



English Learners with Disabilities

Illinois State Board of Education
June 2023

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Agenda

- Amendments to the Rules
- English Learner (EL) Eligibility
- Special Education Eligibility
- Evaluation of ELs
- Individualized Education Program (IEP) for ELs
- Outplaced ELs
- FAQ

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Amendments to the Illinois Special Education Rules

Effective February 6, 2023, the Illinois State Board of Education adopted amendments to the special education rules under 23 Ill. Adm. Code 226. These amendments were published in the February 17, 2023, issue of the Illinois Register ([47 Ill. Reg. 2244](#)).



Interpretation and Translation

Amended 23 Ill. Adm. Code §§ 226.75, 226.500-226.530, 226.710, and 226.800(k) expand the requirements for providing translation services, specifically translated IEP documents, and interpreter services at IEP meetings.

New/Expanded Definitions

- “Vital Documents List” – **The IEP, Parent/Guardian Notification of Conference, Parent/Guardian Notification of Conference Recommendations, Notice of Procedural Safeguards for Parents/Guardians of Students with Disabilities, Parent/Guardian Consent for Initial Evaluation, Parent Consent for Reevaluation, Evaluation Reports, Eligibility Determination, Manifestation Determination Review documents, IEP Progress Reports, and Medicaid Consent Forms**

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Interpretation and Translation

- Vital Documents List must be translated into the 10 most common languages, other than English, spoken in Illinois. This requirement includes translating the individualized substance of the document.
- The translated *Parent/Guardian Notification of Conference Recommendations* form and other required notice forms must be provided simultaneously with English IEP documents.
- All reasonable efforts must be made to provide the translated IEP within seven school days after the IEP meeting.
- All other vital IEP documents (e.g., Evaluation Reports) must be translated and provided to parents as soon as practicable but no later than 30 school days after the IEP meeting.

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Interpretation and Translation

- Parents are allowed to request the translation of documents not on the Vital Document List that have a vital relation to the child's educational planning and school districts must make reasonable efforts to provide the requested translations in a timely manner.
- All translations must be performed by competent translators as defined in the amended rules. If school districts elect to utilize an automated translation program or application, the results must be reviewed and edited as needed by an individual qualified to determine the accuracy of the translation.
- All translations must be certified to be true and accurate by the translator to the best of the translator's knowledge or ability.

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Interpretation and Translation

School districts must track and report data through I-Star. Such data includes the number of parent-requested translations; the number of translations provided at the time of the IEP meeting; and the number of translations, by language, provided after the IEP meeting. Also include information about the average number of school days between the IEP meeting and the provision of the translated IEP.



Top 10 Languages (Per 2021 EL Statistical Report)

- Spanish
- Arabic
- Polish
- Urdu
- Russian
- Gujarati
- Tagalog
- French
- Vietnamese
- Mandarin

**The list is subject to change.*

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Qualified Interpreters

University of Illinois Urbana-Champaign:

Faculty from Second Language Acquisition and Teacher Education (SLATE), the Department of Linguistics, and the Program in Translation and Interpreting Studies are collaborating with the Illinois State Board of Education to develop an online training program for interpreters for Individualized Education Program meetings in Illinois schools.

The five-year, \$5 million project follows a recently enacted law that requires qualified interpreters to be present when teachers and parents meet to discuss IEPs for students with special educational needs.

[Press Release](#)

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Qualified Interpreter Training

[Qualified Interpreting and Translation Requirements - Guidance](#)

- Beta testing is estimated to begin in the summer/fall of 2023.
- The Multilingual Department will be doing outreach to schools to encourage participation in beta testing.
- The training will begin with Spanish & continue to encompass the rest of the main five languages spoken in the state: Arabic, Polish, Urdu, and Russian.
- The training will include an English proficiency test, modules that teach special education language, and a final competency exam to be qualified.



