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2022-2023 LPAC Decision-Making Process Agenda

- LPAC Decisions Educator Guide Overview
- Participation Decisions for the STAAR Program
- Participation Decisions for the TELPAS Program
- Understanding Accessibility
- Designated Supports Decisions for the STAAR Program
- Designated Supports Decisions for the TELPAS Program
- Other Assessment Decisions
- Documenting and Communicating Decisions
- Additional Documentation

LPAC Decisions Educator Guide Overview

LPAC Decisions Educator Guide*

- The regulatory procedural guide is based on:
 - Texas Education Code (TEC), Chapter 39 and Texas Administrative Code (TAC) Chapter 101, Subchapter AA, Division 1 for STAAR
 - TAC, Section 101.1003 for TELPAS and TELPAS Alternate
 - 19 TAC Chapter 89 Subchapter BB for Educating English Learners
 - LPACs should be familiar with both the TEC and TAC
- LPACs are responsible for —
 - following administrative procedures in the guide
 - making decisions on an **individual student basis**
 - working as a committee to make decisions
 - maintaining required documentation

*Note: TAC Chapter 89 still uses the term English learner (EL); therefore, EL will still be used when referencing TAC Chapter 89.

LPAC Responsibilities

- LPACs must review each section of the LPAC Decisions Educator Guide.
- Educator guide includes the following:
 - Overview
 - Test Participation Decisions
 - Designated Supports Decisions
 - Other Assessment Decisions
 - Documenting and Communicating Decisions

Participation Decisions for the STAAR Program

STAAR, STAAR Spanish, STAAR Alternate 2

The STAAR program encompasses

- STAAR
- STAAR Spanish
- STAAR Alternate 2
- Grades 3–8
 - Mathematics, reading language arts (RLA), science, and social studies
- STAAR end-of-course (EOC)
 - Algebra I, English I, English II, Biology, and U.S. History
- LPACs make and document test participation decisions in accordance with the STAAR program requirements.

STAAR (grades 3–8 and EOC)	<ul style="list-style-type: none">• general statewide assessment• designated supports available for students who meet eligibility found on the Accommodation Resources webpage• taken by EB students not eligible for an assessment listed below
STAAR Spanish (grades 3–5)	<ul style="list-style-type: none">• available for students in grades 3–5 for whom a Spanish version of STAAR most appropriately measures their academic progress• designated supports available for students who meet eligibility found on the Accommodation Resources webpage• not permitted for an EB student whose parent or guardian has declined bilingual or English as a second language (ESL) program services
STAAR Alternate 2 (grades 3–8 and EOC)	<ul style="list-style-type: none">• available for students, including dual-identified EB students, who are receiving special education services and who meet requirements for an alternate assessment based on alternate achievement standards• participation requirements and information regarding available accommodations found on the STAAR Alternate 2 Resources webpage

(LPAC Decisions Educator Guide, p.2)

STAAR and STAAR Spanish

Same

- Assessed curriculum and item types
- Blueprints for building tests
- Achievement standard alignment
- Focus on readiness for next grade level or course with goal of postsecondary readiness

Different

- Language accessibility
 - Native language helps students understand language of test

STAAR Spanish Decisions

- In addition to being appropriate for students in bilingual programs who are receiving most of their academic instruction in Spanish, STAAR Spanish may sometimes be appropriate for an emergent bilingual (EB) student in an ESL program.
- Examples
 - a Spanish speaker who has recently moved to the U.S.
 - an EB student who recently moved from a campus with a Spanish bilingual education program to a campus with only an ESL program
 - a student in an ESL program who receives substantial academic support in Spanish

Non-EB students in Two-Way Dual Language Immersion

19 TAC Chapter 89.1228(e)

A school district implementing a two-way dual language immersion program model shall determine the appropriate assessment option for program participants as follows.

(1) For English learners, the LPAC determines the appropriate state criterion-referenced assessment option in accordance with 89.1220

(2) For English proficient students, the appropriate assessment option for the administration of the state criterion-referenced test each year is determined through a school district-developed process.

Non-EB Students Taking STAAR Spanish

- Non-EB students in a one-way or two-way dual language immersion program may be administered a STAAR Spanish assessment if LPAC determines STAAR Spanish to be the most appropriate measure of the student's academic progress per TAC §101.1005(g).
 - The LPAC must consider the student's language of instruction and the level of linguistic support that the student receives during classroom instruction when determining whether English or Spanish is the most appropriate assessment. This may differ by content area for the student and should be determined on an individual basis.
- Districts determine the process
 - LPACs may make this determination as part of a district-determined process
 - LPACs not responsible for performing the many other LPAC functions they carry out for EB students.

Assessment Decisions for Different Subjects

- Decisions will often vary by necessity because of the design of the STAAR program.
 - For example, sometimes it may be appropriate to give STAAR Spanish in some subjects and STAAR in English in other subjects.
- LPAC decisions to give a student one type of assessment for one subject and another type of assessment for another subject should be well-justified in the required documentation.

STAAR Online Test(s): Special Administration

- In rare circumstances that prevent a student from testing online, the student must meet eligibility criteria for a special administration of a STAAR online test.
 - Accommodations cannot be applied
 - Technology access is precluded*
- Beginning with the December 2022 STAAR EOC test administration, districts will no longer have to request a special administration of an online assessment for STAAR. Instead, districts are responsible for confirming a student has met criteria for a special administration of an online assessment.
- A student may receive a special administration (paper test or holistic assessment) of an online test ONLY if this it is noted in the student's individualized education program (IEP) or Section 504 plan. This is not an LPAC decision.

***This applies in rare situations where computers or technology are absolutely not available such as homebound students without internet access, JJAEPs, jails, or detention centers. For these unique scenarios, districts will need to call Texas Testing Support at 833-601-8821.**

EB Students Receiving Special Education Services

An EB student who receives special education services:

- May be administered any assessment depending on whether they meet the participation requirements.
 - STAAR
 - STAAR Spanish
 - STAAR Alternate 2
- The LPAC is responsible for working in conjunction with the student's admission, review, and dismissal (ARD) committee to make and document assessment participation decisions.
 - This collaboration helps ensure that factors related to a student's disability and second language acquisition are both considered.

