2019 RGV TABE Bilingual Directors Institute

DR. BARBARA KENNEDY, DIRECTOR OF ENGLISH LEARNER SUPPORT
CARLENE THOMAS, ESL PROGRAM COORDINATOR
AMY JOHNSON, BILINGUAL PROGRAM COORDINATOR

Texas Education Agency
English Learner Support Team

Barbara Kennedy	Rickey Santellana	Roberto Manzo	Carlene Thomas	Amy Johnson
Director English Learner Support	**Coordinator** Title III Program	**Coordinator** English Learner Initiatives	**Coordinator** ESL Program	**Coordinator** Bilingual Program

TAC Chapter 89, Subchapter BB Revisions

AS OF JULY 15, 2018

Section Agenda

- ❑ Definitions
- ❑ LPAC Membership
- ❑ Testing and Classification of Students
- ❑ Students with Disabilities
- ❑ LPAC and ARD Collaboration
- ❑ Dual Language Program Model Requirements and Recognition
- ❑ English Proficient Students
- ❑ Facilities
- ❑ Evaluation

EL Portal
Chapter 89 Access

§89.1203 Definitions

(8) **Exit**--The point when a student is no longer classified as LEP (i.e., the student is reclassified), no longer requires bilingual or special language program services, and is classified as non-LEP in the Texas Student Data System Public Education Information Management System (TSDS PEIMS). The term "exit" as used in this subchapter is synonymous with the description in TEC, Chapter 29, of "transferring out" of bilingual or special language programming.

(9) **Reclassification**--The process by which the language proficiency assessment committee determines that an English learner has met the appropriate criteria to be classified as non-LEP and is coded as such in TSDS PEIMS.

§89.1220. Language Proficiency Assessment Committee

(b) The language proficiency assessment committee shall include

- an appropriately certified **bilingual educator** (for students served through a bilingual education program),
- an appropriately certified English as a second language **(ESL) educator** (for students served through an ESL program),
- a **parent** of an English learner participating in a bilingual or ESL program,
- and a **campus administrator** in accordance with Texas Education Code (TEC), §29.063.

§89.1225. Testing and Classification of Students

(a) Beginning with school year 2019-2020, the provisions of this section shall expire and be superseded by the provisions in **§89.1226** of this title (relating to Testing and Classification of Students, Beginning with School Year 2019-2020).

(b) Within **four weeks** of initial enrollment in a Texas public school, a student with a language other than English indicated on the home language survey shall be administered the required oral language proficiency test in prekindergarten through Grade 12 and norm-referenced standardized achievement instrument in Grades 2-12 as described in subsection (c) of this section and shall be identified as an English learner and placed in the required bilingual education or English as a second language (ESL) program in accordance with the criteria listed in subsection (f) of this section.

§89.1230. Eligible Students with Disabilities

(a) School districts shall implement assessment procedures that differentiate between language proficiency and disabling conditions in accordance with Subchapter AA of this chapter (relating to Commissioner's Rules Concerning Special Education Services) and shall establish **placement** procedures that ensure that placement in a bilingual education or English as a second language program is **not refused solely because the student has a disability**.

§89.1225.
Testing and Classification of Students

(h) The language proficiency assessment committee in conjunction with the admission, review, and dismissal (ARD) committee **shall identify** a student as an English learner if the student's ability in English is so limited or the student's disabilities are so severe that the English oral language proficiency or norm-referenced assessments described in subsection (c) of this section cannot be administered. The decision for entry into a bilingual education or ESL program shall be determined by the language proficiency assessment committee in conjunction with the ARD committee in accordance with §89.1220(f) of this title (relating to Language Proficiency Assessment Committee).

English Learner FAQ for LPAC

§89.1225. Testing and Classification of Students

(l) For English learners who are also eligible for special education services, the **standardized process for English learner program exit** is followed in accordance with applicable provisions of subsection (i) of this section. However, annual meetings to review student progress and make recommendations for program exit must be made in all instances by the language proficiency assessment committee in conjunction with the ARD committee in accordance with §89.1230(b) of this title (relating to Eligible Students with Disabilities). Additionally, the language proficiency committee in conjunction with the ARD committee shall implement assessment procedures that differentiate between language proficiency and disabling conditions in accordance with §89.1230(a) of this title.