Eligibility

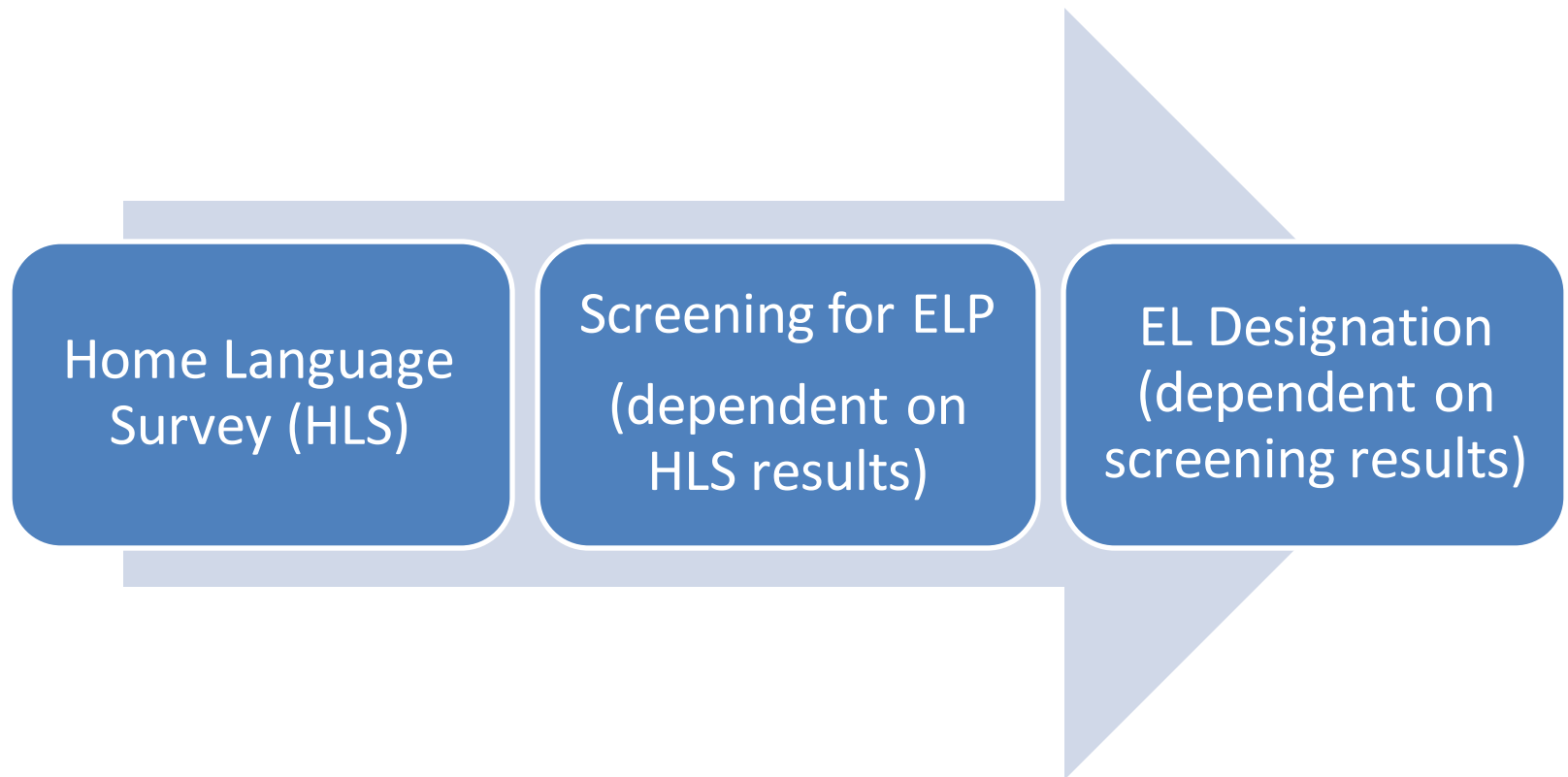
Local Education Agencies must provide EL students who have disabilities with both language assistance and special education services.

