

**IDENTIFYING AND SUPPORTING
ENGLISH LEARNERS (ELs) WITH
DISABILITIES GUIDANCE**



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OVERVIEW

English Learners (ELs) with disabilities present the dual needs of support in acquiring English as well as support for their disabilities. This document is designed to assist school systems in the provision of equitable access to high quality instruction for ELs who are suspected of having a disability.

GUIDING PRINCIPLES

All students, including ELs, have the right to a free and appropriate public education. School systems must ensure that all students, including English learners (ELs), who may have a disability under the [Individuals with Disabilities Education Act \(IDEA\)](#) or [Section 504 of the Rehabilitation Act of 1973](#) are located, correctly identified, and evaluated for special education and disability-related services in a timely manner and using best practices with nondiscriminatory assessment. Special education evaluations may not be delayed because of a student's EL status or because of the language support services they receive. The student's EL status cannot be the basis of determining the presence of a disability.

Cultural competence and linguistic awareness are essential components of working with students of diverse backgrounds. Educators need to develop awareness, sensitivity, experience and training regarding the cultural and linguistic needs of ELs and students with disabilities.

Collaboration will play a key role in supporting ELs with a disability. Special education and [Individualized Education Program \(IEP\)](#) teams, School Building Level Committees (SBLCs), EL specialists and family members should work collaboratively to ensure all students are receiving the supports and services they need to meet rigorous academic goals. It is important to be mindful of the language needs of family members in all communication between the school and home. Translators/Interpreters should be used to give parents and guardians access to meetings, documents, and conferences related to their child's education. The Department has translated some common documents in the [Students with Disabilities library](#). Special care should be taken, when necessary, to ensure informed consent is obtained according to ethical best practice.



IDENTIFYING ELS WITH DISABILITIES

School systems should identify key needs of students upon enrollment so as not to delay appropriate and critical service provision. This is facilitated through communication and collaboration between the home and school, and between EL specialists, teachers, and SBLC and IEP teams.

STEPS FOR EL IDENTIFICATION

All students aged 5 through 21 who are enrolling in an English-speaking elementary/primary, middle, or high school are given a [home language survey](#). Prior to screening for EL service provision, the survey should contain evidence that the student meets one of the following criteria:

- was not born in the United States and their native language is a language other than English;
- is Native American or Alaska Native or a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on their level of English-language proficiency;
- is migratory and their native language is a language other than English; and/or
- comes from an environment where a language other than English is dominant.

The [English Learner Identification Flowchart](#) will help school systems decide which students should be screened for English-language proficiency and what to do if the students are eligible for EL services.

EL Assessments

The [English Language Proficiency Screener](#) (ELPS) is a tool to determine if students entering Kindergarten through grade 12 for the first time are ELs who require supplementary support services to continue developing language proficiency in English. A student cannot be identified as an EL or receive EL accommodations without first failing to score proficient on the ELPS.

The [English Language Proficiency Test](#) (ELPT) is designed to assess the English language proficiency of students who meet the participation criteria for ELs as they progress through their kindergarten through grade twelve education. ELs take ELPT every year until they meet the criteria to exit.

Determining Language Proficiency

Assessments used to measure a student's proficiency in their native languages are a valuable way to gain additional insight into the student's academic abilities. This is especially important if the student is new to the United States and has had prior education in their native language. Suggestions for native language assessments can be found in the [World Languages Compendium](#) (p.11).

Educators working with ELs should be aware of the difference between the social and interpersonal use of English language and academic language.

- **Basic interpersonal communication skills (BICS):** linguistic skills needed in everyday social interactions; language is meaningful, context-embedded, non-specialized. BICS can take between 6 months and 2 years to develop.
- **Cognitive academic language proficiency (CALP):** proficiency in academic language used to access curricula in various content areas; language is abstract, context-reduced, and specialized. CALP can take at least 5 years to develop.

Typically, ELs will acquire English oral language skills before acquiring reading and writing skills. The timeline for this process depends on many factors such as the student's literacy skills in their first language, how much formal education they have received, how close their native language is to English in structure, their age, and even the quality of EL instruction/support they are receiving. All of these factors will be important considerations in determining the individual supports and services each EL needs as well as determining their projected rate of progress.

STEPS FOR SPECIAL EDUCATION IDENTIFICATION

Newcomers, beginners, and long-term ELs can be referred at any time for special education if an exceptionality is suspected. If an EL has an existing IEP, or is suspected of having a low-incidence disability, they can begin receiving special education and EL services immediately in accordance with [Bulletin 1530](#). School systems should follow the criteria outlined in [Bulletin 1508](#) to identify students, including ELs, with disabilities.

See the [Identifying and Supporting ELs with Disabilities Flowchart](#) for more information.