Participation Decisions for the TELPAS Program

TELPAS Participation Requirements

- TELPAS and TELPAS Alternate
 - Fulfill federal requirements for annually assessing English language proficiency of all EB students in K-12, including EB students whose parents have declined bilingual or ESL program services
 - Assess language proficiency in listening, speaking, reading, and writing
- For EB students receiving special education services, the LPAC works in conjunction with the admission, review, and dismissal (ARD) committee.
 - [Guidance Related to ARD Committee and LPAC Collaboration](#)
- LPACs are responsible for making and documenting participation decisions.

EB Students in Grades K–2

- For EB students in Kindergarten through grade 2 who do not have ARD or Section 504 committee, the LPAC is not required to meet to determine TELPAS participation decisions regarding the unmodified (general) English language proficiency assessment.

TELPAS: Holistically Rated Assessments

- Based on student classwork and classroom observations during daily instruction
- Teachers use proficiency level descriptors (PLDs) from Texas English Language Proficiency Standards (ELPS)
- K–1 (all language domains)
 - Listening, speaking, reading, and writing are holistically rated.
- Grades 2–12 [special holistic administration(s)]
 - Listening, speaking, and/or writing (as applicable) are holistically rated.

TELPAS: Holistically Rated Assessments and EB Students Receiving Special Education Services

- Students evaluated relative to how well he or she understands and uses English to access general curriculum at enrolled grade level in accordance with individualized education program (IEP)
- With rare exceptions, student should be able to be observed and rated meaningfully in each holistically rated domain
 - Like all LPAC considerations, decisions must be made individually and not consider that the student's score would be low
 - LPAC and ARD committee collaboratively decide that assessment in a particular domain is not appropriate due to a student's disability
 - Decision recorded at the time of testing and student is not assessed in applicable domain

TELPAS: Holistically Rated Assessments and EB Students Receiving Special Education Services (cont.)

- Participation considered on domain-by-domain basis
 - Reason for not assessing must be well-supported and documented in student's IEP by ARD committee and permanent record file by LPAC
 - Only applicable for EB student receiving special education services who does not meet participation requirement for TELPAS Alternate

TELPAS: Online Assessments and EB Students Receiving Special Education Services

- The ARD committee, in conjunction with the LPAC, may determine that an EB student receiving special education services should not be assessed in listening, speaking, and/or reading due to student's particular disability
 - Rare cases
 - Participation considered on domain-by-domain basis
 - Reason for not assessing must be well-supported and documented in the student's IEP by ARD committee and permanent record file by LPAC
 - Only applicable for EB student receiving special education services who does not meet participation requirement for TELPAS Alternate

TELPAS Online Test(s): Special Administration

- In rare circumstances that prevent a student from testing online, the student must meet eligibility criteria for a special administration of a TELPAS online test (listening and speaking or reading/writing) for grades 2–12.
 - Accommodations cannot be applied
 - Technology access is precluded*
 - Unable to participate in one domain
- Beginning with the December 2022 STAAR EOC test administration, districts will no longer have to request a special administration of an online assessment for TELPAS. Instead, districts are responsible for confirming a student has met criteria for a special administration of an online assessment.
- A student may receive a special administration (paper test or holistic assessment) of an online test ONLY if this it is noted in the student’s individualized education program (IEP) or Section 504 plan. This is not an LPAC decision.

***This applies in rare situations where computers or technology are absolutely not available such as homebound students without internet access, JJAEPs, jails, or detention centers. For these unique scenarios, districts need to call Texas Testing Support at 833-601-8821.**

TELPAS Alternate Holistic Inventory

- Alternate English language proficiency assessment for EB students in grades 2–12 with the most significant cognitive disabilities
 - Aligned to ELPS
 - Alternate PLDs created to address specific needs of these students
- ARD committee, in conjunction with the LPAC, determines eligibility based on TELPAS Alternate Participation Requirements
 - No domain-specific exemptions

TELPAS Alternate Participation: K–1

- Grades K–1
 - EB students in K–1 assessed with general TELPAS
 - Holistically rated in listening, speaking, reading, and writing
 - Decision based on stakeholder feedback
 - General TELPAS accessible and appropriate for this age
 - Some K–1 not yet identified with disability (i.e. non-categorical)
- Overall reluctance to assign labels to young students that would make them eligible for an alternate assessment


TELPAS Alternate Participation: Grades 2–12

- Grade 2
 - ARD committee, in conjunction with the LPAC, make assessment decision using participation requirements
 - No STAAR Alternate 2 for grade 2
- Grades 3–12
 - EB students meeting STAAR Alternate 2 eligibility will take TELPAS Alternate

NOTE: EB students in grades 11 or 12, who have previously met STAAR Alternate 2 eligibility and completed all STAAR testing requirements, will take TELPAS Alternate.

TELPAS Alternate Participation Requirements

- For grades 2–12 and available on TEA’s [TELPAS Alternate Resources webpage](#)
- Guides ARD committee, in conjunction with the LPAC, in determining appropriate English language proficiency assessment for EB students
- Documentation of eligibility different for students in grade 2 compared to students in grades 3-12
- For students in grades 3-12, ARD committee in conjunction with the LPAC will
 - answer question 1: “Is the student identified in PEIMS as EB/EL?”, and
 - initial assurances in Step II.

