

The Language Proficiency Assessment Committee



La Joya ISD

August 2009

Bilingual/ESL Department



Introduction

- 19 Texas Administrative Code (TAC) Chapter 89. Adaptations for Special populations. Subchapter BB.
- The Commissioner's Rules Concerning the State Plan for Educating Limited English Proficient Students 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)**.

Activity

- **Content Objective:** Participants will...
 - identify critical points in Chapter 89
 - summarize a single section of Chapter 89
- **Language Objective:** Participants will...
 - engage in discussion about Chapter 89
 - read one section to identify critical points
 - create a visual representation of summary
 - present the section throughout the LPAC Training



Purpose of the LPAC Process Manual

The intent of the Manual is to establish a framework which elaborates the steps necessary in the implementation of a consistent and standardized LPAC process across the state of Texas. Each step in the process is directly tied to legal requirements found in the Commissioner's Rules.

Table of Contents

Section 1 - Framework for the LPAC (pg. 1-56)

Section 2 - LPAC Membership (pg. 57-69)

Section 3 - LPAC Responsibilities (pg. 70-72)

- Identification and Placement (pg. 73-83)

- Instructional Design (pg. 84-94)

- Initial Placement and Review Forms
(pg. 95-99)

- Assessment and Intervention Plans
(pg. 100-125)

- End of Year Review (pg. 126-132)

Section 4 - Discrepancy & Parental Denial Forms (pg.133-149)

Purposes of the LPAC Process Manual

The manual integrates State and Title III of Public Law 107-110 (No Child Left Behind) requirements regarding the:

- Identification and Placement
- Parental Approval
- Annual Review and
- Assessment

of English language learners as they attain language and academic proficiency.



Purposes of the LPAC Process Manual

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

- Identification
- Processing
- Placement
- Monitoring

of LEP students in their intensive language instruction program as well as the determination for the exit and follow up of students as they transition into an all English program.

Policy and Facilities

Each school district shall:

- Identify limited English proficient (LEP) students
- Provide bilingual and ESL programs as integral parts of the regular program
- Assess achievement for essential knowledge and skills to ensure accountability for LEP students
- Locate programs in the regular public schools of the district rather than in separate facilities.

19 TAC Chapter §89.1201, §89.1235, §89.1207

Goal of Bilingual Education

The goal of bilingual education programs shall be to:

- Enable LEP students to become competent in comprehension, speaking, reading, and composition 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 LEP students
- Be an integral part of the total school program
- Utilize the essential skills and knowledge required by the state as the curriculum

19 TAC Chapter §89.1201

Goal of ESL Programs

The goal of ESL programs shall be to:

- Enable LEP students to become competent in the comprehension, speaking, reading, and composition 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 LEP students
- Be an integral part of the total school program
- Utilize the essential skills and knowledge required by the state as the curriculum

19 TAC §Chapter 89.1201

Staffing and Staff Development

- School districts shall seek **certified teachers** to ensure LEP students 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 §89.1205(g) of this title or a waiver of the certification requirements in the English as a Second Language program as provided in §89.1205(h) of this title as needed.

*19 TAC Chapter **§89.1245**, §89.1205, §89.1207*



LPAC Membership



LPAC Membership

LPAC committees are responsible for identifying students, recommending the best instructional setting based on assessments, and monitoring academic and linguistic progress for Limited English Proficient (LEP) students.

All of the information available should be reviewed carefully and decisions should be made ethically and in good conscience concerning each child on an individual basis.

19 TAC Chapter [§89.1220](#)

LPAC Membership: Roles

- Determines LEP status after reviewing all scores of entry criteria
- Recommends the appropriate educational program placement for each LEP student
- Notifies the parent about classification and obtains permission in writing for program entry
- Determines the best state testing option for each LEP student (immediately prior to state assessment)

LPAC Membership: Roles

- Facilitate and reviews student participation and progress in the district's Bilingual or ESL program
- Facilitate the participation of eligible LEP students in other special programs provided by the district with either state or federal funds
- Determine exit status (reclassification as Non-LEP) upon reaching state exit criteria
- Monitors progress of exited students for 2 years

LPAC Membership for Elementary

Composition of the LPAC:

For **Bilingual Programs** (at least 4 members)

1. A campus administrator
2. A professional bilingual educator
3. A professional transitional language educator
4. A parent of a current limited English proficient student (this parent may not be an employee of the school district)

***All must be present**



LPAC Membership for Secondary

Composition of the LPAC:

For ESL Programs (at least 2 members):

One or more professional personnel (it is recommended that this include a campus administrator and a certified ESL teacher)

2. A parent of a limited-English proficient student participating in the program designated by the district (this parent may not be an employee of the school district)

***Must be present**

LPAC Membership

LPAC Training:

- All LPAC members must 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 in case the parent representative is LEP.
- The parent representative volunteers his/her participation in the LPAC.
- Parents of Parental Denials cannot serve as an LPAC member.

