INTERVENTION AND EVALUATION FOR
ENGLISH LEARNER (EL) STUDENTS:
GUIDANCE FOR IDAHO SCHOOL DISTRICTS

This guidance document is intended to outline best practices for Idaho school districts when considering possible special education evaluation for students identified as English Learners (EL). "ELs are students whose native language is a language other than English and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny them the ability to successfully achieve in classrooms where the language of instruction is English.".[1]

This 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 as an individual with a disability if the "determinant factor" is limited English proficiency.[2]
> ➤ 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.[3]
> ➤ EL students (like all other students who may have a disability and need services under IDEA) must be located, identified, and evaluated for special education services in a **timely manner**.[4] A student suspected of having a disability must not be denied an evaluation, and if eligible, be denied access to special education until he/she becomes proficient in English.[5]
> ➤ EL students are evaluated using **appropriate tools and measures**. School districts must consider a student's English language proficiency in determining appropriate assessments and other evaluation materials to be used when conducting a comprehensive special education evaluation.[6]

The following sections of this document outline integral practices to guide Idaho school districts when addressing the needs of EL students, including *problem solving* and *special education evaluation*. These practices can assist school teams in gathering sufficient converging evidence

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[1] Elementary and Secondary Education Act, Sec. 9101(25).
[2] *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).
[3] *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).
[4] 34 CFR 300.111(a)(i).
[5] 34 CFR 100.3; *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).
[6] 20 U.S.C. 1414(b)(5); 34 CFR 300.306(b)(1)(iii)-(b)(2); *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).

that allows for the determination that an EL student's educational difficulties are not due solely to issues related to culturally and linguistically diversity, but rather, to a true disability.

Problem Solving Process

As with any student experiencing educational difficulties, school teams should first employ a problem solving approach when addressing the needs of English Learners.[7] Uniquely to EL students, presented difficulties should be analyzed in the context of their English language development.[8]

Different problem solving models are available for school teams to utilize when addressing student need. Examples include Multi-Tiered System of Supports (MTSS), Response to Intervention (RTI), and Positive Behavior Interventions and Supports (PBIS) [9]. Defining specific procedures involved in implementing a particular problem solving model is beyond the scope of this document. Please refer to other sources for additional guidance in this area.

Pre-Intervention: As part of the problem solving process, school teams should first gather information that may include, but is not limited to, a comprehensive review of the student's current level of performance and the student's access to effective academic and language instruction. School teams should refer to the following guidelines to ensure consideration of language proficiency while engaging in the problem solving process.

① Determine the student's native/dominant language and cultural background:	
➢ Review the student's home language survey to determine his/her native language, and whether the student comes from an environment where a language other than English is dominant.[10]	
➢ Consider whether the student is truly bilingual and assess for **both** native language proficiency, and English proficiency to the extent feasible.	
➢ Obtain additional information through multiple methods (language background	For example, what language does the student feel most comfortable speaking? Does the

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[7] 34 CFR 100.3,

[8] 34 CFR 300.324a)(2)(ii).

[9] McInerney, M. & Elledge, A. (May 2013). *Using a Response to Intervention (RTI) Framework to Improve Student Learning.* Retrieved from www.rti4success.org.

[10] *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15) ("One of the most critical 'affirmative steps' and 'appropriate action[s]' that school districts must take to open instructional programs for EL students and to address their limited English proficiency is to first identify EL students in need of language assistance services in a timely manner.")

questionnaire, observation, interviews), multiple sources (parents/caregivers, teacher, and/or student), and multiple settings (school, home, community, etc.).[11]	student tend to seek out relationships with people of the same cultural background? Does the student observe any cultural traditions? Does the student have access to homework support at home? What is the structure of the home environment? Do parents notice similar difficulties in primary language?

② Determine the student's progress in attaining English language proficiency:

➢ Review historical language proficiency assessment scores (e.g., W-APT and ACCESS 2.0). This assessment data provides insight on social instructional language and academic language (i.e., Basic Interpersonal Communication Skills (BICS) and Cognitive Academic Language Proficiency (CALP).

③ Determine whether there are deficiencies in the teaching-learning environment:

➢ The student has received **effective** instruction in the core curriculum.[12]

➢ The student has received **appropriate** and **effective** English language development instruction delivered with fidelity and with **sufficient** time to acquire English.

➢ Core and ELD instruction includes the use of research-based curricula.