§89.1225.
Testing and Classification of Students

(m) For an English learner with significant cognitive disabilities, the language proficiency assessment committee in conjunction with the ARD committee may determine that the state's English language proficiency assessment for exit is not appropriate because of the nature of the student's disabling condition. In these cases, the language proficiency assessment committee in conjunction with the ARD committee may recommend that the student take the **state's alternate English language proficiency assessment** and shall determine an appropriate performance standard requirement for exit by language domain under subsection (i)(1) of this section;

§89.1227. Minimum Requirements for Dual Language Immersion Program Model

(c) A dual language immersion program model shall provide **equitable resources** in English and the additional program language whenever possible.

(d) A minimum of **50% of instructional time** shall be provided in the language other than English for the duration of the program.

§89.1229. General Standards for Recognition of Dual Language Immersion Program Models

(b) Student recognition. A student participating in a dual language immersion program model or any other state-approved bilingual or ESL program model may be recognized by the program and its local school district board of trustees by earning a performance acknowledgement in accordance with §74.14 of this title (relating to **Performance Acknowledgments**).

§89.1233. Participation of English Proficient Students

(a) School districts shall fulfill their obligation to provide required **bilingual program services to English learners** in accordance with Texas Education Code (TEC), §29.053.

(b) School districts may enroll **students who are not English learners** in the bilingual education program or the English as a second language program in accordance with TEC, §29.058.

(c) The number of participating students who are not English learners **shall not exceed 40%** of the number of students enrolled in the program district-wide in accordance with TEC, §29.058.

§89.1235. Facilities

Bilingual education and English as a second language (ESL) programs shall be located in the public schools of the school district with **equitable access** to all educational resources rather than in separate facilities. In order to provide the required bilingual education or ESL programs, school districts may concentrate the programs at a limited number of facilities within the school district. Recent immigrant English learners shall not remain enrolled in **newcomer centers** for longer than two years.

§89.1265. Evaluation

(a) All school districts required to conduct a bilingual education or English as a second language (ESL) program **shall conduct an annual evaluation** in accordance with Texas Education Code (TEC), §29.053, collecting a full range of data to determine program effectiveness to ensure student academic success. The annual evaluation report shall be **presented to the board of trustees before November 1 of each year** and the report shall be retained at the school district level in accordance with TEC, §29.062.

§89.1265. Evaluation

(b) Annual **school district reports** of educational performance shall reflect:

(1) the academic progress in the language(s) of instruction for English learners;

(2) the extent to which English learners are becoming proficient in English;

(3) the number of students who have been exited from the bilingual education and ESL programs;

(4) the number of teachers and aides trained and the frequency, scope, and results of the professional development in approaches and strategies that support second language acquisition.

(d) School districts shall **report to parents** the progress of their child in acquiring English as a result of participation in the program offered to English learners.

English Learner Program Requirements

PROGRAM MODEL DESCRIPTIONS

CERTIFICATION REQUIREMENTS

English Learner Program Models in Texas

TEC 29.066;

TAC 89.1210

Six State-Approved Program Models for ELs

Districts must serve English learners (ELs) through BE or ESL

- Bilingual Education (BE) Program Models
  - Transitional Early Exit
  - Transitional Late Exit
  - Dual Language Immersion One Way
  - Dual Language Immersion Two Way
- English as a Second Language (ESL) Program Models
  - ESL Content-Based
  - ESL Pull-Out

1^{+} EL = ESL program required

20^{+} ELs @ same grade and primary language district-wide = BE program required in elementary*

*Elementary = PK through 5th grade (or through 6th grade if clustered with elementary)