<https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

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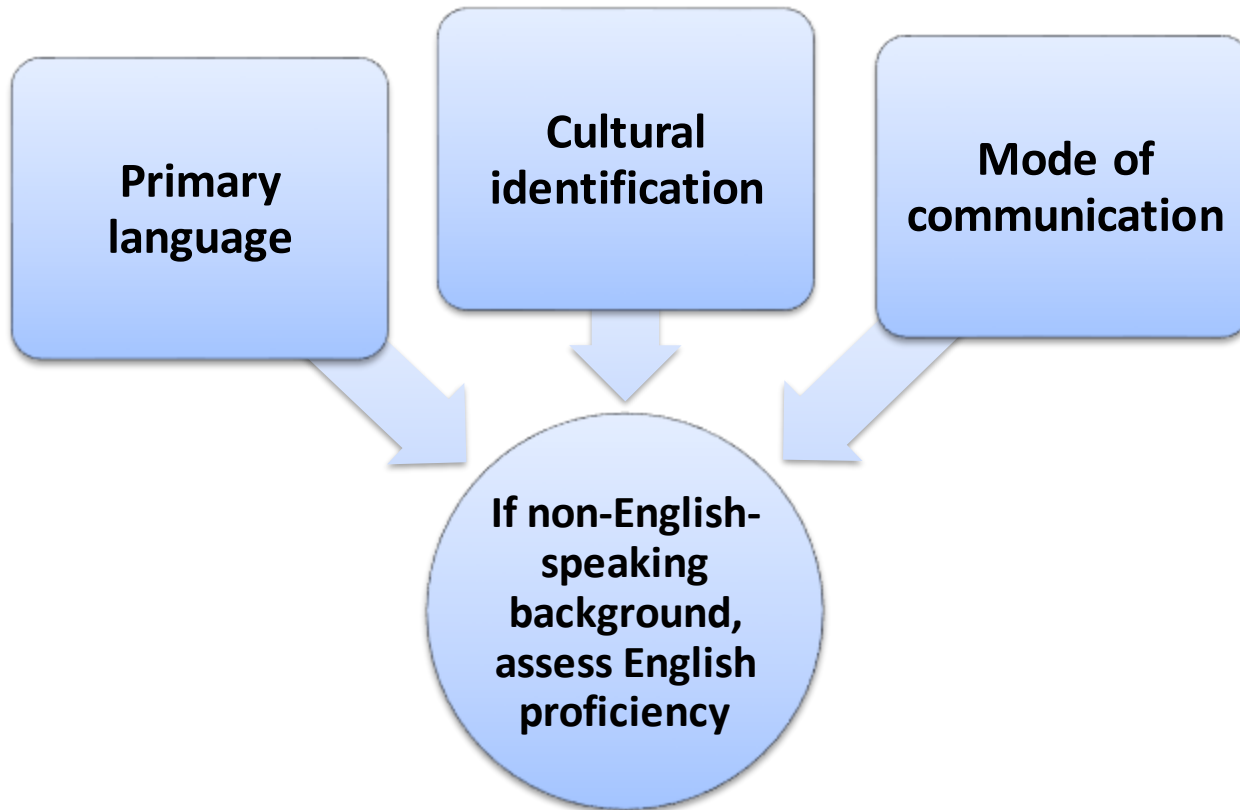
EL Eligibility



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Before Special Education Evaluation



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IEP for an English Learner

An IEP shall be considered “linguistically and culturally appropriate” if it addresses the language and communication needs of a student as a foundation for learning, as well as any cultural factors that may affect the student’s education.

(34 CFR 300.22)

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Evaluations

Federal and state regulations say that assessment and evaluation materials **must be administered in student's native/primary language or other mode of communication**. If an EL does not yet speak English, English should not be used in evaluation. Evaluations must be nondiscriminatory and conducted with respect to the student's culture.



Evaluating ELs

- If documented efforts to locate a qualified bilingual specialist are unsuccessful, the district shall conduct assessment procedures that do not depend upon language.
- Tests given to a child whose primary language is other than English shall be relevant, to the maximum extent possible, to his or her culture.
- EL status and/or student's proficiency in English must not delay evaluation for special education services.



Regulations

[34 CFR § 300.304 - Evaluation procedures.](#)

(c) Other evaluation procedures. Each [public agency](#) must ensure that -

(1) Assessments and other [evaluation](#) materials used to assess a child under this part -

(i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;

(ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;



Regulations

23 Illinois Administrative Code Section 226.150 Evaluation to be Nondiscriminatory

Each evaluation shall be conducted so as to ensure that it is nondiscriminatory with respect to language, culture, race, and gender.

a) The languages used to evaluate a child shall be consistent with the child's primary language or other mode of communication. If the language use pattern involves two or more languages or modes of communication, the child shall be evaluated by qualified specialists or, when needed, qualified bilingual specialists using each of the languages or modes of communication used by the child. The provisions of subsections (b) and (c) of this section shall apply when a qualified bilingual specialist is needed but unavailable.



