

Body of Evidence: Culturally and/or Linguistically Diverse Students Suspected of Having a Disability

STUDENT'S NAME: _____

DUE DATE: _____

CLASSROOM TEACHER: _____

GRADE: _____

REQUIREMENT: The appropriate referral, identification, and placement of learners who are Culturally and/or Linguistically Diverse is necessary to ensure students' civil rights as well as a free and appropriate public education aligned with the Individuals with Disabilities Education Act.

PURPOSE: Examining relevant functional, developmental, linguistic, and academic information from a variety of sources is necessary in order to measure the extent to which the child has learning difficulties rather than measuring the child's English language skills. A child cannot be determined to be a student with a disability if the child can receive reasonable educational benefit from general education or if the determinant factor for that determination is Limited English Proficiency or Cultural Factors.

The documentation of the determination of eligibility, as required in §300.306(a)(2) must contain a statement of:

- Whether the child has a specific learning disability
- The basis for making the determination
 - Including a variety of sources, including aptitude and achievement tests, parent input, and teacher recommendations as well as information about the child's physical condition, social or cultural background, and adaptive behavior
- Appropriate instruction in regular education settings
- The child's academic performance and behavior in the areas of difficulty during an observation in the child's learning environment
- The educationally relevant medical findings, if any
- Whether the child does not achieve adequately or make sufficient progress for the child's age or to meet State-approved grade-level standards
- The effects of a visual, hearing, or motor disability; mental retardation; emotional disturbance; cultural factors; environmental or economic disadvantage; or Limited English Proficiency on the child's achievement level
- Participation in a process that assesses the child's response to scientific, research-based interventions
 - The instructional strategies used and the student-centered data collected at repeated intervals
 - Documentation the child's parents were notified about the amount and nature of the student performance data that would be collected and the general education services that would be provided; strategies for increasing the child's rate of learning; and, the parents' right to request an evaluation

DIRECTIONS: Use these forms when a student who is an English language learner and/or culturally diverse is suspected of having a disability. Generally, the Rtl or MTSS team initiates a special education referral; however, a parent can initiate an evaluation via a written request. The special education staff need all of the information asked for in these forms and they legally have 60 days to complete an evaluation. It's recommended that a person is identified to manage the forms (establish a due date, distribute, compile the information, and submit to the special education staff):

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Form Manager: _____
NAME

ORDER OF COMPLETION:

Part 1 Classroom Teacher (3 pages): _____
NAME

Part 2 ELA Teacher (3 pages): _____
NAME

Part 3 Interventionists (2 pages): _____
NAME(S)

Part 4 Record Reviewer/Parent Interviewer (2 pages): _____
NAME

Part 5 RtI/MTSS Coordinator (2 pages): _____
NAME

Part 6 Special Education Staff (3 pages): _____
NAME(S)

**Part 1
CLASSROOM TEACHER**

NAME: _____ DATE: _____

- 1) What are the student's strengths? _____

- 2) Please rate the following and provide data and work samples when possible:

ACHIEVEMENT and LEARNING SKILLS: compared to peers most similar to his/her culture, language, learning experiences						
	Excellent	Good	Fair	Poor	Extremely Low	Comment
Basic Reading Skills						
Reading Fluency						
Reading Comprehension						
Written Expression						
Mathematical Calculation						
Mathematical Problem-Solving						
Oral Expression						
Listening Comprehension						
English Language Skills						
Rate of Learning						
Response to Interventions						
OTHER FACTORS: compared to age/grade level expectations						
	Excellent	Good	Fair	Poor	Extremely Low	Comment
Work Completion						
Quality of Work						
Interactions with Peers						
Interaction with Adults						
Motivation						
Behavior						
Attendance						

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Retention of Information						
Problem-Solving/Reasoning						
Family Support						
Independence/Self-Help Skills						

3) What are your greatest concerns for this student? _____

4) What do you believe to be the root cause(s) for your concerns? _____

5) Describe the Accommodations, Instructional Strategies, and Interventions you provide to the student in the area(s) of concern and the effects:

