English as a Second Language, Special Education, or both?

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How students are identified as English learners (ELs)

- Home Language Survey **AND**
- English language proficiency assessment
  - IPT/Pre-IPT
  - LAS/LAS Links, Pre-LAS
  - LPTS
  - KELPA-P
  - KELPA

How students are identified as in need of Special Education

- Student is referred to SIT/SAT team to go through a process for identification for Special Education services. The process includes:
  - Documented interventions from teacher
  - Observations from school psychologist
  - MTSS – student consistently in Tier 3 and still in need of additional assistance receives a referral to Special Education or to SIT/SAT for additional interventions first

Legal rights of ELs

- Equal & meaningful access to curriculum
- ESOL endorsed teacher in the district
- Participation in Special Education, gifted/talented and AP courses
- Cannot be identified as in need of Special Education due only to non-proficiency in English
- Cannot be retained due only to non-proficiency in English

Legal rights for students receiving Special Education

- Free Appropriate Public Education (FAPE)
- When writing the IEP, if the child is LEP, the language needs of the child must be considered as they relate to the IEP
- Abilities are assessed and documented, not as a result of second language acquisition concerns
- Interpreters and translations

Kansas Special Education Process Handbook

91-40-9. Evaluation procedures. (a) If assessment instruments are used as a part of the evaluation or reevaluation of an exceptional child, the agency shall ensure that the following requirements are met:
(1)…(A) Be selected and administered so as not to be racially or culturally discriminatory; and
(B) be provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless this is clearly not feasible.

Kansas Special Education Process Handbook

91-40-9. Evaluation procedures. (a)…(2) Materials and procedures used to assess a child with limited English proficiency shall be selected and administered to ensure that they measure the extent to which the child has an exceptionality and needs special education, rather than measuring the child's English language skills.

Kansas Special Education Process Handbook

91-40-9. Evaluation procedures. (a)…
(3) A variety of assessment tools and strategies shall be used to gather relevant functional and developmental information about the child, including information provided by the parent, and information related to enabling the child to be involved and progress in the general curriculum or, for a preschool child, to participate in appropriate activities that could assist in determining whether the child is an exceptional child and what the content of the child's IEP should be.

Things to consider

- No one test - multiple assessments of various types necessary
- Use of native language and native language assessment, assessments in English, and non-linguistic assessments
- Conversations with parents and others from the same culture to see what is expected and what is not
- Silent period, culture shock, international adoption, child's home life, opportunity
- What are the parents'/child's views and feelings about SPED/ESOL

Students can qualify for ESOL **and** SPED

- Students with disabilities may have a home language other than English and may qualify as ELs
- Students who are gifted may have a home language other than English and qualify as ELs
- Children who are gifted or EL may have a learning disability that should be addressed in Special Education, with ESOL

How do we know which services a student needs?

- Is there a language other than English on the HLS?
- How long has the student been receiving ESOL services and for how many minutes per day/week?
- If parents are concerned that the student needs Special Education, talk with parents then refer to SIT/SAT if needed
- If ESOL teacher considers the student's progress to be something outside the norm for an EL, discuss with parents, then consider observing for SPED

How do we know which services a student needs?

- Is the child's social and emotional behavior normal, or normal for his home culture?
- Is the child adjusting to his new culture/environment normally?
- How did the child do in school in home country or in home language?
- How much formal schooling has the child had? In which language?
- Assess for SPED and for ESOL

How to serve students who qualify for ESOL and SPED

- Assess using multiple measures
- Be aware of what is culturally appropriate and normal for that student
- Engage parents
- Use a variety of teaching styles and techniques
- Take inventory of what the student's strengths and challenges are…what does s/he do best, where does s/he get frustrated?

How to serve students who qualify for ESOL and SPED…

- Bilingual teacher who is an expert in SPED and ESOL
- Bilingual teacher who is an expert in one, willing to learn about the other
- Interpreter with good relationship with the family
- Rely on shared expertise to do what's in the best interest of the child
- Become familiar with the child's culture/language

How should services be delivered?

- Expertise of ESOL and SPED together will decide – both teams aware of both plans
  - What is best for that student – separate and structured, student led, inclusion, etc?
  - What level of native language support should be considered and for how long?
  - Co-teaching, or cross-training?

Resources

- Dr. Catherine Collier
  www.crosscultured.com
- Dr. Janette Klingner
  The University of Colorado
- Dr. Alba Ortiz
  The University of Texas at Austin
- NCCRESt
  National Center for Culturally Responsive Educational Systems www.nccrest.org

Resources

- Kansas Special Education Process Handbook
  http://www.ksde.org/Default.aspx?tabid=3152
- KSDE Special Education
  http://www.ksde.org/Default.aspx?tabid=101
- KSDE Title III/State ESOL
  http://www.ksde.org/Default.aspx?tabid=350

QUESTIONS?

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