

# LPAC



LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE

FRAMEWORK

Introduction

# 19 TAC Chapter 89



## **19 TAC Chapter 89: Adaptations for Special Populations, Subchapter BB, last amended and effective on April 14, 2020**

Commissioner's Rules concerning the state plan for educating English learners state that all school districts that are required to provide bilingual education and/or English as a Second Language (ESL) programs establish and operate a language proficiency assessment committee (LPAC).

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# Texas Administrative Code (TAC) Chapter 89 Terms, Subchapter BB



The following words and terms are used in this subchapter and throughout the training.

- Bilingual education allotment
- Certified English as a second language teacher
- Dual language immersion
- Dual-language instruction
- English as a second language program (ESL)
- English language proficiency standards (ELPS)
- English learner
- Exit
- Reclassification
- School district (includes Charter schools and Districts of Innovation)
- Prekindergarten
- Alternative Language Program
- Parent

# Terminology



## English learner (EL)

A student who is in the process of acquiring English and has another language as the student's primary language or home language; synonymous with English language learner (ELL) and limited English proficient (LEP)

## Reclassification

The process by which the language proficiency assessment committee (LPAC) determines that an English learner has met the appropriate criteria to be classified a English proficient, non-LEP.

## English proficient (EP)

A student who has met reclassification criteria and is no longer identified as an English learner; synonymous with non-EL, non-ELL, and non-LEP. *EP also means a student who has never been identified as an English learner.*

## Exit

The point at which an English learner has met reclassification criteria and no longer requires bilingual or English as a second language (ESL) program services; student exits with parent or guardian approval



# Analogy of Key Terms



**Identification**

is to

**Placement**

is to

as

**Reclassification**

**Exit**



# Equal Educational Opportunity



To ensure equal educational opportunity, as required in the Texas Education Code (TEC), §1.002(a) and TEC 29.051, TAC Chapter 89 Subchapter BB 1201(a), policy states a school district shall:

- (1) identify English learners based on criteria established by the state;
- (2) provide bilingual education and ESL programs, as integral parts of the general program as described in the TEC, §4.002;
- (3) seek appropriately certified teaching personnel to ensure that English learners are afforded full opportunity to master the essential knowledge and skills required by the state; and
- (4) assess achievement for essential knowledge and skills in accordance with the TEC, Chapter 29, to ensure accountability for English learners and the schools that serve them.



# Facilities



- Bilingual education and 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.

# Purpose of the LPAC Framework



- The Framework for the Language Proficiency Assessment Committee (LPAC) process includes **clarification of the legal requirements** for the LPAC and provides documents and forms to facilitate the training of LPAC members.
- The **forms** included in the LPAC Framework are **samples** for districts to use for the implementation of a bilingual/ESL program.

# Purpose of the LPAC Framework



The LPAC Framework is organized into the following sections:

- **Introduction**

- Establishment of the LPAC
- General English learner policies

- **Identification**

- Procedures and assessment practices
- Decision-making for identification

- **Placement**

- Parent or guardian notification and approval
- Establishment of Bilingual and ESL programs

# Purpose of the LPAC Framework



- **English Learner Services**
  - Bilingual and ESL program models
  - Staffing and staff development
- **Review and Reclassification**
  - Ongoing and annual review
  - Reclassification and exit
- **Monitoring and Evaluation**
  - Monitoring of reclassified English learners
  - Program evaluation



# Training Agenda



- **Introduction**
- Identification
- Placement
- English Learner Services
- Review and Reclassification
- Monitoring and Evaluation



# Introduction Section Objective

## Content Objective

We will be able to analyze the **purpose, membership, and responsibilities** of the language proficiency assessment committee (**LPAC**) and the organization of the framework and resources that support it.

# TAC Ch. 89 LPAC Establishment



- LPAC Policy and Training
- LPAC Membership
- LPAC Requirements
- Required LPAC Meetings
- Required English Learner Documentation

# LPAC Policy and Training



- School districts shall by **local board policy** establish and operate a language proficiency assessment committee. The school district shall have on file **policy and procedures** for the selection, appointment, and training of members of the language proficiency assessment committee(s).

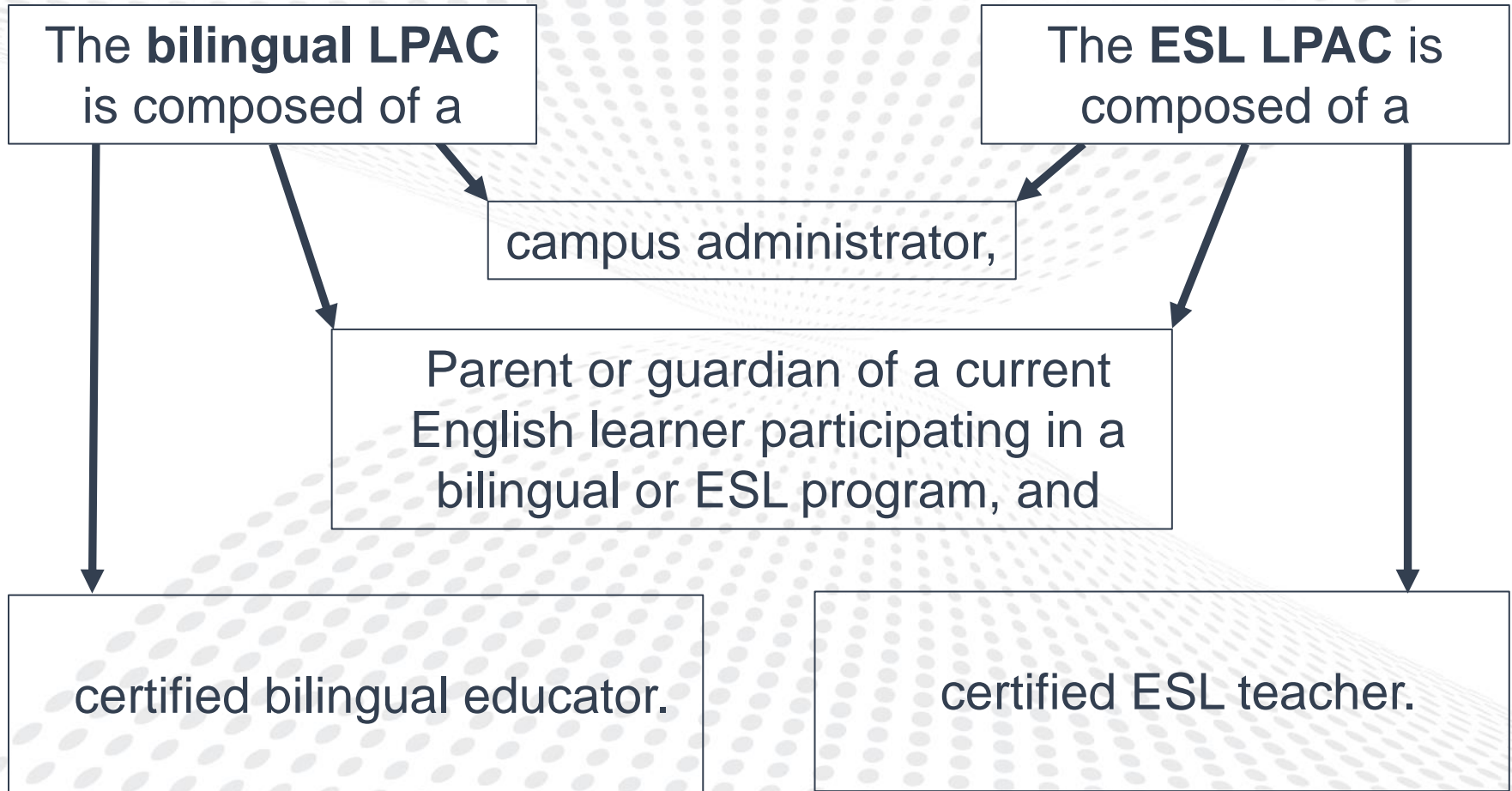


# LPAC Membership



- The LPAC shall include
  - an appropriately **certified bilingual educator** (for students served through a bilingual education program), and/or an appropriately **certified ESL educator** (for students served through an ESL program),
  - a **parent or guardian** of an English learner participating in a bilingual or ESL program, and
  - a **campus administrator** in accordance with Texas Education Code (TEC), §29.063.
- In addition to the three required members of the LPAC, the school district may add other trained members to the committee.
- No parent or guardian serving on the LPAC shall be an employee or a third party employee providing any services to the school district.

# LPAC Membership



*All members must be present!*

# LPAC Requirements



Upon their **initial enrollment** and **at the end of each school year**, the language proficiency assessment committee shall review all pertinent information on **all** English learners identified in accordance with §89.1226(f) of this title (relating to Testing and Classification of Students)

(1) designate the **language proficiency level** of each English learner in accordance with the guidelines issued pursuant to §89.1226(b)-(f) of this title;

(2) designate the **level of academic achievement** of each English learner;

# LPAC Requirements



- (3) designate, subject to parental approval, **the initial instructional placement** of each English learner in the required program;
- (4) facilitate the participation of English learners in **other special programs** for which they are eligible while ensuring full access to the language program services required under the TEC, §29.053; and
- (5) **reclassify students**, at the end of the school year only, as English proficient in accordance with the criteria described in §89.1226(i).



