English Learner Special Education Referral Guide

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ABOUT THIS RESOURCE

This manual provides guidance for educators on the identification and referral process for English Learners (ELs) who may require special education services. It emphasizes timely and accurate identification using best practices and valid assessments.

INTRODUCTION

All students, including ELs, have the right to a free and appropriate public education. It is crucial to correctly identify and evaluate ELs who may have a disability for special education and related services in a timely manner, using best practices and valid assessments. English Learner (EL) status should not delay or be the basis for denying special education evaluation or services. Misidentified students may end up in classrooms or programs mismatched to their needs, which can hinder their educational achievement.

Expectations for Identification

When identifying ELs for special education, certain expectations must be upheld to ensure a fair and accurate process. Timely and accurate identification should be conducted using appropriate assessments that take into account the student's language proficiency and educational background. Collaboration between EL specialists and other relevant teams is essential, and a student's EL status should never delay or be used as a reason to deny a special education evaluation or services. Additionally, all identification procedures must adhere to legal requirements, including those outlined in the Individuals with Disabilities Education Act (IDEA).

Legal Framework

Key legal considerations when supporting ELs with disabilities include several federal laws that protect student rights. The Individuals with Disabilities Education Act (IDEA) guarantees all students, including ELs, the right to a free and appropriate public education.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in any program or activity that receives federal funding. Additionally, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in federally funded programs, which includes protections for ELs in educational settings.

Understanding Key Terms

This section provides brief definitions of commonly used terms related to English Learner (EL) identification and support:

Term	Definition
English as a New Language (ENL)	A specific type of instructional support designed to help ELs develop English language skills while accessing academic content.
Home Language Survey (HLS)	A questionnaire completed at enrollment to help identify students who may be eligible for EL services based on their language background.
English Language Proficiency Screener (ELPS)	An initial assessment administered to students flagged by the HLS to determine if they qualify as ELs.
English Language Proficiency Test (ELPT)	An annual assessment used to monitor ELs' progress in the four language domains: listening, speaking, reading, and writing.

Initial Identification: Recognizing Potential Needs

The referral process for an English Learner begins with recognizing when a student may need support beyond language services. Teachers play a key role by closely monitoring the students' classroom performance, including how the student engages with instruction, peers, and academic tasks. It is essential to collect data across multiple areas — such as academics, behavior, and communication — to develop a well-rounded understanding of the student's needs.

Teachers should document any persistent challenges the student faces in accessing the general education curriculum, even with language supports in place. These observations and data points provide the foundation for determining whether a special education evaluation may be appropriate.

Timeline

The identification timeline for ELs begins with administering a Home Language Survey (HLS) to all newly enrolled students within 30 days of enrollment. The HLS collects information about the languages a student understands, uses, and hears at home. If a language other than English is indicated, the next step is to administer the state-approved English Language Proficiency Screener (ELPS).

The ELPS evaluates a student's proficiency in listening, speaking, reading, and writing in English. A student must demonstrate non-English proficiency on the ELPS to be officially identified as an English Learner (EL) and receive language services and accommodations. Once screening is complete, families must be notified of their child's EL status in a timely manner.

Contribution of HLS and ELPS/ELPT

The HLS, ELPS, and English Language Proficiency Test (ELPT) play a foundational role in accurately identifying ELs, informing placement decisions, and ensuring that language acquisition is not mistaken for a learning disability. When used alongside valid assessments and collaborative planning, these tools help ensure ELs receive the right services at the right time.

Identification and Placement:

The HLS identifies potential ELs based on home language exposure. The ELPS confirms eligibility for EL services through a comprehensive assessment of English proficiency across the four language domains. Together, results from the HLS and ELPS inform placement into an appropriate language assistance program, ensuring supports align with student needs.

Ensuring Accurate Evaluation:

Accurate identification requires the use of valid assessment tools, professional expertise, and collaboration across departments. The ELPT is used annually to monitor ELs' progress in listening, speaking, reading, and writing. These tools help distinguish between language acquisition and disability, minimizing the risk of misidentification and ensuring appropriate instructional planning.

Checklist of Common Indicators of a Learning Disability

The checklist below is designed to help educators and support teams identify potential indicators of a learning disability in ELs and other students. It outlines common academic, behavioral, and communication challenges organized by area of difficulty. This tool is intended to support early identification and guide next steps in gathering data, initiating interventions, or considering referral for further evaluation.

