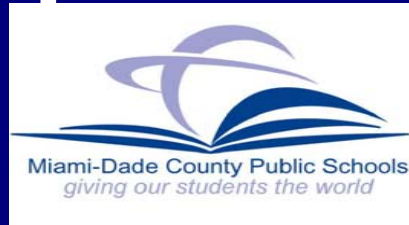


# Miami-Dade County Public Schools Division of Special Education



## **ESOL SPED Compliance Workshop**

**Bilingual/ESOL SPED Program**

**OVERVIEW OF BILINGUAL EDUCATION LEGISLATION,  
and FLORIDA STATE BOARD OF EDUCATION  
VERUS LULAC (LEAGUE OF UNITED LATIN AMERICAN  
CITIZENS) ET. AL., CONSENT DECREE**

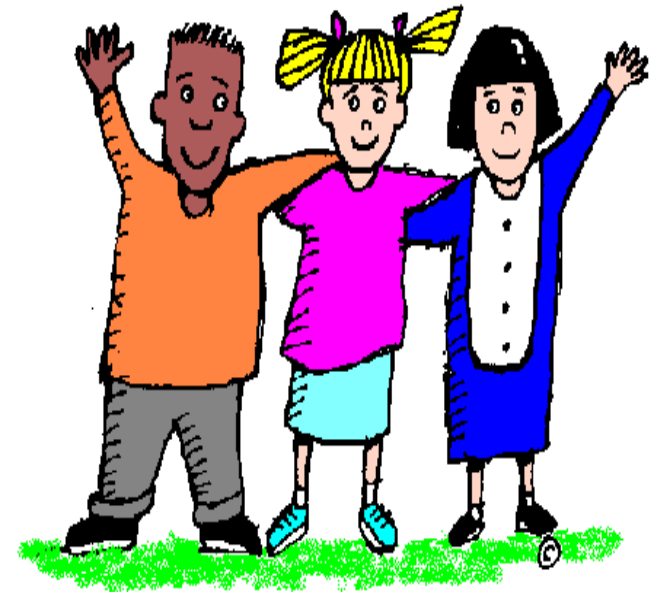


*Miami-Dade County Public Schools  
giving our students the world*

**BILINGUAL ESOL/SPED PROGRAM**

# Summary of Federal Mandates for the Provision of Equal Educational Opportunity to Culturally and Linguistically Diverse Student

- Discrimination or exclusion from benefits cannot occur as the result of race, color, or national origin.



# Summary of Federal Mandates for the Provision of Equal Educational Opportunity to Culturally and Linguistically Diverse Student

- Schools must provide ELL students special instruction designed to enable them to develop academic language proficiency in English (even when they are in special education programs)

- There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English. These students are effectively foreclosed from any meaningful education.



## Summary of Federal Mandates for the Provision of Equal Educational Opportunity to Culturally and Linguistically Diverse Student

- Districts must take appropriate action to overcome language barriers prior to consideration for special education services.
- ELL students must be assessed in English and their native language prior to consideration for special education services.

# THE LAW

- P. L. 94-142
- IDEA – Individuals with Disabilities Education Act
- State Board of Education versus League of United Latin American Citizens (LULAC), et. Al., Consent Decree



# No Child Left Behind

- Stronger accountability for results
- Increased flexibility and local control
- Expanded options for parents, and
- An emphasis on teaching methods that have been proven to work





# Individuals with Disabilities Education Improvement Act (2004)

School districts must consider various factors before a child can be found eligible for special education services.

- Provision of specific components of reading instruction
- Exposure to appropriate instruction
- Lack of English proficiency



# **META**

## **Multicultural Education, Training and Advocacy**

### **STATE BOARD OF EDUCATION VERSUS LEAGUE OF UNITED LATIN AMERICAN CITIZENS (LULAC), ET. AL., CONSENT DECREE**

1. IDENTIFICATION AND ASSESSMENT
2. EQUAL ACCESS APPROPRIATE PROGRAMMING
3. EQUAL ACCESS TO CATEGORICAL PROGRAMS
4. PERSONNEL
5. MONITORING ISSUES
6. OUTCOMES MEASURES

## TECHNICAL ASSISTANCE PAPER

FLORIDA DEPARTMENT OF EDUCATION  
DIVISION OF PUBLIC SCHOOLS

BUREAU OF EDUCATION FOR EXCEPTIONAL STUDENTS

# How should districts evaluate ELL students for exceptional programs?

For students not proficient in the English language, the district's evaluation procedures shall provide for the use of the language or mode of communication commonly used by the student.



# How should districts evaluate ELL students for exceptional programs?

Many of the standardized measures used in psycho-educational evaluations have not been normed on limited English proficient populations, thus care must be taken when interpreting results.

Additional care must be taken when using tests developed in English which have been “directly” translated to another language, since translations may not accurately relay the intent of the test item.



# **How should districts evaluate ELL students for exceptional programs?**

An awareness of the strengths and limitations of these standardized instruments when used with ELL populations is necessary as well as an understanding of how traditional patterns of performance used in interpretation might apply to ELL students.