# LPAC Requirements



- All members of the LPAC, including parents or guardians, shall be acting for the school district and shall observe all laws and rules governing **confidentiality of information** concerning individual students.
- The school district shall be responsible for the **orientation and training** of all members, including the parents or guardians, of the LPAC.
- All LPAC members shall be **trained annually**.
- All LPAC records must be maintained for **five years after reclassification**. The five-year period begins at the first year of monitoring.

# LPAC Requirements



- If the parent or guardian's primary language is other than English,
  - the training shall be provided in the parent or guardian's primary language or delivered via interpreter, and
  - the meetings shall be conducted in the parent or guardian's primary language or via interpreter, as needed.

# Required LPAC Meetings



- Within **four calendar weeks** of the initial enrollment, for identification and/or review
- Prior to state assessments, for determination of appropriate assessments and designated supports
- At the end of the year, for annual review and for the following year's placement decisions
- As needed, to discuss student progress

# Required English Learner Documentation



The student's permanent record shall contain documentation (paper or electronic) of all actions impacting the English learner.

Documentation shall include

- ☑ the identification of the student as an English learner;
- ☑ the designation of the student's level of language proficiency;
- ☑ the recommendation of program placement;
- ☑ parent or guardian approval of entry or placement into the program;
- ☑ the dates of entry into, and placement within, the program;



# Required English Learner Documentation



- ☑ assessment information as outlined in Chapter 101, Subchapter AA, of this title;
- ☑ additional instructional interventions provided to address the specific language needs of the student;
- ☑ the date of exit from the program and parental approval;
- ☑ the results of monitoring for academic success, including students formerly classified as English learners, as required under the TEC, §29.063(c)(4); and
- ☑ the home language survey.

# LPAC Requirements: Coordination of Services



- The LPAC may also recommend **other programs or services** offered through the school district.
- The LPAC is also responsible for facilitating student participation in **other special programs** (Advanced Academics/Gifted and Talented, Special Education, Career and Technical Education, Dyslexia, etc.).

# ARD/LPAC Collaboration



- For English learners with identified special needs:
  - LPAC shall meet in **conjunction** with the Admission, Review, Dismissal (ARD) committee members to review and provide recommendations with regards to the educational needs of the dual-identified student.
  - Decision-making must be based on the input of members of the **LPAC and the ARD** committee who are directly familiar with the student's language needs and abilities in the classroom setting.

# LPAC



LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE

FRAMEWORK

Identification



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# Training Agenda



- Introduction
- **Identification**
- Placement
- English Learner Services
- Review and Reclassification
- Monitoring and Evaluation

# Identification Section Objective



## Content Objective

We will be able to identify and explain the timelines, procedures, assessment practices, and decision-making processes for **identifying English learners.**

# Timeline



Within **four calendar weeks** of initial enrollment in a **Texas public school** the district must:

- **Administer the identification assessment (pre-LAS or LAS Links) if the student's home language survey indicates a language other than English.**
- **Convene an LPAC to determine English learner classification and recommend the appropriate program placement.**

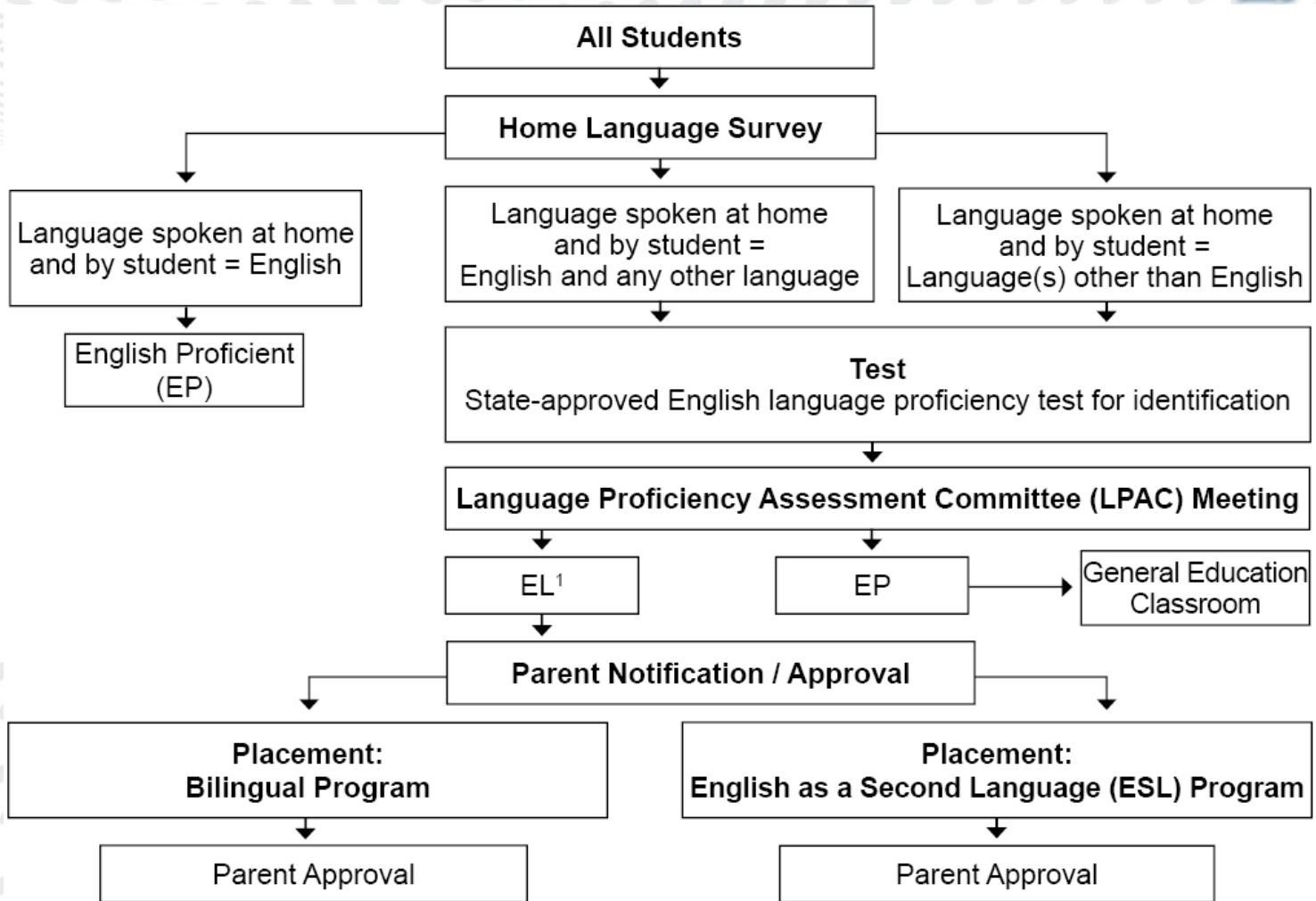
**<https://laslinks.com/Texas/>**



# Timeline



Four calendar weeks





# Timeline Example

Student A enrolls on the 19<sup>th</sup>, then Student A will be identified and placed by the 16<sup>th</sup> of the next month.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19

# Home Language Survey (HLS)



- If the response on the HLS indicates that a language **other than English** is used, the student shall be tested in accordance with §89.1226 of this title (relating to Testing and Classification of Students).\*
- The HLS shall be administered in **English and the primary language** whenever possible. The HLS shall contain the following questions.
  - (1) What language is **used** in the child's home **most of the time**?
  - (2) What language does the child **use most of the time**?

*\*Parent or guardian permission for language proficiency testing is not required.*

# Purpose of the HLS



Dear Parent or Guardian:

To determine if your child would benefit from Bilingual and/or English as a Second Language program services, please answer the two questions below.

If either of your responses indicates the use of a language other than English, then the school district must conduct an assessment to determine how well your child communicates in English. This assessment information will be used to determine if Bilingual and/or English as a Second Language program services are appropriate and to inform instructional and program placement recommendations. If you have questions about the purpose and use of the Home Language Survey, or you would like assistance in completing the form, please contact your school/district personnel.

For more information on the process that must be followed, please visit the following website:  
<https://www.txel.org/media/iufjinqt/english-learner-identification-reclassification-flowchart-1.pdf>



# Changes to the HLS



NOTE: PLEASE INDICATE ONLY ONE LANGUAGE PER RESPONSE.

1. What language is **used** in the child's home **most of the time**?
2. What language does the child **use** **most of the time**?