Regulations

Districts must, as a threshold matter, assess the student's proficiency in both English and their native language in order to determine in which language the eligibility evaluation should be conducted.

Additionally, Title VI of the Civil Rights Act requires districts to provide equal educational opportunity to national-origin minority students who are deficient in English language skills. [\(34 CFR 100.3\)](#)



Regulations

Evaluations must not be delayed because a student does not speak English or speaks limited English.

[Dear Colleague Letter, U.S. Department of Justice Civil Rights Division and U.S. Department of Education Office of Civil Rights, January 7, 2015 \(Section A\).](#)

The departments are aware that some school districts have a formal or informal policy of "no dual services" (i.e., a policy of allowing students to receive either EL services or special education services, but not both). Other districts have a policy of delaying disability evaluations of EL students for special education and related services for a specified period of time based on their EL status. These policies are impermissible under the IDEA and federal civil rights laws, and the departments expect SEAs to address these policies in monitoring districts' compliance with federal law. Further, even if a parent of an EL student with a disability declines disability-related services under IDEA or Section 504, that student with a disability remains entitled to all EL rights and services as described in this guidance.



Documentation

Use ISBE Form 34-57B/C or an equivalent to document that consideration was given to student's language in order to determine the language of evaluation.

Student Name: _____

Date: _____

PARENT/GUARDIAN CONSENT FOR EVALUATION IDENTIFICATION OF NEEDED ASSESSMENTS

This form must be completed by the IEP Team.

DOMAIN	RELEVANT		EXISTING INFORMATION ABOUT THE CHILD	ADDITIONAL EVALUATION DATA NEEDED	SOURCES FROM WHICH DATA WILL BE OBTAINED
	YES	NO			
Academic Achievement Current or past academic achievement data pertinent to current educational performance.	<input type="checkbox"/>	<input type="checkbox"/>			
Functional Performance Current or past functional performance data pertinent to current functional performance.	<input type="checkbox"/>	<input type="checkbox"/>			
Cognitive Functioning Data regarding cognitive ability, how the child takes in information, understands information and expresses information.	<input type="checkbox"/>	<input type="checkbox"/>			
Communication Status Information regarding communicative abilities (language, articulation, voice, fluency) affecting educational performance.	<input type="checkbox"/>	<input type="checkbox"/>			



Options when Evaluating ELs



1. Evaluation in two languages
2. Evaluation in the home language
3. Evaluation in English



Resources to Consider when Evaluating ELs

- ✓ Bilingual evaluators (ISBE offers a [registry](#) of independent evaluators who can help with assessing students in languages other than English.)
- ✓ Qualified interpreters
- ✓ Experts on multilingual education (e.g., a bilingual specialist)
- ✓ People familiar with student's culture



