



Prior to training

- 19 Texas Administrative Code (TAC) Chapter 89
- Flowchart

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Subchapter BB is specific to ELLs.

Explain to participants that any of the following slides in which Chapter 89 is mentioned is in reference to Subchapter BB.

Content Objectives

- Identify critical points related to 19 Texas Administrative Code (TAC) Chapter 89, Subchapter BB related to End-of-Year LPAC activities
- Explore significant points related to LPAC Annual Review

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Subchapter BB is specific to ELLs.

Explain to participants that any of the following slides in which Chapter 89 is mentioned is in reference to Subchapter BB.

Language Objectives

- Engage in discussion about 19 TAC Chapter 89 related to End-of-Year LPAC activities
- Share and collaborate with the entire group on specific activities related to End-of-Year LPAC activities and Annual Review

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Subchapter BB is specific to ELLs.

Explain to participants that any of the following slides where Chapter 89 is mentioned is in reference to Subchapter BB.

Introduction

19 Texas Administrative Code (TAC) Chapter 89 Adaptations for Special Populations, Subchapter BB

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

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Allow participants time to read the slide.

Emphasize that districts shall establish and operate LPACs to follow policy and procedures as established by 19 TAC Chapter 89.

19 TAC §89.1203

The terms English language learner (ELL) and limited English proficient (LEP) student are used interchangeably.

LPAC Framework Website

The Framework for the LPAC Process Manual can be accessed through the Education Service Center, Region 20 LPAC portal located at:

www.esc20.net/lpac


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Explain where the LPAC materials are located and share link with participants. The LPAC Framework manual is a project that is created in collaboration between TEA and Education Service Center, Region 20.

To review the LPAC materials, go to the ESC-20 LPAC Framework web portal and show participants exactly how to access the materials. www.esc20.net/lpac

LPAC Framework Website

The LPAC website components:

- Home
- LPAC Framework
- Parent Resources
- Video Vignettes 
- Frequently Used Resources
- Decision-Making Manual

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Explain the LPAC materials, their location, and share link with participants. The LPAC Framework manual is a project that is created in collaboration between TEA and Education Service Center, Region 20.

Review the LPAC materials; go to the ESC-20 LPAC Framework web portal www.esc20.net/lpac. Click on each section, take note of tabs within each section.

Example: LPAC Framework – Documents, Flowcharts, & Presentations

LPAC Responsibilities

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Goal of Bilingual Education

The goal of bilingual education programs shall be to:

- Enable ELLs to become competent in the listening, speaking, reading and writing of English through the development of literacy and academic skills in the primary language and English
- Emphasize mastery of English language skills, as well as mathematics, science and social studies
- Use instructional approaches designed to meet the needs of ELLs
- Be an integral part of the total school program
- Utilize the essential knowledge and skills required by the state as the curriculum

19 TAC §89.1201

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Identify the goals of bilingual education.

Note to trainer: 19 TAC §89.1201 (d). The bilingual classroom has an ESL component embedded which is addressed through the English Language Proficiency Standards (ELPS) which are addressed in the notes section of the following slide.

The trainer should be familiar with the following 19 TAC §89.1201 (c) and (d): English Language Proficiency Standards (ELPS) TAC Chapter 74.4:

- The ELPS outline English language proficiency level descriptors and student expectations for ELLs. School districts shall implement this section as an integral part of each subject in the required curriculum. The ELPS standards are to be published along with the TEKS for each subject in the required curriculum.
- In order for ELLs to be successful, they must acquire both social and academic language proficiency in English. Social language proficiency in English consists of the English needed for daily social interactions. Academic language proficiency consists of English needed to think critically, understand and learn new concepts, process complex academic material, and interact and communicate in English academic settings.
- Classroom instruction that effectively integrates second language acquisition with quality content area instruction ensures that ELLs acquire social and academic language proficiency in English, learn the knowledge and skills in the TEKS, and reach their full academic potential.
- Effective instruction in second language acquisition involves giving ELLs opportunities to

listen, speak, read, and write at their current levels of English development while gradually increasing the linguistic complexity of the English they read and hear, and are expected to speak and write.

- The cross-curricular second language acquisition skills in subsection (c) of this section apply to ELLs in kindergarten-grade 12.
- The English language proficiency levels of beginning, intermediate, advanced, and advanced high are not grade-specific. ELLs may exhibit different proficiency levels within the language domains of listening, speaking, reading, and writing. The proficiency level descriptors outlined in subsection (d) of this section show the progression of second language acquisition from one proficiency level to the next and serve as a road map to help content area teachers instruct ELLs commensurate with students' linguistic needs.

Source: TEC §29.053 Establishment of Bilingual Education and Special Language Programs.

Goal of ESL Programs

The goal of ESL programs shall be to:

- Enable ELLs to become competent in the listening, speaking, reading, and writing of English
- Emphasize mastery of English language skills, as well as mathematics, science, and social studies
- Use instructional approaches designed to meet the needs of ELLs
- Be an integral part of the total school program
- Utilize the essential knowledge and skills required by the state as the curriculum

19 TAC §89.1201

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Note to trainer: The trainer should be familiar with the following 19 TAC §89.1201 (c) and (d): ELPS TAC Chapter 74.4:

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Source: TEC §29.053 Establishment of Bilingual Education and Special Language Programs.

