

Presenter Icon Key

LPAC



Forms: Direct participants to the appropriate tabbed section and page of the Framework Manual to review forms that correspond with the content addressed.



PEIMS: Remind participants that the content discussed must be encoded in PEIMS.



Training Video: Let participants know that a short video will be provided by the TEA this summer with additional guidance on the content addressed.

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Note to trainer:

Prior to the training, prepare packets or binders with the materials needed.

Welcome the participants and introduce yourself along with any other co-presenters that may be assisting you in the delivery of the training. Share logistical information with the participants, such as the location of restrooms, breaks, lunch, etc.

Review the training materials with the participants.

Let ESC staff know that the final version of the LPAC materials will be available by June 1, 2019.

Remind LEA staff that they are to continue to use the forms from the 18-19 LPAC Framework Manual to finish the 2018-2019 school year. The 2018-2019 forms typically used at the end-of-the-year will still be available at <https://esc20.net/lpac> until July 31, 2019.

Materials needed:

Ensure each participant has one copy of each of the following.

- Agenda
- LPAC Framework Manual 2019-2020
- 19 Texas Administrative Code (TAC) Chapter 89 , updated to include 1226

19 TAC Chapter 89

LPAC

19 TAC Chapter 89: Adaptations for Special Populations, Subchapter BB, Adopted July 15, 2018

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

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Slide 3

Note to trainer:

Direct the participants to locate the copy of 19 TAC Chapter 89. Let them know the purpose of this document is to provide guidance regarding the policies, procedures, program designs, and all other aspects related to the education of English learners. Tell participants that throughout the training slides they will notice sections from Chapter 89 referenced on the bottom right of the slide. These references appear because the paraphrased information and images provided on those slides help clarify the language from Chapter 89, making the rule text easier to comprehend.

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

Materials needed:

- 19 Texas Administrative Code (TAC) Chapter 89 (located in Framework Manual in the Chapter 89 section, and as a separate, stapled packet)

Source: The provisions of this §89.1220 adopted to be effective July 11, 2018, 21 TexReg 5700; amended to be effective March 5, 1999, 24 TexReg 1383; amended to be effective April 18, 2002, 27 TexReg 3107; amended to be effective September 17, 2007, 32 TexReg 6311; amended to be effective May 28, 2012, 37 TexReg 3822.

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LPAC

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Slide 4

Note to trainer:

Share with participants the copyright notice.

Materials needed:

None

Texas Education Agency Contacts

LPAC

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Texas Education Agency

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Slide 5

Note to trainer:

Review the information on the slide.

Materials needed:

None

Texas Education Agency Contacts

LPAC

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Texas Education Agency

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Slide 6

Note to trainer:

Review the information on the slide.

Materials needed:

None

Texas Education Agency Contacts

LPAC

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Texas Education Agency

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Slide 7

Note to trainer:

Review the information on the slide.

Materials needed:

None

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

LPAC

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

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

19 TAC §89.1203

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Slide 8

Note to trainer:

Let the participants know that the definition of each term will be introduced when the term is first used in context and that the definitions are listed in section 1203 of Chapter 89.

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

- 1) Bilingual education allotment--An adjusted basic funding allotment provided for each school district based on student average daily attendance in a bilingual education or special language program in accordance with Texas Education Code (TEC), §42.153.
- 2) Certified English as a second language teacher--The term "certified English as a second language teacher" as used in this subchapter is synonymous with the term "professional transitional language educator" used in TEC, §29.063.
- 3) Dual language immersion--A state-approved bilingual program model in accordance with TEC, §29.066.
- 4) Dual-language instruction--An educational approach that focuses on the use of English and the student's primary language for instructional purposes.
- 5) English as a second language program--A special language program in accordance with TEC, Chapter 29.

Slide 8 (continued)

- 1) English language proficiency standards (ELPS)--Standards to be published along with the Texas Essential Knowledge and Skills for each subject in the required curriculum outlined in Chapter 74 of this title (relating to Curriculum Requirements), including foundation and enrichment areas, ELPS, and college and career readiness standards.
- 2) English learner--A student who is in the process of acquiring English and has another language as the primary language. The terms English language learner and English learner are used interchangeably and are synonymous with limited English proficient (LEP) student, as used in TEC Subchapter B, Chapter 29.
- 3) Exit--The point when a student is no longer classified as LEP (i.e., the student is reclassified), no longer requires bilingual or special language program services, and is classified as non-LEP in the Texas Student Data System Public Education Information Management System (TSDS PEIMS). The term "exit" as used in this subchapter is synonymous with the description in TEC, Chapter 29, of "transferring out" of bilingual or special language programming.
- 4) Reclassification--The process by which the language proficiency assessment committee determines that an English learner has met the appropriate criteria to be classified as non-LEP and is coded as such in TSDS PEIMS.
- 5) School district--For the purposes of this subchapter, the definition of a school district includes an open-enrollment charter school.

Materials needed:

- Chapter 89

Terminology

LPAC

English learner (EL)

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

Reclassification

The process by which the language proficiency assessment committee (LPAC) determines that an English learner has met the appropriate criteria to be classified as English proficient

English proficient (EP)

A student who has met reclassification criteria and is no longer identified as an English learner; synonymous with non-EL, non-ELL, and non-LEP

Exit

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



19 TAC §89.1203

Texas Education Agency

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Slide 9

Note to trainer:

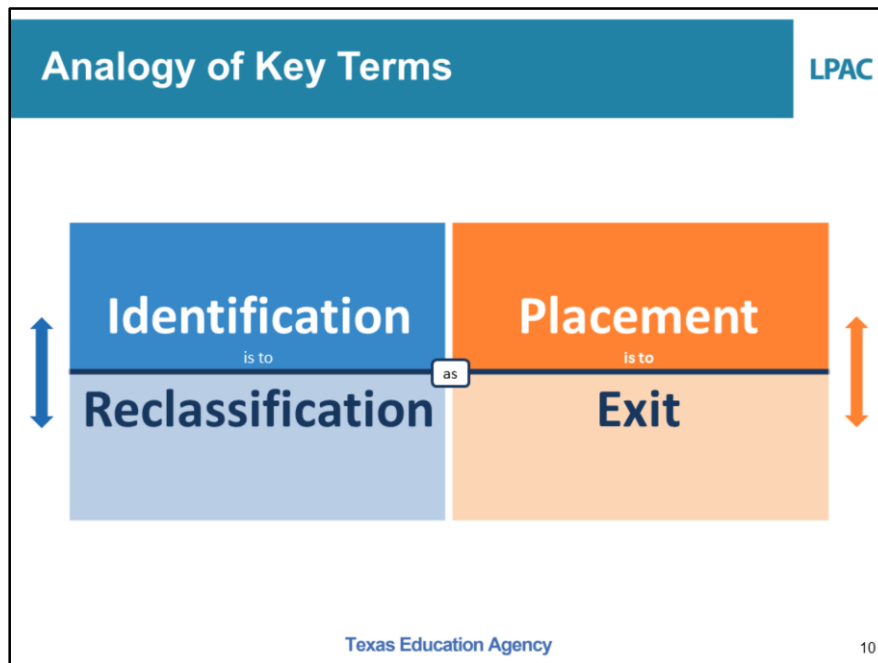
Explain these terms as they are foundational to understanding English learner programming.

Due to the nature of some language program models, a reclassified English proficient student may continue in the program with parent approval. These students do not generate bilingual educational allotment funds.

Remind the participants that all students who have met the reclassification criteria must have their coding updated in PEIMS.

Materials needed:

None



Slide 10

Note to trainer:

Have participants think about this analogy: Identification is to Reclassification as Placement is to Exit.

Explain that identification and reclassification is determined by the LPAC, whereas placement and exit are dependent on parental approval based on LPAC recommendation.

Materials needed:

None

Equal Educational Opportunity

LPAC

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

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

19 TAC §89.1201; 1203 (5)

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Slide 11

Note to trainer:

Direct participants to the definitions for English learner, school district, and English as a second language (ESL) program in section 1203 of Chapter 89.

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

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

Materials needed:

- Chapter 89

Facilities

LPAC

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

19 TAC §89.1235

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Slide 12

Note to trainer:

Slides 11 and 12 provide the basis for setting up appropriate programs for English learners to ensure equal educational opportunity.

Provide additional guidance about the second bullet, regarding concentrating, or clustering, students at a limited number of facilities within the district.

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

Materials needed:

None

Purpose of the LPAC Framework

LPAC

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

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Slide 13

Note to trainer:

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

Materials needed:

None

Purpose of the LPAC Framework

LPAC

The LPAC Framework is organized into the following sections:

- **Introduction**
 - Establishment of the LPAC
 - General English learner policies
- **Identification**
 - Procedures and assessment practices
 - Decision-making for identification
- **Placement**
 - Parent notification and approval
 - Establishment of Bilingual and ESL programs

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Slide 14

Note to trainer:

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

At the end of each section, we will address the section topic as it pertains to English learners also served through special education. We will also be engaging in a variety of self-check activities to gauge our level of understanding of the topics we explore.

Materials needed:

None

Purpose of the LPAC Framework

LPAC

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

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Slide 15

Note to trainer:

Review the information on the slide.

Materials needed:

None

Training Agenda

LPAC

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

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Slide 16

Time: 1 hour

Note to trainer:

Let the participants know the training will begin with the Introduction.

Materials needed:

None

Introduction Section Objective

LPAC

Content Objective

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

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Slide 17

Note to trainer:

Review the content objective with the participants.

Materials needed:

None

TAC Ch. 89 LPAC Establishment

LPAC

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

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Slide 18

Note to trainer:

Review the information on the slide.

Materials needed:

None

LPAC Policy and Training

LPAC

- School districts shall by local board policy establish and operate a language proficiency assessment committee. The school district shall have on file policy and procedures for the selection, appointment, and training of members of the language proficiency assessment committee(s).
- School districts may join with other school districts to provide bilingual education or ESL programs.

19 TAC §89.1220 (a); §89.1205 (e)

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Slide 19

Note to trainer:

Source: 19 TAC §89.1220 (e)

Review the bullet points on the slide with the participants, emphasizing the key points below.