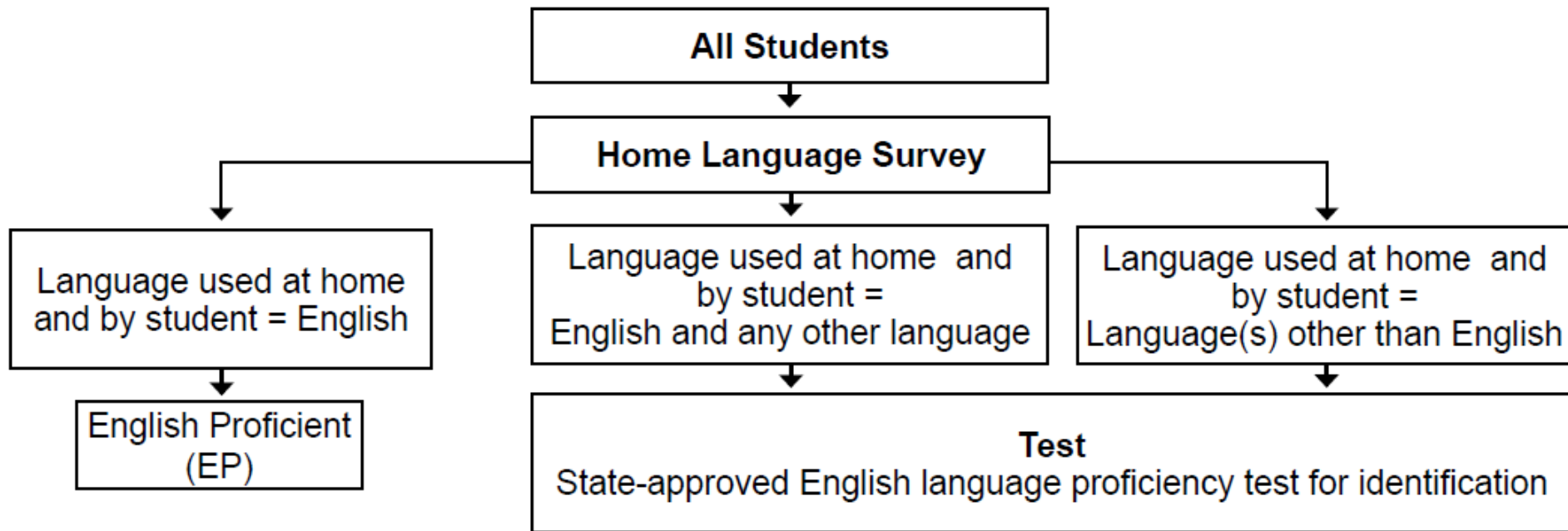
# Changes to the HLS



Parents or guardians may request a correction on the HLS only if

- 1) the child has not yet been assessed for English proficiency; **and**
- 2) corrections are made within two calendar weeks of the child's enrollment date.

# Identification Assessment



# Testing and Classification



For identifying English learners, school districts shall administer to each student who has a language other than English identified on the home language survey:

- (1) in **preK3, preK4, Kindergarten**, an oral language proficiency assessment (preLAS)
- (2) In **Grade 1**, the listening, speaking proficiency assessment (LAS Links)
- (3) In **Grades 2-12**, the listening, speaking, reading, and writing proficiency assessment (LAS Links)

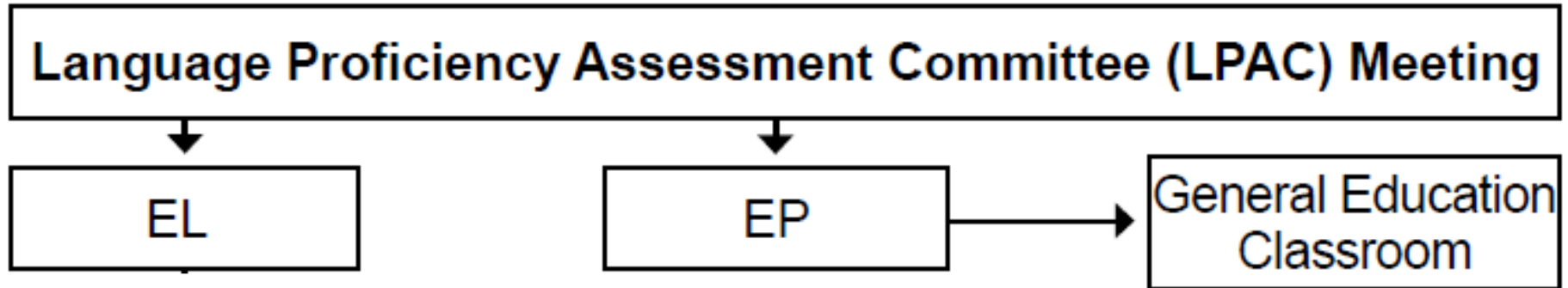


# Testing Administrator



- All of the language proficiency testing shall be administered by professionals or paraprofessionals who are **proficient in the language** of the test and **trained** in the language proficiency testing requirements of the test publisher.
- The LPAC, not the test administrator, must meet and review **assessment** results to determine English learner status.

# LPAC Meeting for Identification



# Determining Eligibility in PreK-1<sup>st</sup> Grade



A student is to be classified as an English learner if:

- In **PreK3, PreK4, Kindergarten** the student receives a **1, 2 or a 3 oral language proficiency** level in the preLAS assessment
- In **Grade 1** the student receives a **1, 2, or 3 proficiency level in either speaking and/or listening** assessment of LAS Links.

School districts that provide a bilingual education program at the elementary grades **shall** administer a language proficiency test in the primary language of the student who is eligible to be served in the bilingual education program.

# Prekindergarten Enrollment



## Children enrolling in a prekindergarten (PK) program

- Children aged 3 and 4 must meet established **eligibility criteria** in order to enroll in a PK program.
- Children must have demonstrated **eligibility for PK** services prior to school enrollment.
- 3- to 4-year-olds may be identified as eligible for PK services **beginning on April 1 of the school year prior** to enrollment and up to the time of enrollment.
- Identification as an **English learner** (LEP/EL), following state process for identification, is one way a child demonstrates eligibility for PK; the child must be **identified prior to school enrollment in PK.**



# Prekindergarten and Early Education Enrollment



## Children with identified special needs enrolling in school at age 3 or 4

- These children are eligible for program services through **special education** due to disability.
- Within four calendar weeks of initial enrollment, the LPAC completes the state process for EL identification as necessary and meets with the ARD committee to determine EL identification and appropriate programming placement to ensure both special education and language program services.
- English learners qualify for prekindergarten (PK); however, ELs may be coded as Early Education (EE) based on special education services in conjunction with their language program services.

# Prekindergarten Students and the HLS



Note: Pre-Kindergarten, for the purposes of the HLS, is defined as early childhood services for a student, aged 3 or 4, enrolling for the first time in a Texas school. This includes all students, with or without identified special needs.

## **HOME LANGUAGE SURVEY-19 TAC Chapter 89, Subchapter BB, §89.1215**

(Home Language Survey applicable **ONLY** if administered for students enrolling in pre-kindergarten through grade 12)

**TO BE COMPLETED BY PARENT OR GUARDIAN FOR STUDENTS ENROLLING IN PREKINDERGARTEN THROUGH GRADE 8 (OR BY STUDENT IN GRADES 9-12):** The state of Texas requires that the following information be completed for each student who enrolls in a Texas public school for the first time. It is the responsibility of the parent or guardian, not the school, to provide the language information requested by the questions below.

# Determining Eligibility in Grades 2-12



A student is to be classified as an English learner in grades 2-12 if the student receives a **1, 2, or 3 proficiency level in ANY domain**: listening, speaking, reading, and writing of the LAS Links assessment.

At any grade level, a student shall be identified as an **English learner if the student's ability in English is so limited** that the English language proficiency assessment described in subsection (c) of this section **cannot be administered**.

# Students Transferring From Within Texas



For students **previously** enrolled in a Texas public school:

- The receiving district shall:
  - **request and secure** the student records, including the home language survey and all LPAC documentation.
  - make **multiple attempts** to obtain the student's home language survey and other LPAC documentation.
  - **document in writing** all attempts to contact the sending district to request records.



# Students Transferring From Within Texas



Once LPAC documentation has been received from the previous Texas district:

- Determine if **evidence** indicates that the student was previously identified as an English learner in Texas.
- If the student was **previously identified** as an English learner in Texas, the district does not proceed with a new identification process. The receiving district,
  - honors the original identification as an English learner,
  - documents the evidence found in the LPAC paperwork,
  - provides the continuation of services (bilingual or ESL), and
  - communicates continuation of services with the parent or guardian.

# Students Transferring From Outside of Texas



If a student transfers from a school outside of Texas, the school district shall do the following:

- Review any documentation brought in by the student.
- Determine if evidence indicates that the student was previously enrolled in a Texas school.
  - If evidence indicates the student was identified as an English learner in Texas, follow procedure on previous slide.
  - If there is no evidence that the student was identified as an English learner in Texas, proceed with Texas identification process, including administration of the HLS for identification, as outlined for students new to Texas public schools who have never been enrolled previously.