Accommodations: designed to provide equity not advantage; remove barriers to learning by making changes to teaching or testing procedures in order to allow the student to fully access and participate in the curriculum while still expecting the student to master the same instructional content as their typical peers	Excellent	Good	Fair	Poor	Comment

6) List at least 3 Interventions used in the area(s) of concern and document the student's response:

Interventions: specific, targeted actions that supplement the curriculum and have the demonstrated ability to help the student overcome academic or behavioral difficulties; interventions are implemented with fidelity and progress monitored	Date: _____ Baseline - Where the student is prior to the intervention	Date: _____ Progress Monitoring - Where the student is based on data collected	Date: _____ Progress Monitoring - Where the student is based on data collected	Date: _____ Progress Monitoring - Where the student is based on data collected

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- 7) Describe the student's ability to use English language in academic activities: _____

- 8) In what ways does this student's Limited English Language Proficiency affect academic performance? _____

- 9) Please do not skip any of the following as the information is required to determine eligibility for special education services:

	YES	NO	DESCRIBE
The student was able to earn passing grades on at least 5 classroom assignments or tests in the area(s) of concern even if accommodations were provided			
The student is making growth compared to peers with similar culture/language experiences in the area(s) of concern			
The student's performance improves when English language support strategies are embedded into core instruction			
The student's performance improves on Authentic/ Performance Based Assessments as compared to Standardized or Norm-Referenced tests			
The student has received various types of support/ interventions to make progress in the area(s) of concern			
Deficits in the area(s) of concern are primarily accounted for by the student having limited English proficiency			
Deficits in the area(s) of concern are primarily accounted for by other factors (refer to the list of other factors in question 2)			

- 10) Comments or Additional Information: _____

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**Part 2
ENGLISH LANGUAGE ACQUISITION (ELA) TEACHER**

NAME: _____ DATE: _____

- 1) What are the student's strengths? _____

- 2) What ELA services does the student receive? (type and duration) _____

- 3) How are English language support strategies embedded into core instruction? _____

- 4) What are the student's Results on the ACCESS English Language Proficiency Test?

Language Domain	Proficiency Level (1-6)	Progress Made (Yes or No)	Comment
Listening	Previous Year ____ Current Year _____		
Speaking	Previous Year ____ Current Year _____		
Reading	Previous Year ____ Current Year _____		
Writing	Previous Year ____ Current Year _____		
Oral Language (50% Listening + 50% Speaking)	Previous Year ____ Current Year _____		
Literacy (50% Reading + 50% Writing)	Previous Year ____ Current Year _____		
Comprehension (70% Reading + 30% Listening)	Previous Year ____ Current Year _____		
Overall Score	Previous Year ____ Current Year _____		

- 1 Entering- Knows and uses minimal social language and minimal academic language with visual and graphic support
- 2 Emerging- Knows and uses some social English and general academic language with visual and graphic support
- 3 Developing- Knows and uses social English and some specific academic language with visual and graphic support
- 4 Expanding- Knows and uses social English and some technical academic language
- 5 Bridging- Knows and uses social English and academic language working with grade level material
- 6 Reaching- Knows and uses social and academic language at the highest level measured by this test

5) Please rate the following and provide data and work samples when possible:

ACHIEVEMENT and LEARNING SKILLS: compared to peers most similar to his/her culture, language, learning experiences						
	Excellent	Good	Fair	Poor	Extremely Low	Comment
Basic Reading Skills						

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Reading Fluency						
Reading Comprehension						
Written Expression						
Mathematical Calculation						
Mathematical Problem-Solving						
Oral Expression						
Listening Comprehension						
English Language Skills						
Rate of Learning						
Response to Interventions						
Retention of Information						
Motivation						
Behavior						
Problem-Solving/Reasoning						

6) Describe the student's rate of English acquisition compared to peers with a similar language background: _____

7) Describe the student's ability to use English language in academic activities: _____

8) In what ways does this student's Limited English Language Proficiency affect academic performance? _____

9) Do you believe Limited English Language Proficiency is the root cause of the student's achievement level?
 Explain: _____

10) List at least 2 Interventions used and document the student's response as well as that of student who is similar in terms of culture and language