Required LPAC Meetings

- Upon *initial enrollment* - within the student's first 20 school days
- In the *spring* to determine appropriate assessments, immediately prior to state assessments
- At the **end of the year** for annual review and for the following year's placement decisions, which may include the use of linguistic accommodations, as appropriate
- *As needed* to discuss student progress

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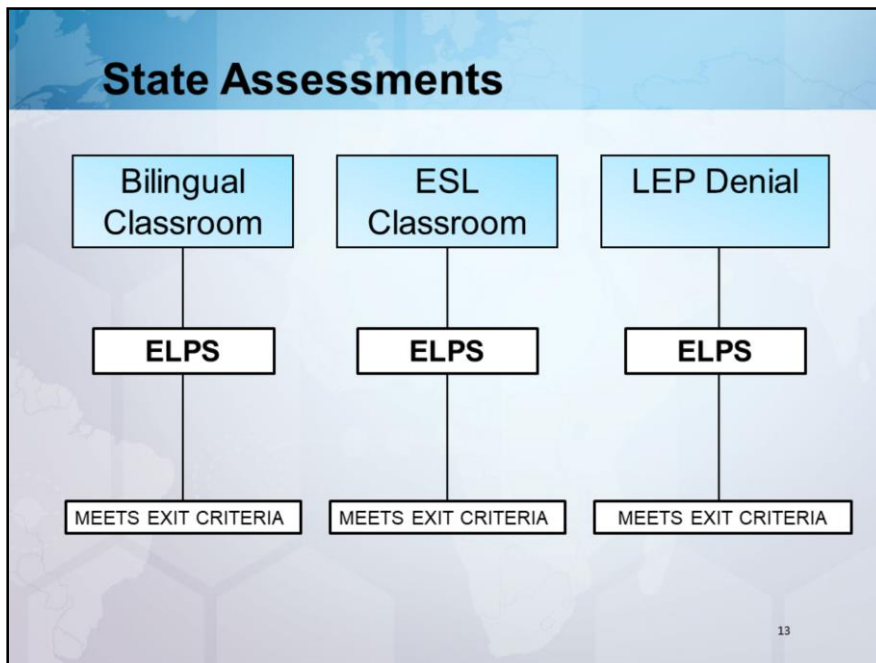
19 TAC §89.1220. At the beginning of the year (BOY), instructional linguistic accommodations need to be addressed and implemented.

At the Middle of the Year (MOY) in the spring, 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 linguistic accommodations found at <http://tea.texas.gov/student.assessment/accommodations/>. These linguistic accommodations need to be implemented during classroom instruction throughout the year prior to being used in the assessments.

At the End of the Year (EOY), the LPAC meets for an annual review to discuss instructional linguistic accommodations and to determine placement for the following year.

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

Source: TEC §29.056 Enrollment of Students in Program

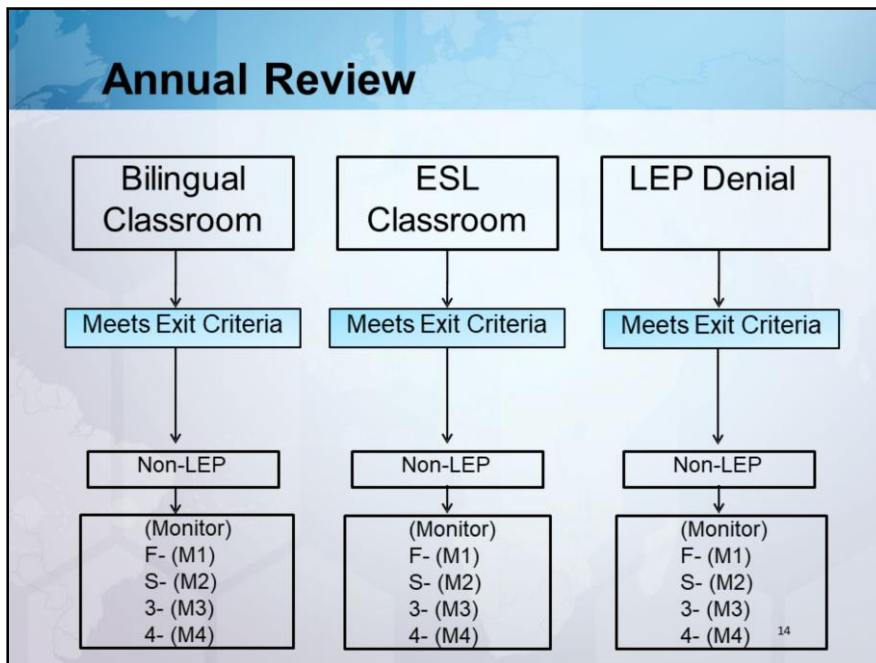


19 TAC Chapter §89.1220 (h)

See the Language Proficiency Decision-Making Process for the Texas Assessment Program for more information. The accommodations should be used routinely in classroom instruction so the LPAC should inform teachers as soon as possible regarding the available linguistic accommodations.

Please remember that the LPAC needs to meet and address the assessment decisions for ELLs that are being considered for linguistic accommodations or taking the Spanish state assessment. Assessment decisions should be made individually.

Districts should not have a blanket policy for students that are identified as an ELL.



LPAC assessment decisions are for ALL students identified as ELL. Non-ELL students participate in a general education classroom.

Refer to the **Annual Review Exit/Reclassification** tab in the binder.

Once students have met exit criteria, they must be monitored for 2 years.

F-Student exited from LEP status – First Year Monitor (F) – student has met criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS, and is in his or her first year of monitoring as required by 19 TAC §89.1220(l) and is not eligible for funding due to the fact that he or she is not LEP

S-Student exited from LEP status – Second Year Monitor (S)– student has met criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS, and is in his or her second year of monitoring as required by 19 TAC §89.1220(l) and is not eligible for funding due to the fact that he or she is not LEP

LPAC Responsibilities

- Identification of ELLs
- Assessment and documentation review
- Placement
- Instructional methodologies and/or interventions
- Instructional linguistic accommodations or accommodations for assessment
- Coordination
- Parental Approval
- **Annual Review** (linguistic and academic progress)

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It should be noted here that the LPAC also serves as an important advocate for each ELL with teachers, staff, and administration.