- The written board policy shall be ON FILE in the district.
- A school district shall establish and operate a sufficient number of LPACs to enable them to discharge their duties within four weeks of the enrollment of English learners.
- Some school districts may choose to have more than one training opportunity for the parent representatives.
- It may be necessary to train more than one parent to be able to cover the number of LPACs for a year, especially early in the year and at the end of the year.
- Clarification on bullet 2: School districts may join with other school districts to share LPAC parents.

Materials needed:

None

LPAC Membership

LPAC

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

19 TAC §89.1220 (b)(d); 1203 (2); TEC §29.063

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Slide 20

Note to trainer:

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

Definitions

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

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

Appropriately certified ESL teacher/Professional transitional language teacher - The term “certified English as a second language teacher” as used in this subchapter is synonymous with the term “professional transitional language educator” used in TEC §29.063. Direct participants to the definition for Certified English as a second language teacher in section 1203 of Chapter 89.

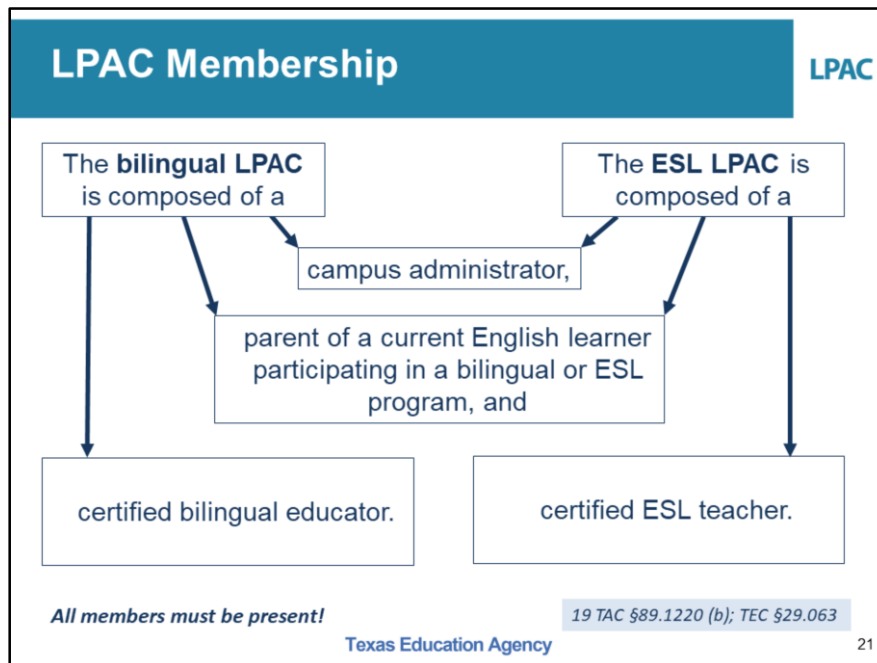
Slide 21 (continued)

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

Emphasize that ***all members*** must be present and trained.

Materials needed:

- Chapter 89



Slide 21

Note to trainer:

The campus administrator serving on the LPAC is defined as an educator funded through Function Code 23. The school principal and school assistant principal are coded under Function Code 23; note that a school counselor may not serve in the administrator role on the LPAC, as the counselor is not coded under Function Code 23.

Materials needed:

None

LPAC Requirements

LPAC

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

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

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

19 TAC §89.1220 (g)

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Slide 22

Note to trainer:

Source: 19 TAC §89.1220 (g)

Remind participants that “initial enrollment” refers to a student’s first-time enrollment in a public school district within the state of Texas (including LEAs, charters and districts of innovation).

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

Materials needed:

None

LPAC Requirements

LPAC

(3) designate, subject to parental approval, the initial instructional placement of each English learner in the required program;

(4) facilitate the participation of English learners in other special programs for which they are eligible while ensuring full access to the language program services required under the TEC, §29.053; and

(5) reclassify students, at the end of the school year only, as English proficient in accordance with the criteria described in §89.1226(i).

19 TAC §89.1220 (g)

Texas Education Agency

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Slide 23

Note to trainer:

Review the information on the slide.

Materials needed:

None

LPAC Requirements

LPAC

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

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Slide 24

Note to trainer:

Each trained member shall also sign an oath of confidentiality because of testing results and other information that is shared and analyzed. This is a requirement, due to each student and his or her family's right to confidentiality. A sample LPAC Confidentiality Statement can be found in the LPAC Framework Manual, and will be reviewed on slide 28.

Training certificates and oaths of confidentiality should be maintained by the LPAC. Oaths and training documentation includes sign-in sheets with dates and agendas.

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

Materials needed:

None

LPAC Requirements

LPAC

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

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Slide 25

Note to trainer:

The LPAC Framework PPT is available in Spanish for LEAs needing to provide training for Spanish speaking parents. Visit the ESC-20 website at <https://esc20.net/lpac>. Resources can be found in the Parent Resources Section, under the Presentations tab.

Although parents of English learners who are not trained members of the LPAC are not required to attend LPAC meetings that involve their child, they are always welcome. However, any parent who is fulfilling the role of the LPAC parent must be trained in the LPAC process.

Materials needed:

None

Required LPAC Meetings

LPAC

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



19 TAC §89.1220 (g) (i)

Texas Education Agency

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Slide 26

Note to trainer:

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

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

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

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

Direct participants to the suggested LPAC meeting forms listed below, in the Introduction section of the LPAC Framework Manual. Let participants know that the 2019-2020 version of all forms will be available at the ESC-20 LPAC Framework web portal at <https://esc20.net/lpac>.

Slide 27 (continued)

Materials needed:

- LPAC Membership Request Letter, p. 66
- LPAC Member Roster, p. 67
- LPAC Confidentiality Statement, p. 68
- LPAC Meeting Roster Form, p. 69
- LPAC Meeting Minutes Form, p. 70

Required English Learner Documentation

LPAC

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

Documentation shall include

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



19 TAC §89.1220 (l)

Texas Education Agency

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Slide 27

Note to trainer:

Further information regarding required English learner documentation is shared on the following (next) slide.

Materials needed:

None

Required English Learner Documentation

LPAC

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



19 TAC §89.1220 (I)

Texas Education Agency

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Slide 28

Note to trainer:

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

LPAC student forms that may be placed in the student's record include the forms listed below (located in the Introduction section of the LPAC Framework Manual).

Materials needed:

- Home Language Survey (HLS), p. 71
- Bilingual or ESL Program Benefits, pp. 72-73
- English Learner Cumulative Folder Documentation Checklist, p. 74
- LPAC Initial Review, p. 75
- Parent Approval-Identification and Placement, Bilingual or ESL, pp. 76-79
- LPAC Review, p. 80
- Monitored Student Roster Form, p. 82
- Parent Notification on Student Progress, Bilingual, ESL, or Parent Denial, pp. 83-88
- Parent Notification on Student Progress, Monitoring After Reclassification, p. 89-90
- Parent Notification and Approval for Reclassification, Bilingual or ESL, pp. 91-94

Slide 29 (continued)

Materials needed (continued):

- Bilingual or ESL Summer School Program K-1, pp. 95-100
- Student History, p. 101
- English Learner Instructional Accommodation Checklist, p. 102-103 (Let participants know that this form is available for download at the LPAC Framework web portal, under the Documents tab.)

LPAC Requirements: Coordination of Services

LPAC

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

19 TAC §89.1220 (g)(4)

Texas Education Agency

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Slide 29

Note to trainer:

Source: TEC, 29.053

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

- Special programs may also include Multi-Tiered System of Supports (MTSS), extended-day or year, content-specific tutorials, etc.
- Tutorials should be targeted to meet the specific need(s) of the student.
- Districts should have policies on file for identifying gifted English learners. Teachers need to be trained to observe cues that indicate giftedness and follow up with referrals.
 - Schools should have access to non-verbal intelligence tests and primary language tests available for English learners.
 - The percentage of English learners identified as GT should be comparable to the percentage of English proficient students identified as GT.
 - The percentage of English learners identified as in need of special education services should be comparable to the percentage of English proficient students identified as in need of special education services.

Materials needed:

None

ARD/LPAC Collaboration

LPAC

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



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19 TAC §89.1230

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Slide 30

Note to trainer:

In Texas, a child's eligibility for special education services and most of the major decisions about a child's special education program are made by an admission, review, and dismissal (ARD) committee.

- The LPAC in conjunction with the ARD may determine that a student has a disability identified by the special education program and is **also** an English learner. It is allowable for a dual-identified English learner to be served by **both programs**, special education and bilingual or ESL education.
- Regarding membership, please note that the administrator may play a dual role on the LPAC in conjunction with ARD committee. However, the administrator does not fulfill the role of the certified bilingual or ESL educator, even if the administrator is bilingual or ESL certified.

Additional guidance relating to Testing and Classification of Students:

The language proficiency assessment committee (LPAC) in conjunction with the admission, review, and dismissal (ARD) committee shall identify a student as an English learner if the student's ability in English is so limited or the student's disabilities are so severe that the English language proficiency assessment described in subsection (c) of this section cannot be administered. The decision for entry into a bilingual education or ESL program shall be

Slide 31 (continued):

determined by the language proficiency assessment committee in conjunction with the ARD committee in accordance with §89.1220(f) of this title (relating to Language Proficiency Assessment Committee).

This guidance is currently being updated. A recorded training video on the new guidance will be available this summer.

Materials needed:

None

Training Agenda

LPAC

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

Texas Education Agency

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Slide 31

Time: 1 hour and 30 minutes

Note to trainer:

Let the participants know the training will now address identification of English learners.

Materials needed:

None

Identification Section Objective

LPAC

Content Objective

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

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Slide 32

Note to trainer:

Review the content objective with the participants.

Materials needed:

None

Timeline

LPAC

The campus/charter school has, within **four calendar weeks** of initial enrollment, to complete the testing and convene as an LPAC to determine the English learner status of each student.