Area of Difficulty	Indicators (Check all that apply)
General Signs	☐ Difficulty following directions or understanding instructions ☐ Trouble with organization and time management ☐ Frequent mistakes despite effort ☐ Slow processing of information ☐ Easily distracted or has difficulty maintaining focus ☐ Challenges with memory (short-term or long-term)
Reading Difficulties	☐ Struggles with recognizing letters or words ☐ Difficulty understanding or remembering what was read ☐ Poor spelling and frequent letter reversals (e.g., 'b' and 'd') ☐ Avoidance of reading activities
Speech and Language Issues	☐ Difficulty pronouncing words correctly ☐ Trouble finding the right words when speaking ☐ Difficulty understanding spoken language ☐ Struggles with following conversations or responding appropriately
Participation Response	☐ Low self-esteem or frustration with schoolwork ☐ Avoidance of school-related tasks ☐ Difficulty making or keeping friends ☐ Sensitivity to criticism
Writing Difficulties	☐ Poor handwriting or difficulty forming letters ☐ Frequent grammar, punctuation, or sentence structure errors ☐ Struggles with organizing thoughts into writing ☐ Avoidance of writing tasks
Math Difficulties	☐ Trouble understanding number concepts and relationships ☐ Difficulty memorizing basic math facts ☐ Struggles with solving word problems ☐ Confusion with sequences or multi-step math operations

Collaboration with EL Specialist

Collaboration with EL specialists is essential when evaluating whether a student's challenges are related to language development or may indicate a possible disability. EL specialists should be consulted to review the student's language acquisition progress and ensure that appropriate supports and accommodations are in place. This step helps determine whether the student's difficulties are typical of second language development or require further investigation.

Ongoing collaboration between EL specialists and Student Assistance Teams, such as SBLC or Pupil Appraisal, is critical for accurate decision-making. These teams must consider both environmental and linguistic factors when working with students from diverse backgrounds. A strong understanding of the student's language experiences and educational context supports a more informed and appropriate next step.

Types of Information to share with an EL specialist when discussing a student's learning challenges:

When discussing a student's learning challenges with an EL specialist, it is important to share a well-rounded set of information. The categories below help ensure that the conversation is informed by both academic and language development considerations:

Category	Information to Share
Background	Include details such as the student's native language, previous schooling experiences, and the length of time they have lived in the country or received English instruction.
Language Proficiency	Provide current proficiency levels in listening, speaking, reading, and writing. This information helps determine how language development may be affecting academic performance.
Environmental Considerations	Note any relevant background factors, including family dynamics, living situations, or other environmental influences that may impact the student's learning or behavior.
Academic Performance	Describe areas where the student is struggling, including specific subjects, participation in class, and how well accommodations or supports are working.
Engagement Aspects	Share observations about the student's interactions with peers, emotional responses to learning, and overall confidence or motivation in school settings.
Assessment & Progress	Include results from recent academic assessments and any available progress monitoring data to illustrate how the student is performing over time.
Support & Interventions	List previous interventions or supports that have been provided, along with notes on their effectiveness and any recommendations for next steps.

Referral to SBLC/IEP Team

When a student continues to experience learning challenges despite receiving appropriate language supports and targeted interventions, a referral to the School Building Level Committee (SBLC) may be warranted. The SBLC serves as a problem-solving team that reviews all available data to determine whether a special education evaluation is appropriate. This step ensures that decisions are informed by both the student's language development and academic progress.

In some cases, an immediate referral to pupil appraisal services may be necessary. This typically applies to students suspected of having low-incidence impairments that are more readily identifiable, such as:

- Hearing or visual impairments
- Deaf-blindness
- Traumatic brain injury
- Intellectual disability (moderate or severe)
- Multiple disabilities
- Severe autism, orthopedic impairments, or significant health issues

It is important to note that referrals for special education consideration are not limited by a student's English Learner status. Newcomers, beginner ELs, and long-term ELs may all be referred at any time if an exceptionality is suspected.

Sample Scenario for Referral to SBLC:
A 3rd-grade Spanish-speaking EL has been in the country for two years. Despite receiving ongoing language support, the student continues to struggle significantly with reading, writing, and social interactions. There is minimal academic progress, and the student often exhibits signs of emotional distress, including anxiety and withdrawal. Accommodations such as extended time and visual aids have been provided, but have not resulted in improvement.

Why Referral Is Appropriate:

This student is demonstrating persistent academic and behavioral challenges despite receiving targeted interventions and accommodations. These patterns may suggest the presence of an underlying learning disability. In this case, a referral to the School Building Level Committee (SBLC) is appropriate to review all available data and determine whether a special education evaluation is needed.