IEP for an English Learner

STUDENT NAME: _____		DATE OF MEETING: _____	
INDIVIDUALIZED EDUCATION PROGRAM (CONFERENCE SUMMARY REPORT)			
DATE OF MOST RECENT EVALUATION: _____		DATE OF NEXT REEVALUATION: _____	
PURPOSE OF CONFERENCE (Check all that apply)			
<input type="checkbox"/> Review of Existing Data	<input type="checkbox"/> Reevaluation	<input type="checkbox"/> IEP Review/Revision	<input type="checkbox"/> FBA/BIP
<input type="checkbox"/> Initial Evaluation/Eligibility	<input type="checkbox"/> Initial IEP	<input type="checkbox"/> Secondary Transition	<input type="checkbox"/> Graduation
<input type="checkbox"/> Manifestation Determination <input type="checkbox"/> Other _____			
STUDENT IDENTIFICATION INFORMATION			
STUDENT'S ADDRESS (Street, City, State, Zip Code)		STUDENT'S DATE OF BIRTH	SIS ID NUMBER
<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	ETHNICITY	LANGUAGE/MODE OF COMMUNICATION USED BY STUDENT	CURRENT GRADE LEVEL
PLACEMENT (To be completed after placement determination) <input type="checkbox"/> Yes <input type="checkbox"/> No Placement is in Resident School		DISABILITY(S)	ANTICIPATED DATE OF HIGH SCHOOL GRADUATION
MEDICAID NUMBER			
RESIDENT DISTRICT		RESIDENT SCHOOL	
PLACEMENT			
SERVING DISTRICT		SERVING SCHOOL	
PARENT INFORMATION			
(1) PARENT'S NAME <input type="checkbox"/> EDUCATIONAL SURROGATE PARENT		(2) PARENT'S NAME <input type="checkbox"/> EDUCATIONAL SURROGATE PARENT	
(1) PARENTS ADDRESS (Street, City, State, Zip Code)		(2) PARENTS ADDRESS (Street, City, State, Zip Code)	
(1) PARENT'S TELEPHONE NUMBER (Include Area Code)		(2) PARENT'S TELEPHONE NUMBER (Include Area Code)	
(1) LANGUAGE/MODE OF COMMUNICATION USED BY PARENT'S <input type="checkbox"/> Yes <input type="checkbox"/> No Interpreter		(2) LANGUAGE/MODE OF COMMUNICATION USED BY PARENT'S <input type="checkbox"/> Yes <input type="checkbox"/> No Interpreter	
PROCEDURAL SAFEGUARDS			
Explanation of Procedural Safeguards were provided to/reviewed with the parent(s) on _____			
Transfer of Rights - Seventeen-year old student informed of his/her rights that will transfer to the student upon reaching age 18. <input type="checkbox"/> Yes <input type="checkbox"/> No			
Parent(s) were given a copy of the: <input type="checkbox"/> Evaluation report and eligibility determination <input type="checkbox"/> IEP			
<input type="checkbox"/> District's behavioral intervention policies <input type="checkbox"/> District's behavioral intervention procedures (initial IEP only)			
PARTICIPANTS INFORMATION			

Language should be consistent with HLS. More than one language can be listed.

Is parent limited English proficient? List language or languages spoken at home.

PROVIDE Procedural Safeguards and conference notice in parent's dominant language.

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IEP for an English Learner

☐ District's behavioral intervention policies

☐ District's behavioral intervention procedures (initial IEP only)

PARTICIPANTS INFORMATION

Signature indicates attendance. Check appropriate boxes to indicate which meetings were attended. Anyone serving in a dual role should indicate so on the following lines. If a required participant participates through written input or is excused from all or part of the IEP meeting, the required excusal and written report, as necessary, is attached.

ELIGIBILITY REVIEW	IEP		ELIGIBILITY REVIEW	IEP	
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	Parent	<input type="checkbox"/>	<input type="checkbox"/>	School Social Worker
<input type="checkbox"/>	<input type="checkbox"/>	Parent	<input type="checkbox"/>	<input type="checkbox"/>	Speech-Language Pathologist
<input type="checkbox"/>	<input type="checkbox"/>	Student	<input type="checkbox"/>	<input type="checkbox"/>	Bilingual Specialist
<input type="checkbox"/>	<input type="checkbox"/>	LEA Representative	<input type="checkbox"/>	<input type="checkbox"/>	Interpreter
<input type="checkbox"/>	<input type="checkbox"/>	General Education Teacher	<input type="checkbox"/>	<input type="checkbox"/>	School Nurse
<input type="checkbox"/>	<input type="checkbox"/>	Special Education Teacher	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/>	<input type="checkbox"/>	School Psychologist	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)

If the parent(s) did not attend the IEP meeting, document the attempts to contact the parent(s) prior to the IEP meeting.

It is presumed that a bilingual specialist participates in an IEP meeting for an EL. "Bilingual specialist" is defined by Section 226.800 (f) of the Illinois Administrative Code.

If a parent is limited English proficient and did not sign a statement requesting all communication in English, an interpreter **MUST** participate in an IEP meeting .



IEP for an English Learner

STUDENT NAME: _____ DATE OF MEETING: _____

PRESENT LEVELS OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE

Complete for initial IEPs and annual reviews.