LPAC Membership

- The trained LPAC parent serves as the representative parent for all LEP students. Anyone that is at these meetings must be trained in order to follow the process accordingly.
- Each trained member shall also sign an oath of confidentiality 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 Meetings



When does the LPAC convene?



LPAC Meetings

- Upon initial enrollment- within the student's first 4 weeks (20 school days)
- Immediately prior to assessments
- At the end of the year for annual review and for the following year's placement decision
- As needed to discuss student needs



LPAC Meetings

- 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 student data and information
- Members arrive at appropriate decisions
- Members sign and date all documentation/LPAC forms
- Decisions are included in LPAC minutes
- Committee meeting is adjourned
- Documentation is filed in appropriate student folder

***Sample forms for LPAC meetings are included in the Manual.**

A Closer Look at the LPAC Process



LPAC Responsibilities



LPAC Responsibilities

- Identification
- Assessment and documentation review
- Placement
- Instructional methodologies and/
or interventions
- Coordination
- **Parental Approval**
- Annual Review (linguistic & academic progress)

19 TAC Chapter §89.1220

LPAC Responsibilities

Identification

Home Language Survey (HLS)

If the HLS indicates a language other than English, then testing must be initiated to determine English proficiency*

Parent permission for language proficiency testing is not required.

19 TAC Chapter §89.1215



LPAC Responsibilities

Grades PK-1 = a TEA approved oral language proficiency test (**OLPT**) in English (and primary language for bilingual programs) **Pre-LAS/LAS Links**

Grade 2-12 = TEA approved oral language proficiency test (OPLT) in English **LAS Links** (and primary language for bilingual programs) and the reading and language arts sections of an English norm-referenced standardized achievement test approved by the state (unless the English ability is so low that it would invalidate the test) **IOWA**

19 TAC Chapter **§89.1225**

LPAC Responsibilities

The person administering the oral language proficiency test must have documentation of training in the administration and scoring of the test AND must be proficient in the language of the test.

Teachers, LPAC clerks, Para-professionals



LPAC Responsibilities

Identification

The campus school has 4 weeks (20 school days) to complete the testing and meet to determine the LEP status of each student.



LPAC Responsibilities: Classification

PK-1 students whose OLPT score indicates limited English proficiency are identified as LEP.

Pre-LAS for PK-K (level scores of 1-4)

LAS Links for 1st (level scores of 1-3)

Grades 2-12 students are identified LEP if their OLPT scores indicates limited English proficiency.

LAS Links (level scores of 1-3)

And For Those Students in Grades 2 -12th with a LAS Links of 4 or 5

who score below the 40th percentile on the reading and language arts sub-test of a state-approved norm-referenced standardized achievement test even if their OLPT score indicates English proficiency.

LPAC Responsibilities: Placement/Permission

After the LPAC recommends placement for the LEP student, written **parental approval** must be obtained!

Remember the parent approval needs to be in both English and the native language of the parent!

19 TAC Chapter §89.1240



Parental Rights

Parent approval includes information regarding the English proficiency level of the student and a description of the program as well as the benefits of the program.

These benefits are to be described on each parent approval form and supplemented through brochures or other publications in the community.

LPAC Responsibilities: Placement

Pending parent approval of a LEP student's entry into the Bilingual/ESL program, the school will place the student in the **recommended program**.

Only LEP with parental approval count to receive the Bilingual/ESL allotment.

19 TAC Chapter **§89.1210**

Bilingual/ESL

- The law requires that each school district or charter school which has an enrollment of **20 or more LEP students of the same language classification in the same grade level district-wide** shall offer a bilingual education program for LEP students in Grades Pre-K through 5.
- Grade 6 shall be included when clustered with elementary grades 19 TAC89.1205(d)

19 TAC Chapter §89.1205

Bilingual Education

- Content area instruction is provided in both the student's primary language and English.
- Development of literacy in the primary language which transfers to English.
- Oral language testing requirements in both the primary language and English must be reviewed for placement.
- ESL is a component of the bilingual program.



English as a Second Language (ESL)

The law requires that all LEP students for whom a district is not required to offer a bilingual education program shall be provided an ESL program, regardless of the students' grade levels and home language, and regardless of the number of students.

