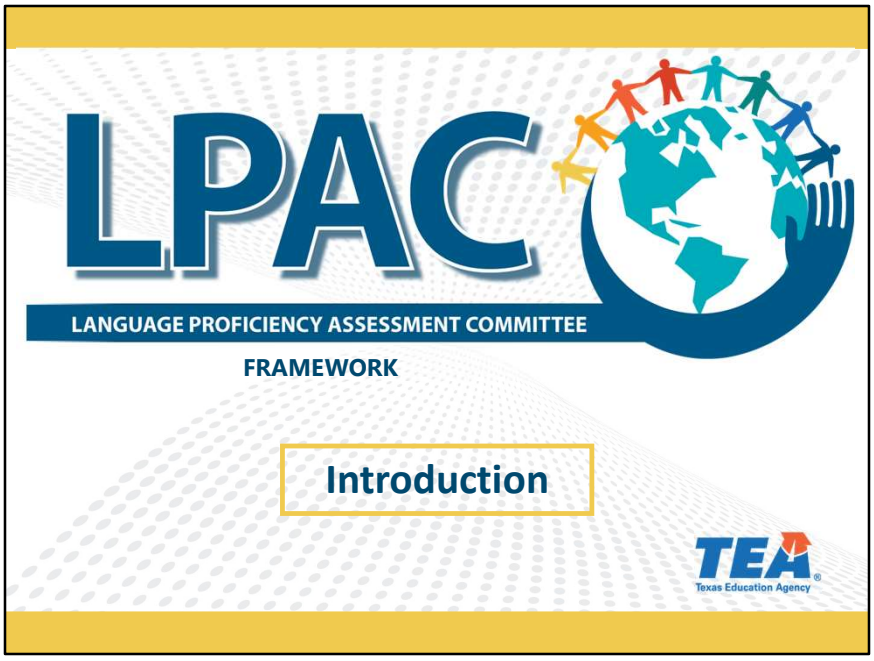


Slide 2

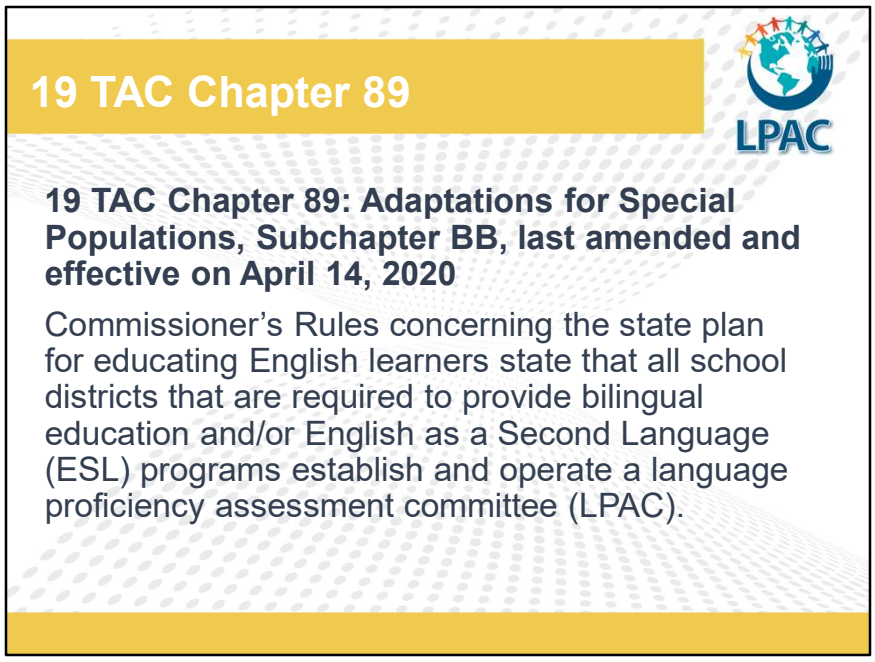
Please be familiar with the following program statutes that pertain to English Learners.

- 19 Texas Administrative Code (TAC) Chapter 89, Subchapter BB
- Texas Education Code Section 29, Subchapter B

These document can be found on the Resources page.

- Decision-Making Guide for LPACs (STAAR, STAAR Spanish, STAAR Alternate 2, TELPAS, and TELPAS Alternate) which is overseen by the Division of Student Assessment

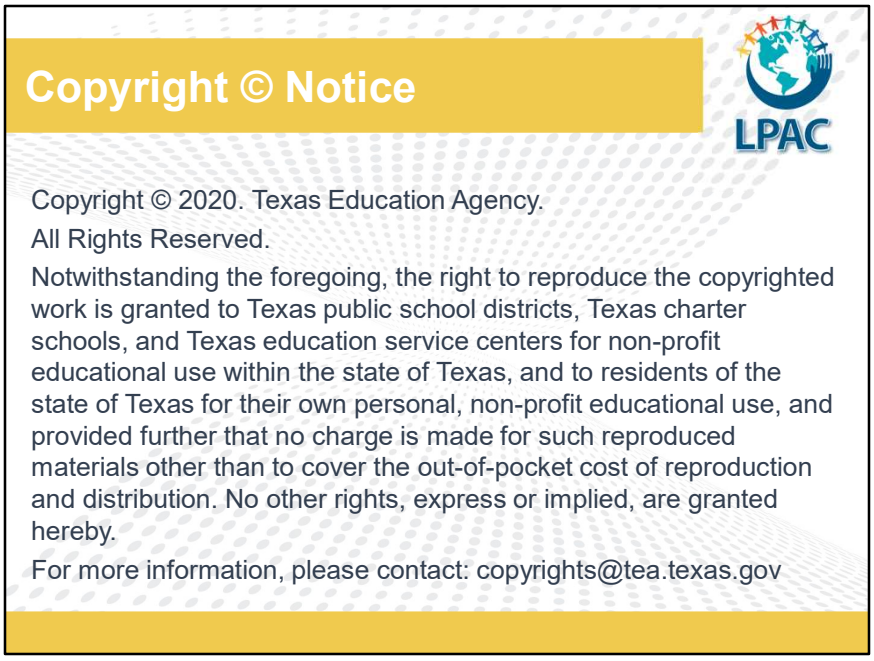
Visit the English learner web portal at www.txel.org for more resources and information on English learners.



Slide 2

Locate the **amended** version of 19 TAC Chapter 89 (*effective on April 14, 2020*).
The purpose of this document is to provide guidance regarding the policies, procedures, program designs, and all other aspects related to the education of English learners.

It is recommended that when each section is discussed, locate the section within the Chapter 89 document for reference, as needed.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Slide 3

Division of English Learner Support
LPAC
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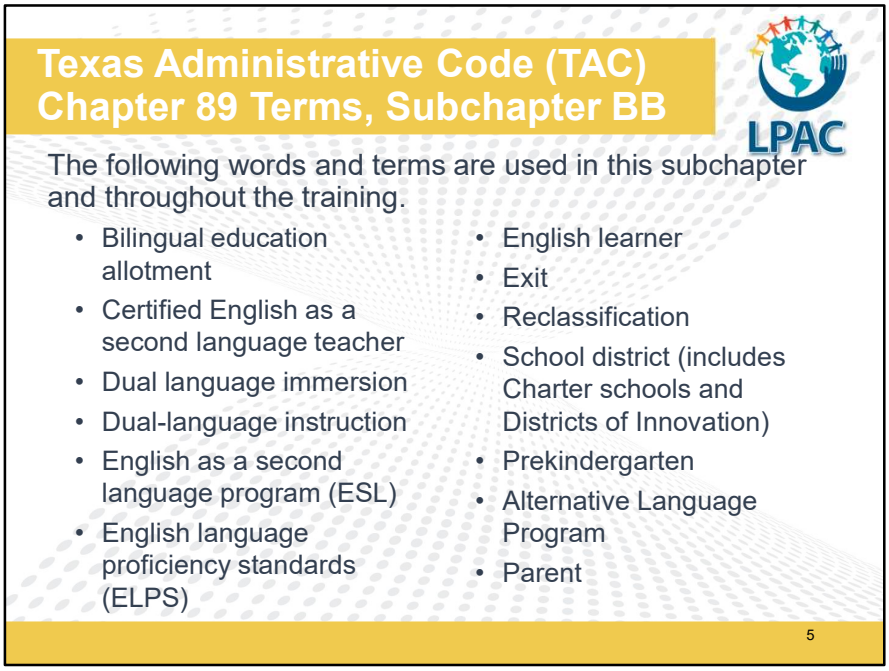
4

Slide 4



Slide 5

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

1) Bilingual education allotment--An adjusted basic funding allotment provided for each school district based on student average daily attendance in a bilingual education or English as a second language (ESL) program in accordance with Texas Education Code (TEC), §42.153.
2) Certified English as a second language teacher--The term "certified English as a second language teacher" as used in this subchapter is synonymous with the term "professional transitional language educator" used in TEC, §29.063.
3) Dual language immersion--A state-approved bilingual program model in accordance with TEC, §29.066.
4) Dual-language instruction--An educational approach that focuses on the use of English and the student's primary language for instructional purposes.
5) English as a second language program--A special language program in accordance with TEC, Chapter 29, Subchapter B.
6) English language proficiency standards (ELPS)--Standards to be published along with the Texas Essential Knowledge and Skills for each subject in the required curriculum outlined in Chapter 74 of this title (relating to Curriculum Requirements), including foundation and enrichment areas, ELPS, and college and career readiness standards.

7) English learner (EL)--A student who is in the process of acquiring English and has another language as the student's primary or home language. The terms English language learner (ELL) and English learner are used interchangeably and are synonymous with limited English proficient (LEP) student, as used in TEC, Chapter 29, Subchapter B.

8) Exit--The point when a student is no longer classified as LEP/EL (i.e., the student is reclassified), no longer requires bilingual or ESL program services, and is classified as non-LEP/English proficient (EP) 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.

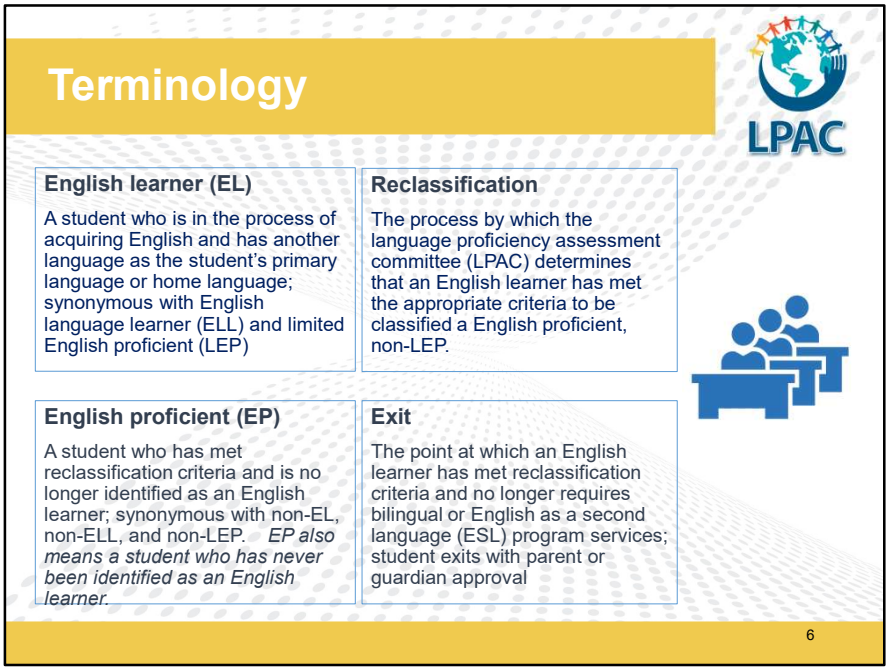
9) Reclassification--The process by which the language proficiency assessment committee determines that an English learner has met the appropriate criteria to be classified as non-LEP/EP and is coded as such in TSDS PEIMS.

10) School district--For the purposes of this subchapter, the definition of a school district includes a local education agency, an open-enrollment charter school, and a district of innovation.

11) Prekindergarten--For purposes of this subchapter, prekindergarten describes students enrolled in a 3- or 4-year-old prekindergarten program, as well as 3- or 4-year-old students enrolled in an early education setting.

12) Alternative language program--A program that meets the affective, linguistic, and cognitive needs of ELs and equips the teacher under a bilingual education or ESL waiver described in §89.1207 of this title (relating to Bilingual Education Exceptions and English as a Second Language Waivers) through the comprehensive professional development plan.

13) Parent--The term "parent" as used in this subchapter includes the parent or legal guardian of the student in accordance with TEC, §29.052.



Slide 6

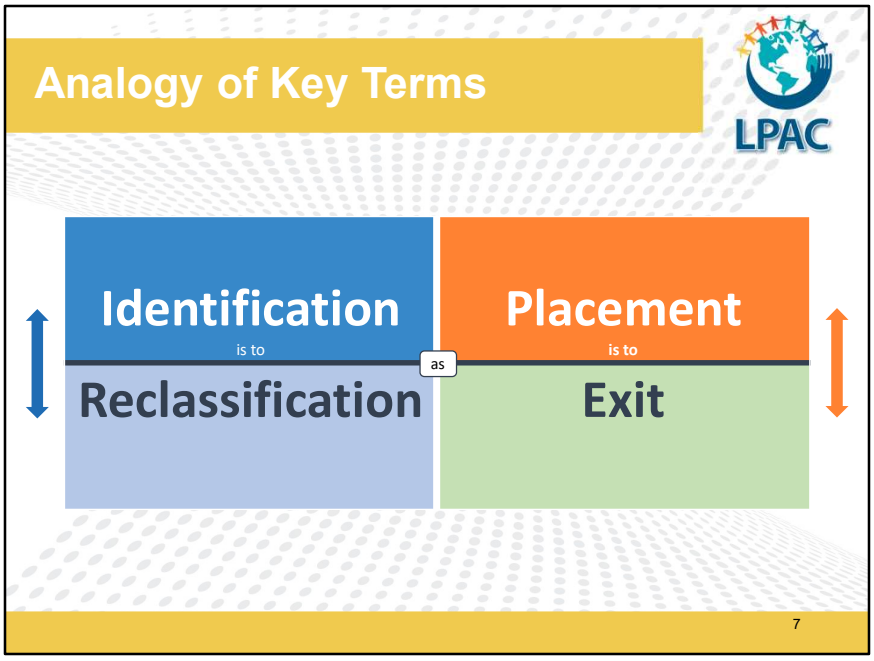
These terms are foundational to understanding English learner programming.

Due to the nature of some language program models, a reclassified English proficient student may continue in the program with parent or guardian approval.

The term "English learner" will be used throughout the training to align with the Elementary and Secondary Education Act of 1965 Public Law 115-141, as amended by the Every Student Succeeds Act (ESSA).

The term "English learner" and the introduction of the term "English proficient," when referring to students who do not need English language support, is intentional. This terminology replaces the use of abbreviations such as EL or EP, to ensure a "people first" approach when referring to the students we serve.

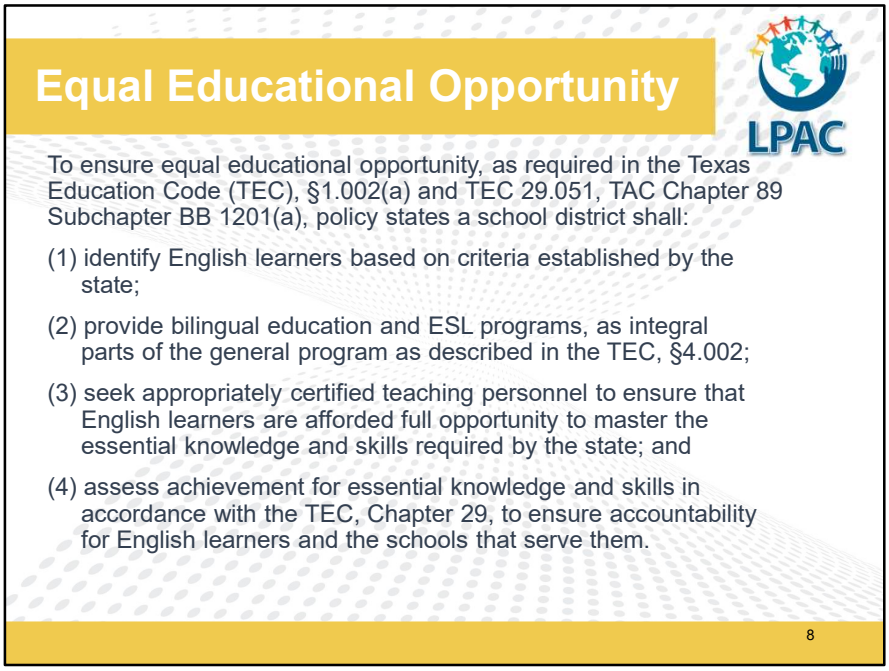
All students who have met the reclassification criteria must have their coding updated in PEIMS.



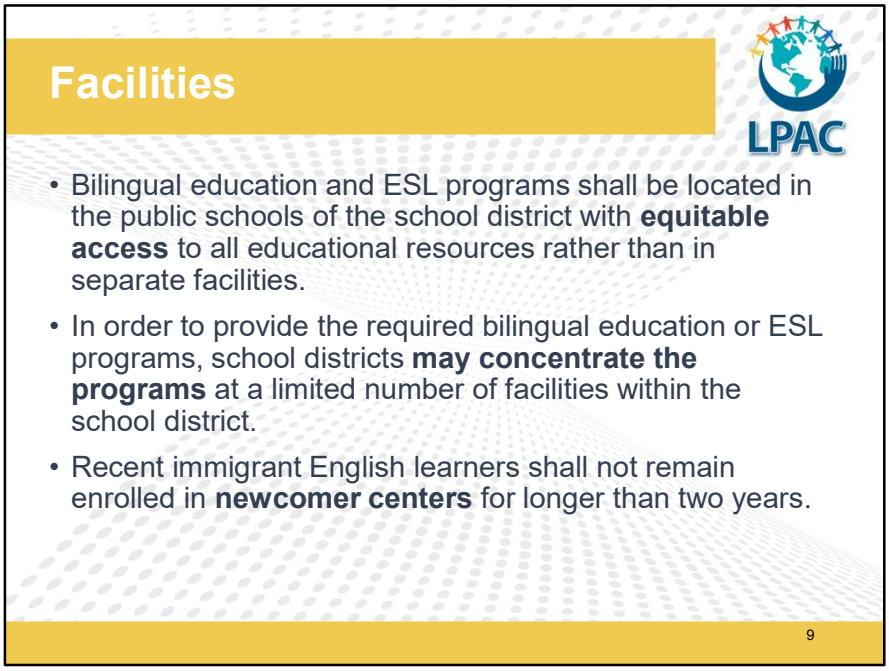
Slide 7

Think about this analogy: Identification is to Reclassification as Placement is to Exit.

Identification and reclassification is determined by the LPAC, whereas placement and exit are dependent on parent or guardian approval based on LPAC recommendation.


Equal Educational Opportunity
LPAC
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.
8

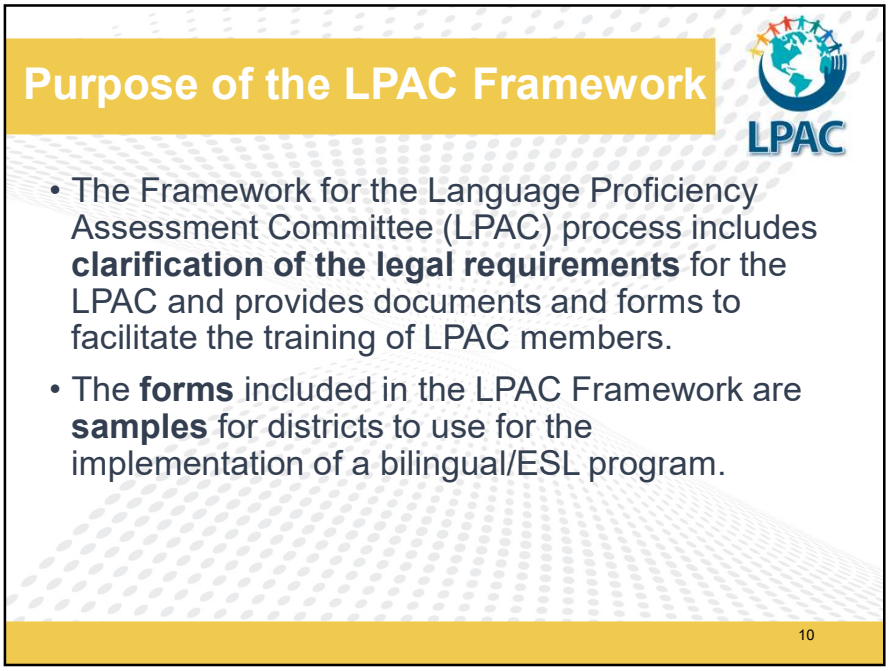
Slide 8



Slide 9

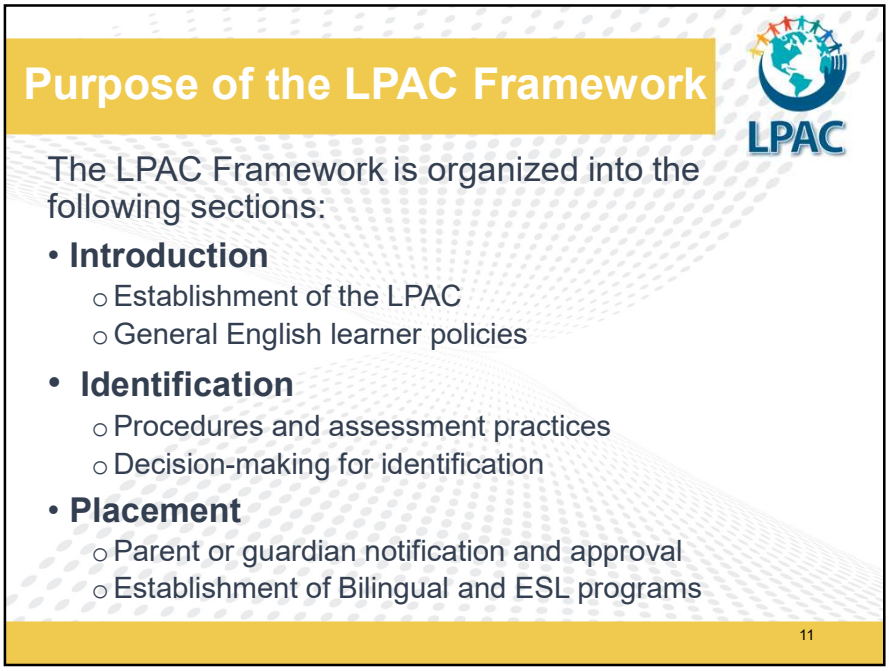
Additional guidance regarding concentrating, or clustering, students at a limited number of facilities within the district:

- In the context of a bilingual program, a district may cluster bilingual program students at one or more centrally located campus(es) in order to maximize resources.
- Additionally, ESL programs may be clustered in a similar fashion. However, when clustering bilingual or ESL programs, districts must not isolate/segregate English learners from English proficient students to the point at which English learners make up the entire school for the duration of their program services.
- Notice that an English learner's participation in a newcomer center, likely composed of all English learners, is limited to **two years**.



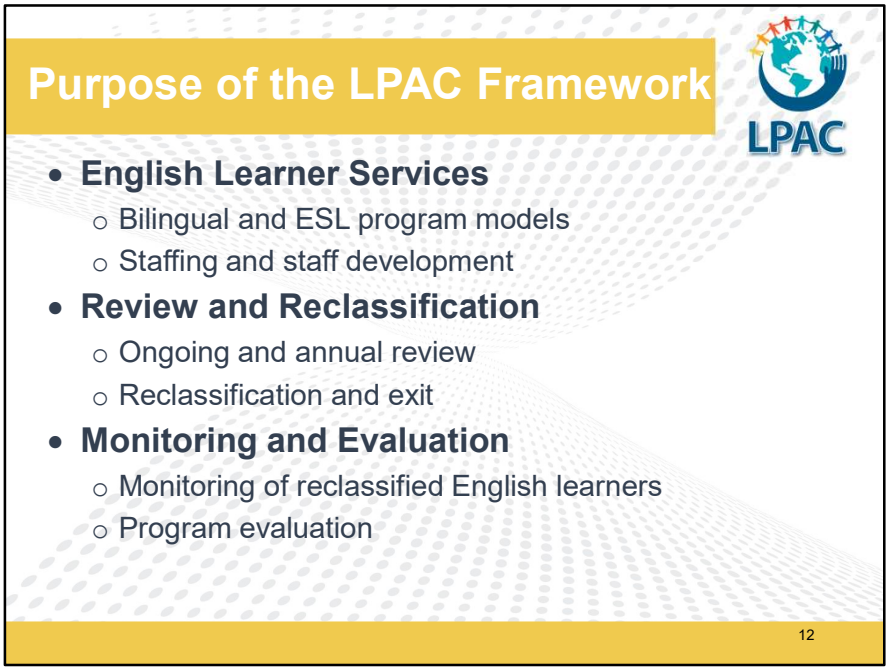
Slide 10

Sample forms may be adapted or enhanced to meet each district or charter school's individual needs for proper documentation.



Slide 11

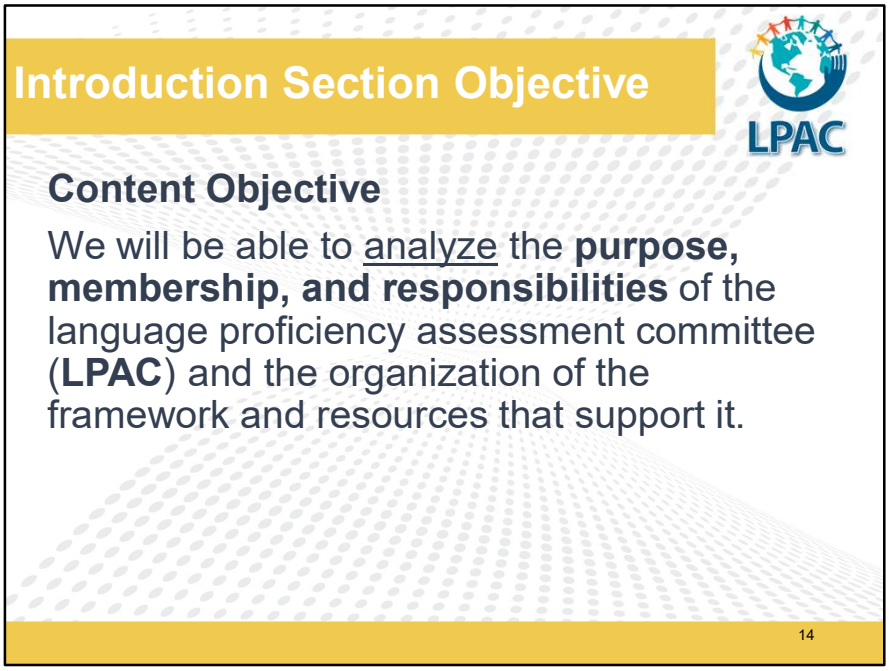
The intent of the LPAC Framework is to establish guidelines that describe the steps necessary in the implementation of a consistent and standardized LPAC process across school districts and the state. Further information regarding the purpose of the LPAC Framework is shared on the following (next) slide.


