



Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**

# *Washington State Multilingual Learners: Policies and Practices Guide*

**2024**

# CHAPTER 3: MTSS, PROGRESS MONITORING AND TIERED SUPPORTS

## Using a Multi-Tiered System of Supports for MLs

All students, including multilingual learners benefit from opportunities for access, equity, and inclusion. To better understand how these terms will be used within this chapter, please review the table below:

Term	Definition
<b>Access</b>	Equal opportunities are provided to participate in general education by reducing or removing barriers.
<b>Equity</b>	Each student receives the support and resources needed to benefit from equal opportunities to learn and participate in all aspects of school.
<b>Inclusion</b>	All students feel a sense of belonging and experience meaningful participation in learning and the community because the environment, curriculum, and assessments are accessible and equitable.



## Washington's MTSS Framework

Districts and schools can increase opportunities for access, equity, and inclusion by leveraging a Multi-Tiered System of Supports (MTSS). MTSS is a framework that uses evidence-based practices to achieve important outcomes for every student.

[Washington's MTSS Framework](#) focuses on organizing the efforts of adults to ensure students benefit from culturally and linguistically nurturing environments and equitable access to instruction and supports that are differentiated to meet their unique needs including supporting Multilingual Learners (MLs) through:



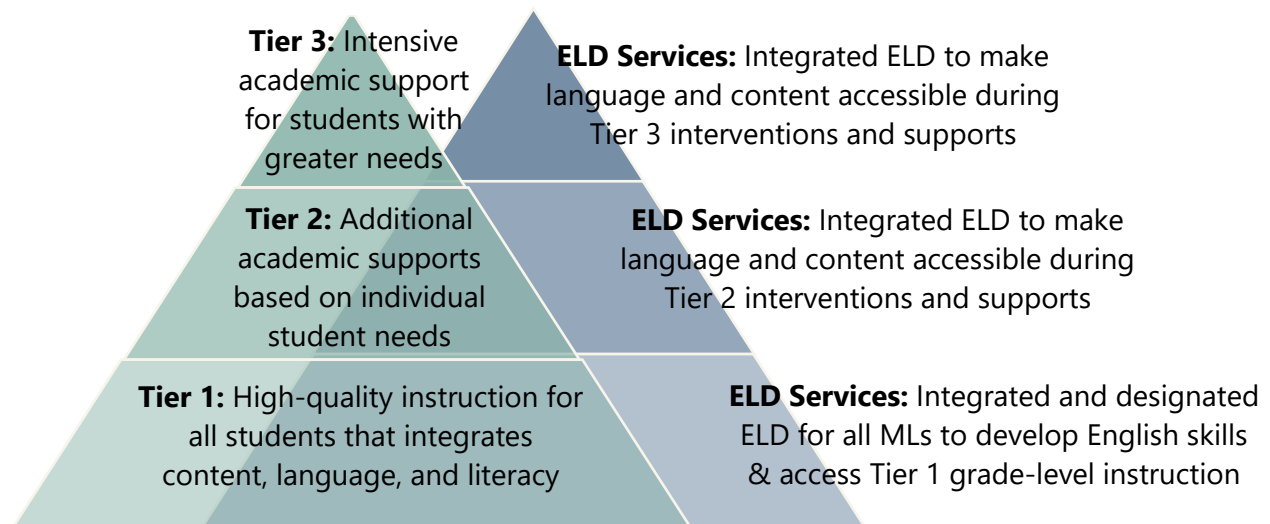
- **Team-driven shared leadership.** A team-based approach including classroom teachers, bilingual educators, ML specialists, reading specialists, and special education teachers

may be helpful to determine what multilingual learners can do, what skills are still developing, and how to best support the student's academic, language, and literacy development.

- **Data-based decision making.** Reviewing data not only from English language proficiency and academic assessments but also from observations and other data sources can help provide a complete picture of the multilingual learner and support decision-making about instructional needs.
- **Family, student, and community engagement.** Families and caregivers are critical partners in understanding multilingual learners' strengths and needs. Interpreters, bilingual educators, and community language brokers can also help families understand their essential role and provide input on important decisions.
- **Evidence-based practices.** Multilingual learners need support with language and literacy skills as well as academic content. Literacy interventions alone cannot take the place of English language development (ELD) services provided by an educator with specialized training. Multilingual learners also need regular, meaningful access to content that is taught using effective strategies for language learners.
- **Continuum of supports.** Multilingual learners should be included in Tier 1, 2, and 3 instruction and interventions to address their specific academic needs, in addition to having regular designated ELD services.