English as a Second Language (ESL)

English as a Second Language is implemented...

- through the integrated use of second language methods throughout the curriculum (sheltered instruction)
- through instruction that includes TEKS based academic content as well as language development
- by differentiating instruction of content according to language proficiency levels
- through academic instruction that is on-level, not watered down

Bilingual/ESL education must address the following program components:

- **Affective:** Cultural background and positive self esteem.
- **Linguistic:** Literacy skills (listening, speaking, reading, writing, comprehension)
- **Cognitive:** Academic skills

19 TAC Chapter §89.1210

LPAC Responsibilities

- The LPAC may also recommend other programs or services offered through the district, such as tutoring, supplemental services, etc...
- The LPAC is also responsible for facilitating student participation in other special programs - Advanced Academics (G/T) or Special Education, CTE (Career and Technical Education)

LPAC Responsibilities

Parental Approval/Denial PEIMS Date

The date that the parent approval form is signed, is the date the student's official PEIMS status becomes LEP (when they can be counted as LEP), regardless of permission or denial.

LPAC Responsibilities

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 LEP student with a parent denial on file be closely monitored.
- 3 Level Conference must be conducted before parental denial is granted and student is placed into an English classroom.

LPAC Responsibilities

Parent Denials

- Monitor and facilitate the educational process - we want all students to be successful
- Rate student's listening, speaking, reading, and writing proficiency with TELPAS (beginning at Grade K through Grade 12)
- Administer the TELPAS Reading beginning at Grade 2, until the child is no longer identified as LEP

LPAC Responsibilities

Parent Denials

- The LPAC must review student's TELPAS/ TAKS scores at the end of each year
- Once a student meets exit criteria, he/she is reclassified as non-LEP in PEIMS
- Students with parent denials are also monitored for two additional years

LPAC Responsibilities

What do we do when a student
transfers in from another school?

LPAC Responsibilities

If the student transfers from a school in Texas...

- Review the withdrawal form, if available, to see if he/she was being served in a program or identified LEP in PEIMS
- Try to get as much original documentation as possible, especially the HLS (document your attempts)
- LPAC identifies and places student within the first 4 weeks of enrollment. Be sure that all of the necessary signed documents are in the student's LPAC folder.

LPAC Responsibilities

If the student transfers from a school outside of Texas...

- Review any documentation brought in by the student
- Proceed with Texas law **including HLS** for identification as outlined for Texas students new to the district

Initial Placement

Initial Placement Form

Elementary pg. 95

Secondary pg. 97

New students to the district must be reviewed for initial placement within the first 4 weeks from enrollment (20 days).

Recommended Program Placement

- **Elementary**- Bilingual placement
- **Secondary**- Regular/ESL placement
- **Secondary**- ESOL placement
(9th-10th Rec. Immigrants)
- **Elementary and Secondary**- Regular placement
Parental denials
Exited students

Instructional Design

Elementary Schools:

1. Bilingual
2. Dual Language
3. Transitional
4. Mainstream
 - Migrant students
 - Out of state students
 - Special education students
 - Neighboring districts

Purpose for Student Reviews

LPAC Review Form-

Elementary pg. 96

Secondary pg. 98

- Students who re-enter our district
- Students who are beginning the transitional phase. Once students have completed the transitional phase, the ending date must be documented on the same review form.
- Change in program placement or instructional design.



Assessment



Assessment

LPAC Training for Assessment Decision-Making will take place in January

Campuses will turn in the Student Assessment Review Forms

Assessment

For the purpose of assessment, **Intervention Plans** must be completed for all Recent Immigrants students [upon enrollment](#).

Decisions About Administering TAKS in English or Spanish

This decision is based on the following:

- Language of instruction
- Whether the student has already taken the Spanish version state assessment for three years.
- Whether the student's years of LEP exemptions combined with administrations of the Spanish version state assessment already total three years.



LEP Exemptions for Students in Grades 3-10

Category 1: Immigrant LEP students in Spanish Bilingual Education programs in Grades 3-5.

Category 2: Immigrant LEP students in English as a Second Language education programs in Grades 6-12.



LEP Exemptions for Students in Grades 3-10

Important to know the difference!

Assessment definition for immigrant:

Students who at some point in their history have resided outside the 50 U.S. states for at least two consecutive years.

PEIMS definition for immigrant: Foreign born and has been in the U.S. for three years or less.



LEP Exemptions for Students in Grades 3-10

Remember !

For **assessment** purpose, number of years in U.S. schools begins with **First Grade**.

