

English Learner (EL) 101 Part X: EL Students with Disabilities

TODAY'S SESSION TAKEAWAYS

What will be covered in today's session?

1

Legal Background

2

Evaluating EL Students for Special Education

3

Assessment

4

Coordinating Services

LEGAL BACKGROUND

Title VI of the Civil Rights Act of 1964



EL students should have access to all programs, including that of special education.

Individuals with Disabilities Education ACT (IDEA)



EL students must not be found eligible for special education services under IDEA if the determining factor is limited English proficiency.

ELS AND SPECIAL EDUCATION

- Local educational agencies (LEAs) must identify, locate, and evaluate ELs with disabilities in a timely manner.
- LEAs must provide EL students with disabilities with both the language assistance and disability-related services they are entitled to under federal law.
- To meet students' needs, the Individualized Education Program (IEP) team should include professionals with training and expertise in second language acquisition and how to differentiate between student needs stemming from their disability or lack of English proficiency (i.e. EL Teacher of Record).

EL STUDENT EVALUATION FOR SPECIAL EDUCATION

- Evaluation of an EL student is only appropriate if consistent, objective monitoring conducted by EL and general education staff indicates that the student is significantly struggling and that the student's academic struggles are **not** related to a lack of English proficiency.
- Evaluations must be conducted by professionals who are able to select and administer procedures so that results are not biased by the child's culture or language.

ARTICLE 7 – WHAT DOES IT MEAN FOR EL STUDENTS?

Education Evaluations in General

[511 IAC 7-40-3(e)]

- Utilize current English proficiency data to determine if an English-based evaluation tool is appropriate and would yield accurate results.
- Do not use English-only evaluation for EL students with lower proficiency levels; utilize non-verbal or native language testing as appropriate.

ARTICLE 7 – WHAT DOES IT MEAN FOR EL STUDENTS?

Conducting an Initial Educational Evaluation

[511 IAC 7-40-5(b) and (c)]

- The multidisciplinary team conducting initial evaluation must include individuals with knowledge of language acquisition, which can include EL staff.
- Relevant English proficiency data (i.e. WIDA ACCESS) and classroom observations should be shared and interpreted to examine the effects on the EL students' achievement.

ARTICLE 7 – WHAT DOES IT MEAN FOR EL STUDENTS?

Determination of Eligibility

[511 IAC 7-40-6(b)]

Qualified EL staff (i.e. EL Teacher of Record) should be included in the case conference committee (CCC) and participate in the meeting to provide information that will assist the committee in making the eligibility determination.

ARTICLE 7 – WHAT DOES IT MEAN FOR EL STUDENTS?

Specific Learning Disability

[511 IAC 7-41-12]

A specific learning disability does NOT include learning problems that are primarily the result of limited English proficiency.

ARTICLE 7 – WHAT DOES IT MEAN FOR EL STUDENTS?

Student is Suspected of Having a Specific Learning Disability

[511 IAC 7-40-5(g)]

When an EL is evaluated for a suspected specific learning disability, the multidisciplinary team must include in its evaluation report a synthesis of the educational evaluation components in relationship to the effects of limited English proficiency on the student's achievement.

ARTICLE 7 – WHAT DOES IT MEAN FOR EL STUDENTS?

CCC Participants

[511 IAC 7-42-3]

- Teachers providing core English language development services should be included in the CCC to provide the expertise needed to allow the committee to meet the unique needs of the student.
- EL paraprofessionals can also provide useful knowledge regarding the student's current level of performance and rate of acquisition of English.

ARTICLE 7 – WHAT DOES IT MEAN FOR EL STUDENTS?

Developing an IEP

[511 IAC 7-42-6(c)]

- When the case conference committee is developing an IEP for a student, it must consider the language needs of an English Learner as those needs relate to the student's IEP.
- All staff that provide services to the student need to collaborate when determining appropriate goals, taking into consideration language acquisition.

ARTICLE 7 – WHAT DOES IT MEAN FOR EL STUDENTS?

