Meeting the Unique Needs of English Learners With or Suspected of Having Disabilities

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Agenda

★ Outcomes
★ Pop Quiz!
★ Laws & Regulations Surrounding EL-SWDs
★ ESE English Learners with Disabilities Guidance
★ Promising Practice
★ Final Thoughts
Outcomes: Participants will...

- Expand knowledge & understanding of the laws & regulations surrounding the identification & evaluation of English learners with disabilities (EL-SWD)

- Become familiar with a promising practice for differentiating between language difference & learning disability
Pop Quiz!

Let’s test your knowledge of an EL-SWD topic....
Which program/service “trumps” the other?

English Language Education (ELE)

or

Special Education & Related Services
NEITHER!

“School districts must provide EL students with disabilities with both the language assistance and disability-related services to which they are entitled under Federal law.”
(DCL, 2015, p.24)
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Laws & Regulations Surrounding EL-SWDS
Civil Rights Laws & Free and Appropriate Public Education Obligations, (DCL, 2015)

- Located, identified, & evaluated
- Appropriate identification
- Assess & evaluate in appropriate language
- Inclusion of participants knowledgeable of student’s language needs
- Simultaneous provision of ELE-SPED services
- Parent/guardian-meaningful participation
- Consider how the student’s language needs relate to the IEP
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ESE English Learners with Disabilities Guidance Topics
Let’s …
Question...

Is there a specific wait-time before referring ELs for special education evaluation?
Answer: NO

Delaying disability evaluations of EL students for special education and related services for a specified period of time based on EL status is impermissible under IDEA and Federal civil rights laws.

(DCL, 2015, p.25)
Identification of Students Who Have or May Have Specific Learning Disabilities

“SEAs and school districts must ensure that all EL students who may have a disability, like all other students who may have a disability and need services under IDEA or Section 504, are located, identified, and evaluated for special education and disability-related services in a timely manner.”

(DCL, 2015, p.24)
Fact Gathering Activity

todaysmeet.com

1. Using an internet-connected device, scan the QRC code or enter the following web address:

https://todaysmeet.com/MATSOL2017_EL-SWD

2. Create a “nickname”

3. You are now ready to post your comments!
Activity #1: Identifying Students Who Have or May Have Disabilities

★ What are your district/school’s current procedures for identifying students who have or may have disabilities?

★ Who are the individuals responsible for conducting these procedures?

★ As an English Learner Education professional, what steps can you take to improve identification practices in your district/school?

Post your responses on our “Today’s Meet” classroom wall!
Let’s …
True or False?

When determining the eligibility of an EL for special education services, ELE professionals are optional IEP team members.
Answer: FALSE

“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.”

(DCL, 2015, p.27)
Evaluation for Special Education & Related Services

“When conducting such evaluations, school districts must consider the English language proficiency of EL students in determining the appropriate assessments and other evaluation materials to be used. School districts must not identify or determine that EL students are students with disabilities because of their limited English language proficiency.”

(DCL, 2015, p.24)
Activity #2: Evaluation of Students for Special Education Services

- In your district/school, how is language proficiency considered when selecting appropriate assessments and other evaluation materials for special education evaluation?

- Who are the individuals responsible for selecting assessments and other evaluation materials?

- As an English Learner Education professional, what steps can you take to improve evaluation practices in your district/school?

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Promising Practice: Differentiating Between Language Difference & Learning Disability
What is a “Specific Learning Disability (SLD)?”

A disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations.

(603 CMR 28.00; 34 CFR §§300.8(c)(10); 300.309)
MA SLD Determination: Comprehensive, 4 Component Process

- Historical Review and Educational Assessment
- Area of Concern and Evaluation Method
- Exclusionary Factors
- Observation
Promising Practice: Culturally & Linguistically Responsive Instruction & Intervention

High Quality Core Curriculum & Instruction School-wide/behavior & social rules, supports, expectations

Universal Screening & Progress Monitoring

Tier 3- Intensive & Core

Tier 2- Supplemental & Core

Core Instruction/Universal Behavioral Supports

Flexible Tiers

Research-based Interventions & Assessment Practices

Collaborative School-Family Problem Solving

Adapted from Massachusetts Tiered System of Support Overview, September 2012.
Delaying or Denying Evaluation

“The regulations at 34 CFR §300.301(b) allow a parent to request an initial evaluation at any time to determine if a child is a child with a disability. The use of RTI strategies cannot be used to delay or deny the provision of a full and individual evaluation, pursuant to 34 CFR §§300.304-300.311, to a child suspected of having a disability under 34 CFR §300.8.”

(OSEP, 2011)
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The Integrated Needs of EL-SWDs
Final thoughts...

Each one of us can make a difference. Together we make change.

— Barbara Mikulski
Contact Information

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Resources


Resources, cont.


- U.S. Department of Education. (2015, October 6). *English Learner Tool Kit (OELA) [Pamphlets; Reference Materials]*.