You may want to refer to the trainer notes on slide 18 to further emphasize the need to address the 4th and 5th bullets on this slide. It is important to mention that this is where the ELPS would be implemented in instruction and instructional acceleration plans should be considered. Below are the notes from slide 18.

ELPS TAC Chapter §74.4

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LPAC Responsibilities

- What other types of responsibilities may the LPAC do?
- How does the LPAC coordinate with other programs?
- How often are instructional interventions reviewed for progress monitoring?

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Have districts discuss questions and share ideas.

Documentation

Name: _____

ELL INSTRUCTIONAL ACCOMMODATIONS

	Beginning of Year (BOY)	Middle of Year (MOY)	End of Year (EOY)																									
	Date: ___/___/___	Date: ___/___/___	Date: ___/___/___																									
Campus: _____	<input type="checkbox"/> peer and native language support <input type="checkbox"/> gestures for added emphasis <input type="checkbox"/> simple conversations (words/phrases) <input type="checkbox"/> visuals and/or verbal cues to reinforce spoken or written words <input type="checkbox"/> pre-teach vocabulary <input type="checkbox"/> short sentences and single words <input type="checkbox"/> provide phrases or simple sentence frames <input type="checkbox"/> rephrase, repeat, or slow down <input type="checkbox"/> wait time <input type="checkbox"/> extra time for complex material and/or assignments <input type="checkbox"/> non-participation in simple conversations <input type="checkbox"/> word bank of key vocabulary <input type="checkbox"/> model pronunciation <input type="checkbox"/> tiered sentence stems <input type="checkbox"/> organize reading in chunks <input type="checkbox"/> adapted text(s) <input type="checkbox"/> clarification of word(s) or phrase(s) <input type="checkbox"/> oral translation <input type="checkbox"/> bilingual dictionary or glossary <input type="checkbox"/> clarify directions <input type="checkbox"/> translate word(s), phrase(s), or sentence(s) <input type="checkbox"/> read and model think aloud <input type="checkbox"/> drawing or pictorial representation <input type="checkbox"/> writing on familiar, concrete topics <input type="checkbox"/> scaffold writing assignments	<input type="checkbox"/> peer and native language support <input type="checkbox"/> gestures for added emphasis <input type="checkbox"/> simple conversations (words/phrases) <input type="checkbox"/> visuals and/or verbal cues to reinforce spoken or written words <input type="checkbox"/> pre-teach vocabulary <input type="checkbox"/> short sentences and single words <input type="checkbox"/> provide phrases or simple sentence frames <input type="checkbox"/> rephrase, repeat, or slow down <input type="checkbox"/> wait time <input type="checkbox"/> extra time for complex material and/or assignments <input type="checkbox"/> non-participation in simple conversations <input type="checkbox"/> word bank of key vocabulary <input type="checkbox"/> model pronunciation <input type="checkbox"/> tiered sentence stems <input type="checkbox"/> organize reading in chunks <input type="checkbox"/> adapted text(s) <input type="checkbox"/> clarification of word(s) or phrase(s) <input type="checkbox"/> oral translation <input type="checkbox"/> bilingual dictionary or glossary <input type="checkbox"/> clarify directions <input type="checkbox"/> translate word(s), phrase(s), or sentence(s) <input type="checkbox"/> read and model think aloud <input type="checkbox"/> drawing or pictorial representation <input type="checkbox"/> writing on familiar, concrete topics <input type="checkbox"/> scaffold writing assignments	<input type="checkbox"/> peer and native language support <input type="checkbox"/> gestures for added emphasis <input type="checkbox"/> simple conversations (words/phrases) <input type="checkbox"/> visuals and/or verbal cues to reinforce spoken or written words <input type="checkbox"/> pre-teach vocabulary <input type="checkbox"/> short sentences and single words <input type="checkbox"/> provide phrases or simple sentence frames <input type="checkbox"/> rephrase, repeat, or slow down <input type="checkbox"/> wait time <input type="checkbox"/> extra time for complex material and/or assignments <input type="checkbox"/> non-participation in simple conversations <input type="checkbox"/> word bank of key vocabulary <input type="checkbox"/> model pronunciation <input type="checkbox"/> tiered sentence stems <input type="checkbox"/> organize reading in chunks <input type="checkbox"/> adapted text(s) <input type="checkbox"/> clarification of word(s) or phrase(s) <input type="checkbox"/> oral translation <input type="checkbox"/> bilingual dictionary or glossary <input type="checkbox"/> clarify directions <input type="checkbox"/> translate word(s), phrase(s), or sentence(s) <input type="checkbox"/> read and model think aloud <input type="checkbox"/> drawing or pictorial representation <input type="checkbox"/> writing on familiar, concrete topics <input type="checkbox"/> scaffold writing assignments																									
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The following ELL Instructional Accommodation Checklist is a suggested form and can be found at www.esc20.net/LPAC under LPAC Framework documents or Frequently Used Resources.

Annual Documentation

Annual Documentation

End-of-Year (EOY) Documentation Reminders:

Oral Language Proficiency Test (OLPT)

State Assessment Results

TELPAS Individual Student Profile

Linguistic Accommodations (Instructional/Assessment) provided to the teacher(s) for the following year

Notification of Exit

LPAC Annual Review

Required Documentation

The student's record shall contain:

- Documentation of all actions impacting the ELL
- Identification of the student
- Designation of the student's level of proficiency
- Recommendations of program placement
- Parent approval for entry or placement
- The dates of entry into, and placement within, the program

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- Have participants refer to 19 TAC §89.1220 (I).
- All original documentation must be kept in the student's records.
- Districts must have an ELL folder which may be found within the student's record. The ELL folder must be secured at all times.
- Some sample LPAC student forms that are available (can be found on the ESC-20 LPAC Framework web portal):
 - Home Language Survey (HLS)
 - Bilingual or ESL Program Benefits
 - ELL Student Checklist
 - LPAC Initial Review
 - Parental Approval
 - LPAC State Assessment
 - LPAC Review
 - Parental Progress
 - Parental Notification of Exit
 - Summer School
 - Student History
 - ELL Instructional Accommodation Checklist
- Maintain records for five years after exiting/reclassification and two years of monitoring. For more information, see the link to the retention schedule as per the Texas State Library and Archives Commission Section 3-2: Bilingual and Special Language Program Records
<https://www.tsl.state.tx.us/slr/recordspubs/sd.html#section3-2>

Required Documentation

The student's record shall contain:

- Assessment
- Additional interventions
- The date of exit from program and parent approval
- Results of monitoring

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Have participants refer to 19 TAC §89.1220 (l).