④ Determine if the following factors have <u>any</u> impact on an EL student's learning. If so, has the school team addressed the student's needs appropriately?

➢ Cultural acclimation (i.e., "culture shock"[13])
➢ Cultural knowledge and norms
➢ Poverty/Low Socio-Economic Status (SES)
➢ Mobility
➢ Trauma/psychological factors
➢ Social/emotional/behavioral difficulties
➢ Educational background (e.g., Students with Interrupted Formal Education (SIFE), previous education in U.S and/or home country, educational gaps, sufficient education, prior academic experience)
➢ Language loss

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[11] *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).
[12] 34 CFR 300.306(b)(1)(i)
[13] Collier, C. (2010). *Seven Steps to Separating Difference from Disability*. Newbury Park, CA: Corwin Publishing.

> ➤ "Silent Period" (stage of second language acquisition)

⑤ **Consider the influence of language differences vs. disability on learning behaviors (refer to the "Language Differences vs Disabilities" table at the end of this document).**

⑥ **Analyze the student's English language development growth to determine whether it is significantly lower as compared with *comparable* peers (e.g., students from the same culture and linguistic background, gender, age, previous schooling, etc.).**

Response to Intervention (RTI): Once sufficient information has been gathered to address the preceding considerations, a response to intervention (or similar) approach should be implemented to address the specific areas of concern. Such an approach is summarized as follows:

① **Implement a high-quality, research-based intervention:**

- ➤ with fidelity
- ➤ long enough to determine the effect of the intervention
- ➤ while monitoring student progress towards an appropriate goal, and
- ➤ adjusting the intervention if progress is not sufficient to meet the identified goal

② **Analyze progress monitoring data to determine the EL student's rate of improvement over time in relation to *comparable* peers. If the student is not responding similar to his/her peers, the school team may consider whether modifications to the intervention are necessary or whether a special education referral is warranted. An example is provided below:**

"The target EL student had a baseline reading fluency of 33 correct words per minute (cwpm). Four comparable peers (closely matched for native language, time in the country, and grade) receiving the same (or similar) intervention were reading an average of 58 cwpm. In addition to daily core reading instruction, the target EL student received 30 minutes of intervention 5 days per week per day for 4 weeks in a research-based curriculum appropriate for EL students, designed to address reading fluency. After the 4 weeks of intervention, the target student was reading 31 cwpm, whereas comparable peers were reading an average of 67 cwpm. A change in intervention was implemented, whereas the target student received an additional 20 minutes per day in a research-based curriculum appropriate for EL students, designed to address reading fluency. After 4 more weeks, the target student was reading 34 cwpm, whereas peers were reading an average of 78 cwpm. The target student's rate of improvement was 0.125 whereas the comparable peer's rate of improvement was 2.5. Overall, data indicate that the target student's rate of improvement in response to interventions is significantly less than that of comparable peers."

③ **Consider additional indicators that <u>may</u> support the need for a special education**

evaluation (if applicable):
➢ Limited communication or evidence of low skills in the home as compared to siblings and/or same-age peers, especially when these differences are noticed by parents.
➢ Developmental delays or other conditions (e.g., hearing, vision, social/emotional).
④ **Engage in a process of analyzing data to determine if a referral for special education is appropriate. If data support a suspected disability, school teams must initiate the referral process without further delay.**

Special Education Evaluation

Once it has been determined there are sufficient data to analyze, a school team can then make a decision whether to proceed with a formal special education referral or whether the interventions have resolved the EL student's educational difficulties:

➢ The school team may decide a referral is warranted if the student is not demonstrating positive response to the intervention, or if the level and intensity of intervention or interventions necessary for the student to succeed is not sustainable within the general education program.[14]

➢ The school team may decide a referral is *not* warranted if the student is demonstrating considerable improvement in response to the intervention and/or if it has been determined that social, cultural, linguistic, or socioeconomic issues are the primary factors contributing to the student's educational difficulties.

The US Department of Education emphasizes that a problem solving model, such as RTI (or other MTSS method), is only one component of the special education identification process. The problem solving process does not replace the need for a comprehensive evaluation. "A public agency must use a variety of data gathering tools and strategies even if an RTI process is used."[15]

Additional federal guidance warns that RTI cannot be used to delay or deny a special education evaluation for a student suspected of being a student with disabilities.

School teams should refer to the following guidelines when deciding to proceed with a special education evaluation for EL students:

① **Parental involvement:**

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[14] 34 CFR 300.301(b).
[16] 71 Fed. Reg. 46648.

