

# Identifying and Serving Students who are English Learners with Disabilities: Policy and Resource Guide Maine DOE, 2021

## Preview

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# Welcome!

- Please ask questions, share resources and contribute to the conversation through the chat. There will be time to respond to some of your questions and contributions at the end of the presentation.
- Please remain muted when not speaking.

# Development and Process

## **Key Developers:**

April Perkins, World Languages & ESOL/Bilingual Programs Specialist, Maine DOE

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## **Process:**

- Review of other state manuals
- Identify stakeholders
- Share document with Special Services and form a collaborative team
- Share with identified stakeholders
- Legal review, Maine DOE
- Goal for implementation: 2021-2022 school year

# Table of Contents

- Introduction
- Pre-Referral Procedures: Steps 1-4
- Comprehensive Evaluation of ELs
- Determination of Eligibility for Special Education and Related Services
- Development of the IEP
- Instructional Considerations
- Communication with Parents/Guardians
- Commonly Asked Questions & Answers
- Case Studies
- Definitions
- Resources

# Introduction

## Key Themes:

- Equitable education for ELs with disabilities
- Accurate and appropriate identification of ELs with disabilities using multiple measures
- Providing culturally and linguistically responsive dual services
- Collaboration among educators: special educators, ESOL teachers, general education teachers, administrators and specialists

# Pre-referral Procedures Steps:

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1. Teacher Intervention

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2. Teacher Requests School  
Team Assistance

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3. School Team Intervention

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4. School Team Suspects a  
Disability

# Pre-Referral Procedures

**Step 1.** Teacher provides culturally & linguistically responsive instruction and interventions to EL in general education setting in collaboration with the ESOL teacher. Determine languages used by students.

**Step 2.** Teacher requests help from school team to determine additional supports for student. Data collection: Written Records, Observation, Interviews (teacher, student, family members). ESOL teacher participates & collaborates.

**Step 3.** School team reviews data and determines if sociocultural factors are contributing to learning difficulty: learning environment & opportunity to learn, oral language and literacy (L1 & L2), personal & family, physical & psychological, previous schooling, cross-culture & acculturation. Team recommends additional culturally & linguistically responsive supports or interventions.

**Step 3. Continued.** School team reviews student progress and makes decision on continued intervention or suspicion of a disability.

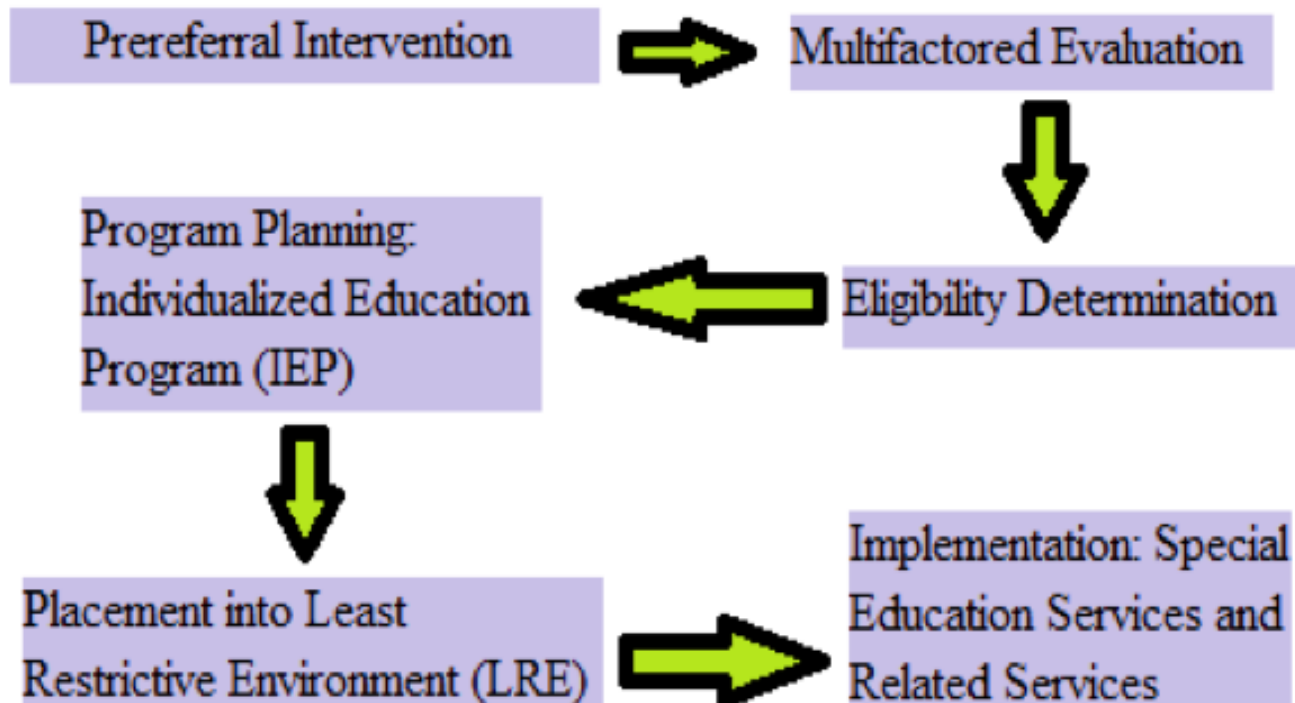
**Step 3. Continued.** School team determines additional interventions are required and continues to monitor student.