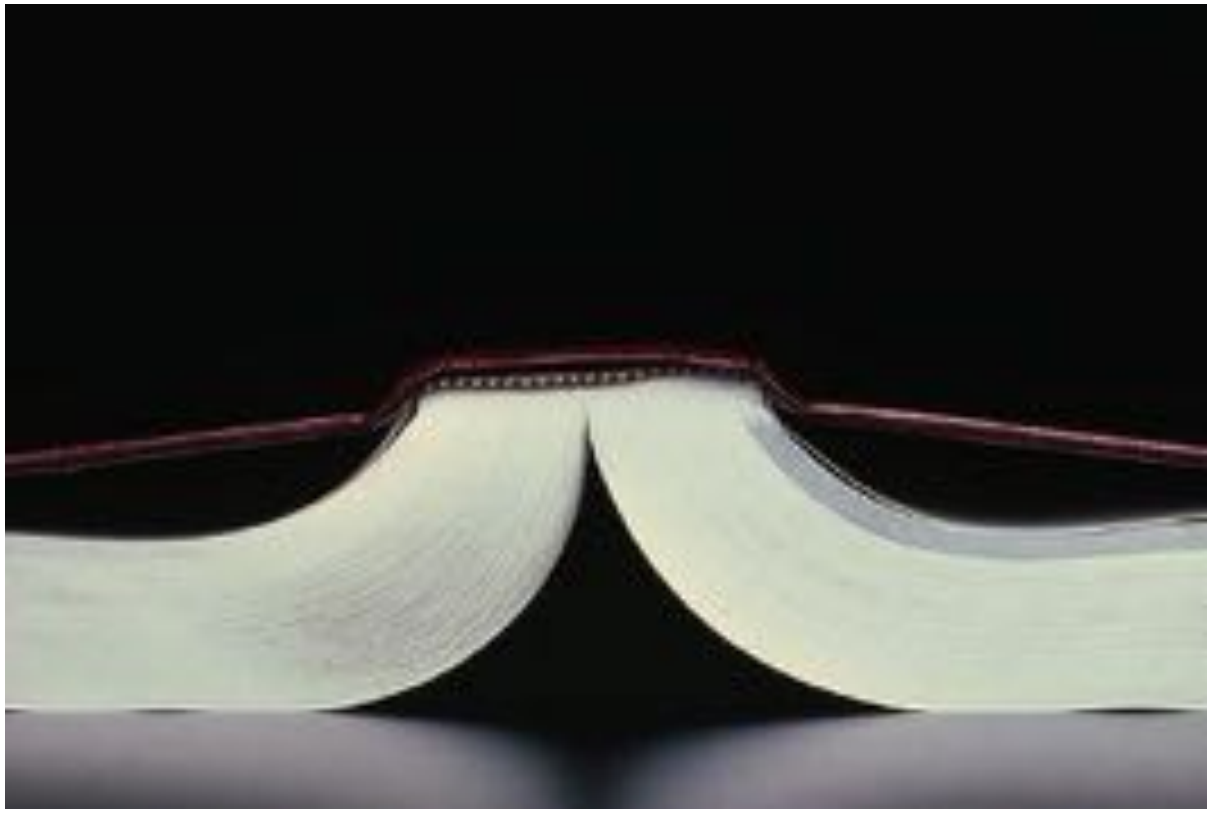
89.1210 Program Model Descriptions:
TAC Chapter 89, Subchapter BB

General description

Certifications

Goal

Instructional approach



Bilingual Program Models

TAC 89.1210 (c) (1)
Transitional bilingual / early exit is…

General Description	a bilingual program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria to be successful in English-only instruction not earlier than two or later than five years after the student enrolls in school.
Certifications	Instruction in this program is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061(b)(1) for the assigned grade level and content area.
Goal	The goal of early-exit transitional bilingual education is for program participants to utilize their primary language as a resource while acquiring full proficiency in English.
Instructional Approach	This model provides instruction in literacy and academic content through the medium of the students' primary language, along with instruction in English that targets second language development through academic content.

TAC 89.1210 (c) (2)
Transitional bilingual / late exit is…

General Description	a bilingual program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school.
Certifications	Instruction in this program is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061(b)(1) for the assigned grade level and content area.
Goal	The goal of late-exit transitional bilingual education is for program participants to utilize their primary language as a resource while acquiring full proficiency in English.
Instructional Approach	This model provides instruction in literacy and academic content through the medium of the students' primary language, along with instruction in English that targets second language development through academic content.

TAC 89.1210 (c) (3)
Dual language immersion / one way is…

General Description	a bilingual/biliteracy program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria in order to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school.
Certifications	Instruction provided in a language other than English in this program model is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061. *Instruction provided in English in this program model may be delivered either by a teacher appropriately certified in bilingual education or by a different teacher certified in ESL in accordance with TEC §29.061.*
Goal	The goal of one-way dual language immersion is for program participants to attain full proficiency in another language as well as English.
Instructional Approach	This model provides ongoing instruction in literacy and academic content in the students' primary language as well as English, with at least half of the instruction delivered in the students' primary language for the duration of the program.