> ➢ As would be done with any other student suspected of having a disability, invite parents of the EL student to participate in the evaluation process.[16]

> ➢ Provide parents with a free interpreter and/or translation services during meetings in their primary language, to the extent feasible.[17]

> ➢ In order to ensure parents have meaningful access, provide all information to the parents in a language they can understand, including the Procedural Safeguards Notice to the extent practicable. If written translations are not practicable parents must be offered free oral interpretation of the written information. .[18]

② Select appropriate instruments and strategies:

> ➢ Tailor an evaluation plan to the specific cultural, linguistic, and developmental characteristics of the student.[19]
> ➢ Utilize multiple sources of data to assess all areas of concern. Options include formal and informal methods, such as standardized/non-standardized assessments, non-verbal measures, observations of student, parent and teacher interviews, progress monitoring and peer comparison data, performance samples, etc. No single procedure can be used as a sole basis for making decisions about eligibility.[20]
> ➢ Ensure that assessment materials that are selected and administered are not culturally, linguistically, or racially discriminatory.[21]
> ➢ Examine test items for cultural bias/appropriateness and modify as needed.[22] If the modifications negatively impact the validity of the score, the results cannot be used as a primary source for eligibility determination, but rather may be used as descriptive information.

③ Administer selected measures:

> ➢ Provide and administer special education evaluations in the child's native language or other form of communication, and in the form most likely to yield accurate information on what

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[16] 34 CFR 300.305.

[17] 34 CFR 300.322(e).

[18] 34 CFR 300.322(e); *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15); *Letter to Boswell*, 49 IDELR 196 (OSEP 9/4/07),

[19] 34 CFR 300.304(b)(1)-(3).

[20] 34 CFR 300.304(b)(1)-(3).

[21] 34 CFR 300.304(c)(1)(i).

[22] 34 CFR 300.304(c)(1)(i).

the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to provide or administer. .[23]

➤ Ensure assessments are administered and interpreted by trained professionals who possess knowledge and skills related to cultural and linguistic variables, including knowing how to differentiate between language needs and a disability (refer to the "Language Differences vs. Disabilities" table at the end of this document).[24]

④ Interpret evaluation results:

➤ Evaluate the extent to which cultural and linguistic differences may have affected the validity of scores obtained from standardized tests[25].

➤ Determine whether the learning difficulties manifested over time are similar across multiple settings and contexts (home, school, community[26]).

➤ Determine whether the learning difficulties are evident in both English and the student's native language.

➤ Summarize data from a variety of sources to establish a preponderance of evidence that supports or negates the presence of a disability, the adverse effect of a disability on performance and the need for specially designed instruction.

➤ An EL student may not qualify for special education if the determinant factor for eligibility is, among other things, limited English proficiency.[27]

Guidelines for Use of Interpreters

The use of trained interpreters is an invaluable resource to school teams when assessing English Learners. However, the law does not specifically define the parameters of using interpreters in

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[23] 34 CFR 300.304(c)(1)(ii).

[24] *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).

[25] Flanagan, D., Ortiz, S. & Alfonso, V. (2013). Essentials of Cross Battery Assessment, 3rd Edition. Hoboken, NJ: John Wiley & Sons.

[26] Butterfield, J. & Read, J. (2011). *ELLs with Disabilities: A Guide for Identification, Assessments, and Services*. Palm Beach Gardens, FL: LRP Publications.

[27] 34 CFR 300.309(a)(3)(vi).

evaluating EL students. The following general guidelines should be considered by school teams to work successfully with interpreters[28]:

- ➢ Rely on trained interpreters, rather than enlisting a cultural peer or a relative as an interpreter. When possible, choose interpreters who have prior experience as school interpreters.
- ➢ Remember that most interpreters are not professionally trained in assessments and may not have familiarity with or an understanding of the technical terms associated with the special education process.
- ➢ Review confidentiality requirements with the interpreter.
- ➢ Ensure that the interpreter has knowledge and understanding of the family's cultural and linguistic background.
- ➢ Avoid portraying the interpreter as the family's representative or advocate.
- ➢ Remind the interpreter to relay only the information provided by the team and parents, not editorialize or give opinion. Encourage direct interpretation of all questions and answers.
- ➢ When asking questions or relaying evaluation results, speak directly to the parent, rather than the interpreter. Speak in short, simple sentences. Avoid idioms, metaphors, or colloquialisms. Use specific terms.