 TELPAS ALTERNATE PAR	
Student Name _____ Grade _____ Date _____	
4. Does the student require intensive, individualized instruction in all instructional settings? <input type="radio"/> Yes <input type="radio"/> No	
• A student with a significant cognitive disability requires a highly specialized, individualized curriculum linked to functional and academic IEP goals and objectives. AND • A student with a significant cognitive disability requires classroom assessments administered in alternate or non-traditional methods to demonstrate acquisition, maintenance, and generalization of discrete skills across academic settings. AND • A student with a significant cognitive disability requires individualized instruction that is neither temporary nor limited to specific content areas.	
Enter justification that must include data from the EL's IEP, progress monitoring, and/or the FIE:	
5. Does the student access and participate in the grade-level TEKS through prerequisite skills? <input type="radio"/> Yes <input type="radio"/> No	
A student with a significant cognitive disability requires a highly specialized educational program with intensive supports and modifications to the curriculum to access the Texas Essential Knowledge and Skills (TEKS) through prerequisite skills that are significantly below grade-level instruction. For instance, an elementary student may be 3-4 levels below grade-level instruction while a student in high school may be 7-9 levels below.	
Enter justification that must include data from the EL's IEP, progress monitoring, and/or the FIE:	
6. Is the assessment determination based on the student's significant cognitive disability and English learner status and NOT on extenuating factors? <input type="radio"/> Yes <input type="radio"/> No	
The decision to administer TELPAS Alternate is NOT based on a student's racial or ethnic background, economic background, excessive or extended absences, location of service delivery, anticipated disruptive behavior or emotional distress, or any other such factors.	
Enter justification that must include data from the EL's IEP, progress monitoring, and/or the FIE:	
Step II: Discuss Assurances All assurances must be initiated by district personnel for the EL to participate in TELPAS Alternate. Digital initials (initials ensuring authentication) meet Family Educational Rights and Privacy Act (FERPA) requirements and are allowable.	
_____ Under 34 Code of Federal Regulations (CFR) §300.320(a)(6) and 19 Texas Administrative Code (TAC) §89.1055(b), if the ARD committee, in conjunction with the LPAC, determines that the student will take an alternate assessment, the IEP must provide a statement of why the student cannot participate in the general assessment (TELPAS) with or without allowable accommodations.	
_____ If the ARD committee, in conjunction with the LPAC, determines that the student will take TELPAS Alternate, eligibility that is based on the information in this form and the student's individual allowable accommodations must be documented in the student's IEP and appropriate LPAC documentation.	
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Understanding Accessibility

Accessibility Policy Documents

- Accessibility policies found on the [2022-2023 Accommodation Resources](#) webpage and DCCR
- Policies divided into 3 main categories
 - **Accessibility Features**
 - Available to all students who need them
 - **Designated Supports**
 - The appropriate team of people at campus level determine and document that the student meets the eligibility criteria
 - **Designated Supports Requiring TEA Approval**
 - Appropriate team of people at campus level determine student eligibility and submit Accommodation Request Form (ARF) to TEA

Accessibility Features and Designated Supports

- The DCCR and the [Accommodation Resources](#) webpage will include the accessibility features as well as the policy documents for each of the locally-approved and TEA-approved designated supports.
- Policy documents contain information needed to make decisions for all students taking STAAR, STAAR Spanish and TELPAS.

- 2022–2023 Accessibility Features
 - Basic Transcribing
 - Braille and Refreshable Braille
 - Calculation Aids
 - Content and Language Supports
 - Individualized Structured Reminders
 - Large Print
 - Manipulating Test Materials
 - Mathematics Manipulatives
 - Oral and Signed Administration
 - Spelling Assistance
 - Supplemental Aids
 - Complex Transcribing
 - Extra Day
 - Mathematics Scribe
 - Other
 - Additional Resources

LPAC Decision-Making Authority

- Each document organized the same way
 - Description of Designated Support
 - Assessments
 - Student Eligibility Criteria
 - Authority for Decision and Required Documentation
 - Examples/Types
 - Special Instructions/Considerations
- The “Authority for Decision and Required Documentation” section indicates the committee authorized to recommend the designated support.

Content and Language Supports

Created by Bruce Malone
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TEA approval is NOT required.



Description of Designated Support

This designated support allows for various types of assistance (e.g., scaffolded directions, assistance with tracking, graphic organizers, simplified language, graphic representations of vocabulary and concepts) to support a student's understanding of passages, test items, and answer choices.

Assessments

For a student who meets the eligibility criteria, this designated support may be used on

- STAAR
- STAAR Spanish

Student Eligibility Criteria

A student may use this designated support if

- that student routinely, independently, and effectively uses this designated support during classroom instruction and classroom testing; and
- instructional and assessment decisions are made by a Section 504 committee, admission, review, and dismissal (ARD) committee, or a language proficiency assessment committee (LPAC), for an emergent bilingual (EB) student taking a test in English.

NOTE: An EB student taking STAAR Spanish may be eligible for content and language supports if the Section 504 or ARD committee determines the student to be eligible.

Authority for Decision and Required Documentation

- The Content and Language Supports field should be updated under the Test Attributes panel in TIDE prior to testing so the designated support is made available in TDS.
- For an EB student who tests in English, the decision is made by the LPAC based on the eligibility criteria and is documented in the student's permanent record file.
- For a student receiving Section 504 services, the decision is made by the Section 504 committee based on the eligibility criteria and is documented in the student's individual accommodation plan (IAP).
- For a student receiving special education services, the decision is made by the ARD committee based on the eligibility criteria and is documented in the student's individualized education program (IEP).
- In the case of an EB student with a disability, the decision is made by the applicable group in conjunction with the student's LPAC and documented in the student's permanent record file and IAP or IEP.

Examples and Types

This designated support is available **only** during an online administration as a pop-up, rollover, prereading text, and supplementary material.

Special Instructions and Considerations

- Refer to the [STAAR Accessibility Educator Guide](#) for more specific information about online features and supports.
- To become familiar with the functionality of online tests, students should practice using the tools in the [Practice Test Site](#) before online operational assessments.
- Technology-based accommodations enable most students to test online. However, in rare instances, a student may be eligible for the administration of a paper test due to an inability to access the test and/or accommodations on a computer. The need for paper test materials with embedded supports must be indicated in TIDE.
- For students taking STAAR braille who are also eligible to receive content and language supports, including students using a refreshable braille display, districts do not need to submit a request for the Texas Education Agency (TEA) to approve the STAAR with Embedded Supports. Test administrators will be provided with instructions regarding the administration of this designated support for students taking a braille test or using screen reader support for refreshable braille displays.
- Any student for whom the LPAC recommends the use of this support for any reading language arts (RLA) assessments may not be reclassified at the end of the school year. In addition, LPACs may not recommend designated supports for an EB student whose parents have denied bilingual or English as a second language (ESL) services. However, EB students who are approved by a different committee to receive this support based on reasons other than English language acquisition (such as a disability or documented academic or literacy difficulties) may be considered for reclassification at the end of the school year.

If you have any questions, contact the Student Assessment Division at 512-463-6536, and ask to speak with your district's Accommodations Task Force representative.