TAC 89.1210 (c) (4)
Dual language immersion / two way is…

General Description	a bilingual/biliteracy program model in which students identified as English learners are integrated with students proficient in English and are served in both English and another language and are prepared to meet reclassification criteria in order to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school.
Certifications	Instruction provided in a language other than English in this program model is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061. *Instruction provided in English in this program model may be delivered either by a teacher appropriately certified in bilingual education or by a different teacher certified in ESL in accordance with TEC §29.061.*
Goal	The goal of one-way dual language immersion is for program participants to attain full proficiency in another language as well as English.
Instructional Approach	This model provides ongoing instruction in literacy and academic content in the students' primary language as well as English, with at least half of the instruction delivered in the students' primary language for the duration of the program.

Summary: State-approved Bilingual Education Program Models

Program Model Type	Goal	Instruction
Transitional bilingual / early exit	• Primary language used as a resource • Full proficiency in English is acquired to participate equitably in school	• Literacy and academic content in primary language and English • Teacher(s) certified in grade level/content area and in bilingual education • Primary language instruction decreases as English is acquired
Transitional bilingual / late exit		
Dual language immersion / one way	• Full proficiency in primary language is attained • Full proficiency in English is attained to participate equitably in school • Full proficiency includes grade-level literacy skills in both languages	• Literacy and academic content in primary language and English • Teacher(s) certified in grade level/content area and in bilingual education (or paired with an ESL certified teacher) • At least half of instruction delivered in the students' primary language for the duration of the program
Dual language immersion / two way		

Departmentalization vs. Paired Teaching in Bilingual Programs at the Elementary Level

Program Model	Departmentalization	Paired Teaching
Transitional Bilingual Education Program Models • early-exit • late-exit	Local decision to use more than one content-area teacher to deliver core content instruction All teachers must be certified in bilingual education	Local decision to use two content-area teachers to deliver core content instruction Both teachers must be certified in bilingual education
Dual Language Program Models • one-way • two- way	Local decision to use more than one content-area teacher to deliver core content instruction All teachers must be certified in bilingual education	Local decision to use two content-area teachers to deliver core content instruction The teacher delivering the partner language component of instruction must be certified in bilingual education The teacher delivering the English component of instruction must be certified in either bilingual education or English as a Second Language (ESL)

