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Curriculum Division
Texas Education Agency
Sections of the LPAC Framework

- Introduction/Chronology of Federal and State Laws
- 19 TAC Chapter 89/ Texas Education Code (TEC) Chapter 29
- LPAC Training
- Forms and Resources
Introduction

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

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

• The Framework for the LPAC process includes **clarification of the legal requirements** for the LPAC and provides documents and forms to facilitate the training of LPAC members.

• The forms included in the LPAC Framework are samples for districts to use for the implementation of a Bilingual/ESL program.
Purpose of the LPAC Framework

The LPAC Framework integrates State and Title III of Public Law 107-110 (*Elementary and Secondary Education Act*) requirements regarding the:

- identification and placement;
- parental approval;
- annual review; and
- assessment of English language learners as they attain language and academic proficiency.
Purpose of the LPAC Framework

The Framework delineates the steps that must be followed in the:

- **Identification** – Assessing students whose Home Language Survey have a language other than English and who are determined to have limited English proficiency

- **Processing** – LPAC meets to review assessment information in order to make placement decisions
Purpose of the LPAC Framework

• **Placement** – Determining the appropriate program for students identified as an English language learner (ELL)

• **Monitoring** – Reviewing progress and performance of ELLs in their intensive language instruction program as well as the determination for exit and follow up of students as they transition into an all-English program
The Framework for the LPAC Process Manual can be accessed through the Education Service Center, Region 20 LPAC portal located at:

www.esc20.net/lpac
LPAC Framework Website

The LPAC website components:

- Home
- LPAC Framework
- Parent Resources
- Videos
- Frequently Used Resources
- Decision Making Manual
19 TAC Chapter 89: Adaptations for Special Populations Subchapter BB

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Policy and Facilities

Each school district shall:

• Identify an English language learner (ELL)
• Provide bilingual and ESL programs as integral parts of the regular program
• Seek certified teaching personnel
• Assess achievement for essential knowledge and skills to ensure accountability for ELLs
• Locate programs in the regular public schools of the school district rather than in separate facilities

19 TAC §89.1201, §89.1235
Goal of Bilingual Education

The goal of bilingual education programs shall be to:

• Enable ELLs to become competent in listening, speaking, reading and writing of English through the development of literacy and academic skills in the primary language and English

• Emphasize mastery of English language skills, as well as math, science and social studies

• Use instructional approaches designed to meet the needs of ELLs

• Be an integral part of the total school program

• Utilize the essential knowledge and skills required by the state as the curriculum

19 TAC §89.1201
Goal of ESL Programs

The goal of ESL programs shall be to:

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

19 TAC §89.1201
Staffing and Staff Development

• School districts shall seek *certified teachers* to ensure ELLs are afforded full opportunity to master essential knowledge and skills and provide professional development.

• School districts which are unable to employ a *sufficient number* of teachers shall apply for an exception to the bilingual education program as provided in §89.1210 of this title or a waiver of the certification requirements in the English as a Second Language program as provided in §89.1210 of this title as needed.

19 TAC §89.1245, §89.1207
Testing and Classification of Students

Grades PK-1:
  • TEA approved oral language proficiency test (OLPT) *(listening and speaking)* in English (and OLPT in primary language for bilingual programs)

Grades 2-12:
  • TEA approved oral language proficiency test (OLPT) *(listening and speaking)* in English (and OLPT in primary language for bilingual programs), AND
  • Reading and language arts sections of an English norm-referenced standardized achievement test approved by the state (Through the attempted assessment administration the students English ability is so limited that the test would not be valid)

http://tea.texas.gov/bilingual/esl/education/
Testing Administrator

The person administering the oral language proficiency test \textit{(listening and speaking)} must have documentation of training in the administration and scoring of the test \textbf{and} must be proficient in the language of the test.
ELL Determinations

The LPAC, not the test administrator, must meet and review *all assessment* results to determine ELL status.
Composition of the LPAC

• Each school district required to offer bilingual education and special language programs (ESL) shall establish an LPAC.

• The LPAC is composed of a:
  – campus administrator*
  – professional bilingual educator*
  – ESL teacher/professional transitional language educator*
  – parent of a current ELL participating in the required bilingual or special language program (ESL)
    • this parent may not be an employee of the school district*

*All members must be present!  