Purpose of the LPAC Framework
LPAC
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
12

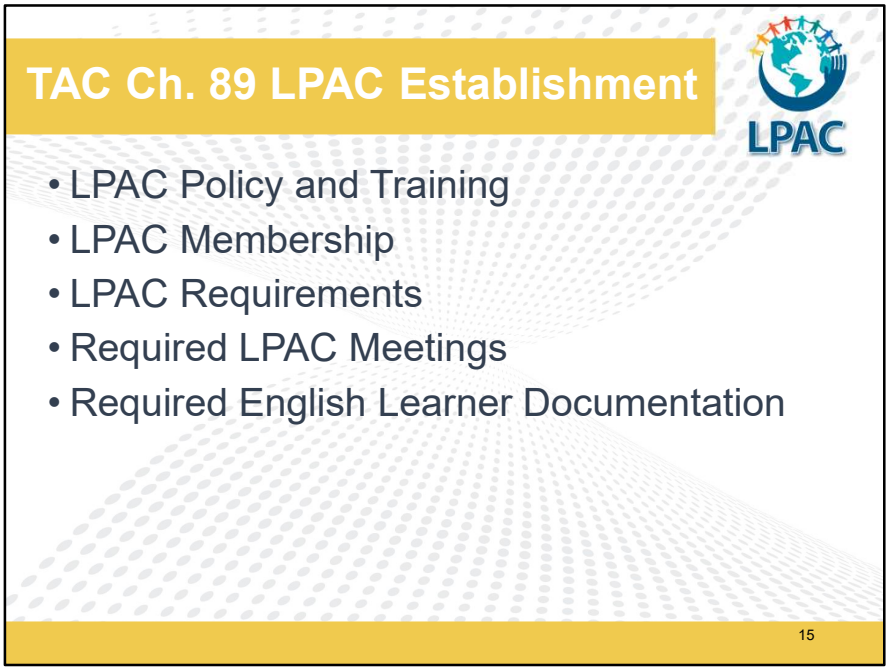
Slide 12

Training Agenda
LPAC
• Introduction
• Identification
• Placement
• English Learner Services
• Review and Reclassification
• Monitoring and Evaluation
13

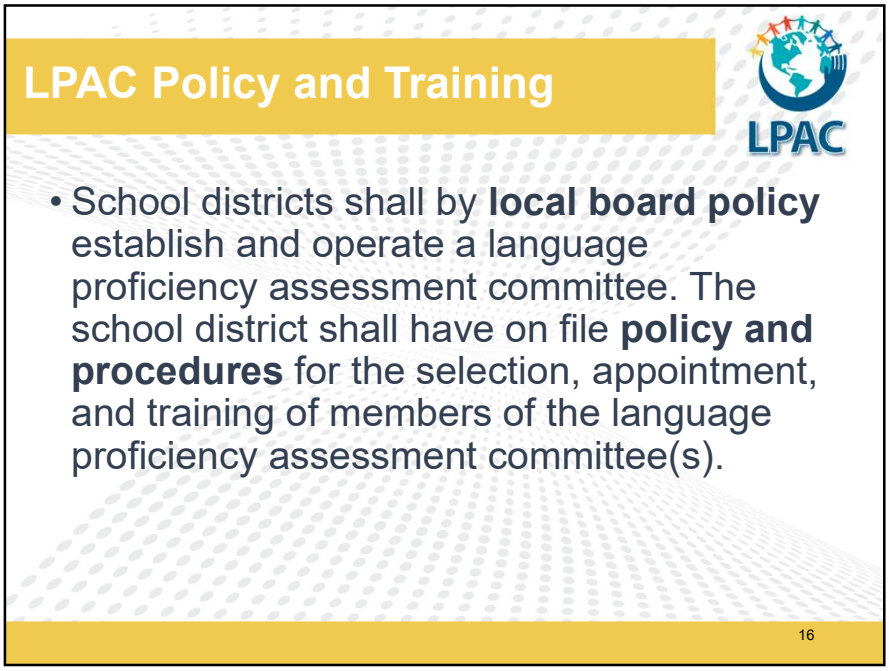
Slide 13


Introduction Section Objective
LPAC
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.
14

Slide 14


TAC Ch. 89 LPAC Establishment
LPAC
• LPAC Policy and Training
• LPAC Membership
• LPAC Requirements
• Required LPAC Meetings
• Required English Learner Documentation
15

Slide 15



Slide 16

- The written board policy shall be ON FILE in the district.
- A school district shall establish and operate a sufficient number of LPACs to enable them to discharge their duties within four weeks of the enrollment of English learners.
- Some school districts may choose to have more than one training opportunity for the parent or guardian representatives.
- It may be necessary to train more than one parent or guardian to be able to cover the number of LPACs for a year, especially early in the year and at the end of the year.

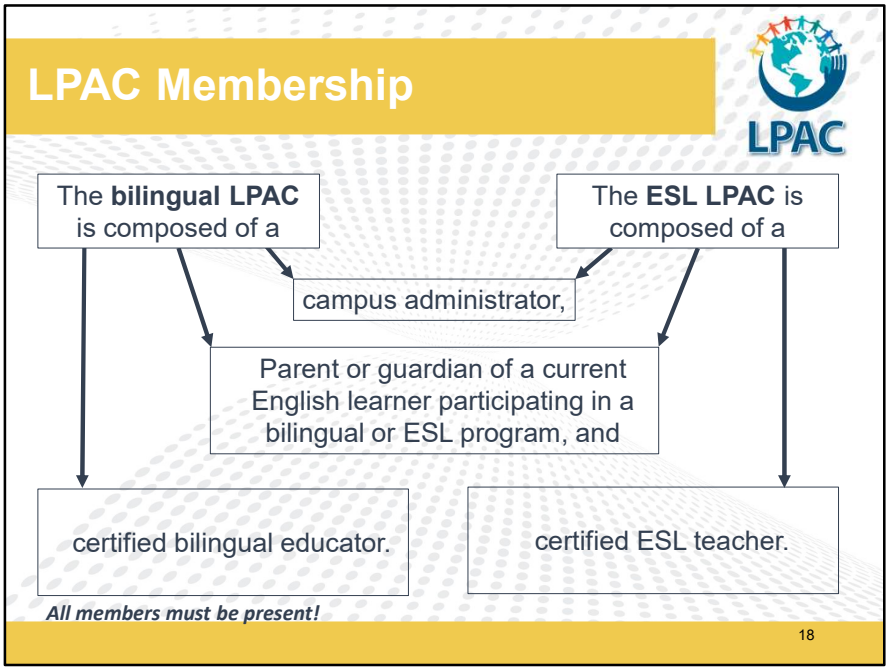
Slide 17

Sources: TEA Financial Accountability System Resource Guide, Module 1; TEC §29.063; TEC Section §29.052 (2);19 TAC §89.1220 (b)

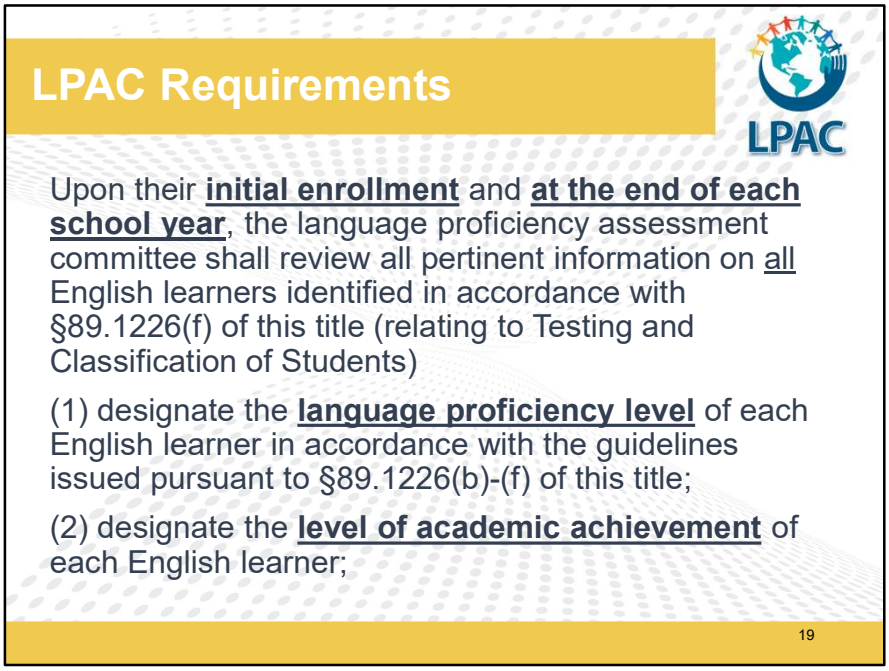
Campus administrator - A principal, assistant principal or vice principal. The campus administrator required as part of the LPAC must be personnel coded **Function 23** (principals, assistant principals and their staff) under School Leadership as defined by the Financial Accountability System Resource Guide. Principals, assistant principals, and their staff are personnel who*:*

- Supervise all operations of the campus
- Evaluate staff members of the campus
- Assign duties to staff members maintaining the records of the students on the campus

LPAC Parent - Must be a parent or legal guardian of an English learner **participating** in a bilingual or ESL program. No parents or guardians who have denied student services may participate as an LPAC parent. The parent representative volunteers his or her participation in the LPAC. The trained LPAC parent serves as the representative parent or guardian for all English learners.


LPAC Membership
LPAC
The **bilingual LPAC** is composed of a
The **ESL LPAC** is composed of a
campus administrator,
Parent or guardian of a current English learner participating in a bilingual or ESL program, and
certified bilingual educator.
certified ESL teacher.
All members must be present!
18

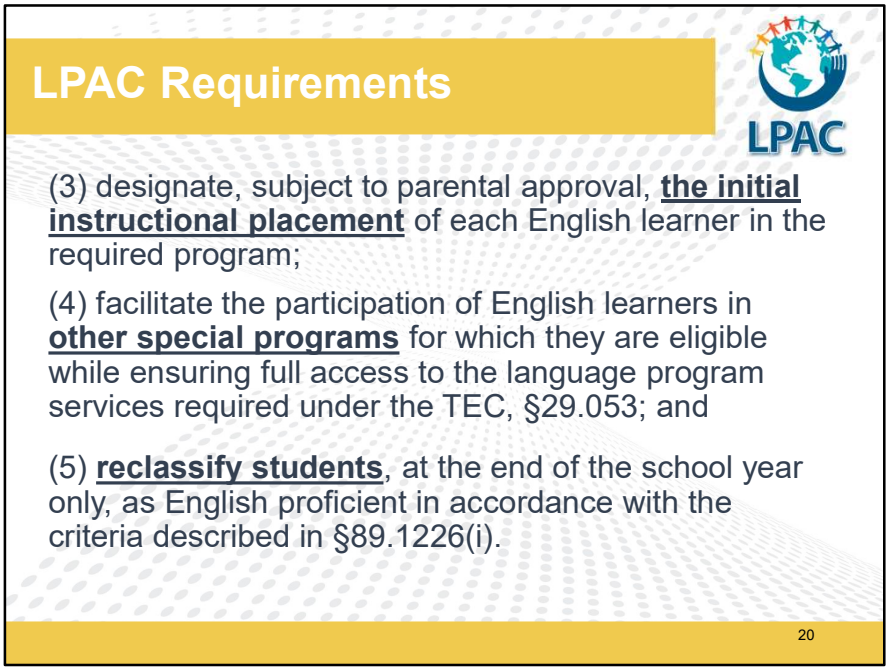
Slide 18



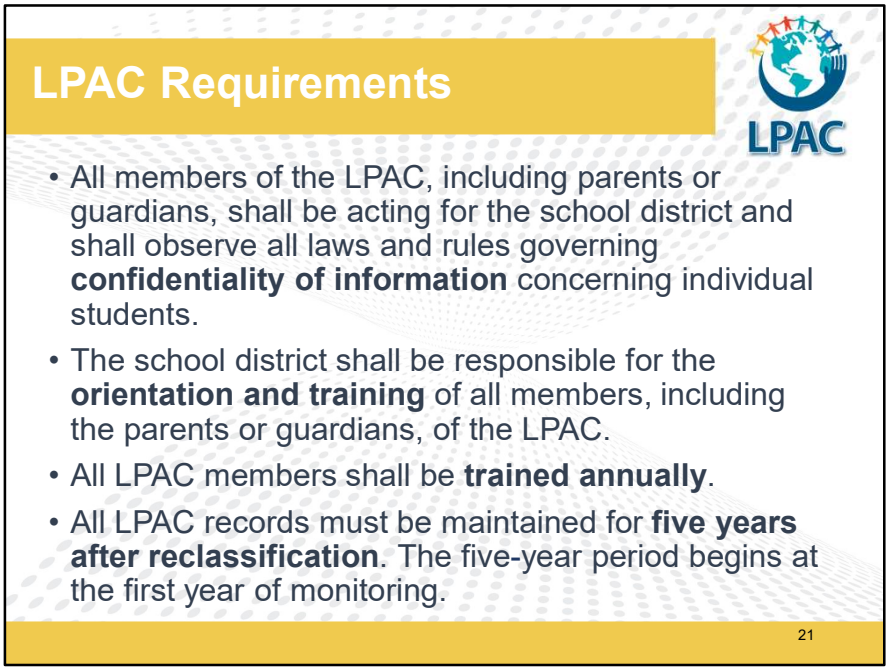
Slide 19

"Initial enrollment" refers to a student's **first-time enrollment** in a public school district within the state of Texas (any Local Education Agency-LEA, including districts, charters, and districts of innovation).

More information on the LPAC requirements is provided on the following (next) slide.


LPAC Requirements
LPAC
(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).
20

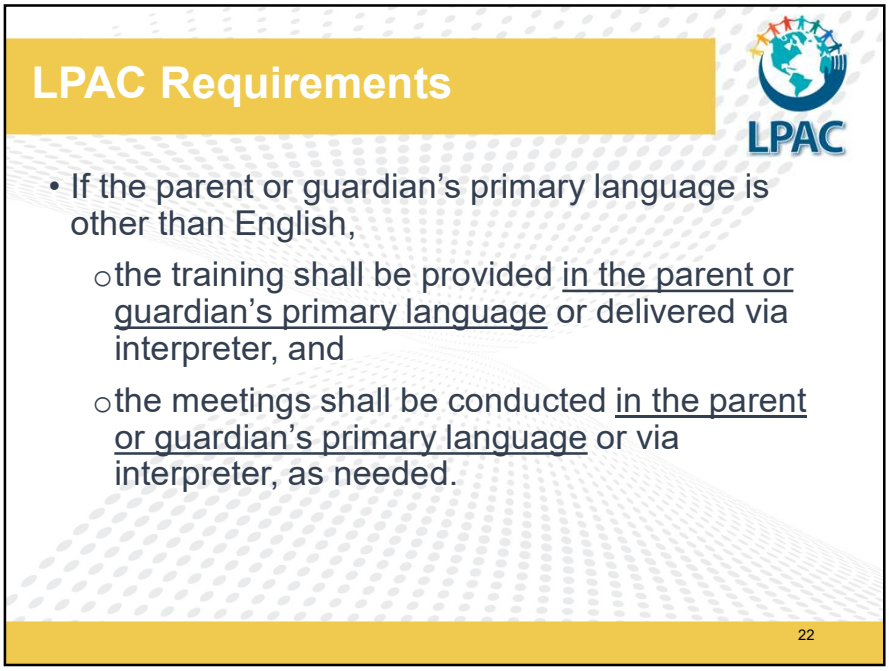
Slide 20



Slide 21

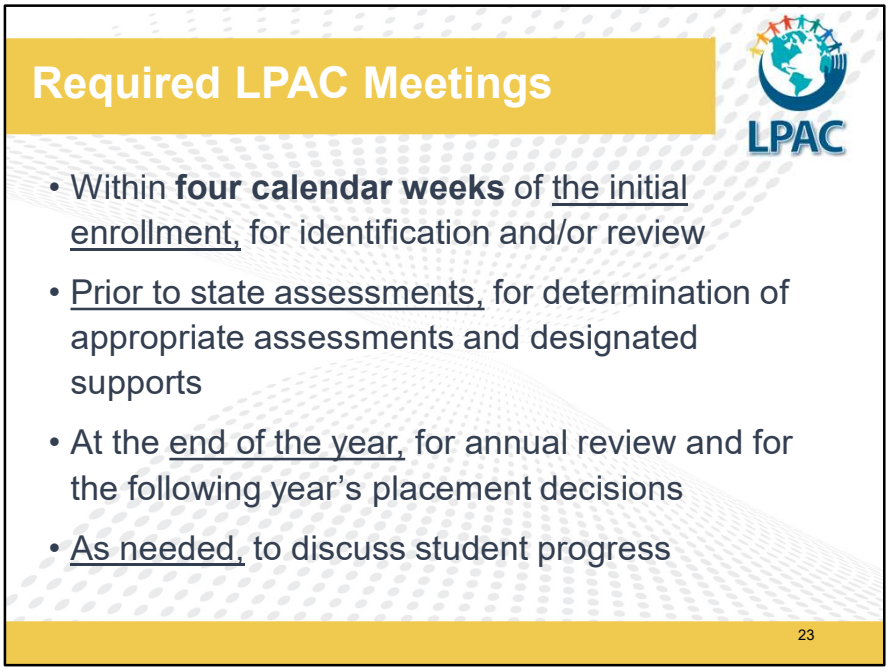
Each trained member shall also sign an oath of confidentiality because of testing results and other information that is shared and analyzed. This is a requirement, due to each student and his or her family's right to confidentiality.

Members who have been formerly trained need to receive updated information annually to stay current.



Slide 22

The LPAC Framework PPT is available in Spanish for LEAs needing to provide training for Spanish speaking parents or guardians. Visit the English learner web portal at www.txel.org for LPAC parent training resources.



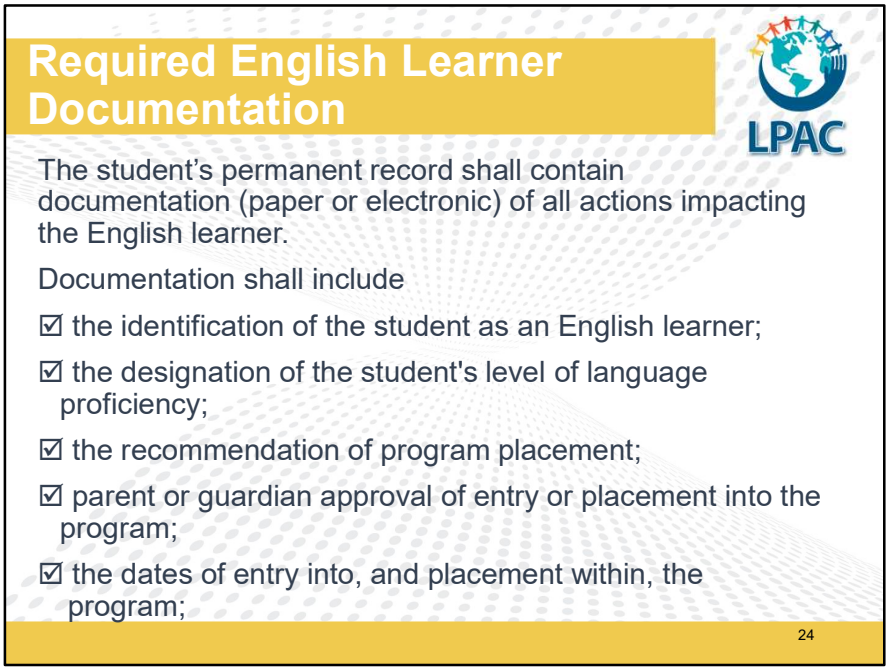
Slide 23

"Four calendar weeks" will be explained later in the presentation (Identification section).

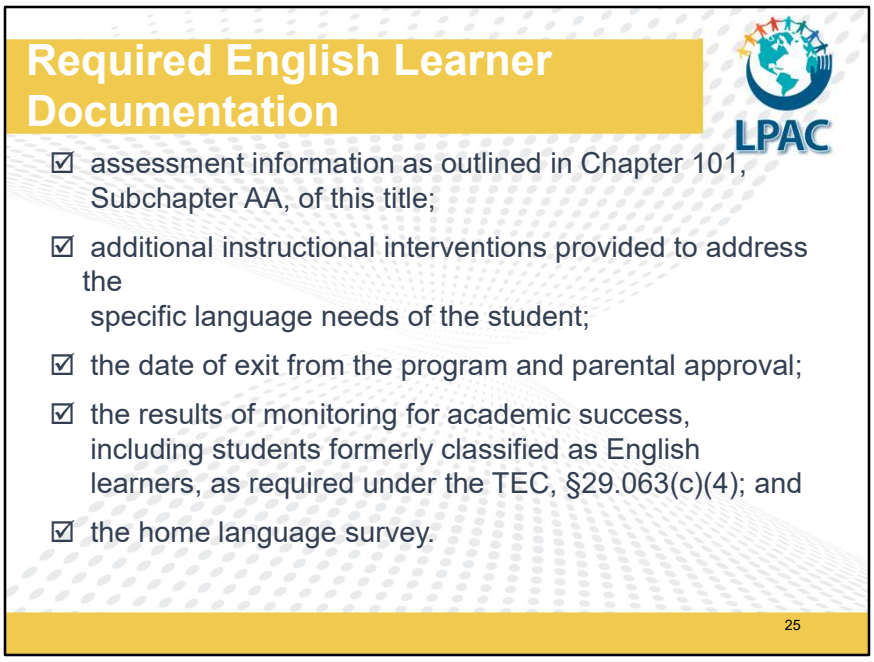
Prior to state assessments, refer to the LPAC Decision-Making Manual from the Student Assessment Division at TEA. Refer to the Accommodations Manual for the designated supports found at http://tea.texas.gov/student.assessment/accommodations/. These instructional linguistic accommodations and designated supports need to be implemented during classroom instruction throughout the year prior to being used in the assessments.

At the end of year, the LPAC meets for an annual review to determine if reclassification criteria has been met and program placement for the following year.

The LPAC must also convene on students who are being monitored, are parent denials, and students who are failing.


Required English Learner Documentation
LPAC
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;
24

Slide 24



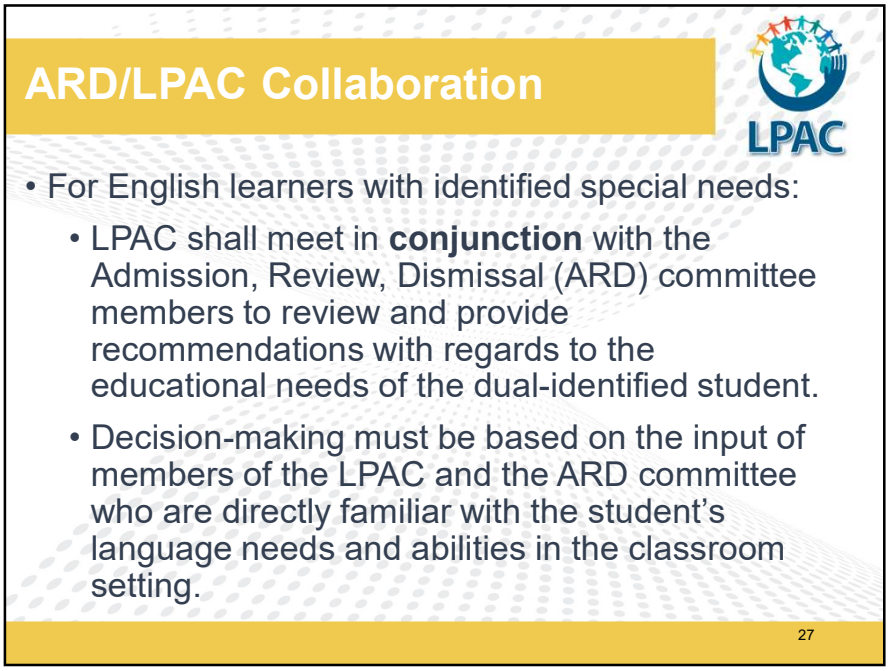
Slide 25

Maintain records for a total of **five years after reclassification** (which includes the two years of monitoring). For more information on record retention, direct participants to the Local Government Retention Schedules page at the Texas State Library and Archives Commission https://www.tsl.texas.gov/slrm/localretention. Participants will need to scroll down the page to SD: Records of Public School Districts, and click on the PDF. The information needed will be in Section 3-2: Bilingual and Special Language Program Records.

Slide 26

The LPAC should ensure that English learners who are eligible for other special programs have full access to the language program services required under the TEC, 29.053

- Special programs may also include Multi-Tiered System of Supports (MTSS), extended-day or year, content-specific tutorials, etc.
- Tutorials should be targeted to meet the specific need(s) of the student.
- Districts should have policies on file for identifying gifted English learners. Teachers need to be trained to observe cues that indicate giftedness and follow up with referrals.



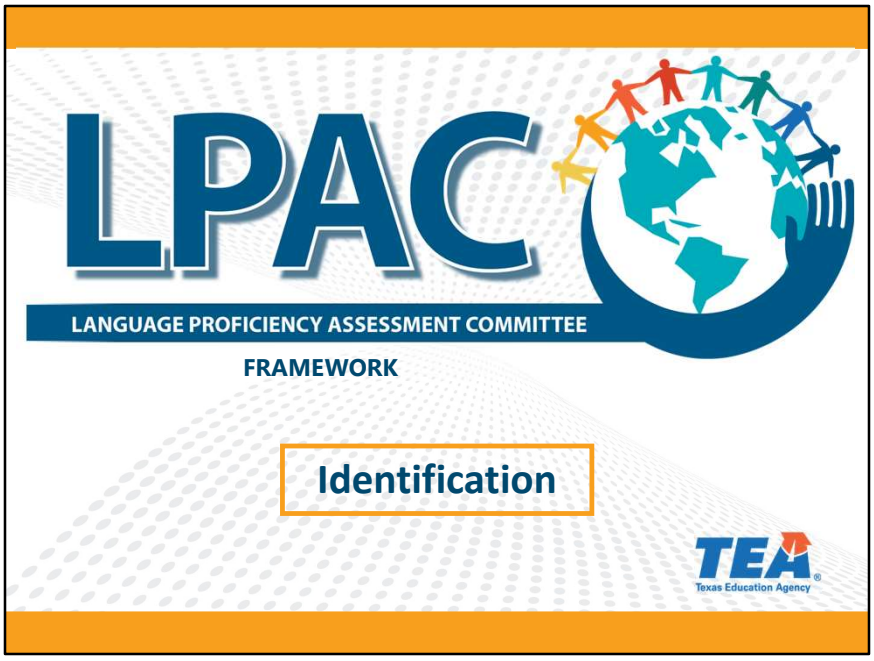
Slide 27

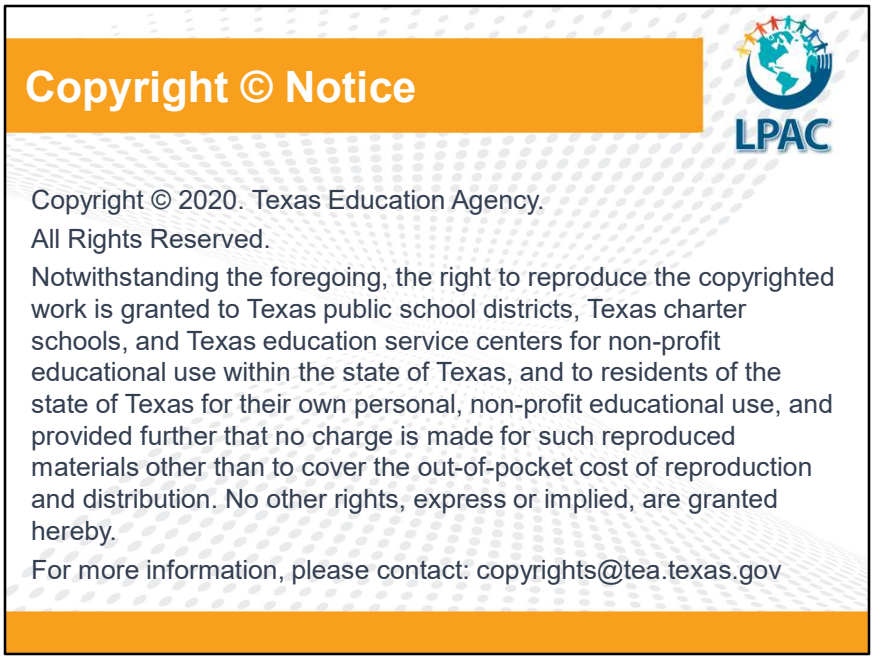
In Texas, eligibility for special education services and most of the major decisions about a child's special education program are made by an admission, review, and dismissal (ARD) committee. You may also hear this group referred to as an individualized education program (IEP) team, which is the term used in federal law.