Comprehensive Evaluation: Ensuring Accurate Assessment

When a referral is made for a special education evaluation, it is essential to conduct a comprehensive assessment that accurately identifies whether the student has a disability. This evaluation must be tailored to the individual needs of the student and consider the full range of factors that may influence performance.

To ensure accuracy and fairness, evaluators should:

- Use assessment tools and procedures that are both environmentally and linguistically appropriate.
- Take into account the student's language proficiency, educational background, and exposure to instruction in English.
- Evaluate the student in all areas of suspected disability, without allowing limited English proficiency to mask or falsely indicate a learning issue.

This approach helps prevent misidentification and ensures that ELs are evaluated in a way that reflects their true abilities and needs.

SBLC Responsibilities

When evaluating referrals for ELs, SBLC teams should ensure that language development is central to the decision-making process. Key responsibilities include:

Consider how long the student has been learning English and their educational background.
The SBLC must take into account the student's length of time in U.S. schools, their prior educational experiences, and their exposure to English language instruction.

Gather information about the student's language development in both English and the home language.
Understanding how the student communicates in each language provides a more accurate and complete picture of their overall language abilities and learning profile.

Review the student's progress toward English language development goals.
The SBLC should evaluate whether the student is making expected progress based on their EL trajectory, helping to distinguish between language acquisition needs and possible indicators of a disability.

Assessment Tools and Areas They Evaluate

A variety of tools are used throughout the referral and evaluation process to gather comprehensive data on a student's language development, academic readiness, and behavioral needs. Below is an overview of key assessments and what each measures:

Assessment Tool	Area Evaluated
Home Language Survey (HLS)	Identifies a student's dominant language and helps determine whether the student may qualify for English Learner services.
English Language Proficiency Screener (ELPS)	Measures a student's current progress toward English language proficiency using the Louisiana Connectors for ELs. Results are reported across the four language domains: reading, writing, speaking, and listening.
English Language Proficiency Test (ELPT)	Administered as a state placement test to assess proficiency in listening, speaking, reading, and writing. Results help determine the need for continued language support services.
Achievement Placement Tests	Evaluate a student's readiness in English Language Arts (ELA) and mathematics, particularly in grades 4 and 8. Math tests are also available in Spanish. These assessments include a standardized achievement test for reading and math at the first-grade level.
Adaptive Behavior Assessment	Gathers input from both teachers and parents to evaluate how well a student manages daily life skills and adaptive behavior.
Functional Behavior Assessment (FBA)	Analyzes target behaviors by describing their intensity, duration, and frequency. This assessment also identifies antecedents and consequences that may be maintaining the behaviors.

Assessment Considerations for ELs

When evaluating ELs for possible disabilities, assessments must be conducted in a way that accurately reflects the student's abilities and does not conflate language development with learning challenges. The chart below outlines key considerations that should guide the evaluation process:

Assessment Consideration	Explanation
Assess in the student's native language	Use the student's home language unless it is clearly not feasible to do so.
Involve interpreters and translators	Use trained professionals to facilitate communication with families and ensure informed consent.
Avoid translating tests without validation	Do not translate standardized assessments unless their validity and reliability for ELs are clearly established.
Select appropriate assessment tools	Use instruments that are specifically validated and reliable for use with ELs.
Document non-standardized procedures	If any part of the assessment deviates from standard administration, this must be noted in the evaluation report, and results should be interpreted with caution.

IEP Development: Creating an Effective Plan

When a student is identified as eligible for special education services, the next step is to develop an Individualized Education Program (IEP) that meets the student's full range of needs. For EL, this plan must address both language development and disability-related supports. A well-constructed IEP ensures that the student can access the general education curriculum with appropriate scaffolds in place.

Key considerations for IEP development include:

- ☐ Develop the IEP after eligibility is determined
  Create an IEP that reflects the student's strengths and areas of need once they are formally identified as eligible for special education.
- ☐ Address both language and disability-related needs
  Ensure the IEP includes goals and supports for both language development and the specific exceptionality.
- ☐ Include necessary accommodations and modifications
  Provide instructional supports, testing accommodations, and classroom modifications that enable access to grade-level content.
- ☐ Include team members knowledgeable about the student's language needs
  Ensure the IEP team includes an EL specialist or someone with expertise in the student's language development to inform decisions.
- ☐ Integrate both language assistance and special education services
  The final plan should reflect a coordinated approach that includes both sets of services to support the student's growth.

