



## **Guidance for Students with an EL Need (or a Non-English PHLOTE) and a SPED Need**

The Arizona Department of Education provides this guidance document to assist LEAs who have students with an EL need or a non-English PHLOTE and a SPED need. This guidance will cover the following topics:

- IEP Team
- Administration of the AZELLA
- Dual Enrollment for EL Services and SPED Services
- Withdrawal due to SPED Criteria
- Referring a Student Who was Withdrawn due to SPED Criteria for an AZELLA Placement Test

### **IEP Team**

For students with an EL need (or a non-English PHLOTE) and a SPED need, it is highly recommended that an IEP team include someone with expertise in second language acquisition. It is the guidance of ADE that the EL Coordinator is included in the IEP Team because the EL Coordinator is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with an EL need and is knowledgeable about the availability of resources of the district.

It is important that IEP Teams for ELs with disabilities include persons with expertise in second language acquisition and other professionals, such as speech-language pathologists, who understand how to differentiate between limited English proficiency and a disability. The participation of these individuals on the IEP Team is essential to develop appropriate academic and functional goals for the child and provide specially designed instruction and the necessary related services to meet these goals. The EL specialist will be responsible for ensuring that Arizona's [English Language Proficiency Standards](#) are used when developing the student's English language acquisition program. (114th Congress (2015))<sup>1</sup>

Data from the AZELLA and other English language acquisition assessments can inform instruction, support the development of IEP goals and inform the process of English Language acquisition as developmentally appropriate. The input from the EL Coordinator and/or someone with expertise in second language acquisition provides essential guidance to the IEP team related to the process of second language acquisition, parent communication, cultural responsiveness and reduction of language barrier.

The EL Coordinator and/or someone with expertise in second language acquisition is someone who has background in the English language services that are available to address the student's strengths, needs and learning style, as well as the interpretations of the assessment results and present levels of performance. The EL Coordinator and/or EL expert can fulfill the IEP team member requirement of having a person: (1) with knowledge about general education curriculum (ESL programs and ESL instruction), (2) to interpret the instructional implications of evaluation results and (3) with knowledge or special expertise regarding the child.

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<sup>1</sup> "S. 1177 — 114th Congress: Every Student Succeeds Act." [www.GovTrack.us](http://www.GovTrack.us). 2015. August 23, 2017 <https://www.govtrack.us/congress/us/congress/bills/114/s1177>

## **Administration of the AZELLA**

There are no provisions, in either state or federal law, which would allow the exemption of AZELLA testing for students who are enrolled in the Special Education program and require an AZELLA test. A recent “[Dear Colleague](http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf)” from USED reiterated the need to identify and provide services for all English language learners including students with disabilities. <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>

All EL students and students with a non-English [PHLOTE](#), regardless of disabilities, must have an AZELLA test submitted, even if the student does not respond to the questions.

The IEP cannot indicate that there is to be no AZELLA testing **and** state that the student needs language services. If the dual label (EL and SPED) student needs language services, then he/she must participate in AZELLA testing.

For a student with an EL need (or non-English PHLOTE) and a SPED need, the student must make an earnest attempt at all the domains tested except when the disability precludes assessment in one or more domains of the AZELLA and when there are no appropriate accommodations for the affected domain(s). This should be documented in the student’s IEP as,

*[Student’s Name] will not participate in the \_\_\_\_\_ AZELLA sub-test because the student’s disability precludes assessment in this domain and there are no appropriate accommodations. [Student’s Name] will participate and make an earnest attempt at the \_\_\_\_\_ AZELLA sub-tests.*

## **Dual Enrollment for EL Services and SPED Services**

Students with a current AZELLA (dated during the current or previous FY) reporting that the student is Eligible for EL Services AZELLA test record, and parent permission, should be enrolled in EL Services. Some, all, or none of the language services may be provided through the SPED program and must be documented in the student’s IEP.

Students with dual enrollments, based on the IEP Team’s recommendation, may receive:

- all their language services through an SEI classroom or in a mainstream classroom with an ILLP;
- all their language services delivered in an SEI classroom with a SPED push-in;
- split their language services between an SEI classroom or a mainstream classroom with a partial ILLP and a pull-out for SPED;
- all their language services provided through the student’s SPED program because the SEI program is unable to meet the specific needs of the student due to the impact of the disability.

When a student’s IEP states the student is receiving language services through his/her IEP, then the student should be enrolled in EL Services and SPED Services.

## **Withdrawal Due to SPED Criteria**

Withdrawal Due to SPED Criteria means that the student's IEP Team has determined that the student is proficient in English. The reason for not scoring proficient on AZELLA is due to the student's disability and not due to an EL need.

A student must have a current (dated during the current or previous FY) and eligible for EL Services AZELLA record, be enrolled in EL Services, have a current IEP, and be enrolled in SPED Services before a Withdrawal due to SPED Criteria can even be discussed by the IEP Team which includes someone with expertise in second language acquisition. Withdrawing a student from EL Services does not withdraw the student from SPED Services.

