

TRINITY BASIN PREPARATORY

Bilingual/ESL Program Policy

Statement of Policy:

Title III Requirements

A district that receives funds under Title III of the No Child Left Behind Act shall comply with the statutory requirements regarding English Learners (EL) and immigrant students.

20 U.S.C. 6801-7014

State Policy

It is the policy of the State that every student who has a home language other than English and who is identified as emergent bilingual (EB) be provided a full opportunity to participate in a bilingual education or English as a second language (ESL) program.

The terms English Learner and Emergent Bilingual are used interchangeably and are synonymous with Limited English Proficient (LEP) student, as used in Texas Education Code, Chapter 29, Subsection B.

District Responsibility

Each district shall:

1. Identify English Learners based on criteria established by the State;
2. Provide a state approved program as integral parts of the regular program;
3. Seek certified teaching personnel to ensure that English Learners are afforded full opportunity to master the essential knowledge and skills; and
4. Assess achievement for essential knowledge and skills in accordance with Education Code chapter 39 to ensure accountability for English Learners students and the schools that serve them.

Education Code 29.051; 19 TAC 89.1201(a)

Identification of English Learners

Within the first four weeks of the first day of school, the language proficiency assessment committee (LPAC) shall determine and report to the Board the number of English Learners on each campus and shall classify each student according to the language in which the student possess primary proficiency. The Board shall report that information to TEA before November 1 each year.

Education Code 29.053(b)

Language Proficiency Assessment Committees (LPAC)

Each district that is required to offer bilingual and/or English as a Second Language programs shall, by local Board policy, establish a language proficiency assessment committee (LPAC). The 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. The District shall have on file policy and procedures for the selection, appointment, and training of members of the LPAC. The District's LPAC Policy is included at the end of this document.

Membership of LPAC

The LPAC shall include:

1. An Educator: Certified ESL Teacher
2. A Parent/Guardian: Non-employee parent of an English Learner
3. A Campus Administrator: Be coded as Function 23 (School Leadership)

The District may add other members to the committee in any of the required categories. If the District does not have an individual in one or more of the job classifications required, it shall designate another professional staff member to serve on the LPAC.

No parent serving on the LPAC shall be an employee of the District.

All members of the LPAC, including parents, shall be acting for the District and shall observe all laws and rules governing confidentiality of information concerning individual students. The District shall be responsible for the orientation and training of all members of the LPAC, including the parents.

Education Code 29.063(a), (b); 19 TAC 89.1220(a)-(f)

Duties

The LPAC shall have the duties set forth at Education Code 29.063(c) and 19 Administrative Code 89.1220(g)-(j), (l).

Home Language Survey

Within four weeks of each student's enrollment, the District shall conduct a home language survey to determine the language normally used in the home and the language normally used by the student. The home language survey shall be conducted in English and in the home language, and signed by the student's parents if the student is in Pre-K 3 through grade 8. The original copy of the survey shall be retained in the student's permanent record.

If a student is identified through the home language survey as normally speaking a language other than English, the student shall be tested in accordance with 19 Administrative Code 89.1225 or, for students with disabilities, 19 Administrative Code 89.1230.

Education Code 29.056(a); 19 TAC 89.1215

English Learner Classification

LPAC may classify a student as an English Learner if:

1. The student's ability in English is so limited or the student's disabilities are so severe that assessment procedures cannot be administered;
2. The student's score or relative degree of achievement on the TEA-approved English proficiency test is below the levels established by TEA as indicative of reasonable proficiency;
3. The student's primary language proficiency score as measured by a TEA-approved test is greater than the student's proficiency in English; or
4. The LPAC determines, based on other information, including a teacher evaluation, parental viewpoint, or student interview, that the student's primary language proficiency is greater than the student's proficiency in English or that the student is not reasonably proficient in English.

Education Code 29.056(c)

Parental Notice and Consent

Within ten days of the LPAC's classification of a student as an English Learner, the LPAC shall give written notice to the student's parent. The notice must be in English and in the parent's primary language. The notice shall inform the parents of the benefits of the program for which the student is recommended and that it is an integral part of the school program.

Pending parent approval, the District shall place the student in the recommended program, but may count only those students with parent approval for the bilingual education allotment.

Education Code 29.056(a), (d); 19 TAC 89.1220(m)

Participation of Non-English Learner Students

With the approval of the District and a student's parents, a student who is not an English Learner may also participate in an English as a Second Language program. The number of participating students who are not English Learners may not exceed 40 percent of the number of students enrolled in the program.

Education Code 29.058

Bilingual and ESL Programs

Each district with an enrollment of 20 or more LEP students in any language classification in the same grade shall offer a bilingual education or special language program, as follows:

1. Kindergarten through elementary grades: the District shall offer bilingual education.
2. Post-elementary through grade 8: the District shall offer an English as a Second Language program as approved by TEA.