Teamwork

Developing an effective IEP requires collaboration among professionals who understand the student's academic, language, and developmental needs. A strong team ensures that all aspects of the student's learning are addressed and that families are active partners in the process.

Assemble a comprehensive IEP team
The team should include the student (when appropriate), the student's parents or guardians, a general education teacher, a special education teacher, an EL specialist, and any other professionals relevant to the student's needs (e.g., speech-language pathologist, counselor).

Ensure meaningful communication with families
Provide interpreters and translated documents as needed to support clear communication and informed participation from families throughout the IEP development process.

Key Highlights

The following points highlight key considerations when developing an Individualized Education Program (IEP) for an English Learner (EL) who has been identified as a student with a disability:

- The IEP must address **both language-related and disability-related needs**.
- A student's participation in a language instruction educational program **may not delay or prevent a special education evaluation**.
- The IEP should include **services that support English language development alongside special education services**.
- The IEP team must include **participants who are knowledgeable about the student's language needs**.
- Services included in the IEP must be tailored to the student's **specific disability and level of English proficiency**.
- Once a student is determined to have an exceptionality, **an IEP must be developed**.
- The type and delivery of services must be determined **during the IEP team meeting**, based on the results and recommendations of the evaluation.
- Common accommodations may include **a bilingual dictionary or instructions in the student's native language**, as outlined in the EL Accommodations Checklist.

Providing Appropriate Services and Supports

ELs with disabilities require coordinated services that address both their language development and individualized educational needs. The strategies below help ensure access to high-quality instruction and meaningful participation in the general education setting:

Integrate language assistance and special education services
Ensure students receive both language support and disability-related services, with neither replacing the other.

Apply accommodations and modifications
Use tools and strategies such as extended time, alternate formats, and adjusted tasks to support access to instruction and assessments.

Ensure instructional accessibility in general education settings
Incorporate supports such as visuals, gestures, demonstrations, step-by-step modeling, audio versions of text, and frequent checks for understanding to reinforce concepts and engagement.

Deliver targeted language supports during instruction
Provide explicit vocabulary instruction and model fluent reading, pacing, and expression through read-alouds to strengthen language acquisition.

Monitor progress and adjust support as needed
Track both language and academic progress regularly to ensure that interventions remain appropriate and effective.

Types of Supports to Assist ELs

The chart below organizes various supports available to ELs by category. These supports help ensure ELs receive the instruction, interventions, and services they need for success.

Support Category	Examples of Support
Instructional Supports	- High-quality, standards-based instruction from content-area teachers - Explicit instruction of English language structures by an EL teacher - Sheltered Instruction strategies - Appropriate scaffolds by language domain and proficiency level - Explicit vocabulary instruction - Modeling fluency, pacing, and expression through read-alouds - Visuals, gestures, demonstrations, and audio versions of text - Frequent checks for understanding
Language and Disability Services	- Integrated language assistance and special education services - EL Instructional Support Plan, EL Classroom Differentiation Plan, and EL Accommodation Checklist - IEP (Individualized Education Program) - Test accommodations, including bilingual dictionaries and directions in the student's native language - Use of interpreters and translators for families - Services tailored to language and disability-related needs
Intervention and Monitoring	- Tiered Pathway for Literacy Support - Response to Intervention (RTI) - Small-group intensive interventions targeting instructional needs - Progress monitoring to guide and adjust interventions - Early intervention strategies
Collaborative Support Systems	- Collaboration among EL specialists, special education, pupil appraisal, and general education staff - Problem-solving and child study teams - Peer or expert consultation - Support systems for teachers, including access to specialists and coaching - Tutoring, mentoring, and academic or career counseling for immigrant children and youth
School Environment and Family Engagement	- Positive and welcoming school climate - Environmental and linguistic awareness among educators - Staff development on assessment, child development, and instructional strategies - Use of interpreters and translators for school-home communication - Directions and supports available in the student's native language

Avoiding Common Pitfalls

When supporting ELs through the evaluation and IEP process, it is essential to avoid common missteps that may lead to misidentification or inappropriate services. Keep the following in mind:

- **Do not delay special education evaluations** based on the student's EL status. Language development should not be a reason to postpone needed services.
- **Do not assume all learning difficulties are due to language acquisition.** Persistent challenges that do not improve with appropriate EL supports may indicate a disability.
- **Avoid using assessment tools that are not validated for ELs**, and do not translate test materials unless validity and reliability have been established.
- **Do not use interpreters during standardized testing** without documenting the procedures used and interpreting the results with caution in the evaluation report.