19 TAC §89.1220 (e)

Texas Education Agency

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Slide 33

Note to trainer:

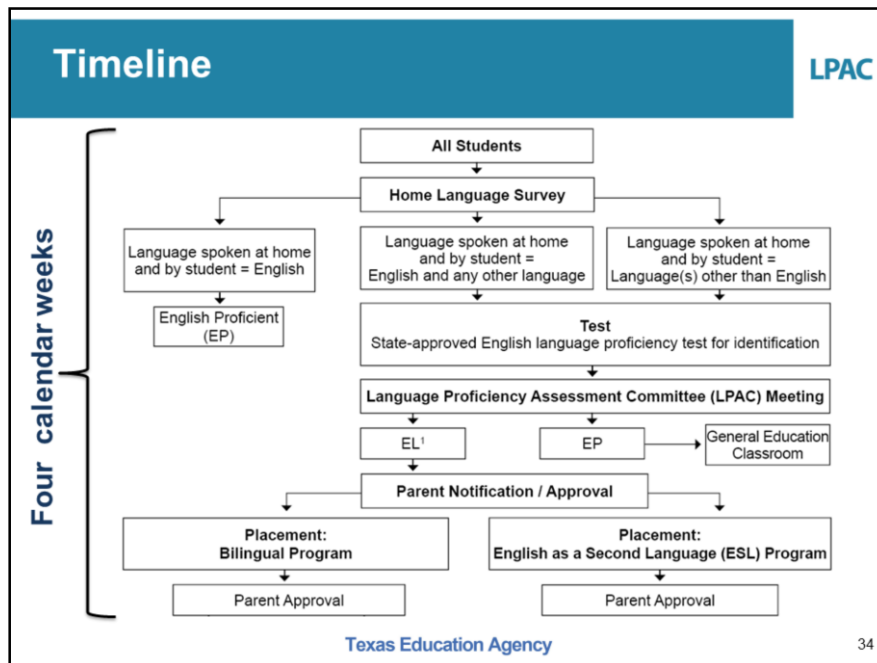
Source: 19 TAC §89.1220 (g) (i)

Later in the training, the following LPAC middle-of-year and end-of-year meetings will be addressed:

- In the spring, prior to the administration of state assessments [state assessment, TELPAS, TELPAS Alternate, state assessment with designated supports (only if needed)]
- At the end of the year, for an annual review and to determine placement for the following year. The committee will recommend instructional linguistic accommodations for implementation at the beginning of the school year, so they can be used in instruction throughout the year.

Materials needed:

None



Slide 34

Note to trainer:

Source: 19 TAC §89.1220(e)

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

The **identification** and **placement** process must occur within the student's first four calendar weeks of school enrollment. This means that the student must be tested, and the LPAC must convene to review the student's documentation and determine if the student is eligible for classification as an English learner. If the student is eligible, the LPAC must make their recommendations for program placement and the parental approval must be sent. Instructional linguistic accommodations may also be addressed at this time. It is suggested that the signed parental approval form be received by the district within this time frame, as written parent approval is required in order for Bilingual Education Allotment (BEA) funds to be generated.

- TEC 29.053(b) requires that school districts determine the number of English learners on each campus and classify them according to the student's primary language within **four calendar weeks** of enrollment.

Slide 35 (continued):

- ESSA requires assurances that students are identified as English learners (or English Proficient, as appropriate) within **30 days** of enrollment [Elementary and Secondary Education Act of 1965 Public Law 115-141, as amended by the Every Student Succeeds Act (ESSA)].
- Texas school districts are required to identify English learners within **four calendar weeks** of enrollment. Vacation days that occur during the school year (including Thanksgiving and Winter Break) are counted in the four calendar week period.

Materials needed:

- English Learner Identification/Reclassification Flowchart, p. 61

Timeline Example

LPAC

AUGUST 2019						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Student A enrolls August 14, 2019.

SEPTEMBER 2019						
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Holiday 1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Student A will be identified and placed by September 11, 2019.

www.blank-calendar.com

19 TAC §89.1220 (e)

Texas Education Agency

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Slide 35

Note to trainer:

Tell participants that the calendars shown on the slide will depict the important dates in the timeline scenario you will be sharing.

Read the scenario and click as directed to highlight the pertinent dates on the calendar. *Student A enrolls for the first time in Texas public schools on Wednesday, August 14th, 2019 (click). To calculate the four calendar week time frame, count ahead one week to August 21st (click), then the second week to August 28th (click), the third week to September 4th (click), and the fourth week to Wednesday, September 11th (click). In this example, the LPAC shall identify and place Student A by September 11th.*

Make sure participants realize that the holiday on September 2nd did not affect the four calendar week period.

Materials needed:

None

Home Language Survey (HLS)

LPAC

- If the response on the HLS indicates that a language other than English is used, the student shall be tested in accordance with §89.1226 of this title (relating to Testing and Classification of Students).*
- The HLS shall be administered in English and the primary language whenever possible. The HLS shall contain the following questions.

(1) What language is spoken in the child's home **most of the time**?

(2) What language does the child speak **most of the time**?

**Parental permission for language proficiency testing is not required.*



19 TAC §89.1215 (b) (c)

Texas Education Agency

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Slide 36

Note to trainer:

Direct participants to the Home Language Survey in the Identification section of the LPAC Framework Manual.

Keep in mind:

- The HLS is available in Spanish, Vietnamese and multiple other languages in the LPAC Framework portal, Suggested Forms.
- The original HLS should be retained with the student's permanent record.
- The HLS should be completed by parents of students who are enrolling in a Texas school for the first time.
- Reminder: Districts may upload the original HLS into Texas Records Exchange (TREx).

Materials needed:

- Home Language Survey, p. 108

Purpose of the HLS

LPAC

Dear Parent or Guardian:

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

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

For more information on the process that must be followed, please visit the following website: https://projects.esc20.net/used/page/0084/esc20/identification_reclassification_flowchart%202018.pdf



Texas Education Agency

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Slide 37

Note to trainer:

Direct participants to the text within the box on the HLS (shown on the slide). Tell participants that this brief note to the parent explains the purpose of the HLS.

Ask participants to have a conversation with a partner regarding the purpose of this document. Allow participants to share out their responses whole group.

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

Remind participants that, should they choose to develop their own HLS, it **MUST** contain information clearly explaining the purpose of the HLS to parents.

Materials needed:

- Home Language Survey, p. 108

Changes to the HLS

LPAC

NOTE: PLEASE INDICATE ONLY ONE LANGUAGE PER RESPONSE.

1. What language is spoken in the child's home **most of the time**? _____
2. What language does the child speak **most of the time**? _____



Texas Education Agency

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Slide 38

Note to trainer:

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

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

Materials needed:

- Home Language Survey, p. 108

Changes to the HLS

LPAC

Parents may request a correction on the HLS only if

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



Texas Education Agency

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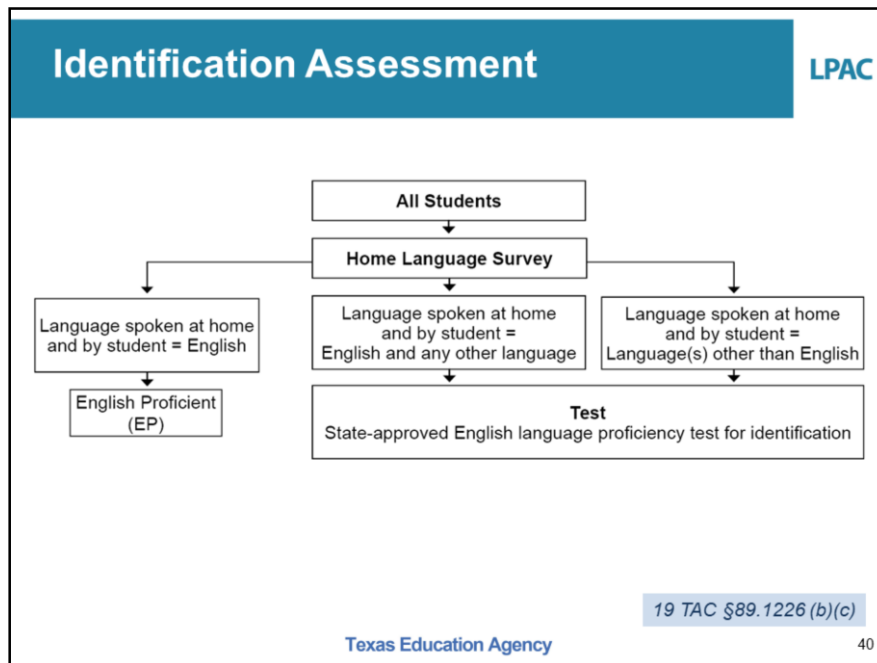
Slide 39

Note to trainer:

Direct participants to the note for the parent at the very bottom of the document that provides guidance regarding this (The note appears on the slide). Ensure the participants understand that the child shall not yet have been assessed AND these corrections must be made within two weeks of the child's enrollment date.

Materials needed:

- Home Language Survey, p. 108



Slide 40

Note to trainer:

Explain the flow chart to the participants.

Materials needed:

None

Testing and Classification

LPAC

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

- (1) in prekindergarten through Grade 1, the listening and speaking components of the state-approved English language proficiency test for identification; and
- (2) In Grades 2-12, the listening, speaking, reading, and writing components of the state-approved English language proficiency test for identification.

19 TAC §89.1226 (c)

Texas Education Agency

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Slide 41

Note to trainer:

Source: 19 TAC §89.1226 (c)

The single state-approved English language proficiency test for identification of English learners will be utilized as part of standardized, statewide program entrance procedure beginning no later than the first day of school for the 2019-2020 school year. Ensure that LEAs are aware of the need to dispose of all other identification assessments they may still have from the 2018-2019 List of Approved Tests by the first day of school in the 2019-2020 school year.

Materials needed:

None

Shift to Single, Statewide Assessment

LPAC

Entrance and Exit Procedures

(ESEA section 3113(b)(2))

Describe how the SEA will establish and implement, with timely and meaningful consultation with LEAs representing the geographic diversity of the State, **standardized, statewide entrance and exit procedures**, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

Texas Education Agency

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Slide 42

Note to trainer:

Slide content source: (ESEA section 3113(b)(2))

Explain that this is the rationale for the shift to single, statewide assessments. The Texas ESSA State Plan, Title III, Part A section explains this in more detail. More information is available on the TEA web site.