Designated Supports Decisions for the STAAR Program

LPAC Responsibilities with Designated Supports Decisions

LPACs are responsible for making appropriate designated supports decisions:

- Coordinate with content area teachers of EB students
- Make designated supports decisions in accordance with TEA policies
 - Accessibility Policy Documents in the DCCR, and
 - LPAC Decisions Educator Guide
- Maintain required documentation of decisions

Designated Supports Decisions for STAAR

- The LPAC's designated supports decisions must be made on an **individual student basis**.
- Decisions must be based on—
 - a student's particular needs for second language acquisition support, and
 - whether the student is routinely provided the support in classroom instruction and testing.
- Providing unfamiliar supports may hinder rather than help a student.
- Designated supports decisions should be made as close as possible to the assessment to account for the student's progress in acquiring the English language.
 - EOC designated supports decisions carry over from fall to spring and summer administrations.

EB Students and STAAR in English

For EB students taking STAAR in English

- LPAC has sole authority to make designated supports decisions for
 - Content and Language Supports, and
 - Oral/Signed Administration.

NOTE: LPAC decisions must be based on a student's particular needs for second language acquisition support.

Designated Support: Extra Time

- Starting in 2022-2023, STAAR tests will no longer have a 4-hour or 5-hour time limit.
- Districts will no longer have to stop students from testing after a four- or five-hour testing period.
- It is no longer a designated support decision that an LPAC needs to make for EB students.

EB Students and STAAR Spanish

- For EB students taking STAAR **Spanish**, the LPAC does **not** have sole authority to make designated supports decisions for Content and Language Supports and Oral/Signed Administration.
 - These designated supports decisions must be made by the student's ARD committee, Section 504 committee, response to intervention [RtI] team, or the appropriate team of people at the campus level, in conjunction with the LPAC.

Designated Supports for EB Students Receiving Special Education Services

- LPACs are responsible for making designated supports decisions for the STAAR program in conjunction with the student's ARD committee, Section 504 committee, RTI team, or other applicable committee.
 - Designated supports decisions related to the student's particular needs for second language acquisition support
 - Designated supports decisions related to the student's disability or need
- Committees should become familiar with all information on TEA's [Accommodation Resources](#) webpage.

Designated Supports and Reclassification

Students for whom the LPAC recommends the following designated supports for any English reading or English EOC assessment, may not be reclassified at the end of the school year.

- ✓ Oral Administration
- ✓ Content and Language Supports

The 2022-2023 Emergent Bilingual/English Learner Reclassification Criteria Chart has been updated to denote the elimination of the designated support of extra time.

STAAR Dictionary Policy and Impact on EB Student Reclassification

The use of dictionaries on STAAR reading or English EOC assessments does not prevent an EB student from being considered for reclassification at the end of the year. However, it is important for LPACs to consider the degree to which the student relies on a dictionary during language arts instruction or testing when making reclassification decisions.

Emergent Bilingual Reclassification

For guidance on EB reclassification contact the Division of English Learner Support:



512-463-9414



EnglishLearnerSupport@tea.texas.gov

Emergent Bilingual/English Learner Reclassification Criteria Chart					
Grade(s)	1 st /2 nd	3 rd through 8 th	9 th	10 th	11 th /12 th
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: Iowa, Form F Reading <u>and</u> Language Arts 40 th percentile or above on each	STAAR Reading (English)*	STAAR English I EOC*	STAAR English II EOC*	TEA Approved Norm-Referenced Standardized Achievement Test: Iowa, Form F Reading <u>and</u> Language Arts 40 th percentile or above on each
Subjective Teacher Evaluation	Form: Emergent Bilingual/English Learner Reclassification Rubric				
<p>*Satisfactory performance on STAAR Reading/English EOC includes Approaches, Meets, and Masters Grade Level performance levels.</p> <p>Notes:</p> <ul style="list-style-type: none"> Students for whom the LPAC recommends the use of Oral Administration or Content and Language Supports as designated supports for English reading or English EOC assessments, may not be considered for reclassification at the end of the school year. EB students/ELs 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 an EB student/EL who is deaf/hard of hearing (DHH) and exempt from participating in the listening and/or speaking domains of TELPAS due to the inability to perform these components of the exam, the decision to reclassify as English proficient should be based on the information from the remaining components of the state criteria for reclassification. For an EB student/EL who is blind/visually impaired (VI), braille versions of the TELPAS Reading test will be available and can be provided to an eligible student based on a decision of the ARD committee in conjunction with the LPAC. If the student is not eligible for a braille version of TELPAS Reading and is exempt from participating in the reading domain of TELPAS due to the inability to perform this component of the exam based on the student's disability, the decision to reclassify as English proficient should be based on the information from the remaining components of the state criteria for reclassification. The LPAC shall monitor the academic progress of each student who has met reclassification criteria during the first two years after reclassification. <p>Additional Information:</p> <ul style="list-style-type: none"> TEA Approved Norm-Reference Standardized Achievement Test (new site) State Assessments for English Learners Guidance Related to ARD Committee and LPAC Collaboration LPAC Guidance for Deaf or Hard of Hearing English Learners and associated training slides 					

English Learner Support Division - September 2022

TEA
Texas Education Agency

LPAC and ARD Committee Collaboration

- Evidence must include both historical formal and informal assessment data and direct teacher input. Ongoing informal assessment data may come from checklists, inventories, and other formative evaluations designed to identify the levels of academic functioning and English language proficiency of the student. The input of appropriate certified or licensed evaluation personnel may be requested, as necessary, to help determine whether individualized reclassification criteria are warranted. Direct teacher input should provide further insight into the student's classroom performance and needs, and include, if applicable, documentation of response to intervention, anecdotal notes, and other evidence drawn from sources such as classroom-based observations and classroom activities.

Step 3: Determine and Document Whether the Student Has Met Reclassification Based on the Individualized Criteria

At the end of the year, the LPAC in conjunction with the ARD committee meet to review the assessment results and subjective teacher evaluation to determine whether the student has met the individualized reclassification criteria set earlier in the school year or at the end of the previous school year.