Repercussions of Not Providing Appropriate Support

Failing to provide appropriate supports for ELs with disabilities can lead to serious consequences that impact both student outcomes and legal compliance. Key risks include:

Misidentification
Without appropriate assessments and language supports, students may be misidentified and placed in programs that do not align with their actual needs, limiting educational growth.

Delayed or Denied Services
EL status must never delay or serve as a reason to deny special education evaluation or services.

Inappropriate Assessment
Using tools that are not linguistically appropriate—or translating test materials without confirming their validity and reliability—can result in inaccurate evaluation outcomes.

Limited Access to Curriculum
Without proper language support and accommodations, students may struggle to engage with grade-level content and fall behind academically.

Communication Barriers
Not providing interpreters or translated documents can prevent meaningful engagement with families and limit their ability to participate in educational decision-making.

Legal Noncompliance
Failure to support ELs with disabilities may violate federal requirements under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and Title VI of the Civil Rights Act of 1964.

Ensuring Accurate Evaluation

- Accurate identification relies on professional knowledge, valid assessments, appropriate interventions, and collaboration across departments.
- The ELPT is used for annual progress monitoring, measuring proficiency across the four language domains: listening, speaking, reading, and writing.
- These tools help distinguish language acquisition from disability, reducing the risk of misidentification and inappropriate placement.

Implications for IEP Development

- To ensure an IEP addresses language-related needs, the team must include members with expertise in English language development.
- Environmental and linguistic awareness are essential when evaluating ELs and planning for services.
- When combined with environmentally and linguistically appropriate assessments, the HLS and ELPS/ELPT ensure ELs receive both accurate evaluations and targeted support for language and learning needs.

Strategies to Support ELs in General Education

General education classrooms play a key role in supporting ELs as they develop language proficiency and access grade-level content. The strategies below can help teachers create linguistically responsive and academically rigorous learning environments:

Make instruction accessible using supportive tools and techniques
Incorporate visuals, gestures, and demonstrations to support comprehension. Use clear, step-by-step instructions, audio versions of text, and conduct frequent checks for understanding to ensure ELs are engaged and following along.

Provide explicit vocabulary instruction
Teach academic and content-specific vocabulary directly, using modeling, examples, and repetition to build word knowledge and language confidence.

Model fluent language use
Use read-alouds to demonstrate fluency, appropriate pacing, and prosody. This helps ELs internalize how language sounds and functions in academic settings.

Key Considerations Before Referral

- Has the student received high-quality core curriculum and daily instruction?
- Have appropriate language supports been consistently implemented?
- Is there data-based documentation that the student's lack of educational progress is not primarily due to: Lack of appropriate instruction in reading, Lack of appropriate instruction in math, Limited English proficiency, or environmental factors?

Parental Rights and Involvement

- Inform parents about the process used to assess their child's response to interventions.
- Provide all required notices and information in a language parents can understand.
- Obtain informed consent in all required areas from appropriate family members.
- Offer and use interpreters/translators to facilitate communication and consent with families.

Conclusion

Referring ELs for special education services requires careful consideration of language proficiency, background, and individual needs. Collaboration, appropriate assessment, and parental involvement are essential for successful outcomes. Remember, EL status should not be the sole determinant in identifying a disability.

Resources and Support

Louisiana Department of Education (LDOE) Resources

- **English Learner Handbook**
  Comprehensive guidance on EL programs, instruction, and compliance in Louisiana.

- **Identifying and Supporting English Learners with Disabilities**
  Guidance document focused on appropriate identification, evaluation, and support for ELs with potential disabilities.

- **LDOE English Learner Resources**
  A collection of tools, templates, and state policies for EL programming.

- **ELs/SWD Flow Chart**
  A decision-making tool to support referral, evaluation, and service decisions for ELs with disabilities.

National Resources

- **U.S. Department of Education English Learner Toolkit**
  A comprehensive guide for districts and schools on meeting federal obligations to ELs.

- **National Education Association (NEA): English Language Learners — What You Need to Know**
  Foundational information on instructional strategies and EL rights.

- **NEA English Language Learner Toolkit**
  A practical toolkit with strategies and supports for general educators working with ELs.

- **National Association for English Learner Program Administrators (NAELPA)**
  A national organization supporting EL leadership and program administration through policy, research, and professional development.

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