

## **Guidelines When Considering an Initial Referral for Special Education for Emergent Bilingual (EB) Students**

### **Supplemental Response Form to the Student Data Review Guide**

An emergent bilingual student is a student identified by the language proficiency assessment committee (LPAC) who is in the process of acquiring English and has another language as the student's primary or home language [19 Texas Administrative Code (TAC) 89.1203(8)]. This term is interchangeable with English learner as used in federal regulations and replaces the term "limited English proficient student" formerly used in Texas Education Code (TEC), Chapter 29, Subchapter B.

The identification of a suspected disability condition in students who are EB requires an investigation into the linguistic, and educational background of the student. A typical progression of skills occurs during second language acquisition that could appear as a disability condition.

The attached response form may be used by review teams to ensure a variety of data-gathering strategies and tools are considered when an EB student demonstrates difficulties in the educational setting. This form will also assist the review teams as they gather data to see if identified difficulties appear to be associated with second language acquisition (language difference) or if the difficulties require a referral for a special education evaluation. It is important to understand that a student with a suspected disability condition would be expected to demonstrate difficulties in the student's primary language and English.

To review the information from a variety of perspectives, the review team should be multidisciplinary and may consist of members that have expertise in areas such as second language acquisition, speech and language development, evaluation of students with disabilities, educational expectations, and linguistic differences of students who are EB students.

As the review team members complete the response form, it is especially important that EB students are not compared to monolingual peers. Comparisons should be limited only to other students learning English with similar backgrounds related to linguistic experience, school attendance, classroom performance, and literacy exposure. Linguistic proficiency in the first language(s) and English should be monitored continuously for growth or language loss as these skills fluctuate rapidly.

This supplemental response form is designed to help review teams consolidate the referral information for easy reference as they analyze a variety of information. The document is separated into five sections: Home/Background, Speech-Language Development, Educational History and Performance, Assessments (formal and informal), and Social Development and At-Risk Factors. An extra section is available to add information or data not included in the questions to consider. Also included in each section is a description of outcomes to determine the level of concern based on the difficulties reported. After gathering and analyzing all the information, the review team determines if the data indicates a language difference or a suspected disability and a need for special education.

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**Home/Background:**

Questions to Consider:	Description:
<ul style="list-style-type: none"> <li>• Where was the student born?</li> <li>• What educational history does the student have outside of the U.S.?</li> <li>• Has the student had periods of interrupted or limited formal education?</li> <li>• How long has the student lived in the U.S.?</li> <li>• Has the student lived in a previous home setting where other languages were used?</li> <li>• Does the student travel to visit family/friends outside the U.S. and stay for extended periods of time?</li> <li>• What language(s) are spoken in the household, including the student, parents or guardians, siblings, extended family, and caretakers?</li> <li>• What percentage of the time does the student hear/speak English in the household?</li> <li>• What language(s) does the student use most to interact with family?</li> <li>• What is the educational background of the parents or guardians/caregivers?</li> <li>• Do the parents/guardians work outside the home?</li> <li>• Who cares for the student when parents/guardians are not home?</li> <li>• Do the parents or guardians/caregivers feel their child has problems learning or communicating?</li> <li>• Do the parents or guardians/caregivers report concern with their child's cognitive, linguistic, or behavioral skills?</li> <li>• Do any other family members demonstrate difficulties with cognitive, linguistic, or behavioral skills?</li> </ul>	<p>Information indicates limited concern regarding educational difficulties, interventions/supports, or suspected disability condition.</p> <p>-----</p> <p>Information indicates some concerns regarding educational difficulties; however, current supports and time to receive instruction indicate adequate progress.</p> <p>-----</p> <p>Information indicates ongoing concerns related to educational difficulties, and increased amounts of intervention/supports are required.</p> <p>-----</p> <p>Information indicates significant concerns related to educational difficulties, requires increased intervention/supports, and may indicate suspected disability condition.</p>
<p>Comments:</p>	

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**Speech/Language Development:**

Questions to Consider:	Description:
<ul style="list-style-type: none"> <li>• When the student was first exposed to and began developing language, was there one language the student heard and used, or more than one language used simultaneously? How old was the student when first exposed to English?</li> <li>• Is the student's language proficiency in his/her home language appropriate for his/her age?</li> <li>• How long has the student been exposed to English?</li> <li>• How does the student's language development compare to his/her siblings?</li> <li>• When the student speaks in his/her home language, is the level of intelligibility commensurate with similar peers?</li> <li>• Does the student demonstrate characteristics of bilingual development that are typical of second language acquisition? (e.g., silent period, transfer of words, sounds, and/or grammatical conventions from the home language to English and vice versa) that are typical of second language acquisition?</li> <li>• When does the student use English to play or interact with other students? What language does the student prefer to use?</li> <li>• Do parents or guardians report difficulties with speech or language when the student first acquired the home language?</li> <li>• What language(s) are spoken in the immediate community?</li> <li>• Do any other family members demonstrate difficulty listening, speaking, or sharing thoughts or ideas in the home language?</li> <li>• Does the student currently or has previously received any outside therapy services to address communication or any other difficulties?</li> <li>• What types of accommodations and supports provided in the household ensure the student understands and responds to household routines?</li> </ul>	<p>Information indicates limited concern regarding educational difficulties, interventions/supports, or suspected disability condition.</p> <p>-----</p> <p>Information indicates some concerns regarding educational difficulties; however, current supports and time to receive instruction indicate adequate progress.</p> <p>-----</p> <p>Information indicates ongoing concerns related to educational difficulties, and increased amounts of intervention/supports are required.</p> <p>-----</p> <p>Information indicates significant concerns related to educational difficulties, requires increased intervention/supports, and may indicate suspected disability condition.</p>
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**Educational History & Performance:**