Notices to Parents and Participation in CCC Meetings

[511 IAC 7-40-4(f)]

[511 IAC 7-42-2(c)]

[511 IAC 7-42-5(c)]

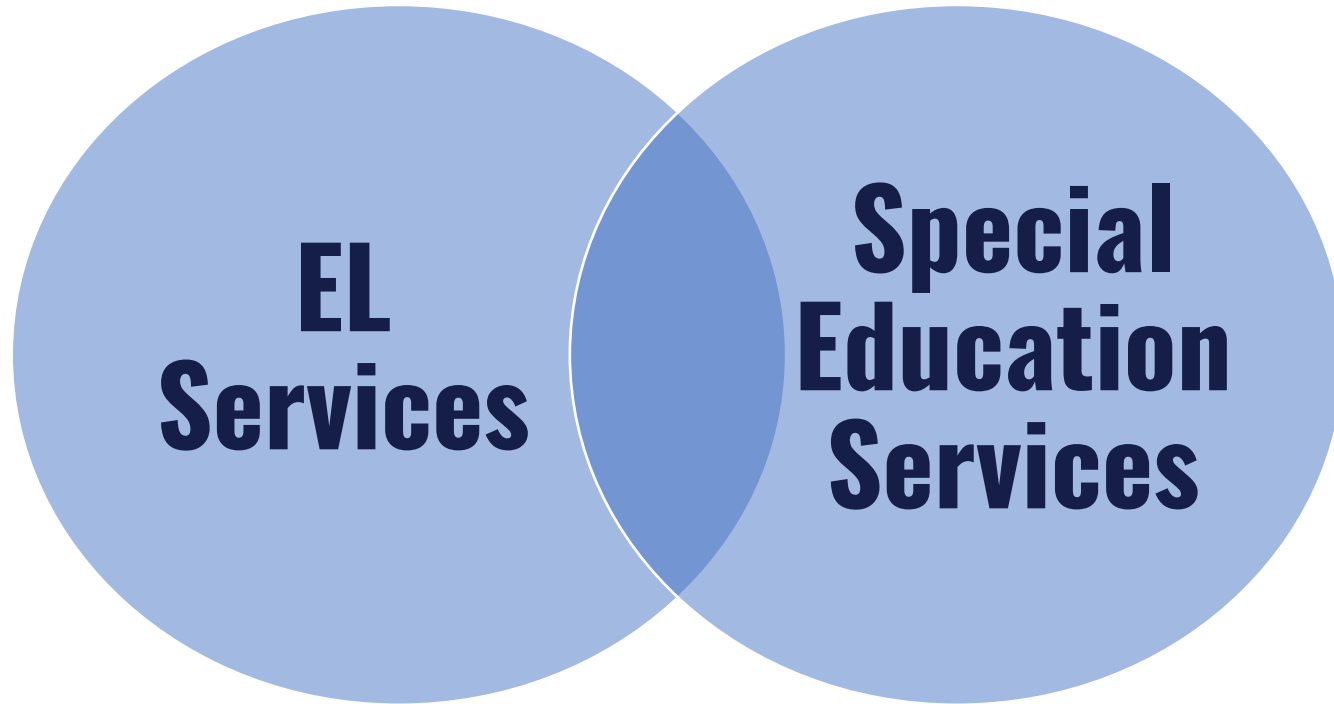
- The written notice of an educational evaluation that the school sends to the parent must be provided in the native language of the parent.
- The written notice of a CCC meeting that the school sends to the parent must be in the parent's native language.
- The school must take whatever action necessary to ensure that the parent understands the CCC meeting.

ASSESSMENT

- Accommodations via the IEP or Section 504 Plan and Individual Learning Plan (ILP) must be honored on all state and local assessments.
- ELs with disabilities must be administered the annual English language proficiency assessment, WIDA ACCESS.
 - Students with severe cognitive disabilities may be eligible to take the WIDA Alternate ACCESS assessment.



COORDINATING SERVICES





***QUESTIONS?
CONTACT US!***

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