Interventions: specific, targeted actions that supplement the curriculum and have the demonstrated ability to help the student overcome academic or behavioral difficulties; interventions are implemented with fidelity and progress monitored	Date: _____ Baseline - Where the student is prior to the intervention	Date: _____ Progress Monitoring - Where the student is based on data collected	Date: _____ Progress Monitoring - Where the student is based on data collected	Date: _____ Progress Monitoring - Where the student is based on data collected
Target Student (TS):	TS:	TS:	TS:	TS:

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Similar Student (SS):	SS:	SS:	SS:	SS:
Target Student (TS):	TS:	TS:	TS:	TS:
Similar Student (SS):	SS:	SS:	SS:	SS:

11) Please do not skip any of the following as the information is required to determine eligibility for special education services:

	YES	NO	DESCRIBE
The student required more intensive and/or different research-based English language development support than was provided in order to make progress developing English language skills?			
The student's rate of progress is comparable to peers with similar culture/language experiences			
The student's performance improves when English language support strategies are provided			
The student can demonstrate a majority of the skills in the "Can Do Descriptors" that align with their current English language proficiency levels			
The student's academic and oral language errors are typical of peers with similar culture/language experiences			
Deficits in the area(s) of concern are primarily accounted for by the student having limited English proficiency			

12) Comments or Additional Information: _____

**Part 3
INTERVENTIONIST(S)**

NAME(s): _____ DATE: _____

Tier 2 Intervention Information

- specific, targeted actions that supplement the curriculum and have the demonstrated ability to help the student overcome academic or behavioral difficulties
- must be implemented with fidelity and progress monitored
- are intensified and more individualized if sufficient progress is not being made

Person Responsible: _____

Type of Intervention: _____

Date Began: _____ **Date Ended:** _____

Comments: _____

Intervention Information						
Frequency in Minutes/Day	Monday	Tuesday	Wednesday	Thursday	Friday	Total Minutes/Week
Progress Monitoring/ Response to Intervention	Date: _____ Baseline - Where the student is prior to the intervention		Date: _____ Progress Monitoring - Where the student is based on data collected		Date: _____ Progress Monitoring - Where the student is based on data collected	

Person Responsible: _____

Type of Intervention: _____

Date Began: _____ **Date Ended:** _____

Comments: _____

Intervention Information						
Frequency in Minutes/Day	Monday	Tuesday	Wednesday	Thursday	Friday	Total Minutes/Week
Progress Monitoring/ Response to Intervention	Date: _____ Baseline - Where the student is prior to the intervention		Date: _____ Progress Monitoring - Where the student is based on data collected		Date: _____ Progress Monitoring - Where the student is based on data collected	

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Person Responsible: _____

Type of Intervention: _____

Date Began: _____ **Date Ended:** _____

Comments: _____

Intervention Information						
Frequency in Minutes/Day	Monday	Tuesday	Wednesday	Thursday	Friday	Total Minutes/Week
Progress Monitoring/ Response to Intervention	Date: _____ Baseline - Where the student is prior to the intervention		Date: _____ Progress Monitoring - Where the student is based on data collected		Date: _____ Progress Monitoring - Where the student is based on data collected	

Person Responsible: _____

Type of Intervention: _____

Date Began: _____ **Date Ended:** _____

Comments: _____

Intervention Information						
Frequency in Minutes/Day	Monday	Tuesday	Wednesday	Thursday	Friday	Total Minutes/Week
Progress Monitoring/ Response to Intervention	Date: _____ Baseline - Where the student is prior to the intervention		Date: _____ Progress Monitoring - Where the student is based on data collected		Date: _____ Progress Monitoring - Where the student is based on data collected	

Person Responsible: _____

Type of Intervention: _____

Date Began: _____ **Date Ended:** _____

Comments: _____

Intervention Information						
Frequency in Minutes/Day	Monday	Tuesday	Wednesday	Thursday	Friday	Total Minutes/Week
Progress Monitoring/ Response to Intervention	Date: _____ Baseline - Where the student is prior to the intervention		Date: _____ Progress Monitoring - Where the student is based on data collected		Date: _____ Progress Monitoring - Where the student is based on data collected	