For students, whose disabilities precludes them from participating in one or more of the AZELLA sub-tests, the IEP Team should use the AZELLA Threshold Performance Level Descriptors, as well as other means and measures available to them, when determining if the student is proficient in English but can't score Proficient.

- [AZELLA Stage I Threshold PLDs](#) (PDF)
- [AZELLA Stage II Threshold PLDs](#) (PDF)
- [AZELLA Stage III Threshold PLDs](#) (PDF)
- [AZELLA Stage IV Threshold PLDs](#) (PDF)
- [AZELLA Stage V Threshold PLDs](#) (PDF)

To withdrawal a student from EL Services due to SPED Criteria, the IEP Team must have data that supports the determination that the student is proficient in English but is unable to score an Overall Proficiency Level of Proficient on the AZELLA due to the student's disability. The IEP Team must be confident in explaining this to the parents. Scores on academic achievement tests such as AzMERIT that are on par with the student's grade level peers are a strong indication of English language proficiency.

## **Examples of Withdrawal Due to SPED Criteria**

**Students who have a severe cognitive disability and an EL need (or a non-English PHLOTE)** must make an earnest attempt at participating in **all** domains of the AZELLA. Eligible students with a severe cognitive disability are also administered Arizona's Alternate Assessment (MSAA). This assessment can be used as an **additional** measurement for an IEP Team when determining if the student is proficient in English but can't score Proficient. If the student scores a level 3 or 4 on Arizona's ELA MSAA, it would be a good indicator that the student is proficient in English because MSAA is only administered in English. At this point, the IEP Team should have the necessary data from the AZELLA and the MSAA, as well as other measures of English proficiency, to be able to say with confidence that the student is proficient in English but can't score Proficient due to the student's disability. This is an example of when a SPED Withdrawal may be in the best interest of the student who has a **severe cognitive disability**.

**Students who have a speech impairment and an EL need (or a non-English PHLOTE)** must make an earnest attempt at participating in **all domains** of AZELLA. These students may be able to score an Overall Proficiency Level of Proficient on the AZELLA. However, if the student is scoring Proficient on the Listening, Reading and Writing sub-tests but the score on the Speaking test is what is preventing an overall score of Proficient, then the Speech pathologist should have the necessary data to present to the IEP Team to be able to say with confidence that the student is Proficient in English but can't score proficient due to the student's speech impediment. This is an example of when a SPED Withdrawal may be in the best interest of the student who has a **speech impairment**.

**Students who are deaf and have an EL need (or a non-English PHLOTE)** may not be able to participate in the Listening and Speaking AZELLA sub-tests, but must participate in the Reading and Writing sub-tests. Students who are deaf may never be able to score an Overall Proficiency Level of Proficient because the students are unable to participate in the Listening and Speaking sub-tests. If a student scores Proficient on the Reading and Writing sub-tests but the scores on the Listening and Speaking sub-tests are preventing an overall score of Proficient, then the IEP Team should have the necessary AZELLA data, as well as other measures of English proficiency, to be able to say with confidence that the student is proficient in English but can't score Proficient due to the student's disability. This is an example of when a SPED Withdrawal may be in the best interest for students who is deaf.

**Students who are completely blind and have an EL need (or a non-English PHLOTE)** may not be able to participate in the Reading AZELLA sub-test, but must participate in the Listening, Speaking and Writing sub-tests with accommodations (e.g., assistive technology or a scribe for reading aloud the Writing test and for entering multiple-choice responses for the student). Students who are completely blind may never be able to score an Overall Proficiency Level of Proficient because they are unable to participate in the AZELLA Reading sub-test. Braille is not an option because the test is assessing students' ability to read in English not Braille. If a student scores Proficient on the Listening, Speaking, and Writing sub-tests but the score on the Reading sub-test is what is preventing an overall score of Proficient, then the IEP Team should have the necessary AZELLA data as well as other measures of English proficiency to be able to say with confidence that the student is proficient in English but can't score Proficient due to the student's disability. This is an example of when a SPED Withdrawal may be in the best interest for the student who is blind.

### **Referring a Student Who was Withdrawn Due to SPED Criteria for an AZELLA Placement Test**

For a student who was receiving EL services and was Withdrawn due to SPED Criteria and now the IEP Team feels as though there is a language need, the IEP Team, which includes someone with expertise in second language acquisition, must use the AZELLA Placement Test Referral Form - [Moving from Mainstream to EL Services](#), before a student can be administered an AZELLA Placement Test. Please keep in mind that this form is an **approval for testing and an agreement for enrollment in EL Services** if the student attains a less than Proficient result on the Placement test. The parents, by signing this form, are **agreeing to EL Services** if their student is less than Proficient.