Remind participants that Title III funds shall NOT be used to purchase the single, statewide assessment for identification (or reclassification) of English learners.

Materials needed:

None

Guidance for Transition to Single, Statewide Assessment

LPAC

The Texas ESSA State Plan requires that every LEA in Texas use the standardized, statewide assessment for identification and reclassification of English learners, **effective in the 2019-2020 school year.**

This means: Beginning on **the first day of the LEA's 2019-2020 school year**, an LEA must use the state-approved English language proficiency test for identification of English learners.



Texas Education Agency

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Slide 43

Note to trainer:

Source: (ESEA section 3113(b)(2))

For a student identified as an English learner during the transition period (spring and summer, 2019) with a test from the List of Approved Tests for 2018-2019 for initial enrollment in the 2019-2020 school year:

- Add a statement in the student's LPAC paperwork explaining why the standardized, state-approved English language proficiency test was not used to identify the student as an English learner.
 - TEA suggested language (not required):
 - "Student was tested for identification as an English learner for initial enrollment in 2019-2020 school year prior to first day of 2019-2020 school year, using an approved assessment from the List of Approved Tests for 2018-2019, in accordance with state and federal statute."
 - TEA strongly recommends that LEAs document LPAC paperwork in this way to avoid potential audit findings in the future.

Materials needed:

None

Testing Administrator

LPAC

- All of the language proficiency testing shall be administered by professionals or paraprofessionals who are proficient in the language of the test and trained in the language proficiency testing requirements of the test publisher.
- The LPAC, not the test administrator, must meet and review **assessment** results to determine English learner status.
- Reminder: The LPAC makes the final determination based on factors in accordance with TEC 29.056 (c) for the identification of an English learner.

19 TAC §89.1226 (e)

Texas Education Agency

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Slide 44

Note to trainer:

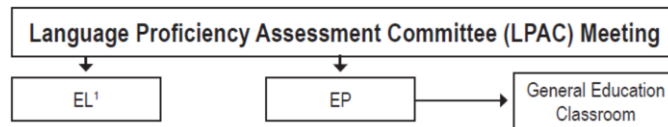
Review the information on the slide.

Materials needed:

None

LPAC Meeting for Identification

LPAC



Texas Education Agency

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Slide 45

Note to trainer:

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

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

Materials needed:

None

Determining Eligibility in PreK-1st Grade

LPAC

For students in prekindergarten through Grade 1,

- the student's score from the listening and speaking components on the state-approved English language proficiency test for identification is below the level designated for indicating English proficiency.

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

19 TAC §89.1226 (d)(f)(1)

Texas Education Agency

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Slide 46

Note to trainer:

Source: 19 TAC §89.1226 (d); §89.1226 (f)(1)

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

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

A student shall be identified as an English learner if the student's ability in English is so limited that the English language proficiency assessment described in subsection (c) of this section (89.1226) cannot be administered. Maintain documentation of the attempted exam documenting the name of test administrator, date, and question(s) asked.

Materials needed:

None

Prekindergarten Enrollment

LPAC

Children enrolling in a prekindergarten (PK) program

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

Texas Education Agency

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Slide 47

Note to trainer:

Review the information on the slide.

Materials needed:

None

Prekindergarten and Early Education Enrollment

LPAC

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

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



Texas Education Agency

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Slide 48

Note to trainer:

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

Formerly, a PEIMS fatal error may have occurred for ELs coded as participating in EE program services. This error has been corrected through PEIMS revisions, effective 2019-2020.

Emphasize that the English Learner Support Division will provide guidance regarding the identification of 3- and 4-year-olds with disabilities as English learners. However, participants are to seek guidance on PEIMS coding for these children (EE, PK) directly from the PK division and the Special Education Division at the TEA. This information will be included in the training video on the topic of process for identifying and reclassifying ELs also served through special ed.

Materials needed:

None

Prekindergarten Students and the HLS

LPAC

Commented [KB1]: •NOTE: Pre-kindergarten, for the purposes of the HLS, is defined as early childhood services for a student, aged 3 or 4, enrolling for the first time in a Texas school. This includes all students, with or without identified special needs.

HOME LANGUAGE SURVEY-19 TAC Chapter 89, Subchapter BB, §§9-1215
(Home Language Survey applicable ONLY if administered for students enrolling in **pre-kindergarten** through grade 12)

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



Texas Education Agency

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Slide 49

Note to trainer:

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

Materials needed:

- Annotated Home Language Survey, p. 109

Determining Eligibility in Grades 2-12

LPAC

For students in Grades 2-12

- the student's score from the listening, speaking, reading, and writing components on the state-approved English language proficiency test for identification is below the level designated for indicating English proficiency.

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

19 TAC §89.1226 (f)(2)(g)

Texas Education Agency

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Slide 50

Note to trainer:

Source: 19 TAC §89.1226 (f)(2); §89.1226 (g)

A student shall be identified as an English learner if the student's ability in English is so limited that the English language proficiency assessment described in subsection (c) of this section (89.1226) cannot be administered. Document this information on the assessment and in the LPAC minutes.

Materials needed:

None

Students Transferring From Within Texas

LPAC

For students previously enrolled in a Texas public school:

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



19 TAC §89.1215 (d)

Texas Education Agency

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Slide 51

Note to trainer:

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

Review the withdrawal form, if available, to see if the student was being served in a program or identified as an English learner in PEIMS. Remind the participants that school districts may also check PEIMS history to determine the number of years the student has been enrolled in US schools.

Direct participants to the English Learner Transfer Request Documentation Form in the Identification section of the LPAC Framework Manual.

Materials needed:

- English Learner Transfer Request Documentation Form, p. 110

Students Transferring From Within Texas

LPAC

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

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



Texas Education Agency

19 TAC §89.1215 (d)

52

Slide 52

Note to trainer:

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

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

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

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

Materials needed:

None

Students Transferring From Outside of Texas

LPAC

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

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

Texas Education Agency

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Slide 53

Note to trainer:

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

Materials needed:

None

Dual-Identified Students

LPAC

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

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



Texas Education Agency

19 TAC §89.1230 (b)

54

Slide 54

Note to trainer:

Review the information on the slide.

Materials needed:

None

Dual-Identified Students

LPAC

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

- Implement assessment procedures that differentiate between language proficiency and disabling conditions.
- Identify the student as an English learner if the student's ability in English is so limited **or the student's disabilities are so severe** that the English language proficiency assessment cannot be administered.



Texas Education Agency

19 TAC §89.1230 (b)

55

Slide 55

Note to trainer:

Review the information on the slide.

Materials needed:

None

Training Agenda

LPAC

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

Texas Education Agency

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Slide 56

Time: 45 minutes

Note to trainer:

Let the participants know the training will now address the placement of English learners.

Materials needed:

None

Placement Section Objective

LPAC

Content Objective

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

Texas Education Agency

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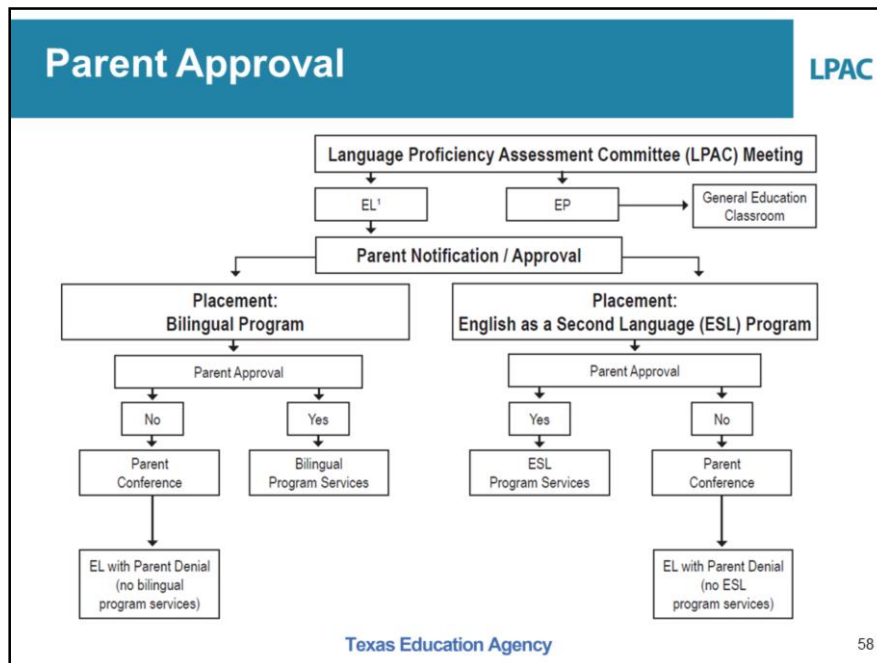
Slide 57

Note to trainer:

Review the content objective with the participants.

Materials needed:

None



Slide 58

Note to trainer:

Direct participants to the English Learner Identification-Reclassification Flowchart for an explanation of the superscript connected to “EL” on the slide.

Materials needed:

- English Learner Identification-Reclassification Flowchart, p. 61

Parent Rights and Responsibilities: Notification

LPAC

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



19 TAC §89.1240 (a)

Texas Education Agency

59

Slide 59

Note to trainer:

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

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

It is also important to explain why the program recommendation is offered, and what the parent can expect of instruction and other services, as per the Elementary and Secondary Education Act of 1965 Public Law 115-141, as amended by the Every Student Succeeds Act (ESSA), section 1112 (2015). Documentation that this information was provided should be included in the LPAC documentation folder. The TEA will provide a video training on this topic.

Direct the participants to the applicable forms in the Placement section of the LPAC Framework Manual.

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

Slide 60 (continued):

Parent bilingual and ESL program benefits brochures are available in English and Spanish at <http://www.elltx.org/> under the Parent tab.