## MTSS and English Language Development Services

Within the MTSS Framework, MLs need additional ELD supports to access academic content. The diagram below illustrates how ELD must be embedded into all tiers of academic support.



Multilingual learners' academic needs should be considered first in determining Tier 1, 2, and 3 instructional approaches. English language development support should be embedded at each

tier so that the academic instruction and support are accessible to all students. For example, early literacy interventions that focus on phonics instruction without ensuring multilingual learners understand the vocabulary and context for reading will do little to support their ultimate comprehension.

## Progress Monitoring

To determine the specific needs of multilingual learners, schools/districts should regularly monitor students’ progress in both language acquisition and academic skills and use these data to determine academic and language supports within the MTSS.

## Developing an Assessment Plan

A comprehensive plan includes the use of both formative and summative student assessments at least three times per year that can inform instruction and tiered interventions. This plan should include not only the required annual English language proficiency assessment (WIDA ACCESS) but other formative assessments such as the WIDA MODEL or other formal or informal quarterly language assessments.

Schools/districts may want to use the [Multilingual Learner District Plan Template](#) to articulate a plan for progress monitoring using the following table:

Assessment and Monitoring of Student Progress		
Name the assessment tools that are used to monitor eligible and exited multilingual learners’ academic and linguistic progress and describe any processes for administration of progress monitoring, including annual ELP assessments.		
	Academic Assessments	Language Assessments
Elementary:		
Middle School:		
High School:		

Academic assessments may include literacy screeners, online reading and math assessments, or other teacher-administered academic assessments, and educators should consider how language may impact assessments that are administered in English when reviewing student data. These assessments can help determine what types of tiered academic supports are appropriate and what language supports will be needed for students to access those academic interventions. When possible, providing assessments in a students’ home language may be valuable if the student has had formal schooling in that language, particularly for newcomers.

## Assessing Language

Multilingual learners’ language skills are assessed annually using the WIDA ACCESS or WIDA Alternate ACCESS assessment. These assessment results can be useful for determining both

individual student strengths and needs as well as schoolwide trends. OSPI provides a [WIDA ACCESS Analysis Tool](#) to support school and district teams in analyzing WIDA ACCESS data to develop improvement plans for ELD services. However, language progress should also be assessed throughout the school year using regular formative assessment.

One powerful tool for monitoring students' language progress is the WIDA Proficiency Level Descriptors (PLDs). These interpretive and expressive grade band-level rubrics can be used to:

- Examine student work and determine students' current performance levels
- Set goals for language development, aligned to the Language Expectations
- Determine student needs and develop scaffolding and supports
- Track student progress over time

For more information and examples of how to use the PLDs to monitor student progress, see "[Using Proficiency Level Descriptors to Plan Instruction and Assessment Multilingual Learners](#)" (Percy Calaff, Shafer Willner, Gottlieb, & Marinho Kray, 2022).

## **Assessing Literacy: Early Literacy Screening**

Students with reading difficulties should be identified as early as possible, but it is important to not confuse language development with a reading disability. Multilingual learners without learning disabilities may exhibit reading behaviors and characteristics that look like native English speakers who have reading disabilities. Some multilingual learners struggle with both language and reading, and students of any language can have dyslexia regardless of their linguistic background.

### *Early Literacy Screening Requirements and Considerations*

ALL eligible multilingual learners must be included in early literacy screening except during their first 4 months of U.S. schooling. Multilingual learners' screening results should NOT be directly compared to grade-level norms. School teams should consider student progress and development of both language and literacy skills over time. Students may be screened in a language other than English if they have literacy skills in their home language or are enrolled in dual language programs. Screeners in Spanish that have met the state criteria include Istation's ISIP, Renaissance's STAR, and Amplify's mClass Lectura.

Consider the following when using screeners in other languages:

- Screeners in other languages must be designed and normed for that language. Dialect variations must be considered. Use of an interpreter to provide sight translation of an English screener into another language is NOT appropriate and will not yield useful results.
- Screeners in other languages may not provide the whole picture for a multilingual learner. Most assessments have been normed for native speakers of that language, not children who are simultaneously developing two or more languages.

- If a student has skills in two or more languages, it is best to assess first in the student's dominant language and then assess in the second language to confirm and/or add new information about the student's skills.
- Consider the student's opportunity to learn in each language as well as previous and current exposure to literacy skills in each. Families and caregivers may provide useful information on students' language and literacy skills and use of their home language.

The following chart provides guidance on considerations for screening of multilingual learners at various language levels.