19 TAC §89.1220
TEC §29.063
Membership Guidelines

• All LPAC members shall be trained.
• If one of the members does not understand English (parent), the training should be developed in the member’s primary language.
• At the LPAC meeting, an interpreter should be available if the parent representative is not proficient in English.
• The parent representative volunteers his/her participation in the LPAC.
• The student’s parents are not required to attend the LPAC meeting.
Membership Guidelines

• The trained LPAC parent serves as the representative parent for all ELLs. Anyone that is a designated LPAC member at these meetings must be trained in order to follow the process accordingly.

• Each trained member shall also sign an oath of confidentiality (sample included in the manual) because test and other information that is shared and analyzed for all students must be considered with respect to each student and his/her family’s right to confidentiality.
LPAC Guidelines

• All required members are given prior notification of meeting.
• All required members meet and a chair is selected for the meeting.
• Members review and discuss all student data and information.
• Members arrive at appropriate decisions.
• Members sign and date all documentation/LPAC forms.
LPAC Guidelines

• Decisions are included in LPAC minutes which are kept in a central location.
• The committee meeting is adjourned.
• Documentation for each student is filed in the student’s record folder.

(Sample forms for LPAC meetings are included in the manual.)
Required Documentation

The student’s record shall contain:

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

The student’s record shall contain:

✔ Assessment
✔ Additional interventions
✔ The date of exit from program and parent approval
✔ Results of monitoring
Required LPAC Meetings

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

- Identification of ELLs
- Assessment and documentation review
- Placement
- Instructional methodologies and/or interventions
- Instructional linguistics accommodations or accommodations for assessment
- Coordination
- Parental Approval
- Annual Review (linguistic and academic progress)
Determining Eligibility at PreK-1\textsuperscript{st} Grade

At PreK – 1\textsuperscript{st} grade:

- In prekindergarten through Grade 1, the student's score on the English oral language proficiency test is below the level designated for indicating limited English proficiency.
Determining Eligibility at Grades 2-12

At grades 2-12:

• The student’s score on the TEA-approved English OLPT is below the level designated for indicating ELL.

• For eligibility, the student's score on the English reading and/or English language arts sections of the TEA-approved norm-referenced standardized achievement instrument at his or her grade level is below the 40th percentile;

• The student’s ability in English is so limited that the administration of the TEA norm-referenced assessment instrument is not valid.
Eligibility for Students with Disabilities

Students with disabilities whose scores indicate limited English proficiency on the assessment determined by the *key members of the* ARD committee in conjunction with the *key members of the* LPAC are identified as ELL.

http://tea.texas.gov/index2.aspx?id=2147496923

19 TAC §89.1230
19 TAC §89.1225 (f) (4)
Bilingual Education Program

• English language learners shall be provided instruction in language arts, mathematics, science, and social studies both in their home language and in English.

• Content area instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher-order thinking skills in all subjects.

• Literacy development in the primary language facilitates the transfer from primary language (L1) to second language (L2).

• Oral language testing requirements in both the primary language and English must be reviewed for placement.

• ESL is a component of the bilingual program.
The bilingual education program shall be implemented with consideration for each English language learner's unique readiness level through one of the following program models:

- Transitional Bilingual/Early Exit
- Transitional Bilingual/Late Exit
- Dual Language Immersion/Two-way
- Dual Language Immersion/One-way

19 TAC §89.1210 (c) (2) (3), §89.1227, §89.1228
ESL Program

- Uses second language methods throughout the curriculum
- Provides instruction that includes TEKS based academic content, as well as, language development
- Differentiates instruction of content according to language proficiency levels
- Provides academic instruction that is on grade level

http://tea.texas.gov/bilingual/esl/education/
The English as a Second Language program shall be implemented with consideration for each English language learner's unique readiness level through one of the following program models:

- Content-Based Program Model
- Pull-Out 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:

- Student is 18 years of age or has had the disabilities of minority removed
- **Reasonable attempts** to inform and obtain permission from a parent or guardian have been made and documented
- Approval is obtained from:
  - An adult or foster parent or employee of the state
  - The student, if no parent, guardian, or other responsible adult is available, or
- A parent or guardian has not objected in writing

19 TAC §89.1220 (m)
Parental Approval

PLACEMENT: Required
Bilingual Program

Parental Permission

No
Parent Conference

Yes
Bilingual

LEP Denial

Meets Exit/Reclassification Criteria

Non-LEP

F or S
(Monitor)

PLACEMENT: Required
ESL Program

Parental Permission

Yes
ESL

Non-LEP

F or S
(Monitor)

No
Parent Conference

LEP Denial

Meets Exit/Reclassification Criteria

Non-LEP
Parental Approval

• After the LPAC recommends placement of the ELLs, **written parental approval must be obtained.**

• Remember the parent approval form should be in both English and the native language of the parent.