Reminders:

- These reclassification determination decisions must be made at the end of the school year, as required by 19 TAC §89.1220 (g).
- If the decision is made to reclassify the student based on the assessment results and subjective teacher evaluation using the Emergent Bilingual/English Learner Alternate Reclassification Rubric, the ARD committee with LPAC representation documents in the IEP and the student's permanent record file the reclassification of the student from emergent bilingual to English proficient, entering the student into two years of monitoring.
- Along with the decision to reclassify, the LPAC in conjunction with the ARD committee also makes the recommendation to exit the student from bilingual or ESL program services or to continue participation if participating in a dual language immersion program. As required under 19 TAC §89.1220 (j)(1)(H), notification of reclassification is sent to the student's parents/guardians and program exit or continuation may occur when parental approval is received.

Note: Due to the requirements of the Family Educational Rights and Privacy Act (FERPA), schools must take care to ensure that staff members protect student confidentiality when discussing special education issues. Each member of the LPAC shall 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. When reviewing progress of an emergent bilingual student with a significant cognitive disability during an LPAC meeting (which may include a parent other than the parent of the child), the LPAC shall share only limited information regarding student assessments results, namely did or did not meet reclassification criteria based on the ARD committee with LPAC representation decisions.

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Designated Supports Decisions for the TELPAS Program

Designated Supports Decisions for TELPAS and TELPAS Alternate

- For **TELPAS**, all designated supports decisions **must** be made in conjunction with the ARD committee, Section 504 committee, or appropriate team of people at the campus level (e.g., Rtl team or student assistance team).
- For **TELPAS Alternate**, the student performance described in the Observable Behaviors occurs while students have access to the instructional accommodations indicated in their individualized education program (IEP).

Braille Version of TELPAS Reading

- ARD committee, in conjunction with LPAC, decision
- Same grade bands as TELPAS online reading (2, 3, 4–5, 6–7, 8–9, 10–12)
- An EB student may use this designated support if he or she routinely uses braille materials during classroom instruction and classroom testing.
- Brailled test materials only

Other Assessment Decisions

STAAR Exemptions: Grades 3–8

Section 101.1005 of the TAC allows exemption of certain qualifying EB students that are asylees and refugees from being administered a STAAR assessment in **grades 3–8**.

Exemption

An EB student who meets the eligibility criteria below shall not be required to take a STAAR assessment in grades 3–8.

Eligibility Criteria

This exemption applies to an EB student who

- qualifies as an unschooled asylee or refugee,
- is in the first year of enrollment in U.S. schools, and
- is in grades 3–8.

(LPAC Decisions Educator Guide, p. 8)

English I Special Provision

- Acknowledges unique circumstances of specific EB students
 - insufficient time in the U.S. and insufficient time to learn English
- These students
 - depend heavily on instructional scaffolding, including linguistic supports based on their second language acquisition needs
 - need scaffolding that cannot be provided as designated supports during the standardized English I EOC assessment
- LPACs must maintain documentation of eligibility for the special provision.
- Eligibility must be determined in conjunction with the student's enrollment in English I/ESOL I.

NOTE: An EB student who qualifies as an unschooled asylee or refugee may be eligible for the English I EOC special provision during the student's fourth or fifth school year of enrollment in a U.S. school if all other requirements are met. Additional information on unschooled asylee/refugee students can be found in Appendix B in the [*LPAC Decisions Educator Guide*](#).

Qualifying As An Unschooled Asylee or Refugee

- To qualify as an unschooled asylee or refugee
 - student must be identified as an emergent bilingual student (EB/EL) as defined by state law in TEC, Section 29.052, and must participate in a state-approved bilingual or ESL program, and
 - student's permanent record file must contain appropriate documentation of asylee/refugee status. The student must
 - be an asylee as defined by 45 Code of Federal Regulations, Section 400.41 or a refugee as defined by 8 United States Code, Section 1101, and
 - have a Form I-94 Arrival/Departure record, or a successor document, issued by the United States Citizenship and Immigration Services that is stamped with "Asylee," "Refugee," or "Asylum."

Unschoolled Asylee or Refugee

The student's permanent record file must document that

- the student had little or no formal schooling outside the U.S. and lacked basic primary language literacy upon enrollment in school in the U.S.;
- the student is being provided designated supports and other ongoing interventions by the district to meet the student's unique affective, linguistic, and cognitive needs; and
- as of the semester of the test administration, the student continues to lack the necessary foundation in the TEKS as a direct result of the student's inadequate schooling outside of the U.S.



EB Students with Parent Denials

LPACs may not recommend designated supports, special assessment considerations, or accountability provisions for an EB student whose parents have denied bilingual or ESL services.

This includes:

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

*EB students with parent denials are still required to be assessed annually with TELPAS or TELPAS Alternate.

Documenting and Communicating Decisions

Documenting Decisions

- For each EB student, the LPAC must maintain documentation of
 - STAAR, STAAR Spanish, or STAAR Alternate 2 participation and designated supports decisions
 - TELPAS or TELPAS Alternate participation decisions
- LPAC documentation must be kept in student's permanent record file
- For participation and designated supports decisions LPACs make in conjunction with the ARD committee, 504 committee, Rtl team, or applicable committee
 - ARD committee documents decisions in student's IEP
 - Section 504 committee documents decisions in student's individual accommodation plan (IAP)
 - Other student assistance teams document decisions in student's permanent record file

NOTE: For electronic documents and files, districts must ensure the Family Educational Rights and Privacy Act (FERPA) requirements are met.

Documentation Forms

- Sample forms provided
 - assist LPACs in meeting documentation requirements,
 - are available on the [Language Proficiency Assessment Committee Resources](#) webpage, and
 - include separate sample forms for grades K–5 and grades 6–12.
- LPACs may modify or reformat the forms.
 - Components of required state documentation need to be included.
- School districts may require additional supporting documentation and evidence.

NOTE: LPACs are responsible for providing STAAR, STAAR Spanish, STAAR Alternate 2, TELPAS and TELPAS Alternate assessment coordinators with assessment decisions as well as STAAR designated supports information for EB students in time for appropriate testing arrangements to be made.