The LPAC in conjunction with the ARD may determine that a student has a disability identified by the special education program and is ***also*** an English learner. It is allowable for a dual-identified English learner to be served by **both programs**, special education and bilingual or ESL education.

Additional guidance relating to Testing and Classification of Students (§89.1226 (h)):

The language proficiency assessment committee (LPAC) 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 language proficiency assessment 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).


LPAC
LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE
FRAMEWORK
Identification
TEA
Texas Education Agency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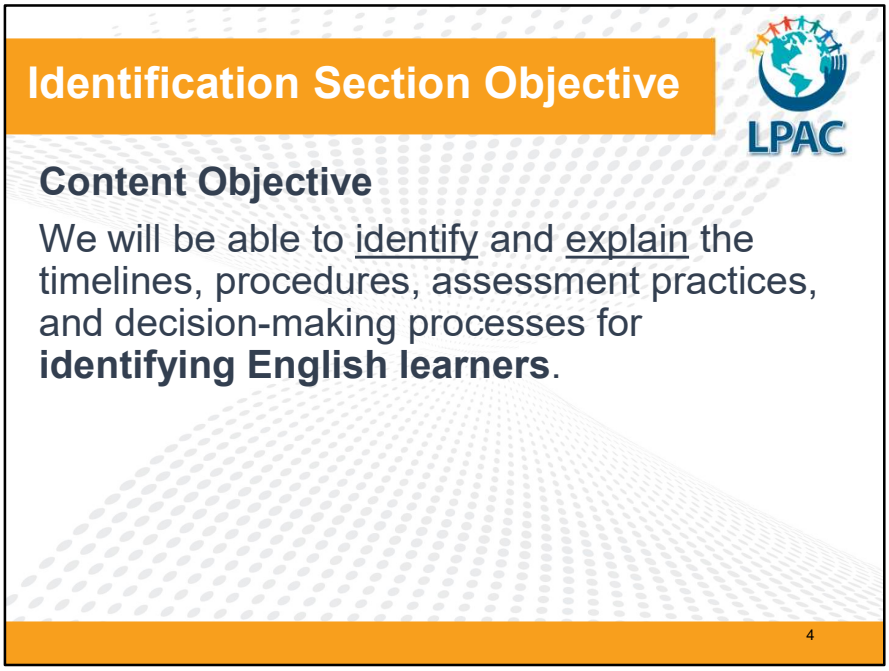
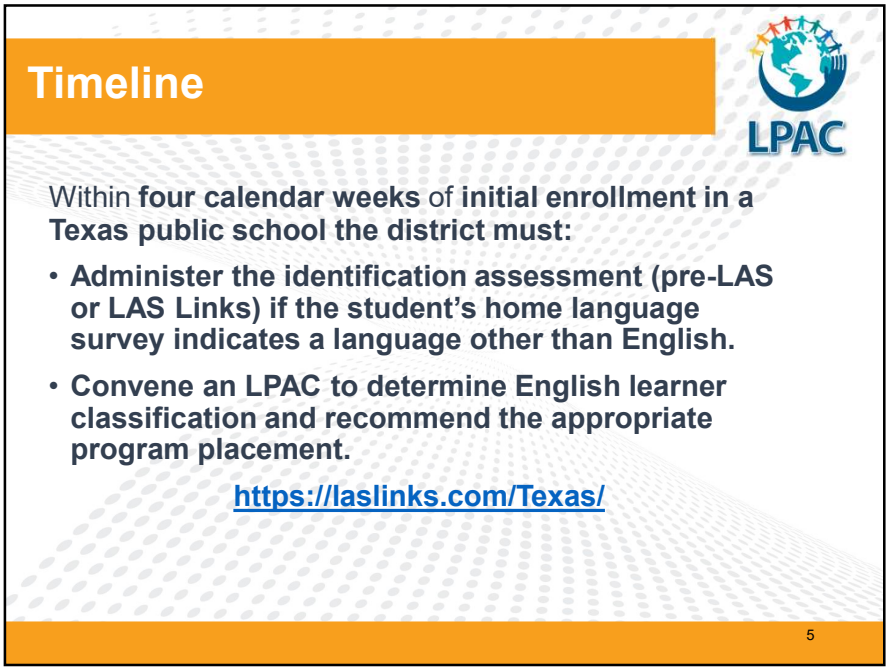
Slide 2

Training Agenda
LPAC
• Introduction
• Identification
• Placement
• English Learner Services
• Review and Reclassification
• Monitoring and Evaluation
3

Slide 3

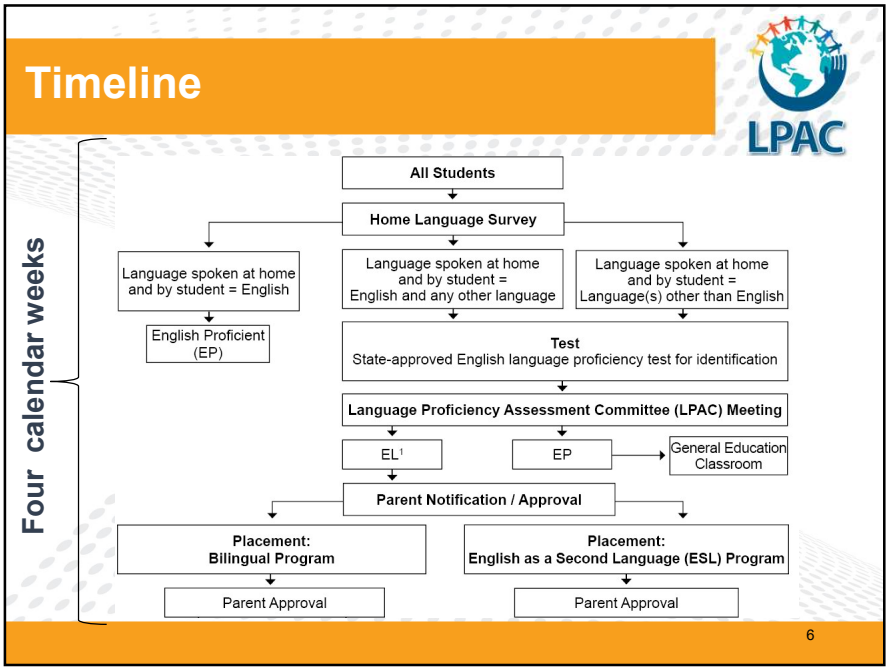

Identification Section Objective
LPAC
Content Objective
We will be able to identify and explain the timelines, procedures, assessment practices, and decision-making processes for identifying English learners.
4

Slide 4



Slide 5

First, initial enrollment in Texas public schools is discussed. Later in this section, students transferring from other Texas public schools will be addressed.



Slide 6

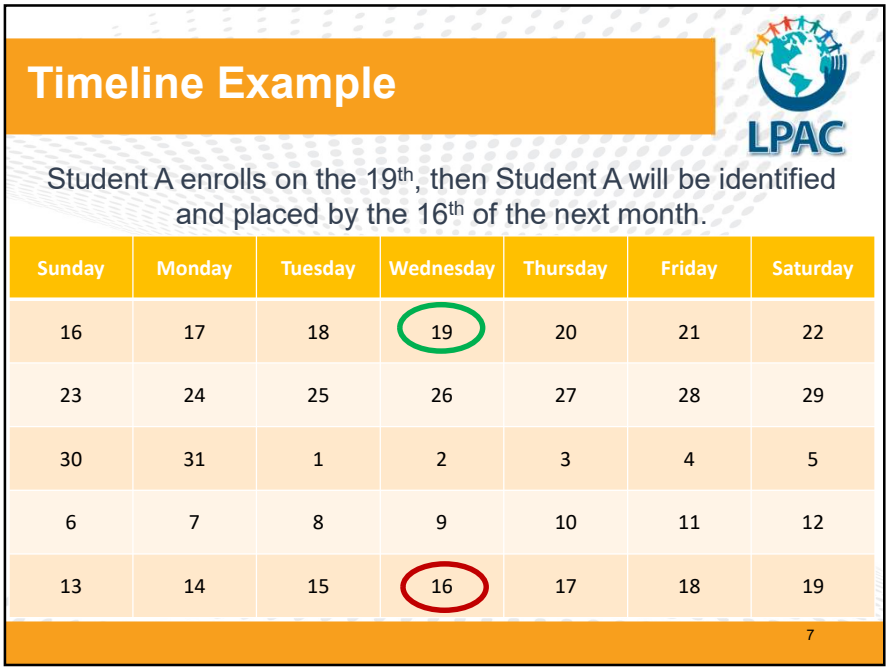
The LPAC conducts identification of students who are **new** to Texas public schools and reviews previous documentation of students who are **transferring** from other Texas public schools.

The **identification** and **placement** process must occur within the student's first four calendar weeks of school enrollment. This means that the student must be tested, and the LPAC must convene to review the student's documentation and determine if the student is eligible for classification as an English learner. If the student is eligible, the LPAC must make their recommendations for program placement and the parental approval must be sent. Instructional linguistic accommodations may also be addressed at this time.

It is suggested that the signed parental approval form be received by the district within this time frame, as written parent or guardian approval is required in order for Bilingual Education Allotment (BEA) funds to be generated.

- ESSA requires assurances that students are identified as English learners (or English Proficient, as appropriate) within **30 days** of enrollment [Elementary and Secondary Education Act of 1965 Public Law 115-141, as amended by the Every Student Succeeds Act (ESSA)].

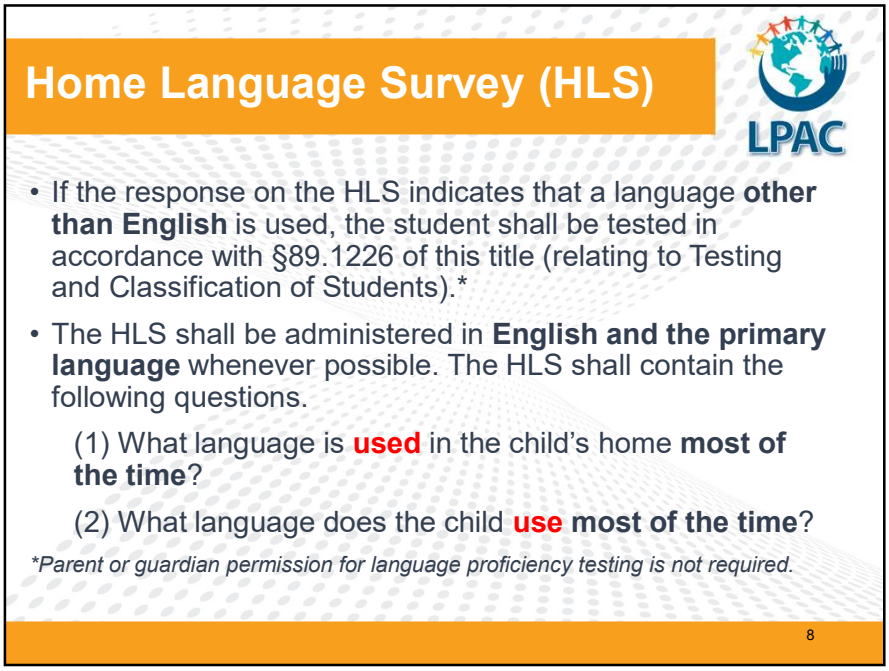
- TEC 29.056 requires Texas school districts to identify English learners within **four calendar weeks** of enrollment, which also fulfills the federal requirement. Vacation days that occur during the school year (including Thanksgiving and Winter Break) are counted in the four-calendar week period.



Slide 7

Example:
Student A enrolls for the first time in Texas public schools on Wednesday, the 19th. To calculate the four calendar week time frame, count ahead one week to the 26th, then the second week to the 2nd, the third week to the 9th, and the fourth week to the 16th. In this example, the LPAC shall identify and place Student A by the 16th.

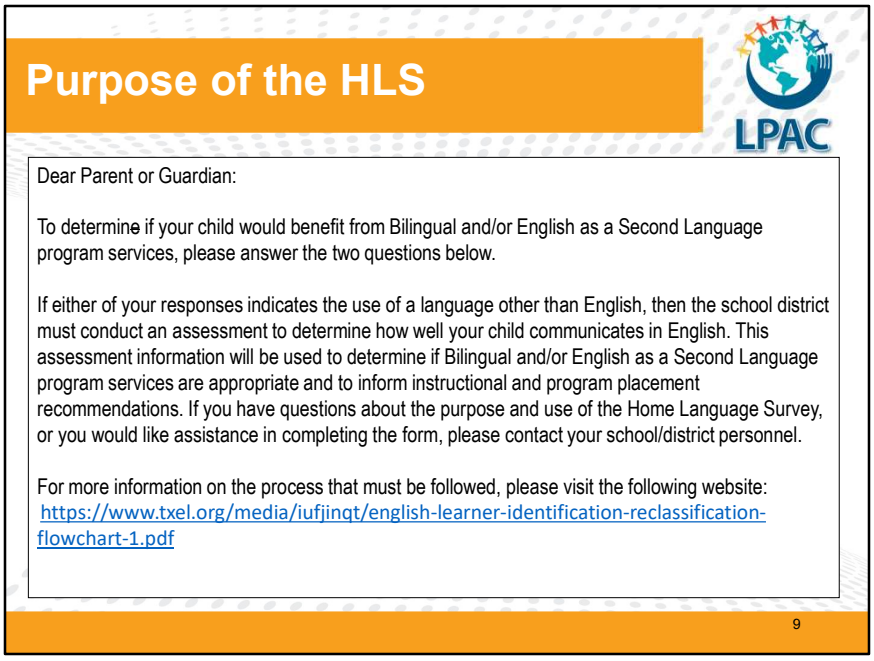
Note that holidays do not affect the four-calendar week period.



Slide 8

Keep in mind:

- The HLS is available in multiple languages under "Suggested Forms".
- The original HLS should be retained with the student's permanent record.
- The HLS should be completed by the parents or guardians of students who are enrolling in a Texas school for the first time.
- Reminder: Districts may upload the original HLS into Texas Records Exchange (TREx).

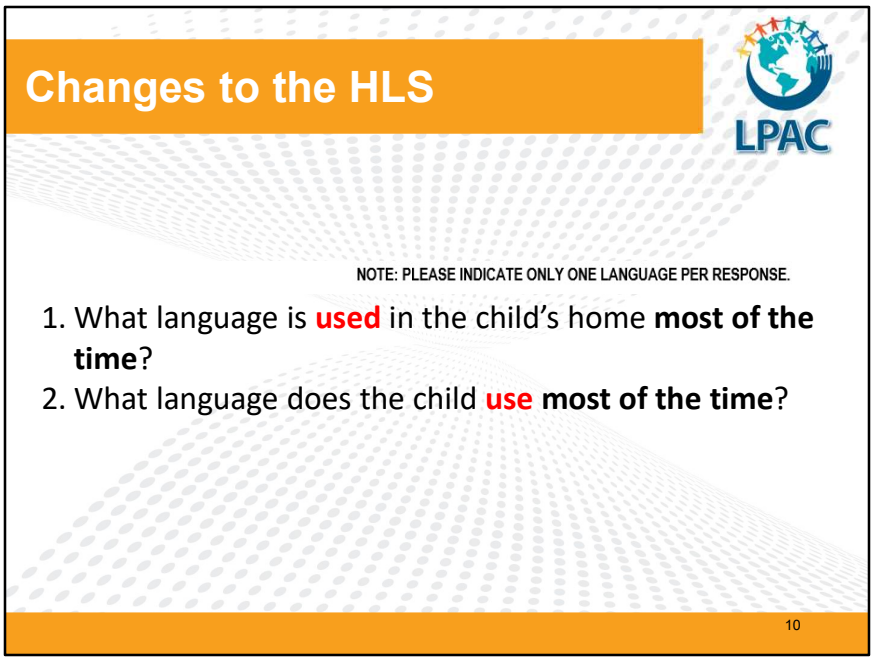


Slide 9

The text within the box on the HLS (shown on the slide) is a brief note to the parent or guardian that **explains** the purpose of the HLS.

It is the district's responsibility to not only inform parents or guardians of the purpose of the form but to ensure parents or guardians **understand** the purpose and the impact of their responses on their child's education. This requirement that districts ensure that parents or guardians understand the purpose of the HLS is one that is strengthened and heavily emphasized under the Every Student Succeeds Act (ESSA), Title III, Part A section.

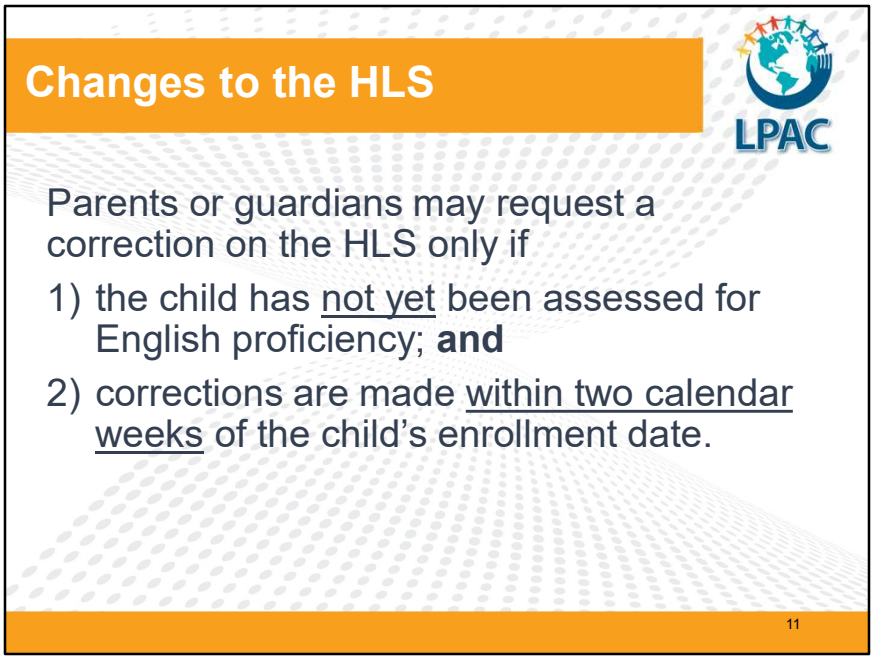
If school districts/campus(es) choose to develop their own HLS, it **MUST** contain the two questions as stated in TAC 89.1215 (b) and provide information clearly explaining the purpose of the HLS to parents or guardians.



Slide 10

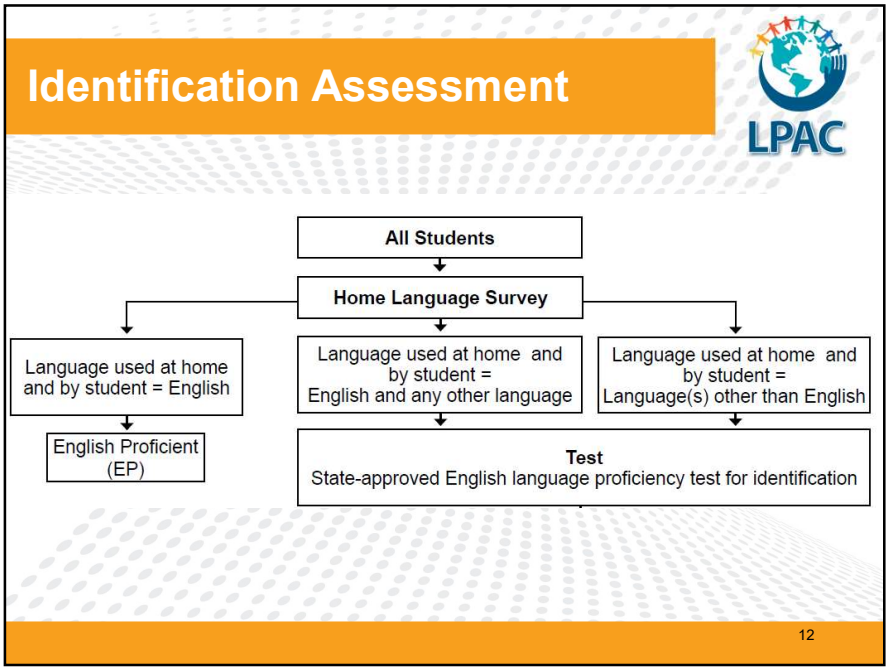
In cases where a parent or guardian indicates more than one language in response to questions 1 and/or 2, it is the district's responsibility to contact the parent or guardian, explain that the question is asking which language is used most of the time, and seek parent or guardian clarification in a language the parent or guardian understands.

If the parent or guardian is physically present, the parent or guardian can document the change on the HLS. If the parent or guardian is being contacted via a phone call, a school staff member can document the parent's or guardian's response on the HLS. This must occur **prior to assessing** the child for language proficiency.

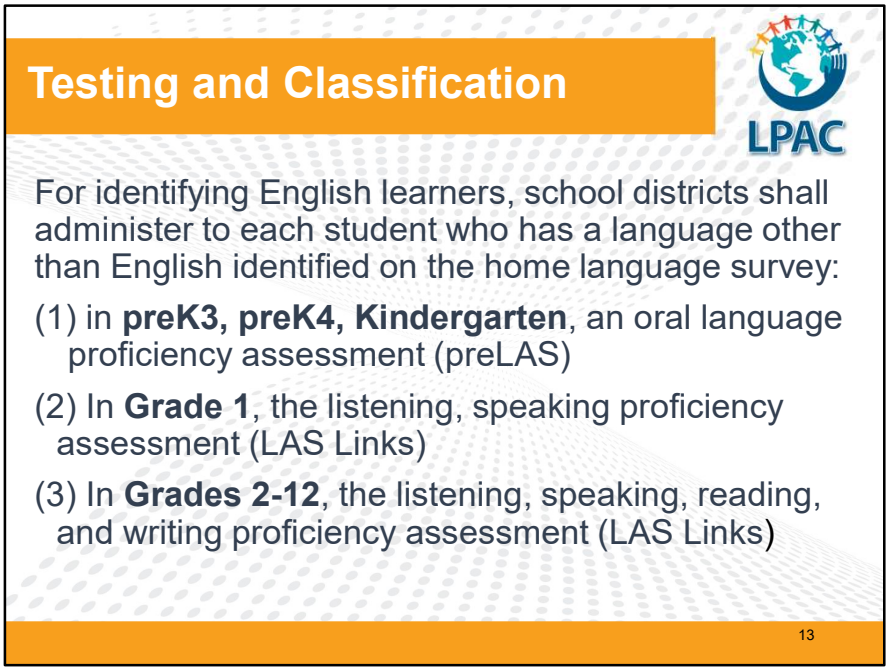


Slide 11

This information is noted for the parent or guardian at the very bottom of the HLS document that provides guidance regarding corrections to be made if needed.

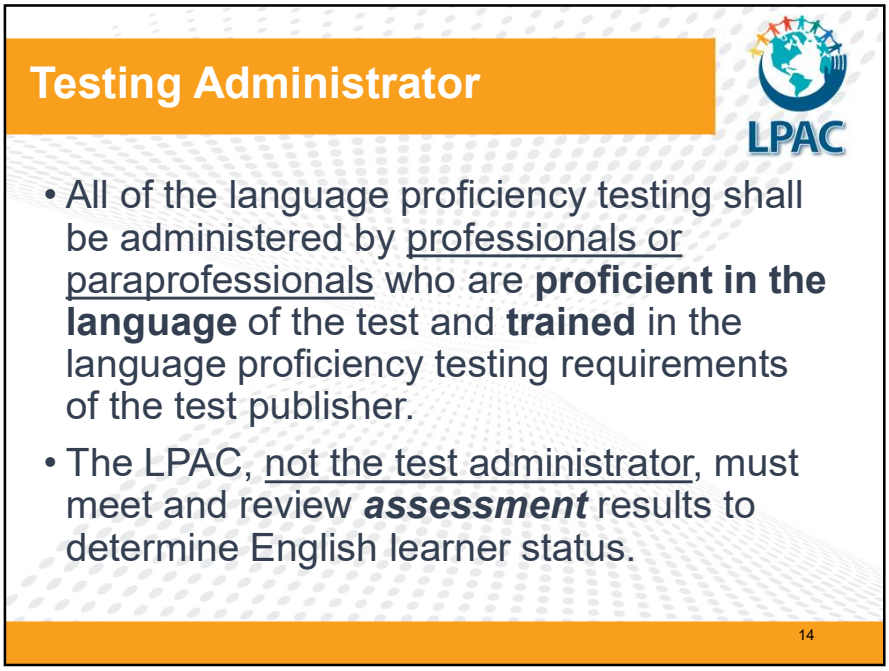

Identification Assessment
LPAC
All Students
Home Language Survey
Language used at home and by student = English
English Proficient (EP)
Language used at home and by student = English and any other language
Language used at home and by student = Language(s) other than English
Test
State-approved English language proficiency test for identification
12

Slide 12



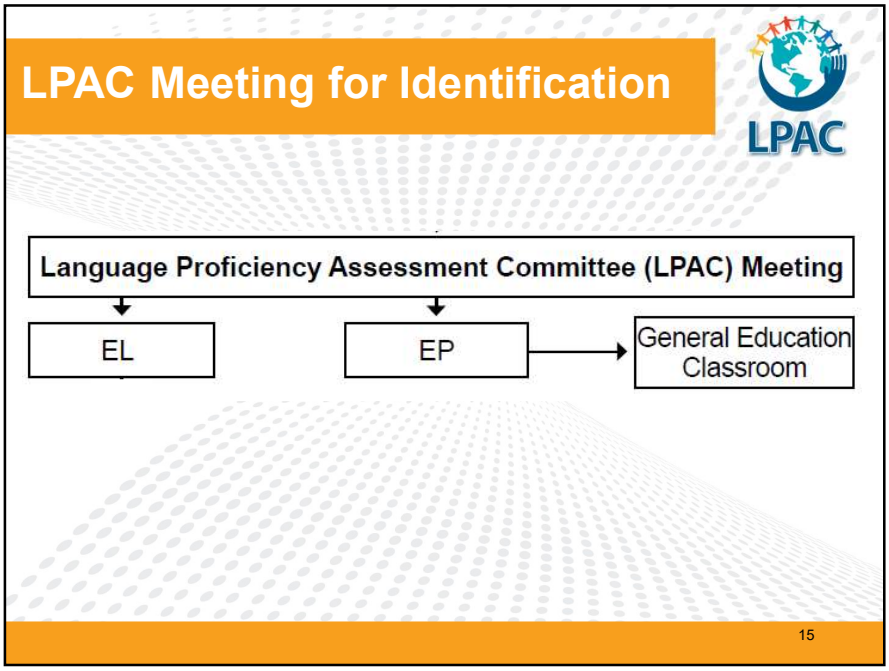
Slide 13

For more information on the single state-approved English language proficiency test for identification, visit the following webpage: https://laslinks.com/Texas/.



Slide 14

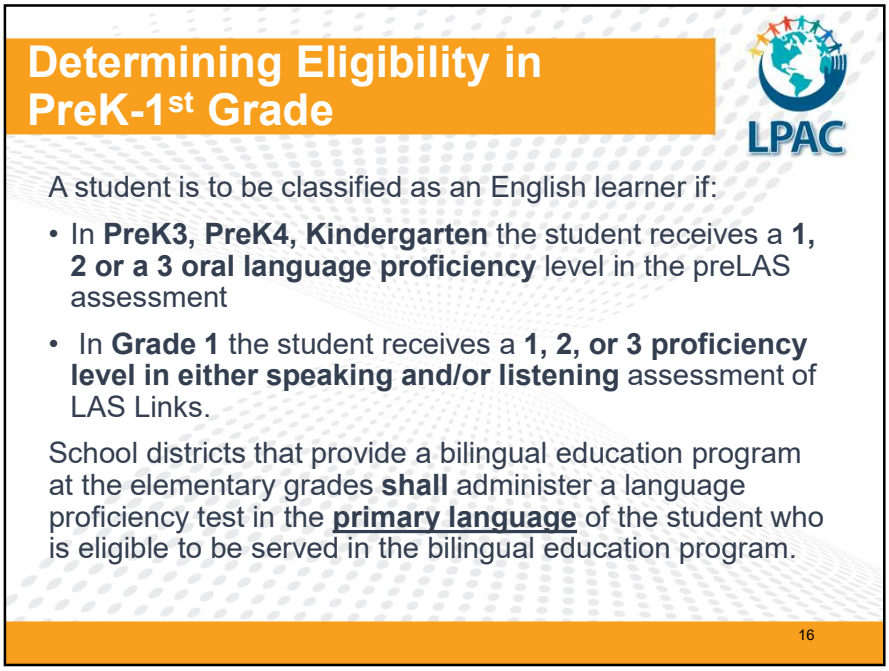
Reminder: The LPAC makes the final determination based on factors in accordance with TEC 29.056 (c) for the identification of an English learner.