If a program other than bilingual education must be used in kindergarten through the elementary grades, documentation of the exception must be filed with and approved by TEA.

Education Code 29.053(c), (d), 29.054

Program Content

The District's bilingual education program shall be a full-time program in which both the student's home language and English shall be used for instruction 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.

An ESL program shall be an intensive program of instruction in English from teachers trained in recognizing and dealing with language differences. The bilingual or ESL program shall be designed to consider the students' learning experiences and shall incorporate the cultural aspects of the students' backgrounds.

Students enrolled in the bilingual or ESL programs shall be placed in classes with other students of approximately the same age and level of educational attainment. The District shall ensure that each student's instruction is appropriate to the student's level of educational attainment, and the District shall keep adequate records of the educational level and progress of each student enrolled in the program.

English Learners shall participate fully with English-speaking students in regular classes provided in subjects such as art, music, and physical education. The District shall provide students enrolled in the bilingual or ESL program a meaningful opportunity to participate fully with other students in all extracurricular activities. Elective courses may be taught in a language other than English.

Education Code 29.055, 29.057(b); 19 TAC 89.1210(g)

Facilities

All language and special language programs shall be located in the District's regular schools rather than in separate facilities.

Education Code 29.057

Cooperation Among Districts

The District may join with one or more other districts to provide the required bilingual program. The availability of the programs shall be publicized throughout the districts involved.

Education Code 29.059

Summer Program

Trinity Basin Preparatory is required to offer a voluntary summer school program for English Learners who will be eligible for admission to kindergarten or first grade at the beginning of the next school year. A school that operates on a semester system shall offer the program during the period school is recessed for the summer and for one-half day for eight weeks or on a similar schedule approved by the Board. A school that operates on any other system shall offer 120 hours of instruction on a schedule established by the Board. Trinity Basin Preparatory will offer a four week full-day program, for a minimum of 120 hours of instruction.

The program must be an intensive bilingual education or special language program that meets the standards set by TEA, and the student/teacher ratio may not exceed 18:1. The District shall comply with the requirements of 19 Administrative Code 89.1250 in providing such a program.

Other Program

The District may establish on a full- or part-time basis other summer school, extended day, or extended week bilingual or special language programs for English Learners and may join with other districts in establishing such programs. Neither the summer program nor the other programs may substitute for the program to be provided during the regular school year.

Education Code 29.060

Personnel

Teachers assigned to bilingual education and ESL programs must be appropriately certified in bilingual education or ESL, respectively.

If the District is unable to hire a sufficient number of teachers with bilingual teaching or ESL certificates, the District may file an application for exception with TEA, in accordance with 19 Administrative Code 89.1207.

Education Code 29.061(b), (c); Education Code 29.054; 19 TAC 89.1207

English Learners and State Assessments

In grades 3-12 an English Learner shall participate in the assessment of academic skills in accordance with Commissioner's rules at 19 Administrative Code Chapter 101 subchapter AA.

19 TAC 101.5(c)

Program Exit

The district may transfer an English Learner out of a bilingual education or special language program for the first time or a subsequent time if the student is able to participate equally in a regular all English instructional program as determined by:

1. TEA-approved tests administered at the end of each school year to determine 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 Education Code 29.023(a) or an English language arts assessment instrument under Education Code 39.023(c), as applicable, with the assessment instrument administered in English, or, if the student is enrolled in the first or second grade, an achievement score at or above the 40th percentile in the reading and language arts sections of an English standardized test approved by TEA; and
 3. TEA-approved criterion-referenced tests and the results of a subjective teacher evaluation.

Education Code 29.056(g)

Notice to Parents

The District shall notify parents of a student's reclassification as English proficient and his or her exit from the bilingual or ESL program.

19 TAC 89.1240(b)

Post-Exit Monitoring

The LPAC shall reevaluate a student who is transferred out of a bilingual education or special language program if the student earns a failing grade in a subject in the foundation curriculum 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.

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. The total amount of time the student was enrolled in bilingual education or special language programs;
2. The student's grades each grading period in each subject in the foundation curriculum;
3. The student's performance on state assessment instruments;
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 Education Code Chapter 37, Subchapter A.

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

Education Code 29.0561

PEIMS Reporting Requirements

A district that is required to offer bilingual education or special language programs shall include the following information in the District's Public Education Information Management System (PEIMS) report:

1. Demographic information on students enrolled in District bilingual education or special

- language programs;
2. The number and percentage of students enrolled in each instructional model of a bilingual education or special language program offered by the District; and
3. The number and percentage of students identified as LEP students who do not receive specialized instruction.

