



**Intervention and Evaluation for  
English Learner (EL) Students:  
Guidance for Idaho School Districts**

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*Alissa Metzler, M.Ed.*

English Learner/Title III Programs Coordinator - Idaho State Dept. of Ed.

*Lisa Sterling, Ph.D., NCSP*

School Psychologist - Boise School District

*Robin Thurber, Ph.D.*

School Psychologist - Boise School District

# Purpose of Guidance Document

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The guide does not comprise an exhaustive list of steps and procedures; rather it provides a framework to help ensure that:

EL students are not **over identified** for special education services or make up a **disproportionate representation** of students with disabilities. A student cannot be identified with a disability if the “determinant factor” is limited English proficiency.

EL students are not **under identified** for special education services. School districts cannot deny the processes and procedures entitled to them under federal law, due to their EL status.

EL students (like all other students) must be located, identified, and evaluated for special education services in a **timely manner**. A student suspected of having a disability should not be denied an evaluation until he/she becomes proficient in English.

EL students are evaluated using **appropriate tools and measures** that take into account a student's English language proficiency.

# Problem Solving Process

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## Examples:

Multi-Tiered Systems of Support (MTSS)

Response to Intervention (RTI)

Positive Behavior Interventions and Supports (PBIS)

Determine student's native/dominant language and cultural background

Determine student's English language proficiency

Determine whether any deficiencies in teaching-learning environment

Consider impact of other factors:

# Response to Intervention (RTI)

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Implement high-quality, research-based intervention

Analyze progress over time in relation to comparable peers

Consider information from parents (comparison to siblings and cultural norms )

Any other delays or conditions:

hearing, vision, social/emotional, developmental delays, etc.

Review data to determine if a special education evaluation is warranted and initiate the referral process without further delay

# Special Education Evaluation

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## Parental involvement

Provide information in primary language, to the extent feasible

## Select appropriate and strategies

Tailor plan to cultural/linguistic needs

Multiple sources of data (formal/informal)

Ensure test materials not biased

## Administer selected measures

In native language or appropriate form of communication, when feasible

# Special Education Eligibility

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Assess influence of cultural/linguistic differences on scores

Are learning differences noted across settings and languages?

Does the preponderance of evidence support presence of a disability?

If “determinant factor” is Limited English Proficiency (LEP), student cannot qualify for special education

# Guidelines for Use of Interpreters

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Use trained interpreters (rather than cultural peer or relative), when feasible

Most interpreters are not trained in assessments, nor have understanding of special education process

Review confidentiality requirements

Ensure interpreter has understanding of family's cultural and linguistic background

Avoid portraying interpreter as family's advocate

Encourage direct interpretation of all questions and answers

# Frequently Asked Questions

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Assessing EL students in native language...

Use of interpreters in administering standardized tests...

Use of common standardized tests and non-verbal assessments...

Amount of time in RTI and in receiving EL services...

Proficiency level on ACCESS 2.0...

IEP development for ELs...

Special education eligibility and EL services...