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[28] Butterfield, J. & Read, J. (2011). *ELLs with Disabilities: A Guide for Identification, Assessments, and Services*. Palm Beach Gardens, FL: LRP Publications.

Frequently Asked Questions

Are districts required to assess ELs in their native language in order to qualify them for special education?
Answer: IDEA states that students must be assessed in their native language, unless it is clearly not feasible to do so.[29] The school team should determine the types of assessments that are most appropriate to assess the student's needs and/or determine eligibility.[30]

Can we use an interpreter to help administer a standardized assessment?
Answer: Qualified interpreters can be invaluable in helping school teams gather information when conducting evaluations for EL students. However, there are no standard guidelines for use of interpreters in administering standardized measures. It is important to remember that some test items cannot accurately be translated from English to another language without seriously distorting their original meaning or without suggesting the correct responses. Furthermore, most standardized tests do not include English Learners in their norming samples. These factors impact the validity of standardized assessments for ELs, and results should be interpreted with caution. Limitations associated with using standardized measures, including using an interpreter to aid in any administration, should be acknowledged and explained in the evaluation results[31].

Can we use the Woodcock Johnson-IV to assess academic achievement for an EL student?
Answer: When looking at an EL student's performance on a standardized English academic test, such as the (WJ-IV), it may be necessary to view the results of the test in the context of potentially assessing second language acquisition and not necessarily as a true measurement of the student's academic skill level. Evaluate and report the results with recognition of how language may have impacted the scores.

Can't we use non-verbal assessments to test EL students?
Answer: Although non-verbal assessments can be used as part of a comprehensive evaluation, school teams should not rely solely on the use of these types of measures to inform eligibility decisions. Non-verbal assessment data may provide limited information about the student's overall cognitive abilities. Experts in the field recommend assessing a range of abilities using cross battery assessment.[32]

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[29] 34 CFR 300.304(c)(1)(ii).
[30] 34 CFR 300.304(b).
[31] Butterfield, J. & Read, J. (2011). *ELLs with Disabilities: A Guide for Identification, Assessments, and Services.* Palm Beach Gardens, FL: LRP Publications.
[32] Flanagan, D., Ortiz, S. & Alfonso, V. (2013). *Essentials of Cross Battery Assessment, 3rd Edition.* Hoboken, NJ: John Wiley & Sons.

Should an EL student spend a certain amount of time in the MTSS/RTI process before the team can move forward with a special education evaluation?

Answer: Just like for any student, there is no set period of time that a student must be engaged in the problem solving process, nor is the problem solving process intended to be a replacement for a comprehensive special education evaluation. EL students should receive high-quality, research-based interventions over a period of time sufficient enough to enable school teams to gather data regarding how the student is responding to interventions in relation to comparable peers.[33] Federal guidance, however, warns that RTI cannot be used to delay or deny a special education evaluation for a student suspected of being a student with disabilities.

Is it true that schools must wait until the student has received EL services for 5-7 years before making a referral for special education?

Answer: This is a common myth, but school teams DO NOT have to wait for any prescriptive amount of time. EL students, like all other students suspected of having a disability, should be located, identified, and evaluated for special education services in a timely manner.[34] However, teams should not move so quickly so as to overlook the potential impact of English language proficiency and other factors (e.g., social/emotional, cultural, educational background, poverty, etc.) on the student's learning. A student cannot be identified as an individual with a disability if the "determinant factor" is limited English proficiency.[35]

Does an EL student have to achieve a certain proficiency level on the ACCESS 2.0 in order for a team to consider a special education evaluation?

Answer: There is no required ACCESS 2.0 level that an EL student must achieve before a school team can consider a special education referral. A student suspected of having a disability must not be denied special education until he/she becomes proficient in English.[36]

What must be considered when developing an IEP for an EL student?

Answer: The IEP team must consider the language needs of an EL student as those needs relate to the student's IEP.[37] In order to meet this legal requirement, "it is important for members of the IEP team to include professionals with training, and preferably expertise, in second language acquisition and an understanding of how to differentiate between the student's limited English proficiency and the student's disability."[38] As with any other student suspected

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[33]*Answers and Questions on Response to Intervention (RTI) and Early Intervening Services (EIS)*, 47 IDELR 196 (OSERS 2007).

[34] 34 CFR 300.111(a)(i).

[35] *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).

[36] 34 CFR 100.3; *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).

[37] 34 CFR 300.324(a)(2)(ii).