Documentation Forms: STAAR

Part I: STAAR Participation and Designated Supports Decisions for grades 3–5 and grades 6–12

Decisions Regarding Assessment Participation and Designated Supports (Grades K–5)						
Academic Year:			LPAC Date:			
School District/Charter School:			Campus:			
Student Name:			Enrolled Grade:			
*If student is enrolled in K, grade 1 or grade 2, skip to Part II.						
PART I: STAAR Participation and Designated Supports Decision						
Participation		Designated Supports ¹			Justification <i>(Attach additional information if more room is required.)</i>	
Assessment	English	Spanish ²	Content and Language Supports	Oral Administration		None
STAAR	Mathematics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Reading Language Arts (RLA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Science (grade 5 only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STAAR Alternate 2	<input type="checkbox"/>	The ARD committee, in conjunction with the LPAC, has determined that the student is eligible and will participate in STAAR Alternate 2.				
Signature of Student's Teacher for Content Area For STAAR designated supports decisions, the signature of the student's teacher affirms that the supports marked are based both on the student's need and the student's routine use of the support in classroom instruction and testing.			Math:			
			RLA:			
			Science:			

¹Students for whom the LPAC recommends Content and Language Supports or Oral Administration for any English reading assessment, may not be considered for reclassification at the end of the school year.

²The LPAC may make decisions on the language of a student's assessment. However, if a student needs designated supports on a STAAR assessment in Spanish, that decision must be made by another committee or appropriate team at the campus level, in conjunction with the LPAC, as noted in each designated supports policy document.

Decisions Regarding Assessment Participation and Designated Supports (Grades 6–12)					
Academic Year:			LPAC Date:		
School District/Charter School:			Campus:		
Student Name:			Enrolled Grade:		
PART I: STAAR and EOC Participation and Designated Supports Decisions					
Assessment	Participation	Designated Supports ¹			Justification <i>(Attach additional information if more room is required.)</i>
		Content and Language Supports	Oral Administration	None	
STAAR	Mathematics Algebra I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Reading Language Arts (RLA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	English I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	English II	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Science Biology	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STAAR Alternate 2	<input type="checkbox"/>	The ARD committee, in conjunction with the LPAC, has determined that the student is eligible and will participate in STAAR Alternate 2 for all content areas.			
Signature of Student's Teacher for Content Area For STAAR designated supports decisions the signature of the student's teacher affirms that the supports marked are based both on the student's need and the student's routine use of the support in classroom instruction and testing.		Mathematics:			
		RLA:			
		Science:			
		Social Studies:			

¹Students for whom the LPAC recommends Content and Language Supports or Oral Administration for any English reading or English EOC assessments, may not be considered for reclassification at the end of the school year.

The designated support of extra time was removed from forms due to STAAR now being an untimed test.

LPAC Form: Language of Assessment and STAAR Designated Supports

- The LPAC may make decisions on the language of a student's assessment.
- If a student needs designated supports on a STAAR assessment in Spanish, that decision must be made by another committee or appropriate team at the campus level, in conjunction with the LPAC, as noted in each designated supports policy.

Decisions Regarding Assessment Participation and Designated Supports (Grades K–5)

Academic Year:				LPAC Date:			
School District/Charter School:				Campus:			
Student Name:				Enrolled Grade:			

**If student is enrolled in K, grade 1 or grade 2, skip to Part II.*

PART I: STAAR Participation and Designated Supports Decision								
Participation		Designated Supports ¹					Justification <i>(Attach additional information if more room is required.)</i>	
Assessment	English	Spanish ²	Content and Language Supports	Oral Administration	None			
STAAR	Mathematics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Reading Language Arts (RLA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Science (grade 5 only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
STAAR Alternate 2	<input type="checkbox"/>	The ARD committee, in conjunction with the LPAC, has determined that the student is eligible and will participate in STAAR Alternate 2.						
Signature of Student's Teacher for Content Area For STAAR designated supports decisions, the signature of the student's teacher affirms that the supports marked are based both on the student's need and the student's routine use of the support in classroom instruction and testing.				Math: RLA: Science:				

¹Students for whom the LPAC recommends Content and Language Supports or Oral Administration for any English reading assessment, may not be considered for reclassification at the end of the school year.

²The LPAC may make decisions on the language of a student's assessment. However, if a student needs designated supports on a STAAR assessment in Spanish, that decision must be made by another committee or appropriate team at the campus level, in conjunction with the LPAC, as noted in each designated supports policy document.

Documentation Forms: TELPAS

Part II: TELPAS Participation and Designated Supports Decisions

- TELPAS grades K–12
- TELPAS Alternate grades 2–12

PART II: TELPAS Participation and Designated Supports Decisions	
Assessment	Participation
TELPAS	<input type="checkbox"/> The student will take the general TELPAS in all four language domains.
	<input type="checkbox"/> The ARD committee, in conjunction with the LPAC, has determined that the student will not be assessed in one or more of the four language domains, as noted in student's IEP.
	<input type="checkbox"/> The ARD committee, in conjunction with the LPAC, has determined that the student will receive designated supports, as noted in student's IEP.
	<input type="checkbox"/> The ARD committee or Section 504 committee, in conjunction with the LPAC, has determined that the student will have a special administration of an online test(s), as noted in student's IEP or 504 paperwork.
TELPAS Alternate	<input type="checkbox"/> The ARD committee, in conjunction with the LPAC, has determined that the student meets the TELPAS Alternate eligibility and will be assessed with TELPAS Alternate, as noted in student's IEP.

The form has been updated to indicate that the need for a special administration of an online test is noted in the student's IEP or 504 paperwork.

Documentation Forms: Part III and Part IV

Part III: Notes Section

- Record other information pertinent to assessments

PART III: LPAC Notes	
You can use the section below to record any other information pertinent to the assessment administration, including designated supports requiring TEA approval and/or designated supports requested by a committee other than the LPAC.	