Interventions

If an EL fails to make progress in spite of receiving supports in the general education setting, the EL should be referred to SBLC. The School Building Level Committee (SBLC) should consider all students for interventions who are not meeting grade-level benchmarks, regardless of EL status.

- **Collaboration between EL specialists and SBLC/Pupil Appraisal Teams:** Multiple models of intervention delivery exist, and each student’s needs are unique. However, best practice involves collaboration between the general education teachers and EL service providers as well as SBLC and pupil appraisal teams. Note that EL services are not necessarily equivalent to a reading or language intervention (See Table 1).
- **Data reflecting progress:** School systems should use universal screeners as one important data point when considering whether or not ELs need additional supports in the general education environment. It is also important to consider the EL’s family and personal history with school and what is considered normal progress through the Language Acquisition phases (see Appendix A), BICS and CALP.
 - » School teams should gather as much information as possible related to the EL’s language development in all of the languages they use. This can help determine appropriate instructional goals as well as expected progress.
 - » SBLC teams should include progress toward [EL trajectory goals](#) in their determination of immediate service provision needs.
 - » Progress should be monitored in every area where intervention or services are received.

Table 1: Sample EL Support and Reading Intervention Strategies

SAMPLE EL SUPPORT STRATEGIES	SAMPLE READING INTERVENTION STRATEGIES
<ul style="list-style-type: none"> • Ensuring accessibility to instruction in the general education setting (i.e., using visuals or gestures, demonstrations, naming steps, audio versions of text, frequent checks for understanding) • Providing societal or historical context for content, explaining idioms, pointing out cognates, and modifying examples to match EL’s background knowledge • Providing opportunities within the classroom for structured oral language practice • Direct vocabulary and language instruction 	<ul style="list-style-type: none"> • Direct instruction of remedial skills, including phonemic awareness and phonics • Teaching strategies for comprehension like chunking the text, annotation, use of context clues, and highlighting key terms • Providing opportunities for extra practice, involving reviewing and re-reading • Modeling of fluency, pacing and prosody through read-alouds while students follow along with their own texts

While many of the components may be similar, English Language Development (ELD) involves explicit language instruction based on students’ proficiency within the general classroom environment and sometimes as supplemental instruction. Interventions provide additional intensive instruction for students who are not making progress in the general education classroom as expected.

Assessment and Evaluation

Special considerations are necessary when conducting a bilingual or multilingual assessment of an EL for the purposes of special education eligibility.

- **Collaboration between Multidisciplinary Teams and Families:** Multidisciplinary teams are a requirement of special education evaluations. Collaboration among EL specialists, special education, pupil appraisal, and general education personnel is critical to the process of appropriate identification and determination of supports.
 - » School teams should carefully ensure that informed consent is obtained in all required areas from appropriate family members.
 - » Forms should be available in multiple languages and interpreters should be offered and provided if necessary.
- **Distinguishing Language from Disability:** When identifying ELs with a disability, it is critical to determine whether the difficulties are due to the normative process of second language acquisition, are due to multicultural differences, or are due to a disability.
 - » ELs have many levels of language proficiency, which creates a spectrum of linguistic and acculturation levels that can directly relate to their achievement and cognitive assessment.
 - » It is also important to consider that ELs are acquiring academic knowledge at the same time that they are acquiring English language skills.
 - » Multidisciplinary teams should take a strengths-based approach to assessment, and should consider language development, language acquisition, and language dominance into account as explanatory factors.
- **Assessment Administration and Standardization:** Examiners must have been trained in the processes and materials necessary for the assessment of students from culturally and linguistically diverse backgrounds.
 - » **Examiner Qualifications:** Ideally, examiners would be fluent and literate in the languages spoken by the student and knowledgeable of the student's culture, although this may not always be possible in school systems with only monolingual English-speaking assessment staff. The assessment of ELs or bilingual students does not have to be conducted by a bilingual examiner as long as appropriate procedures are followed.
 - » **Assessment Choice:** Some standardized assessments are available in other languages like Spanish. If these are not available, **standardized nonverbal measures in addition to nonstandardized assessment techniques are recommended**, as these enhance the breadth of information available about the student. Appropriate practice should follow best practices set forth by professional organizations like the [National Association of School Psychologists](#), [American Speech-Language-Hearing Association](#), etc.
 - » **Standardization:** Any assessment administration that does not follow standardized procedures should be documented as such in the evaluation and the results should be interpreted accordingly. Currently, there are no assessments that use bilingual students as the normative group. Although ELs likely represent a portion of students in the norm samples for some assessments, they may not be representative of the student being assessed and results should be interpreted as such.
 - » **Interpreters and Translators:** It is important to remember that the use of an interpreter is not part of a standardized test administration and should be documented in the evaluation report if used. It is not advised to translate a test from one language to another without establishing validity and reliability for the uses intended with the linguistic groups to be tested.