Materials needed:

- Parent Approval- Identification and Placement Bilingual or ESL Program, pp. 114-117
- Bilingual Education or ESL Program Benefits, pp. 118-119

Parent Rights and Responsibilities: Approval

LPAC

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



Texas Education Agency

19 TAC §89.1240 (a)

60

Slide 60

Note to trainer:

Slide 61 (continued):

Parent bilingual and ESL program benefits brochures are available in English and Spanish at <http://www.elltx.org/> under the Parent tab.

Materials needed:

- Parent Approval- Identification and Placement Bilingual or ESL Program, pp. 114-117
- Bilingual Education or ESL Program Benefits, pp. 118-119

Parent Approval

LPAC

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

19 TAC §89.1240 (a)

Texas Education Agency

61

Slide 61

Note to trainer:

Direct participants to the definition for bilingual education allotment in section 1203 of Chapter 89.

Materials needed:

- Chapter 89

Program Placement, Without Written Approval

LPAC

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

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



19 TAC §89.1220 (m)

Texas Education Agency

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Slide 62

Note to trainer:

Source: 2019-2020 Texas Education Data Standards (TEDS), Section 4 - Description of Codes

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

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

Materials needed:

None

Parent Denial

LPAC

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



Texas Education Agency

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Slide 63

Note to trainer:

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

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

Materials needed:

None

Dual-Identified Students

LPAC

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

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

19 TAC §89.1230 (b)

19 TAC §89.1220 (g)(4)



Texas Education Agency

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Slide 64

Note to trainer:

Review the information on the slide.

Materials needed:

None

Training Agenda

LPAC

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

Texas Education Agency

65

Slide 65

Time: 1 hour and 30 minutes

Note to trainer:

Let the participants know the training will now address the services available for English learners.

Materials needed:

None

English Learner Services Section Objective

LPAC

Content Objective

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

Texas Education Agency

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Slide 66

Note to trainer:

Review the content objective with the participants.

Materials needed:

None

English Learner Services

LPAC

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

19 TAC §89.1201 (d); 1203 (6)

Texas Education Agency

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Slide 67

Note to trainer:

Direct participants to the definition for English language proficiency standards (ELPS) in section 1203 of Chapter 89.

Remind the participants that the ELPS should be an integral part of the curriculum provided for **all** English learners, including students whose parents denied services. A link to the ELPS is provided below.

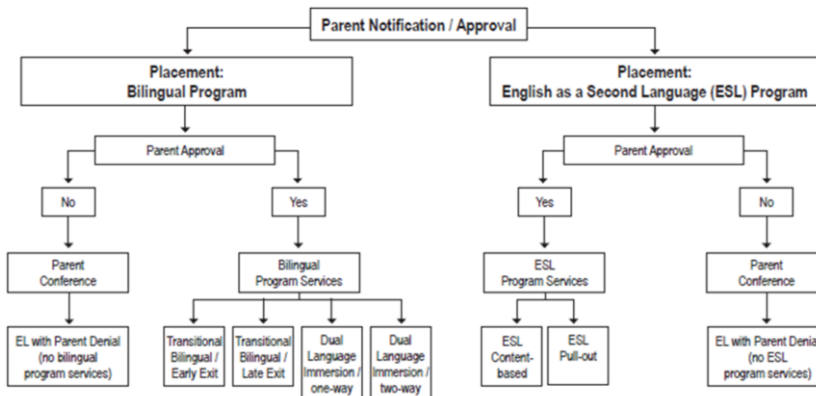
<http://ritter.tea.state.tx.us/rules/tac/chapter074/ch074a.html#74.4>

Materials needed:

- Chapter 89

English Learner Services

LPAC



Texas Education Agency

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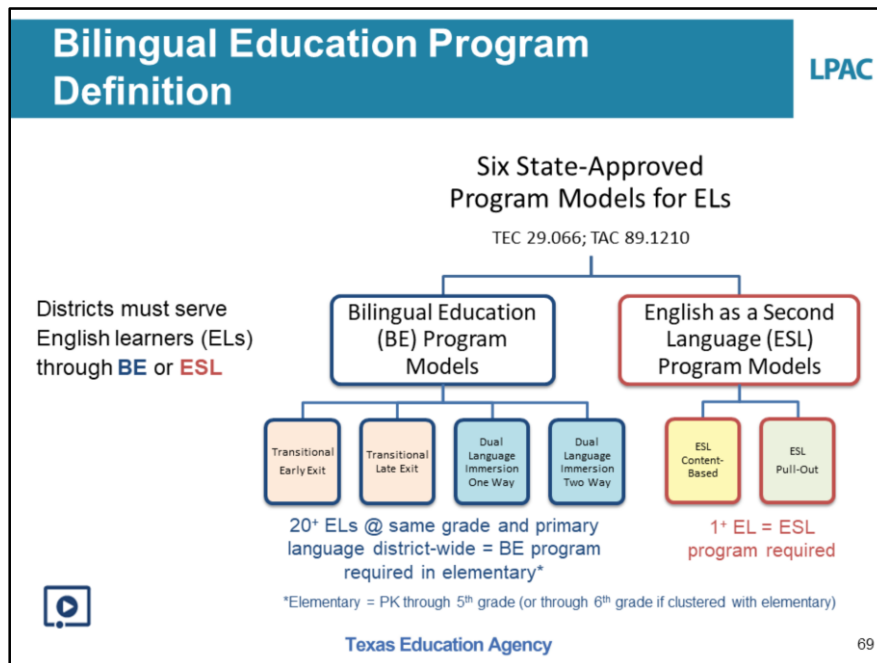
Slide 68

Note to trainer:

Review the flow chart with participants.

Materials needed:

None



Slide 69

Note to trainer:

The information on the next few slides regarding the six program models in Texas will be presented in a video training as well (note video icon).

Sequence the presentation of the slide content as indicated below.

Statute (TEC 29.066) and Rule (TAC 89.1210) require districts to serve English learners through one of the six state-approved models, depending on local student population (as outlined in TAC 89.1205). Districts must serve English learners through a BE program or an ESL program.

Review the information in the lower left corner next.

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

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

Slide 70 (continued):

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

Review the footnote.

Note that the requirement to implement bilingual education applies to elementary grade levels only, so in many cases, bilingual education is required to be implemented in grades PK-5. However, when grade 6 is clustered with elementary grades in a school, the bilingual education is to be offered in the sixth grade at that school as well.

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

Materials needed:

None

Bilingual Education Program Definition

LPAC

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



19 TAC §89.1210 (a)(1); 1203 (4)

Texas Education Agency

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Slide 70

Note to trainer:

Direct participants to the definition for dual-language instruction in section 1203 of Chapter 89.

Materials needed:

- Chapter 89

Bilingual Education Program Models

LPAC

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

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



Texas Education Agency

19 TAC §89.1210 (c)

71

Slide 71

Note to trainer:

Review PEIMS coding for bilingual program models. Refer to the LPAC Framework Manual, Resources tab.

Code Table ID C175

- 0 Does not participate in program
- 2 Transitional bilingual/early exit
- 3 Transitional bilingual/late exit
- 4 Dual language immersion/two-way
- 5 Dual language immersion/one-way

Materials needed:

- LPAC Framework Manual Resources tab

Transitional Bilingual/ Early Exit

LPAC

General Description

- Transitional bilingual/early exit is a bilingual program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria to be successful in English-only instruction not earlier than two or later than five years after the student enrolls in school.

Certifications

- Instruction in this program is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061(b)(1) for the assigned grade level and content area.

Goal

- The goal of early-exit transitional bilingual education is for program participants to utilize their primary language as a resource while acquiring full proficiency in English.

Instructional Approach

- This model provides instruction in literacy and academic content through the medium of the students' primary language, along with instruction in English that targets second language development through academic content.

19 TAC §89.1210 (c)(1)

Texas Education Agency

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Slide 72

Note to trainer:

Review the information on the slide.

Materials needed:

None

Transitional Bilingual/ Late Exit

LPAC

General Description

- Transitional bilingual/late exit is a bilingual program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school.

Certifications

- Instruction in this program is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061(b) (2) for the assigned grade level and content area.

Goal

- The goal of late-exit transitional bilingual education is for program participants to utilize their primary language as a resource while acquiring full proficiency in English.

Instructional Approach

- This model provides instruction in literacy and academic content through the medium of the students' primary language, along with instruction in English that targets second language development through academic content.

19 TAC §89.1210 (c)(2)

Texas Education Agency

73

Slide 73

Note to trainer:

Review the information on the slide.

Materials needed:

None

Dual Language Immersion/ One-Way

LPAC

General Description

- Dual language immersion/one-way is a bilingual/biliteracy program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria in order to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school.

Certifications

- Instruction provided in a language other than English in this program model is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061. Instruction provided in English in this program model may be delivered either by a teacher appropriately certified in bilingual education or by a different teacher certified in ESL in accordance with TEC §29.061.

Goal

- The goal of one-way dual language immersion is for program participants to attain full proficiency in another language as well as English.

Instructional Approach

- This model provides ongoing instruction in literacy and academic content in the students' primary language as well as English, with at least half of the instruction delivered in the student's primary language for the duration of the program.



19 TAC §89.1210 (c)(3); 1203 (3)

Texas Education Agency

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Slide 74

Note to trainer:

Direct participants to the definition for dual language immersion in section 19 TAC §89.1203.

If the school district chooses to offer a Dual Language Immersion program model they must also refer to 19 TAC §89.1227 and §89.1229.

Materials needed:

None

Dual Language Immersion/ Two-Way

LPAC

General Description

- Dual language immersion/two-way is a bilingual/biliteracy program model in which students identified as English learners are integrated with students proficient in English and are served in both English and another language and are prepared to meet reclassification criteria in order to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school.

Certifications

- Instruction provided in a language other than English in this program model is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061, for the assigned grade level and content area. Instruction provided in English in this program model may be delivered either by a teacher appropriately certified in bilingual education or by a different teacher certified in ESL in accordance with TEC §29.061, for the assigned grade level and content area.

Goal

- The goal of two-way dual language immersion is for program participants to attain full proficiency in another language as well as English.

Instructional Approach

- This model provides ongoing instruction in literacy and academic content in English and another language with at least half of the instruction delivered in the non-English program language for the duration of the program.

