

Overview

This frequently asked questions (FAQ) document provides answers to common questions related to the duties of the Language Proficiency Assessment Committee (LPAC) and programs for emergent bilingual (EB) students. The guidance herein applies to all local education agencies (LEAs), including school districts, open-enrollment charter schools, and districts of innovation. Throughout, all LEAs are referred to as school districts in accordance with 19 Texas Administrative Code (TAC) §89.1203 (10). alJ

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I. A-3 How must school systems, including districts of innovation, and open-enrollment charter schools, implement this recent requirement? (New February 2024)

Schools systems, or vendors action on behalf of the school systems, may provide the standardized letters in paper or electronic format in accordance with the following:

- The content of each of the letters must remain consistent; therefore, no content can be added or omitted.
- The TEA logo or a statement clearly indicating the contents of the form is required, per 19 TAC §89.1215(b) and §89.1240(a)(3) and (b), must be included.
- Formatting changes of any kind may not impact the accessibility or readability of the letter(s).

Although the agency will not review or approve submitted examples for compliance with this guidance, compliance with may be verified during agency monitoring or auditing activities.

I. A-4 Are digital/electronic signatures permissible for both parents and LPAC members on any LPAC documentation (including Home Language Survey, parental approval, LPAC meeting documentation, etc.)?

Yes, digital/electronic signatures are permissible. A “digital signature” is defined as “an electronic identifier by

I. A-5. What is the record retention period for LPAC records?

The LPAC records retention schedule is cessation of services (ending at reclassification) plus 5 years (including the two years of monitoring).

I. A-6 Where should the emergent bilingual folder be placed? (New January 2023)

Cumulative folders are legal and confidential student education records. Cumulative folders and all information contained therein are only allowed by law to be viewed by authorized personnel.

II. A-4. What is the state’s single, statewide assessment for EB student identification?

Data Recognition Corporation (DRC) LAS Links Battery of Assessments is the statewide assessment for EB student identification.

Resource: The [LAS Links Texas](http://laslinks.com/texas) site (laslinks.com/texas) provides districts with all information necessary for training and purchasing of the LAS Links Battery of Assessments.

II. A-5. What is the procedure to follow for a previously identified Emergent Bilingual (EB) student?

II.B-3 If an LEA uses local resources to provide the contents of the form in a language that is understood by the parent, does the LEA need to readminister the HLS if/when TEA publishes the required form in the language in question? (New October 2023)

No, as is always the case, the home language survey is to be administered once upon enrollment in Texas public schools and the information contained in that document is what drives identification of Emergent Bilingual students.

II.B-4. LEAs using a paper version of the HLS cannot access the hyperlinks on the form. How can this be made accessible to parents completing a paper HLS? (New October 2023)

II. B-8. What if a parent/guardian lists more than two languages other than English for one or any of the questions on the HLS? (Updated October 2023)

Each question on the HLS may have more than one language listed for th (lis)-1.3 (t)-3 (aeS)-1.5 ()TJ-n6 (o)-6.6 M2.3 u76e-n

Frequently Asked Questions – LPAC and Emergent Bilingual Students

- be reclassified as English proficient when reclassification criteria are met;
- enter two years of monitoring by the LPAC after reclassification; and
- enter an additional two years of monitoring in PEIMS for federal purposes.

III. A-2. If a student qualifies to participate in a pre-kindergarten program based on identification as emergent bilingual by



B. Bilingual Education

IV. B-1. Should districts that have been required to offer a bilingual education program in previous years continue to offer the bilingual education program if their EB student enrollment falls below the minimum requirement per TEC 29.053 (c)?

Per TEC 29.053 (c), a school district is required to offer a bilingual education program when enrollment of identified EB students is at or above 20 students from the same language classification and same grade level across the district. If enrollment of EB students fluctuates below the requirement of 20 students, the district is not required to provide the bilingual education program but may continue to do so. It is strongly encouraged that districts maintain continuation of program services for students who have been participating in the

Dual Language Immersion/One-Way (5) if EB students from one-way programs will be the only students participating in the middle school DLI program.

Resource: This [Code Guide](#) resource provides details on how to code students in PEIMS when they are participating in a DLI program, and it indicates the weighted Bilingual Education Allotment (BEA) funding for these students.

C. English as a Second Language (ESL)

IV. C-1. Do all teachers of EB students need to be ESL certified? Do all English Language Arts and Reading (ELAR) teachers need to be ESL certified?

TAC §89.1210 (d) provides the descriptions for the following categories: (1) (E)-5 (L)-5 (o)-9 (w)-6 (a) 0 (s)-001 Tc 0.004-70

IV. E-3. If an EB student has met all curriculum course requirements for graduation but is enrolled in school for special education transition services only, is the student required to take TELPAS?

No. If an EB student has met all curriculum course requirements for graduation and is only receiving transition services through special education, he or she is not required to take TELPAS. TELPAS is only for EB students enrolled in grades K-12, and a student receiving transition services only is likely not coded at any of these grade levels.

Similarly, if an EB student has met all curriculum course requirements for graduation but is in school only for STAAR EOC completion requirements, the student would not be required to take TELPAS.

IV. E-4. For the English Language Proficiency Assessment portion of the EB reclassification criteria, can the TELPAS composite score be used?



full monitoring responsibilities as with students in years 1 and 2 after reclassification. The LPAC's only

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Texas Administrative Code

- Chapter 89, Section 89.009, Texas Administrative Code, 11.5341.04, 4J13.081 reW6fCq/Attached [Bot04 -0 004 37.4120 g/TT1 1 Tf-0.004