

88th Legislative Session

1. Do we know if SB 2518 passed??

The 88th Legislative Session will close at the end of this month and we will know which bills were officially passed.

Alternative Language Program

2. We noticed on the PEIMS coding chart that students in DL who are being served by a non BIL/Certified teacher (Alternative Language Code) are no longer to receive funding. Is this correct?

Currently, students in a DLI program coded as Alternative Language Methods receive the base funding, but not the extra bump for Dual Language established in House Bill 3. See [funding guidebook](#) p. 3.

Chapter 89 Revisions

3. Is there a timeframe on when the revisions will be approved?

Public Comment Period: April 21, 2023-May 22, 2023

Proposed Effective Date: August 8, 2023

4. Also, if the revisions are approved, how long will the districts have to implement? Like the HLS (with 3 questions)

The change will have an effective date, and LEAs will need to make the change going forward.

5. When are we going to know officially of the all the updates for next year?

The rule making process is explained in more detail in the FAQ on the Commissioner's Rules link. Dr. Lara just said possibly August, but we really won't know until everything takes place. New guidance has an effective date and changes will go forward from there.

6. If the revisions are approved, will we have to go back and get the new HLS for students who already enrolled for 2024 school year?

In the past when new guidance goes into effect, the expectation has been that any changes happen going forward from that date.

7. I think if a student scores Advance in 2 domains and AH in two domains, the average will give you an AH composite score.

More guidance about this will be given when this becomes effective in Spring 2024.

8. Can we ask about other proposals? Particularly on the HLS proposal amendments?

Please take some time to read through all the proposed changes. If you have questions you can email us at englishlearnersupport@tea.texas.gov.

9. Are districts going to be required to use paper version of a new HLS or is it anticipated that all vendors are going to be able to pivot and allow for multiple responses? Unfortunate because the field was perhaps just getting to the single response for most of the time....(1) "What language(s) is/are used in the child's home for communication, regardless of the language(s) used by the child?" (2) "What language(s) is/are used by the child for communication?" (3) "If the child had a previous home setting, what language(s) was/were used for communication in that home setting? If no previous home setting, answer Not Applicable (N/A)."

This is great information for your public comment.

10. If we conduct PK registrations during the summer (Prior August 8, 2023), will the new HLS questions be retroactive for students that registered prior August 9, 2023 for the 23-24 school year?

No. If the proposed commissioner's rules regarding HLS go into effect, there will be an effective date - no going back.

11. When does the new HLS question need to be added to registration paperwork?

No. If the proposed commissioner's rules regarding HLS go into effect, there will be an effective date - no going back.

12. If we conduct PK registrations during the summer (Prior August 8, 2023), will the new HLS questions be retroactive for students that registered prior August 9, 2023 for the 23-24 school year?

The public comment window has closed and in next phase of the process. The revised adoption may be published in August.

Dual-Identified Students

13. We have 18 + SPED/EB students. During their ARDs are we required to have an LPAC representative present?

Yes. The ARD meeting is an ARD/LPAC meeting to ensure that all the student's needs are addressed.

14. As for ARD/LPAC collaboration, the guidance is unclear on the language of testing. When an LPAC member attends an ARD to collaborate on testing accommodations, should the ARD/LPAC determine the language of testing at that point since TEA is clear that the ARD/LPAC MUST collaborate on assessment decisions?

Language of assessment should be discussed at the LPAC/ARD meeting and documented in the ARD minutes. The LPAC may have previously discussed the language of assessment for this student and that recommendation and reasoning may be brought to the ARD.

EB Summer School

15. For summer Learning it is 120 instructional hours, correct.? Not Minutes. Otherwise that will only be 2 hours.

We will make that correction on the deck and re-upload the pdf.

16. Can a student who was not enrolled in 22-23 school year, be allowed to enroll in the Bil Summer?

If the student is identified as emergent bilingual and has parent permission to participate in a bil/ESL program entering K or 1st, yes, they may participate.

17. Is there a progress monitoring form for summer school and/or some type of progress report?

There is not a recommended form that our office has created. I recommend you reach out to your ESC to see if they know of an LEA in your region who is using one. Also, they can support you in creating one.

