# Multilingual Learner Processing Guide

## The Special Education Process

## Introduction

This Multilingual Learner Processing Guide was developed for Education Teams to use when considering a referral for Special Education evaluation of Multilingual Learners. The following is a list of items to consider, in addition to all other pertinent data, to problem solve any questionable or poor response to evidence-based intervention, to determine whether a referral for special education evaluation is necessary, or to reflect more deeply on why a dually identified student is struggling to achieve the goals in their IEP. For each item, team members can mark "yes" or "no." When "yes" is marked, enter or attach relevant supporting evidence. When "no" is marked, consider what additional information about the student or action to support the student may be needed. In all Problem Solving discussions regarding Multilingual Learners, an educator knowledgeable in English language acquisition and acculturation should be notified of educational concerns and recruited for consultation. Keep in mind that per federal law, this tool should never be used to delay an evaluation when the team suspects the presence of a disability that may necessitate the provision of specially designed instruction. This tool can be used as part of a comprehensive evaluation to help determine eligibility as well as services, supports, and goals for Multilingual Learners.

**Guiding Questions:**

- What evidence shows that the student is/is not making adequate progress with current interventions and the Language Instruction Education Program (LIEP) and is working towards enrolled grade-level performance as compared to True Peers?
- How do language and culture inform the development of appropriate instruction and support for the student?

## Family Engagement

**Team member(s) and the family have established protocols for bidirectional communication including how to recruit a language interpreter who can use family-friendly language to properly explain challenging educational topics.**

Yes

No

Evidence:

**The team has taken steps to understand the family's cultural and linguistic background and the student's academic experiences by performing an Ethnographic Interview and has identified a point person for ongoing communication.**

Yes

No

Evidence:

**The team has conveyed the strengths and challenges of the student related to the grade-level academic, behavioral, and social-emotional expectations.**

      Yes

      No

Evidence:

**The school's problem-solving process and/or the possible special education process, including the difference between medical diagnosis and the identification of an educational disability, has been clearly explained to the family's satisfaction.**

      Yes

      No

Evidence:

**The family has been made aware of available community resources and how to access them (i.e. advocacy organizations, free and low-cost medical services, family literacy, English as a Second Language (ESL) classes for adults, etc.).**

      Yes

      No

Evidence:

**IEP Teams:  The Prior Written Notice (PWN), Consent for Evaluation, and the Procedural Safeguards Notice are in a language and mode the family can understand, and the team has explained these documents through a professional interpreter to the family's satisfaction.**

      Yes

      No

Evidence:

## Student Language and Academic Background

**The student has been properly identified as a Multilingual Learner, by the English Language Development staff, using [Colorado's Standardized Identification Process](#).**

Yes

No

Evidence:

**The student's most recent English Language Proficiency (ELP) level data have been collected and analyzed by an educator or evaluator who is knowledgeable in English language acquisition and acculturation, and this information has been shared with the team.**

Yes

No

Evidence:

**Efforts have been made to understand the student's level(s) of proficiency across domains in the primary or home language other than English (through interviews, and formal and informal assessments).**

Yes

No

Evidence:

**Information is gathered about formal education in the student's country of origin if applicable, including start and end dates, length of school day, grade levels completed, transcripts if available, attendance, retention/promotion, etc.**

Yes

No

Evidence:

**Someone knowledgeable in the school system of the home country (the family, a family liaison) has explained to the team how the transcripts align and do not align with the U.S. school system.**

Yes

No

Evidence:

**If applicable, information is gathered about any prior or ongoing instruction or practice in the student's home language other than English.**

Yes

No

Evidence:

**Information is gathered about any limited or interrupted schooling.**

Yes

No

Evidence:

**Information is gathered about language(s) used in the home, including which languages are used by whom, etc., the degree to which the student understands and participates in those conversations, in which language the student responds, etc.**

Yes

No

Evidence:

## Academic, Social Emotional, and Behavioral Data

**All data (summative, formative, and diagnostic data) are compared using True Peer Comparative Data (students with similar English language proficiency, age, grade, nationality, years in the country, etc.) to determine if there is any discrepancy in performance or rate of growth.**

      Yes

      No

Evidence:

**The team can substantiate that the student has received both targeted English language development instruction and the scaffolds and supports necessary to access grade-level content standards and instruction, regardless of the student's level of English Language Proficiency.**

      Yes

      No

Evidence:

**The student is actively engaged in grade-level content instruction, especially in those content areas in which they may demonstrate academic challenges. The student has opportunities to talk and interact with adults and peers (other MLs and English speakers who can model fluent use of the English language in context).**

      Yes

      No

Evidence:

**The team has explored the impact of extrinsic factors (the student's background knowledge, lived experiences, access to academic content, access to the English language, and the student's and family's cultural values and expectations). The team has also considered the possible impact of a misalignment between the student's home culture and that of the US school system, on the student's degree of motivation to attend, learn, and engage in school.**

      Yes

      No

Evidence:

**There is evidence that the student feels welcome and safe, is held to appropriately high expectations, and sees individuals of diverse cultural and linguistic backgrounds, including their own, in the curriculum.**

Yes

No

Evidence:

**Teams have considered the impact of cultural or linguistic bias inherent in assessment tools and have described how they are interpreting and reporting data, considering responses in both languages and erroneous responses to culturally loaded items.**

Yes

No

Evidence:

**Interventions are evidence-based for use with Multilingual Learners that match the demographics of Multilingual Learners in the school and/or are appropriately scaffolded, based on the student's demonstrated strengths and needs as a Multilingual Learner, and in consultation with an educator who is knowledgeable in English language acquisition and acculturation.**

Yes

No

Evidence:

**Reflection Questions to Identify Next Steps:**

- How has the team analyzed the cultural loading and linguistic demands of the data gathering tools (classroom assessments, progress monitoring tools, school, district, and state tests, etc.) in relationship to the student's language proficiency(ies), experiential, and academic background before administration?

- How were data critically analyzed by considering language proficiencies and cultural and academic background, to ensure an accurate reflection of the student's strengths and challenges?

- What exclusionary factors (link here) may be present that may potentially impact eligibility?
    - Limited English Proficiency
    - Culture
    - Socioeconomic Status
    - Lack of instruction in Reading and Math

- In what ways could the student's cultural and linguistic background and/or socioeconomic status be determinative factors in the student's performance and areas of concern?

- Based on the above data and process, what additional data are needed that will more accurately describe the student's performance including strengths, preferences, and interests, if any?

- What evidence and multiple data points does the team have that document a suspected disability?

- Based on the above evidence, what is the team's consensus regarding the recommendation to refer the student for a special education evaluation?

- Based on the evidence above, what possible implications for instruction or scaffolds are there?

# WHERE CAN I LEARN MORE?
Office of English Language Arts (OELA) English Learner Toolkit Chapter 6