Developing an IEP for an English Language Learner

An Exercise in the Consideration of Special Factors

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WELCOME!

- Introductions
- Logistics
- Agenda for the day

Please tell us your:
Name
Role
School
Grade
“Developing an IEP for English Language Learners with special needs feels like _____”
“To deepen our knowledge and understanding of the special factors that must be considered when developing an IEP for an English language learner with a disability.”

The Cornerstone of Special Education

The IEP is a *strategic planning document* that identifies a student’s unique needs and how a school will strategically address those needs.

- Supports participation in the general education curriculum and learning standards
- Guides the provision of instruction designed to meet a student’s needs
- Ensures a strategic and coordinated approach to address a student’s needs
- Identifies how the resources of the school need to be configured to support the student’s needs
- Identifies how the student will be prepared for adult living
- Provides an accountability tool
Is the IEP different for an ELL?

For ELLs we must consider cultural, linguistic and language needs.

- Considers the student’s native and second language needs of the student as such needs relate to the student’s IEP.
- Determines the language of instruction designed to meet a student’s needs.
- Identifies language or mode of communication that will be used to address the parents/family.
- Ensures meaningful access to the general education curriculum through alternative language services and special education services.
- Identifies the accommodations needed for instruction and testing.
- Identifies how the resources of the school need to be configured to support the student’s first and second language needs.
Think-Pair-Share

What should an IEP for an ELL include?
Consideration of Special Factors, Attachment 2

For all students with disabilities with limited English proficiency, the CSE must consider how the student’s language needs relate to the IEP.

- Provide alternative language services
- To acquire proficiency in English and
- Provide meaningful access to the content

Special Factors

For students with limited English proficiency, the Committee should consider the following:

• Assessment in English and the home/native language
• Evaluate the extent of the disability rather than the level of English proficiency
• Impact of the disability on the student’s involvement in the general ENL/Bilingual program
• The language of instruction
• The language of communication to address the family
• The accommodations necessary for instruction and testing
• What other language services (i.e., ESL or bilingual education) must be provided to ensure meaningful access to general and special education and related services?
Assumptions

For the IEP we are analyzing today, the student:

Has had a valid, non-discriminatory, multidisciplinary and comprehensive individual evaluation in English and their home/native language.

The results of the evaluation have identified the student as having a disability and eligible for classification under one of the 13 disability categories of IDEA.

The determinant factor was not limited English proficiency or lack of appropriate instruction.

Parental involvement has been evident throughout the pre-referral, referral, and continuing eligibility process.
IEP Deep Dive…

What information documented will help you make decisions in planning for instruction?

What information is missing that would have been meaningful and important to include?
Exploring the IEP through a Socio-cultural and Linguistic Lens

Guiding Questions Handout
Present Levels of Performance

Evaluation Results*

- Results of initial or most recent individual evaluation
- Results of the student’s performance on any general state or district-wide assessment programs
- Instructional implications of those evaluations

*In the home/dominant language and English.
Why would it be important to incorporate the results of the Home Language Questionnaire (HLQ), NYSITELL, NYSESLAT, and any assessments conducted in the student’s home language? (NYC- Home Language Identification Survey – HLIS)

Discuss what it would look like to indicate instructionally relevant findings reflecting students strengths and needs.

How might this data help inform the development of other sections of the IEP?
The HLQ indicates that Arabic is spoken in the home primarily by the student, parents and grandparents. Student does speak some English with older siblings and cousins. The NYSITELL indicates that student is at the Beginner Level of English Proficiency. Parents report that the student was learning to read Arabic before moving to New York State, but was experiencing difficulty. Speech-language assessment in Arabic indicates receptive and expressive skills are age-appropriate.
Stages of Second Language Acquisition

How can we develop an IEP for an ELL without knowing the students’ current level of functioning in Listening, Speaking, Reading, or Writing in English?

Entering
Emerging
Transitioning
Expanding
Commanding
Academic Achievement, Functional Performance, and Learning Characteristics

Present Levels of Performance

- Intellectual functioning
- Daily living skills
- Adaptive behavior
- Rate of progress
- Learning styles

In the home language and English and compared to other ELLs with similar backgrounds.
Academic Achievement

How does language and culture affect the skills demonstrated in each of the domains: daily living, adaptive behavior, rate of progress, intellectual functioning and learning styles, in the context where the student is in a bilingual setting or a monolingual English setting.

Some ELLs have educational backgrounds that vary greatly from their monolingual peers.

Prior schooling is an important consideration, as well as functioning in school.
Present Levels of Performance

Social Development

- Relationships with peers & adults
- Feelings about self
- Adjustment to school & community

Socio-Cultural Considerations
Social Development

• **Relationships with peers and adults** - To what extent and in what environments does the student function to expected levels in L1 as opposed to L2 in social settings and in the school environment?