When completing this page, include all areas from the following list that are impacted by the student's disability: academic performance, social/emotional status, independent functioning, vocational, motor skills, and speech and language/communication. This may include strengths/weaknesses identified in the most recent evaluation.

Student's Strengths

Parental Educational Concerns/Input

Student's Present Level of Academic Achievement (Include strengths and areas needing improvement)

Student's Present Levels of Functional Performance (Include strengths and areas needing improvement)

Include parents' comments.
A statement, "Parents have no
Concerns," is acceptable.

Include ACCESS (Alternate ACCESS)
score and information on student's
performance in native language.

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IEP for an English Learner

STUDENT NAME: _____ DATE OF MEETING: _____

**ELIGIBILITY DETERMINATION
(OTHER THAN SPECIFIC LEARNING DISABILITY)**

DETERMINANT FACTORS

The determinant factor for the student's suspected disability is:

☐ Yes ☐ No Lack of appropriate instruction in reading, including the essential components of reading instruction (Evidence Provided): _____

☐ Yes ☐ No Lack of appropriate instruction in math (Evidence Provided): _____

☐ Yes ☐ No Limited English Proficiency (Evidence Provided): _____

If any of the above answers is "yes," the student is not eligible for services under IDEA and the team must complete Step 1 and 4 below. If all of the answers are "no," complete Steps 1-4.

COMPLETE FOR STUDENTS SUSPECTED OF HAVING A DISABILITY UNDER IDEA

STEP 1 – DISABILITY

☐ **No Disability Identified** (Complete Step 4 and write "Not Eligible for Special Education Services" in the Disability section of the Conference Summary Report page.)

☐ **Disability Identified** Based on the team's analysis, identify the disability(s):

Primary	Secondary
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Autism (O)
Deaf/Blindness (H)
Deafness (G)
Developmental Delay (3-9) (N)
Emotional Disability (K)
Hearing Impairment (F)
Intellectual Disability (A)

Multiple Disabilities (M)
Orthopedic Impairment (C)
Other Health Impairment (L)
Speech or Language Impairment (I)
Traumatic Brain Injury (P)
Visual Impairment including Blindness (E)

Step 2 – ADVERSE EFFECTS

☐ **No Adverse Effect Identified.** (Complete Step 4 and write "Not Eligible for Special Education Services" in the Disability section of the Conference Summary Report page.)

☐ **Adverse Effect Identified.** For each disability identified, describe how the disability adversely affects the student's educational performance.

STEP 3 – EDUCATIONAL NEEDS

State to what extent the student requires special education and related services to address educational needs.

If limited English proficiency is identified as a **DETERMINANT FACTOR**, student is **NOT ELIGIBLE** for special education services under IDEA.



IEP for an English Learner

STUDENT NAME: _____ DATE OF MEETING: _____

EDUCATIONAL ACCOMMODATIONS AND SUPPORTS

Complete for initial IEPs and annual reviews. (Anyone responsible for implementing the educational accommodations must be notified of her/his specific responsibilities).

CONSIDERATION OF SPECIAL FACTORS

Check the boxes to indicate if the student requires any supplementary aids and/or services due to the following factors. For any box checked "yes," specify the special factors in the "Supplementary Aids, Accommodations and Modifications" section and/or the Linguistic and Cultural Accommodations section listed below.

- | | |
|---|---|
| <input type="checkbox"/> Yes <input type="checkbox"/> No | assistive technology devices and services |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | communication needs including students who are deaf/hard of hearing. If yes, complete linguistic and cultural accommodations section below. |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | limited English proficiency – language needs |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | blind/visually impaired – provision of Braille instruction |
| <input type="checkbox"/> Yes <input type="checkbox"/> No | behavior impedes student's learning or that of others. If yes, the team must consider strategies, including positive behavioral interventions and supports to address behavior. This may include a Functional Behavioral Assessment and/or a Behavioral Intervention Plan. If so, attach any completed forms. |

LINGUISTIC AND CULTURAL ACCOMMODATIONS

- | | |
|---|--|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | The student requires accommodations for the IEP to meet her/his linguistic and cultural needs. This includes students who are deaf/hard of hearing. If yes, specify any needed accommodations: |
|---|--|