Slide 15

If an LEA has a child who, as a result of the LPAC meeting, has been identified as **an English learner (EL)**, the rest of the guidance provided in this training **applies** to that child.

If an LEA has a child who is identified as **English proficient (EP)** as a result of the LPAC meeting, the child would enter a general education classroom and the guidance provided throughout the rest of this training would **not apply**. English Proficient (EP) is the term used to replace the term “Non-LEP.”



Slide 16

Remember that the student must be assessed in both English and the primary language **if** the district is required to provide a **bilingual program**. The purpose of the primary language assessment is to provide information for instructional purposes and placement.

If the primary language is Spanish, the school district shall administer the Spanish state-approved language proficiency test (preLAS Español/LAS Links Español). If a state-approved language proficiency test is not available in the primary language of the student, the school district shall determine the student's level of proficiency using informal oral language assessment measures.

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 (89.1226) cannot be administered (TAC 89.1226 (g)). Maintain documentation of the attempted exam documenting the name of test administrator, date, and question(s) asked.

Slide 17

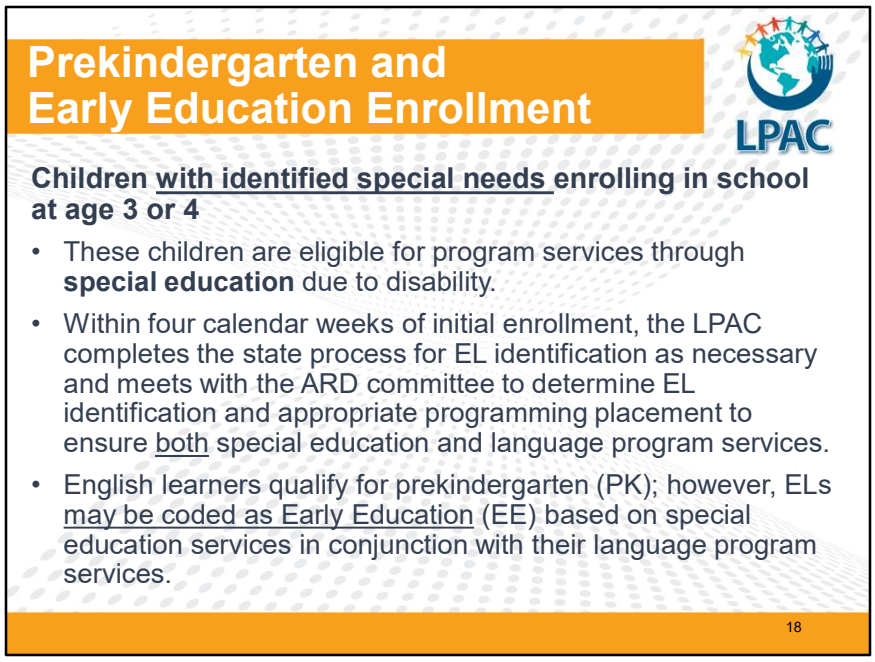
Prek eligibility requirements:

- **is unable to speak and comprehend the English language**; **or**
- is educationally disadvantaged (which means a student eligible to participate in the national free or reduced-price lunch program... guidelines can be found here - https://tea.texas.gov/academics/early-childhood-education/general-prekindergarten-faq#:~:text=A%20district%20may%20offer%20prekindergarten,%2Dyear%2Dold%20prekindergarten%20program. -); **or**
- is homeless, as defined by 42 U.S.C. Section 1143a, regardless of the residence of the child, of either parent or guardian of the child, or of the child's guardian or other person having lawful control of the child; **or**
- is the child of an active duty member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who is ordered to active duty by proper authority; **or**
- is the child of a member of the armed forces of the United States, including the state military forces or a reserve component of the armed forces, who was injured or killed while serving on active duty; **or**
- is or ever has been in the conservatorship of the Department of Family and Protective

Services *(foster care)* following an adversary hearing held as provided by Section 262.201, Family Code; **or**

is the child of a person eligible for the Star of Texas Award as: a peace officer under Section 3106.002, Government Code; a firefighter under Section 3106.003, Government Code; or an emergency medical first responder under Section 3106.004, Government Code.

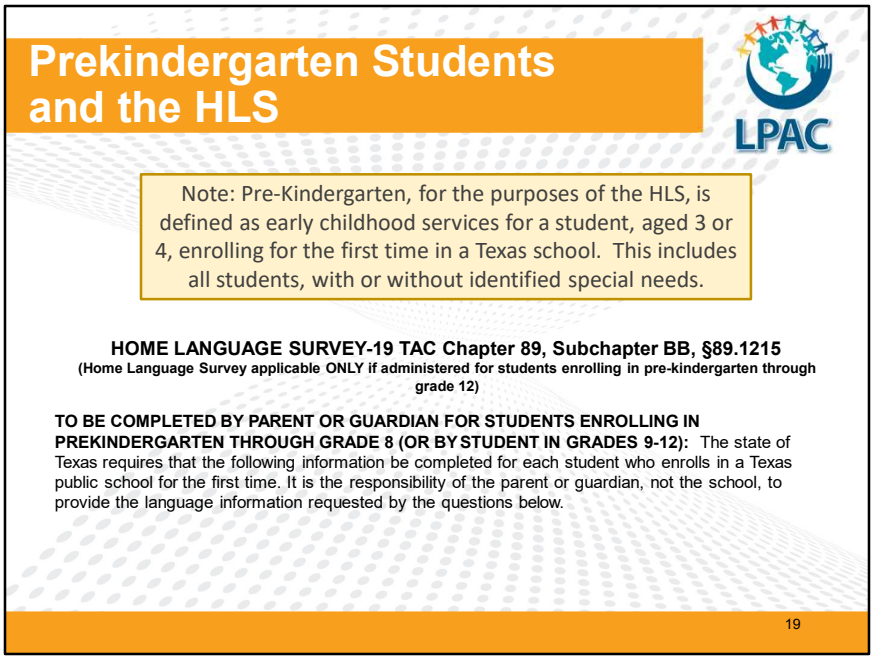
For more information regarding Prekindergarten criteria please visit the following webpage:
https://tea.texas.gov/academics/early-childhood-education



Slide 18

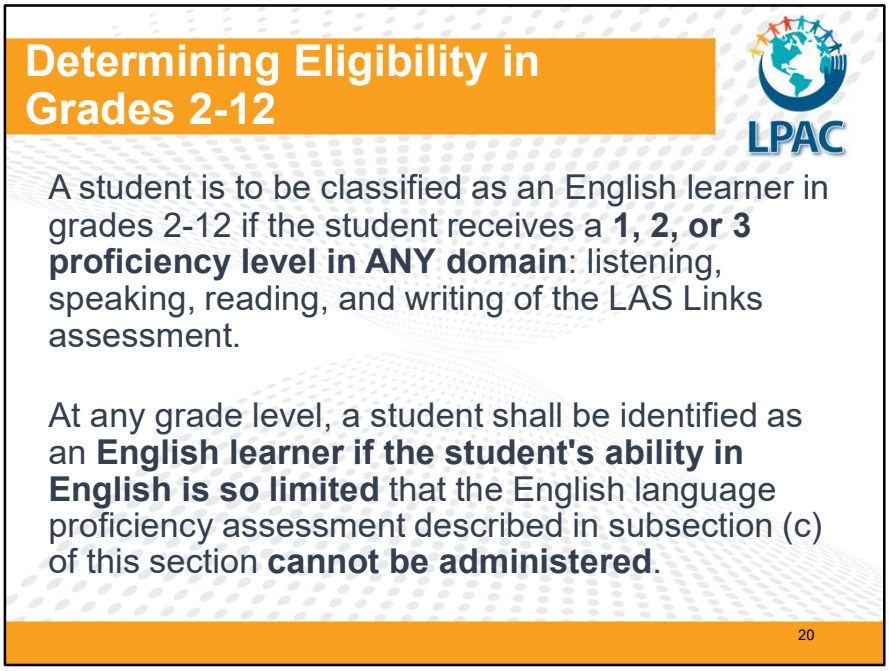
Emphasize that for each student entering a 3- or 4-year-old program, a Home Language Survey (HLS) shall be administered and the state process followed for identification as an English learner (LEP/EL), as appropriate. This includes students with or without identified disabilities.

For more information, please visit the Bilingual/ESL webpage and look for the following document titled " Guidance on Identification and Placement of English learners Prior to Kindergarten" under the program requirement resources heading.



Slide 19

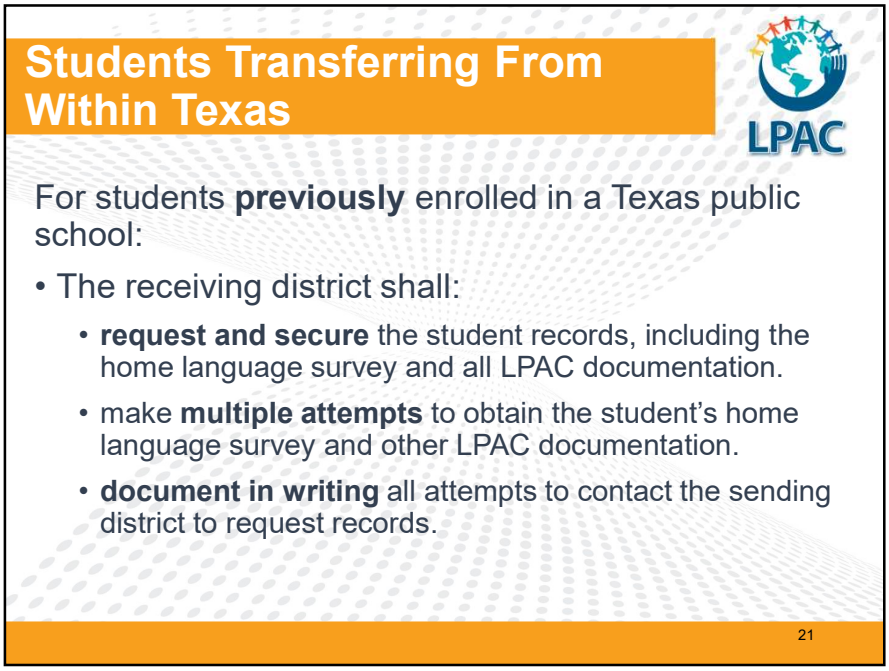
For the purposes of the HLS, prekindergarten is an umbrella term for all program services provided to 3- and 4-year old children in Texas public schools. This includes the prekindergarten program children can become eligible for discussed on the previous slides and the EE program for special education services.



Slide 20

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 (89.1226) cannot be administered (TAC 89.1226 (g)).

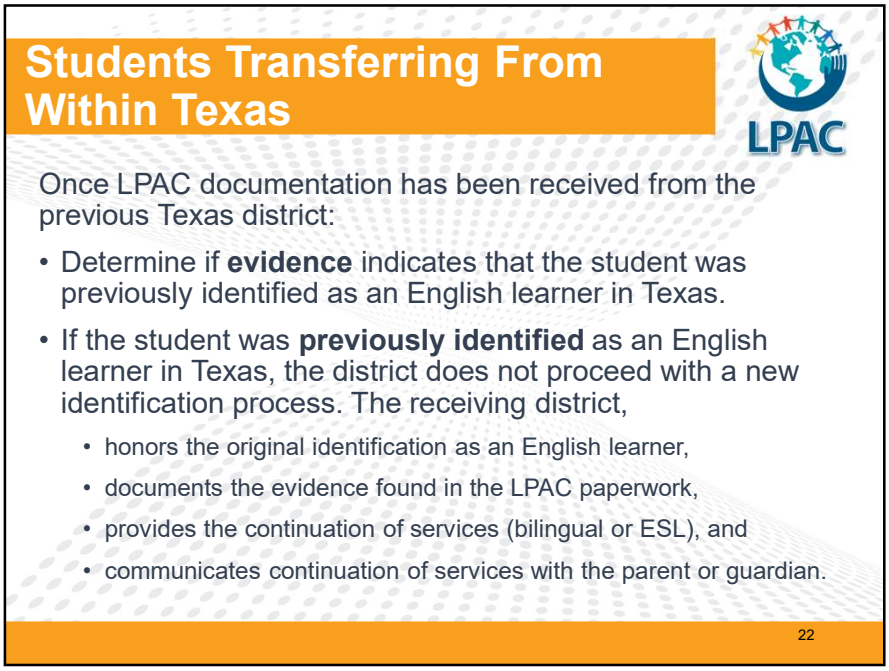
Maintain documentation of the attempted exam documenting the name of test administrator, date, and question(s) asked.



Slide 21

School districts may check the TREx database, or other databases, for an uploaded version of the HLS, to obtain TELPAS history, and to request LPAC documentation.

Review the withdrawal form, if available, to see if the student was being served in a program or identified as an English learner in PEIMS. PEIMS history may also assist in determining the number of years the student has been enrolled in US schools.



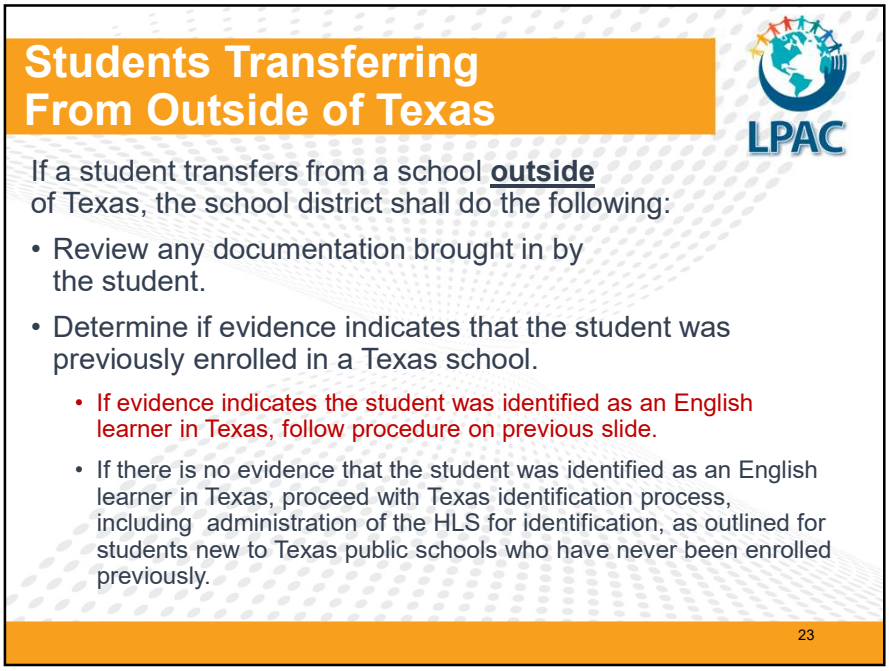
Slide 22

LPAC documentation used to determine previous English learner identification may include:

- TELPAS score reports and other identification assessment documents
- Parent or Guardian permission forms
- Parent or Guardian Report on Student Progress forms
- LPAC initial review or annual review documentation

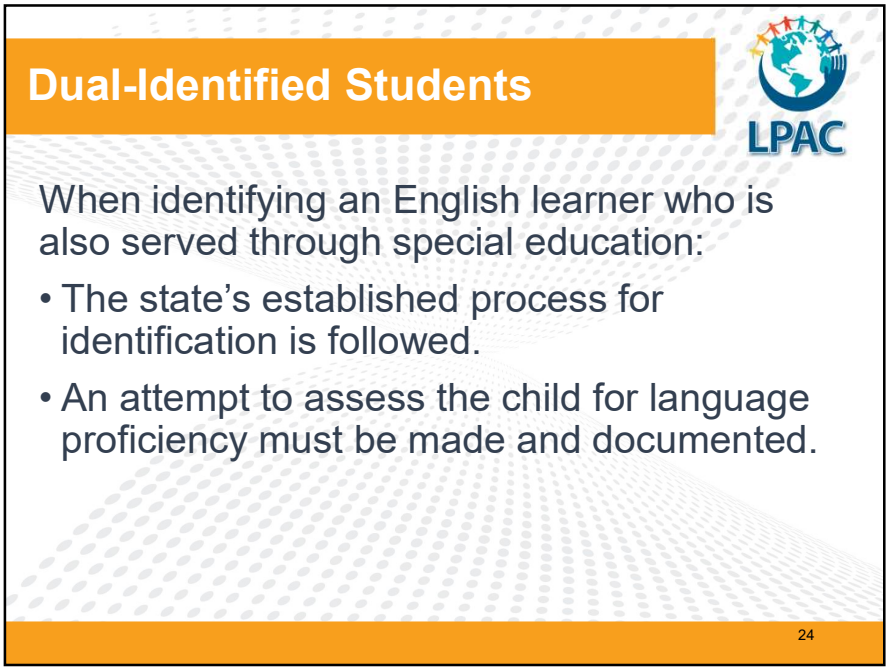
The LPAC should identify (based on previous Texas district documentation) and place the student within **four calendar weeks** of the enrollment date. Ensure that all the necessary signed documents are placed in the student's permanent record.

If there is documented evidence that the student was identified in the past in Texas as an English learner, but no home language survey has been obtained, the district shall document this in writing and retain this documentation in the student's cumulative folder. The district does NOT administer a new home language survey in this case.

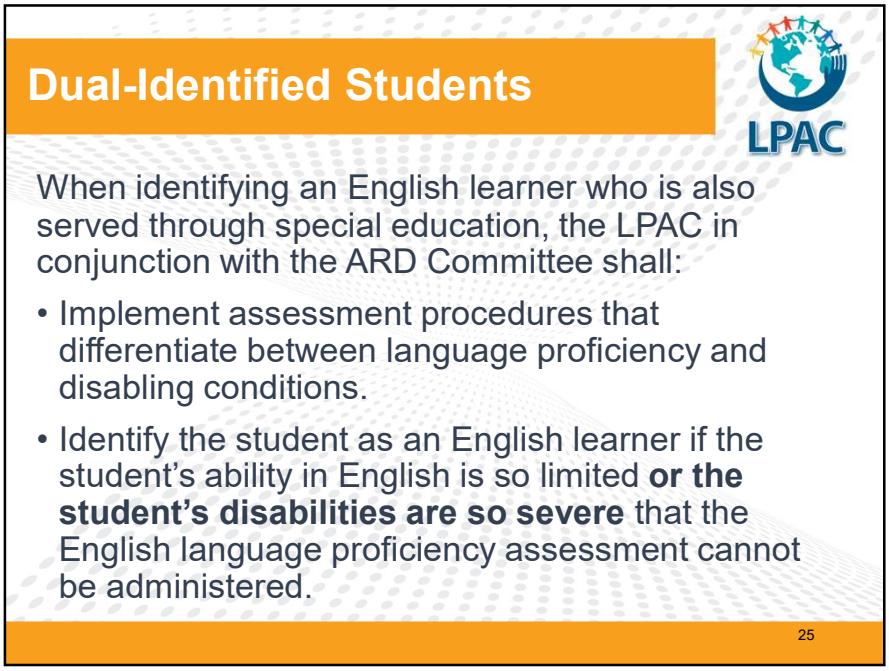


Slide 23

Remember, this process is the same as identifying a new student from another country or another state within the United States.

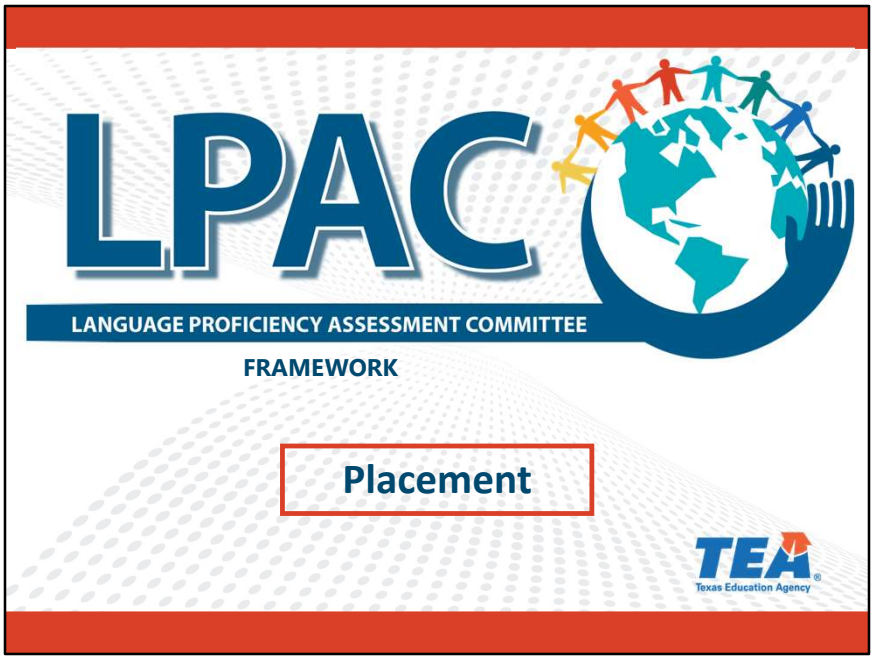

Dual-Identified Students
LPAC
When identifying an English learner who is also served through special education:
• The state's established process for identification is followed.
• An attempt to assess the child for language proficiency must be made and documented.
24

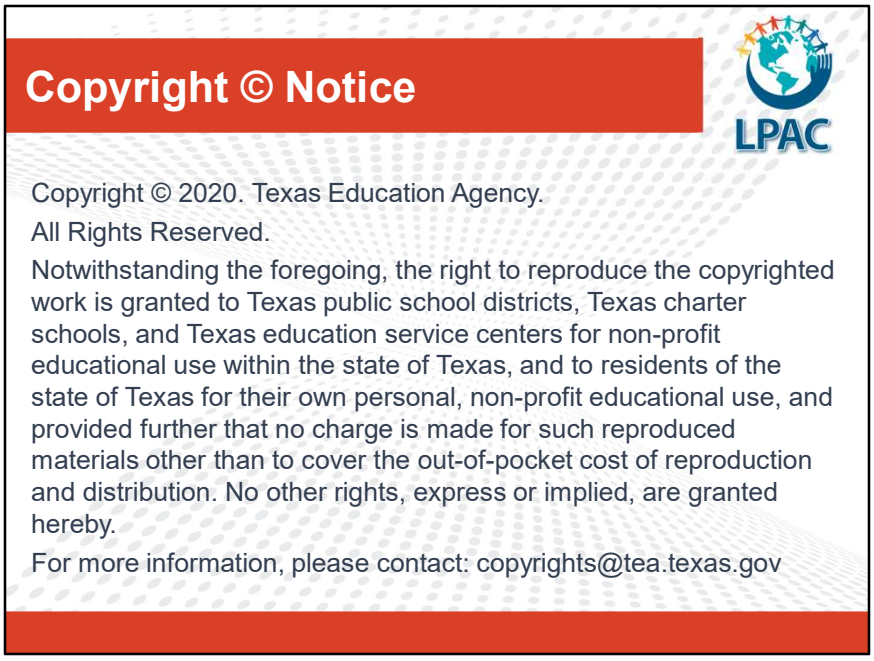
Slide 24



Slide 25

For more information on LPAC/ARD collaboration, please visit the following webpage: https://tea.texas.gov/sites/default/files/LPAC%20ARD%20Collaboration%20Guidance%20and%20Process%20for%20Reclassification.pdf


LPAC
LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE
FRAMEWORK
Placement
TEA
Texas Education Agency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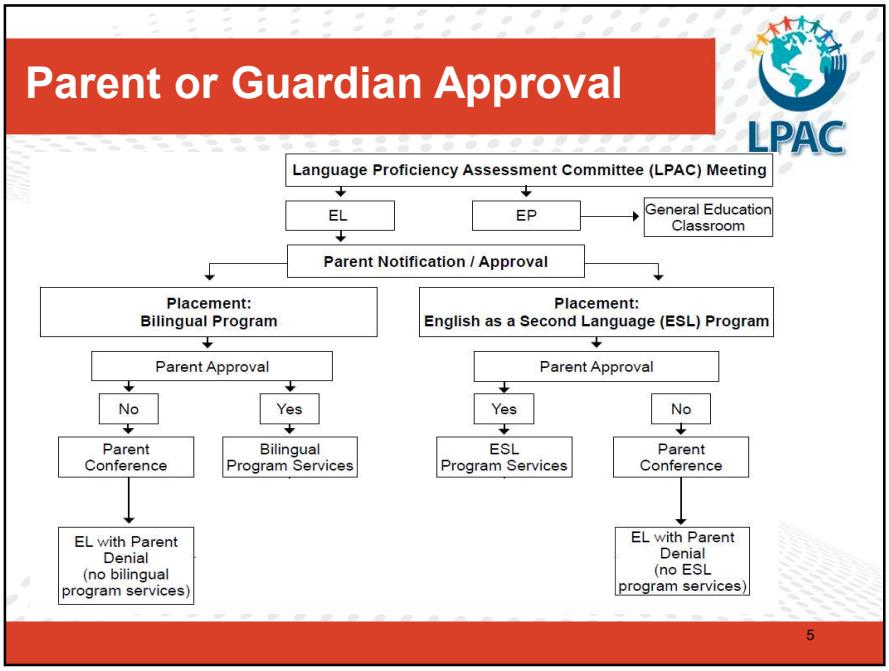
Slide 2

Training Agenda
LPAC
• Introduction
• Identification
• Placement
• English Learner Services
• Review and Reclassification
• Monitoring and Evaluation
3

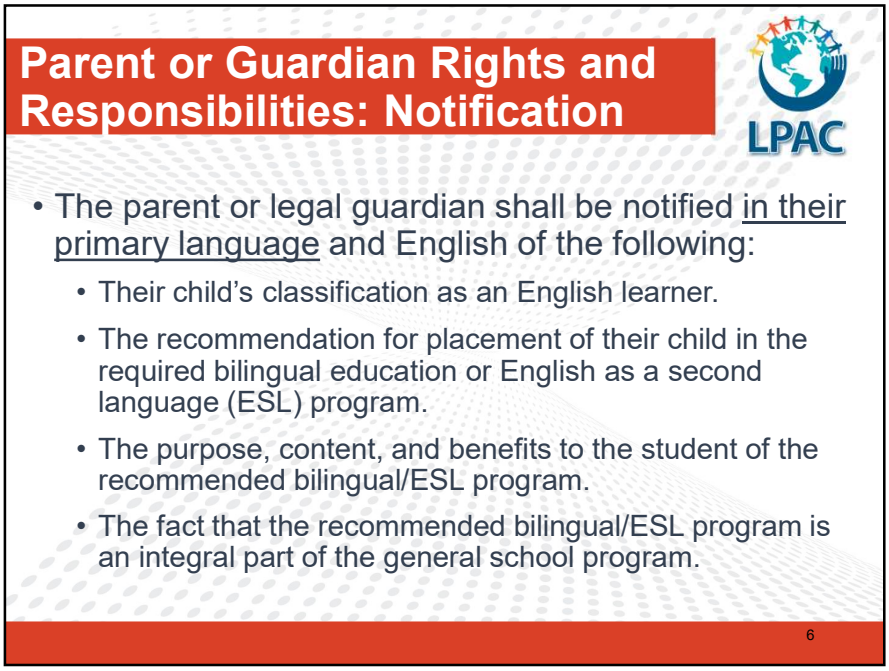
Slide 3

Placement Section Objective
LPAC
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.
4

Slide 4


Parent or Guardian Approval
LPAC
Language Proficiency Assessment Committee (LPAC) Meeting
EL
EP
General Education Classroom
Parent Notification / Approval
Placement: Bilingual Program
Placement: English as a Second Language (ESL) Program
Parent Approval
Parent Approval
No
Yes
Yes
No
Parent Conference
Bilingual Program Services
ESL Program Services
Parent Conference
EL with Parent Denial (no bilingual program services)
EL with Parent Denial (no ESL program services)
5

Slide 5



Slide 6

The letter the district sends to obtain parent or guardian approval for placement in the program must contain the following:

- Level of English proficiency
- Description of the program
- Benefits of the program

It is also important to explain why the program recommendation is offered, and what the parent or guardian can expect of instruction and other services, as per the Elementary and Secondary Education Act of 1965 Public Law 115-141, as amended by the Every Student Succeeds Act (ESSA), section 1112 (2015).