19 TAC §89.1210 (c)(4)

Texas Education Agency

75

Slide 75

Note to trainer:

If the school district chooses to offer a Dual Language Immersion program model they must also refer to 19 TAC §89.1227, §89.1228, and §89.1229.

Materials needed:

None

Summary: State-approved Bilingual Education Program Models

LPAC

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



Texas Education Agency

Slide 76

Note to trainer:

The “goal” and “instruction” fields will display upon click.

Materials needed:

None

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

LPAC

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



Texas Education Agency

Slide 77

Note to trainer:

Review the information on the slide.

Materials needed:

None

ESL Program Models

LPAC

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

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



Texas Education Agency

19 TAC §89.1210 (d)

78

Slide 78

Note to trainer:

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

Review PEIMS coding for ESL program models. Refer to the LPAC Framework Manual, Resources tab.

PEIMS Code Table ID C176: ESL program models

- 0** Does not participate in ESL program
- 2** ESL/Content-based
- 3** ESL/Pull-out

Materials needed:

None

ESL/Content-Based

LPAC

General Description

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

Certifications

- by a teacher appropriately certified in ESL under TEC, §29.061(c) through English language arts and reading, mathematics, science, and social studies.

Goal

- The goal of content-based ESL is for English learners to attain full proficiency in English in order to participate equitably in school.

Instructional Approach

- This model targets English language development through academic content instruction that is linguistically and culturally responsive in English language arts and reading, mathematics, science, and social studies.



19 TAC §89.1210 (d)(1)

Texas Education Agency

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Slide 79

Note to trainer:

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

Materials needed:

None

ESL/Pull-Out

LPAC

General Description

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

Certifications

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

Goal

- The goal of ESL pull-out is for English learners to attain full proficiency in English in order to participate equitably in school.

Instructional Approach

- This model targets English language development through academic content instruction that is linguistically and culturally responsive in English language arts and reading. Instruction shall be provided by the ESL teacher in a pull-out or inclusionary delivery model.



Texas Education Agency

19 TAC §89.1210(d)(2)

80

Slide 80

Note to trainer:

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

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

Materials needed:

None

Summary: State-approved ESL Program Models

LPAC

Program Model	Goal	Instructional Approach
Content-Based ESL	English learners will attain full proficiency in English in order to participate equitably in school.	English learners receive all content area instruction (English language arts and reading, mathematics, science, and social studies) by teacher(s) certified in ESL and the appropriate grade level and content area.
Pull-Out ESL		English learners receive instruction in English language arts and reading (ELAR) by an ESL certified teacher. A pull-out model can be implemented • by an ELAR and ESL certified teacher within the ELAR classroom • through co-teaching of an ESL certified teacher and ELAR certified teacher • through an additional ESL/ELAR course provided by an ESL and ELAR certified teacher



Texas Education Agency

Slide 81

Note to trainer:

The “goal” and “instruction” fields will display upon click.

Materials needed:

None

Additions to the Required Bilingual or ESL Program

LPAC

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

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

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



19 TAC §89.1205 (f) (g); 1233 (b)

Texas Education Agency

82

Slide 82

Note to trainer:

Let participants know that students who are not English learners (English proficient) must have parent approval to be enrolled in the bilingual education or ESL program.

Materials needed:

None

Dual-Identified Students

LPAC

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

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

[FAQ for English Learners and LPAC](#)



Texas Education Agency

83

Slide 83

Note to trainer:

The TEA Special Populations Division is currently researching and developing additional guidance on identifying, serving, and reclassifying dual-identified students.

Explain that not all special education teachers that have dual-identified English learner students need to be bilingual or ESL certified. Special education teachers need bilingual or ESL certification when providing the **only** access to the language program.

Materials needed:

None

Staffing

LPAC

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

19 TAC §89.1207 (a)(1)

19 TAC §89.1245 (a) (b)

Texas Education Agency

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Slide 84

Note to trainer:

Review the information on the slide.

Materials needed:

None

BE Exception and ESL Waivers: Assurances

LPAC

Requests for BE exceptions/ESL waivers shall include an assurance that: *19 TAC §89.1207 (a)(1)(c-g)* *19 TAC §89.1207 (b)(1)(c-g)*

(C) appropriately certified teachers available in the school district will be assigned to grade levels beginning at prekindergarten followed successively by subsequent grade levels to ensure that the linguistic and academic needs of the English learners with beginning levels of English proficiency are served on a priority basis;

(D) the school district will implement a comprehensive professional development plan that:

- (i) is ongoing and targets the development of the knowledge, skills, and competencies needed to serve the needs of English learners;
- (ii) includes the not appropriately and non-certified teachers that are assigned to implement the proposed alternative program; and
- (iii) may include additional teachers who work with English learners;

Texas Education Agency

85

Slide 85

Note to trainer:

Further information regarding exception assurances is shared on the following (next) slide.

Materials needed:

None

BE Exception and ESL Waivers: Assurances

LPAC

19 TAC §89.1207 (a)(1)(c-g)

(E) at least 10% of the bilingual education allotment shall be used to fund the comprehensive professional development plan required under subparagraph (D) of this paragraph;

(F) the school district will take actions to ensure that the program required under §89.1205(a) of this title will be provided the subsequent year, including its plans for recruiting an adequate number of appropriately certified teachers to eliminate the need for subsequent exceptions and measurable targets for the subsequent year; and

(G) the school district shall satisfy the additional reporting requirements described in §89.1265(c) of this title (relating to Evaluation).

Texas Education Agency

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Slide 86

Note to trainer:

Review the information on the slide.

Materials needed:

None

Staff Development

LPAC

19 TAC §89.1245 (e) (f)

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

Texas Education Agency

87

Slide 87

Note to trainer:

Review the information on the slide.

Materials needed:

None

Required Summer School Programs

LPAC

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

[2019 Summer School Letter](#)



19 TAC §89.1250; 1250 (2) (ii)

Texas Education Agency

88

Slide 88

Note to trainer:

Source: 19 TAC §89.1250 (1) (2)(A)(B)

Purpose of summer school programs.

- (A) English learners shall have an opportunity to receive special instruction designed to prepare them to be successful in kindergarten and Grade 1.
- (B) Instruction shall focus on language development and essential knowledge and skills appropriate to the level of the student.
- (C) The program shall address the affective, linguistic, and cognitive needs of the English learners in accordance with §89.1210(b) of this title (relating to Program Content and Design).

Establishment of, and eligibility for, the program.

- (A) Each school district required to offer a bilingual or ESL program in accordance with the TEC, §29.053, shall offer the summer program.

Slide 89 (continued):

(B) To be eligible for enrollment:

- (i) a student must be eligible for admission to kindergarten or to Grade 1 at the beginning of the next school year and must be an English learner; and
 - (ii) a parent or guardian must have approved placement of the English learner in the required bilingual or ESL program following the procedures described in §89.1220(g) of this title (relating to Language Proficiency Assessment Committee) and §89.1226(b)-(f) of this title (relating to Testing and Classification of Students).
- Any school district required to offer the program under paragraph (2)(A) of this subsection that has fewer than 10 students district-wide desiring to participate is not required to operate the program. However, those school districts must document that they have encouraged students' participation in multiple ways. 89.1250(4)(a)(iii)
 - Funding is tied to participating ELs who are attending summer school and are going into kindergarten or first grade.
 - Records must be kept regarding attendance and progress.
 - The parent must accept bilingual/ESL services in order for a student to participate in the required bilingual/ESL summer program.
 - The student may 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.

Direct the participants to the following forms in the English Learner Services section of the LPAC Framework Manual.

Materials needed:

- Bilingual Summer School Program K-1: Initial Parent Survey, p. 124
- ESL Summer School Program K-1: Initial Parent Survey, p. 125
- Bilingual Summer School Program K-1, p. 126 and p. 128
- ESL Summer School Program K-1, p. 127 and p. 129

Agenda

LPAC

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

Texas Education Agency

89

Slide 89

Time: 45 minutes

Note to trainer:

Let the participants know the training will now address the review and reclassification of English learners.

Materials needed:

None

Review and Reclassification Section Objective

LPAC

Content Objective

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

Texas Education Agency

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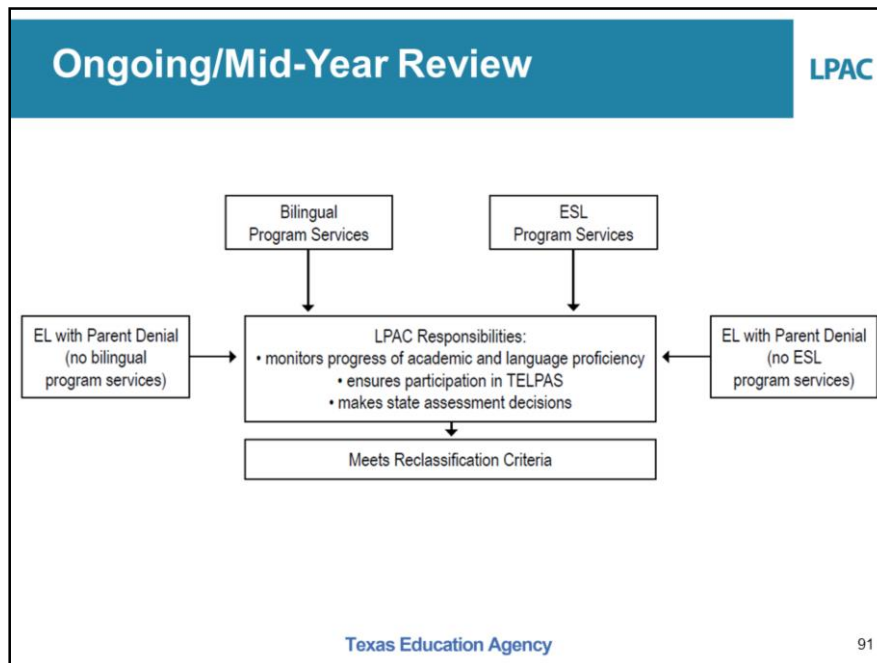
Slide 90

Note to trainer:

Review the content objective with the participants.

Materials needed:

None



Slide 91

Note to trainer:

For more information: Access the TEA Assessment Division LPAC Decision-Making PPT which is released annually after the start of the new school year.

