

# SERVING MULTILINGUAL LEARNERS WITH DISABILITIES

## POLICY & RESOURCE GUIDANCE

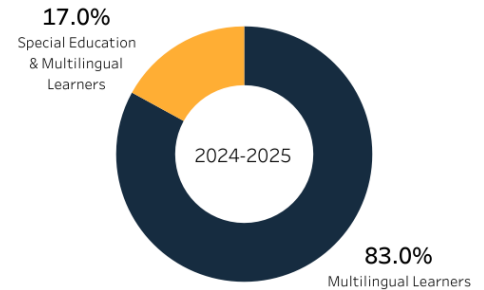


### Identifying & Serving Students who are Multilingual Learners with Disabilities: Policy & Resource Guide

The Maine DOE ESOL and Special Services and Inclusive Education teams collaborated to develop Maine's first guidance manual on Identifying and Serving Multilingual Learners with Disabilities.

[Download the Guide](#)

#### Multilingual Learners with Disabilities



### FAQ: Can multilingual learners (MLs) receive both English for Speakers of Other Languages (ESOL) services and special education services?

**Yes.** The ML Students' and Limited English Proficient Parents' [Dear Colleague Letter](#) (p.12) mandates that all MLs who have not yet reached proficiency on the state English language proficiency assessment must receive ESOL services. This mandate includes MLs with disabilities. Additionally, the Dear Colleague Letter (p .25) specifies that the establishment of "no dual services" policies (i.e. a policy of allowing students to receive either ESOL services or special education services, but not both) **is prohibited under IDEA and federal civil rights guidance.**



### FAQ: How long is the waiting period before referring a student who is an ML?

The IDEA and federal civil rights guidance (Dear Colleague Letter) prohibit a policy of delaying evaluations of MLs to determine the need for special education and related services over a specified period of time based on English language proficiency or ML status.

"...it is essential that the IEP team include participants who have the requisite knowledge of the child's language needs. To ensure that EL children with disabilities receive services that meet their language and special education needs, **it is important for members of the IEP team to include professionals with training, and preferably expertise, in second language acquisition** and an understanding of how to differentiate between the student's limited English proficiency and the student's disability." (U.S. Department of Justice and Department of Education, Dear Colleague Letter. January 7, 2015)

Resource developed by Melissa Frans, Multilingual Learner Teacher Leader Fellow, 2024-2025