A plan for when the student may graduate and be reclassified, according to the Personal Graduation Plan (PGP) for English learners at high school, may be included along with the benefits of the program.

Parent bilingual and ESL program benefits brochures are available in English, Spanish and Vietnamese at https://www.txel.org/parents-and-families/.

Parent or Guardian Rights and Responsibilities: Approval
LPAC
• 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.
7

Slide 7

Slide 8

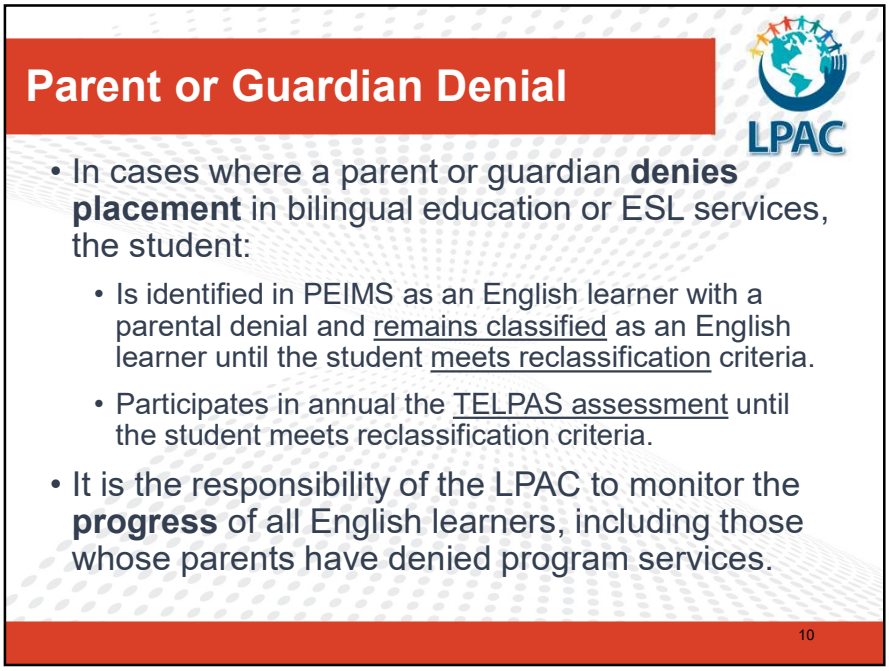
For information on PEIMS codes, please review the following resources on the TEA Bilingual/ESL webpage (https://tea.texas.gov/academics/special-student-populations/bilingual-esl-education) under Program Requirement Resources:

- LEP/EL Decision Chart for LPAC with PEIMS codes
- Code Guide for Bilingual and ESL Program Association
- Texas Education Data Standards (TEDS) Section 4 – Description of codes related to English learners

Slide 9

The LEA must ensure the verbal or email approval is obtained from a verified source.

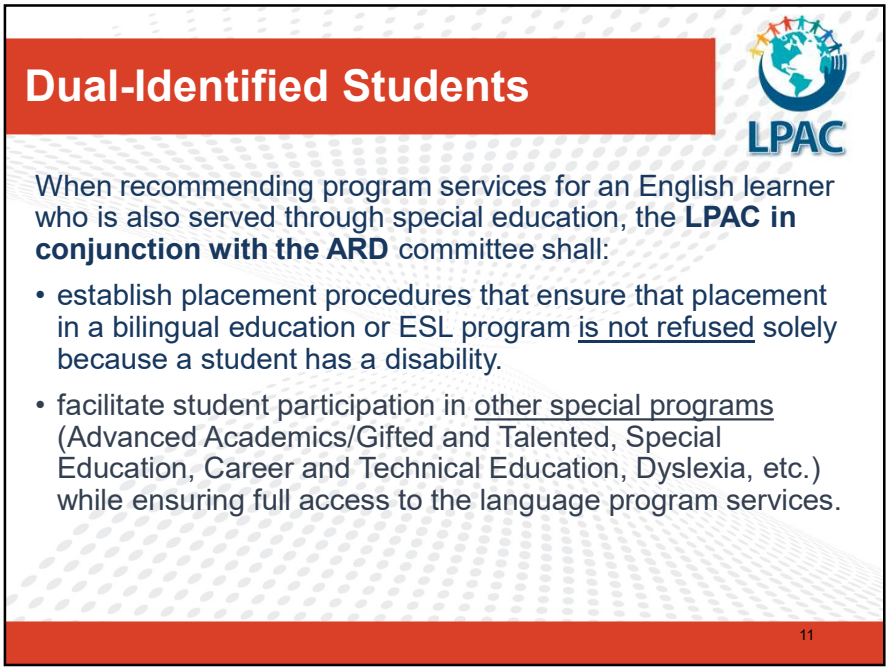
For students for whom written approval is not immediately obtained, districts should use caution when temporarily coding a student in PEIMS with a *7 – Parent or Guardian did not respond.* Without continuous follow up to ensure parental approval has been obtained, a student's access to program services may be affected, and the district would not generate bilingual education allotment (BEA) funding for that student.



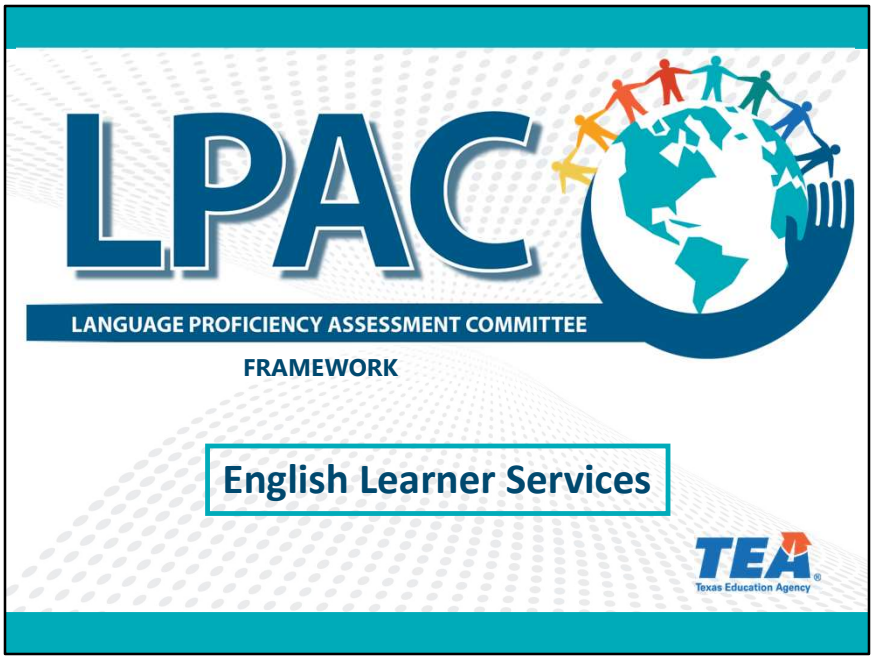
Slide 10

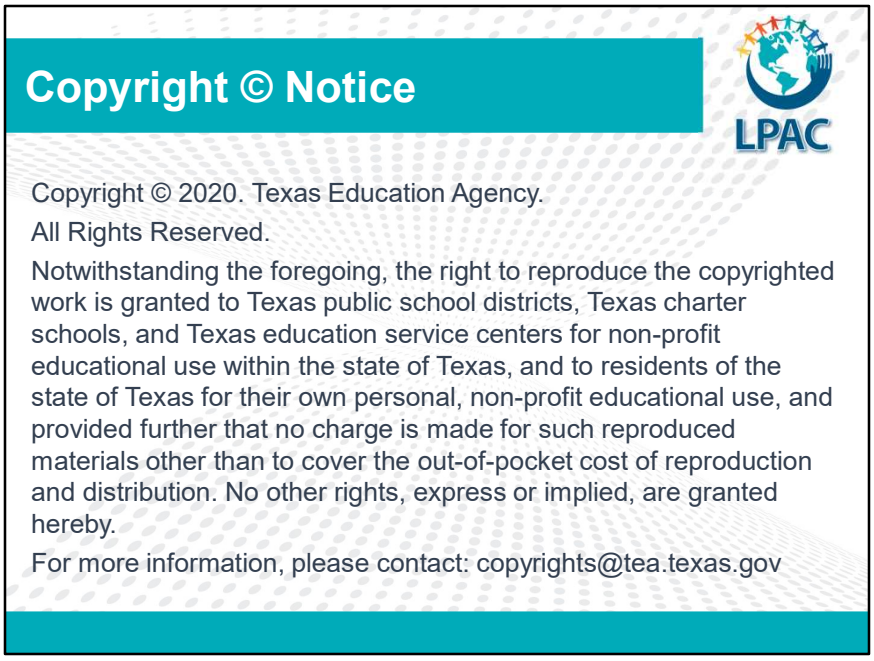
Review the following information about a student whose parent or guardian denied services.

- The student is an English learner and is coded as LEP/EL in PEIMS.
- The LPAC should inform teachers which students are parent or guardian denials.
- Teachers should be provided TELPAS information on each student, if available, and implement the ELPS in the classroom.
- The student will be assessed through TELPAS.
- The LPAC must annually review the progress of the student.


Dual-Identified Students
LPAC
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.
11

Slide 11


LPAC
LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE
FRAMEWORK
English Learner Services
TEA
Texas Education Agency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Slide 2

Training Agenda
LPAC
• Introduction
• Identification
• Placement
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• Review and Reclassification
• Monitoring and Evaluation
3

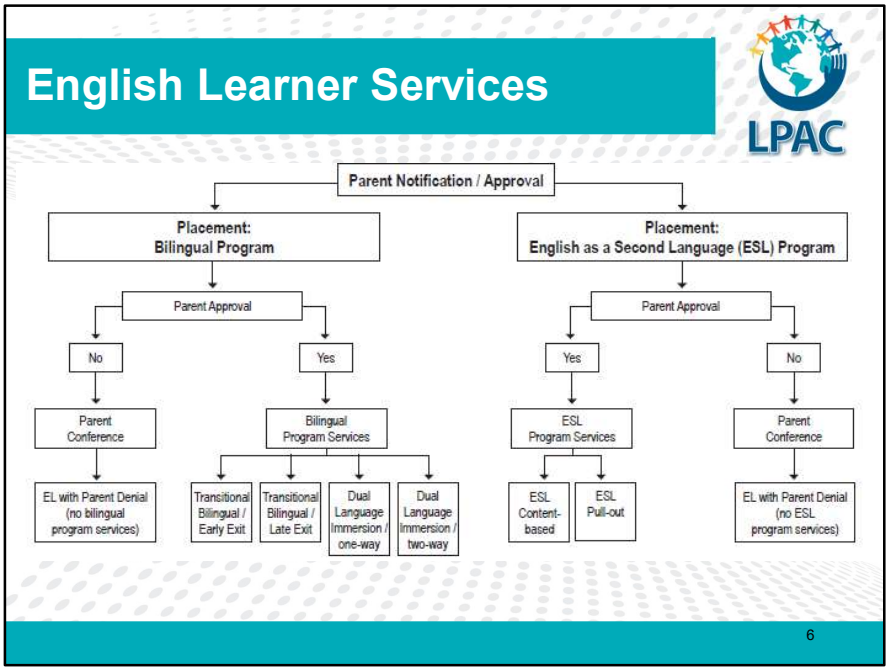
Slide 3

English Learner Services
Section Objective
LPAC
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.
4

Slide 4

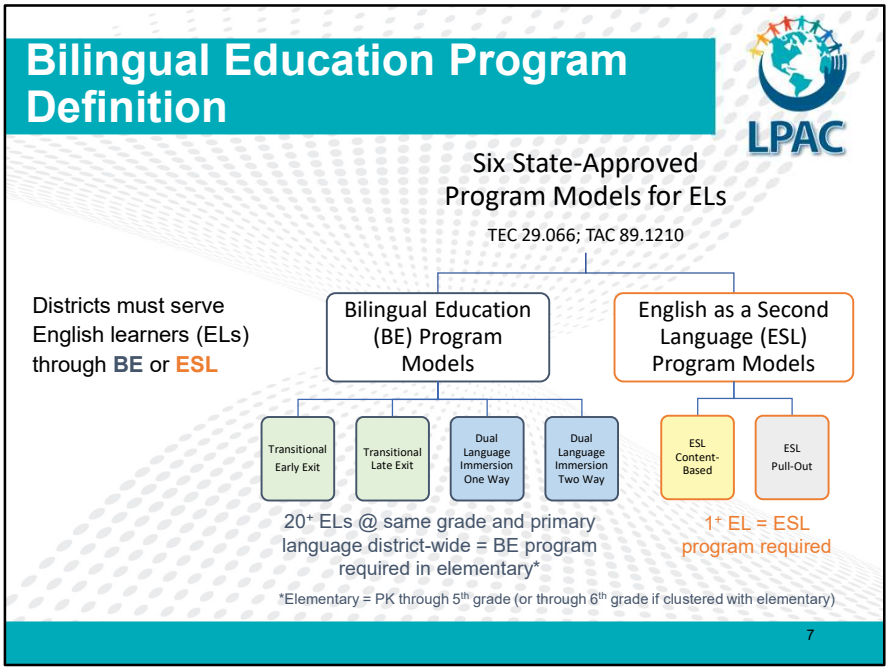
Slide 5

The ELPS should be an integral part of the curriculum provided for ***all*** English learners, including students whose parents or guardians denied services. A link to the ELPS is provided below.
http://ritter.tea.state.tx.us/rules/tac/chapter074/ch074a.html#74.4



Slide 6

For more information on **English Learner Program Implementation**, please visit the following webpage:
https://www.txel.org/programimplementation/.



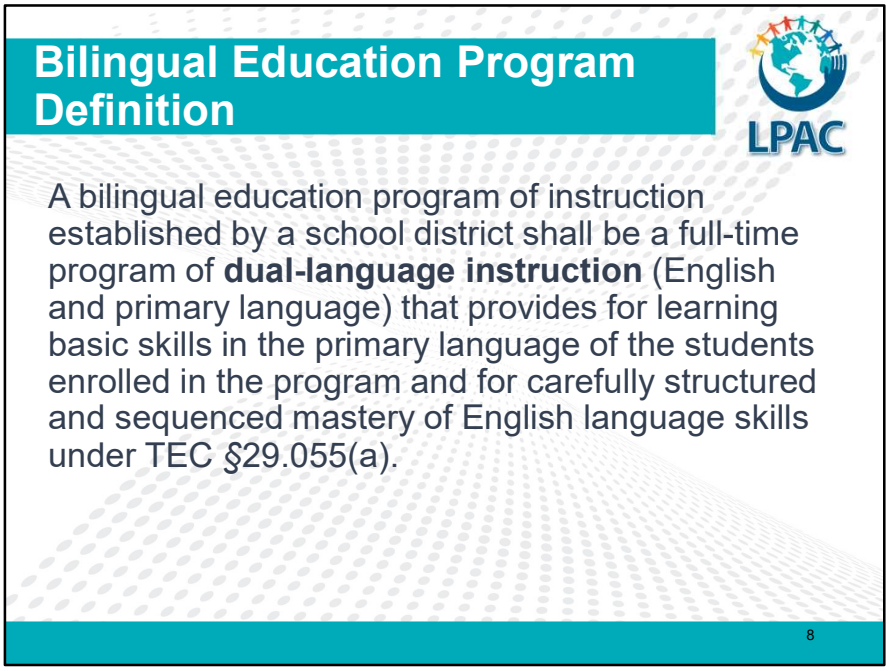
Slide 7

How do districts determine which program they are required to provide?

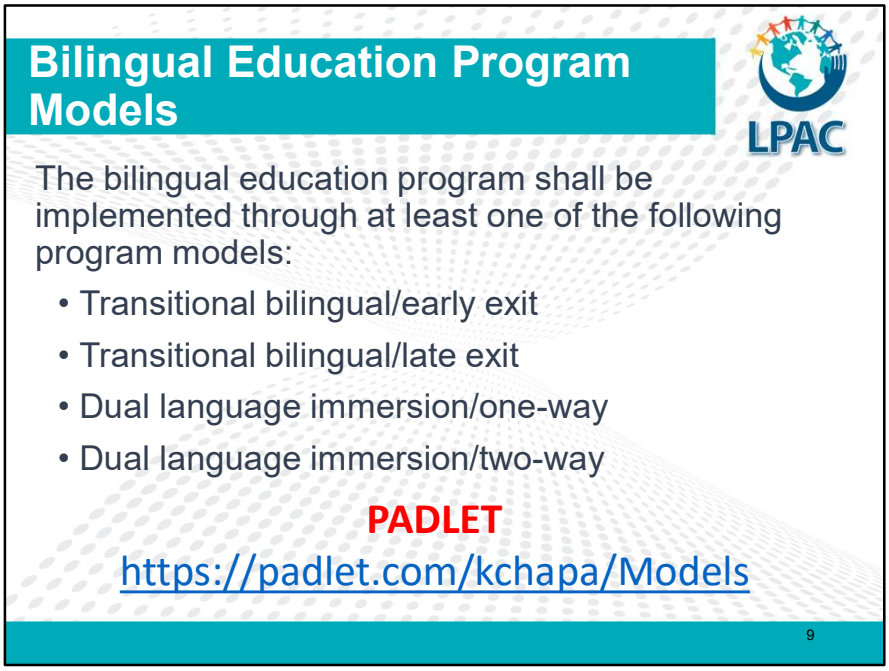
- If a district has 1+ (one or more) ELs district-wide, they must provide English learner services through one of the two state-approved ESL program models.
- If a district has 20+ (twenty or more) ELs at same grade level who share the same primary language district-wide, they must provide EL services through one of the state's four bilingual education program models in the elementary grades (prekindergarten through grade 5 or 6 if clustered with elementary grades).
- The graphic illustrates the six state-approved program models for ELs.

- There are four bilingual education models approved for implementation in Texas (described further in this training section).
- There are two ESL program models approved for implementation in Texas (described further in this training section).

There is no requirement to provide bilingual education in middle school or high school, but it is allowable to do so. More information on this topic will be shared later in this presentation.


Bilingual Education Program Definition
LPAC
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).
8

Slide 8


Bilingual Education Program Models
LPAC
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
PADLET
https://padlet.com/kchapa/Models
9

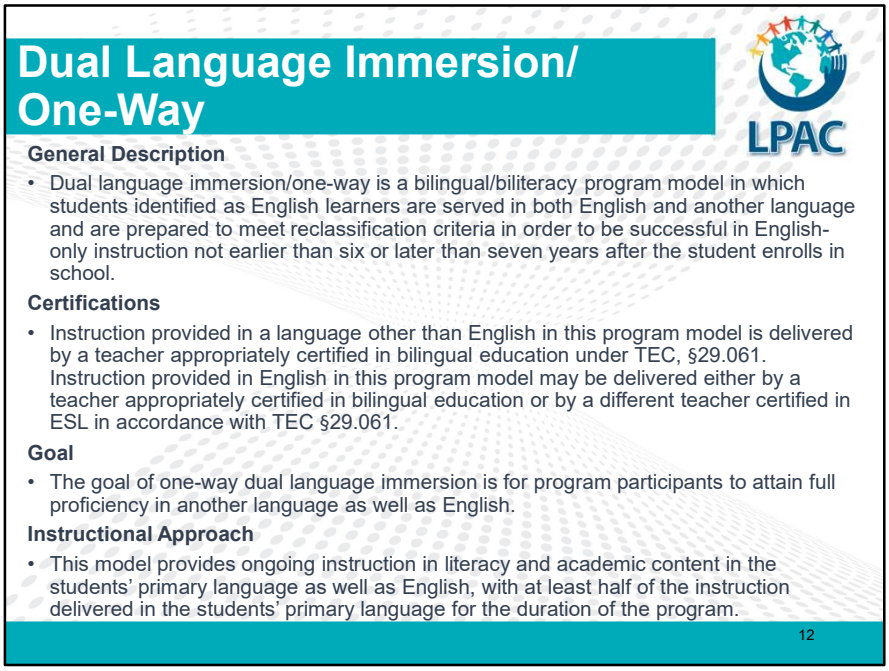
Slide 9

Transitional Bilingual/Early Exit
LPAC
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.
10

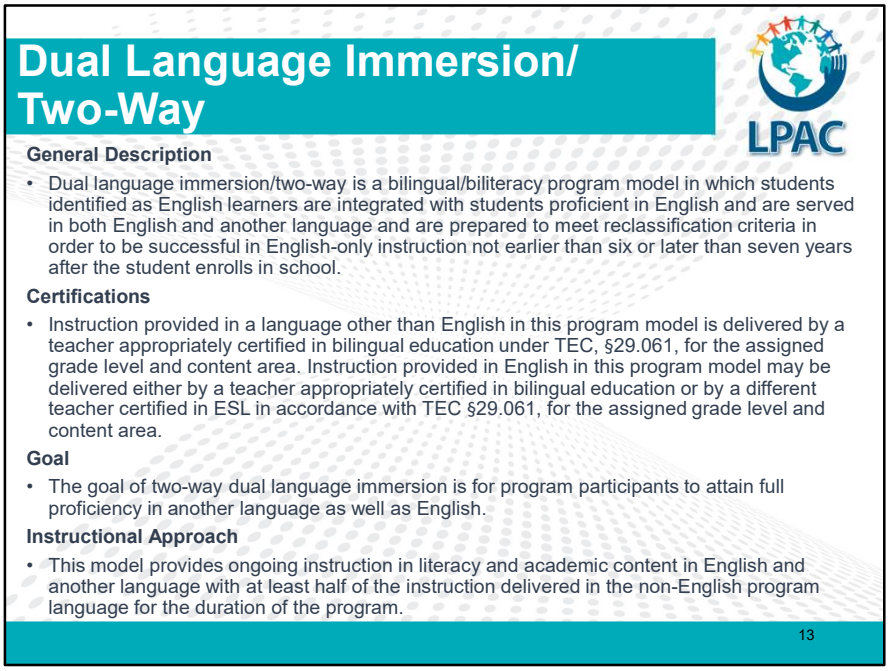
Slide 10

Transitional Bilingual/Late Exit
LPAC
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.
11

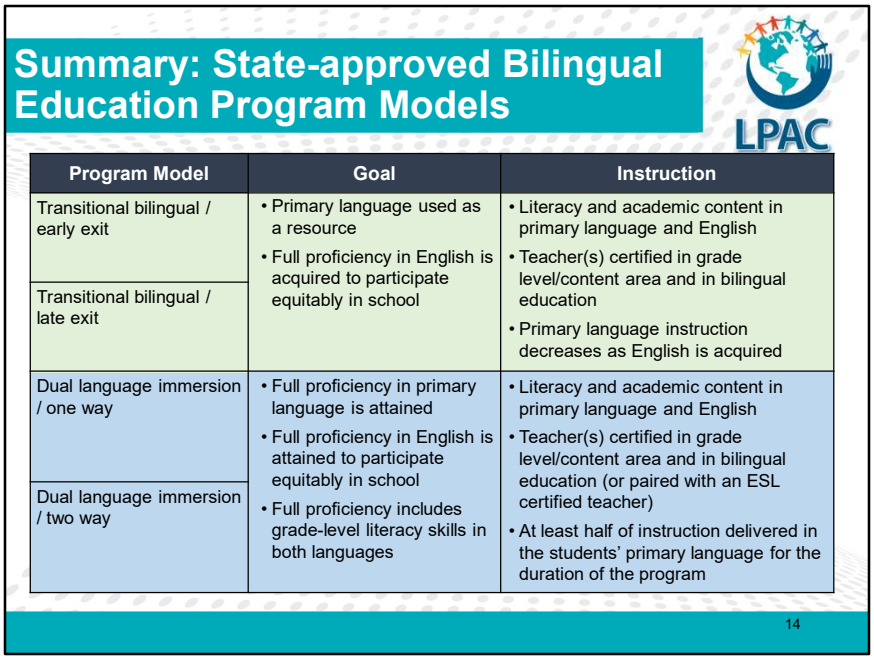
Slide 11


Dual Language Immersion/ One-Way
LPAC
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.
12

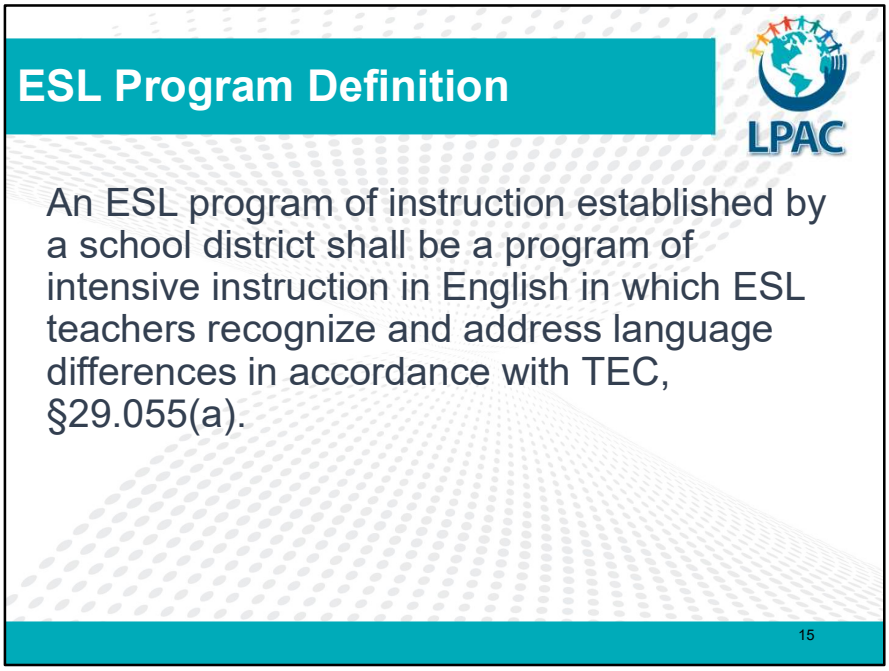
Slide 12


Dual Language Immersion/ Two-Way
LPAC
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.
13