The LPAC's role should not be to simply make decisions and process paperwork, but to also provide opportunities for guiding teachers, support the English language proficiency standards (ELPS) implementation, and determine needs for professional development.

Materials needed:

None

Ongoing Monitoring of English Learners

LPAC

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

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

Texas Education Agency

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Slide 92

Note to trainer:

The students' teachers should be aware of which students have a parent denial form on file.

The LPAC should continue to communicate with the student's parents throughout the school year, providing updates on the student's progress.

Teachers should use the ELPS with all English learners (including students whose parents have denied services) in all content areas. It is recommended to monitor students during each grading period to ensure progress in English language acquisition and academic development. If an English learner with a parental denial is not making progress, it would be appropriate to consult with the parent and describe the benefits of placement in the relevant program.

Materials needed:

None

State Assessments: LPAC Decision-Making

LPAC

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

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

From: 19 TAC §89.1220 (i)

Texas Education Agency

93

Slide 93

Note to trainer:

Source: LPAC Decision-Making, Student Assessment Division

The regulatory procedural guide is based on 19 TAC Chapter 101, Subchapter AA. LPACs should be familiar with these Commissioner of Education rules.

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

LPACs must coordinate with subject-area teachers. Providing unfamiliar accommodations 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.

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

Materials needed:

None

State Assessments: LPAC Decision-Making

LPAC

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

LPAC Decision-Making – Student Assessment Division

Texas Education Agency

94

Slide 94

Note to trainer:

Add the following clarification to the second bullet.

- The designated supports that prevent a student for reclassification are listed at the bottom of the English Learner Reclassification Chart.
- These designated supports that prevent an English learner from reclassification are based on the LPACs recommendation.
- If a student is assigned a designated support from another committee (ARD, 504, Rtl, etc.), those designated supports not related to language acquisition would not affect reclassification.

Materials needed:

None

State Assessments: LPAC Decision-Making

LPAC

- For English learners with parental denial of services, the LPAC shall not:
 - Designate supports for STAAR assessments
 - No testing in Spanish
 - No English I special provisions
 - No unschooled asylee/refugee provisions
- For TELPAS assessments, all English learners are assessed, regardless of whether parents have denied bilingual education or ESL program services.

LPAC Decision-Making – Student Assessment Division

Texas Education Agency

95

Slide 95

Note to trainer:

Review the information on the slide.

Materials needed:

None

Alternate English Language Proficiency (ELP) Assessment

LPAC

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

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

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

[TELPAS Alternate](#)

Texas Education Agency

96

Slide 96

Note to trainer:

A summary of 34 CFR §200.6(h)(5) is provided below:

Assessing English language proficiency of English learners: A State must provide for an alternate English language proficiency assessment for each English learner with the most significant cognitive disabilities who cannot participate in the assessment even with appropriate accommodations.

In Texas, it is the TELPAS Alternate assessment that is used for this purpose.

Materials needed:

None

LPAC Decision-Making for Dual-Identified Students

LPAC

- 19 TAC Chapter 101 of the TAC requires the LPAC to work in conjunction with the ARD Committee to make assessment decisions for these students.
- This collaboration helps ensure that factors related to a student's disability and second language acquisition are both carefully considered.



LPAC Decision-Making – Student Assessment Division

Texas Education Agency

97

Slide 97

Note to trainer:

Remind participants that the TEA will provide a training video on identifying, placing, and reclassifying dual-identified students.

Materials needed:

None

LPAC Decision-Making for Dual-Identified Students

LPAC

- The LPAC is responsible for making designated supports decisions for the STAAR program in conjunction with the student's ARD, Section 504, MTSS, 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.
- These committees should become familiar with all information on the TEA Accommodation Resources webpage.



LPAC Decision-Making – Student Assessment Division

Texas Education Agency

98

Slide 98

Note to trainer:

Review the information on the slide.

Materials needed:

None

Accessibility Resources

LPAC

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

- STAAR Decision-Making Guide for LPACs
<https://tea.texas.gov/student-assessment/ell/lpac/>
- Accessibility Policy Documents located on TEA's Accommodation Resources webpage
<https://tea.texas.gov/accommodations/>

LPAC Decision-Making – Student Assessment Division

Texas Education Agency

99

Slide 99

Note to trainer:

Review the information on the slide.

Materials needed:

None

LPAC Annual Review

LPAC

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

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



Texas Education Agency

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Slide 100

Note to trainer:

Remind the participants to ensure that all students being reviewed have been identified correctly in PEIMS.

The LPAC end-of-year review may include:

- Benchmarks
- Classroom Tests
- State Criterion-Referenced Test Data
- Norm-referenced English and Spanish (when applicable) Standardized Achievement Test Data
- Oral Language Proficiency Test Data
- TELPAS, Primary Reading Assessments, etc.
- Passing grades in all subjects and courses taken
- English Learner Instructional Accommodation Checklist, p. 97-98 (Let participants know that this form is available for download at the LPAC Framework web portal, under the Documents tab.)
- Any input that will give a well-rounded picture of the student's growth and progress

Slide 101 (continued):

Direct the participants to the following forms in the Review and Reclassification section of the LPAC Framework Manual.

Materials needed:

- LPAC Meeting Roster Form, p. 134
- LPAC Meeting Minutes Form, p. 135
- LPAC Review, p. 136-137
- English Learner Progress Monitoring Form, p. 138-139
- Parent Notification on Student Progress, Bilingual Program, pp. 140-141
- Parent Notification on Student Progress, ESL Program, pp. 142-143
- Parent Notification on Student Progress, Parent Denial, pp. 144-145

LPAC Annual Review

LPAC

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

Texas Education Agency

101

Slide 101

Note to trainer:

Review the information on the slide.

Materials needed:

None

Reclassification of English Learners

LPAC

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

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

See Reclassification Criteria Chart for grade-specific requirements.

[TEA Bilingual and ESL Programs](#)

19 TAC §89.1226 (i)

Texas Education Agency

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Slide 102

Note to trainer:

Review the information on the slide.

Materials needed:

None

English Learner Reclassification Rubric

LPAC

Subjective Teacher Evaluation

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



Texas Education Agency

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Slide 103

Note to trainer:

Remind participants there is a training video explaining the EL Reclassification Rubric for the 2018-2019 school year. The Rubric will be revised, based on stakeholder input, in summer 2019-2020, and a new training video will be developed and posted for the 2019-2020 school year.

Materials needed:

Notes

English Learner Reclassification Rubric

LPAC

TEA English Learner Reclassification Rubric
Teacher Documentation

Student Name: _____
Grade Level: _____

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

Academic Language	
Description of Receptive Skills: Listening and Reading (Select one descriptor from the choices below) ☐ Grade appropriate with no second language acquisition support needed to be successful: Student routinely demonstrates listening and reading comprehension skills comparable to English proficient grade-level peers. Student is able to construct meaning when reading grade appropriate texts, and student rarely needs speakers to slow down, repeat, or rephrase during conversations and academic discussions. Student receives written and oral information with no need for second language acquisition support to be successful with grade appropriate content. ☐ Grade appropriate with some second language acquisition support needed to be successful: Student demonstrates listening and reading comprehension skills that are nearing but not yet comparable to English proficient grade-level peers. Student at times relies on linguistically accommodated text features to construct meaning from abstract grade appropriate text. Student comprehends conversations and discussions but relies at times on pauses for processing time, requests for repetition, visual cues, and requests for clarification with less familiar topics.	Description of Expressive Skills: Speaking and Writing (Select one descriptor from the choices below) ☐ Grade appropriate with no second language acquisition support needed to be successful: Student routinely expresses thoughts and ideas in speaking and in writing at a level comparable to English proficient grade-level peers. Student uses grade-appropriate content-based vocabulary and grammar effectively in oral and written communications. Student communicates orally with few pauses and minimal errors that block communication. Student produces oral and written material with no need for second language acquisition support to be successful with grade appropriate content. ☐ Grade appropriate with some second language acquisition support needed to be successful: Student expresses thoughts and ideas in speaking and writing that are nearing but not yet comparable to English proficient grade-level peers. Student uses grade appropriate content-based terms on familiar topics with some errors in complex grammar usage. Student expresses grade appropriate ideas in writing with emerging grade appropriate vocabulary, but at times relies on second language acquisition supports to express ideas effectively in oral and written English.
Comments: _____ _____ _____	

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

Teacher Name: _____ Teacher Signature: _____ Date of Completion: _____

Texas Education Agency

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Slide 104

Note to trainer:

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

In addition, inform participants that the TEA is in the process of developing an "English Learner Reclassification Rubric – Alternate" to be used to inform reclassification decisions by the LPAC for students with significant cognitive disabilities beginning in the 2019-2020 school year.

Materials needed:

- English Learner Reclassification Rubric, p. 146

Decisions Pending Results

LPAC

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

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

Texas Education Agency

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Slide 105

Note to trainer:

Sources: 19 TAC §89.1240 (b); TEC §29.056

Review the following with participants:

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

TEC §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.

Slide 106 (continued):

Remind participants of the importance for the LPAC to have a process in place to ensure that student scores are reviewed, the reclassification process is completed as appropriate, and that PEIMS coding is adjusted accordingly for students who are reclassified over the summer.

Materials needed:

None

Reclassification of English Learners

LPAC

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

19 TAC §89.1226 (j)

Texas Education Agency

106

Slide 106

Note to trainer:

Emphasize that students may not be exited until the end of first grade.

Materials needed:

None

Reclassification of Dual-Identified Students

LPAC

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



Texas Education Agency

19 TAC §89.1226 (l)

107

Slide 107

Note to trainer:

Review the *Guidance on Identification/ Reclassification: LPAC and ARD Committee Collaboration* for decisions regarding SPED students in the Review and Reclassification section of the LPAC Framework Manual.

Materials needed:

- Guidance on Identification/ Reclassification: LPAC and ARD Committee Collaboration, p. 147-151

Reclassification of English Learners with Significant Cognitive Disabilities

LPAC

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

19 TAC §89.1226 (I)

Texas Education Agency

108

Slide 108

Note to trainer:

Review the *Guidance on Identification/ Reclassification: LPAC and ARD Committee Collaboration* for decisions regarding SPED students in the Review and Reclassification section of the LPAC Framework Manual.