18. Are we allowed to use the 289 reimbursements to pay salaries for this coming summer school program for the mandated K-1st program?

The payment received in the Fall that is labeled "reimbursement" from fund code 289 are funds already spent and are to replenish the fund source that was leveraged to conduct the EB summer school requirement.

19. Bil Sum School is 120 minutes or 120 hours? Slide has 120 minutes

The slide has been corrected to read 120 hours.

20. So is 120 minutes the daily minimum and 120 hours the total or is there not a daily requirement as long as you meet the 120 hours?

There is no daily requirement - just 120 total hours.

21. What is the guidance for districts who do not have enough bilingual or ESL certified teachers to teach summer school?

Remember that any teachers accounted for on the Bilingual Exception/ESL Waiver application are "covered" until November 1 of the following school year. If an inappropriately certified teacher is the only option for summer school, the LEA should support that teacher in meeting the students' academic and language goals. For bilingual programs, it is important that the LEA determine how students will continue to be exposed to native language literacy.

Home Language Survey (HLS)

22. Is there a plan to house Texas HLS in a central platform? That would solve so many issues across the state regarding identification and placement of students.

No, but that is a great suggestion.

IOWA

23. Which tests need to be administered for the Iowa Test for a 2nd grader? I know that a reading and language portions, but the system shows different options: Reading 1, Reading 2, etc.?

The Iowa Survey only has One Reading, one Language, and one Math test. If you see reading part 1 and 2 for 1st and second grade, you have assigned the Iowa Complete/Core. You will need to assign the Iowa Survey at 1st and 2nd grade.

24. The 12th grade students will not return in the Fall to test for IOWA. Do we leave these students as pending assessment results? What is required for the 12th grade students?

You would want to administer IOWA in May for these students.

25. The May administration of IOWA is essentially for 12th graders because of the comment of potential of not returning after grad, right?

The spring administration of IOWA is for any student in grade 1, 2, 11, or 12 who the LPAC determines is a candidate for reclassification. The IOWA takes the place of the STAAR to fulfill the academic criterion for reclassification.

Language Proficiency Assessment Committee (LPAC)

26. It was just mentioned that most LPACs can occur at the end of this year; however, TELPAS scores, according to the Calendar of Events do not arrive until June 14, when campus staff and LPAC members are gone.

Please see slide 23 again. The LPAC meets in May to review student progress and if that data indicates that the student would be ready for reclassification, the LPAC decides in May that the student would reclassify pending assessment results. Then the LPAC coordinator can honor that decision during the summer when results come in.

27. On the EOY LPAC Guidance document, the link to "Parent Notification on Student Progress" is not working. Is there another way to access this document to send to parents?

Yes, in the EL Portal > LPAC > LPAC Forms > Review and Reclassification section.

28. Does "LPAC Administrator" term refers to a principal or assistant principal only, or can it be a central office administrator who holds that addendum LPACs?

It will depend on the LEA. Who is the person in charge of the LPAC who makes sure that all paperwork is up to date for each student?

29. Can a campus administrator or a parent override an LPAC decision? (Example: LPAC recommended Spanish as the language of assessment on STAAR but campus administrator overrode decision and changed language of assessment for student.)

Thank you for your question. The LPAC makes the decision, based on the information that has been collected by teacher and over the course of the year on the language that EB students will demonstrate their best performance. There should be no changes after LPAC makes the recommendation.

30. The EOY LPAC is recommending a plan for the following year so I am unclear as to what the purpose of EOY for 12th graders is if we know they met graduation requirements and will not be a student the following year.

The EOY LPAC is for all identified EB students. For 12th grader students, it is only to capture the linguistic and content mastery over the years. The EB code does not impact the transcript. LEAs can reclassify the student, but the classification does not impact the transcript. For the PEIMS Fall Submission, the LEA would report the graduate, and the graduate would still be reported as EB because that is what they were coded during the prior school year. (Response in collaboration with our PEIMS colleagues)

31. I'd like to ask a follow-up to a question asked earlier in this Q&A. We've been previously trained that the LPAC can decide to over-ride the subjective teacher evaluation if the teacher says no, but the committee disagrees and test criteria is met. Is that no longer true?

