

Multilingual Learners Identified with or Suspected of Having Educational Disabilities: Enrollment Scenarios

The Student Enrolls in School

Has the student been formally identified as a Multilingual Learner (ML)?

If YES, proceed below. If NO, Contact the ELD specialist for further information and for possible ML identification. (Possible ML identification can not be used to delay or deny a Special Education evaluation.)

No Suspicion of Disability

Student receives tier-1 universal instruction with appropriate linguistic scaffolds in addition to targeted instruction in English Language Acquisition.

Possible Areas of Concern

The parent/guardian or staff report educational concerns. School-based teams may not immediately observe atypical behavior or academic performance.

Suspicion of Disability

The parent/guardian or staff report educational concerns relating to accessing and participating in education. The student has an existing medical diagnosis, and/or atypical behavior, academic performance, or significant support or health needs are immediately observable.

Existing Needs

The student has an existing IEP from another school, district in the U.S. or outlying areas.

The IEP team assembles with an educator knowledgeable in English language acquisition and acculturation

1. Include an educator who is knowledgeable in English language acquisition and acculturation.
2. Engage the Family: Build rapport, trust, and mutual understanding. Establish a bi-directional communication protocol including the use of an interpreter. Conduct family interviews.
3. Build a Linguistic Profile to better understand how the student uses each language in their repertoire.
4. Conduct a True Peer Comparison of the student's academic, functional, social-emotional, and/or behavioral data relative to their demographically similar peers.

It is the Administrative Unit's responsibility under Child Find to locate and identify all students with disabilities including Multilingual Learners (MLs) with disabilities. School teams must not identify MLs with disabilities when linguistic and cultural differences or lack of instruction in literacy and math are the determinative causes for their difficulties in school. When parents or staff members report concerns about a student's academic, social-emotional, functional, or behavioral concerns, IEP teams including educators who are knowledgeable in language acquisition and acculturation should work to investigate these concerns before the special education evaluation referral.

The school-based problem-solving team assembles to determine appropriate supports and/or interventions.

If a disability is suspected, the team must never delay a special education evaluation due to limited English proficiency, limited academic experience in the US, or limited or interrupted formal instruction



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The IEP team and the school-based problem-solving team assemble.

If appropriate, a request for parental consent to evaluate is sent. Provisionary accommodations and instructional supports are put in place. Using all data, the team devises an assessment plan, including language(s) of assessment, assessment tools, the use of a bilingual evaluator or the use of an interpreter.

For students who have transferred during the school year, the IEP team consults with the parent/guardian to offer comparable services while deciding whether to accept or reject the existing IEP.

If the team determines it is necessary to conduct its own evaluation, the team carefully takes the student's degree of proficiency in English into consideration during the evaluation, when determining eligibility, and in devising specially designed instruction.