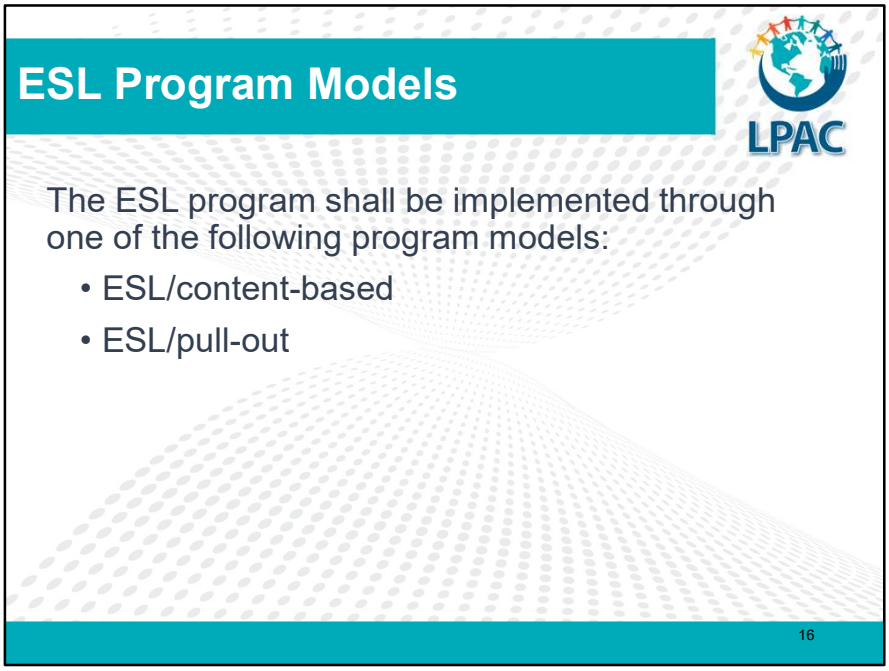
Slide 13


Summary: State-approved Bilingual Education Program Models
LPAC
Program Model
Goal
Instruction
Transitional bilingual / early exit
Transitional bilingual / late 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
Dual language immersion / one way
Dual language immersion / two 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
14

Slide 14

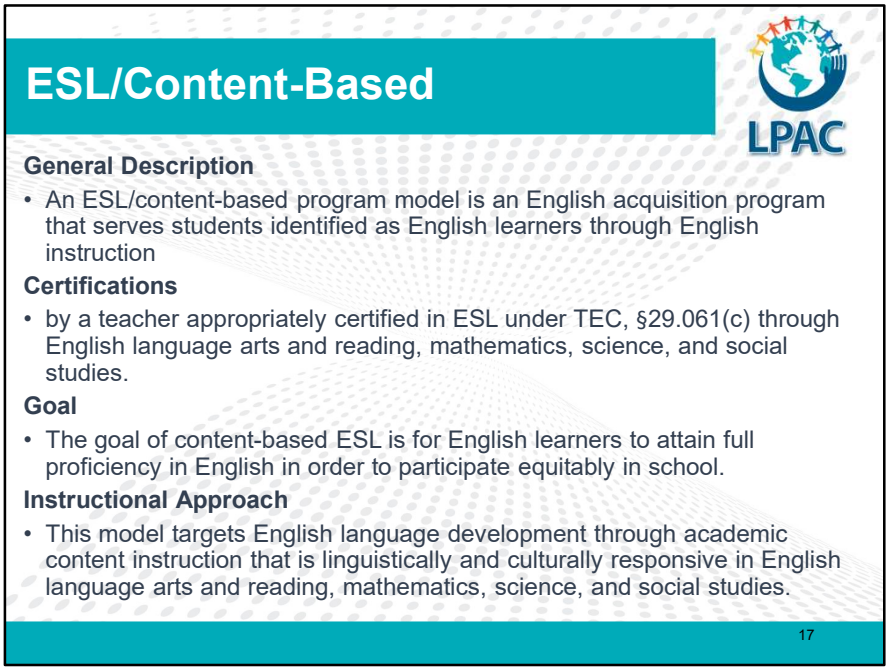

ESL Program Definition
LPAC
An ESL program of instruction established by a school district shall be a program of intensive instruction in English in which ESL teachers recognize and address language differences in accordance with TEC, §29.055(a).
15

Slide 15



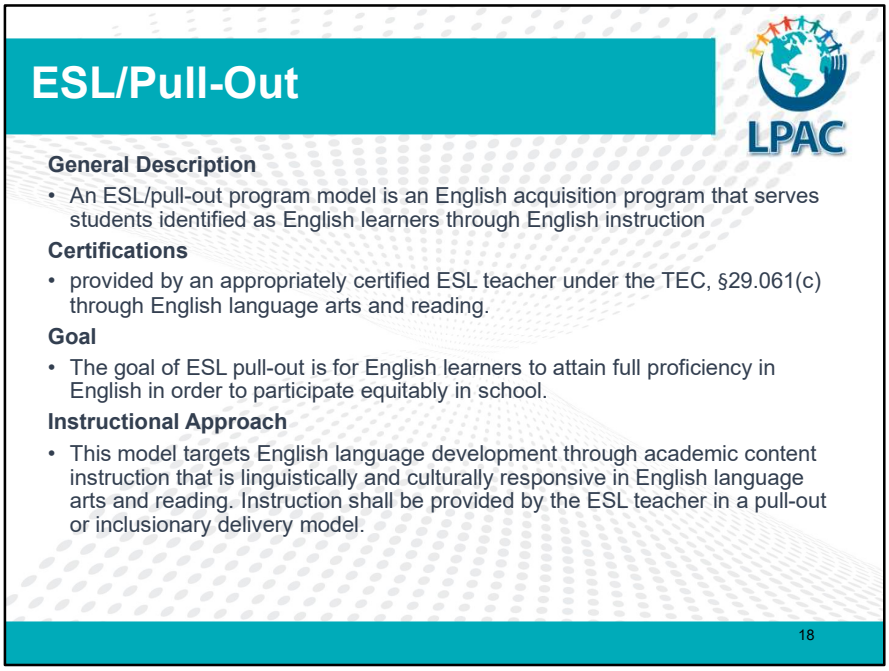
Slide 16

The district must provide an ESL program even if only one student is identified as an English learner.



Slide 17

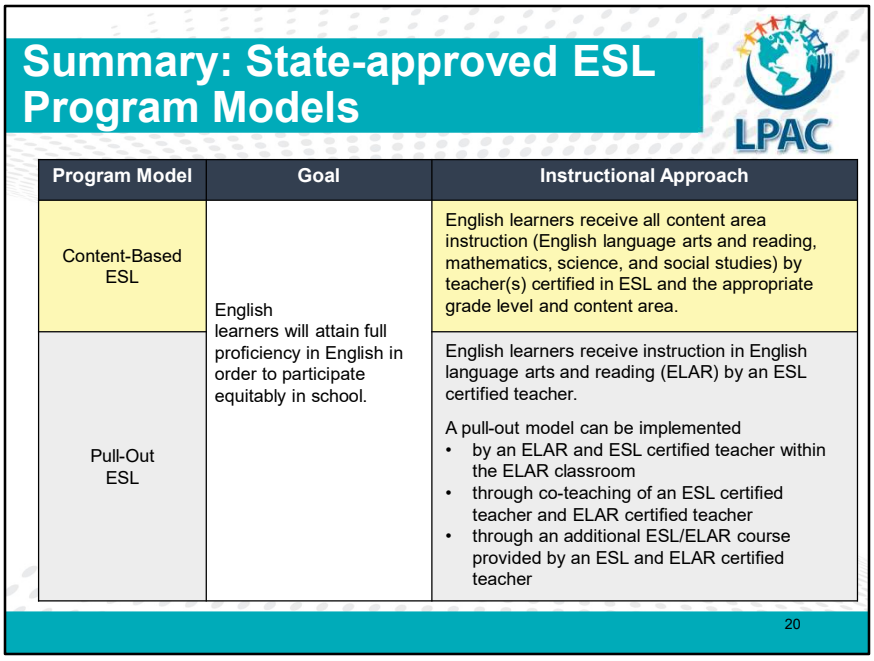
In order to provide a **content-based** ESL program in any grade level, **including high school**, English learners must receive all content instruction (ELAR, math, science, and social studies) by an ESL-certified teacher.



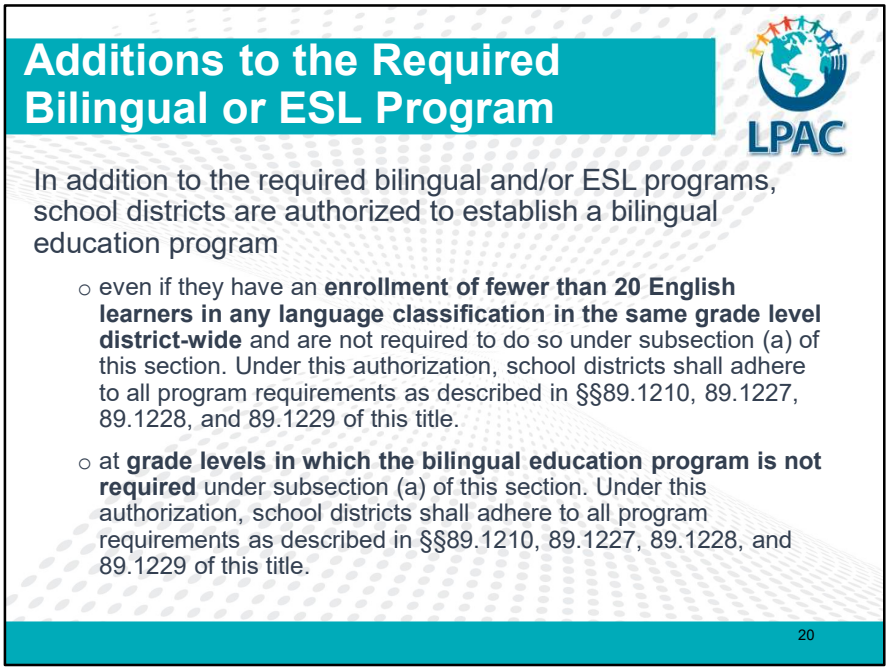
Slide 18

In order to provide a **pull-out** ESL program in any grade level, **including high school**, English learners must receive English Language Arts and Reading (ELAR) instruction by an ESL-certified teacher in one of the following ways:

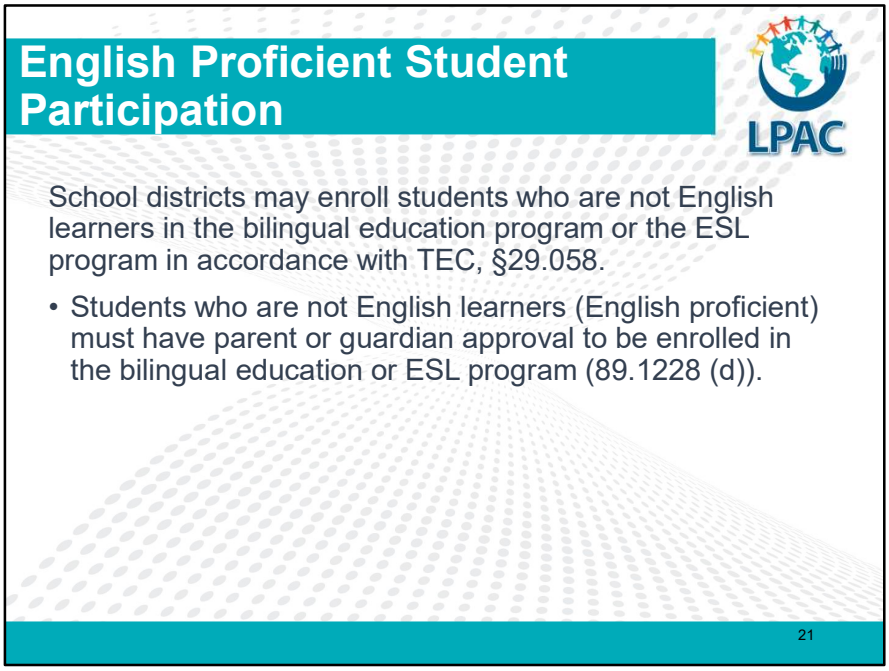
- the ELAR teacher of the English learner is ESL certified
- an ESL certified teacher co-teaches with the ELAR teacher
- an additional ESL/ELAR course provided by an ESL teacher


Summary: State-approved ESL Program Models
LPAC
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
English learners receive instruction in English language arts and reading (ELAR) by an ESL certified teacher.
A pull-out model can be implemented
• by an ELAR and ESL certified teacher within the ELAR classroom
• through co-teaching of an ESL certified teacher and ELAR certified teacher
• through an additional ESL/ELAR course provided by an ESL and ELAR certified teacher
20

Slide 19


Additions to the Required Bilingual or ESL Program
LPAC
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.
20

Slide 20

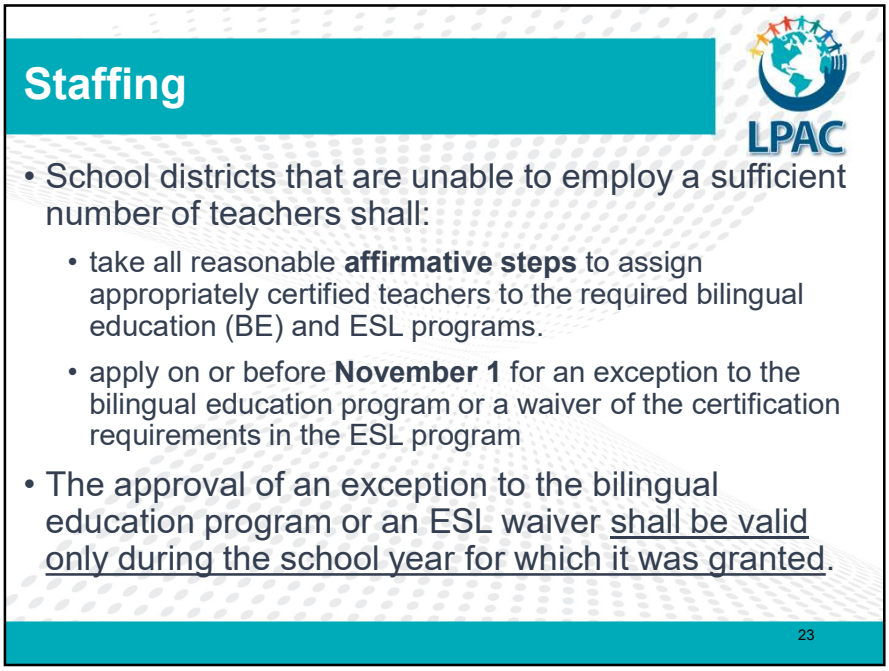

English Proficient Student Participation
LPAC
School districts may enroll students who are not English learners in the bilingual education program or the ESL program in accordance with TEC, §29.058.
• Students who are not English learners (English proficient) must have parent or guardian approval to be enrolled in the bilingual education or ESL program (89.1228 (d)).
21

Slide 21

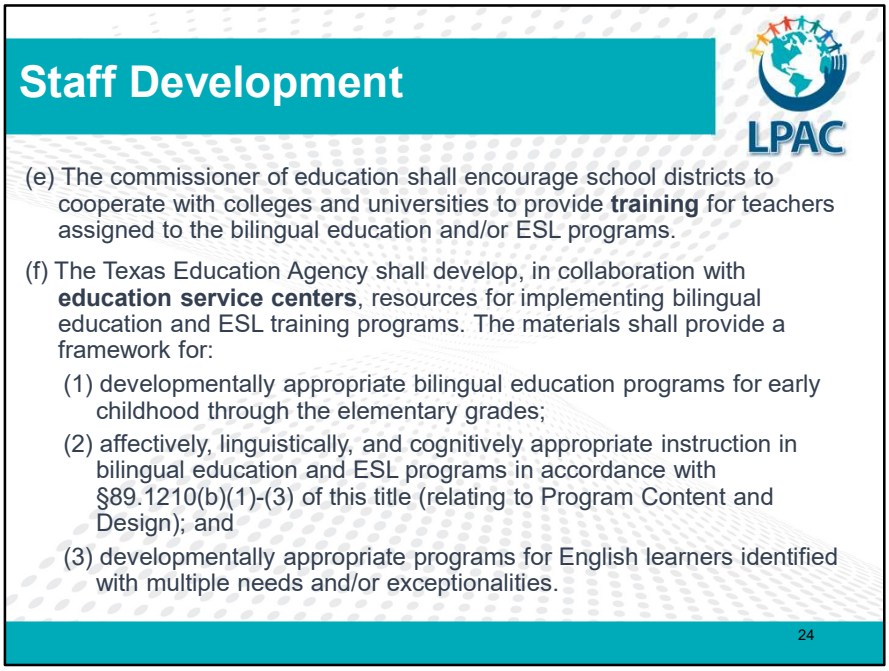
Slide 22

Please visit the LPAC/ARD Collaboration guidance for information on dual-identified students:

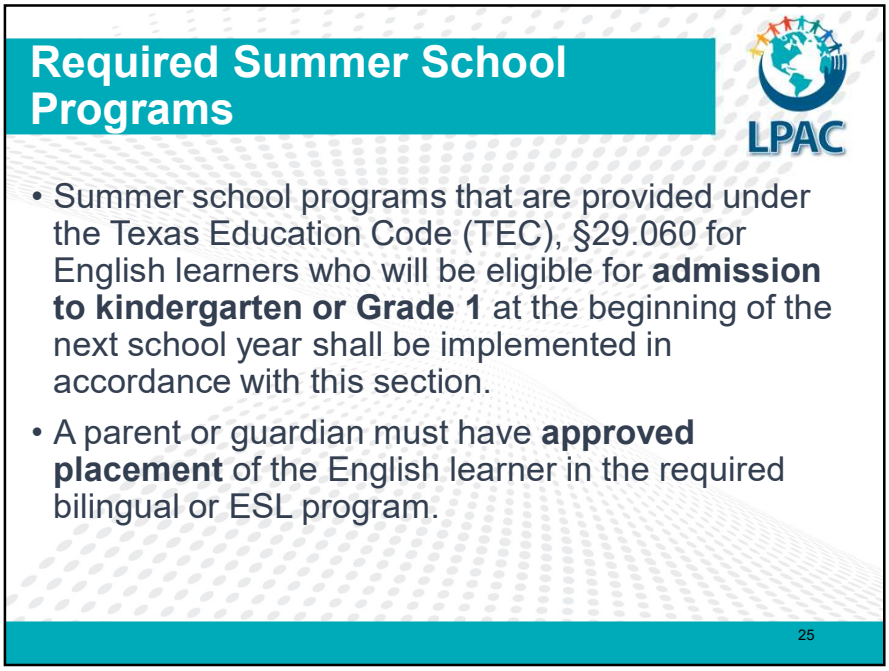
https://tea.texas.gov/sites/default/files/LPAC%20ARD%20Collaboration%20Guidance%20and%20Process%20for%20Reclassification.pdf


Staffing
LPAC
• 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.
23

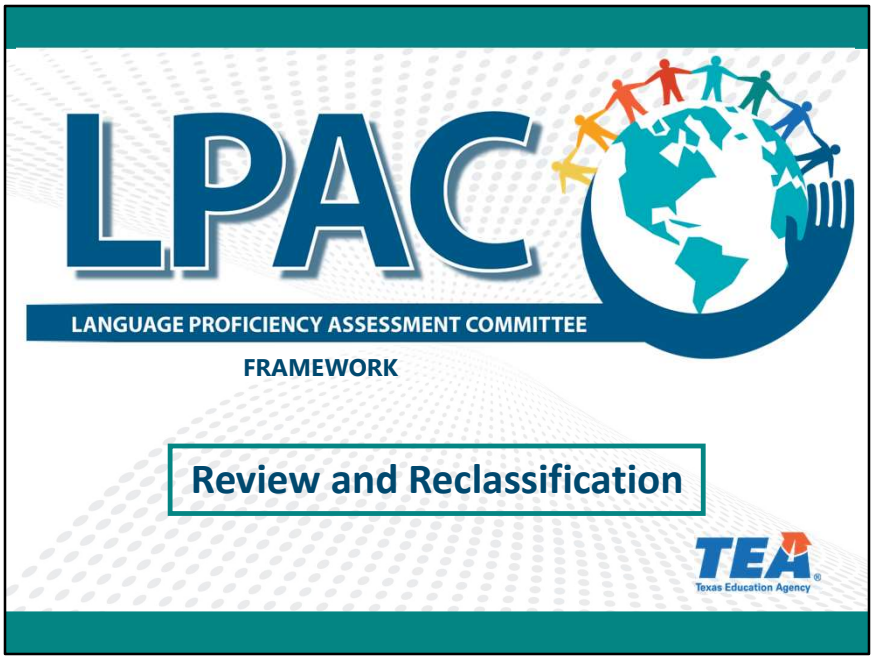
Slide 23

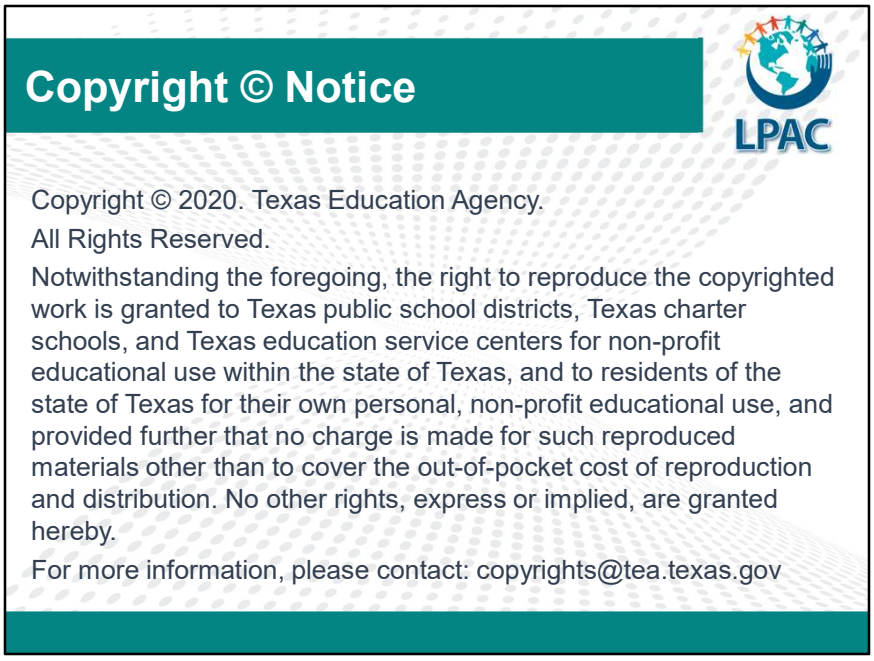

Staff Development
LPAC
(e) The commissioner of education shall encourage school districts to cooperate with colleges and universities to provide **training** for teachers assigned to the bilingual education and/or ESL programs.
(f) The Texas Education Agency shall develop, in collaboration with **education 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.
24

Slide 24


Required Summer School Programs
LPAC
• 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.
25

Slide 25


LPAC
LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE
FRAMEWORK
Review and Reclassification
TEA
Texas Education Agency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LPAC
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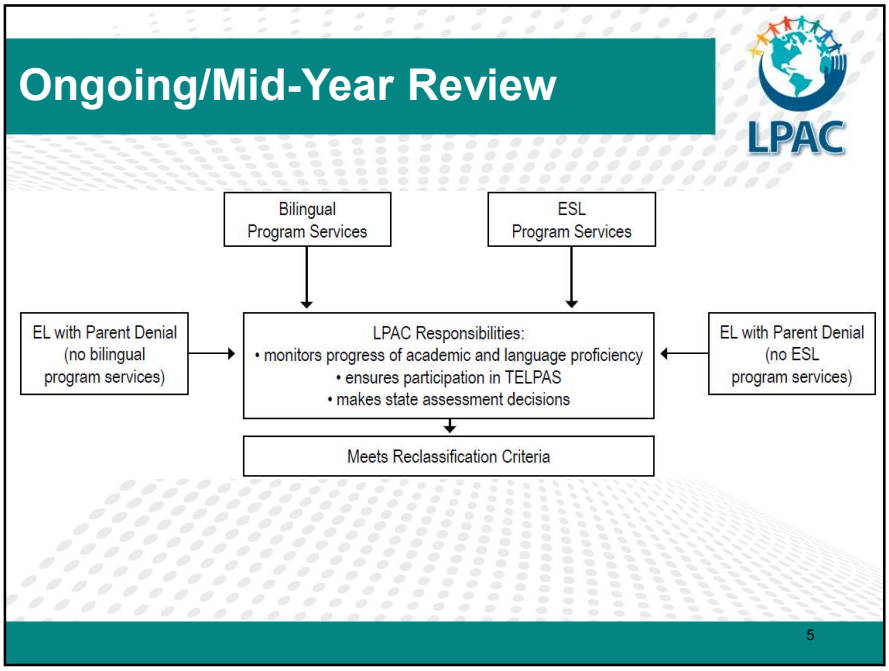
Slide 2

Agenda
LPAC
• Introduction
• Identification
• Placement
• English Learner Services
• Review and Reclassification
• Monitoring and Evaluation
3

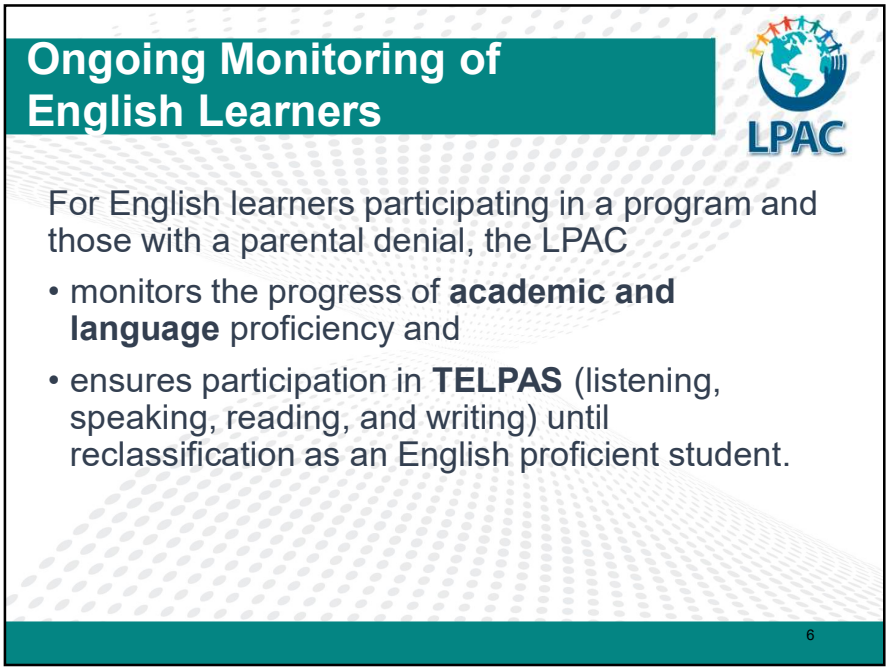
Slide 3

Review and Reclassification Section Objective
LPAC
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.
4

Slide 4


Ongoing/Mid-Year Review
LPAC
Bilingual Program Services
ESL Program Services
EL with Parent Denial (no bilingual program services)
LPAC Responsibilities:
• monitors progress of academic and language proficiency
• ensures participation in TELPAS
• makes state assessment decisions
EL with Parent Denial (no ESL program services)
Meets Reclassification Criteria
5

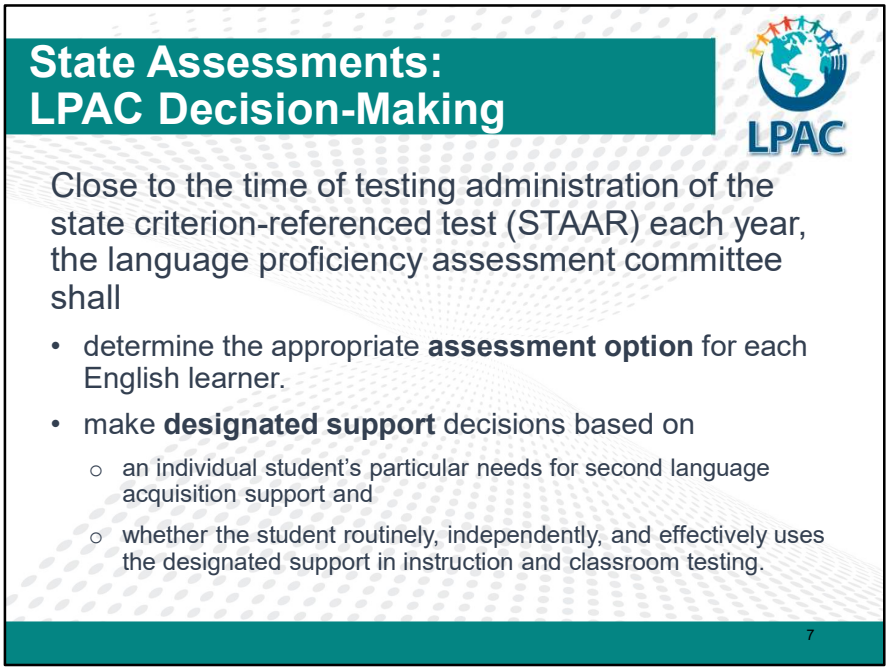
Slide 5



Slide 6

The students' teachers should be aware of which students have a parental denial of program services.