Part IV: LPAC Signatures

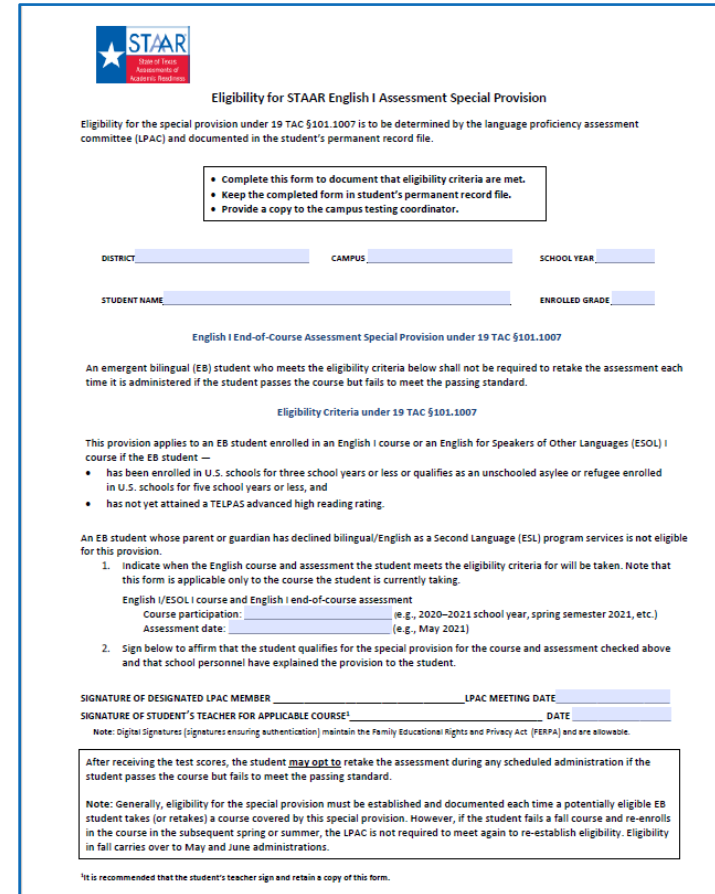
- Affirm decisions made in accordance with state policies and procedures
- Digital signatures meet FERPA requirements

PART IV: Signatures of Designated LPAC Members	
These signatures affirm that the decisions recorded have been made by the LPAC in full accordance with state policies and procedures.	
LPAC Date(s):	

In addition to keeping this form in the student's permanent record file, the LPAC may provide a copy of Parts I and II of the form to the testing coordinator to ensure that the student is administered the correct test and provided the correct designated supports.

STAAR English I Special Provision Form

- Only applies when student meets eligibility criteria **and** passes the course.
- Documentation must be completed and discussed with the student as close to the time of the assessment as possible.
- The student **may opt to retake** the assessment during any scheduled administration if the student passes the course but fails to meet the passing standard on the test.



STAAR
State of Texas
Assessments
Measuring Student Proficiency

Eligibility for STAAR English I Assessment Special Provision

Eligibility for the special provision under 19 TAC §101.1007 is to be determined by the language proficiency assessment committee (LPAC) and documented in the student's permanent record file.

- Complete this form to document that eligibility criteria are met.
- Keep the completed form in student's permanent record file.
- Provide a copy to the campus testing coordinator.

DISTRICT _____ CAMPUS _____ SCHOOL YEAR _____

STUDENT NAME _____ ENROLLED GRADE _____

English I End-of-Course Assessment Special Provision under 19 TAC §101.1007

An emergent bilingual (EB) student who meets the eligibility criteria below shall not be required to retake the assessment each time it is administered if the student passes the course but fails to meet the passing standard.

Eligibility Criteria under 19 TAC §101.1007

This provision applies to an EB student enrolled in an English I course or an English for Speakers of Other Languages (ESOL) I course if the EB student —

- has been enrolled in U.S. schools for three school years or less or qualifies as an unskilled asylee or refugee enrolled in U.S. schools for five school years or less, and
- has not yet attained a TELPAS advanced high reading rating.

An EB student whose parent or guardian has declined bilingual/English as a Second Language (ESL) program services is not eligible for this provision.

1. Indicate when the English course and assessment the student meets the eligibility criteria for will be taken. Note that this form is applicable only to the course the student is currently taking.
English I/ESOL I course and English I end-of-course assessment
Course participation: _____ (e.g., 2020–2021 school year, spring semester 2021, etc.)
Assessment date: _____ (e.g., May 2021)
2. Sign below to affirm that the student qualifies for the special provision for the course and assessment checked above and that school personnel have explained the provision to the student.

SIGNATURE OF DESIGNATED LPAC MEMBER _____ LPAC MEETING DATE _____

SIGNATURE OF STUDENT'S TEACHER FOR APPLICABLE COURSE¹ _____ DATE _____

Note: Digital Signatures (signatures ensuring authentication) maintain the Family Educational Rights and Privacy Act (FERPA) and are allowable.

After receiving the test scores, the student **may opt to** retake the assessment during any scheduled administration if the student passes the course but fails to meet the passing standard.

Note: Generally, eligibility for the special provision must be established and documented each time a potentially eligible EB student takes (or retakes) a course covered by this special provision. However, if the student fails a fall course and re-enrolls in the course in the subsequent spring or summer, the LPAC is not required to meet again to re-establish eligibility. Eligibility in fall carries over to May and June administrations.

¹It is recommended that the student's teacher sign and retain a copy of this form.

Student History Worksheet

- Multiple-year student record of:
 - number of school years of enrollment in U.S.
 - TELPAS/TELPAS Alternate reading rating
 - test decisions
 - whether student has been enrolled for 60 consecutive calendar school days in a school year
- Includes signature and date area for each year's updated years in U.S. schools information to help ensure annual accuracy of this important data collection

KEEP IN PERMANENT RECORD FILE

Student History Worksheet

Student Name: _____ Initial Date of Enrollment in U.S. Schools: _____

Student ID: _____ Date Identified as emergent bilingual (EB) student/EL: _____

School Year	Grade	Schooling Outside U.S.			Schooling in U.S.					
		Where	All or Partial School Year? (A,P)	Total Time Enrolled If Partial (NS = No schooling)	Where	Enrolled 60 Consecutive Days (Y or N)	Program Participation	School Year of Enrollment in U.S. (Designated LPAC member to sign and date each year)	TELPAS/TELPAS Alternate Reading Rating	Test Decision

This form can help

- keep track of a student's EB/EL status, program participation, years in U.S. schools, and Texas English Language Proficiency Assessment System (TELPAS)/TELPAS Alternate reading rating;
- monitor extensive absences of schooling outside the U.S. and the schooling patterns of students who move in and out of the U.S.; and
- summarize a student's test history.

Additional Documentation

Years in U.S. Schools

LPACs are also required to determine and document the number of school years in which an EB student has been enrolled in a U.S. school.