Dos and Don'ts of Interpreters and Translators

Interpreters: *professionals who demonstrate expertise in spoken language*

Translator: *professionals who engage in the process of translating written language*

Do: *Offer and use interpreters/translators to facilitate communication and consent with families*

Don't: *Translate test materials without establishing validity and reliability; use interpreters in standardized test administration without noting the procedures followed in the report and interpreting results with caution*

Ultimately, the determination of whether or not any student has a disability is a team decision, and not the result of one single data point or assessment result. All relevant parties should contribute meaningful input.

SUPPORTING ELS WITH DISABILITIES

ELs with disabilities must be provided both the language assistance and disability-related services to which they are entitled under Federal law.

INSTRUCTION

To ensure that an IEP or IAP for providing special education or disability-related services addresses the language-related needs of an EL with a disability, it is important that the team designing the plan include participants knowledgeable about that student's language needs.

The Louisiana Department of Education has produced several resources that list strategies and suggestions for supporting ELs in the content area classroom.

- [EL Instructional Support Plan](#) is a roster style list of EL supports specific to language demand, content area and by the EL's language proficiency level.
- [EL Classroom Differentiation Plan](#) is a student-specific form that lists EL supports similar to the EL Instructional Support Plan with areas to list student's strengths, challenges and areas for growth or opportunity.
- [EL Accommodations Checklist](#) is a list of accommodations for the classroom and assessments that can be offered to ELs.

As always, EL specialists and special education personnel should collaborate to provide appropriate supports so that ELs with disabilities can meet both their language and instructional goals.

ACCOMMODATIONS

ELs receive accommodations on statewide assessments to address the language acquisition process and make learning and assessments more accessible even when their English language skills are not yet proficient. Common accommodations include a bilingual dictionary or directions in a student's native language, and are available on the [EL Accommodations Checklist](#).

Students are eligible for an Individual Accommodation Plan (IAP) under Section 504 of the Rehabilitation Act if they have an impairment that substantially limits major life activities. Eligibility is determined through the school system's School Building Level Committee (SBLC). If an EL has an IAP or is eligible for accommodations under Section 504, or if they already have an IEP and receive accommodations, they are eligible to receive accommodations on the ELPS or ELPT as well as on statewide assessments. Refer to the [ELPT/ELPS Accessibility and Accommodations Manual](#) for more information.

CONTINUED EVALUATION

Domain exemptions for speaking and/or listening are possible on the ELPT if a student's exceptionality affects their ability to access these domains. Email assessment@la.gov for more information.

ELs can be classified as fully English proficient when they score proficient on the annual ELPT. At that point, the student would no longer receive EL-specific supports and instruction, but would still receive all accommodations and modifications outlined on their IEP as long as they continue to qualify with an exceptionality. Students with disabilities are entitled to a reevaluation at least every three years, the procedures for which are outlined in Bulletin 1508. Email specialeducation@la.gov or diverselearnersupports@la.gov with any questions.

ELs with disabilities may be able to receive an early exit from EL status after four years of being dually identified as an EL and a student with a disability. The IEP team should meet and discuss how the student's exceptionality is preventing their acquisition of **any language**. The IEP itself should then indicate this and the exceptionality should be indicative of one that would impede language acquisition in general.

REFERENCES

- [Chapter 6 of the EL Toolkit](#)
- [Bulletin 1508](#)
- [Ensuring English Learner Students can Participate Meaningfully and Equally in Educational Programs](#)
- [CCSSO English Learners with Disabilities Guide](#)
- [Strategies to Identify and Support English Learners with Learning Disabilities](#)
- [English Learner Library](#)
- [EL Programming One-Pager](#)
- [Students with Disabilities Library](#)

APPENDIX A: LANGUAGE ACQUISITION STAGES

Educators should understand the stages of language acquisition to better assess an EL's progress towards full English proficiency.

STAGE	TIME FRAME	DESCRIPTION
I: Preproduction	0-6 months	<ul style="list-style-type: none">• Silent period• Use non-verbal responses
II: Early Production	6 months-1 year	<ul style="list-style-type: none">• Basic comprehension• Speak in one-two word phrases• Yes/no answers• Answer to basic questions
III: Speech Emergence	1-3 years	<ul style="list-style-type: none">• Speak in short phrases and simple sentences• Basic dialogue• Answer and ask simple questions• Grammatical errors are common
IV: Intermediate Fluency	3-5 years	<ul style="list-style-type: none">• Beginning to use complex sentences• Can state opinions• Ask for clarification• Speak at greater length
V: Advanced Fluency	5-7 years	<ul style="list-style-type: none">• Using specialized, content-area vocabulary• Participate fully in grade-level classroom activities• Comparable to same age native-English speakers

From [Language Acquisition: An Overview](#) (Colorin Colorado).

The time frames listed here are average. Many factors can slow down or speed up the acquisition process. This is especially true for students with a suspected or identified disability.