This is just one piece of the data that the LPAC can consider, so the LPAC can look at the data as a whole and make their decision.

32. What about any HS student that is not enrolled in an English class either due to acceleration or taking university classes? Who do you recommend the rubric to be completed by?

The teacher subjective evaluation can be completed by another content area teacher that is serving the EB student.

33. Are we able to conduct LPAC meetings via a phone call or virtual meeting?

Please see slide 23 again. The LPAC meets in May to review student progress and if that data indicates that the student would be ready for reclassification, the LPAC decides in May that the student would reclassify pending assessment results. Then the LPAC coordinator can honor that decision during the summer when results come in.

34. It was just mentioned that most LPACs can occur at the end of this year; however, TELPAS scores, according to the Calendar of Events do not arrive until June 14, when campus staff and LPAC members are gone.

Yes.

35. Is there a training for the parent representative?

Yes - <https://www.txel.org/lpac/trainingresources/>

36. Can you please clarify these questions? We can finish any pending EOY LPAC or EOY LPAC pending reclassification decisions during the first 45 calendar days of the 23-24 school year, correct? In the event that we receive students (not all students of course) without an EOY LPAC? Also, are we able to conduct LPAC meetings via a phone call or virtual meeting?

1) Yes. 2) Yes, please. All students should have an EOY LPAC, so if you get a transfer student in without an LPAC, please do this. 3) Yes.

37. For transfer students in Texas schools, once we find the LPAC paperwork is it required to call an LPAC meeting if there is no change in placement?

No, if the same services are continued within Texas, there is no need for another LPAC meeting.

38. Are student parents (not LPAC parent representative) allowed to be present during the LPAC meeting for their own child?

The LPAC may allow a student's parent to be present for the discussion related to their own child. This parent does not replace the LPAC parent if the person is not trained.

39. If the LPAC is conducted by phone, what is the guidance for capturing parent signature?

Our [FAQ](#) Question V.A-1 explains how parental approval for exit obtained over the phone can be documented. The same process applies to LPAC phone participation.

40. Regarding the LPAC Administrator: has this changed? In prior years, it was required the Administrator be under a Function 23.

Yes, that is correct. The guidance is still the same. 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

LOTE Credit

41. It is a local credit for LOTE, as far of determining "proficiency" but schedules need to be made prior to 1st day of school. This also effects program recommendations.

In the same way that some students' reclassification is pending assessment results, these students' LOTE credit will also be pending. The LEA should determine which 5th graders are eligible based on the data available in May and collaborate with the middle school on the best way to manage the "pending" students for appropriate LOTE enrollment in 6th grade. Further information on LOTE credits is available in our [FAQ](#) Question IV. B-3.

Parent Notification

42. Can we wait until the beginning of the 23-24 school year to send the Parent Notification of Student Progress for those students that are not reclassifying??

Yes, these notices are to be sent out during the first 30 days of the new school year.

43. I am just hoping that everyone understands that the Parent Notification of Student progress letters still have to go out within the first 30 days (federal requirement) even though we have an extension of 45 days to finish reclassifications (TEA).

Yes, thank you so much. It is very important to keep the 30-day federal requirement in mind. The 45-day window allows a few more days in case assessment/STAAR scores are received late and into the beginning of the Fall 2023 school year.

Parental Approval

44. For EB students who have been in our district since elementary and moved into ESL over two years ago (when they moved to JH) when only a parent notification of program change was required, do we need new ESL program approvals from those parents now?

Since those students are participating in an ESL program with only the bilingual parent permission, it is best practice to update that parent permission form.

- 45. Scenario- Student meets reclassification criteria and is coded in PIEMS as a M1. Parent does NOT sign the Exit Notification and student continues to receive content support (small group, interventions, etc.) based on parent's request. Is it possible for the student to participate in the ESL program again (coding be reversed because parent does not want the student to exit).**

Based on this information, that parent may be concerned that their child may be given the same opportunity to participate in small group instruction. Good opportunity for campus to meet with parent/s and provide assurance that their child will receive the content support when needed during their educational years. Schools can also allow Non-EB students the opportunity to participate in a bilingual/ESL program with parental consent. Therefore, they can be reclassified/ exit and may participate as a non-EB, based on local policy.