#### Considerations for Literacy Screening of Multilingual Learners based on WIDA Scores

WIDA Overall Score Range (WIDA Screener or WIDA ACCESS)	Considerations for Screening
0-2.0	Newcomers are exempt from screening for the first 4 months. Students may screen in their home language (if possible). Grade-level norms will not be applicable in English.
2.1-3.9	Students should be screened (unless in their first 4 months). Students may screen in their home language (if needed). Grade-level norms may not be applicable in English. Look at progress over time.
4.0-6.0*	Students should be screened. Students may screen in their home language (if useful). Grade-level norms may be applicable, but the team should consider progress as well.

\*Scores above a 4 in speaking and listening but lower in reading and writing may indicate warning signs and/or a need for literacy intervention.

When reviewing and interpreting results of multilingual learners' early literacy screening, educators should consider the following:

- *What strengths does the student bring?* Look at other content areas for strength-based skills. Use observations and other data points in addition to literacy assessment data.
- *What does the student know in each language?* Multilingual learners may still be simultaneously developing language and literacy skills in two or more languages.
- *What can the student do when viewed across languages?* Assessment in a single language (either English or another language) may not fully capture all the student's skills. Reviewing skills across both languages may help show what the student "can do."

## Using Screening Data with Multilingual Learners

To build upon students' existing skills in one language as they develop another, school teams should use the [WIDA Can-Do Philosophy](#) which uses an asset-based approach to language.

The following questions may be useful when reviewing and interpreting the literacy screening results of multilingual learners. Data review teams may include classroom teachers, bilingual educators, ELD specialists, reading specialists, and/or special education teachers. The use of home languages may be more applicable to dual language programs and is not always possible in programs with multiple languages.

### Considerations for Multilingual Learners in Early Literacy Skills

Skill	Questions to Consider
Phonological Awareness	<ul style="list-style-type: none"><li>• Does the student's home language break down words or sounds in this way? (syllables vs. individual phonemes)</li><li>• Is the skill typical in the student's home language? (i.e., rhyming, alliteration, etc.)</li><li>• If assessing in another language, is the task typical for that language?</li></ul>
Phonemic Awareness	<ul style="list-style-type: none"><li>• Has the student acquired these phonemes in their spoken English?</li><li>• If assessing in another language, is isolating sounds/phonemes a typical linguistic practice?</li><li>• What sounds does the student know in each language (if testing in multiple languages)? Is there overlap?</li><li>• Are there sounds in English that are "tricky" for speakers of the student's home language (if known)?</li></ul>
Letter-Sound Knowledge	<ul style="list-style-type: none"><li>• What letters does the student know in each language (if testing in multiple languages)? Is there overlap?</li><li>• Are there letters that are "tricky" in English for speakers of the student's first language (if known)?</li></ul>
Rapid Auto-matized Naming Skills	<ul style="list-style-type: none"><li>• Can the student name objects in either language? (How many can they name altogether across languages?)</li><li>• Is the student using a "non-standard" term that still means something similar?</li><li>• How does the student's speed correspond to their language development?</li></ul>

While students of any language background may have weaknesses associated with dyslexia, multilingual learners are also overidentified for special education services in Washington state for specific learning disabilities. Because of this, referring multilingual learners for evaluation must be done with great caution.

Many districts use a critical data process to consider multiple factors, including the student's first language development and background, before considering a referral for testing. [Separating Difference from Disability](#) and [The ELL Critical Data Process](#) may be helpful in developing appropriate pre-referral processes for multilingual learners.

### *Supporting Early Literacy Instruction and Intervention for MLs*

All students, including multilingual learners, benefit from instruction that is essential for students with language-based learning disorders, including:

- Integrating content, language, and literacy instruction
- Strengthening oral language development
- Teaching writing in connection with reading as an essential skill
- Building on student's home languages and cultures
- Focusing on comprehension to support academic literacy and student success

Within the MTSS Framework, multilingual learners should be uniquely considered when determining intervention groupings for each tier of instruction and intervention. These considerations include:

- Tier 1 instruction that integrates content, language, and literacy and builds on students' home languages and cultures.
- Regular designated English language development (ELD) provided by or in collaboration with a specially trained educator.
- Explicit focus on oral language development and comprehension in addition to phonemic awareness, phonics, fluency, and vocabulary.
- Intervention materials that are specially designed or adapted to ensure words/text are connected to meaning using visuals, context, or other means.
- Interventions provided in the student's home language in dual language programs or if available. Stronger first language literacy is associated with stronger literacy in English.

See the [MTSS for ELs](#) website for more ideas on addressing the literacy needs of multilingual learners.