• **Acculturation and behavior** - Culturally-appropriate behaviors (e.g., eye gaze, speech register, physical proximity); interdependent vs. independent culture; interpersonal and gender role identity; self-discipline/self-regulation of behavior.

• **Self-advocacy, self-awareness** - Ability/desire to be assertive about needs may be affected by cultural norms.

• **Adjustment to school and community** - Opportunities for student and family to participate in community experiences and culturally competent environments.

• **Cultural responsiveness of the school environment** - What impact has this had on the student's functioning in this environment?

• **Development of BICS** (Basic Interpersonal Communication Skills) the use of language in social contexts.
Physical Development

Degree and quality of motor and sensory development

Health and vitality

Physical skills or limitations related to learning

Socio-Cultural Considerations
Physical Development

- Developmental milestones are not universal and may be affected by culture (e.g., toilet training, use of utensils, independence in dressing, expectations for self-regulation/activity level, age at which walking is encouraged)

- Consideration should be given to cultural differences or factors in the students’ past experiences and how this may have impacted upon test results and performance levels

- How might this be addressed on the IEP for an ELL/SWD?
Management Needs*
Nature and degree to which the following are required to enable the student to benefit from instruction:

*Must be developed in accordance with the factors identified in other Present Levels of Performance areas.
Management Needs

How might an ELL with a disability have language needs that would affect the following?

- **Environmental Modifications** - e.g., L1 and L2 labels for identifying materials or facilities; Monitor fatigue in L2; Peer support
- **Human Resources** - e.g., Bilingual personnel, Special Education consultation for ESL/Bilingual professionals; (Bilingual paraprofessional?)
- **Material Resources** - e.g., Instructional materials in native language; Assistive Technology with L1 support

In what other way might these be addressed on the IEP for an ELL?
What is the Effect of the Student’s Disability?

• Given what you know from the Evaluation Results and Present Levels of Performance, what is the impact of the student’s disability?

• How does the student’s disability manifest itself in the classroom? At school?

• How does the student’s disability effect the student’s access to the general education curriculum?

• How does the student’s disability effect the student’s participation in the general education curriculum?

• How does the student’s disability effect the student’s progress in the general education curriculum?
Effect of Student Needs on Involvement and Progress in the General Education Curriculum…

Does the *disability* impact the student’s involvement and progress in the bilingual education or English as a second language (ESL) program of the general curriculum?

Can the student participate in any part of the general education curriculum, *including* the school’s ESL or Bilingual Program *without* a special education support service?

How does the disability manifest in this student?
Example of a PLP for a Student who is Not an English Language Learner…

Effect of Student Needs on Involvement and Progress in the General Education Curriculum or, for a Preschool Student, Effect of Student Needs on Participation in Appropriate Activities

Damien’s decoding skills and physical difficulties with written work affect his ability to keep pace with his peers in activities which require independent reading and manual writing. As a result, he is falling behind in learning and does not always get credit for completed work or assessed knowledge. Fine motor speed affects his ability to keep pace with writing math problems, notes, and written assignments. Short attention span and his difficulties applying organization strategies affect his ability to complete homework and class assignments in a timely manner. He forgets to take home materials and assignments and often forgets to turn in completed homework.

His behavior when frustrated is distancing him from his peer group and taking time from instruction.
Example of a PLP for a Student who is Not an English Language Learner…

“How might this be different if Damian was an ELL with a disability?”
Example of a PLP for a Student who is an ELL...

**Effect of Student Needs on Involvement and Progress in the General Education Curriculum or, for a Preschool Student, Effect of Student Needs on Participation in Appropriate Activities**

Damien’s decoding skills *in English* and physical difficulties with written work *in English and Home Language* affect his ability to keep pace with his peers in activities which require independent reading and manual writing *when a bilingual peer is not available to assist or prompt*. As a result, he is falling behind in learning and does not always get credit for completed work or assessed knowledge. Fine motor speed affects his ability to keep pace with writing math problems, notes, and written assignments.

Short attention span and his difficulties applying organization strategies affect his ability to complete homework and class assignments in a timely manner. He forgets to take home materials and assignments and often forgets to turn in completed homework *Homework assignments sent home in English rather than in Home Language are completed less frequently than those in English*.