- 46. Do we still require parental approval/signature to change a 5th grade student from DL to ESL since we do not offer DL in 6th grade?**

Yes, see [FAQ](#) question III.A-4.

- 47. As good practice, when a transfer student comes to our district, we have parents sign program participation consent with our district. Is this required?**

This is not required.

PEIMS Coding

- 48. If a 12th grade student takes Iowa and reclassifies, how does that get recorded for the student on their end? Aside from us recording it in PIEMS. By the time we administer Iowa, they already have their plans for the summer and next year (college, work, etc.). What is the benefit for them to take Iowa at this point in time?**

The EOY process is giving students the access to demonstrate their language development and content mastery. The code does not impact transcripts or graduation plans thereafter.

- 49. For seniors who do end up meeting reclassification criteria once final scores are published, is there a specific process for PEIMS coding for those (now graduated) students or is it the same as any other student?**

LEAs can reclassify the student, but the classification does not impact the transcript. For the PEIMS Fall Submission, the LEA would report the graduate, and the graduate would still be reported as EB because that is what they were coded during the prior school year. (Response in collaboration with our PEIMS colleagues).

Private Non-Profit (PNP)

- 50. For PNP do we only need to manage identification and growth, or is the growth what we use to determine reclassification??**

Growth should be monitored to inform the next year's teacher. The first-year students may be considered for reclassification in the spring of their first-grade year.

Reclassification

- 51. If a student has not been able to pass their English EOC and then Senior year they finally pass their English EOC and they score AH on each domain does the Iowa Assessment still need to be given for the student to reclassify?**

Yes, the student would need an IOWA test. The assessment has to "match" with the grade level. The EOC technically "matches" with another grade level (grade 9 or 10) so the student would need an IOWA test.

52. What do we do if a 12th grader (this May), cannot take the IOWA test? Is there a way to document that she refused to take it?

This could be documented in LPAC records, and would show that the district provided the opportunity to reclassify.

53. What criteria or assessments can be used for reclassification for PNP campuses? Is LAS Links the preferred assessment or can other assessments be considered if agreed upon in the yearly contract with the PNP campus and district?

LEAs who are assisting with identifying potential EB students enrolled in PNP within attendance boundaries, will use the statewide standardized assessment (LAS Links) and will be shared with PNP staff during the consultation. The recommendation is for the LEA to leverage the already trained Riverside Insight assessments to determine growth for PNP students, since PNP students are not required to take STAAR or TELPAS. For any additional questions or clarification, please feel free to reach out to your ESC contacts for support.

54. The STAAR must be met with approaches, meets, or masters WITHOUT accommodations, correct? ex. Content & Language Supports?

No designated supports/accommodations for the STAAR Reading from the LPAC. The student can still be reclassified if the ARD, Section 504 Committee or Rtl recommends them.

55. 2nd grade- Will TELPAS Scores be used for reclassification or do we also have to use the IOWA?

Yes, TELPAS and IOWA.

56. Do we have to use IOWA or can we just wait for the TELPAS?

TELPAS is for all grade levels and IOWA is for 1st, 2nd 11th and 12th since there is no STAAR.

57. In the Fall, if an 11th grade student reclassifies, which teachers signs the teacher reclassification rubric since they are no longer enrolled in the ELAR class?

It is recommended that if a student will reclassify pending assessment results, the LPAC would get the Subjective Teacher Evaluation from the current year's teacher. This is the person recommending reclassification based on the year's progress.

58. If students meet reclassification criteria according to TELPAS and STAAR with strong scores, but the on Emergent Bilingual Reclassification Rubric (Teacher Subjective Evaluation) the teacher says NO that the student is not ready to reclassify, does that automatically keep them from reclassifying?

Yes. The student has to meet all the reclassification criteria. It is ALL or NOTHING.

59. What happens if the LPAC made a decision for the student to continue believing that the student would not meet criteria through TELPAS, but then are surprised when we do receive TELPAS scores and find that the student did meet criteria. Are we able to reconvene and change that decision?