## Assessing Content

Multilingual learners at all grades should participate in regular content assessments such as districtwide reading and math assessments, classroom-based assessments, and other ways that student mastery of content is determined. Within these content assessments, educators will need to consider how language may impact student outcomes.

The ideal content assessment will provide differentiated supports to remove language barriers to make the assessment accessible to the student regardless of language level. This may mean altering the format or providing different options for demonstrating understanding including visual supports, graphic organizers, use of home languages, or other accommodations. Using a Universal Design for Learning lens to develop classroom assessments that are accessible to all students can greatly reduce the linguistic barriers that multilingual learners may face to show what they know.

## Specialized Supports for Student Groups

Student data should be used to determine the academic and linguistic strengths and needs of each multilingual learner to provide tiered academic supports as well as specialized language supports for students. Certain groups of multilingual learners may have specific needs. In the following section, the unique differences in needs and recommended supports are outlined for newcomer students and students with limited or interrupted formal education (SLIFE), long-term English learners (LTELs), multilingual learners with disabilities, and exited/transitioned students.

### Newcomer Students

Each year, Washington state welcomes students from a wide range of countries and circumstances. These students may have immigrated or are seeking refuge or asylum in our state. It is important for schools and districts to be prepared to receive newcomer students throughout the school year. The following guidance provides information on suggested programs and processes to support these newly arriving students.

#### *Immigrants, Refugees, and Asylees*

While school districts typically do not collect information on a student's immigration status, families may volunteer this information as they enroll students in school. Certain grants and additional services may be available to some groups of newly arriving students based on their immigration status. These groups are defined as follows:

- **Immigrant** – Anyone who was born outside of the United States and immigrated to the country. For school purposes, an immigrant student is one who was born outside of the United States and has not attended school in any state for more than three full academic years.
- **Refugee** – A person who is forced to leave their country and cannot return because of a fear of persecution based on race, religion, nationality, political opinion, or membership in a certain social group. They have crossed an

international border to find safety in another country. Refugees are typically granted this status before entering the United States.

- **Asylee** – A person fleeing persecution, who presents themselves at the U.S. border, a port of entry, or is already in the United States. Asylee status is determined in the United States, and one may seek asylum regardless of the country one comes from or one's current immigration status.
- **Special Immigrant Visa (SIV) Holder** – Certain individuals who worked with, or on behalf of, the U.S. government in Iraq or Afghanistan and are at risk because of their association or service.
- **Humanitarian Parolee** – An individual who would otherwise be eligible for refugee or SIV status but was not able to complete their visa processing before entering. Humanitarian parole was granted to many Afghans for "urgent humanitarian reasons."<sup>1</sup> This status is also likely to be granted to Ukrainian people who entered as asylees.

<sup>1</sup> National Immigration Forum; <https://immigrationforum.org/article/explainer-humanitarian-parole-and-the-afghan-evacuation/>

### *Newly Arrived Students in Grades K-8*

Newly arriving students in grades K-8 **should be placed in the age-aligned grade level**, regardless of the grade level or amount of schooling completed in their home country. School systems vary widely across countries, and school year calendars may not align to our typical US school year. Well-intentioned family members may request that a student be placed in a lower grade, but this should be discouraged as it is important for students to be placed with age-appropriate peers.

Newcomer students in grades K-8 benefit from the following practices:

- **Pre-Intake** – Before starting school, the family may need support with enrollment, obtaining required vaccinations, acquiring school supplies, and transportation to and from school. Many districts provide in-person or phone interpretation at a family center or district office to assist the family with these needs.
- **School Orientation** – Newly arrived students may need support in their first days of school attendance. This assistance may entail help with finding their classroom(s), meeting their teacher(s), and learning basic routines such as where and when to use the bathroom, how to use automatic soap and towel dispensers, and how to navigate the lunchroom and playground. Assigning a student ambassador or buddy who speaks the student's home language can help the student feel welcome and learn these routines quickly.
- **Early Instructional Activities** – Newcomers with little to no previous English instruction should be placed in either a specially designed class or group with an ELD teacher, specialist, or well-trained paraeducator who can provide

individual or small group support with basic English skills. Lessons in the first days of arrival may include vocabulary about school, food, clothing, and personal interests, as well as greetings and useful phrases. Lessons in which students can share their previous school experiences and compare/contrast with their new school are both culturally responsive and build upon their prior knowledge.

