



SPECIAL EDUCATION AND ENGLISH LEARNERS

EXCEPTIONAL STUDENT SERVICES/ PROGRAM SUPPORT AND MONITORING

*DISCLAIMER: THIS PRESENTATION REFLECTS CURRENT FEDERAL AND STATE COMPLIANCE REQUIREMENTS INCLUDED IN THE ARIZONA EXCEPTIONAL STUDENT SERVICES MONITORING SYSTEM. IT DOES NOT INCLUDE LOCAL PEA POLICY, PROCEDURE, OR PRACTICE THAT MAY EXCEED COMPLIANCE REQUIREMENTS. UPDATED NOVEMBER 2021

ACRONYMS

- **EL** - English learner (formerly ELL)
- **ESSA**- Every Student Succeeds Act (formerly ESEA)
- **RED** - Review of Existing Data
- **DOJ** - Department of Justice
- **OCR** - Office for Civil Rights
- **HLS** – Home Language Survey- given to families at time of school enrollment
- **IDEA** - Individuals with Disabilities Education Act
- **FAPE** - Free and Appropriate Public Education
- **PEA** - Public Education Agency
- **SDI** - Specially Designed Instruction

QUICK LINKS

EL Documentation and Forms

<https://www.azed.gov/oelas/forms>

IDEA definition of limited English proficient student

<https://sites.ed.gov/idea/regs/b/a/300.27>

IDEA definition of native language

<https://sites.ed.gov/idea/regs/b/a/300.29>

IDEA eligibility requirements for determinant factors

<https://sites.ed.gov/idea/regs/b/d/300.306/b>

IDEA IEP considerations for a child with limited English proficiency

<https://sites.ed.gov/idea/regs/b/d/300.324/a/2/ii>

PEA DOCUMENTATION MUST INCLUDE:

- Primary home language as identified utilizing the Home Language Survey (HLS) as a guide
- Determination of the language in which a child is most proficient
- Results of language proficiency assessment(s) (AZELLA scores)
- AZELLA performance data considered during a RED
- Ruling out language needs as a determinant factor in an evaluation for eligibility determination
- Impact of limited English proficiency on progress in the general education curriculum
- Evidence of evaluation assessments provided in the language and form most likely to yield accurate information
- Language needs considered in IEPs
- Evidence that required notices are provided in the native language of the parent

WHERE IS DOCUMENTATION REQUIRED?

Evaluation

- Primary home language utilizing the HLS
- Determination of the language in which a child is most proficient
- AZELLA performance data considered, if available
- Ruling out language needs as a determinant factor
- Impact of limited English proficiency on progress in the general education curriculum
- Evidence of evaluation assessment(s) provided in the language and form most likely to yield accurate information and data used to determine why those assessments were appropriate

IEP

- Primary home language utilizing the HLS
- Determination of the language in which a child is most proficient.
- Language needs considered
- AZELLA performance data

Notices

- Required notices are provided in the native language of the parent

RESOURCE



ENGLISH LEARNER TOOLKIT CHAPTER 6

The English Learner Toolkit is a resource created by the US Department of Education to provide guidance on best and compliant practice to support students that are EL.

This resource contains suggested checklists for PEAs to follow, tools for use in identification of students that are EL for special education/504 needs, policy recommendations, and more.

ADDITIONAL GUIDANCE



DEAR COLLEAGUE LETTER **AND** FACT SHEET

- The Dear Colleague Letter outlines specific federal requirements pertaining to students that are EL.
- This is a collaborative resource created by the DOJ and OCR Information about a PEA's obligations to EL students and limited English proficient parents under Title VI and the EEOA.
- This letter addresses the actions PEAs must take to ensure appropriate access to general education curriculum is taking place.

ENGLISH LEARNERS WITH DISABILITIES PRESENTATION

This presentation was created for and presented to EL administrators and Special Education directors in May 2019 to provide updated and pertinent information to share with schools regarding EL students.

WHOM DO I CALL?

For general EL programmatic or assessment questions:

- OELAS Specialist

For EL questions related to special education requirements:

- ESS/PSM Specialist

Contact your Program Support & Monitoring Specialist

Phone: (602) 542-4013

Email: ESSinbox@azed.gov

Exceptional Student Services office locations in
Phoenix, Tucson, and Flagstaff