Materials needed:

- Guidance on Identification/ Reclassification: LPAC and ARD Committee Collaboration, p. 147-151

English Learner Reclassification Chart

LPAC

2019–2020 English Learner Reclassification Criteria Chart

At the end of the school year, a district may reclassify an English Learner (EL) as English proficient for the first time or a subsequent time if the student is able to participate equally in a regular all-English instruction program as determined by satisfactory performance in all three assessment areas below and the results of a subjective teacher evaluation.¹

For State of Texas Assessments of Academic Readiness (STAAR) English reading and English writing, the performance standard for program exit is the student meeting any of the following:

- Meets Grade Level
- Meets Grade Level
- Approaches Grade Level

	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11 th /12 th
English Language Proficiency Assessment	Texas English Language Proficiency Assessment System (TELPAS) Advanced High in Listening, Speaking, Reading and Writing										
State Standardized Reading Assessment	TEA Approved Norm-Referenced Standardized Achievement Test (Reading/Language) 40 th percentile or above ²		STAAR Reading (English)						STAAR English I EOC ³	STAAR English II EOC ³	TEA Approved Norm-Referenced Standardized Achievement Test (Reading/Language) 40 th percentile or above ²
Subjective Teacher Evaluation	Form: English Learner Reclassification Rubric Training Video: English Learner Reclassification Rubric Training Video Presentation (35 minutes) Training PowerPoint: English Learner Reclassification Rubric Introduction and Training PowerPoint										

¹ 19 TAC §89.1226(i)(3)

² Effective in school year 2019–2020, students in grades 1–2 and in grades 11–12 shall be assessed using the state's single TEA Approved Norm-Referenced Standardized Achievement Test:

<http://tea.texas.gov/bilingual/es/education/>

³ For STAAR, English reading and English writing refer to the grade-level tests in grades 3–8 and to the applicable end-of-course English I for grade 9, and English II for grade 10.

Note: ELs may be exited no earlier than at the end of first grade based on 19 TAC §89.1226(j).

Note: Students for whom the LPAC recommends the use of Oral Administration, Content and Language Supports, or Extra Time as an accommodation for any reading or writing assessment, may not be considered for exit at the end of the school year.

Note: English learners with significant cognitive disabilities who are receiving special education services may qualify to be reclassified using the following: [Process for Considering Reclassification of English Learners who also have Identified Special Needs](#)

Texas Education Agency

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Slide 109

Note to trainer:

Review the information on the slide.

Materials needed:

- English Learner Reclassification Chart, p. 152

Parent Notification and Approval

LPAC

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



19 TAC §89.1240 (b)

Texas Education Agency

110

Slide 110

Note to trainer:

Source: 19 TAC §89.1220 (m); TEC §29.056.

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

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

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

Slide 111 (continued):

TEC §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.

Direct the participants to the applicable forms in the Review and Reclassification section of the LPAC Framework Manual.

Materials needed:

- Parent Notification and Approval for Reclassification from Bilingual Program, p. 153
- Parent Notification and Approval for Reclassification from ESL Program, p. 154
- Student History, p. 155
- English Learner Cumulative Folder Documentation Checklist, p. 156

Parent Notification and Approval

LPAC

- Students meeting the requirements for reclassification may, at parent request, continue in the bilingual education or ESL program, at the district's discretion.
- Reclassified students who continue to participate in program services do not generate bilingual education allotment funds.

19 TAC §89.1240 (b)

Texas Education Agency

111

Slide 111

Note to trainer:

Review the information on the slide.

Materials needed:

None

Training Agenda

LPAC

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

Texas Education Agency

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Slide 112

Time: 20 minutes

Note to trainer:

Let the participants know the training will now address the monitoring and evaluation of English learners.

Materials needed:

None

Monitoring and Evaluation Section Objective

LPAC

Content Objective

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

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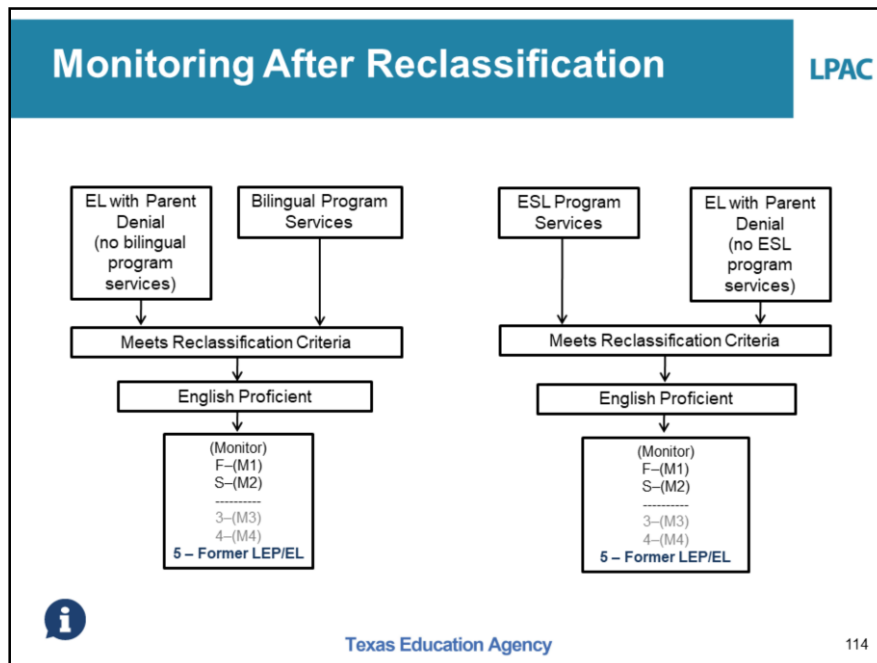
Slide 113

Note to trainer:

Review the content objective with the participants.

Materials needed:

None



Slide 114

Note to trainer:

The PEIMS code “5” (in red) is new, beginning in the 2019-2020 school year. We will explore it in more depth later in the presentation, during the section that addresses PEIMS updates.

Materials needed:

None

Monitoring After Reclassification

LPAC

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



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19 TAC §89.1220 (k)

115

Slide 115

Note to trainer:

Direct the participants to the applicable forms in the Monitoring and Evaluation section of the LPAC Framework Manual.

Further information regarding reclassified students (F & S only) is provided in the following (next) slide.

Materials needed:

- LPAC Review, p. 161-162
- LPAC Meeting Roster Form, p. 163
- LPAC Meeting Minutes Form, p. 164
- Monitored Student Roster Form, p. 165
- LPAC Monitoring of Reclassified Students in Bilingual Program, p. 166
- LPAC Monitoring of Reclassified Students in ESL Program, p. 167

Reclassified Students (F&S Only)

LPAC

19 TAC §89.1220 (k)

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

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

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Slide 116

Note to trainer:

Additional information is provided on the following (next) slide.

Materials needed:

None

Reclassified Students (F&S Only)

LPAC

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

19 TAC §89.1220 (k)

Texas Education Agency

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Slide 117

Note to trainer:

Source: TEC 29.0561 (c) Evaluation of Transferred Students; Reenrollment

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

Materials needed:

None

Monitor Year (3) and (4) Students

LPAC

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



ESEA Section 3121(a)(5)

Texas Education Agency

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Slide 118

Note to trainer:

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

Remind participants that additional information regarding PEIMS codes will be shared at the end of the day and a training video on that topic will also be posted.

Materials needed:

None

Program Evaluation

LPAC

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

19 TAC §89.1265 (a)

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Slide 119

Note to trainer:

Remind participants that the annual evaluation report must be presented before November 1 of each SCHOOL year. In other words, the date of the annual evaluation presentation falls after the first day of the school year but before November 1 of that school year.

District policy shall determine whether a district is required to present a written report ONLY, or to also make a presentation of the written report to the board.

Materials needed:

None

Program Evaluation

LPAC

Annual school district reports of educational performance shall reflect

- (1) the academic progress in the language(s) of instruction for English learners;
- (2) the extent to which English learners are becoming proficient in English;
- (3) the number of students who have been exited from the bilingual education and ESL programs; and
- (4) the number of teachers and aides trained and the frequency, scope, and results of the professional development in approaches and strategies that support second language acquisition.

19 TAC §89.1265 (b)

Texas Education Agency

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Slide 120

Note to trainer:

Review the information on the slide.

Materials needed:

None

Program Evaluation

LPAC

In addition, for those school districts that filed in the previous year and/or will be filing a bilingual education exception and/or ESL waiver in the current year, the annual district report of educational performance shall also reflect

- (1) the number of teachers for whom an exception or waiver was/is being filed;
- (2) the number of teachers for whom an exception or waiver was filed in the previous year who successfully obtained certification; and
- (3) the frequency and scope of a comprehensive professional development plan, implemented as required under §89.1207 of this title (relating to Bilingual Education Exceptions and English as a Second Language Waivers), and results of such plan if an exception and/or waiver was filed in the previous school year.



19 TAC §89.1265 (c)

Texas Education Agency

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Slide 121

Note to trainer:

Review the information on the slide.

Materials needed:

None

LPAC Framework Website/Resources

LPAC

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

www.esc20.net/lpac

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Slide 122

Note to trainer:

Explain where the LPAC materials are located and share the link with participants. The LPAC Framework Manual is a project that is created in collaboration between the 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.

Materials needed:

None



Slide 123

Note to trainer:

Tell the participants to submit any questions they have regarding English learners to the English Learner Support team at the email address provided on the slide.

Materials needed:

None

References

LPAC

- [Texas Administrative Code, Chapter 89](#)
- [Texas Education Code \(TEC\), Chapter 29](#)
- [English Language Proficiency Standards \(ELPS\)](#)
- [19 TAC Chapter 101. Assessment](#)
- [34 CFR 200.6 - Inclusion of All Students](#)
- [Every Student Succeeds Act \(ESSA\)](#)

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Slide 124

Note to trainer:

None

Materials needed:

None