- | | |
|---|---|
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Special education and related services will be provided in a language or mode of communication other than or in addition to English. This includes services provided to students who are deaf/hard of hearing. If yes, specify any needed accommodations: |
|---|---|

For students who are deaf/hard of hearing and others, as applicable:

- Identify the language and communication need(s): ☐ ASL ☐ Auditory/Oral ☐ Cued Speech ☐ Speech Generated Device ☐ Tactile
☐ Signed English ☐ Other (please describe) _____
- List the opportunities for direct communication/interaction with peers and professional personnel in the child's language and communication mode:

- List the identified mode of communication accessible in academic instruction, school services, and extracurricular activities that the student will receive:

Select "Yes" under limited English proficiency – language needs.

List accommodations related to linguistic and cultural needs (when applicable).

Provide information on language and/or linguistic support that will be used with special education and related services.

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IEP for an English Learner

STATE ASSESSMENT OF ENGLISH LANGUAGE PROFICIENCY

The state assessments of language proficiency for English Learners (EL) in grades K-12 include: Accessing Comprehension and Communication in English State to State (ACCESS) and the Alternate ACCESS.

☐ Yes ☐ No English learner (EL). If "NO", skip to next section

If yes, the student will:

- ☐ Participate in the ACCESS with no accommodation(s).
- ☐ Participate in the ACCESS with accommodation(s). (Complete Assessment Accommodations section).
- ☐ Participate in the alternate ACCESS with no accommodation(s).
- ☐ Participate in the alternate ACCESS with accommodation(s) (Complete Assessment Accommodations section of the IEP).

ASSESSMENT ACCOMMODATIONS

If the student will participate in assessments with accommodations, other than PARCC, DLM, and/or ISA, document any needed accommodations for the content area(s) in the section below.

Classroom-Based Assessments

District-Based Assessments

SAT Assessment

Science Assessment

Physical Fitness Assessment (e.g. **Brockport**)

Select "Yes" under English learner and select appropriate box for ACCESS.

List accommodations related to language for each type of assessment.



IEP for an English Learner

STUDENT NAME: _____ DATE OF MEETING: _____

EDUCATIONAL SERVICES AND PLACEMENT

Initiation Date: ____ / ____ / ____ Duration Date: ____ / ____ / ____

PARTICIPATION IN GENERAL EDUCATION CLASSES

The IEP must address all content areas, classes, and specify if the student will participate in general physical education.

General Education with No Supplementary Aids

(Specify content areas, classes, whether or not the child will participate in general physical education, and **extracurricular and other nonacademic activities**.)

Minutes Per Week
In Setting
(Optional)

General Education with Supplementary Aids (as specified in the Supplementary Aids section)

Specify content areas, classes, whether or not the child will participate in general physical education, and **extracurricular and other nonacademic activities with supports, if applicable**.)

Minutes Per Week
In Setting
(Optional)

Special Education and Related Services within the General Education Classroom

(Specify content areas and classes in which the child will participate with the provision of special education and related services. List each special education and related service that will be provided during each class.)

Minutes Per Week
In Setting

PARTICIPATION IN SPECIAL EDUCATION CLASSES/SERVICES

The IEP must address all special education and related services.

Special Education Services – Outside General Education

Minutes Per Week
In Setting

List classes and minutes followed by EL information (e.g., “Math 225 mpw with EL support”).

TBE/TPI programs, sheltered English, dual language programs, or ESL instruction are not special education services or related services.



Language Supports to ELs with IEPs

- Bilingual supports are direct services and cannot be provided only through consultations.
- Bilingual supports should not be confused with special education services and listed in an IEP under special education minutes.
- Bilingual supports are not related services and should not be listed in an IEP under related services minutes.



Outplaced ELs with an IEP

When an IEP team decides to place an EL in a special education cooperative or a nonpublic program, the home district is still responsible for providing bilingual supports (e.g., EL EBF funding, Title III grants).

This requirement is monitored by the ISBE Multilingual Department when it reviews districts' Bilingual Service Plans.