- **Participation in General Education** – Newcomers can participate in and benefit from many instructional activities in the general education setting from the moment they begin attending school. Students who have minimal English skills may enjoy feeling included as part of the classroom community while listening to a read-aloud, following along with an instructional activity, and observing interactions with classmates. Classroom teachers may use strategies such as visual supports, graphic organizers, choral responses, songs, and chants that allow newcomers to participate in content instruction while developing their English language skills.
- **Testing Accommodations** - Recently Arrived English Learners (RAEL) can skip one administration of state ELA testing in their first 12 months in U.S. schools. Newcomers must take state tests in math and science. Districts must plan for appropriate testing accommodations for the math and science tests to ensure accessibility for the student including stacked or sight translation in the student's primary language. See the Washington State Test Coordinators Manual available on the [WCAP portal](#) for more information.

### *High School Newcomers*

Newly arriving students who are ages 14 to 18 should be placed in the grade that provides continuity with their prior schooling or at the age-appropriate grade if this will be their first high school experience. This may mean taking classes out of the typical sequence and adjusting the student's intended graduation year to allow them to complete the required number of credits.

Students who are ages 19 or 20 at their time of arrival are usually placed in a traditional high school but may also request to participate in an Open Doors or other alternative program to accommodate any outside responsibilities they may have while continuing their education until graduation or age 21 (RCW [28A.150.220](#)). This should always be the student's choice as all students have a right to a public education until age 21.

Students who have completed a high school diploma in another country may still enroll in a Washington state high school as long as they are under age 21 and have not yet met the local and state graduation requirements. (See *Appendix A: High School Newcomer Enrollment* for more information on transcripts and credit for coursework from other countries.)

## *Students with Limited or Interrupted Formal Education*

A student who has missed six months or more of formal schooling prior to enrollment in a US school may be designated as a Student with Limited or Interrupted/Intermittent Formal Education (SLIFE). These students may have also experienced traumatic events due to political unrest, violence, or extreme poverty in their home countries. SLIFE students may have different needs than other newcomers.

If a newly arrived student has experienced limited or interrupted/intermittent formal schooling, best practice is to place them in the age-appropriate grade level and/or graduation cohort. If a student's grade level or graduation year is lowered below the age-appropriate level when they enroll, there must be a plan in place so the student receives an education that "is age-appropriate, the content of the instruction relates to the core curriculum and is credit-bearing toward graduation or promotion requirements, and SLIFE students have the opportunity to meet grade-level standards within a reasonable period of time." ([DOJ](#), 2015, p. 50).

To determine what would be a "reasonable period of time" for students to reach grade level standards, proficiency levels in the student's primary language and any additional prior instructional language would be considered, but proficiency levels in English cannot be. Instead, educators should focus on identifying prior learning that could be used to build grade-level appropriate knowledge and skills and generate mastery credits for high school students. Educators should learn about the student's goals and strengths and determine how literacy and numeracy can be developed through accelerated learning and spiral instruction.

The following practices are highly recommended for newly arriving SLIFE:

- Use intake assessments and questionnaires to document prior academic history and identify which skills they already have that can be built upon in school.
- Provide extra English language development (ELD) services and individual support in the student's home language, if possible.
- Schedule students in newcomer classes and/or necessary academic support classes.
- Consider appropriate extra-curricular activities and career and technical education (CTE) classes based on student interests and future goals.
- Use mastery-based crediting procedures to award credit for work and life skills for high school students.
- Collaborate with community-based organizations and local community colleges to provide additional resources and/or specialized programs.

For more information on supports for newly arrived students, see the U.S. Department of Education's Office of English Language Acquisition (OELA) [Newcomer Toolkit](#).

## Long-Term English Learners

Long-term English Learners or LTELs are students who have been receiving English language services for more than 5 years and whose English development has plateaued.

Typical characteristics of LTELs include:

- Significant needs in reading and/or writing.
- Gaps in academic background knowledge.
- Disengagement, learned passivity, or even invisibility in school.
- Lack of awareness that their academic skills, courses, and/or academic record may not be preparing them for college.

The majority of LTELs have lived most, if not their entire lives, in the United States, and much of their English exposure is from non-native speakers. Most LTELs express a desire to attend college but have often internalized a sense of failure that they may believe is their responsibility.

### *Needs of LTELs*

Long-term English Learners need a safe learning community with a growth mindset that affirms their language, culture, and life experiences. They also benefit from instruction on cognitive and metacognitive strategies, ample use of graphic organizers, visuals, and multimedia, and explicit instruction on study skills and the behaviors associated with academic engagement and success.

Educators can support LTELs by assessing their skills to pinpoint specific language needs.

Schools should also monitor their progress by analyzing student work samples, observing their participation and expressive oral language development, and adjusting instruction and support.