His behavior when frustrated is distancing him from his peer group and taking time from instruction.
Special Factors:

For a student with limited English proficiency, does he/she need a special education service to address his/her language needs as they relate to the IEP? __Yes __No __Not Applicable

<table>
<thead>
<tr>
<th>Does checking “Yes” mean the student must receive Bilingual Special Education?</th>
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<tbody>
<tr>
<td><strong>No.</strong> However, the CSE <strong>must</strong> consider the student’s <strong>first and second</strong> language and communication <strong>needs and strengths</strong> (which may be in their <strong>first language</strong>).</td>
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This means the IEP is developed with the **appropriate** services, programs, accommodations or modifications in order to derive educational benefit (meaningful access).

These services may include Bilingual Special Education Services and are **NOT** based on availability of programs, providers or scheduling.
A CSE’s “Consideration of Language Needs” should not be based on...

"...issues as a result of scheduling and availability of staff to provide such services."

(March 2011 Memorandum)

There is no minimum number of students that must be enrolled in a program/class/building to offer Bilingual Instruction in a Special Education program. Bilingual Special Education Services can be recommended on an individual basis.
Transition Measurable Post-Secondary Goals

How do cultural and linguistic differences impact future learning, earning and living opportunities?

Individualistic Cultures Vs. Collectivistic Cultures

Independence Vs. Interdependence

Self-Awareness & Self-Advocacy Vs. Deferring to Community or Group Identity
Documenting Parental Concerns

What is the family’s view or understanding of the disability?

What are the family’s expectations about school involvement?

Will issues such as trust, privacy or authority likely affect the process?

How will the outcome of the special education process be aligned with the family’s long term goals for their child?

What is the role of culture in addressing the disability?
Dr. Alba Ortiz video: https://www.youtube.com/watch?v=nG6XUiAx6O4
Use the Elements of an IEP for an ELL checklist to document what your IEP has evidence of and what’s missing.
Developing Goals

An IEP must take into account a child’s present levels of academic achievement and functional performance, and the impact of that child’s disability on his or her involvement and progress in the general education curriculum.

IEP goals must be aligned with grade-level content standards for all children with disabilities.
Dear Colleagues,

Research has demonstrated that children with disabilities who struggle in reading and mathematics can successfully learn grade-level content and make significant academic progress when appropriate instruction, services, and supports are provided.

Conversely, low expectations can lead to children with disabilities receiving less challenging instruction that reflects below grade-level content standards, and thereby not learning what they need to succeed at the grade in which they are enrolled.
Goals must be written in observable and measurable terms.

Goals should answer the question:

“*What skills does the student require to meet the standards of the general curriculum?*”

*NOT*

“*What content does the student need to master?*”
### CCLS aligned annual goal

<table>
<thead>
<tr>
<th>Annual Goal</th>
<th>Criteria</th>
<th>Method</th>
<th>Schedule</th>
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<td><em>What will the student do?</em></td>
<td><strong>How well?</strong></td>
<td><strong>What will you use to assess progress?</strong></td>
<td><strong>How often?</strong></td>
</tr>
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<td>Steven’s goal: Given an informational or literary text, Steven will cite textual evidence to support analysis of what the text says explicitly</td>
<td><strong>Over what period of time?</strong> Two pieces of text evidence in 3 out of 4 trials</td>
<td>• Recorded observation of student verbal explanation  • Written student work samples</td>
<td>Weekly</td>
</tr>
</tbody>
</table>
CCLS aligned annual goal for an ELL who is at the Entering/Emerging level in English

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<th>Schedule</th>
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<tbody>
<tr>
<td>What will the student do?</td>
<td>How well? Over what period of time?</td>
<td>What will you use to assess progress?</td>
<td>How often?</td>
</tr>
<tr>
<td>Steven’s goal: Given an informational or literary text in <strong>Spanish</strong>, Steven will cite textual evidence orally in <strong>English or Spanish</strong> to support analysis of what the text says explicitly</td>
<td>Two pieces of text evidence in 3 out of 4 trials</td>
<td>• Recorded observation of student verbal explanation • Student work samples in <strong>Spanish</strong></td>
<td>Weekly</td>
</tr>
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MEASURABLE ANNUAL GOALS

The following goals are recommended to enable the student to be involved in and progress in the general education curriculum, address other educational needs that result from the student's disability, and prepare the student to meet his/her postsecondary goals.

<table>
<thead>
<tr>
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<th>CRITERIA</th>
<th>METHOD</th>
<th>SCHEDULE</th>
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<tbody>
<tr>
<td>What the student will be expected to achieve by the end of the year in which the IEP is in effect</td>
<td>Measure to determine if goal has been achieved</td>
<td>How progress will be measured</td>
<td>When progress will be measured</td>
</tr>
</tbody>
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Specific, Measurable, Attainable, Realistic, Time-bound

Remember, ESL is not a special education service. It is general education, core curriculum for ELLs. Language Goals may address Listening, Speaking, Reading or Writing in the first and second language as they relate to the disability.