19 TAC §89.1240
Parent Denials

• If a parent denies the placement decision, then the student is identified in PEIMS as LEP with a parent denial until the student meets exit criteria.

• It is recommended that the progress of the ELL with a parent denial on file be closely monitored.
Parent Denials

- Monitor and facilitate the educational process, as you would for all students.
- Rate student’s listening, speaking and writing proficiency with TELPAS (beginning at Grade K through Grade 12).
- Administer the TELPAS Reading test beginning at Grade 2, until the child is no longer identified as LEP through Grade 12.

*Title III, Part A, Subpart 2.Sec.3121(a)(4); TAC §89.1220(k); TEC §29.0561*
Parent Denials

- The LPAC must review student’s TELPAS and state assessment scores at the end of each year.
- Once a student meets exit criteria (19 TAC §89.1225), he/she is reclassified as Non-LEP in PEIMS.
- Students with parent denials are also monitored for two additional years.

*(Title III, Part A, Subpart 2.Sec.3121(a)(4); TAC §89.1220(k); TEC §29.0561)*
State Assessments

- **Bilingual Classroom**
  - ELPS
  - MEETS EXIT CRITERIA

- **ESL Classroom**
  - ELPS
  - MEETS EXIT CRITERIA

- **LEP Denial**
  - ELPS
  - MEETS EXIT/RECLASSIFICATION CRITERIA
Annual Review

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

• identified in PEIMS as LEP, being served in a bilingual or ESL program
• identified in PEIMS as a LEP parental denial
• that has met criteria for bilingual/ESL program exit, is no longer classified as LEP in PEIMS, and is in his or her first (F) or second (S) year of monitoring
The LPAC should review:

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

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

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

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

• Students in Pre-Kindergarten and Kindergarten **may not be exited** from a bilingual education or English as a second language program.

• An annual review is still conducted by the LPAC for all students identified as ELL in order **to assess and document progress**.

*19 TAC §89.1225 (i)*
Parental Notification/Approval

Bilingual Classroom

Meets Exit Criteria

Non-LEP

F or S (Monitor)

ESL Classroom

Meets Exit Criteria

Non-LEP

F or S (Monitor)

LEP Denial

Meets Exit/Reclassification Criteria

Non-LEP

F or S (Monitor)
Parental Notification/Approval

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

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

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

19 TAC §89.1225 (k)
§89.1230
The LPAC shall reevaluate a student who is transferred out of a bilingual education or special language program under Section 29.056(g) if the student earns a failing grade in a subject in the foundation curriculum under Section 29.002(a) during any grading period in the first two school years after the student is transferred to determine whether the student should be reenrolled in a bilingual education or special language program.

TEC §29.0561(a)
Reclassified Students

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

(1) The total amount of time the student was enrolled in a bilingual education or special language program;

(2) The student’s grades each grading period in each subject in the foundation curriculum under Section 29.002 (a) (1);
Reclassified Students

(3) The student’s performance on each assessment instrument administered under Section 39.023 (a) or (c);

(4) The number of credits the student has earned toward high school graduation, if applicable; and

(5) Any disciplinary actions taken against the student under Subchapter A, Chapter 37.

TEC §29.0561(b)
Reclassified Students

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

TEC §29.0561(c)
Required Summer School Programs

• 19 TAC §89.1250 Required Summer School Programs
• TEA Correspondence/Summer School Program for English language learners who will be eligible for admission to kindergarten and Grade 1
• If a student's parent has denied bilingual/ESL services and the only summer school program available is a bilingual education/ESL summer school program, then the student is not eligible to generate bilingual/ESL ADA in the summer school program.
• Sample of Summer Program Parent Survey included in the LPAC Manual under the Forms section,

19 TAC §89.1250
Program Evaluation

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

- Conduct periodic assessment in the languages of instruction to determine program impact and student outcomes in all subject areas.

- Annually report (and retain the report) the academic progress in either language of the English language learner students, the extent to which they are becoming proficient in English, the number of students who have been exited from the bilingual education and English as a second language programs, and the number of teachers and aides trained and the frequency, scope, and results of the training (TEC §7.028).

19 TAC §89.1265
• Report to parents the progress of their child as a result of participation in the program is offered to ELLs in English and the home language at least annually.

• Develop, review, and revise the campus improvement plan described in the Texas Education Code §11.253, for the purpose of improving student performance for ELLs.