BSP Integrated into CDP

As of 2023, a Bilingual Service Plan has been integrated into a Consolidated District Plan.

EGMS HOME | ISBE HOME | LOGOUT

Consolidated District Plan

SESSION TIMEOUT 59:46

County: Kankakee

Consolidated District Plan ▼

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[Click to Return to Application Select](#)

ie application.

eds and Programs	Plan Specifics	Assurance Pages	Submit	Application History	Page Lock Control	Application Print	
ent	College and Career	Professional Development	Safe Learning Environment	Title I Specific Pages	IDEA Specific Requirements	Youth in Care Stability Plan	Bilingual Service Plan

Instructions

sment process.*



Servicing Outplaced ELs

Districts are required to list nonpublic special education programs that have ELs enrolled in the district and provide information on bilingual supports.

Attendance Center Name		Program Type (check all that apply)		Types of Instructional Design (check all that apply)						PEL with ESL and/or Bilingual Endorsement - Enter zero if no teachers in a category.			
In addition to district attendance centers that have ELs, special education co-ops and non-public special education program attendance centers that have out placed dually identified (ELs with IEPs) students must be listed.*		Grade Span	TBE	TPI	1	2	3	4	5	6	Number of PEL Teachers with ESL Endorsement Only	Number of PEL Teachers with Bilingual Endorsement Only	Number of PEL Teachers with ESL and Bilingual Endorsement
1.	██████████ School	K-4	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3	0	1
2.	██████████ Jr. High	Pre-K, 5-8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6	0	1
3.	██████████ High School	9-12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1	0	1
4.	MENTA	9-12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	0	0
5.	KACC	9-12	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	0	0



Common Questions

Do special education services supersede bilingual supports?

No. Special education services do not supersede bilingual supports; both are equally important. If a student qualifies for both, an LEA must provide English learners with an IEP with both the language assistance and the special education services.

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Common Questions

Is there an alternate screener for potential ELs with disabilities?

No. Illinois is a member state of the WIDA Consortium and therefore required to use WIDA screeners. At the present, WIDA does not offer alternate screeners although they will soon be piloted and, consequently, available to districts.

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Common Questions

Can the IEP team waive bilingual supports to an EL with an IEP?

No. This issue is addressed through state regulations.

Section 228.30 Establishment of Programs

c) Specific Requirements for Transitional Bilingual Education (TBE) Programs

B) If the student's score either on the prescribed screening instrument required in Section 228.15(e) or the English language proficiency assessment required in Section 228.25(b) is below the minimum identified pursuant to subsection (c)(3)(A), the student may be placed in a part-time program only if one of the following conditions is met and the placement is instructionally beneficial for the student.

iv) Students with Disabilities: Any student with a disability whose Individualized Education Program developed in accordance with 23 Ill. Adm. Code 226. Subpart C **identifies a part-time transitional bilingual education program as the least restrictive environment for the student.**

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Common Questions

Are students who use American Sign Language considered English learners?

ASL is recognized as a language, but students who use ASL as a mode of communication are not considered English learners and should not be screened for EL services.

Students who use a sign language other than the American Sign Language are considered ELs, and so are students using ASL whose parents speak another language.

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Common Questions

Can the IEP team decide whether bilingual supports are appropriate to a student identified as an English learner?

No. A student is identified as an English learner based on an HLS and screening. Screening results and ACCESS scores determine programming and language supports appropriate for that student.



Common Questions

If a child with an IEP is an English learner, should special education and related services be delivered in that child's dominant language?

A student must be able to understand educational services and supports that he/she receives. Not meeting this requirement may be considered a denial of a free appropriate public education.

*34 CFR, § 300.34 says: General. Related services means transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, **interpreting services**, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training.*

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Common Questions

Should a student who has an IEP always take Alternate ACCESS?

No. Only students who take Dynamic Learning Maps in lieu of regular testing should take Alternate ACCESS. This selection should be entered into student's IEP.



Common Questions

Should an EL with an IEP who has met high school graduation requirements continue taking ACCESS or Alternate ACCESS? Should that student continue receiving EL supports?

The student should still receive language supports based on needs, but does not have to take ACCESS or Alternate ACCESS.

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Questions or Comments?



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