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- Districts must have an ELL folder which may be found within the student's record. ELL folder must be secured at all times.
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Required Documentation

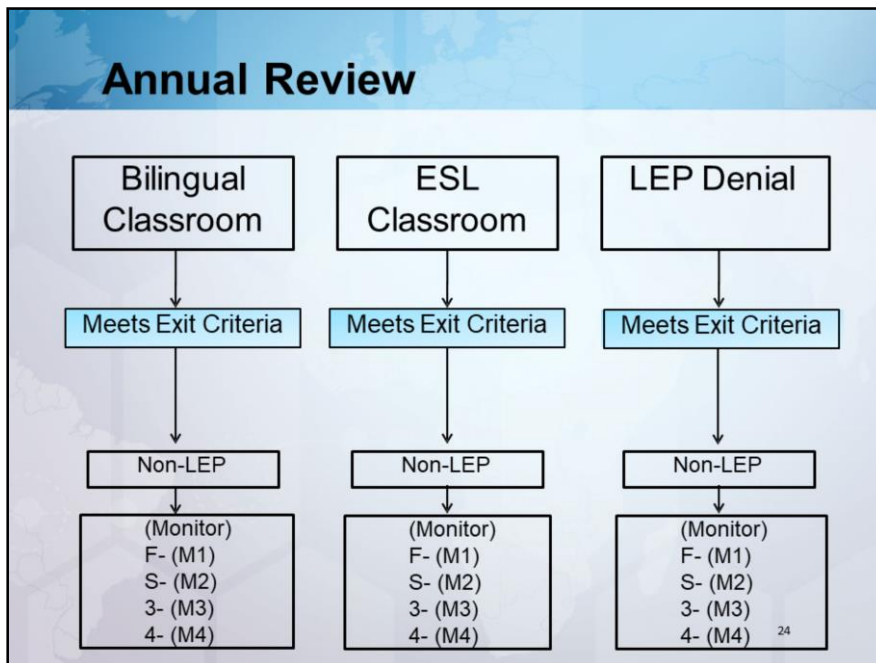
- Where is the required documentation maintained?
- What is the transition process as a student moves from:
 - grade level to grade level
 - campus to campus

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Have districts/LEAs discuss questions and share ideas.

- Maintain records for five years after exiting/reclassification and two years of monitoring. For more information, see the link to the retention schedule as per the Texas State Library and Archives Commission Section 3-2: Bilingual and Special Language Program Records <https://www.tsl.state.tx.us/slr/recordspubs/sd.html#section3-2>

Annual Review



LPAC assessment decisions are for ALL students identified as ELL. Non-ELL students participate in a general education classroom.

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Annual Review

At the end of the year, the LPAC reviews every child:

- identified in PEIMS as ELL, being served in a bilingual or ESL program
- identified in PEIMS as a ELL parental denial
- that has met criteria for bilingual/ESL program exit, is no longer classified as ELL in PEIMS, and is in his/her first (F), second (S), third (3), or fourth (4) year of monitoring

Note: Students coded (3) and (4) in PEIMS to meet federal monitoring requirements and not for the purpose of eligibility of reclassification and reentry into program.



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19 TAC Chapter §89.1220 & §89.1225

Note to Trainer: Suggest LPAC Vignettes www.esc20.net/lpac – LPAC End-of-Year (EOY): Exiting ELLs & LPAC End-of-Year (EOY): Exiting ELL's Who Receive Special Education Services (Using the Process for Considering Special Exit Criteria)

The LPAC is responsible for reviewing every ELLs progress, including students being served, parent denials, students that are being monitored, and students who have met exit criteria.

Annual Review

The LPAC should review:

- Benchmarks
- Classroom Tests
- State Criterion-Referenced Test Data
- Norm-referenced English and Spanish (when applicable) Standardized Achievement Test Data
- Oral 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

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Even if the student meets exit criteria, the LPAC should review all of the above, including the subjective teacher evaluation before making the decision to reclassify the student.

Emphasize that an intensive review of all data should provide a clear profile of the student's ability to successfully participate in a general education environment.

LPAC Decisions about End-of-Year (EOY)

LPACs shall conduct EOY LPAC meetings for all ELLs, including those who may demonstrate readiness for exit from the bilingual or ESL program, even though results from the spring administration of STAAR and/or TELPAS will not yet be available.

- For students being considered for exit, the LPAC will document that all the necessary criteria have been met **and** that they are awaiting the necessary STAAR and/or TELPAS results in order to make a final exit decision.
- The LPAC must have a follow-up process as soon as scores are received by the district.
- Once scores are received, a member of the LPAC will enter the scores into the documentation and complete the exiting process for eligible students without the need for another LPAC meeting.

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Note to Trainer:

It is important to note to districts that a process must be in place to ensure students who have met this criteria are properly exited and parental notification and approval of exit letters are sent and signed by parents. For more information, the following is the link for the 2017-2018 school year testing calendar: <http://tea.texas.gov/student.assessment/calendars/>

19 TAC §89.1240 (b)

(b) The school district shall notify the student's parent of the student's reclassification as English proficient and his or her exit from the bilingual education or English as a second language program and acquire approval as required under the Texas Education Code, §29.056(a). Students meeting exit requirements may continue in the bilingual education or English as a second language program with parental approval but are not eligible for inclusion in the school district bilingual education allotment.