**Step 4.** School team submits a referral for a suspicion of a disability to special education staff.



# Determination of Eligibility for Special Education and Related Services

## Referral Process





# Comprehensive Evaluation of ELs

***ELs cannot be denied access to special education and related services due to the lack of appropriate test instruments and procedures, therefore, a continued and expanded commitment to exploring interventions and dynamic evaluation strategies is essential.***

- ✓ Comprehensive evaluations are conducted in all areas related to the suspected disability using a multifaceted approach.
- ✓ Information is gathered from a variety of sources to develop a complete picture of the child's current function and needs.
- ✓ Tests, assessments, and other components are selected and administered to be neither culturally, linguistically, nor racially discriminatory.

# Development of the IEP

***The ESOL teacher or representative with expertise in the second language acquisition process is a member of the IEP team for any EL student.***

The student's proficiency in English and their home/primary language is included in the student's present level of academic achievement and functional performance and is considered when determining goals, accommodations and modifications, and services that are included in the IEP.

# Instructional Considerations

***ELs with disabilities are entitled to the same ESOL programming as ELs without a disability.***

**ACCESS for ELLs  
Overall Composite  
Score**

***Foundational  
WIDA Level 1, Level 2 and  
Level 3\*  
(ACCESS Overall Scores  
1.0-2.9)***

***Transitional  
WIDA Level 3\*, Level 4,  
Level 5 & Level 6  
(ACCESS 2.0 Overall  
Scores 3.0 and higher)***

**Recommended  
Periods of ESOL  
Instruction**

***At least two to three  
periods\* per day of  
direct ESOL instruction,  
delivered by a licensed  
ESOL teacher***

***At least one period\* per  
day of direct ESOL  
instruction, delivered by  
a licensed ESOL teacher***

- ✓ Consider the student's proficiency in English and in their home/primary language(s), culture, family, funds of knowledge, strengths, and interests when designing curricula that integrates both language development and content instruction.
- ✓ Consider the least restrictive environment for the student when planning for instruction and services.

# Communication with Parents

1

School districts must engage in meaningful communication in a language that parents/guardians can understand.

2

Provide qualified interpreters and translators – the link between the school, student and family.

3

Inform parents of their rights – working as a team to support their child, resolving differences.



## Key Resources:

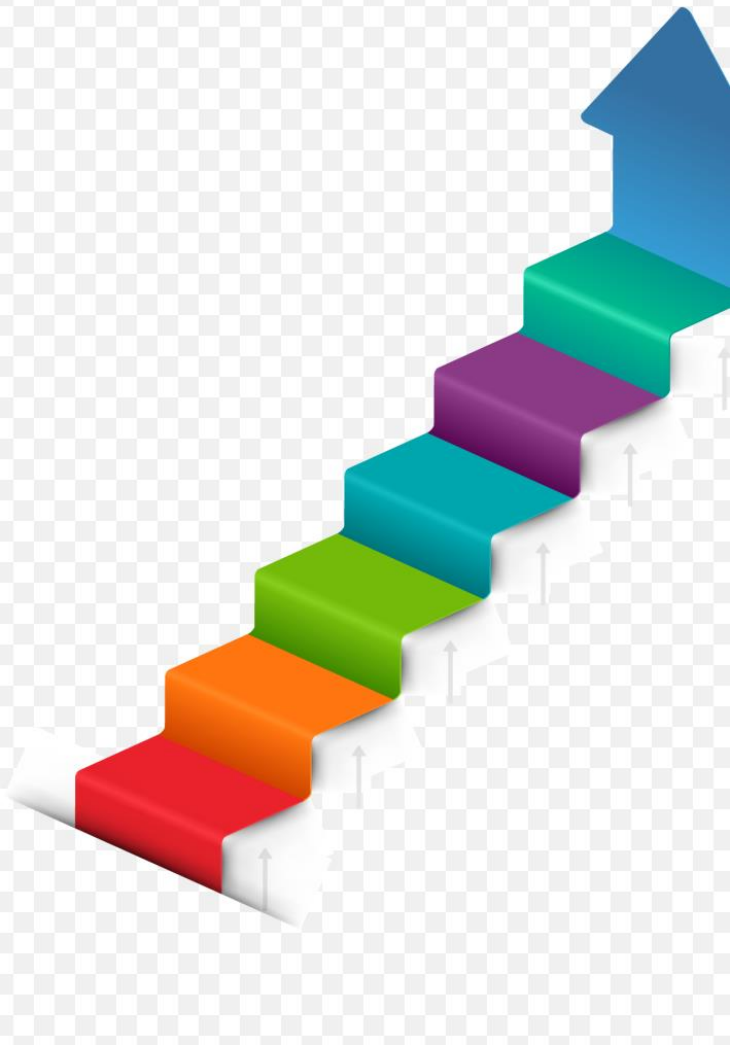
- ❖ **English Learner Tool Kit** (U.S. Dept. of Education, Office of English Language Acquisition)
- ❖ **Dear Colleague Letter, 2015** (U.S. Departments of Office of Civil Rights & Department of Justice)
- ❖ **Guidance Manuals for Educators of English Learners with Disabilities: Ideas and Lessons from the Field** (National Center on Educational Outcomes (NCEO Report 410, 2019))
- ❖ **Many Other Resources** – Including Case Studies

# Commonly Asked Questions and Answers



Questions fall under the following categories:

- EL Identification
  - Serving ELs with a Disability
  - Assessing ELs with Disability
  - Language Acquisition and Development
- ❖ ***Add your questions to the chat – we will make sure that your questions are covered or considered if not already addressed.***



# Next Steps

- Meet with Various Stakeholder Groups:
  - ✓ Review document
  - ✓ Provide comments
  - ✓ Final edits
- Maine DOE Stamp of Approval
- Roll out to Schools (2021-2022)



Please contact me with any additional questions or comments at **[Maureen.Fox@maine.gov](mailto:Maureen.Fox@maine.gov)**

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*Thank you for your interest and participation!*