A **partial year** of school enrollment in the U.S. counts as **one school year** for the purposes of both TAKS exemption eligibility and TELPAS Data Collection.



General Exemption Criteria

LEP Status: Identified as LEP as defined by Texas state law.

Program Participation: The student is in a state-approved bilingual or ESL program.

TAKS Immigrant Status: At some point in his or her history, the student has resided outside the 50 U.S. states for at least two consecutive years.

Years in U.S. Schools: The student is in his or her first three school years of enrollment in U.S. schools.



General Exemption Criteria

TELPAS Reading Rating:

- The student in his or her **second** school year of enrollment in U.S. schools has not yet received a rating of advanced high on TELPAS Reading.
- The student in his or her **third** school year of enrollment in U.S. schools and has not yet received a rating of advanced or advanced high on TELPAS Reading .



How do you determine the TELPAS Reading criteria?

First Year Recent Immigrant in 2008-2009

What was the TELPAS Reading Level?

Beg.-Adv.	Second year RI (09-10) may qualify for exemption in Spring 2010
Adv. High	Second year RI (09-10) does not qualify for exemption in Spring 2010



How do you determine the TELPAS Reading criteria?

Second year Recent Immigrant in 2008-2009

What was the TELPAS Reading level?

Beg.-Int.

Third year RI (09-10) may qualify for exemption in Spring 2010

**Adv. and
Adv. High**

Third year RI (09-10) does not qualify for exemption in Spring 2010



TELPAS Reading and Spanish TAKS Decisions

The LPAC may decide to administer TAKS in Spanish regardless of the student's TELPAS Reading performance if the student:

- is best able to demonstrate his or her academic skills in Spanish, and
- has taken the Spanish-version test for less than **three years** or has less than a **total of three years** of LEP exemptions plus Spanish administrations.



General Exemption Criteria

A student who does not meet all five general exemption criteria is not eligible for a LEP exemption.



Annual Review





Annual Review

At the end of each year, LPAC will reconvene to review student progress and determine whether:

- the student will continue in the program
- has met exiting criteria
- and monitor year 1 (M1) and monitor year 2 (M2)

End of year Review forms

Elementary pg. 127

Secondary pg. 128

Monitored Year 1 pg. 129

Monitored Year 2 pg. 130

Reclassification (Exiting) of LEP Students

- A student may only be considered for reclassification, as non-LEP, at the **end of the school year.**

19 TAC Chapter §89.1225

Exit Criteria- Changes

◦ Elementary

- English Oral LAS 4/5
- TELPAS Writing (Adv. High) (3rd & 5th)
- Passed English Reading TAKS or **TAKS A**
- Passed English Writing TAKS or **TAKS A** (4th)

◦ Secondary

- English Oral LAS 4/5
- Passed English Reading TAKS or **TAKS A** (6th-9th)
- Passed English Writing TAKS or **TAKS A** (7th)
- Passed ELA TAKS or **TAKS A** (10th-12th)
- TELPAS Writing (Adv. High) (6th, 8th, 9th)

LEP Exit Criteria

Grade	Oral	Reading/ELA	Writing
3rd	English Oral LAS 4/5	Passed English Reading TAKS or TAKS A	TELPAS Writing Adv. High
4th	English Oral LAS 4/5	Passed English Reading TAKS or TAKS A	Passed English Writing TAKS or TAKS A
5th	English Oral LAS 4/5	Passed English Reading TAKS or TAKS A	TELPAS Writing Adv. High
6th	English Oral LAS 4/5	Passed English Reading TAKS or TAKS A	TELPAS Writing Adv. High
7th	English Oral LAS 4/5	Passed English Reading TAKS or TAKS A	Passed English Writing TAKS or TAKS A
8th	English Oral LAS 4/5	Passed English Reading TAKS or TAKS A	TELPAS Writing Adv. High
9th	English Oral LAS 4/5	Passed English Reading TAKS or TAKS A	TELPAS Writing Adv. High
10th -12th	English Oral LAS 4/5	Passed ELA TAKS or TAKS A	N/A

Parental Notification and 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 2 years.
- Parent **approval** of the student's exit must be present in the student's permanent record folder.