Part 4
RECORD REVIEWER/PARENT INTERVIEWER

NAME: _____ DATE: _____

RECORD REVIEW

- 1) What is the student's primary language according to the Home Language Survey? _____
Colorado State descriptor for language Proficiency (NEP, LEP, or FEP): _____
- 2) What are the student's TCAP scores? Most recent/previous year (i.e. 325 U/387 PP = + 62):
Reading: _____/_____ = _____ Writing: _____/_____ = _____
Math: _____/_____ = _____ Science: _____/_____ = _____
- 3) How many schools has this student attended? _____
- 4) How long has the student attended this school? _____
- 5) How many absences has the student had while at this school? _____
- 6) What other support plans is the student on? 504 RtI GT READ Health Other _____
- 7) Has the student ever been retained? If so, list the grade(s): _____
- 8) Has the student been suspended? If so, please describe date/reason/duration: _____

- 9) Vision/Hearing screening date/results? _____

FAMILY INTERVIEW/INPUT

- 1) What are your child's strengths and interests? _____

- 2) How does your child feel about school and learning? _____

- 3) What language do the adults in the home use to communicate with each other? _____
- 4) How many years has your child lived in the US? _____
- 5) How many times has your child changed schools? _____
- 6) Have there been any periods of time when your child has missed school? (describe) _____

- 7) What is your child's health history? (Injuries, illnesses, chronic ear infections) _____

- 8) How does your child interact with others at home? _____

- 9) How well does your child complete homework? _____

- 10) What are you most concerned about regarding your child's education? _____

- 11) What are your goals for your child? _____

- 12) Do you believe your child needs specialized instruction in addition to what he/she is already receiving to achieve those goals? (describe) _____

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13) Which language does your child prefer to use when:

	Native Language	English	Both	Describe
Speaking to adults				
Speaking to siblings				
Speaking to friends				
Watching TV				
Listening to music				

14) Please do not skip any of the following as the information is required to determine eligibility for special education services; According to the parent:

	YES	NO	DESCRIBE
The student understands <u>and</u> speaks better in the native language than in English			
The student is developing English language skills as well as his/her siblings			
The student's development is typical and delays are/were not observed			
The student is similar to his/her siblings regarding learning and achievement			
On a scale of 1-5, with 1 being "no concern" and 5 being "extreme concern", the parent's level of concern about the student's ability to make reasonable educational benefit is 1, 2, or 3			
The student has received various types of support to improve area(s) of concern			
Deficits in the area(s) of concern are accounted for by the student having limited English proficiency			

15) Comments or Additional Information: _____

Translator, if needed: _____

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Part 5	
RtI/MTSS COORDINATOR	
NAME: _____	DATE: _____

Date of Meeting: _____

Participants: _____

Teacher Input: _____

Interventionist/s Input: _____

ELA Input: _____

Parent Input: _____

Review of RTI Process: All must be answered "YES" by multiple sources to continue

- Tier 1 Interventions (instructional strategies and accommodations) were implemented YES NO
- A Classroom Observation was conducted (attached) YES NO
- English Language Support is embedded into the core curriculum YES NO
- Tier 2 Interventions (research-based) were implemented YES NO
- Results of Tier 2 Interventions were reviewed YES NO
- Tier 2 Interventions were intensified and individualized YES NO
- Parents have been given the opportunity for input YES NO

Review of Student's Results: All must be answered "NO" by multiple sources to continue

- Progress compared to like-peers, as a result of interventions, is evident YES NO
- Other factors exist that may have a significant impact on the student's progress YES NO
- Limited English Language Proficiency is the primary reason for the student's difficulties YES NO

Recommendations (continue with interventions, progress monitor, implement additional interventions, intensify interventions, refer, other): _____

Verified by: _____

Date: _____

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Classroom Observation

It's recommended that multiple observations are conducted in the area(s) of difficulty on different days

Conducted by: _____ Date: _____ Time: _____ to _____

Describe the Setting/Activity: _____

1) Describe the student's "Strengths": _____

2) Describe the student's "Functional Performance" (independence, work completion, success, rate of learning, participation, etc.): _____