[38] *Dear Colleague Letter*, 115 LRP 524 (OCR/DOJ 1/7/15).

of having a disability, parents of EL students must be invited to participate in the process as well.[39]

If an EL student qualifies for special education services can the student just be exited from the EL program since the student won't be able to meet the Idaho exit criteria on the ACCESS 2.0 due to his/her disability?
Answer: Students can only be exited from an EL program with qualifying ACCESS 2.0 assessment scores.[40] At this time the US Department of Education (USDOE) has not given consent to states to implement alternate exit criteria. During the 2016-2017 school year the Idaho State Department of Education (SDE) will be working collaboratively with stakeholders from all over the state and from various district roles to create alternate exit criteria for EL students with disabilities so that they are not "forever ELs". The intention is to have a plan in place so that when given the approval by USDOE, Idaho can proceed forward with the plan's implementation.

Can all EL students who are on IEPs and 504s take the Alternate ACCESS 2.0 for ELs?
Answer: No. The Alternate ACCESS for EL students is reserved for those students with severe cognitive disabilities.[41] Ultimately, for a student to qualify to take the Alternate ACCESS, the student ***must*** also be participating in the Alternate ISAT and/or alternate IRI.

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[39] 34 CFR 300.321(a)(1).
[40] *See* the Idaho State Department of Education's State LEP and Title III Guidance for Idaho Schools for more information about the Idaho exit criteria, which can be located at: http://www.sde.idaho.gov/el-migrant/el/files/guidance/program-guidance/LEP-Program-Manual.pdf

[41] See the Idaho State Department of Education's Idaho English Language Assessment Transition Document for more information regarding the qualifying criteria for Alternate ACCESS 2.0, which can be located at https://www.sde.idaho.gov/el-migrant/el/files/guidance/program-guidance/English-Language-Assessment-Transition.pdf

LANGUAGE DIFFERENCES VS. DISABILITIES TABLE[42]

ORAL COMPREHENSION/LISTENING		
Learning Behavior Manifested	**Indicators of a Language Difference due to 2nd Language Acquisition**	**Indicators of a Possible Learning Disability**
Student does not respond to verbal directions	Student lacks understanding of vocabulary in English but demonstrates understanding in L1	Student consistently demonstrates confusion when given verbal directions in L1 and L2; may be due to processing deficit or low cognition
Student needs frequent repetition of oral directions and input	Student is able to understand verbal directions in L1 but not L2	Student often forgets directions or needs further explanation in L1 and L2 (home & school); may be due to an auditory memory difficulty or low cognition
Student delays responses to questions	Student may be translating question in mind before responding in L2; gradual improvement seen over time	Student consistently takes a longer time period to respond in L1 & L2 and it does not change over time; may be due to a processing speed deficit

SPEAKING/ORAL FLUENCY		
Learning Behavior Manifested	**Indicators of a Language Difference due to 2nd Language Acquisition**	**Indicators of a Possible Learning Disability**
Student lacks verbal fluency (pauses, hesitates, omits words)	Student lacks vocabulary, sentence structure, and/or self-confidence	Speech is incomprehensible in L1 and L2; may be due to hearing or speech impairment
Student is unable to orally retell a story	Student does not comprehend story due to a lack of understanding and background knowledge in English	Student has difficulty retelling a story or event in L1 and L2; may have memory or sequencing deficits
Student does not orally respond to questions, or does not speak much	Lacks expressive language skills in English; it may be the silent period in 2nd language acquisition	Student speaks little in L1 or L2; student may have a hearing impairment or processing deficit

[42] Butterfield, J. & Read, J. (2011). *ELLs with Disabilities: A Guide for Identification, Assessments, and Services.* Palm Beach Gardens, FL: LRP Publications
U.S. Department of Education. (2015). *English learner toolkit for state and local education agencies (SEAs and LEAs)*

PHONEMIC AWARENESS/READING

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student does not remember letter sounds from one day to the next	Student will initially demonstrate difficulty remembering letter sounds in L2 since they differ from the letter sounds in L1, but with repeated practice over time will make progress	Student doesn't remember letter sounds after initial and follow-up instruction (even if they are common between L1/L2); may be due to due a visual/auditory memory deficit or low cognition
Student is unable to blend letter sounds in order to decode words in reading	The letter sound errors may be related to L1 (for example, L1 may not have long and short vowel sounds); with direct instruction, student will make progress over time	Student makes letter substitutions when decoding not related to L1; student cannot remember vowel sounds; student may be able to decode sounds in isolation, but is unable to blend the sounds to decode whole word; may be due to a processing or memory deficit
Student is unable to decode words correctly	Sound not in L1, so unable to pronounce word once decoded	Student consistently confuses letters/words that look alike; makes letter reversals, substitutions, etc. that are not related to L1; may be processing or memory deficit