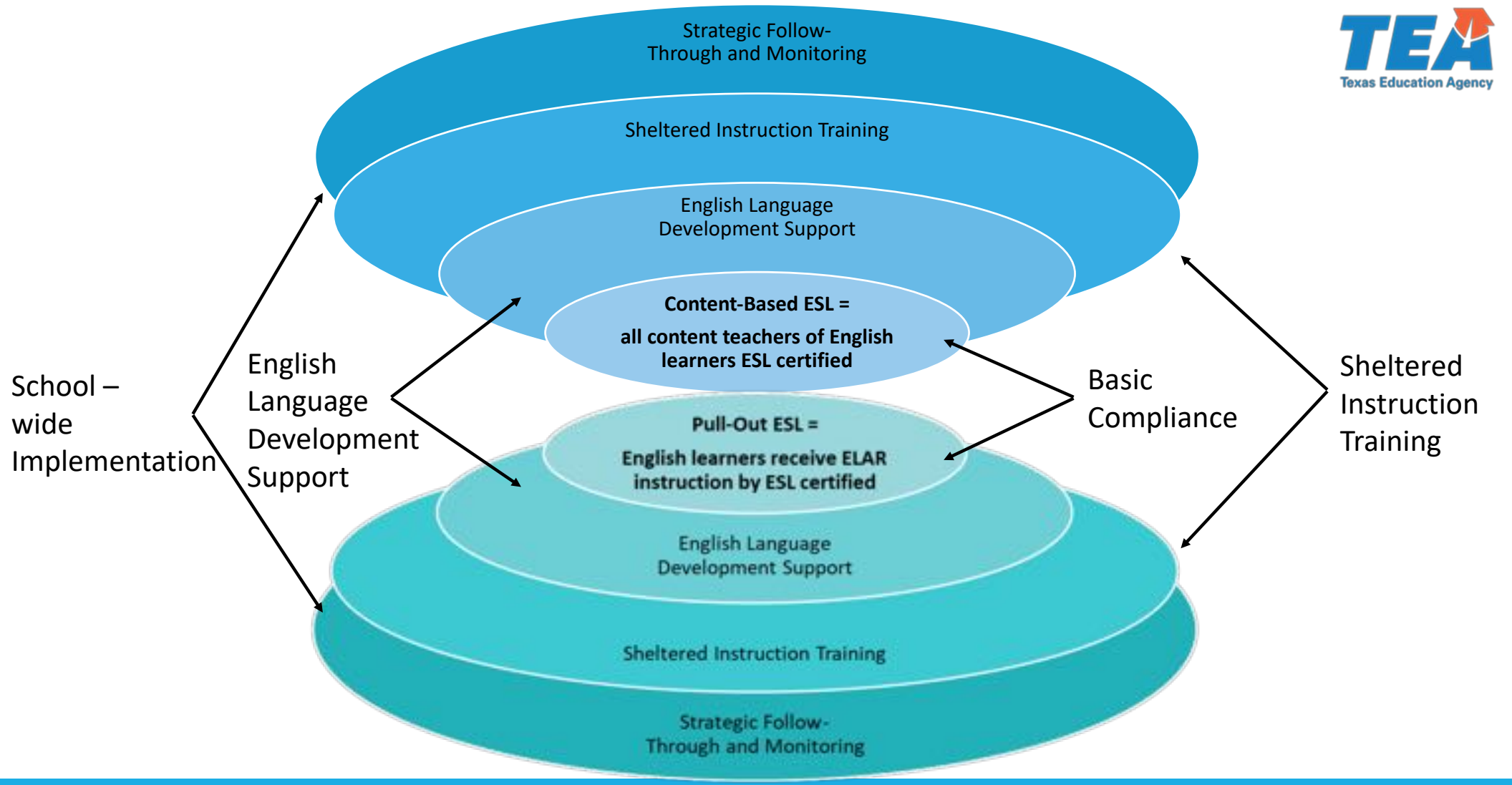
ESL Program Models

TAC 89.1210 (d) (1)
ESL / content-based program model is…

General Description	an English acquisition program that serves students identified as English learners through English instruction
Certifications	by a teacher certified in ESL under TEC, §29.061(c) through English language arts and reading, mathematics, science, and social studies.
Goal	The goal of content-based ESL is for English learners to attain full proficiency in English in order to participate equitably in school.
Instructional Approach	This model targets English language development through academic content instruction that is linguistically and culturally responsive in English language arts and reading, mathematics, science, and social studies.

TAC 89.1210 (d) (2)
ESL / pull-out program model is…

General Description	an English acquisition program that serves students identified as English learners through English instruction
Certifications	by a teacher certified in ESL under TEC, §29.061(c) through English language arts and reading.
Goal	The goal of content-based ESL is for English learners to attain full proficiency in English in order to participate equitably in school.
Instructional Approach	This model targets English language development through academic content instruction that is linguistically and culturally responsive in English language arts and reading. Instruction shall be provided by the ESL teacher in a pull-out or inclusionary delivery model.


Strategic Follow-
Through and Monitoring
Sheltered Instruction Training
English Language
Development Support
Content-Based ESL =
all content teachers of English learners ESL certified
Pull-Out ESL =
English learners receive ELAR instruction by ESL certified
English Language
Development Support
Sheltered Instruction Training
Strategic Follow-
Through and Monitoring
School – wide Implementation
English Language Development Support
Basic Compliance
Sheltered Instruction Training

Sheltered Instruction

- Although not directly named in rule, evident in:
  - Connection of content and language noted in TAC Ch. 89 (TEKS and ELPS)
  - ELPS (TAC 74.4 Part B): Communicated, Sequenced, Scaffolded
  - TAC 89.1210 (d): linguistically and culturally responsive teaching
  - TAC 89.1210 (b): affective, linguistic, cognitive needs; second language acquisition methods