§29.056. Enrollment of Students In Program.

(a) The agency shall establish standardized criteria for the identification, assessment, and classification of students of limited English proficiency eligible for entry into the program or exit from the program. The student's parent must approve a student's entry into the program, exit from the program, or placement in the program.

Parent approval may be in the form of a signed letter which is the most highly encouraged form of documentation, a phone call where there is communication with the parent, an email, etc. Documentation to show that the parent has approved the exiting of their child must be kept on

file. The district can determine the process that best fits their needs, but the important factor is to have this documentation on file and that the parent has approved the exiting of their child.

Source: TEC §29.056. Enrollment of Students In Program.

LPAC Decisions about End-of-Year cont.

- The use of dictionaries on reading and writing assessments does not prevent an ELL from being considered for exit 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 exit decisions.
- Students for whom the LPAC recommends any of the following designated supports for any reading or writing assessment (including English I and English II) may not be considered for exit at the end of the school year:
 - Oral Administration
 - Content and Language Supports
 - Extra Time
- Please be sure that an LPAC representative that will be in the district or on the campus knows about this process so that it can be completed.
- The following link is for the 2017-2018 school year testing calendar:
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§29.056. Enrollment of Students In Program.

(a) The agency shall establish standardized criteria for the identification, assessment, and classification of students of limited English proficiency eligible for entry into the program or exit from the program. The student's parent must approve a student's entry into the program, exit from the program, or placement in the program.

While some accommodations, or designated supports, may be appropriate for instructional use, they may not be appropriate or allowable on a statewide assessment. Providing unfamiliar or inappropriate accommodations during statewide assessments may hinder rather than help a

student. LPACs are responsible for coordinating with the content area teachers of ELLs to make accommodation, or designated support decisions in accordance with the eligibility criteria specified for each support.

LPACs should also be very familiar with the updated STAAR dictionary policy for all students, which is available on TEA's STAAR Reading Resources webpage at <http://tea.texas.gov/student.assessment/staar/reading/>

Parent approval may be in the form of a signed letter which is the most highly encouraged form of documentation, a phone call where there is communication with the parent, an email, etc. Documentation to show that the parent has approved the exiting of their child must be kept on file. The district can determine the process that best fits their needs, but the important factor is to have this documentation on file and that the parent has approved the exiting of their child.

Source: TEC §29.056. Enrollment of Students In Program.

LPAC Decisions about End-of-Year cont.

- For assessments with multiple administrations (e.g., EOC or SSI grades), STAAR designated supports decisions can be carried over from the spring to the summer administrations. However, the LPAC should meet to document any changes in a student's situation that have occurred between administrations, especially if a student no longer requires designated supports. Remember, some supports may prevent the student from being considered for exit at the end of the year.

Annual Review

The LPAC should

- discuss and plan linguistic accommodations for the current and following year,
- discuss, develop, and execute an EOY process,
- discuss ELPS implementation and student support, and
- determine the needs for professional development to ensure student success.

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Reclassification (Exiting) of ELLs

A student may only be considered for reclassification, as Non-ELL, at the end of the school year based on the following criteria:

- proficiency in oral English language;
- at or above the 40th percentile in both the reading and language arts sections of the TEA-approved norm-referenced measure; and
- consideration of a subjective teacher evaluation.

See Exit Criteria Chart for grade-specific requirements. 19 TAC §89.1225 (h-j)

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Participants that reviewed 19 TAC §89.1225 (h-j) should report to the group.

Even students with disabilities can ONLY be exited at the EOY, not at the time of the annual ARD.

Emphasize that oral language testing must be conducted at the end of the year prior to the EOY LPAC meeting.

The LPAC should also consider the passing rate applicable to the specific grade requirement for reading proficiency.

For students that minimally met standard, the LPAC should consider the number of testing attempts before passing. The LPAC may determine that the student should continue receiving language services based on the data, passing grades in all subjects, and courses taken and a subjective teacher evaluation.

The exit criteria under TAC §89.1225(h) apply to the vast majority of ELLs who receive special education services. In rare cases, an ELL receiving special education services may qualify to be exited using criteria permitted under TAC §89.1225(k), which give special consideration to an ELL for whom assessments and/or standards under TAC §89.1225(h) are not appropriate because of the nature of a student's particular disabling condition.

REVIEW CURRENT ENGLISH PROFICIENCY EXIT CRITERIA CHART

End of Year LPAC Decision Flowcharts

As an additional support to the Exit Criteria Chart, the End of Year LPAC Decision Flowcharts provide further guidance to LPACs on exit decisions for the 2017-2018 school year.

The flowcharts are available on the LPAC Framework website under *Frequently Used Resources, Documents*. An explanation of the flowchart is available under *Video*.
https://projects.esc20.net/page/lpac_resources

This information can also be found on the EL Portal under *Bilingual/ESL, LPAC Information*.
<http://www.elltx.org/lpac.html>