3) Describe the "Impact" (academic, social, emotional, behavioral, etc.) of the suspected disability: _____

4) Describe any observed impact limited English proficiency has on the student's performance: _____

5) Is there an observed difference between the complexity of English used in instruction or the demands of English used in the curriculum and the student's English proficiency level? (describe): _____

6) Describe how the classroom, instructionally and environmentally, are culturally sensitive: _____

7) Describe any "Other Factors" that are observed as impacting the student's performance: _____

8) Describe the Instructional Strategies, Accommodations, Interventions, and other differentiated support provided to the student: _____

9) Describe the student's "Response" to the support described above: _____

10) Additional Observations: _____

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Part 6
SPECIAL EDUCATION STAFF

NAME(s): _____ DATE: _____

Informal Tasks: Authentic, Performance-Based, Work Samples; with accommodations is acceptable

Type/Result:

Type/Result:

Type/Result:

Type/Result:

Gap Analysis: Compared to similar peers to help identify inadequate achievement and progress

	Academic Area/Skill	Baseline - Where the student is based on data	Goal - Where the student should be based on data	Difference = Gap
Target Student				
Similar Student				

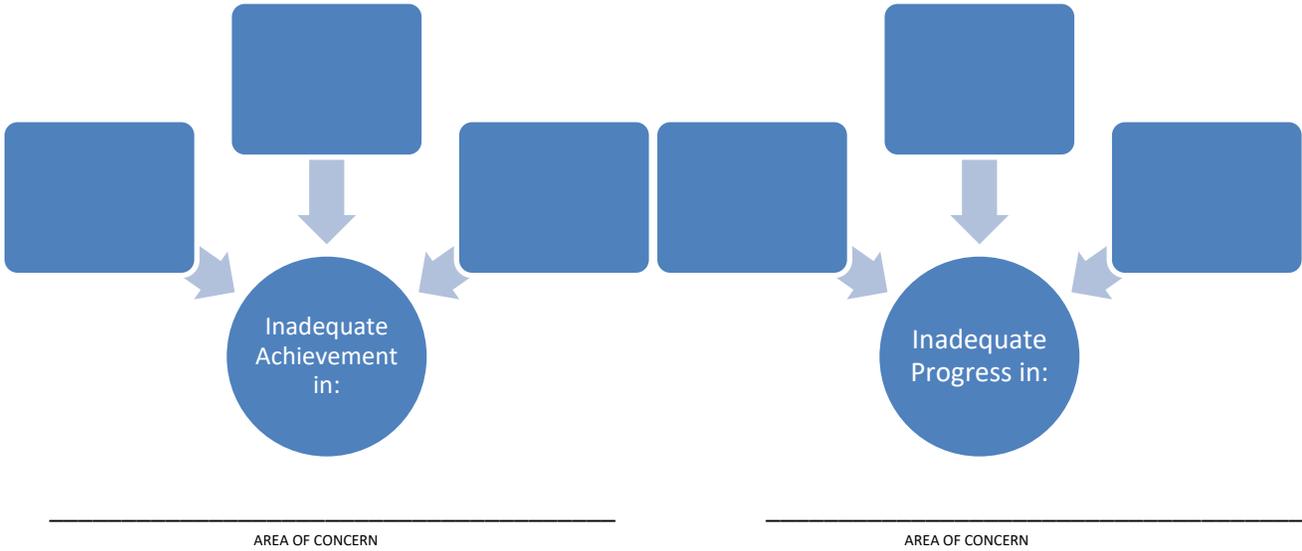
	Academic Area/Skill	Baseline - Where the student is based on data	Goal - Where the student should be based on data	Difference = Gap
Target Student				
Similar Student				

	Academic Area/Skill	Baseline - Where the student is based on data	Goal - Where the student should be based on data	Difference = Gap
Target Student				
Similar Student				

	Academic Area/Skill	Baseline - Where the student is based on data	Goal - Where the student should be based on data	Difference = Gap
Target Student				
Similar Student				