# Dual-Identified Students



When identifying an English learner who is also served through special education:

- The state's established process for identification is followed.
- An attempt to assess the child for language proficiency must be made and documented.

# Dual-Identified Students



When identifying an English learner who is also served through special education, the LPAC in conjunction with the ARD Committee shall:

- Implement assessment procedures that differentiate between language proficiency and disabling conditions.
- Identify the 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 language proficiency assessment cannot be administered.



# LPAC



LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE

FRAMEWORK

Placement

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# Training Agenda



- Introduction
- Identification
- **Placement**
- English Learner Services
- Review and Reclassification
- Monitoring and Evaluation

# Placement Section Objective

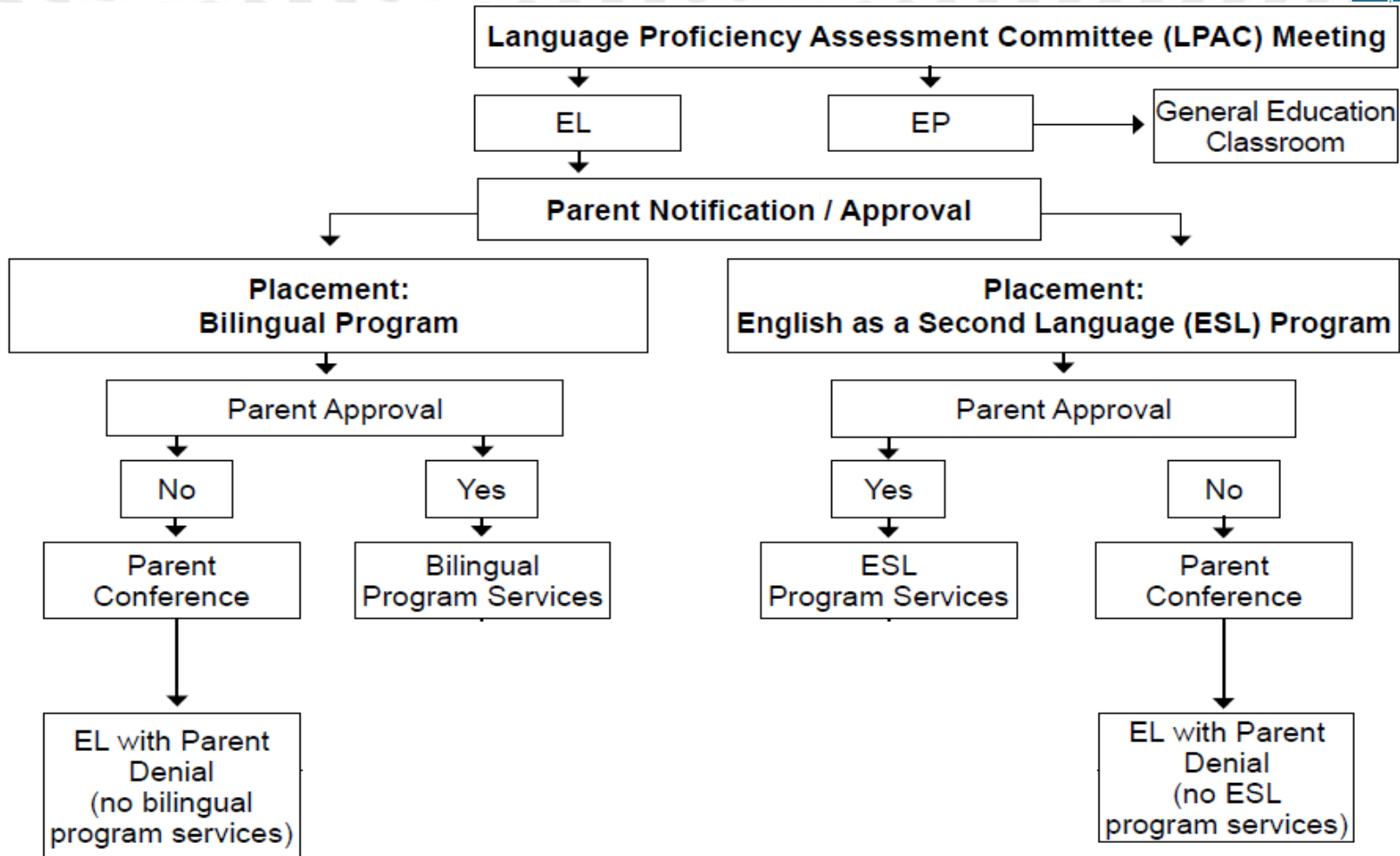


## Content Objective

We will be able to explain the rights of parents and guardians regarding the process of placement, benefits of program services, and approval for **program participation.**



# Parent or Guardian Approval



# Parent or Guardian Rights and Responsibilities: Notification



- The parent or legal guardian shall be notified in their primary language and English of the following:
  - Their child's classification as an English learner.
  - The recommendation for placement of their child in the required bilingual education or English as a second language (ESL) program.
  - The purpose, content, and benefits to the student of the recommended bilingual/ESL program.
  - The fact that the recommended bilingual/ESL program is an integral part of the general school program.



# Parent or Guardian Rights and Responsibilities: Approval

- The parent or legal guardian shall:
  - Receive written notice of the student's classification as an English learner and the LPAC request for approval of placement of their child in the recommended bilingual education or ESL program **not later than the 10th calendar day after the date of the student's classification.**
  - Provide written approval or denial of placement of their child in the recommended program services.

# Parent or Guardian Approval



- Parental approval shall be considered **valid for the student's continued participation** in the required bilingual education or ESL program until
  - the student meets the reclassification criteria described in §89.1226(i) of this title (relating to Testing and Classification of Students), or
  - the student graduates from high school, or
  - a change occurs in program placement.
- **Pending parental approval** of an English learner's entry into services, the school district shall place the student in the recommended program.



# Program Placement, Without Written Approval



A school district may **place in or exit** a student from a program without written approval of the student's parent or guardian if:

- the student is **18 years of age** or has had the disabilities of minority removed;
- the parent or legal guardian provides approval through a **phone conversation or e-mail** that is documented in writing and retained; or
- an adult who the school district recognizes as standing in **parental relation** to the student provides written approval. This may include a foster parent or employee of a state or local governmental agency with temporary possession or control of the student.



# Parent or Guardian Denial

- In cases where a parent or guardian **denies placement** in bilingual education or ESL services, the student:
  - Is identified in PEIMS as an English learner with a parental denial and remains classified as an English learner until the student meets reclassification criteria.
  - Participates in annual the TELPAS assessment until the student meets reclassification criteria.
- It is the responsibility of the LPAC to monitor the **progress** of all English learners, including those whose parents have denied program services.

# Dual-Identified Students



When recommending program services for an English learner who is also served through special education, the **LPAC in conjunction with the ARD** committee shall:

- establish placement procedures that ensure that placement in a bilingual education or ESL program is not refused solely because a student has a disability.
- facilitate student participation in other special programs (Advanced Academics/Gifted and Talented, Special Education, Career and Technical Education, Dyslexia, etc.) while ensuring full access to the language program services.

# LPAC



LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE

FRAMEWORK

English Learner Services



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# Training Agenda



- Introduction
- Identification
- Placement
- **English Learner Services**
- Review and Reclassification
- Monitoring and Evaluation



# English Learner Services

## Section Objective

### Content Objective

We will be able to compare and contrast the four state-approved bilingual **program models** and the two state-approved ESL program models, staffing requirements, and procedures for filing a bilingual exception or an ESL waiver.