- Texas Gateway: Sheltered Instruction (under revision) and ELPS training series

Certification: Other Information

- Requirements for Local Education Agencies (LEAs), including school districts, districts of innovation, and open-enrollment charter schools
- TEA Bilingual/ESL Programs webpage: Bilingual Exception Scenario Chain and ESL Waiver Scenario Chain
- ETS to Pearson as of September 1st: **www.tx.nesinc.com**
- New ESL Certification standards and certification test (in development)
- Additional funds for ESCs to deliver ESL certification preparation training sessions
- Statewide ESL Certification Preparation Course (in development)

NEW Resource for District Leaders:
Building Bilingual and ESL Programs

Bilingual Exceptions and ESL Waivers: Documentation Requirements

As per TAC Chapter 89.1207(a)(2)(D) for LEAs filing a Bilingual Education Exception and 89.1207(b)(2)(D) for LEAs filing an ESL Waiver, LEAs shall maintain written records of all documents supporting the application and assurances listed in the application:

(A) a description of the proposed alternative instructional program designed to meet the affective, linguistic, and cognitive needs of the English learners;

(B) the number of teachers for whom a bilingual education exception is needed by grade level and per campus;

(C) a copy of the school district's **comprehensive professional development plan**; and

(D) a copy of the bilingual allotment budget documenting that a **minimum of 10%** of the funds were used to fund the comprehensive professional development plan.

Allowable Use of BEA Funds for Comprehensive PD Plan

Comprehensive PD Plan

As per TAC Chapter 89.1207(a)(1)(D) for LEAs filing a Bilingual Education Exception and 89.1207(b)(1)(D) for LEAs filing an ESL Waiver, the following assurance is required, along with appropriate documentation maintained at the district level [TAC 89.1207 (a)(2)(C) & (b)(2)(C)] and annual reporting to the school board [TAC 89.1265 (c)]:

Implementation of a comprehensive professional development plan that:

(i) is ongoing and targets the development of the knowledge, skills, and competencies needed to serve the needs of English learners;

(ii) includes the teachers who are not certified or not appropriately certified who are assigned to implement the proposed alternative program; and

(iii) may include additional teachers who work with English learners;

Effective Program Model Implementation

DUAL LANGUAGE AND SHELTERED INSTRUCTION

ENGLISH LEARNER PARENT, FAMILY, AND COMMUNITY ENGAGEMENT

Commissioner's Initiatives

- English Learner Parent/Family/Community Engagement Initiative
  - Tools and resources for engagement activities in compliance with Title III, Part A
  - Enhanced web-based resources directly accessible to English learner parents and families

- Dual language Immersion (DLI) and Sheltered Instruction (SI) in English as a Second Language (ESL) Program Model Implementation Initiative
  - Literature Reviews
  - Program model implementation rubrics with coordinated scoring tools and resources
  - Pilot Project – January 2018 through May 2019

English Learner Support Division Initiative: English Learner Parent, Family, and Community Engagement

Initiative Purpose

Increase engagement of English learner parents, families, and members of the community through provision of information, tools, and online resources to improve academic outcomes for English learners.

Bilingual and ESL Program Model Brochures redesigned to reflect current program model descriptions and LPAC Framework organizational structure.

Professional development modules and resource tools for planning and providing school events/activities targeting fulfilment of Title III requirements for parent, family, and community engagement.

Title III web portal providing LEAs as well as English learner parents and families access to information and resources supporting engagement of English learner families in the education of their children.

English Learner Support Division Initiative: Effective Program Model Implementation

Besides meeting state requirements, what other factors do district leaders consider when determining which program model to implement?

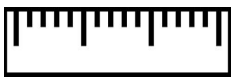
- Research-based practices
- Family & community needs

Initiative Purpose

Overall purpose is to support school districts in effective implementation of program models that serve English learners.

Literature Reviews summarize best practices identified in the research.

Program Model Implementation Rubrics provide a framework for self-evaluation and guidance in identifying steps for improvement.



Implementation Tools and Resources align with program model implementation rubrics to support LEAs in program development.

Initiative Timeline

2017-2018	Development of draft support resources, incorporating stakeholder feedback and input
2018-2019	Piloting of rubrics through voluntary pilot cohorts and development of aligned resources
2019-2020	Finalization and full implementation of rubrics and aligned resources based on pilot cohort input

Program Model Implementation Rubrics:

What does effective program model implementation look like?