REPORTING PROGRESS TO PARENTS

Identify when periodic reports on the student's progress toward meeting the annual goals will be provided to the student's parents:

IN THE HOME LANGUAGE?
What should be the Language of Instruction?

<table>
<thead>
<tr>
<th>RECOMMENDED SPECIAL EDUCATION PROGRAMS AND SERVICES</th>
<th>FREQUENCY How often provided</th>
<th>DURATION Length of session</th>
<th>LOCATION Where service will be provided</th>
<th>PROJECTED BEGINNING/ SERVICE DATE(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SPECIAL EDUCATION PROGRAM/SERVICES</td>
<td>SERVICE DELIVERY RECOMMENDATIONS*</td>
<td></td>
<td></td>
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</table>

- **SPECIAL EDUCATION PROGRAM:**

- **RELATED SERVICES:**

- **SUPPLEMENTARY AIDS AND SERVICES/PROGRAM MODIFICATIONS/ACCOMMODATIONS:**

- **ASSISTIVE TECHNOLOGY DEVICES AND/OR SERVICES:**

- **SUPPORTS FOR SCHOOL PERSONNEL ON BEHALF OF THE STUDENT:**

* Identify, if applicable, class size (maximum student-to-staff ratio), language if other than English, group or individual services, direct and/or indirect consultant teacher services or other service delivery recommendations.
NYS Definition of Native Language and Alternative Language Services

Native/home language means *(Per Part 200)*:

The language normally used by the individual…the parents…in the home or learning environment; or the mode of communication normally used by the individual (as in the use of Sign, Braille or Oral speech for the deaf, blind or those with no written system of communication)

Alternative language services means:

The language services or programs (as in ESL or Bilingual instruction, bilingual special education and/or bilingual related services) designed for English Language Learners so that they are able to participate effectively in the general instructional program and achieve English proficiency.
Determining Language of Instruction for Service Delivery Recommendations

- Level of proficiency, (strengths and needs) expressive and receptive, in L1 & L2 as per the results of the NYSITELL or the NYSESLAT

- Primary home language, based on the Home Language Identification Survey and follow-up interviews with parents and student

- Results of native language test or any other bilingual assessment

- Observations of student and work or language sample in L1 & L2

- Review history of prior schooling (e.g., SIFE? Number of Years in ESL/Bilingual? Cumulative records?)

- Results of psychological evaluation
New Regulations on Testing Accommodations
November 2016

Criteria for having “Test Read” on NYS ELA

Testing Accommodations under Part 154 for ELLs with or without disabilities…

These accommodations include:

• time extension;
• separate location;
• third reading of listening selection (ELA exams only);
• bilingual glossaries (except foreign language);
• simultaneous use of English and alternative language editions (not allowed for ELA and Foreign Language exams);
• oral translation for lower incidence languages (not allowed for ELA and Foreign Language examinations); and
• writing responses in the native language (not allowed for ELA examinations).

• *And should be used throughout the year, not just on the day of the test.*
Testing Accommodations under Part 200 …whether or not they are ELLs

Flexibility in Scheduling/Timing (ex: breaks or multiple days)
Flexibility in Setting (conditions- lighting, adaptive furniture)
Method of Presentation (large print, reduced items per page, test read under specific circumstances/criteria)
Method of Response (assistive tech, word processor, tape recorder, scribe, extra paper)
Waiving spelling, paragraphing and punctuation requirements
Use of calculator, abacus, arithmetic tables, spell-check and grammar check device
Functional Behavior Assessment

Cultural behaviors are not to be misconstrued with FBA needs.

Behavior Intervention Plan

Ensure that the BIP is implemented in a language the child understands and is culturally responsive.
In Summary

An IEP for an ELL must contain:

Student’s evaluation results, current abilities, interests, and needs in both the home language and English

Goals that consider the student’s native language and second language proficiency

Culturally appropriate considerations and home language supports

Parental concerns

Program/s and special education services for the student and whether in the home language and/or English

Related services, if any, and whether they are in the home language and English

Testing accommodations (if applicable, based on the disability)

For students over age 15, post secondary transition planning and services
Colorín Colorado: http://www.colorincolorado.org/educators/

LD On-line: http://www.ldonline.org/

NYC DOE – A Shared Path to Success – Special Education: http://schools.nyc.gov/Academics/SpecialEducation/default.htm

NYC DOE English Language Learners Educator Resources: http://schools.nyc.gov/Academics/ELL/EducatorResources/default.htm

NYSED Bilingual Common Core Initiative http://www.engageny.org/resource/new-york-state-bilingual-common-core-initiative