This is why all LPACs at this point are pending until scores are received. No decisions are made without scores, yet.

60. Any guidance to determine possible reclassification? What if students are missed as possible reclassification and didn't have the teacher evaluation form in the Spring?

When LPAC meets during the EOY meeting, it will be important to look at all the data to inform the decision during that time. Scenario #2

61. Do we close the meeting for those pending students?

You may be talking about "closing" in reference to using some type of electronic LPAC software (ex: SuccessEd, etc). If so, the recommendation I have from users is not to "lock" that meeting so you can revisit. This may not be what you are referencing, but if it is, this would be my recommendation.

62. Just to clarify - 1st, 2nd, 11th, and 12th must be AH in all domains and score in 40th percentile on IOWA to be eligible to reclassify?

Correct. Plus the [Teacher Reclassification Rubric](#) has to state the student is ready to be reclassified.

63. Essentially, LPACs won't have the ability to make determinations on any EB until no earlier than June 14?

Not true. LPACs can review and make recommendations for all students who will continue in their programs. For students whose progress indicates that they are ready for reclassification, LPAC would make the decision that they will reclassify pending assessment results.

64. If a student was not LPACed as pending in the spring and once scores come in, they actually meet exit criteria, can we use the first 45 days to finalize their LPAC? Or if they were not left as pending in the spring then they can't exit?

The 45 days is only for the EB student folders that EOY LPAC set aside as potentially meeting the reclassification criteria pending TELPAS/STAAR scores.

65. Is it being considered that if students pass RLA STAAR, but get lower than Adv High in TELPAS Reading/Writing, they could still be reclassified?

Not for this school year.

66. Can the Seniors be reclassified after they leave? I'm thinking about PEIMS coding and how their reclassification can be recorded. Once they graduate, do we have access to their account?

LEAs can reclassify the student, but the classification does not impact the transcript. For the PEIMS Fall Submission, the LEA would report the graduate, and the graduate would still be reported as EB because that is what they were coded during the prior school year. (Response in collaboration with our PEIMS colleagues)

67. Yes, we look at the data for determining possible reclassification which pretty much a "guess" based on data. Our concern is what if we miss kids that made unexpected huge strides and not have a teacher evaluation form.

Guidance for Region 12 districts (and so maybe your Region rep has offered the same guidance) has been to go ahead and get teacher input for all students that did not have "designated supports" through LPAC just in case your pending LPACS need that information when scores are received.

68. Does the ELAR teacher completing the EL Reclassification rubric need to be Bilingual or ESL Certified?

If the ELAR teacher is not appropriately certified, that is documented in the Bilingual Exception/ESL Waiver application, which would have been approved. The teacher is "covered" by this year's application until November 1 of the following school year. Whether or not the teacher was accounted for in the application, the teacher should receive support from a certified professional in completing the Subjective Teacher Evaluation.

69. The reclassifications have to be done before the letters to go out for those pending.

Reclassification decisions at end of year may be "pending test results" and then decisions may be finalized during the summer. Parents may be informed of their child's reclassification at any point after results are in.

70. Regarding this question, "If students meet reclassification criteria according to TELPAS and STAAR with strong scores, but the on Emergent Bilingual Reclassification Rubric (Teacher Subjective Evaluation) the teacher says NO that the student is not ready to reclassify, Does that automatically keep them from reclassifying?" Am I understanding correctly that a "No" in the rubric is still debatable and student could in fact reclassify?

The Subjective Teacher Evaluation alone may not keep a student from reclassifying.

71. Can you please clarify as to who completes the reclassification within the 45 days? is it the LPAC administrator or one LPAC member?

This can be the LPAC administrator. The entire LPAC does not need to meet again since the decisions were made at end of year.

72. What program is used for the pre/post testing?

If this question is in reference to LEAs measuring language growth from beginning to end of year, the LEA may determine the assessment tool. Federal and State requirements say that emergent bilingual students must be evaluated annually for English proficiency growth - that is the TELPAS.

