survey data reported on in this issue (respectively, de Valenzuela et al. and Marinova-Todd et al.) suggest that practitioners might be aware of research demonstrating the capacity of children with DD to speak two languages, regardless of the limited discussion in the policy documents we considered.

5.2 Implications for Practice and Research

The findings have some clear implications for practice in schools. First, there are indications that minority language support is, overall, inadequate in school settings; here, there is room for improvement, particularly for children with DD who are likely to experience academic challenges. Further, the policy shift in the Netherlands (where minority language support was provided over several years then withdrawn) serves as a cautionary tale for other sites; policies are vulnerable to change, and not necessarily in the direction of increased opportunities for additive bilingualism. Second, the combination of inclusive policies and the absence of overt restrictions on who can attend optional second language programs provides some leverage for advocating for students with DD to participate in such programs, when the family and student so choose. Third, some sites reported a reliance on teachers to meet the needs of bilingual or second language learners; given this, preservice education or professional development for inservice teachers on second language learning is clearly warranted.

The policy variations observed across and even within the sites (e.g., with respect to rates of inclusion in 'regular classrooms' or support of the LoI) also have implications for research; they suggest that studies of bilingualism amongst individuals with DD should systematically report and take into account the educational context, as well as student characteristics and home language use. On a final note, the framework used in the present study for considering the opportunities for bilingualism available to students with DD was well-suited to a range of geographical and sociolinguistic contexts and could prove useful for researchers or practitioners at other sites.

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Appendix Search Terms

English Terms

("Special need" OR "Special needs" OR "Handicap" OR "Handicaps" OR "Impairment" OR "Disability" OR "Autism" OR "ASD" OR "Intervention" OR "Therapy" OR "Special Education" OR "Special services" OR "Resource class" OR "Learning class" OR "Accommodation") AND ("Bilingual" OR "Multilingual" OR "Bilingualism" OR "Multilingualism" OR "Language Diversity" OR "Linguistic Diversity" OR "Cultural diversity" OR "immigrant" OR "Heritage language" OR "Indigenous language" OR "Aboriginal language" OR "Language loss" OR "Language revitalization" OR "ELL" OR "English language learner" OR "EAL" OR "English as an additional language" OR "Immersion" OR "ESL" OR "English as a second language" OR "FSL" OR "French as a second language" OR "Language class" OR "Core language" OR "Language program")

French Terms

("Handicap" OR "Handicapé" OR "Déficiência" OR "Incapacité" OR "Autisme" OR "Paralysie cérébrale" OR "Trouble envahissant du développement" OR "Trouble d'apprentissage" OR "Troubles de communication" OR "Dysphasie" OR "Trouble du langage" OR "Déficiência intellectuelle" OR "Intervention" OR "Thérapie" OR "Éducation spécialisée" OR "Adaptation" OR "Centre de jour" OR "Services pour personnes handicapées" OR "Aide aux personnes handicapées" OR "Centre de réadaptation" OR "Classe special" OR "Centre d'apprentissage" OR "Enseignement à l'enfance en difficulté") AND ("Bilingue" OR "Bilinguisme" OR "Plurilingue" OR "Diversité culturelle" OR "Multiculturalisme" OR "Interculturalisme" OR "Immigrant" OR "Langue d'origine" OR "Langue vernaculaire" OR "Langue autochtone" OR "Restriction de langue" OR "Droits linguistiques" OR "Diversité linguistique" OR "Diversité de langues" OR "Langue maternelle" OR "Langue ancestrale" OR "Langue officielle" OR "Langue non officielle" OR "Immersion" OR "Cours d'anglais langue seconde" OR "Français langue seconde" OR "Cours de langue" OR "Programmes des langues")