Reclassification of ELLs

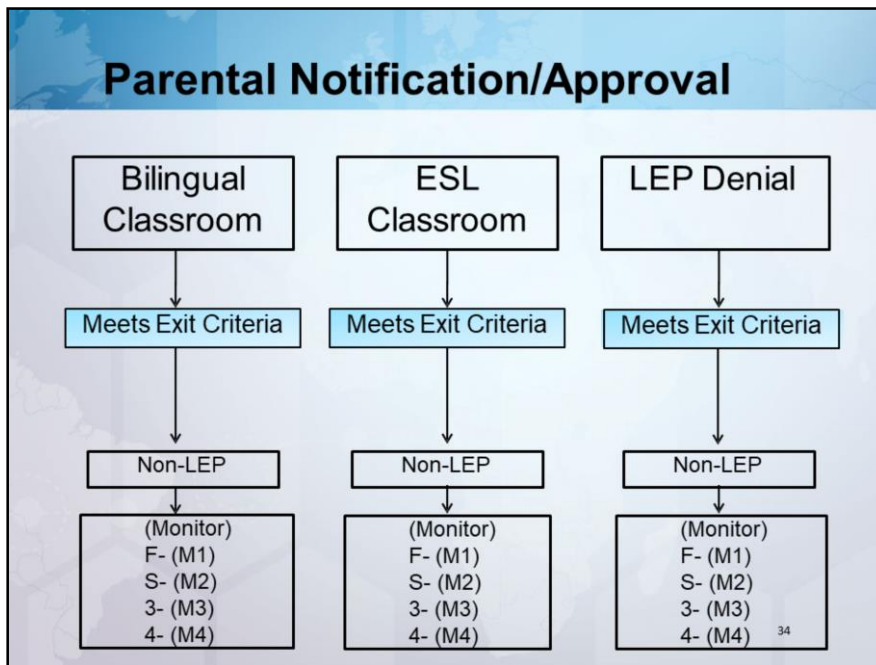
- Students in pre-kindergarten and kindergarten **may not be exited** from a bilingual education or English as a second language program.
- An annual review is still conducted by the LPAC for all students identified as ELL in order to assess and document progress.

19 TAC §89.1225 (i)

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Emphasize that students may not be exited until the end of first grade and even then, the LPAC should be cautious of making that determination.

Parental Notification/Approval



Non-ELL students participate in a general education classroom.

Parental Notification/Approval

- Once the LPAC reclassifies a student as Non-ELL, **parents must be notified** that the student has met state criteria for exit and will be monitored for two years *.
- Parent **approval** of the student's exit must be present in the student's record.
- Sample letters are found under **Suggested Forms**.

* **Note:** LPAC will continue to coordinate with PEIMS for an additional 2 years after meeting state requirements in order to meet federal monitoring requirements.

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19 TAC §89.1240 (b)

§29.056. Enrollment of Students In Program.

(a) The agency shall establish standardized criteria for the identification, assessment, and classification of students of limited English proficiency eligible for entry into the program or exit from the program. The student's parent must approve a student's entry into the program, exit from the program, or placement in the program.

Parent approval may be in the form of a signed letter which is the most highly encouraged form of documentation, a phone call where there is communication with the parent, an email, etc. Documentation to show that the parent has approved the exiting of their child must be kept on file. The district can determine the process that best fits their needs but the important factor is to have this documentation on file and that the parent has approved the exiting of their child.

Source: TEC §29.056. Enrollment of Students In Program.

Reclassifying ELLs with Disabilities

- The ARD committee, in conjunction with the LPAC, shall determine an appropriate assessment instrument and performance standard requirement for exit.
- The decision to exit a student is determined by the key members of the ARD in conjunction with the key members of LPAC.

<http://tea.texas.gov/index2.aspx?id=4098>

19 TAC §89.1225 (k)
§89.1230

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Note to trainer: Trainer should review 19 TAC §89.1230 and §89.1225(k) related to testing and the flowchart of decisions for SPED students.

At or near the beginning of the school year, a meeting is to be scheduled between key admission, review, and dismissal (ARD) committee and language proficiency assessment committee (LPAC) members to discuss whether the student qualifies to exit using criteria under §TAC 89.1225(k).

- Through this process, a determination is made about the assessments and/or English language proficiency assessment standards to be used in the exiting process.
- This process applies **ONLY** when one or more assessments and/or English language proficiency assessment standards under TAC §89.1225(h) are not appropriate for the student in a particular language domain for reasons directly associated with the student's disability. In following this process, refer also to the document titled *Guidance Related to ARD Committee and LPAC Collaboration* found at <http://www.tea.state.tx.us/index2.aspx?id=2147496923>.
- This process is to be used to address the needs of an individual student, not groups of students. Very few students qualify to exit using the TAC §89.1225(k) criteria.
- This process must be conducted by key admission, review, and dismissal (ARD) committee members (including a diagnostician when applicable) and key language proficiency assessment committee (LPAC) members who are familiar with the student's current progress and needs, including one or more teachers with in-depth knowledge of the student's second language acquisition and academic achievement.

State-established standards must be used for all state assessments.

At the meeting, the participants discuss the second language acquisition of the student within the context of the individual student's disability to consider whether the TAC §89.1225(k) exit criteria are warranted.

- Consideration must be IEP-based and must include documented evidence that, because of the nature of the student's disability, the student is not expected to be able to attain English language proficiency in one or more domains and no longer appears to benefit from second language acquisition support in English to address second language acquisition cognitive, linguistic, and affective needs (or is expected to reach that point during the school year).
- 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 a diagnostician may be requested, as necessary, to help determine whether the TAC §89.1225(k) exit criteria are warranted. Direct teacher input should provide further insight into the student's classroom performance and needs, and should include, if applicable, documentation of response to intervention, anecdotal notes, and other evidence drawn from sources such as classroom-based observations and classroom activities.

If, after reviewing the evidence, the meeting participants conclude that the student no longer benefits from second language acquisition support in English (or is expected to reach that point during the school year), the participants review the assessment information in the IEP and make exit criteria recommendations based on the information in the Process for Consideration Special Exit Criteria from bilingual/ESL.

As a reminder, modification of performance standards on academic content assessments not permitted.

Evaluation of Reclassified Students

The LPAC shall reevaluate a student who is transferred out of a bilingual education or special language program under Section 29.056(g) if the student earns a failing grade in a subject in the foundation curriculum under Section 29.002(a) during any grading period in the first two school years after the student is transferred to determine whether the student should be reenrolled in a bilingual education or special language program.

TEC §29.0561(a)

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If a student who is in the first or second year of monitoring fails a core content subject, the LPAC is required to meet and review the criteria on the following slides.