READING COMPREHENSION AND VOCABULARY

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student does not understand passage read, although may be able to read w/ fluency and accuracy	Lacks understanding and background knowledge of topic in L2; is unable to use contextual clues to assist with meaning; improvement seen over time as L2 proficiency increases	Student doesn't remember or comprehend what was read in L1 or L2 (only applicable if student has received instruction in L1); this does not improve over time; this may be due to a memory or processing deficit
Does not understand key words/ phrases; poor comprehension	Lacks understanding of vocabulary and meaning in English	The student's difficulty with comprehension and vocabulary is seen in L1 and L2

SPELLING

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student misspells words	Student will "borrow" sounds from L1; progress seen over time as L2 proficiency increases	Student makes errors such as writing the correct beginning sound of words and then random letters or correct beginning and ending sounds only; may be due to a visual memory or processing deficit
Student spells words incorrectly; letters are sequenced incorrectly	Writing of words if reflective of English fluency level or cultural thought patterns; words may align to letter sounds or patterns of L1 (sight words may be spelled phonetically based on L1)	The student makes letter sequencing errors such as letter reversals that are not consistent with L1 spelling patterns; may be due to a processing deficit

MATHEMATICS

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student manifests difficulty learning math facts and/or math operations	Student lacks comprehension of oral instruction in English; student shows marked improvement with visual input or instructions in L1	Student has difficulty memorizing math facts from one day to the next and requires manipulatives or devices to complete math problems; may have visual memory or processing deficits
Student has difficulty completing multiple-step math computations	Student lacks comprehension of oral instruction in English; student shows marked improvement with visual input or instructions in L1	Student forgets the steps required to complete problems from one day to the next, even with visual input; student reverses or forgets steps; may be due to a processing or memory deficit
Student is unable to complete word problems	Student does not understand mathematical terms in L2 due to English reading proficiency; student shows marked improvement in L1 or with visuals	Student does not understand how to process the problem or identify key terms in L1 or L2; may be a processing deficit/reading disability

HANDWRITING

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student is unable to copy words correctly	Lack of experience with writing the English alphabet	Student demonstrates difficulty copying visual material to include shapes, letters, etc. This may be due to a visual/motor or visual memory deficit

BEHAVIOR

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Student appears inattentive and/or easily distracted	Student does not understand instructions in English due to level of proficiency	Student is inattentive across environments even when language is comprehensible; may have attention deficits
Student appears unmotivated and/or angry; may manifest internalizing or externalizing behavior	Student does not understand instruction due to limited English and does not feel successful; student has anger or low self-esteem related to 2nd language acquisition	Student does not understand instruction in L1 or L2 and across contexts; may be frustrated due to a possible learning disability
Student does not turn in homework	Student may not understand directions or how to complete the homework due to lack of English proficiency; student may not have access to homework support at home	Student seems unable to complete homework consistently even when offered time and assistance with homework during school; this may be due to a memory or processing deficit

WRITING

Learning Behavior Manifested	Indicators of a Language Difference due to 2nd Language Acquisition	Indicators of a Possible Learning Disability
Errors made with punctuation/ capitalization	The error patterns seen are consistent with the punctuation and capitalization rules for L1; student's work tends to improve with appropriate instruction in English	Student consistently or inconsistently makes capitalization and punctuation errors even after instruction; this may be due to deficits in organization, memory or processing
Student has difficulty writing grammatically correct sentences	Student's syntax is reflective of writing patterns in L1; typical error patterns seen in 2nd language learners (verb tense, use of adverbs or adjectives); improves over time	The student makes more random errors such as word omissions, missing punctuation; grammar errors are not correct in L1 or L2; this may be due to a processing or memory deficit
Student has difficulty generating a paragraph or writing essays but is able to express his or her ideas orally	Student is not yet proficient in writing English even though they may have developed verbal skills; student makes progress over time and error patterns are similar to other 2nd language learners	The student seems to have difficulty paying attention or remembering previously learned information; the student may seem to have motor difficulties and avoids writing; student may have attention or memory deficits