Questions to Consider:	Description:
<ul style="list-style-type: none"> <li>• Has the student received any interventions in school? If yes, describe them, including the language in which interventions are provided.</li> <li>• Did the student attend any type of daycare or preschool program? If so, what languages were spoken, and did the student make progress?</li> <li>• Overall, in what language does the student learn best?</li> <li>• How do the difficulties impact listening, speaking, reading, and writing instruction?</li> <li>• What is the student's history of participation in bilingual or ESL programs? Did the student receive instruction in a bilingual or ESL program from a certified (high-quality) bilingual teacher? What types of classroom accommodations have been provided? Which ones help the student understand and respond to classroom routines?</li> <li>• What types of linguistic and academic accommodations have been provided in the classroom?</li> <li>• What are the student's language proficiency levels in English [TELPAS]?</li> <li>• Does the student respond to oral directives independently or watch others to see what they are doing?</li> <li>• Is the student's performance in language development and academic performance comparable to similar peers?</li> <li>• In what language does the student best understand and respond to classroom directives?</li> <li>• When providing some direct informal activities and instructions in the home language, is learning improved and progress indicated?</li> <li>• When providing some direct informal activities and instruction in English, is learning improved and progress indicated?</li> </ul>	<p>Information indicates limited concern regarding educational difficulties, interventions/supports, or suspected disability condition.</p> <p>-----</p> <p>Information indicates some concerns regarding educational difficulties; however, current supports and time to receive instruction indicate adequate progress.</p> <p>-----</p> <p>Information indicates ongoing concerns related to educational difficulties, and increased amounts of intervention/supports are required.</p> <p>-----</p> <p>Information indicates significant concerns related to educational difficulties, requires increased intervention/supports, and may indicate suspected disability condition.</p>
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**Assessments (Formal and Informal):**

Questions to Consider:	Description:
<ul style="list-style-type: none"> <li>Describe languages used in administration and results of any formal assessments such as achievement tests, cognitive tests, or speech and language tests that may have been previously administered to the student.</li> <li>Did the assessments include linguistic accommodations to ensure that English proficiency was not a barrier to skill demonstration? What is the student's TELPAS assessment history in all four language domains? If the student has not taken TELPAS, which proficiency level descriptors correlate to teachers' classroom observations? What curriculum-based and criterion-referenced assessments were provided to the student? Describe the results.</li> <li>What informal information, such as work samples, observations, and altered tests, was collected from the teacher or other specialized personnel? Describe the results.</li> <li>Do formal and informal assessments indicate difficulties in the home language?</li> <li>Do the formal and informal assessments indicate difficulties in the English language?</li> <li>Were evaluations completed outside the school district and provided to the district by the parent(s) or guardians(s)? If so, describe.</li> </ul>	<p>Information indicates limited concern regarding educational difficulties, interventions/supports, or suspected disability condition.</p> <p>-----</p> <p>Information indicates some concerns regarding educational difficulties; however, current supports and time to receive instruction indicate adequate progress.</p> <p>-----</p> <p>Information indicates ongoing concerns related to educational difficulties, and increased amounts of intervention/supports are required.</p> <p>-----</p> <p>Information indicates significant concerns related to educational difficulties, requires increased intervention/supports, and may indicate suspected disability condition.</p>
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**Social Development and At-Risk Factors:**

Questions to Consider:	Description:
<ul style="list-style-type: none"> <li>Does the student play appropriately with siblings or other students in their home language?</li> <li>Does the student have difficulty interacting with adults?</li> <li>Does the student have one or more friends with whom he/she interacts regularly?</li> <li>What behaviors in the home environment may influence current observed behaviors?</li> <li>Is the student involved in community experiences such as organized sports, community events, religious activities, etc.? Describe.</li> <li>What is the primary language spoken during extracurricular activities?</li> <li>What do coaches or teachers report about the student's language and learning skills during extracurricular or community events?</li> <li>Has the student experienced the loss of a parent/guardian due to death or other permanent separation, including divorce?</li> <li>Is the student living in poverty? If yes, describe.</li> </ul>	<p>Information indicates limited concern regarding educational difficulties, interventions/supports, or suspected disability condition.</p> <p>-----</p> <p>Information indicates some concerns regarding educational difficulties; however, current supports and time to receive instruction indicate adequate progress.</p> <p>-----</p> <p>Information indicates ongoing concerns related to educational difficulties, and increased amounts of intervention/supports are required.</p> <p>-----</p> <p>Information indicates significant concerns related to educational difficulties, requires increased intervention/supports, and may indicate suspected disability condition.</p>
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**Additional Data:**

<p>Include any additional data here that not been previously considered but are relevant for an initial special education referral.</p>	<p>Information indicates limited concern regarding educational difficulties, interventions/supports, or suspected disability condition.</p> <p>-----</p> <p>Information indicates some concerns regarding educational difficulties; however, current supports and time to receive instruction indicate adequate progress.</p> <p>-----</p> <p>Information indicates ongoing concerns related to educational difficulties, and increased amounts of intervention/supports are required.</p> <p>-----</p> <p>Information indicates significant concerns related to educational difficulties, requires increased intervention/supports, and may indicate suspected disability condition.</p>
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