English as a Second Language (ESL) Waiver Scenario Chain

Is our district (including charters and districts of innovation) required to provide an ESL program?

We serve one or more identified Emergent Bilingual (EB) Students district wide.

No. Therefore, our district is not required to offer an ESL program.

Yes. Therefore, per TAC 89.1205 (c), our district is required to offer an ESL program, regardless of the number of EB students' and grade levels and primary language.

If our district has 20 or more identified Emergent Bilingual (EB) students with the same language background and in the same grade level district-wide, a bilingual program is required at the elementary grade levels per TAC 89.1205 (a). See the Bilingual Exception Scenario Chain.

State-Approved ESL Program Models

Goal For emergent bilingual students to attain full proficiency in English in order to effectively participate in school.

ESL Content-Based	ESL Pull-Out
Instruction Targeted English language development in all content area instruction [English language arts and reading (ELAR), mathematics, social studies, and science.	Targeted English language development in English language arts and reading (ELAR)
CBLI methods: Second Language Acquisition, Linguistically Sustaining Practices, and Varied Instructional Supports	CBLI methods: Second Language Acquisition, Linguistically Sustaining Practices, and Varied Instructional Supports
ESL certified teacher(s) in all content areas	ESL certified teacher(s) in English language arts and reading
	Pull-out or Push-in delivery model

? Over-Arching Questions to Inform Individual Emergent Bilingual Student Program Services

How are the EB Students being supported in ELAR instruction?

How are ESL teachers coordinating services with content teachers?

How are the EB students being supported in all content area instruction?

Continue to
*Serving EB Students in **Elementary** levels*

Continue to
*Serving EB Students in **Secondary** levels*

Do we have appropriately certified teachers in elementary levels serving all our EB students?
Will an ESL Waiver need to be filed?

ESL Programs at Elementary

Classroom Type	Teacher Certifications	ESL Waiver Needed*	Implemented Program Model	PEIMS Program Code**	PEIMS Parent Permission Code
Self-contained (one teacher for all content) at any grade level beginning in Pre-K	• Certified in content/grade level; and • Certified in ESL	No	**Content-Based**	**ESL:** 2 **BE:** 0 **ALT:** 00	**K:** Parent Approved ESL Program *or* **A:** Parent Denied Bilingual Program and Approved ESL
	• Certified in content/grade level; • NOT certified in ESL; and • EBs receive English Language Arts and Reading (ELAR) instruction by a teacher certified in ESL and ELAR through co-teaching (push-in) or through an additional ESL/ELAR class	No	**Pull-Out**	**ESL:** 3 **BE:** 0 **ALT:** 00	
	• Certified in content/grade level; and • NOT certified in ESL	Yes	**Temporary Alternative Methods** as described in district's ESL Waiver application that may include, but is not limited to, CBLI training	**ESL:** 0 **BE:** 0 **ALT:** 02	**J:** Parent Approved ESL, but the district*** is implementing temporary alternative methods approved by TEA due to the district's submission of an ESL Waiver for the current school year
Departmentalized (two or more teachers for all content) at any grade level beginning in Pre-K	• Both/all certified in content/grade level; and • Both/all certified in ESL	No	**Content-Based**	**ESL:** 2 **BE:** 0 **ALT:** 00	**K:** Parent Approved ESL Program *or* **A:** Parent Denied Bilingual Program and Approved ESL
	• Both/all certified in content/grade level; • ELAR teacher certified in ESL; and • NOT all other content area teachers of EBs certified in ESL	No	**Pull-Out**	**ESL:** 3 **BE:** 0 **ALT:** 00	
	• Both/all certified in content/grade level; • ELAR teacher NOT certified in ESL; • NONE or some of other content teachers of EBs certified in ESL; and • EBs receive ELAR instruction by a teacher certified in ESL and ELAR through co-teaching (push-in) or through an additional ESL/ELAR class	No	**Pull-Out**	**ESL:** 3 **BE:** 0 **ALT:** 00	
	• Both/all certified in content/grade level; • ELAR teacher NOT certified in ESL; • All other content area teachers (math, science, social studies) of EBs certified in ESL; and • EBs receive ELAR instruction by a teacher certified in ESL and ELAR through co-teaching (push-in) or through an additional ESL/ELAR class	No	**Content-Based**	**ESL:** 2 **BE:** 0 **ALT:** 00	
	• Both/all certified in content/grade level; • NONE or some content teachers certified in ESL; and • ELAR teacher NOT certified in ESL	Yes	**Temporary Alternative Methods** as described in district's ESL Waiver application that may include, but is not limited to, CBLI training	**ESL:** 0 **BE:** 0 **ALT:** 02	**J:** Parent Approved ESL, but the district*** is implementing temporary alternative methods approved by TEA due to the district's submission of an ESL Waiver for the current school year

✱ Submitting an ESL waiver is based on meeting minimum state requirements. District-level expectations may go beyond minimum state requirements.