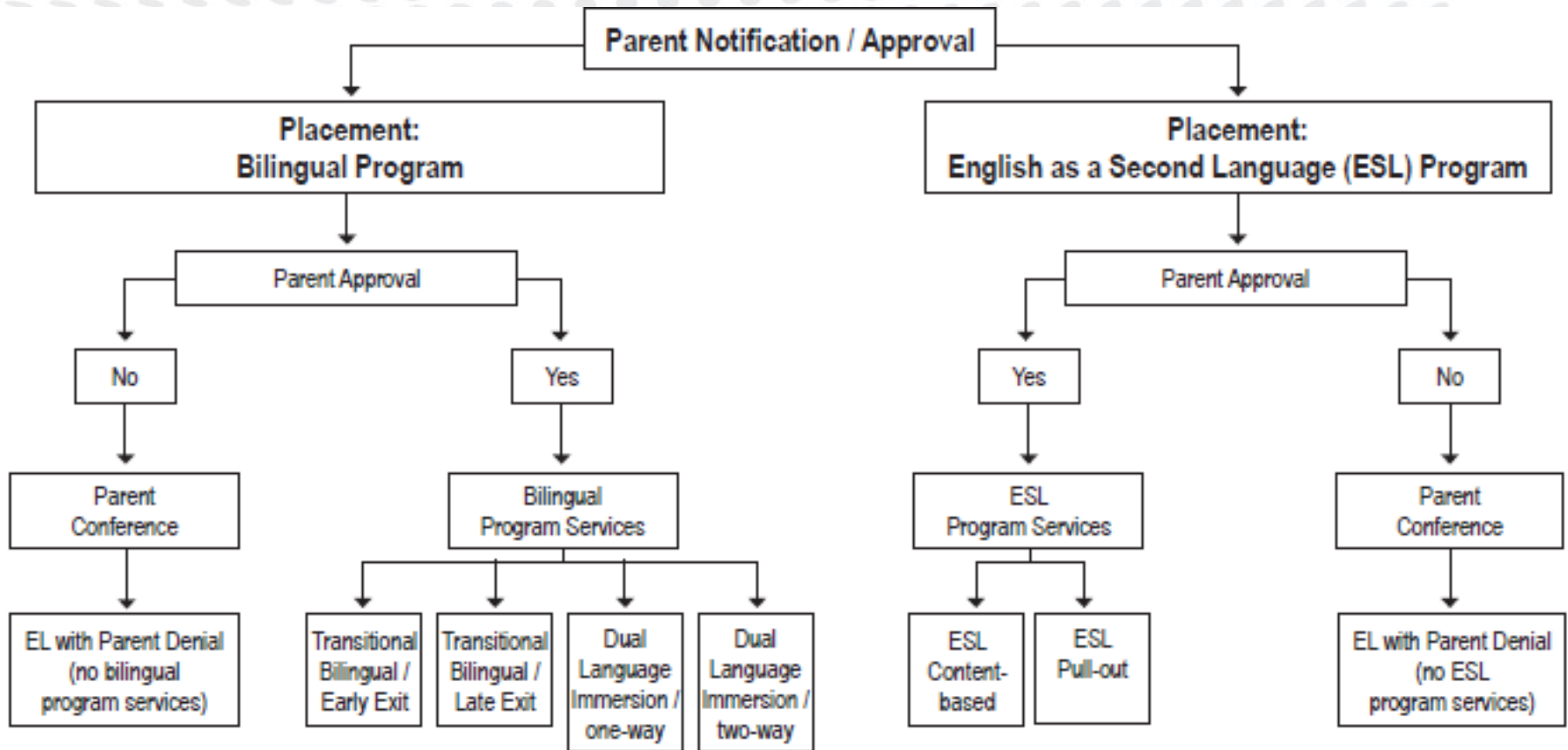
# English Learner Services



- Bilingual education and ESL programs shall be **integral parts** of the total school program.
- Such programs shall use instructional approaches designed to meet the **specific language needs** of English learners. The basic curriculum content of the programs shall be based on the Texas Essential Knowledge and Skills (**TEKS**) and the English language proficiency standards (**ELPS**) required by the state.



# English Learner Services



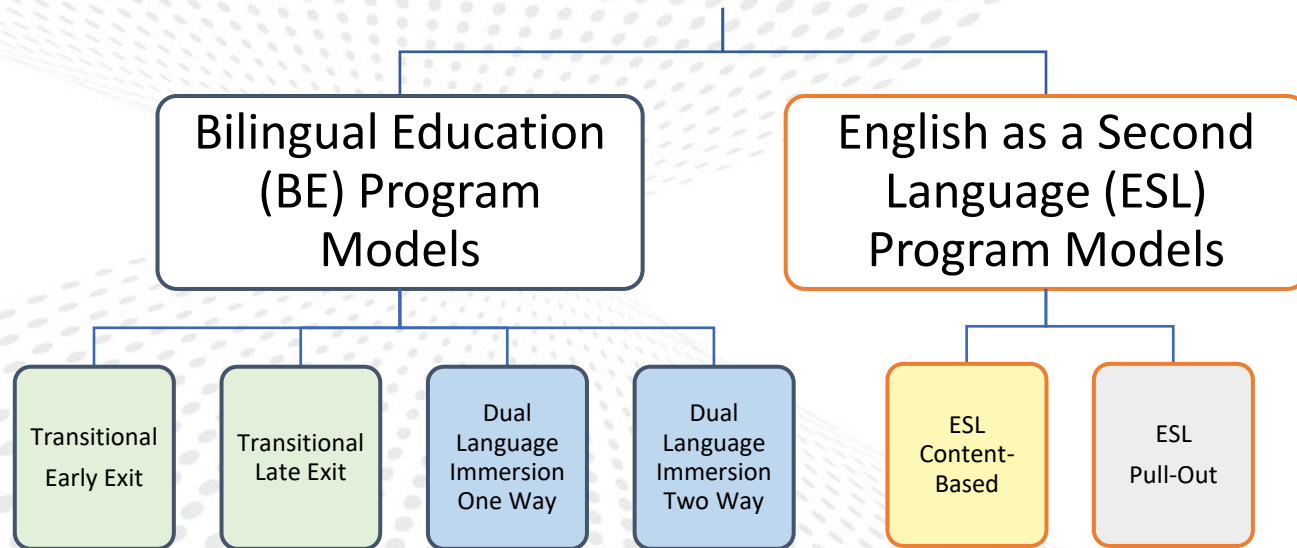
# Bilingual Education Program Definition



## Six State-Approved Program Models for ELs

TEC 29.066; TAC 89.1210

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



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

1+ EL = ESL program required

\*Elementary = PK through 5<sup>th</sup> grade (or through 6<sup>th</sup> grade if clustered with elementary)

# Bilingual Education Program Definition



A bilingual education program of instruction established by a school district shall be a full-time program of **dual-language instruction** (English and primary language) that provides for learning basic skills in the primary language of the students enrolled in the program and for carefully structured and sequenced mastery of English language skills under TEC §29.055(a).

# Bilingual Education Program Models



The bilingual education program shall be implemented through at least one of the following program models:

- Transitional bilingual/early exit
- Transitional bilingual/late exit
- Dual language immersion/one-way
- Dual language immersion/two-way



# Transitional Bilingual/Early Exit



## General Description

- Transitional bilingual/early exit is 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.

# Transitional Bilingual/Late Exit



## General Description

- Transitional bilingual/late exit is 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) (2) 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.



# Dual Language Immersion/ One-Way

## General Description

- Dual language immersion/one-way is 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.





# Dual Language Immersion/ Two-Way

## General Description

- Dual language immersion/two-way is 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, for the assigned grade level and content area. 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, for the assigned grade level and content area.

## Goal

- The goal of two-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 English and another language with at least half of the instruction delivered in the non-English program language for the duration of the program.





# Summary: State-approved Bilingual Education Program Models

Program Model	Goal	Instruction
Transitional bilingual / early exit	<ul style="list-style-type: none"> <li>• Primary language used as a resource</li> <li>• Full proficiency in English is acquired to participate equitably in school</li> </ul>	<ul style="list-style-type: none"> <li>• Literacy and academic content in primary language and English</li> <li>• Teacher(s) certified in grade level/content area and in bilingual education</li> <li>• Primary language instruction decreases as English is acquired</li> </ul>
Transitional bilingual / late exit		
Dual language immersion / one way	<ul style="list-style-type: none"> <li>• Full proficiency in primary language is attained</li> <li>• Full proficiency in English is attained to participate equitably in school</li> <li>• Full proficiency includes grade-level literacy skills in both languages</li> </ul>	<ul style="list-style-type: none"> <li>• Literacy and academic content in primary language and English</li> <li>• Teacher(s) certified in grade level/content area and in bilingual education (or paired with an ESL certified teacher)</li> <li>• At least half of instruction delivered in the students' primary language for the duration of the program</li> </ul>
Dual language immersion / two way		



# ESL Program Definition

An ESL program of instruction established by a school district shall be a program of intensive instruction in English in which ESL teachers recognize and address language differences in accordance with TEC, §29.055(a).



# ESL Program Models

The ESL program shall be implemented through one of the following program models:

- ESL/content-based
- ESL/pull-out



# ESL/Content-Based

## General Description

- An ESL/content-based program model is an English acquisition program that serves students identified as English learners through English instruction

## Certifications

- by a teacher appropriately 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.



# ESL/Pull-Out



## General Description

- An ESL/pull-out program model is an English acquisition program that serves students identified as English learners through English instruction

## Certifications

- provided by an appropriately certified ESL teacher under the TEC, §29.061(c) through English language arts and reading.

## Goal

- The goal of ESL pull-out 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.