The LPAC should continue to communicate with the students' parents or guardians throughout the school year, providing updates on the students' progress.



Slide 7

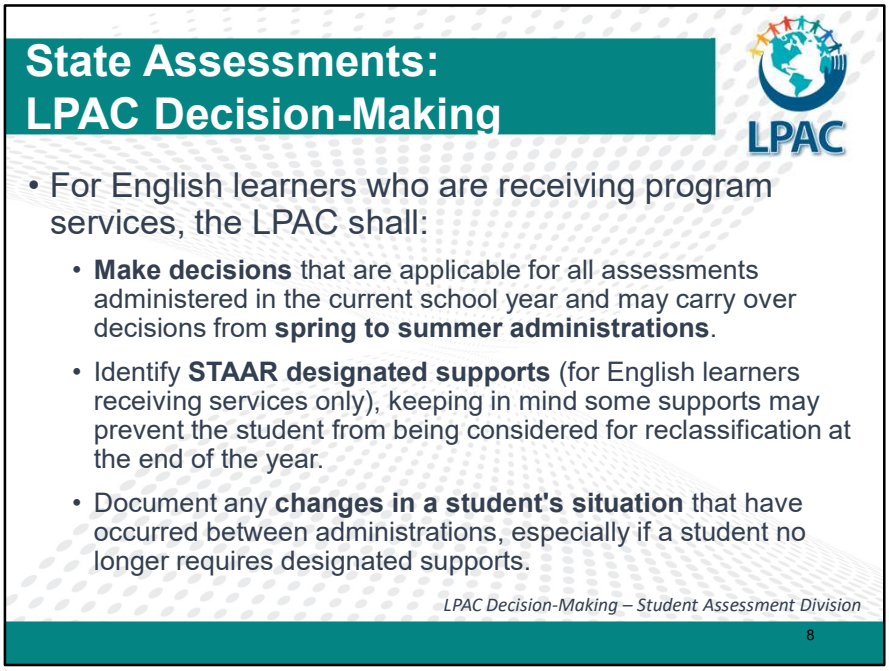
LPACs are responsible for following administrative procedures in the guide, making decisions on an individual student basis, working as a committee to make decisions, and maintaining the required documentation.

LPACs must coordinate with subject-area teachers. Providing unfamiliar accommodations may hinder rather than help a student.

Designated support decisions should be made as close as possible to the assessment to account for the student's progress in acquiring the English language.

LPACs may not recommend designated supports, special assessment considerations, or accountability provisions for an English learner whose parents or guardians have denied bilingual or ESL services. This includes no designated supports, no testing in Spanish, no English I special provision, and no unschooled asylee or refugee provisions.

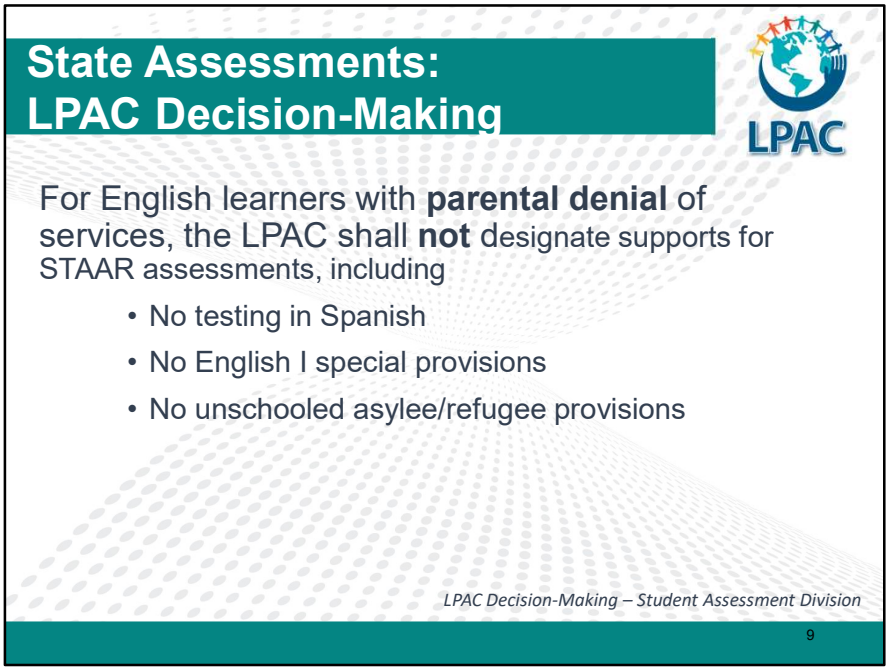
Please visit the LPAC Decision-Making Resources located at the following link: https://tea.texas.gov/student-assessment/testing/student-assessment-overview/accommodation-resources/language-proficiency-assessment-committee-resources.



Slide 8

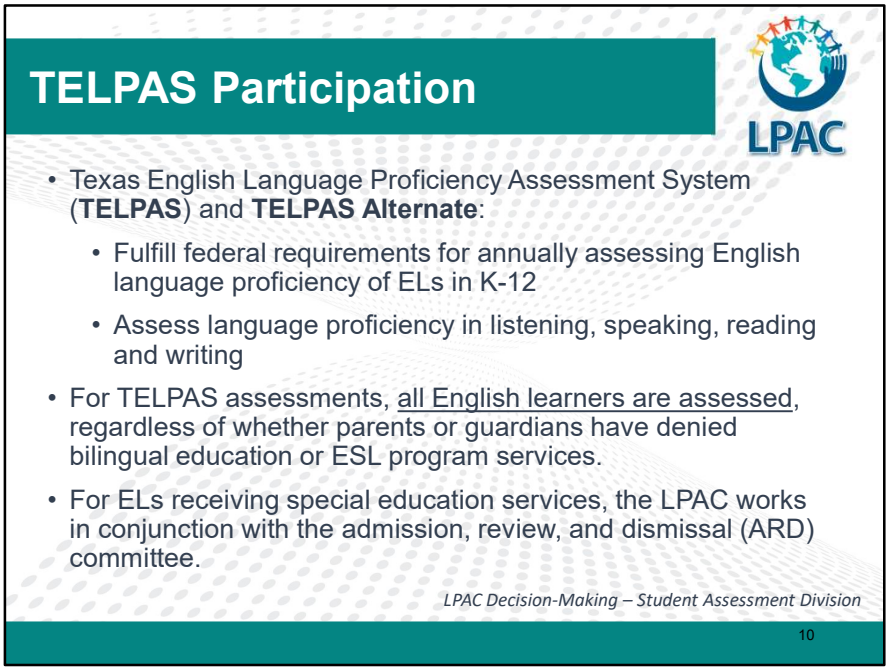
Please visit the LPAC Decision-Making Resources located at the following link: https://tea.texas.gov/student-assessment/testing/student-assessment-overview/accommodation-resources/language-proficiency-assessment-committee-resources

See the English Learner Reclassification Criteria Chart for information on designated supports that prevent reclassification, located on the TEA Bilingual/ESL Programs webpage: https://tea.texas.gov/academics/special-student-populations/bilingual-esl-education.



Slide 9

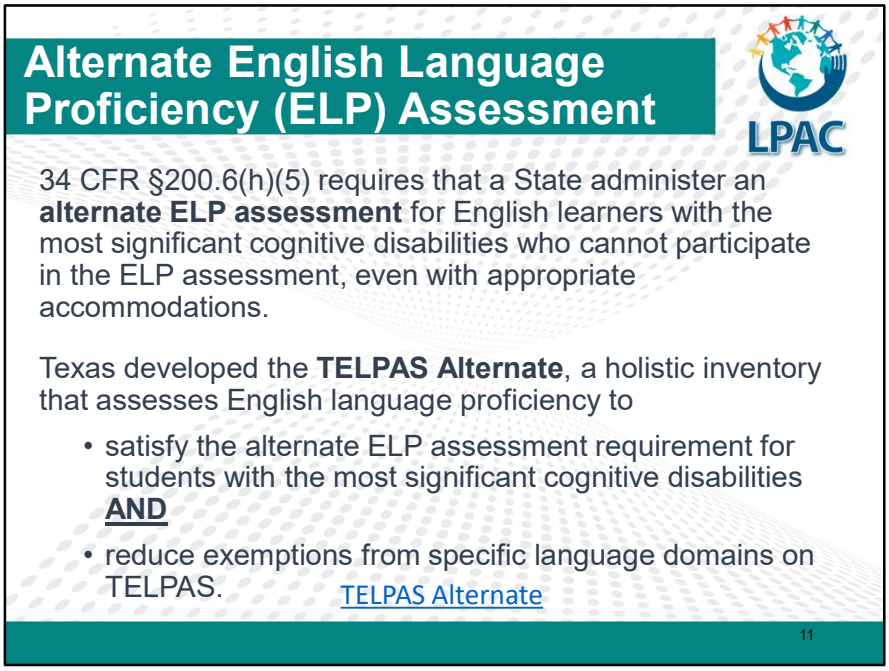
Please visit the LPAC Decision-Making Resources located at the following link: https://tea.texas.gov/student-assessment/testing/student-assessment-overview/accommodation-resources/language-proficiency-assessment-committee-resources



Slide 10

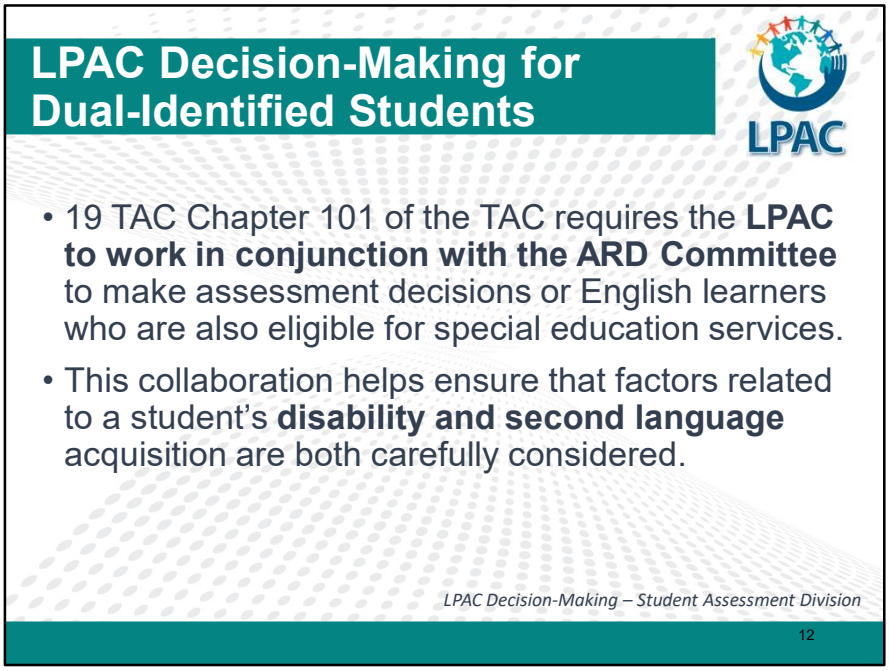
Please visit the LPAC Decision-Making Resources located at the following link: https://tea.texas.gov/student-assessment/testing/student-assessment-overview/accommodation-resources/language-proficiency-assessment-committee-resources

LPACs are responsible for making and documenting TELPAS participation decisions.



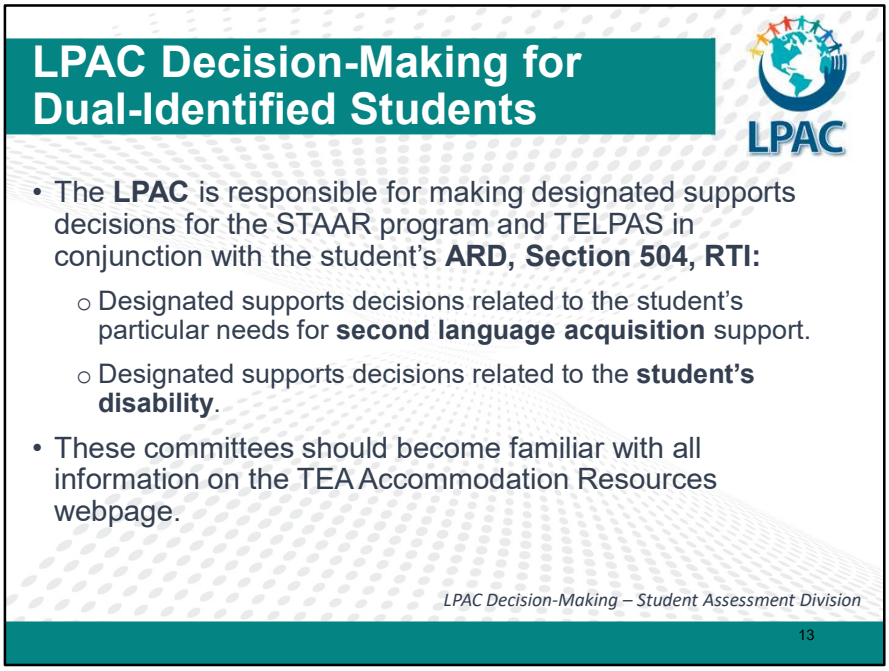
Slide 11

Please visit the LPAC Decision-Making Resources located at the following link: https://tea.texas.gov/student-assessment/testing/student-assessment-overview/accommodation-resources/language-proficiency-assessment-committee-resources



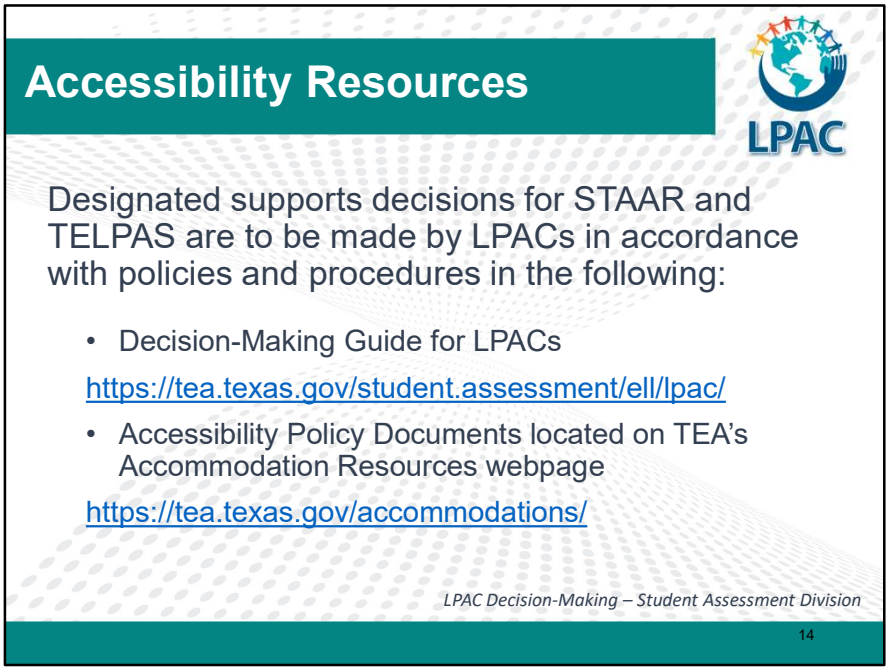
Slide 12

For more information please read the Guidance Related to ARD Committee and LPAC Collaboration located at the following link: https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/state-guidance/guidance-related-to-ard-committee-and-lpac-collaboration

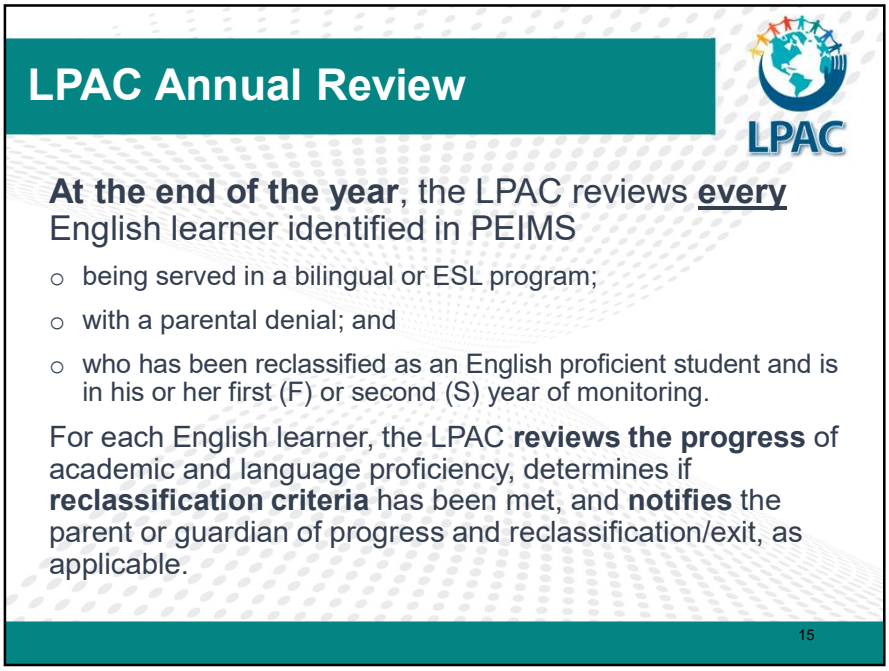


Slide 13

For more information please visit the Accommodation Resources webpage: https://tea.texas.gov/student-assessment/testing/student-assessment-overview/accommodation-resources


Accessibility Resources
LPAC
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 Decision-Making – Student Assessment Division
14

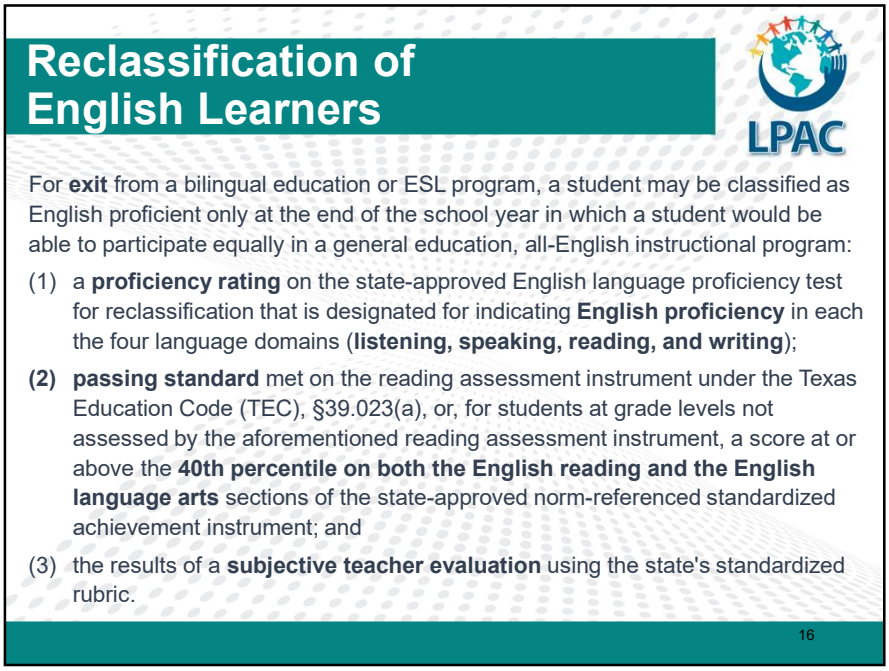
Slide 14



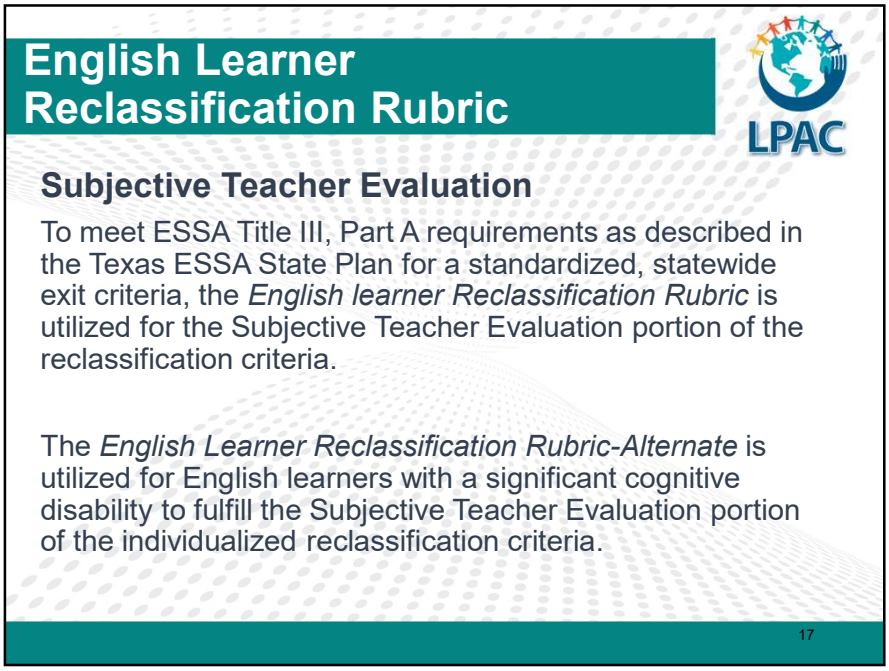
Slide 15

The LPAC end-of-year review may include:

- Benchmarks
- Classroom Tests
- State Criterion-Referenced Test Data
- Norm-referenced English and Spanish (when applicable) Standardized Achievement Test Data
- Oral Language/English Language Proficiency Test Data
- TELPAS, Primary Reading Assessments, etc.
- Passing grades in all subjects and courses taken
- Any input that will give a well-rounded picture of the student's growth and progress


Reclassification of English Learners
LPAC
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.
16

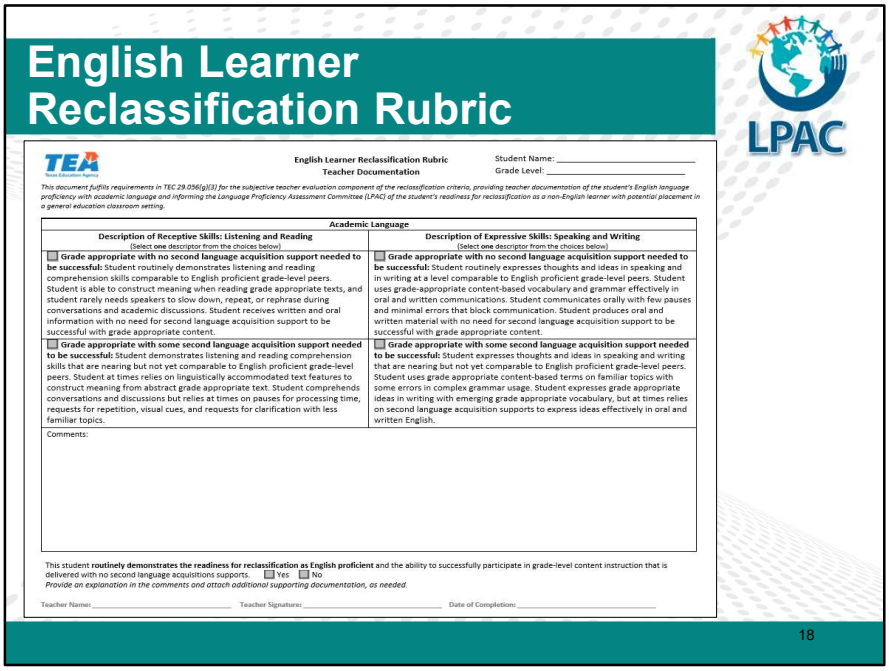
Slide 16



Slide 17

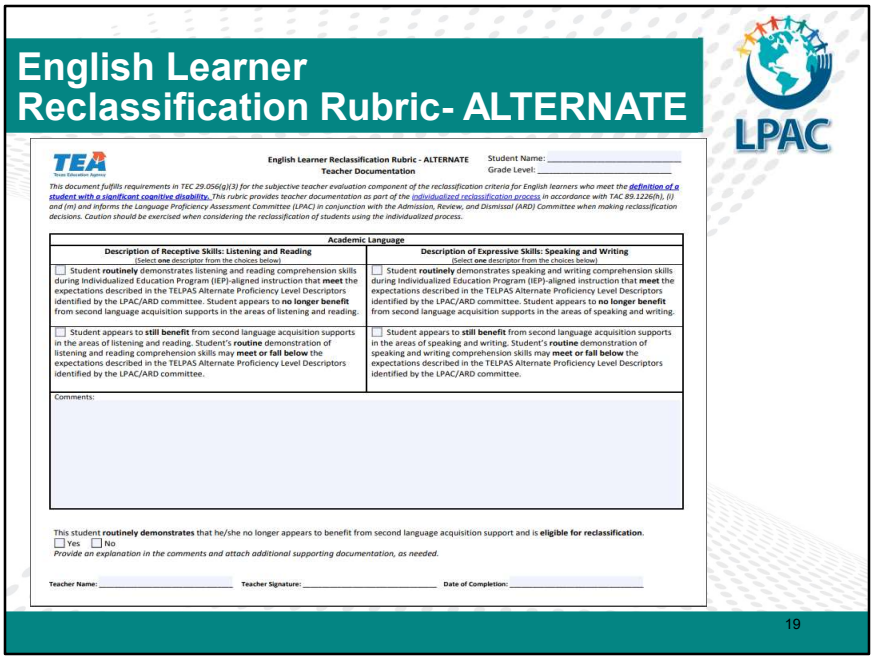
See the *English Learner Reclassification Rubric* and *English Learner Reclassification Rubric – Alternate* on the TEA Bilingual/ESL Programs webpage: https://tea.texas.gov/academics/special-student-populations/bilingual-esl-education.

These rubrics are NOT suggested forms. They are **required** forms that must be used without modification and must be retained in the student's records.



Slide 18

This is NOT a suggested form. This is a **required** form that must be used, and not modified, and must be retained in the student's records.