What steps can district leaders take to improve program model implementation?

ESL Program Model Implementation Rubric Outline

Program Model Design	Staffing and Professional Development	Instructional Design: Lesson Planning and Curriculum	Instructional Design: Methods and Resources	Family and Community Engagement

• Teacher Certification
• Program Language Goals
• Program Content Goals
• Instructional Approach
• Differentiated Support
	• Recruitment & Retention
	• Assignment
	• General Education Coordination
	• Special Program Coordination
	• Teacher Training
	• Professional Development Plan
		• Curriculum Standards
		• Lesson Objectives
		• Language Usage
		• Differentiated Instruction & Data Analysis
		• Classroom Assessments
		• State Assessments & Progress Monitoring
			• Culturally Responsive Teaching
			• Content-Based Instruction
			• Resources
			• Sheltered Methods:
			  ○ Communicated
			  ○ Sequenced
			  ○ Scaffolded
				• Communication
				• Parent Engagement Activities
				• Family Engagement Activities
				• Community Engagement Activities

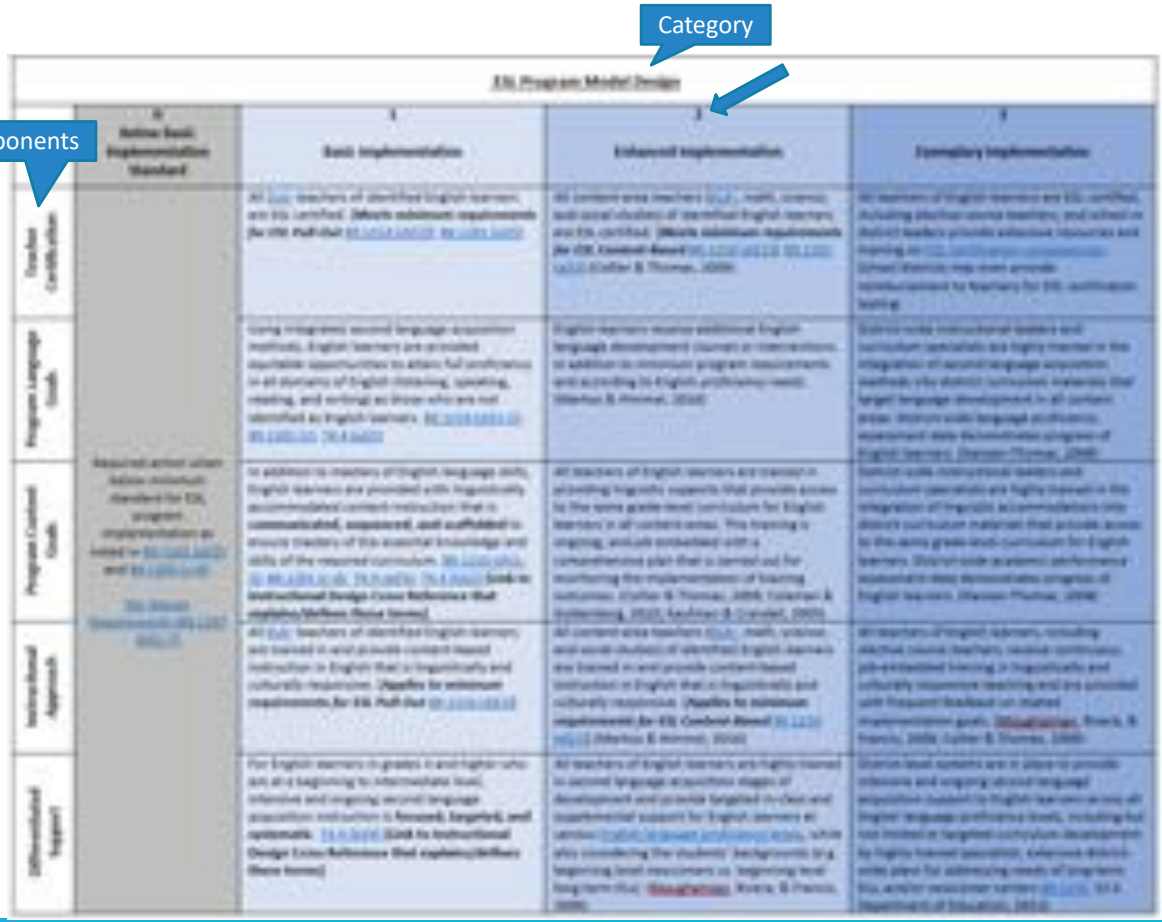
DLI Program Model Implementation Rubric Outline