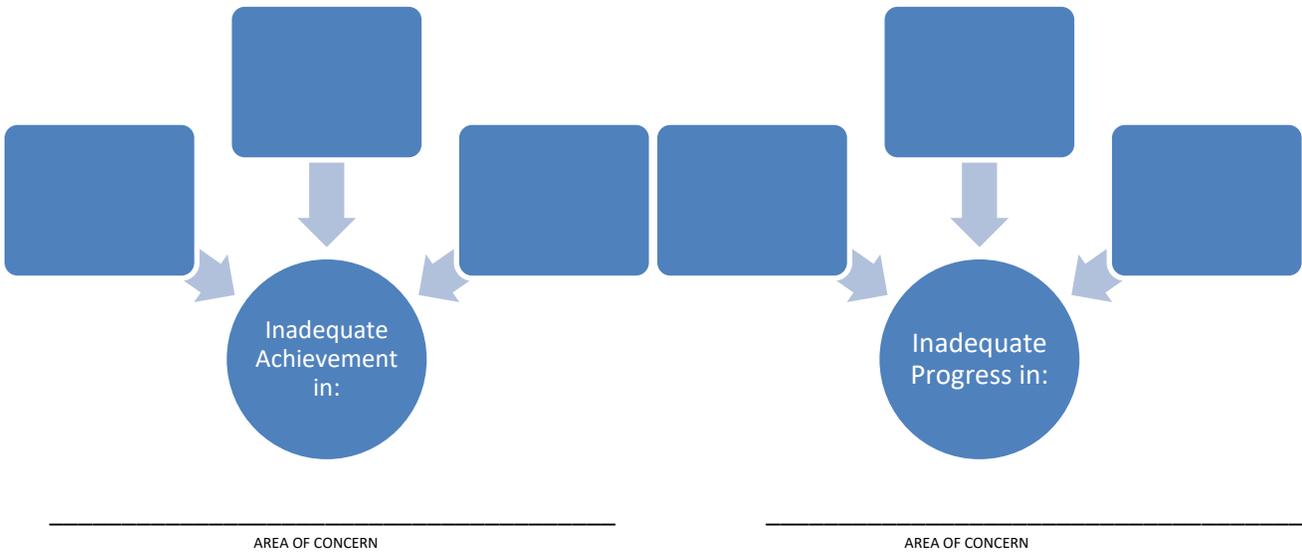
Body of Evidence: Culturally and/or Linguistically Diverse Students Suspected of Having a Disability

Triangulation of Multiple Data & Identified Area(s) of Concern: Compared to similar peers; List the various sources



Interpretation of data: _____

Triangulation of Multiple Data & Identified Area(s) of Concern: Compared to similar peers; List the various sources



Interpretation of data: _____

Body of Evidence: Culturally and/or Linguistically Diverse Students Suspected of Having a Disability

13) Please do not skip any of the following as the information is required to determine eligibility for special education services: Responses of “yes” more likely represent Limited English Proficiency as the root cause; Responses of “no” more likely rule Limited English Proficiency as the root cause; Each special education staff member involved in the evaluation should complete this checklist

*This is intended to be used as a guide only

	YES	NO	DESCRIBE
Observation: A significant difference is observed in the student’s classroom between the demands of the curriculum and the student’s English Language skills			
The student can demonstrate academic skills in the native language that the student can’t demonstrate in English			
The student’s performance improves when English language support strategies are provided			
The student can demonstrate a majority of the skills in the “Can Do Descriptors” that align with their current English language proficiency levels			
The student can demonstrate skills in other modalities or on projects that the student’ can’t demonstrate solely via a verbal modality			
Evidence of functional performance in the area(s) of concern indicates the student can receive reasonable educational benefit comparable to similar peers *Evidence= observations in multiple settings, work samples, performance based measures, student/parent interview, etc.			
Data suggests research-based interventions were effective *Effective= positively impacted achievement and progress			
Other factors exist that primarily account for the student’s deficits			
Deficits in the area(s) of concern are primarily accounted for by the student having limited English proficiency			

14) Comments or Additional Information: _____