WA State Data					
Number and Percent of LTELs (5+ years in program)					
Year	2018-19	2019-20	2020-21	2021-22	2022-23
Number	44,624	47,446	53,933	59,670	65,198
Percent of Total MLs	31.3%	33.5%	38.8%	41.4%	41.0%

### *Strategies for Supporting LTELs*

The following strategies support long-term English Learners by developing academic language, oracy, and literacy, addressing academic gaps, and engaging students actively with rigor and relevance. It may be beneficial to utilize an individualized learning plan to target the specific and unique needs of students, which can guide all teachers and support collaboration among teachers and with the student to reach the student's goals.

#### *Academic Language Development*

- Utilize the WIDA ELD Standards Framework to identify language expectations and goals for content units.

- Provide specific, targeted instruction on language functions and features needed to complete expressive tasks and assessments in content units.
- Provide ample opportunities to use and practice the language functions and features that are targeted in the language expectations for the unit.
- Engage students frequently in oral academic discourse integrated with content with specific instruction on academic language functions and features.

#### Oracy and Literacy Development

- Connect oracy and literacy with an intentional emphasis on expressive oral language development. "If we can't say it, we can't write it."
- Provide regular, structured opportunities for peer interaction and discussions (beyond turn-and-talks) with ample opportunities to express ideas about grade-level content topics and tasks.
- Engage students in close reading across content areas, focusing on language expectations, functions, and features from the WIDA ELD Standards Framework.
- Engage with relevant, real-world informational texts that are high quality, of high interest, and are not watered down.
- Write across a variety of topics and in a variety of formats to both express thoughts and support the learning process.
- Utilize frequent quick writes and opportunities to practice the targeted language functions and features.

#### Addressing Academic Gaps

- Build background knowledge related to key unit concepts by connecting it to and building on familiar prior knowledge, then applying it to new content.
- Teach vocabulary in word families, emphasizing cognates and false cognates and building meaning around words.
- Provide ample opportunities to use new words in discussion and in writing with scaffolds and graphic organizers, as necessary.

#### Active Engagement, Rigor, and Relevance

- Invite and expect (warmly demand) engagement.
- Provide support to take risks and extend and build language use.
- Maintain and communicate high expectations and academic rigor.
- Acknowledge the challenge of learning a new language and support students' efforts.
- Provide explicit instructions, models, mentor texts, rubrics, examples and non-examples of tasks, assignments, and expressive language expectations.
- Incorporate relevant grade-level content, issues, and materials.

## *Preventing LTEL Status*

To prevent multilingual learners from slipping into long-term English Learner status:

- Monitor their language development closely and often. For example, the WIDA [rubrics for speaking](#) and [writing](#) can be used to analyze student expressive language associated with classroom assignments, tasks, projects, and assessments on a quarterly basis.
- Emphasize oral language development as an intentional foundation for literacy.
- If multilingual learners are in the 4th or 5th year of services and are not showing progress, create [individual short-term language goals](#) that all teachers can focus on across content areas.
- Monitor students' socio-emotional identity development and sense of belonging. These can have a significant impact on their linguistic and academic growth.

With systematic support and intentional strategies, educators can reduce the number of multilingual learners who become long-term English learners and increase their success and opportunities for the future.

## **Multilingual Learners with Disabilities**

Multilingual learners who also qualify for special education services have unique and specialized needs. At a minimum, districts must:

- Ensure that English Language development is provided for all identified MLs who also qualify for Special Education;
- Ensure that an educator(s) with the proper knowledge and skills regarding language acquisition participates on the Child Study, Referral, and/or IEP team;
- Provide systems that support collaboration between ML Specialists, General Education Teachers, and Special Education Teachers; and
- Recognize the common misunderstandings and work to dispel the myths and provide professional learning for all educators.

## *Culturally Responsive Practices for Identification of MLs with Disabilities*

The process to refer and identify an ML for special education services requires a pre-referral, whole-child approach which considers multiple factors. Because multilingual learners come from a wide range of educational, familial, cultural, and linguistic backgrounds, educator should consider multiple factors including:

### *Personal and family characteristics*

Educators should utilize a holistic approach which seeks to understand the child's life at home and at school.

- What is known about primary caregivers, family/household members, languages spoken at home, and by whom?

- What are the cultures and traditions of this child's household, and how are those reflected in or honored by school systems to communicate that the child can utilize all personal, cultural, and linguistic assets at school?
- What are the child's interests, hobbies, talents, and activities after school?

When looking at multilingual learners, these characteristics help educators understand and learn to discern the differences between language/cultural differences and true learning disability.