English Learner
Reclassification Rubric- ALTERNATE
LPAC
TEA
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
Description of Receptive Skills: Listening and Reading
(Select one descriptor from the choices below)
Description of Expressive Skills: Speaking and Writing
(Select one descriptor from the choices below)
Student routinely demonstrates listening and reading comprehension skills during Individualized Education Program (IEP)-aligned instruction that meet the expectations described in the TELPAS Alternate Proficiency Level Descriptors identified by the LPAC/ARD committee. Student appears to no longer benefit from second language acquisition supports in the areas of listening and reading.
Student routinely demonstrates speaking and writing comprehension skills during Individualized Education Program (IEP)-aligned instruction that meet the expectations described in the TELPAS Alternate Proficiency Level Descriptors identified by the LPAC/ARD committee. Student appears to no longer benefit from second language acquisition supports in the areas of speaking and writing.
Student appears to still benefit from second language acquisition supports in the areas of listening and reading. Student's routine demonstration of listening and reading comprehension skills may meet or fall below the expectations described in the TELPAS Alternate Proficiency Level Descriptors identified by the LPAC/ARD committee.
Student appears to still benefit from second language acquisition supports in the areas of speaking and writing. Student's routine demonstration of speaking and writing comprehension skills may meet or fall below the expectations described in the TELPAS Alternate Proficiency Level Descriptors identified by the LPAC/ARD committee.
Comments:
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:
19

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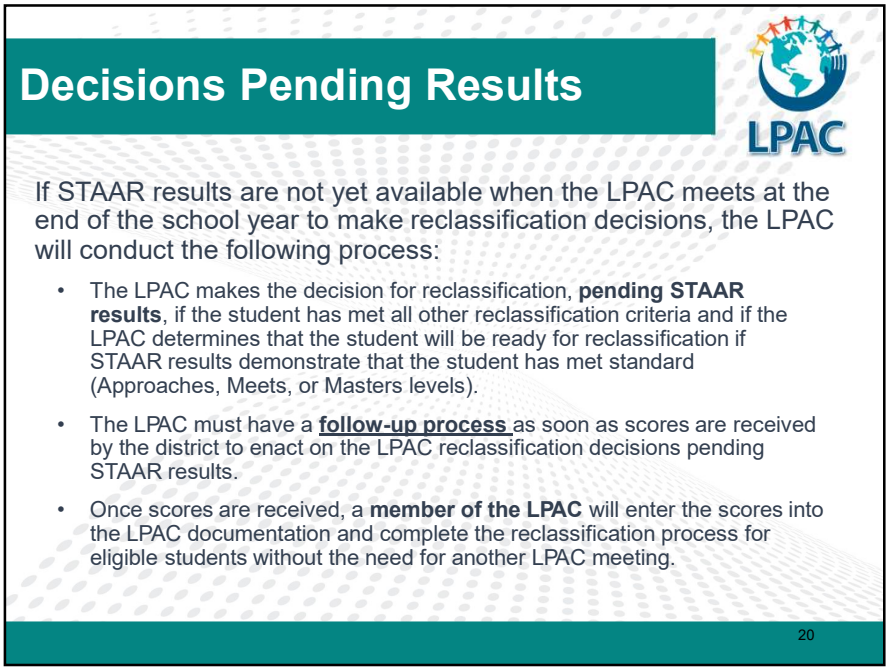
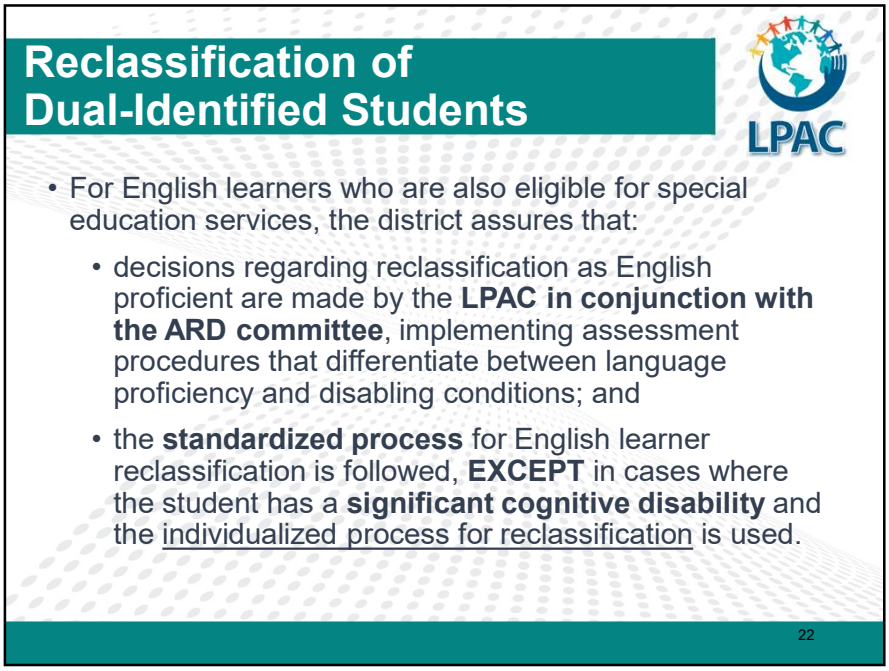


Slide 20

The school district shall give **written notification** to the student's parent or guardian of the student's reclassification as English proficient and his or her exit from the bilingual education or ESL program and acquire written approval as required under the Texas Education Code, §29.056(a).

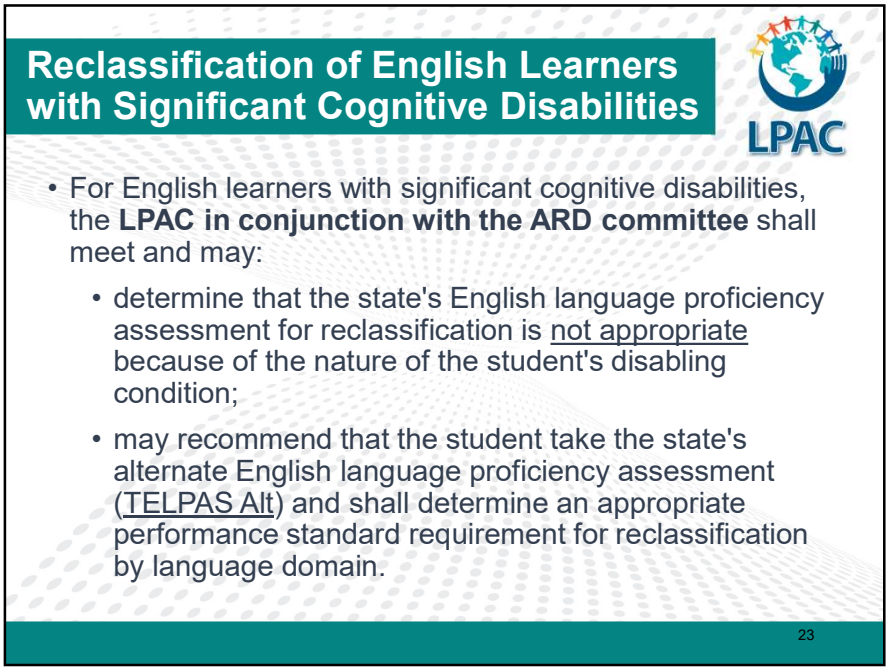
Reclassification of English Learners
LPAC
• A student in **prekindergarten or kindergarten** may **not be reclassified** as an English learner; the first opportunity for an English learner to be considered for reclassification is in grade one.
• A school district must ensure that English learners are prepared to meet academic standards required by the TEC, §28.0211.
21

Slide 21



Slide 22

For more information please read the Guidance Related to ARD Committee and LPAC Collaboration located at the following link: https://tea.texas.gov/academics/special-student-populations/special-education/programs-and-services/state-guidance/guidance-related-to-ard-committee-and-lpac-collaboration.



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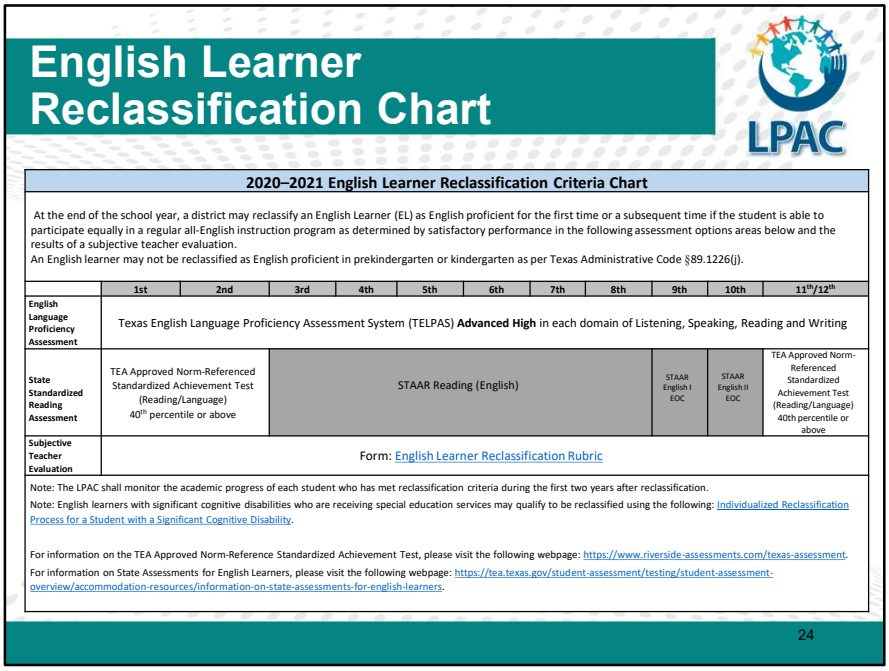
Please review the Steps to the Individualized Reclassification Process for a Student with a Significant Cognitive Disability: Section 3
https://tea.texas.gov/sites/default/files/LPAC%20ARD%20Collaboration%20Guidance%20and%20Process%20for%20Reclassification.pdf



English Learner Reclassification Chart

LPAC

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	11th/12th
English Language Proficiency Assessment	Texas English Language Proficiency Assessment System (TELPAS) **Advanced High** in each domain of Listening, Speaking, Reading and Writing										
State Standardized Reading Assessment	TEA Approved Norm-Referenced Standardized Achievement Test (Reading/Language) 40th percentile or above		STAAR Reading (English)						STAAR English I EOC	STAAR English II EOC	TEA Approved Norm-Referenced Standardized Achievement Test (Reading/Language) 40th percentile or above
Subjective Teacher Evaluation	Form: English Learner Reclassification Rubric										

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.

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You can find the English Learner Reclassification Chart on TEAs Bilingual/ESL webpage: https://tea.texas.gov/academics/special-student-populations/bilingual-esl-education

Slide 25

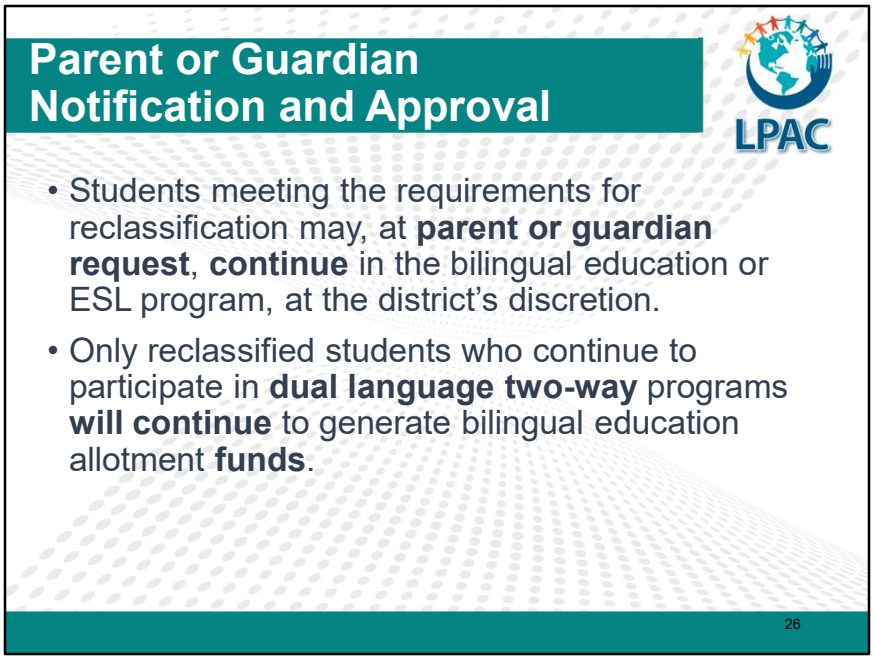
Emphasize that the LPAC determines student reclassification; the parents or guardians provide permission for program exit. Reclassification does not always equate with program exit. For example, for students participating in a dual language program, one-way or two-way, continued program participation after reclassification is a foundational expectation of the program model.

According to TAC 89.1220 (m), a school district may **place or exit** a student in a program without written approval of the student's parent if:

(1) the student is 18 years of age or has had the disabilities of minority removed;

(2) the parent provides approval through a phone conversation or e-mail that is documented in writing and retained; or

(3) 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 Notification and Approval
LPAC
• 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**.
26

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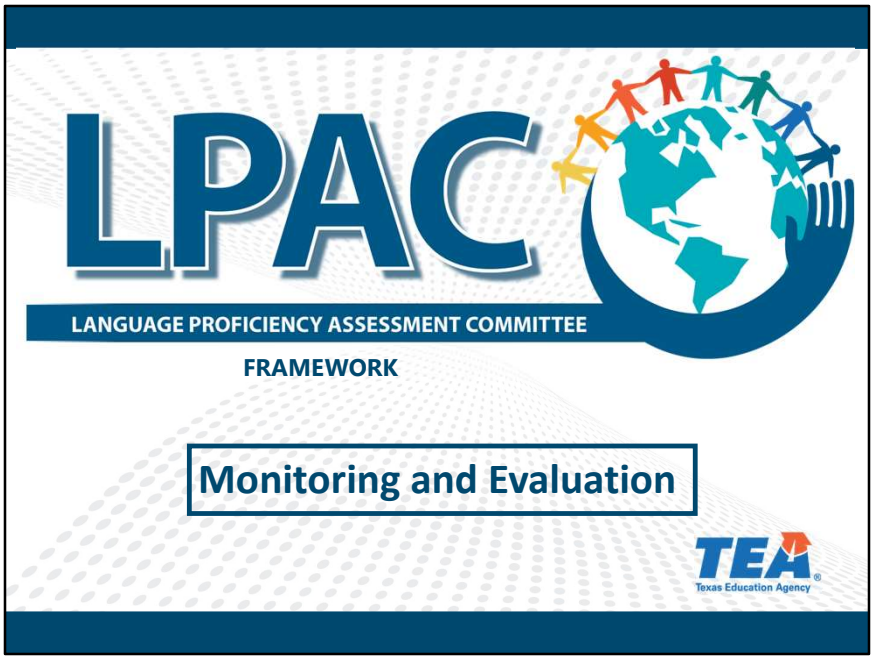
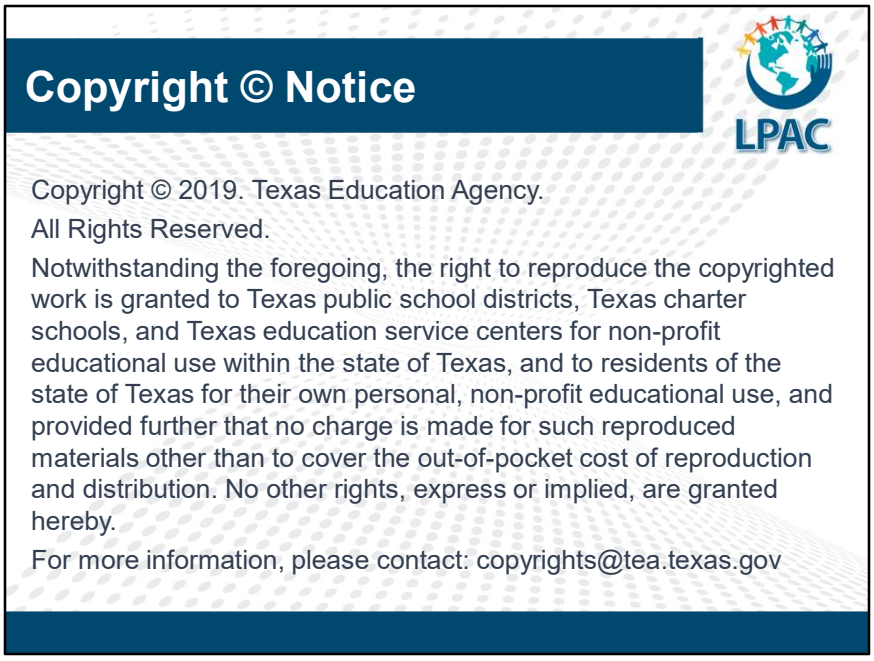

LPAC
LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE
FRAMEWORK
Monitoring and Evaluation
TEA
Texas Education Agency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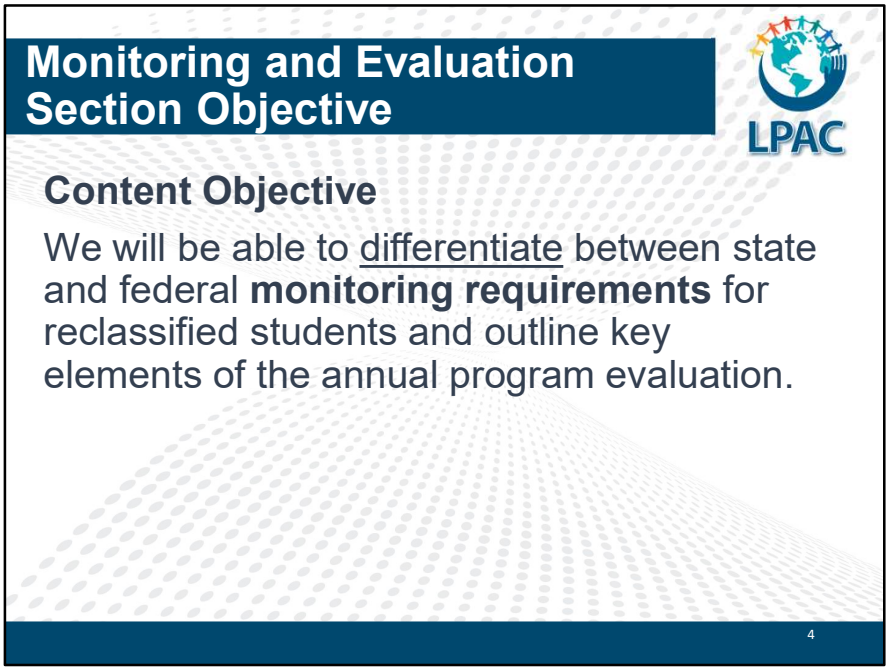
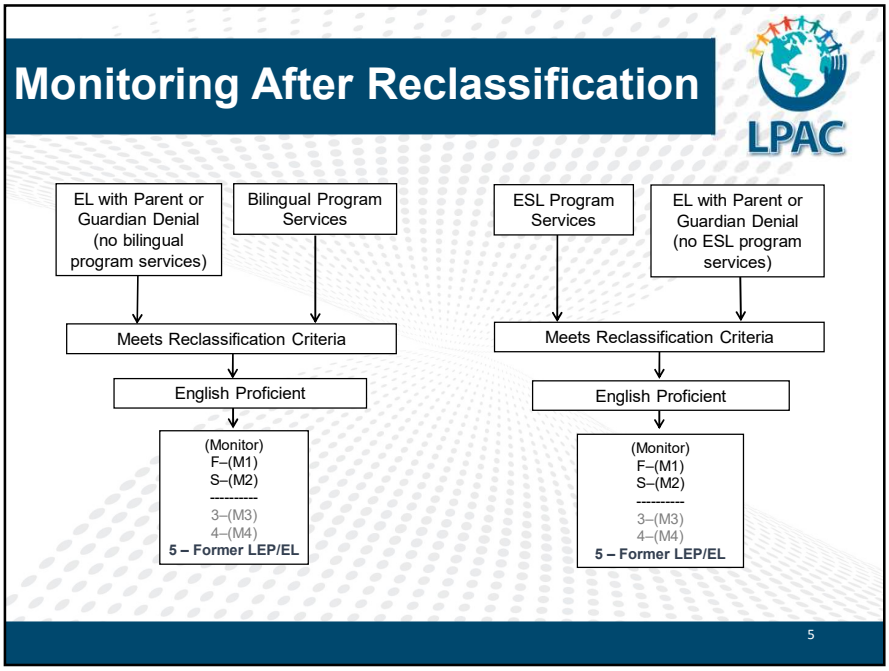
Slide 2

Training Agenda
LPAC
• Introduction
• Identification
• Placement
• English Learner Services
• Review and Reclassification
• Monitoring and Evaluation
3

Slide 3


Monitoring and Evaluation Section Objective
LPAC
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.
4

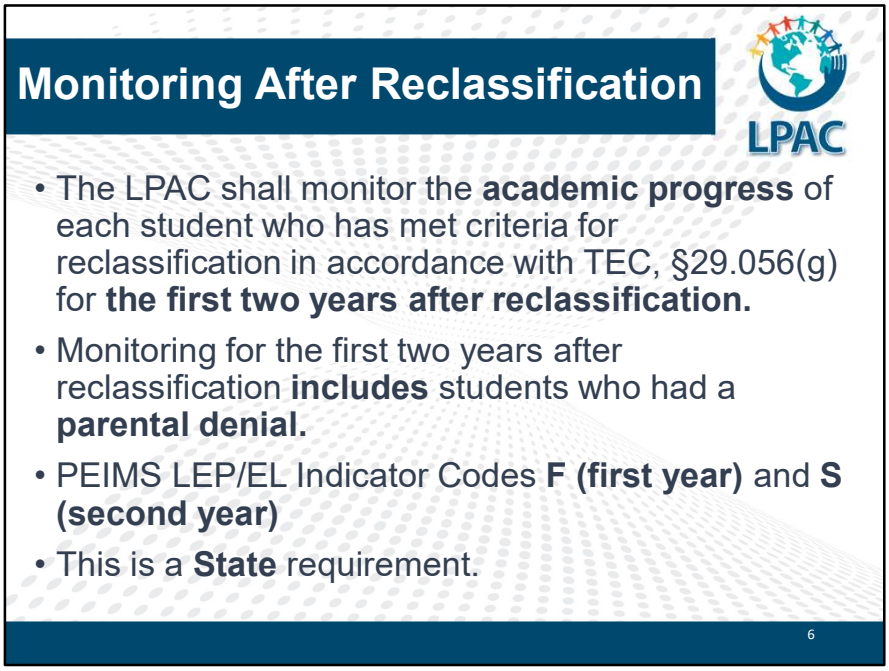
Slide 4


Monitoring After Reclassification
LPAC
EL with Parent or Guardian Denial (no bilingual program services)
Bilingual Program Services
ESL Program Services
EL with Parent or Guardian Denial (no ESL program services)
Meets Reclassification Criteria
Meets Reclassification Criteria
English Proficient
English Proficient
(Monitor)
F–(M1)
S–(M2)

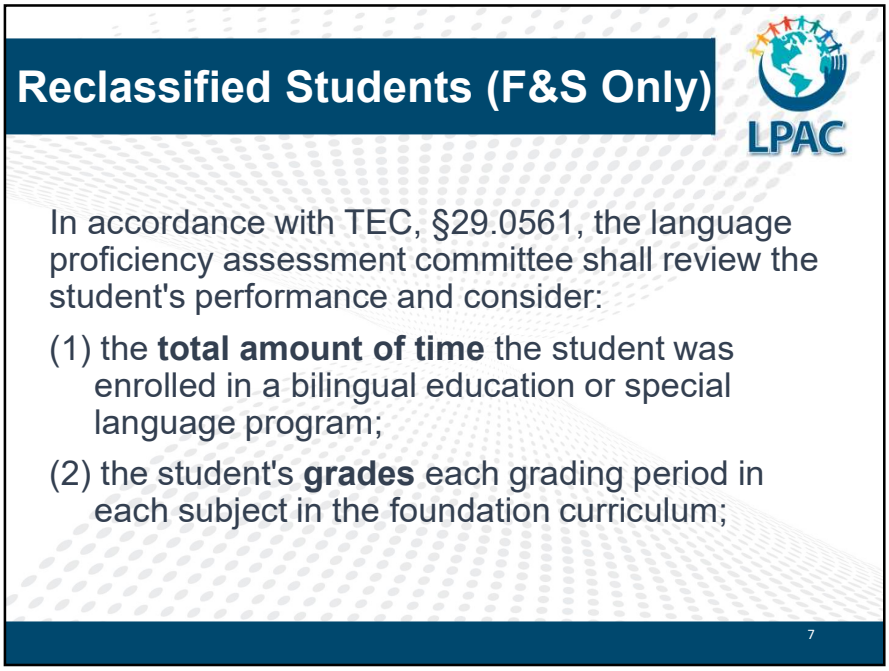
3–(M3)
4–(M4)
5 – Former LEP/EL
(Monitor)
F–(M1)
S–(M2)

3–(M3)
4–(M4)
5 – Former LEP/EL
5

Slide 5


Monitoring After Reclassification
LPAC
• 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.
6

Slide 6



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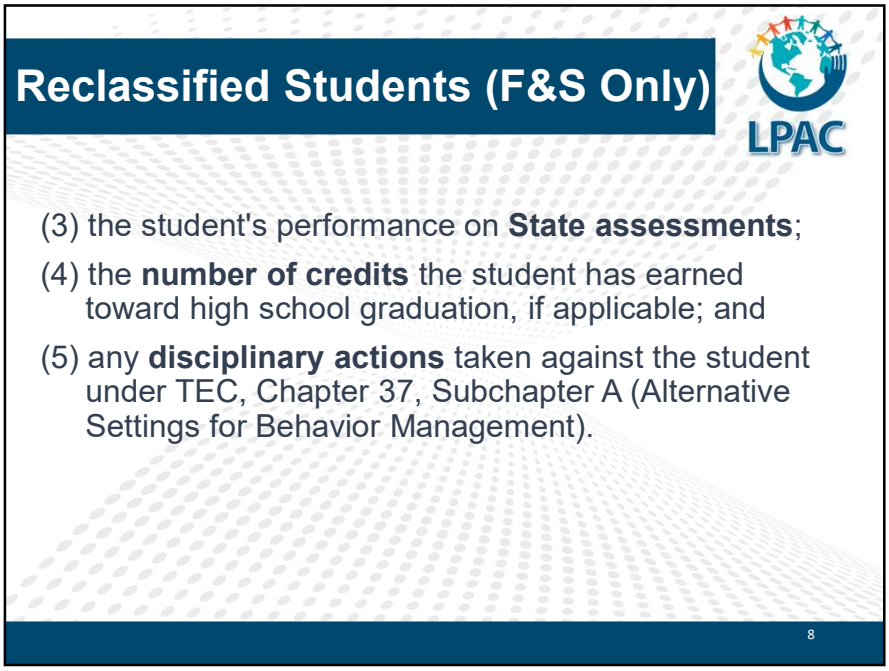
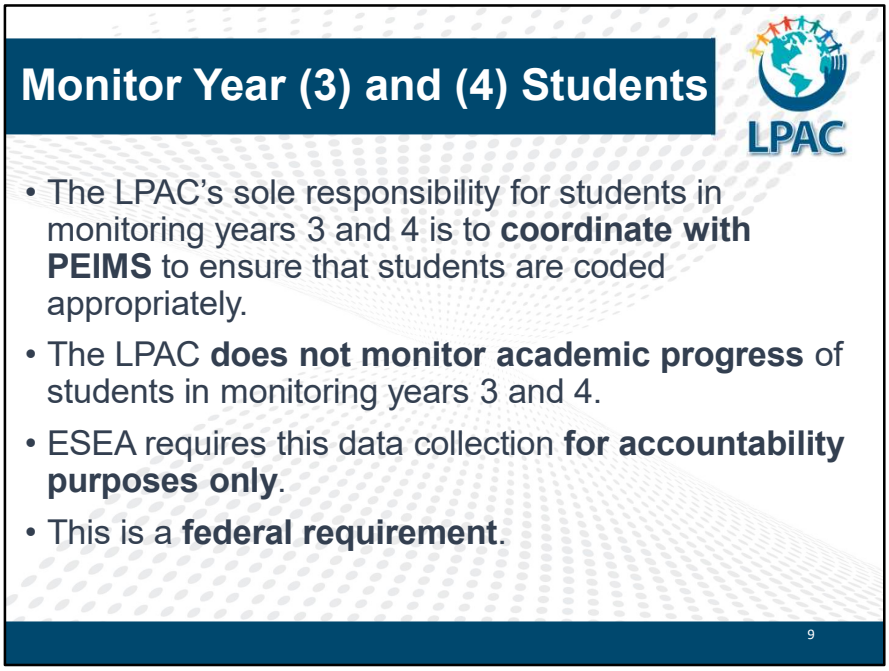


Slide 8

After an evaluation under this section, the language proficiency assessment committee may require intensive instruction for the student or reenroll the student in a bilingual education or special language program.



Slide 9

The LPAC's sole responsibility for students in monitored years 3 and 4 is to **coordinate** with PEIMS to ensure that students are coded appropriately (for accountability purposes).