Program Model Design	Staffing and Professional Development	Instructional Design: Lesson Planning and Curriculum	Instructional Design: Methods and Resources	Family and Community Engagement

• Teacher Certification
• Language Allocation Plan
• Program Duration
• Program Language and Literacy Goals
• Program Culture Goals
	• Recruitment
	• Assignment
	• Retention
	• General Education Coordination
	• Special Program Coordination
	• Professional Development Plan
		• Curriculum Standards
		• Lesson Objectives
		• Language Usage
		• Differentiated Instruction & Data Analysis
		• Classroom Assessments
		• State Assessments & Progress Monitoring
			• Culturally Responsive Teaching
			• Content-Based Instruction
			• Authentic Biliteracy Instruction
			• Resources
			• Sheltered Methods:
			  ○ Communicated
			  ○ Sequenced
			  ○ Scaffolded
				• Communication
				• Culture and Climate
				• Parent Engagement Activities
				• Family Engagement Activities
				• Community Engagement Activities

Program Implementation Rubric Design Features

- Quantifiable Scoring
- Spectrum Integration of Models
- Simplified Below Compliance Description
- Focus on Stronger Implementation
- Research References
- Succinct Category Components



Rubric Scoring Tool Sample

Scoring Levels – ESL Program Model Design

Total Category Score	Description	Next Steps to Consider
0-4	Below Basic Implementation	• Complete and submit the district's ESL Waiver application by November 1st as applicable • Determine a plan for support of English learners • Provide the English Language Proficiency Standards (ELPS) as an integral part of each subject area's required curriculum • Provide training of teachers on second language acquisition and sheltered instruction • Provide training and resources for teachers to prepare for the ESL certification exam • Set a timeline for meeting basic implementation level in all components of program model design
5-7	Basic Implementation	• Complete and submit the district's ESL Waiver application by November 1st as applicable • Make a plan to increase school-wide training and resources for English learner support that monitors implementation of training outcomes
8-9	Developing Implementation	• Complete and submit the district's ESL Waiver application by November 1st as applicable • Make a plan to increase school-wide training and resources for English learner support that monitors implementation of training outcomes • Consider ways to incentivize teachers and instructional leaders towards development of EL expertise
10-12	Enhanced Implementation	• Complete and submit the district's ESL Waiver application by November 1st as applicable • Make a plan to develop district-wide training and resources for English learner support among various school and district level positions that monitors implementation of training outcomes • Build district-wide systems for analysis of EL progress related to program implementation goals
13-15	Exemplary Implementation	• Formulate data analysis systems to pinpoint factors that have contributed to EL progress and success • Consider ways to recognize teachers and instructional leaders that demonstrate effective implementation practices

Program Model Implementation Rubric Pilot:

Who are the participants and what are the expectations, timelines, and anticipated outcomes of the Pilot Project?

TEA Program Model Implementation Pilot Project, 2018-2019: FAQs

Pilot Participants

- ✓Have been selected through the application process
- ✓Will systematically provide feedback to the TEA
- ✓Will receive support and guidance from TEA, including site visits for selected LEAs

Note: any LEA may access and use the rubrics and support resources during the 2018-2019 school year – participation in the Pilot Project Cohort is not required in order to access the draft versions of the initiative documents

This Photo by Unknown Author is licensed under CC BY-ND

We welcome your feedback!

Provide us
your feedback with this survey:

goo.gl/8zXUK2

Contacts

Barbara Kennedy, Ed.D.
Director of English Learner Support
barbara.kennedy@tea.texas.gov

Carlene Thomas
ESL Program Coordinator
carlene.thomas@tea.texas.gov

MAIN PHONE: 512-463-9414
E-MAIL: ENGLISHLEARNERSUPPORT@TEA.TEXAS.GOV