# Summary: State-approved ESL Program Models



Program Model	Goal	Instructional Approach
Content-Based ESL	English learners will attain full proficiency in English in order to participate equitably in school.	English learners receive all content area instruction (English language arts and reading, mathematics, science, and social studies) by teacher(s) certified in ESL and the appropriate grade level and content area.
Pull-Out ESL		<p>English learners receive instruction in English language arts and reading (ELAR) by an ESL certified teacher.</p> <p>A pull-out model can be implemented</p> <ul style="list-style-type: none"> <li>• by an ELAR and ESL certified teacher within the ELAR classroom</li> <li>• through co-teaching of an ESL certified teacher and ELAR certified teacher</li> <li>• through an additional ESL/ELAR course provided by an ESL and ELAR certified teacher</li> </ul>

# Additions to the Required Bilingual or ESL Program



In addition to the required bilingual and/or ESL programs, school districts are authorized to establish a bilingual education program

- even if they have an **enrollment of fewer than 20 English learners in any language classification in the same grade level district-wide** and are not required to do so under subsection (a) of this section. Under this authorization, school districts shall adhere to all program requirements as described in §§89.1210, 89.1227, 89.1228, and 89.1229 of this title.
- at **grade levels in which the bilingual education program is not required** under subsection (a) of this section. Under this authorization, school districts shall adhere to all program requirements as described in §§89.1210, 89.1227, 89.1228, and 89.1229 of this title.

# English Proficient Student Participation



School districts may enroll students who are not English learners in the bilingual education program or the ESL program in accordance with TEC, §29.058.

- Students who are not English learners (English proficient) must have parent or guardian approval to be enrolled in the bilingual education or ESL program (89.1228 (d)).





# Dual-Identified Students

As an English learner with special needs is served through both special education and language programs, the district shall:

- Facilitate that support is provided within the language program to ensure access to the content of the student's Individualized Education Program (IEP) goals.
- Ensure that special educators who serve English learners in a self-contained setting are appropriately certified in bilingual education or ESL, in addition to certification in special education.

[FAQ for English Learners and LPAC](#)

# Staffing



- School districts that are unable to employ a sufficient number of teachers shall:
  - take all reasonable **affirmative steps** to assign appropriately certified teachers to the required bilingual education (BE) and ESL programs.
  - apply on or before **November 1** for an exception to the bilingual education program or a waiver of the certification requirements in the ESL program
- The approval of an exception to the bilingual education program or an ESL waiver shall be valid only during the school year for which it was granted.

# Staff Development



- (e) The commissioner of education shall encourage school districts to cooperate with colleges and universities to provide **training** for teachers assigned to the bilingual education and/or ESL programs.
- (f) The Texas Education Agency shall develop, in collaboration with **education service centers**, resources for implementing bilingual education and ESL training programs. The materials shall provide a framework for:
  - (1) developmentally appropriate bilingual education programs for early childhood through the elementary grades;
  - (2) affectively, linguistically, and cognitively appropriate instruction in bilingual education and ESL programs in accordance with §89.1210(b)(1)-(3) of this title (relating to Program Content and Design); and
  - (3) developmentally appropriate programs for English learners identified with multiple needs and/or exceptionalities.

# Required Summer School Programs



- Summer school programs that are provided under the Texas Education Code (TEC), §29.060 for English learners who will be eligible for **admission to kindergarten or Grade 1** at the beginning of the next school year shall be implemented in accordance with this section.
- A parent or guardian must have **approved placement** of the English learner in the required bilingual or ESL program.



# LPAC



LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE

FRAMEWORK

**Review and Reclassification**

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# Agenda



- Introduction
- Identification
- Placement
- English Learner Services
- **Review and Reclassification**
- Monitoring and Evaluation

# Review and Reclassification Section Objective

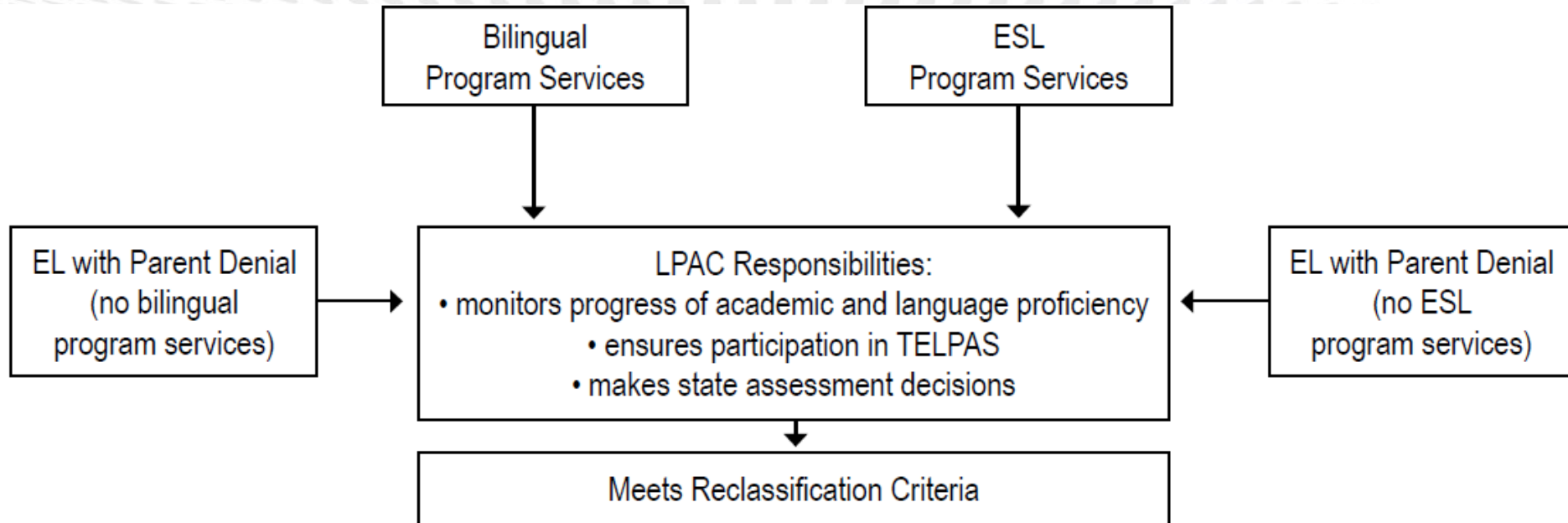


## Content Objective

We will be able to summarize the requirements for conducting **ongoing and annual review** of English learner progress and criteria for **reclassification** of students as English proficient.



# Ongoing/Mid-Year Review



# Ongoing Monitoring of English Learners



For English learners participating in a program and those with a parental denial, the LPAC

- monitors the progress of **academic and language** proficiency and
- ensures participation in **TELPAS** (listening, speaking, reading, and writing) until reclassification as an English proficient student.

# State Assessments: LPAC Decision-Making



Close to the time of testing administration of the state criterion-referenced test (STAAR) each year, the language proficiency assessment committee shall

- determine the appropriate **assessment option** for each English learner.
- make **designated support** decisions based on
  - an individual student's particular needs for second language acquisition support and
  - whether the student routinely, independently, and effectively uses the designated support in instruction and classroom testing.

# State Assessments: LPAC Decision-Making



- For English learners who are receiving program services, the LPAC shall:
  - **Make decisions** that are applicable for all assessments administered in the current school year and may carry over decisions from **spring to summer administrations**.
  - Identify **STAAR designated supports** (for English learners receiving services only), keeping in mind some supports may prevent the student from being considered for reclassification at the end of the year.
  - Document any **changes in a student's situation** that have occurred between administrations, especially if a student no longer requires designated supports.



# State Assessments: LPAC Decision-Making



For English learners with **parental denial** of services, the LPAC shall **not** designate supports for STAAR assessments, including

- No testing in Spanish
- No English I special provisions
- No unschooled asylee/refugee provisions

# TELPAS Participation



- Texas English Language Proficiency Assessment System (**TELPAS**) and **TELPAS Alternate**:
  - Fulfill federal requirements for annually assessing English language proficiency of ELs in K-12
  - Assess language proficiency in listening, speaking, reading and writing
- For TELPAS assessments, all English learners are assessed, regardless of whether parents or guardians have denied bilingual education or ESL program services.
- For ELs receiving special education services, the LPAC works in conjunction with the admission, review, and dismissal (ARD) committee.

# Alternate English Language Proficiency (ELP) Assessment



34 CFR §200.6(h)(5) requires that a State administer an **alternate ELP assessment** for English learners with the most significant cognitive disabilities who cannot participate in the ELP assessment, even with appropriate accommodations.

Texas developed the **TELPAS Alternate**, a holistic inventory that assesses English language proficiency to

- satisfy the alternate ELP assessment requirement for students with the most significant cognitive disabilities **AND**
- reduce exemptions from specific language domains on TELPAS. [TELPAS Alternate](#)

# LPAC Decision-Making for Dual-Identified Students



- 19 TAC Chapter 101 of the TAC requires the **LPAC to work in conjunction with the ARD Committee** to make assessment decisions for English learners who are also eligible for special education services.
- This collaboration helps ensure that factors related to a student's **disability and second language** acquisition are both carefully considered.