### Psychological characteristics

The language acquisition process often includes a phase where students produce little English as they begin to develop the ability to process and comprehend the input from classroom instruction in English. The extent to which instruction is contextualized and involves extensive opportunities for oral language development opportunities can impact the extent of an individual student's silent phase. Personality characteristics, such as being outgoing, reserved, or shy should also be considered as part of the pre-referral processes. It is helpful to observe the student in social and academic settings where English only is spoken as well as settings where the child's primary language is spoken in addition to one-to-one versus group settings as part of the information-gathering process.

### Previous schooling experiences

Students' prior schooling experiences impact their current performance in US systems. While many MLs may have been educated only in US schools, others may have experiences from multiple international systems. Some MLs may have experienced interrupted schooling or trauma from war, immigration, and, most recently, the pandemic. All these factors must be considered when discerning language development from disability.

### Learning environments and how they impact MLs

Systematic evaluation of the instructional environment is also a part of the process to distinguish disability-related behaviors versus language acquisition-related behaviors. This evaluation includes the quality and amount of English language development services that have been provided and the extent to which those services are integral to/connected to core-content instruction. It also includes an evaluation of the complete school experience and the extent to which meaningful access to all content instruction is being provided.

To what extent are the assets and functions of the bilingual brain considered when planning instruction? To what extent does learning occur in meaningful, cohesive contexts as opposed to separate, disconnected settings? To what extent is the WIDA ELD Standards Framework utilized in planning instruction in core content classrooms? The likelihood of over-referral is decreased if educators reflect upon systems, structures, and instruction to determine to what extent they are providing adequate support and access to students acquiring and being educated in English.

### Cross-cultural considerations

Standardized tools for evaluating students often rely on comparisons to speakers of English. Districts should actively seek tools in the student's primary language and consider that interventions and instructional practices designed for speakers of English may not benefit MLs.



### Oral language development in both the primary language and in English

Oral language is foundational to literacy and, as such, deserves robust and extensive focus. This should occur throughout the day and across content areas. Oral language is important in both the student's primary language and in English and is essential to develop student's literacy in either or both languages.

### Literacy development in both the primary language and in English

It is important to look at the type of initial literacy instruction that was provided or is being provided. Learning to read in the primary language then transferring those skills to English is preferable. As seen in effective dual language programs, developing literacy in both languages results in stronger long-term outcomes for both MLs and speakers of English, including students with special needs.

Approaches to literacy development that are not designed or adapted for the unique needs of multilingual learners do not benefit MLs and can have a detrimental impact on MLs ability to read and comprehend academic English. It is vital that literacy instruction addresses oral language development, an emphasis on the similarities and differences between languages (cognates and false cognates) and be fully contextualized with visuals and realia. For more information, see the Early Literacy Screening section below.

The National Committee for Effective Literacy for Emergent Bilingual Students released a resource which outlines specifics of literacy instruction for MLs. [\*Toward Comprehensive Effective Literacy Policy and Instruction for English Learner/Emergent Bilingual Students.\*](#)

### *Tiered Supports Prior to Referral for Special Education*

Tiered supports are provided to MLs in a manner similar to that provided to speakers of English prior to any referral process for possible identification for special education. It is important that the tiered interventions/supports are designed or modified to address the unique needs of MLs, as interventions designed for speakers of English without modifications are inadequate to address MLs needs.

### *Referral Process*

The English Learner Toolkit identifies four factors that may contribute to over-identification or misidentification of MLs for Special Education services:

- Poor instructional practices
- Evaluating professional's lack of knowledge base regarding second language development versus disabilities
- Weak intervention strategies utilized prior to referral
- Inappropriate assessment tools (normed/designed for English-only speakers)

Misidentification/over-identification is reduced when a collaborative multidisciplinary child study team with knowledge of second language acquisition, special education, English language development, and the core curriculum engages in a supported process to gather and evaluate

information as outlined above. Each member of the team has an important perspective and expertise upon which the team draws to come to a shared decision regarding referral. This collaborative process helps to ensure due diligence in identifying true disability when considering referrals of students who are MLs for special education. Child study teams should document the evidence as well as the evaluative process as outlined above, in which they engaged prior to making the referral.

[Chapter 6 of the English Learner Toolkit](#) contains other examples of indicators of possible disability versus language difference due to the acquisition process.

## **Exited (Formerly Eligible) Multilingual Learners**

[RCW 28A.180.030](#) defines an “exited pupil” as a student previously enrolled in the transitional bilingual instruction program (TBIP) who is no longer eligible for the program based on their performance on an annual English language proficiency assessment approved by the Superintendent of Public Instruction. [RCW 28A.180.040](#) requires school boards to provide instructional support for exited pupils who need assistance in reaching grade-level performance in academic subjects.