Riverside Insights

73. The grade level stays from the time you upload the student roster correct? It does not rollover

The Roster will NOT automatically roll students over to the new grade level. You can therefore use the roster from Spring 2023 even in the summer or fall and students will be in the grade level you originally specified.

Scenario Questions

74. What if in the scenario#1, Anabel didn't score as expected and therefore not meeting reclassification criteria? Is there another LPAC needed?

No, the LPAC documentation should say the student may be eligible for reclassification pending the TELPAS/STAAR, if they don't the LPAC convenes and can add the addendum can be student will continue/resume participation in program services in 6th grade. A change in program will also require a parent consent.

75. If the student in Scenario #3 does not take the test or doesn't get the 40 percent, what is the process to document for a student who graduates without reclassification?

No action needed at that point in PEIMS, EOY LPAC would document this.

Session Resources

76. Will you provide the live link to the Riverside site? The one on the screen doesn't work for me.

Here is the direct link. https://info.riversideinsights.com/texas_elreclassification

77. Will these slides she is presenting be available too?

Yes, these slides are included in the pdf deck found at https://drive.google.com/drive/u/0/folders/1BLWMB3z4r2goahISnWI_i1JN7185FIHM

78. This may have already been asked, but where will we be able to find the recorded meeting after today?

Recording will be posted [here](#) as soon as we can process it.

79. Where is the link to provide feedback?

<https://tea.texas.gov/about-tea/laws-and-rules/commissioner-rules-tac/proposed-commissioner-of-education-rules>

80. Can we get this powerpoint slides in our email?

We request that you access via the [google folder](#). This way we can make adjustments as necessary and you can be assured you always have the most updated version.

Student Records

- 81. It's becoming more and more challenging to obtain records from larger school districts and many times from charter schools. Is there an ideal number of times that we request TReX records, send emails and make phone calls before we initiate the initial ID process?**

Please see the [SAAH](#) on page 46 it states, *If your district requests this information from the district where a student was previously enrolled and that district fails to provide the required information within 10 working days, your district should report the noncompliant district to the Division of Compliance and Inquiry of TEA at (512) 463-3544.*

In addition, Check the TReX database, or other databases, for an uploaded version of the HLS and to obtain TELPAS history and any other LPAC documentation. Multiple attempts should be made to obtain the student's HLS and any other LPAC documentation.

You can also determine if the student was previously served in a program or identified as an EB student in TSDS PEIMS. (See the [BOY LPAC Guidance](#) for additional information).

- 82. If we request records over summer because they have registered with us, is the previous campus allowed to deny the request until the student attends their first day of school with our district?**

As per our colleagues in TReX Application Support, *Many schools do not withdraw students until the beginning of the school year. Depending on the district, they may have staff who can work over the summer to do that, but it depends. Regardless, TReX is used for enrolling students, and the expected timeframe for fulfilling records is 14 calendar days.*

- 83. Is the Student History Worksheet a required form for EVERY EB student, even for those who have been in Texas schools since Pre K or K?**

Yes, this is a required document for LPAC if the student is EB.

- 84. Is the student's educational history worksheet optional or required for new to district students?**

The student's educational history worksheet is a required document in LPAC for all EB students. If this student was in a Texas school and the history worksheet comes with their records, you would "continue" documenting on that original student history worksheet.

- 85. Is the Student History Worksheet a required form for EVERY EB student; even for those who have been in Texas schools since Kinder?**

Yes, the Student History Worksheet is a required form for LPACS to use for all EB students.

TELPAS

- 86. The TELPAS rescore window is June 15-22, or has that changed? And what is the rescore fee per student?**

As per our colleagues in assessment, yes that is the rescore window and the fee is the same as last year. \$50 per test and the fee is waived if there is an improved change in the proficiency level.

Validation of Credits for HS

- 87. Do we have any documentation in writing about the validation of credits for international students?**

Our [FAQ](#) starting on pg. 12 and the [SAAH](#) section 3.2.2.5 pg. 42 both explain newcomer transcripts from out of the country should be evaluated carefully.

Zoom Logistics/Technical Assistance

- 88. One of our colleagues, registered for this session but has not received the meeting link.**

Please have them contact Rob at 512-919-5381