- Information is reported to TEA in conjunction with TELPAS and TELPAS Alternate
- Used in TELPAS and TELPAS Alternate reporting, accountability and performance-based monitoring measures
- Vital that LPACs follow state-defined policies and procedures to determine and annually document this important data element

Calculating Years in U.S. Schools

NEW

- Districts are not changing the value for years in U.S. schools submitted in a previous school year. Districts are using the data previously submitted to inform data that will be submitted this spring.
- Starting in 2022-2023, there will be a change in the instructions for calculating years in U.S. schools. Calculation will involve consecutive calendar days, rather than consecutive school days. This aligns with what is in TAC 101.1001(c).



Instructions for Years in U.S. Schools Data Collection

The language proficiency assessment committee (LPAC) is required to determine and document the number of school years in which each emergent bilingual (EB) student has been enrolled in a U.S. school. This information, which is reported to the Texas Education Agency (TEA) through the Texas English Language Proficiency Assessment System (TELPAS) and TELPAS Alternate, is used for TELPAS and TELPAS Alternate reporting and State of Texas Assessments of Academic Readiness (STAAR®) assessment decisions. It is also used for defining accountability and performance-based monitoring measures.

It is important for LPACs to follow state-defined policies and procedures to determine and annually document this critical student data element. Steps must be taken to document the information in a manner that shows clear evidence of consistent and accurate annual updating. The information must be kept in the student's LPAC documentation file. Districts may wish to use the TEA-provided *Student History Worksheet* form or a similar form to document and annually update this information. This form may be found on the Language Proficiency Assessment Committee Resources webpage at <http://tea.texas.gov/student-assessment/eli/lpac/>.

School records or signed verification from the child's parent or guardian must be used by the LPAC to indicate the number of school years of enrollment in the U.S. Information that cannot be obtained from the parent or guardian may be supplied instead by the person standing in parental relation (such as the relative with whom the student is living). When a school has been unsuccessful in obtaining the requested information in writing, a school official or representative may speak to the parent, guardian, or person standing in parental relation to obtain the information and then sign a statement describing the information obtained. The statement must be kept in the student's LPAC documentation file. If the student is 18 or older, the LPAC may permit the student to provide his or her own signed verification if appropriate.

The campus testing coordinator is responsible for submitting this information through the Test Information Distribution Engine (TIDE) during the TELPAS and TELPAS Alternate window. Together, the campus coordinator and LPAC must ensure that steps are in place to annually verify the information for accuracy and consistency.

The number of school years of enrollment in a U.S. school starts with grade 1, or the first school year thereafter if the first school year of enrollment in the U.S. is later than grade 1. The value for grade 1 EB students should never be higher than "1st school year" unless the student was retained in grade 1.

Beginning with the 2022–2023 school year, a student must have been enrolled for 60 consecutive calendar days in order for that year to be counted as one year in the calculation. When counting 60 consecutive calendar days for students who withdraw from a U.S. school and then re-enroll in another U.S. school, districts should restart the count at day one only in cases in which the student was not enrolled in another school for 10 or more consecutive calendar days. Students that re-enroll in another school in less than 10 days continue to be counted within the one year of the Years in U.S. schools calculation. However, once a student has been enrolled for 60 consecutive calendar days within a school year, that school year will count as one year in the Years in U.S. schools calculation regardless of any subsequent periods of unenrollment. For purposes of this calculation, only schools (including home schools and private schools) based within the 50 states, Washington, D.C., and U.S. Department of Defense (DoD) schools are to be considered U.S. schools. Puerto Rico and Guam are not included in this count.

Years in U.S. Schools (continued)

- Includes
 - schools (home schools and private schools) within 50 states and Washington D.C
 - U.S. Department of Defense (DoD) schools.
- Does not include U.S. territories
 - Puerto Rico and Guam

Data Collection for Spring

In addition to years in U.S. schools, other information that will be collected includes:

- **Unschoolled asylees or refugees**

- These students typically lack literacy skills in their first language and basic subject-matter knowledge and skills. They may also lack basic social skills and have experienced emotional trauma as a result of their previous circumstances.

- **Students with Interrupted Formal Education (SIFE)**

- These EB students attend school in the U.S., withdraw and leave the U.S. for a period of time, and then return to the U.S. The period of time outside the U.S. or the number of times the student is withdrawn from U.S. schools is significant enough that growth in English and learning of subject matter are affected.
- These EB students may come to the U.S. with limited or no prior schooling. They typically lack literacy skills in their first language, basic subject-matter knowledge and skills, or basic social skills. For the purpose of this data collection, include EB students who did not attend school for a period of time such that the ability to learn English and new grade level subject-matter knowledge and skills is significantly affected.



EB Students in Grades K-2: No ARD or Student Support Team

- We have EB students in our district, in kindergarten through grade 2, who do not have either an ARD committee or Section 504 committee. Is the LPAC required to meet to make TELPAS participation decisions for these students?

For EB students in kindergarten through grade 2 who do not have ARD committees or Section 504 committees, the LPAC is not required to meet to determine participation decisions regarding unmodified English language assessments.

Juniors and Seniors

- We have Junior and Senior EB students in our district who are required to take a TELPAS assessment. These EB students have previously met the participation requirements for STAAR Alternate 2 but have completed their EOC testing requirements and therefore not testing this spring. Should they take TELPAS Alternate?

If these EB students met participation requirements for STAAR Alternate 2 in the past, then they will be assessed with TELPAS Alternate.

TELPAS and EB Students Who Have Met Graduation Requirements

- Is TELPAS required for high school EB students who have met course requirements for graduation but need to pass STAAR if they attend school only for STAAR remediation?

EB students in grades K-12 are required to be assessed with TELPAS. However, as an exception, high school EB students attending ONLY for STAAR remediation are not required to take TELPAS because they have met their course requirements for graduation.

EB Students Enrolled Only for Special Education Transitional Services

- Is TELPAS required for EB students who have met graduation requirements (graduated) and are enrolled only for special education transitional services?

No, if the EB student is enrolled only for special education transitional services, the student is not required to be assessed with TELPAS.

Contact Information



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Information on State Assessments for English Learners:

[Assessments for English Learners](#)

Questions



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