# LPAC Decision-Making for Dual-Identified Students



- The **LPAC** is responsible for making designated supports decisions for the STAAR program and TELPAS in conjunction with the student's **ARD, Section 504, RTI**:
  - Designated supports decisions related to the student's particular needs for **second language acquisition** support.
  - Designated supports decisions related to the **student's disability**.
- These committees should become familiar with all information on the TEA Accommodation Resources webpage.

# Accessibility Resources



Designated supports decisions for STAAR and TELPAS are to be made by LPACs in accordance with policies and procedures in the following:

- Decision-Making Guide for LPACs

<https://tea.texas.gov/student.assessment/ell/lpac/>

- Accessibility Policy Documents located on TEA's Accommodation Resources webpage

<https://tea.texas.gov/accommodations/>

# LPAC Annual Review



**At the end of the year, the LPAC reviews every English learner identified in PEIMS**

- being served in a bilingual or ESL program;
- with a parental denial; and
- who has been reclassified as an English proficient student and is in his or her first (F) or second (S) year of monitoring.

For each English learner, the LPAC **reviews the progress** of academic and language proficiency, determines if **reclassification criteria** has been met, and **notifies** the parent or guardian of progress and reclassification/exit, as applicable.

# Reclassification of English Learners



For **exit** from a bilingual education or ESL program, a student may be classified as English proficient only at the end of the school year in which a student would be able to participate equally in a general education, all-English instructional program:

- (1) a **proficiency rating** on the state-approved English language proficiency test for reclassification that is designated for indicating **English proficiency** in each the four language domains (**listening, speaking, reading, and writing**);
- (2) **passing standard** met on the reading assessment instrument under the Texas Education Code (TEC), §39.023(a), or, for students at grade levels not assessed by the aforementioned reading assessment instrument, a score at or above the **40th percentile on both the English reading and the English language arts** sections of the state-approved norm-referenced standardized achievement instrument; and
- (3) the results of a **subjective teacher evaluation** using the state's standardized rubric.



# English Learner Reclassification Rubric



## Subjective Teacher Evaluation

To meet ESSA Title III, Part A requirements as described in the Texas ESSA State Plan for a standardized, statewide exit criteria, the *English learner Reclassification Rubric* is utilized for the Subjective Teacher Evaluation portion of the reclassification criteria.

The *English Learner Reclassification Rubric-Alternate* is utilized for English learners with a significant cognitive disability to fulfill the Subjective Teacher Evaluation portion of the individualized reclassification criteria.

# English Learner Reclassification Rubric



## English Learner Reclassification Rubric Teacher Documentation

Student Name: \_\_\_\_\_  
Grade Level: \_\_\_\_\_

*This document fulfills requirements in TEC 29.056(g)(3) for the subjective teacher evaluation component of the reclassification criteria, providing teacher documentation of the student's English language proficiency with academic language and informing the Language Proficiency Assessment Committee (LPAC) of the student's readiness for reclassification as a non-English learner with potential placement in a general education classroom setting.*

### Academic Language

#### Description of Receptive Skills: Listening and Reading (Select one descriptor from the choices below)

**Grade appropriate with no second language acquisition support needed to be successful:** Student routinely demonstrates listening and reading comprehension skills comparable to English proficient grade-level peers. Student is able to construct meaning when reading grade appropriate texts, and student rarely needs speakers to slow down, repeat, or rephrase during conversations and academic discussions. Student receives written and oral information with no need for second language acquisition support to be successful with grade appropriate content.

**Grade appropriate with some second language acquisition support needed to be successful:** Student demonstrates listening and reading comprehension skills that are nearing but not yet comparable to English proficient grade-level peers. Student at times relies on linguistically accommodated text features to construct meaning from abstract grade appropriate text. Student comprehends conversations and discussions but relies at times on pauses for processing time, requests for repetition, visual cues, and requests for clarification with less familiar topics.

#### Description of Expressive Skills: Speaking and Writing (Select one descriptor from the choices below)

**Grade appropriate with no second language acquisition support needed to be successful:** Student routinely expresses thoughts and ideas in speaking and in writing at a level comparable to English proficient grade-level peers. Student uses grade-appropriate content-based vocabulary and grammar effectively in oral and written communications. Student communicates orally with few pauses and minimal errors that block communication. Student produces oral and written material with no need for second language acquisition support to be successful with grade appropriate content.

**Grade appropriate with some second language acquisition support needed to be successful:** Student expresses thoughts and ideas in speaking and writing that are nearing but not yet comparable to English proficient grade-level peers. Student uses grade appropriate content-based terms on familiar topics with some errors in complex grammar usage. Student expresses grade appropriate ideas in writing with emerging grade appropriate vocabulary, but at times relies on second language acquisition supports to express ideas effectively in oral and written English.

Comments:

This student **routinely demonstrates the readiness for reclassification as English proficient** and the ability to successfully participate in grade-level content instruction that is delivered with no second language acquisitions supports.  Yes  No  
Provide an explanation in the comments and attach additional supporting documentation, as needed.

Teacher Name: \_\_\_\_\_ Teacher Signature: \_\_\_\_\_ Date of Completion: \_\_\_\_\_



# English Learner Reclassification Rubric- ALTERNATE



## English Learner Reclassification Rubric - ALTERNATE Teacher Documentation

Student Name: \_\_\_\_\_

Grade Level: \_\_\_\_\_

This document fulfills requirements in TEC 29.056(g)(3) for the subjective teacher evaluation component of the reclassification criteria for English learners who meet the [definition of a student with a significant cognitive disability](#). This rubric provides teacher documentation as part of the [individualized reclassification process](#) in accordance with TAC 89.1226(h), (i) and (m) and informs the Language Proficiency Assessment Committee (LPAC) in conjunction with the Admission, Review, and Dismissal (ARD) Committee when making reclassification decisions. Caution should be exercised when considering the reclassification of students using the individualized process.

Academic Language	
<p><b>Description of Receptive Skills: Listening and Reading</b> (Select <b>one</b> descriptor from the choices below)</p> <p><input type="checkbox"/> Student <b>routinely</b> demonstrates listening and reading comprehension skills during Individualized Education Program (IEP)-aligned instruction that <b>meet</b> the expectations described in the TELPAS Alternate Proficiency Level Descriptors identified by the LPAC/ARD committee. Student appears to <b>no longer benefit</b> from second language acquisition supports in the areas of listening and reading.</p> <p><input type="checkbox"/> Student appears to <b>still benefit</b> from second language acquisition supports in the areas of listening and reading. Student's <b>routine</b> demonstration of listening and reading comprehension skills may <b>meet or fall below</b> the expectations described in the TELPAS Alternate Proficiency Level Descriptors identified by the LPAC/ARD committee.</p>	<p><b>Description of Expressive Skills: Speaking and Writing</b> (Select <b>one</b> descriptor from the choices below)</p> <p><input type="checkbox"/> Student <b>routinely</b> demonstrates speaking and writing comprehension skills during Individualized Education Program (IEP)-aligned instruction that <b>meet</b> the expectations described in the TELPAS Alternate Proficiency Level Descriptors identified by the LPAC/ARD committee. Student appears to <b>no longer benefit</b> from second language acquisition supports in the areas of speaking and writing.</p> <p><input type="checkbox"/> Student appears to <b>still benefit</b> from second language acquisition supports in the areas of speaking and writing. Student's <b>routine</b> demonstration of speaking and writing comprehension skills may <b>meet or fall below</b> the expectations described in the TELPAS Alternate Proficiency Level Descriptors identified by the LPAC/ARD committee.</p>
<p>Comments:</p> <div style="border: 1px solid black; height: 150px; width: 100%;"></div>	

This student **routinely demonstrates** that he/she no longer appears to benefit from second language acquisition support and is **eligible for reclassification**.

Yes  No

Provide an explanation in the comments and attach additional supporting documentation, as needed.

Teacher Name: \_\_\_\_\_ Teacher Signature: \_\_\_\_\_ Date of Completion: \_\_\_\_\_

# Decisions Pending Results



If STAAR results are not yet available when the LPAC meets at the end of the school year to make reclassification decisions, the LPAC will conduct the following process:

- The LPAC makes the decision for reclassification, **pending STAAR results**, if the student has met all other reclassification criteria and if the LPAC determines that the student will be ready for reclassification if STAAR results demonstrate that the student has met standard (Approaches, Meets, or Masters levels).
- The LPAC must have a **follow-up process** as soon as scores are received by the district to enact on the LPAC reclassification decisions pending STAAR results.
- Once scores are received, a **member of the LPAC** will enter the scores into the LPAC documentation and complete the reclassification process for eligible students without the need for another LPAC meeting.



# Reclassification of English Learners



- A student in **prekindergarten or kindergarten** may **not be reclassified** as an English learner; the first opportunity for an English learner to be considered for reclassification is in grade one.
- A school district must ensure that English learners are prepared to meet academic standards required by the TEC, §28.0211.