✱✱ BE = Bilingual Program Code, ESL = English as a Second Language Program Code, ALT = Alternative Methods Code (only to be used when the district has filed a Bilingual Exception or English as a Second Language Waiver).

✱✱✱ Local Education Agency (LEA)

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Do we have the appropriately certified teachers in **secondary** levels? Will an ESL Waiver need to be filed?

Note: Particularly at the secondary level, it is important to consider each emergent bilingual student's schedule individually to determine if appropriately certified teachers are provided.

ESL Programs at Secondary

ESL Support in English Language Arts & Reading	Teacher Certifications in Other Content Areas (Math, Science, Social Studies) *(Applies to teachers serving EBs)*	ESL Waiver Needed	Implemented Program Model	PEIMS Program Code	PEIMS Parent Permission Code
• ELAR teacher(s) of EB certified in ELAR/grade level; and • Certified in ESL	• All other content teachers of EB certified in content/grade level; and • All other content teachers of EB certified in ESL	No	**Content-Based**	**ESL:** 2 **BE:** 0 **ALT:** 00	**K:** Parent Approved ESL Program
	• All other content teachers of EB certified in content/grade level; and • NONE or NOT all other content teachers of EB certified in ESL	No	**Pull-Out**	**ESL:** 3 **BE:** 0 **ALT:** 00	
• ELAR teacher(s)[4] of EB certified in ELAR/grade level; • ELAR teacher(s) of EB NOT certified in ESL; and • ESL certified teacher co-teaches with ELAR teacher of EB (push-in)	• All other content teachers of EB certified in content/grade level; and • All other content teachers of EB certified in ESL	No	**Content-Based**	**ESL:** 2 **BE:** 0 **ALT:** 00	**K:** Parent Approved ESL Program
	• All other content teachers of EB certified in content/grade level; and • NONE or NOT all other content teachers of EB certified in ESL	No	**Pull-Out**	**ESL:** 3 **BE:** 0 **ALT:** 00	
• ELAR teacher(s)[4] of EB certified in ELAR/grade level; • ELAR teacher(s) of EB NOT certified in ESL; and • EL receives ELAR instruction by a teacher certified in ESL and ELAR through an additional ESL/ELAR class	• All other content teachers of EB certified in content/grade level; and • All other content teachers of EB certified in ESL	No	**Content-Based**	**ESL:** 2 **BE:** 0 **ALT:** 00	**K:** Parent Approved ESL Program
	• All other content teachers of EB certified in content/grade level; and • NONE or NOT all other content teachers of EB certified in ESL	No	**Pull-Out**	**ESL:** 3 **BE:** 0 **ALT:** 00	
• ELAR teacher(s)[4] of EB certified in ELAR/grade level; • ELAR teacher(s) of EB NOT certified in ESL; and • EL receives no additional ELAR instruction by a teacher certified in ESL through co-teaching (push-in) or an additional ESL/ELAR class	• All other content teachers of EB certified in content/grade level; and • NONE, some, or all other content area teachers of EB certified in ESL	Yes	**Temporary Alternative Methods** as described in district's ESL Waiver application that may include, but is not limited to, sheltered instruction training	**ESL:** 0 **BE:** 0 **ALT:** 02	**J:** Parent Approved ESL, but the district/LEA is implementing temporary alternative methods approved by TEA due to the district's submission of an ESL Waiver for the current school year

1 *If ELAR TEKS are split among two teachers (such as one teaching Language Arts TEKS and one teaching Reading TEKS to provide the total required curriculum), both the Language Arts teacher and the Reading teacher of ELs would need to be ESL certified if no other ELAR instructional support is provided by an ESL teacher through co-teaching (push-in) or through an additional ESL/ELAR class.*

2 *Submitting an ESL waiver is based on meeting minimum state requirements. District-level expectations may go beyond minimum state requirements.*

3 *BE = Bilingual Program Code, ESL = English as a Second Language Program Code, ALT = Alternative Methods Code (only to be used when the district has filed a Bilingual Exception or English as a Second Language Waiver).*

4 *Teachers who teach ESOL I or ESOL II must be appropriately ELAR and ESL certified per TAC §231.123.*