M1 and M2- Changes

• Subchapter B, Chapter 29, Education Code- [Amendment](#)

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

- 1). [Amount of time](#) student was enrolled in the program
- 2). Student's grades in [each grading period in each subject](#)
- 3). Student's [performance on each assessment](#) instrument
- 4). [Number of credits](#) student has earned toward high school graduation
- 5). Any [disciplinary actions](#) taken against the student

The Language Proficiency Assessment Committee



**Limited English Proficient
students served by
Special Education**

19 TAC Chapter §89.1230



Revised Commissioner's Rules

Newly adopted Title 19 (TAC) Chapter 89.
Adaptations for Special Populations
Subchapter BB. Commissioner's Rules
Concerning State Plan for Educating Limited
English Proficient Students are located on the
following URL:

<http://www.tea.state.tx.us/rules/tac/chapter089/ch089bb.html>

§89.1225. Testing and Classification of Students (Entry)

(4) The admission review and dismissal (ARD) committee in conjunction with the language proficiency assessment committee shall determine an appropriate assessment instrument and designated level of performance for indicating limited English proficiency as required under subsection (d) of this section for students for whom those tests would be inappropriate as part of the individualized education program (IEP). The decision for entry into a bilingual education or English as a second language program shall be determined by the ARD committee in conjunction with the language proficiency assessment committee in accordance with §89.1220(g) of this title (relating to Language Proficiency Assessment Committee).

§89.1225. Testing and Classification of Students (Entry)

- (g) Within the **four weeks of their initial enrollment in the district**, students shall be **identified** as limited English proficient and **enrolled** into the required bilingual education or English as a second language program. Prekindergarten and kindergarten students preregistered in the spring shall be identified as limited English proficient and enrolled in the required bilingual education or English as a second language program within four weeks of the start of the school year in the fall.

§89.1225. Testing and Classification of Students (Exit)

- (h) For **exit** from a bilingual education or English as a second language program, a student may be classified as English proficient at the end of the school year in which a student would be able to participate equally in a regular, all-English, instructional program. This determination shall be based upon all of the following:
 - (1) TEA-approved tests that measure the extent to which the student has developed oral and written language proficiency and specific language skills in English;
 - (2) satisfactory performance on the reading assessment instrument under the Texas Education Code, §39.023(a), or an English language arts assessment instrument administered in English, or a score at or above the 40th percentile on both the English reading and the English language arts sections of a TEA-approved norm-referenced assessment instrument for a student who is enrolled in Grade 1 or 2; and

§89.1225. Testing and Classification of Students (Exit)

(i) A student may not be exited from the bilingual education or English as a second language program in **prekindergarten through Grade 1**. A district must ensure that limited English proficient students are prepared to meet academic standards required by TEC, §28.0211.

§89.1225. Testing and Classification of Students (Exit)

- (k) The ARD committee in conjunction with the language proficiency assessment committee shall determine an appropriate assessment instrument and performance standard requirement for exit under subsection (h) of this section for students for whom those tests would be inappropriate as part of the IEP. The decision to exit a student who receives both special education and special language services from the bilingual education or English as a second language program is determined by the ARD committee in conjunction with the language proficiency assessment committee in accordance with applicable provisions of subsection (h) of this

Reclassifying LEP Students with Disabilities

- The ARD committee in conjunction with the LPAC shall determine an appropriate assessment instrument and performance standard requirement for exit (if possible at the beginning of the school year)
- The decision to exit a student is determined by the key members of the ARD in conjunction with the key members of LPAC.

19 TAC Chapter §89.1225 (k), §89.1230

LPAC/ARD Key Members

- LPAC Bilingual/ESL teacher/professional
- LPAC administrator
- Diagnostician
- Special Education teacher

LPAC/ARD Key members meet:

- To informally discuss and make recommendations for entry and exit
- When students approach the point where it appears that second language support in English is no longer needed

LPAC/ARD Key members Responsibilities

Members will informally meet:

- To determine entry and exit criteria
- Consider student's cognitive, linguistic abilities as well as affective needs
- Review progress
- Determine linguistic accommodations
- Discuss student's individualized educational program (IEP)

Exit Criteria

Decision-Making Process for LEP/Special Ed. students

- Student is identified LEP and receives Special Education Services
- Student appears to no longer need language support
- LPAC/ARD key members will meet to discuss student's data

Exit Criteria

Decision-Making Process for LEP/Special Ed. students

- LPAC/ARD key members will identify appropriate assessments and performance standards.
- Assessments options must be taken from the current List of approved test for Limited English Proficient students

Exit Criteria

Decision-Making Process for LEP/Special Ed. students

- Decisions and recommendations must be documented on the IEP and LPAC documents.

The image shows a title slide for a 'Review Manual'. The background is a light-colored wood grain pattern. A dark green rectangular area is centered on the page, with a white horizontal line across its top. The text 'Review Manual' is written in a bright yellow-green font, centered within the green area.

Review Manual

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