Source: TEC §29.0561 Evaluation of Transferred Students; Reenrollment.

Reclassified Students (F & S Only)

During the first two school years after a student is transferred out of a bilingual education or special language program under Section 29.0561 (b), the LPAC shall review the student's performance and consider:

- (1) The total amount of time the student was enrolled in a bilingual education or special language program;
- (2) The student's grades each grading period in each subject in the foundation curriculum under Section 29.002 (a) (1);

TEC §29.0561(b)

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Note to trainer: This criteria must be reviewed if a student that is in the first two years of being monitored fails a core content subject at during any grading period. Evidence must be documented.

Source: TEC §29.0561 Evaluation of Transferred Students; Reenrollment.

Reclassified Students (F & S Only)

- (3) The student's performance on each assessment instrument administered under Section 39.023 (a) or (c);
- (4) The number of credits the student has earned toward high school graduation, if applicable; and
- (5) Any disciplinary actions taken against the student under Subchapter A, Chapter 37.

TEC §29.0561(b)

Note: LPAC does not need to monitor the student's performance for students whose LEP indicator code is a (3) or (4) in PEIMS.

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Evidence must be documented.

Reclassified Students

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

TEC §29.0561(c)

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If the LPAC determines that the student needs intensive instruction, a plan should be established, not just “tutorials.” Student progress should be monitored closely.

If the student is going to be re-enrolled in bilingual education or a special language program, parental approval is required and the student will be identified in PEIMS as ELL and the district will receive funding.

Communication between the bilingual/ESL teacher and the general education teacher during the year is important in case an LPAC meeting is needed to discuss the student’s reclassification or to discuss any other needed interventions.

Districts receiving Title III, Part A funding also need to follow any parental notification requirements as specified in the federal law when placing and exiting students.

Monitor (3) and (4) Students

- LPAC will continue to coordinate with PEIMS for the additional 2 years required by federal statute. Students who complete their second (S) monitored year, required by state, will then have their LEP Indicator Code changed to a (3) and then a (4) the following academic year.

ESEA Section 3121(a)(5)

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LEP Indicator Codes

0	Not LEP
1	Identified as limited English proficient (LEP)
F	Student exited from LEP status – Monitored 1 (M1) – student has met criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS, and is in his or her first year of monitoring as required by 19 TAC §89.1220(I) and is not eligible for funding due to the fact that they are not LEP
S	Student exited from LEP status – Monitored 2 (M2) – student has met criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS, and is in his or her second year of monitoring as required by 19 TAC §89.1220(I) and is not eligible for funding due to the fact that they are not LEP
3	Student exited from LEP status – Monitored 3 (M3) – student has met criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS, and is in his or her third year of monitoring as required by ESEA Section 3121(a)(5) that LEAs report on the number and percentage of ELs meeting the challenging State academic standards for four years after such students are no longer receiving Title III services.
4	Student exited from LEP status – Monitored 4 (M4) – student has met criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS, and is in his or her fourth year of monitoring as required by ESEA Section 3121(a)(5) that LEAs report on the number and percentage of ELs meeting the challenging State academic standards for four years after such students are no longer receiving Title III services.

**State
Monitoring
Requirement**

**Federal
Monitoring
Requirement**

Examples of Changing LEP Indicator Code

Student Names	ID Number	2017-2018 School Year	2018-2019 School Year	2019-2020 School Year	2020-2021 School Year	2021-2022 School Year
Angel Hernandez	000123	1	F	S	3	4
Frankie Jones	000234	F	S	3	4	0
Angie Gonzales	000345	S	3	4	0	
Wayne Voo *	000456	0	4	0		

Important Note:

* This student represents students who finished their second (S) monitored year in the 2016-2017 school year and were coded a (0) for the 2017-2018 school year (the student's third year after exit). Due to new federal requirements, the student's data will be captured in the 2018-2019 school year when their LEP indicator code is changed to (4) for their fourth required monitored year.

End-of-Year Requirements

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Required Summer School Programs

- 19 TAC §89.1250 Required Summer School Programs
- TEA Correspondence/Summer School Program for ELLs who will be eligible for admission to kindergarten and grade 1
- A Sample of Summer Program Parent Survey is included in the LPAC Manual under the Forms section.

19 TAC §89.1250

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Have participants that reviewed 19 TAC §89.1250 report to the group.

89.1250(4)(a)(iii)

Any school district required to offer the program under paragraph (2)(a) of this subsection that has less than ten students district-wide desiring to participate is not required to operate the program. However, those school districts must demonstrate that they have aggressively attempted to encourage student participation.

Summer school is for participating students who are going into kindergarten and first grade. Records must be kept regarding attendance and progress.

Have participants refer to 19 TAC Chapter §89.1250. Summer school is for students that are ELLs and participating in the language program (in order to receive funding).

The parent must accept bilingual/ESL services in order for a student to participate in the required bilingual/ESL summer program. The student must not participate in the summer school required program or earn bilingual/ESL eligible days present in the summer program unless the parents explicitly allow, in writing, placement of the student in the bilingual or ESL education program.

Source: The provisions of this §89.1250 adopted to be effective September 1, 1996, 21 TexReg 5700; amended to be effective April 18, 2002, 27 TexReg 3107; amended to be effective February 17, 2005, 30 TexReg 709; amended to be effective September 17, 2007, 32 TexReg 6311; amended to be effective May 28, 2012, 37 TexReg 3822.



Texas Education Agency

Commissioner Mike Morath

1701 North Congress Avenue • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • tea.texas.gov

TO THE ADMINISTRATOR ADDRESSED:

Subject: 2017 Summer School Program for English Language Learners (ELLs) in Kindergarten and First Grade

Texas Administrative Code (TAC), Section 89.1250, Required Summer School Programs, requires districts to provide a summer school program for English language learners who will be eligible for admission to kindergarten or first grade at the beginning of the next school year. This letter is to inform school districts that funds have been appropriated for the 2016-2017 school year to reimburse school districts for operating a summer school program in accordance with TAC §89.1250.