The only means by which a student served under TBIP and/or Title III may demonstrate proficiency in academic English and, thereby, exit services is through the annual language assessment approved by the state. Beginning in spring 2022, this is the WIDA ACCESS Assessment.

After students have exited a TBIP program, school districts must monitor the academic progress of former MLs for at least two years to ensure that:

- Students have not been prematurely exited,
- Students are meeting challenging state standards, and
- Students are meaningfully participating in the standard instructional program comparable to their never-EL peers.

Although funds are allocated based on the headcount of eligible exited TBIP students who are enrolled in each district, districts will make the determination of the amount and type of supplemental instructional support based on eligible students’ needs in the academic subjects in which they are not at grade level. Academic subjects are not limited to those that fall within state testing requirements.

Districts should use more than one measure to determine when a student needs assistance in reaching grade-level performance. Such review of exited students’ academic needs should occur throughout the school year and not be limited to annual assessment results. Measurements can include but are not limited to grades, teacher recommendations, and state, district, and classroom assessments.

Academic support could be provided by a member of the district’s ELD staff or other district staff best able to meet the specific individual academic needs of the exited students. This support may be provided before, during, or after school. The following items are examples of ways a district may use TBIP funds for exited students:

- Expanded access to homework supports to increase academic achievement
- In-class support
- Extended day, extended year, and/or Saturday support services
- Heritage language programs
- Other innovative district programs designed to assist students in reaching grade-level standards in academic subjects

Services provided will depend on the individual academic needs of exited students identified as needing support. The district should provide support based on specific students' needs rather than developing a program in which all recently exited English learners participate.

The exit criteria on the annual language proficiency assessment are set with the anticipation that exited multilingual learners will be proficient enough in English to participate meaningfully in the regular educational program. Districts should provide language development services only as long as necessary for the eligible multilingual learner to transition out of the program.

While the focus of TBIP services to exited students is academic support, language development support should also be provided if this need is identified through monitoring.

### *Program Evaluation of Exited Multilingual Learners*

Both TBIP and Title III require evaluation of the effectiveness of services and the academic performance of students after they exit a district's English language development program.

ESEA Title III, Section 3121(4) indicates districts' program evaluations must include "a description of the progress made by children in meeting challenging state academic content and student academic achievement standards for each of the two years after such children are no longer receiving services" to support English language development.

### *Reclassification of Exited Multilingual Learners*

A school district's monitoring of an exited ML student may indicate that a persistent language barrier is the cause of academic difficulty. In such instances, first, examine the student's general education and intervention services and determine whether they are adequate. After a thorough examination of data and an in-person consultation with the family, school districts should retest the student with the state's English language proficiency screener to determine if there is a persistent language barrier. Prior to reassessing the student, school districts should document the bases for rescreening and the parents' consent to rescreening. In order to rescreen a student for reclassification, the parent must consent to having their child rescreened.

If the results of the rescreening qualify the student as an English learner, the school district must re-enter the student into English learner status, offer English language development services, and send home the parent notification of student placement into the program. The district may claim the reclassified student for funding. Students who test but do not qualify on their initial screener, and who later demonstrate a need to be reassessed, should also follow the reclassification process. Exited English learners may be considered for reclassification during or after the two-year monitoring period.

For more information on creating an inclusive environment, see the [U.S. Department of Education's EL Toolkit Chapter 5](#), and for information on addressing the needs of English learners with disabilities, see [EL Toolkit Chapter 6](#).

## Resources

Buenrostro, M. & Maxwell-Jolly, J. (2021). [Renewing Our Promise: Research and Recommendations to Support California's Long-Term English Learners](#). Californians Together.

Collier, C. (2011). Seven steps to separating difference from disability. Corwin.

Escamilla, K., Olsen, L., and Slavick, J. (2022). [Toward Comprehensive Effective Literacy Policy and Instruction for English Learner/Emergent Bilingual Students](#).

Gaab, N. (2017, February). [It's a myth that young children cannot be screened for dyslexia!](#) International Dyslexia Association.

Olsen, Laurie. [Meeting the Unique Needs of Long-Term English Learners](#).

OSPI webpage: [Disproportionality Self-Study Overview and Resources](#)

[Regional Educational Laboratory \(REL\) Infographic on Identifying English Learners with Disabilities](#)

Sandman-Hurley, K. (2020). [Dyslexia and the English learner dilemma](#). Language Magazine.

[USDE Infogram on English Learners with Disabilities](#)