# Reclassification of Dual-Identified Students



- For English learners who are also eligible for special education services, the district assures that:
  - decisions regarding reclassification as English proficient are made by the **LPAC in conjunction with the ARD committee**, implementing assessment procedures that differentiate between language proficiency and disabling conditions; and
  - the **standardized process** for English learner reclassification is followed, **EXCEPT** in cases where the student has a **significant cognitive disability** and the individualized process for reclassification is used.

# Reclassification of English Learners with Significant Cognitive Disabilities



- For English learners with significant cognitive disabilities, the **LPAC in conjunction with the ARD committee** shall meet and may:
  - determine that the state's English language proficiency assessment for reclassification is not appropriate because of the nature of the student's disabling condition;
  - may recommend that the student take the state's alternate English language proficiency assessment (TELPAS Alt) and shall determine an appropriate performance standard requirement for reclassification by language domain.

# English Learner Reclassification Chart



## 2020–2021 English Learner Reclassification Criteria Chart

At the end of the school year, a district may reclassify an English Learner (EL) as English proficient for the first time or a subsequent time if the student is able to participate equally in a regular all-English instruction program as determined by satisfactory performance in the following assessment options areas below and the results of a subjective teacher evaluation.

An English learner may not be reclassified as English proficient in prekindergarten or kindergarten as per Texas Administrative Code §89.1226(j).

	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11 <sup>th</sup> /12 <sup>th</sup>	
<b>English Language Proficiency Assessment</b>	Texas English Language Proficiency Assessment System (TELPAS) <b>Advanced High</b> in each domain of Listening, Speaking, Reading and Writing											
<b>State Standardized Reading Assessment</b>	TEA Approved Norm-Referenced Standardized Achievement Test (Reading/Language) 40 <sup>th</sup> percentile or above	STAAR Reading (English)						STAAR English I EOC	STAAR English II EOC	TEA Approved Norm-Referenced Standardized Achievement Test (Reading/Language) 40 <sup>th</sup> percentile or above		
<b>Subjective Teacher Evaluation</b>	Form: <a href="#">English Learner Reclassification Rubric</a>											

Note: The LPAC shall monitor the academic progress of each student who has met reclassification criteria during the first two years after reclassification.

Note: English learners with significant cognitive disabilities who are receiving special education services may qualify to be reclassified using the following: [Individualized Reclassification Process for a Student with a Significant Cognitive Disability](#).

For information on the TEA Approved Norm-Reference Standardized Achievement Test, please visit the following webpage: <https://www.riverside-assessments.com/texas-assessment>.

For information on State Assessments for English Learners, please visit the following webpage: <https://tea.texas.gov/student-assessment/testing/student-assessment-overview/accommodation-resources/information-on-state-assessments-for-english-learners>.



# Parent or Guardian Notification and Approval



- The school district shall:
  - Give **written notification** to the student's parent or legal guardian that his or her child has met all criteria to be reclassified as English proficient;
  - Share the LPAC's recommendation for **program exit or for continued participation** in program (e.g. for students in a dual language immersion program);
  - Acquire **written parental approval**, as appropriate, for exit from the bilingual education or ESL program, and as required under the Texas Education Code, §29.056(a).

# Parent or Guardian Notification and Approval



- Students meeting the requirements for reclassification may, at **parent or guardian request, continue** in the bilingual education or ESL program, at the district's discretion.
- Only reclassified students who continue to participate in **dual language two-way** programs **will continue** to generate bilingual education allotment **funds**.

# LPAC



LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE

FRAMEWORK

**Monitoring and Evaluation**

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# Training Agenda



- Introduction
- Identification
- Placement
- English Learner Services
- Review and Reclassification
- **Monitoring and Evaluation**

# Monitoring and Evaluation Section Objective

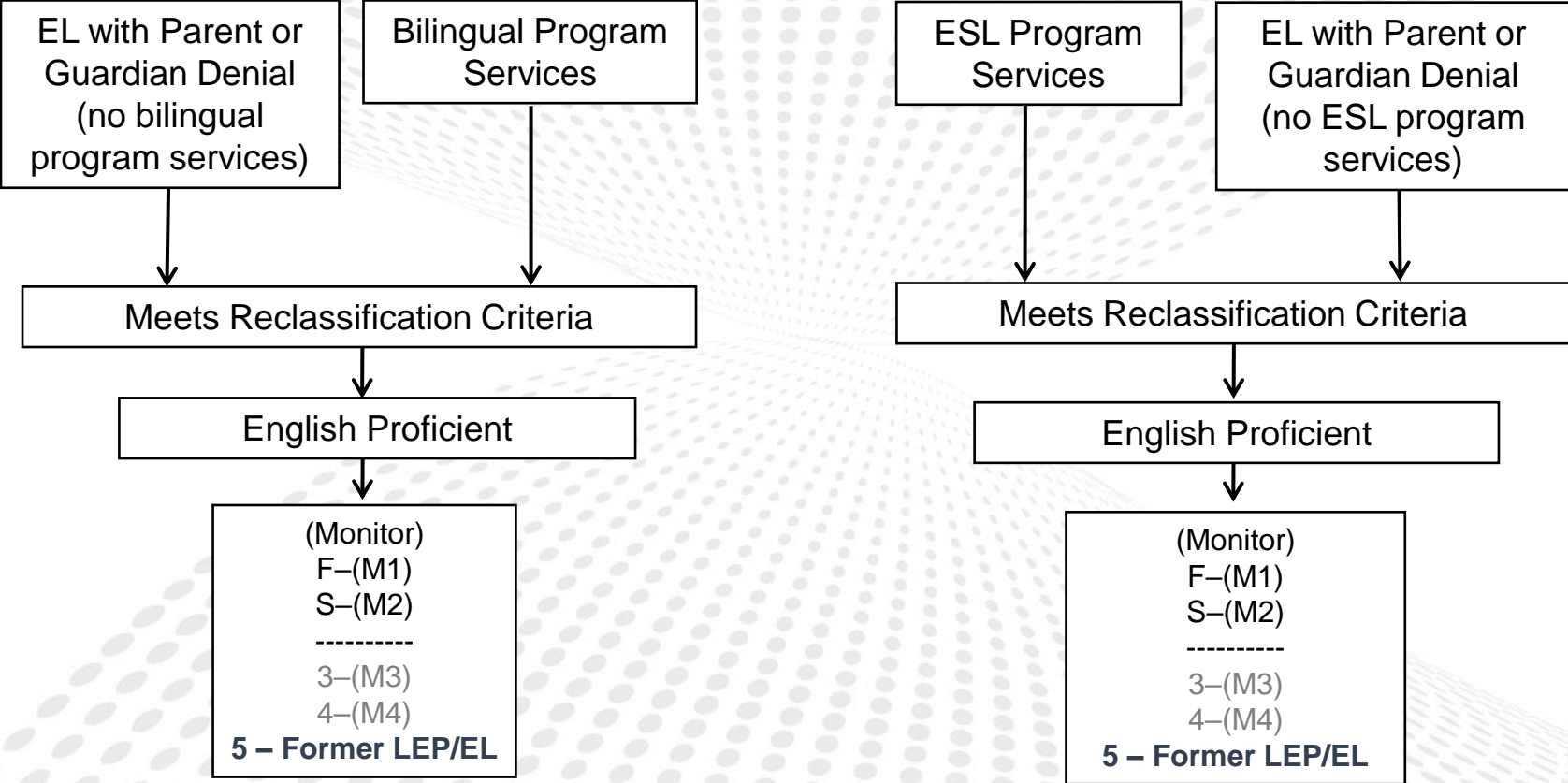


## Content Objective

We will be able to differentiate between state and federal **monitoring requirements** for reclassified students and outline key elements of the annual program evaluation.



# Monitoring After Reclassification





# Monitoring After Reclassification

- The LPAC shall monitor the **academic progress** of each student who has met criteria for reclassification in accordance with TEC, §29.056(g) for **the first two years after reclassification.**
- Monitoring for the first two years after reclassification **includes** students who had a **parental denial.**
- PEIMS LEP/EL Indicator Codes **F (first year)** and **S (second year)**
- This is a **State** requirement.





# Reclassified Students (F&S Only)

In accordance with TEC, §29.0561, the language proficiency assessment committee shall review the student's performance and consider:

- (1) the **total amount of time** the student was enrolled in a bilingual education or special language program;
- (2) the student's **grades** each grading period in each subject in the foundation curriculum;



# Reclassified Students (F&S Only)

- (3) the student's performance on **State assessments**;
- (4) the **number of credits** the student has earned toward high school graduation, if applicable; and
- (5) any **disciplinary actions** taken against the student under TEC, Chapter 37, Subchapter A (Alternative Settings for Behavior Management).

# Monitor Year (3) and (4) Students



- The LPAC's sole responsibility for students in monitoring years 3 and 4 is to **coordinate with PEIMS** to ensure that students are coded appropriately.
- The LPAC **does not monitor academic progress** of students in monitoring years 3 and 4.
- ESEA requires this data collection **for accountability purposes only**.
- This is a **federal requirement**.