Education Code 29.066(a)

Language Proficiency Assessment Committee (LPAC) Policy

LPAC Composition

In accordance with 19 Texas Administrative Code (TAC) Chapter 89, each school site within Trinity Basin Preparatory that is required to have a bilingual or English as a Second Language program shall have standing LPAC comprised of the following persons:

1. Educator: Certified ESL Teacher
2. Parent/Guardian: Non-employee of an English Learner student
3. Campus Administrator: Be coded as Function 23 (School Leadership)

The school district may add other members to the committee in any of the required categories, if English Learner student is identified as a Special Education student.

In the event that a member of a standing LPAC is unable or unwilling to serve, a qualified replacement will be designated by the ESL Coordinator.

LPAC Member Training

Each member of any LPAC shall receive appropriate training and instruction from the school. At least once each school year, the school will conduct an on-site training program for each member of an LPAC. The training will consist of a presentation of materials on the LPAC process, submission of required forms by each member, and written acknowledgment of completion of such training. In the absence of such written acknowledgment, a prospective committee member may not serve on an LPAC.

All completion forms, as well as all written materials provided to prospective committee members, shall be maintained by the school and made available to all members of any LPAC. Failure to complete or maintain the required training will result in the member being removed from the LPAC. Each LPAC member will have a certificate of training on file with the District ESL Coordinator in order to document completion of training.

Each member of any LPAC shall sign an LPAC Confidentiality Statement. All members of each LPAC are bound by the same rules of confidentiality.

Conduct of LPAC Meetings

Each LPAC shall meet at least three times during each school year: Beginning of Year, Middle of Year, and End of Year.

At the earliest possible time after the start of each school year or within four weeks of initial enrollment, and after receipt of the home language surveys, the standing LPAC shall meet to determine the language proficiency level of any new students no later than twenty days after the beginning of the school year.

Each LPAC shall also meet prior to the time any assessments are scheduled to be administered to students in order to make, or change, any decisions relating to an English Learner assessment support and methodology.

Each LPAC shall also meet at or near the conclusion of each school year to determine English Learner student progress and any recommended exits from the ESL program.

In addition, any LPAC may meet at any other time, and as often as deemed necessary, to fulfill its obligations.

Minutes of all LPAC meetings shall be made by one of the members in attendance. Copies of all minutes of LPAC meetings shall be maintained by the school.

Documentation of LPAC Decisions

All decisions of the LPAC shall be made during the meeting of such committee, and each such decision shall be made in accordance with the provisions of the applicable laws and regulations governing LPACs. Each decision shall also be recorded in the minutes of such meeting.

Upon receipt of all appropriate and necessary materials, each LPAC shall determine the language proficiency level of each English Learner using the criteria established by the Texas Education Code and the regulations promulgated thereunder. The initial review shall be documented on the TEA provided Initial Review form. Parents will be notified no later than ten (10) days after the date the decision requiring notification is made. Each such parent shall also be provided information describing the ESL or Bilingual program and its benefits. Parent approval remains valid until the students exits the ESL program, graduates from high school, or until the parent revokes the consent. Parents must be notified when a student exits the ESL program.

If any parent withholds permission for their student to participate in the ESL program, such denial must be in writing. The campus administrative member of the LPAC must, at a minimum, discuss such denial with the parent to ensure the parent understands the purpose and benefit of the ESL program.

At the time any LPAC meets to determine the appropriate assessment support for any English Learners, the decisions of the LPAC shall be documented and stored in the LPAC binder.

The LPAC is also responsible for monitoring and reviewing the progress of all English Learners,

students currently enrolled in the ESL program, those students who have refused services, and students who have recently exited, or otherwise left the ESL or bilingual program in the last two years. For students who have left the ESL program and are not academically successful, the LPAC may require intensive instruction for the student or reenroll the student in the in the ESL program.

The LPAC shall cooperate with and assist all English Learners with participation in any other special programs offered by the school and for which the student qualifies. Any decisions made in connection with such assistance shall be documented by the LPAC.

LPAC and Student's Permanent Record

As required by Texas Administrative Code §89.1220 by the LPAC, an English Learner's permanent record shall contain documentation of all actions impacting the English Learner. The LPAC shall ensure that such documentation includes:

1. the identification of the student as an English Learner;
2. the designation of the student's level of language proficiency;
3. the recommendation of program placement;
4. parental approval of entry or placement in the bilingual or ESL program;
5. the dates of entry into, and placement within the bilingual or ESL program;
6. the assessment information as outlined in Chapter 101, Subchapter AA;
7. any additional instructional interventions provided to address the specific language
8. needs of the student;
9. the date of exit from the bilingual or ESL program and parental approval;
10. the results of monitoring for academic success, including students formerly classified as English Learners, as required under the TEC, §29.063(c)(4); and
11. the home language survey.

All documentation shall be forwarded in the same manner as other student records to another school district when student enrolls in such.