This information is provided to help districts prepare and coordinate building services, transportation, calendars, and instruction with other state and federal programs. Districts required to offer a bilingual education or special language program during the 2016-2017 school year, including those with approved exceptions, must offer the summer school program. Reimbursement for costs of enrolling English language learners will be processed in the fall of 2017 through the Grants Administration Division.

In accordance with TAC §89.1250(3)(b), districts operating a two-semester system are required to offer the program for one-half day for eight weeks while school is recessed for the summer or for a total of 120 hours of instruction on a schedule established by the board of trustees. Districts operating year-round schools are required to offer a program during intercessions for a total of 120 hours of instruction.

For students who have not attended school previously and need to be identified as an English language learner, TAC §89.1225 rules related to testing and classification of students must be followed. The *List of Approved Tests for Assessment of English Language Learners* is required for the identification process and can be found on the Bilingual/ESL webpage at <http://tea.texas.gov/bilingual/esl/education/> under the Documents section.

Funding for the program will be on a teaching unit basis with 18 students or a fraction thereof constituting a unit. Since the appropriation for this program is a fixed amount, it will be necessary to prorate unit allotments if enrollment exceeds projections. Based on 2016 program costs, it is suggested that districts plan for reimbursement of approximately \$1,100 per unit. Business managers should be informed that the fund code is 299 and that payment to the district will be provided through direct deposit.

Please note that data will be collected through the Public Education Information Management System (PEIMS) for summer school 2017. The "BILINGUAL/ESL-SUMMER-SCHOOL-INDICATOR-CODE" is reported in the Student Program Extension as documented in the 2016-2017 Texas Education Data Standards (TEDS) to identify students participating in the Bilingual/ESL Summer School Program. This indicator code is collected in Submission 4 only, and the first submission due date is **August 31, 2017**.

If you have any program questions, please contact Susie Coultrass, State Director of Bilingual/English as a Second Language/Tyler Migrant Education, at (512) 463-9561. Please submit questions regarding the PEIMS submission requirements to the TSDS Incident Management System (TIMS), which is available within the SDS portal. Funding questions may be submitted to the [TEA Help DESK](#).

Sincerely,

Justin Porter, E.D.D.
Executive Director
Special Populations Division
JP/pc

Program Evaluation

All school districts/campuses required to conduct a bilingual education or ESL program shall:

- Conduct periodic assessments in the languages of instruction to determine program impact and student outcomes in all subject areas.
- Annually report (and retain the report) the academic progress in either language of the ELLs, the extent to which they are becoming proficient in English, the number of students who have been exited from the bilingual education and English as a second language programs, and the number of teachers and aides trained and the frequency, scope, and results of the training (TEC §7.028).

19 TAC §89.1265

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Participants that reviewed 19 TAC §89.1265 report to the group.

Districts are required to annually provide a report to the school board on the above criteria. It is important to reiterate that the ultimate responsibility for the program monitoring and compliance of the district program resides with the school board.

Districts that implement a dual language program model must also follow §89.1267. Standards for Evaluation of Dual Language Immersion Program Models

Source: The provisions of this §89.1265 adopted to be effective September 1, 1996, 21 TexReg 5700; amended to be effective April 18, 2002, 27 TexReg 3107; amended to be effective May 28, 2012, 37 TexReg 3822.

Program Evaluation

- Report to parents the progress of their child as a result of participation in the program offered to ELLs in English and the home language at least annually.
- Develop, review, and revise the campus improvement plan described in the Texas Education Code §11.253, for the purpose of improving student performance for ELLs.

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19 TAC §89.1265

Note to trainer: Progress reporting to parents must be provided to parents in English or in the student's home language. The progress reporting will display how the student is performing in the program in which they have been participating.

Program Evaluation

- §89.1267. Standards for Evaluation of Dual Language Immersion Program Models.
- (a) A school district implementing a dual language immersion program must conduct **annual formative and summative evaluations** collecting a full range of data to determine program impact on student academic success.

19 TAC §89.1267

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Districts that implement a dual language program model must also follow §89.1267. Standards for Evaluation of Dual Language Immersion Program Models

Program Evaluation

- (b) The success of a dual language immersion program is evident by students in the program demonstrating high levels of language proficiency in English and the other language and mastery of the Texas essential knowledge and skills for the foundation and enrichment areas. Indicators of success may include scores on statewide student assessments in English, statewide student assessments in Spanish (if appropriate), norm-referenced standardized achievement tests in both languages, and/or language proficiency tests in both languages.

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End-of-Year Requirements

- How does the district ensure End-of-Year LPACs are complete?
- Who completes the Program evaluation?
- What other items are important for End-of-Year activities?

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Content Objectives

- Identify critical points related to 19 Texas Administrative Code (TAC) Chapter 89, Subchapter BB related to End-of-Year LPAC activities
- Explore significant points related to LPAC Annual Review

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Subchapter BB is specific to ELLs.

Explain to participants that any of the following slides in which Chapter 89 is mentioned is in reference to Subchapter BB.

Language Objectives

- Engage in discussion about 19 TAC Chapter 89 related to End-of-Year LPAC activities
- Share and collaborate with the entire group on specific activities related to End-of-Year LPAC activities and Annual Review

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Subchapter BB is specific to ELLs.

Explain to participants that any of the following slides in which Chapter 89 is mentioned is in reference to Subchapter BB.

For More Information

Contact your local Education Service Center.

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At this point in the training, take time to go through the section of the binder that has the forms. Explain each form.

Review the content and language objectives for the day to make sure they were covered.

Get feedback with some type of evaluation form.