

#### 4. Class Rank

Final class rank will be determined at the end of the fifth six (6) weeks of the senior year. For two (2) years following their graduation, School graduates who ranked in the top ten (10) percent of their graduating class who: (1) graduated on the Recommended or Distinguished Program; or (2) satisfy the ACT College Readiness Benchmarks; or (3) earn at least a 1500 out of 2400 on the SAT may be eligible for automatic admission into four-year public universities and colleges in Texas. Students and parents should contact the university or college of their choice for further information about how to apply and the deadline for application.

### **D3 - BILINGUAL EDUCATION, ENGLISH AS A SECOND LANGUAGE, AND SPECIAL LANGUAGE PROGRAMS**

#### 1. Overview

- a. If the School has an enrollment of 20 or more limited English proficient students in any language classification in the same elementary school grade level, it will offer a Bilingual Education program for the LEP students in pre kindergarten through the elementary grades who speak that language.
- b. "Elementary grades" shall include at least pre kindergarten through grade 5; sixth grade shall be included when clustered with elementary grades. The School is authorized to establish a bilingual education program at grade levels in which the bilingual education program is not required.
- c. When a bilingual education program is offered, it is a fulltime program that provides dual language instruction in English and the native language for students in the elementary grades in language arts, mathematics, Science, health, and social studies
- d. When necessary, the School shall offer LEP students the following:
  - (1) Bilingual education in kindergarten through the elementary grades.
  - (2) Bilingual education, instruction in ESL, or other transitional language instruction approved by TEA in post-elementary grades through grade 8.
  - (3) Instruction in ESL in grades 9-12.
- e. The Bilingual Education program shall be provided by offering either a dual language program that meets the requirements for the program content and design, as established in 19 TAC 89.1210, or a dual language program designed by the School and approved by the commissioner, as provided by 19 TAC 89.1255. The School-designed program shall address the affective, linguistic, and cognitive needs of the LEP students and shall incorporate the cultural aspects of the student's backgrounds.

#### 2. Required ESL Program

- a. All LEP students for whom the School is not required to offer a bilingual education program shall be provided an English as a Second Language program,

regardless of the students' grade levels and home language and regardless of the number of such students. 19 TAC 89.1205(d).

- b. The ESL program shall be provided by offering either an ESL program that meets State Board Requirements for program content and design, as established in 19 TAC 89.1210, or an ESL program designed by the School and approved by the Commissioner of Education, as provided by 19 TAC 89.1255. The School-designed program shall address the affective, linguistic, and cognitive needs of the LEP students. 19 TAC 89.1205(d).
- c. The School has designed the instruction of ESL to be an intensive program of instruction to develop proficiency in the comprehension, speaking, reading, and composition of the English language.
- d. When required to offer a bilingual education program, the School will provide dual language instruction for LEP students in pre kindergarten through the elementary grades. LEP students in the middle school and high school levels will receive ESL instruction.
- e. The School is required to serve all LEP students who have parental permission in the required program. The School's parents do not approve or select the program; they only give permission for their child to be enrolled in the required program.
- f. If there are parental denials for any LEP students, the School will provide documentation that the benefits of the bilingual education program were explained to the parent.
- g. LEP students enrolled in special education will also be served by the required program (bilingual education or ESL) and receive instruction by an appropriately certified teacher.
- h. Exceptions
  - (1) If a program other than bilingual education must be used in kindergarten through the elementary grades, documentation for the exception must be filed with and approved by TEA.
  - (2) If the School is unable to hire a sufficient number of teachers with bilingual teaching certificates to staff the required program the School may file an application for exception with TEA. The application must be accompanied by all of the following:
    - (a) Documentation showing that the School has taken all reasonable affirmative steps to secure teachers with bilingual teaching certificates and has failed.
    - (b) Documentation showing that the School has affirmative hiring policies and procedures consistent with the need to serve LEP students.
    - (c) Documentation showing that on the basis of School records, no teacher having bilingual credentials has been unjustifiably denied employment by the School within the past 12 months.

- (d) A plan detailing specific measures to be used by the School to eliminate the conditions that created the need for the exception.
- (e) Information required by 19 TAC 89.1205(g).

(3) Exceptions shall be granted on an individual district basis and are valid for one year. Applications for second or subsequent years must be accompanied by the documentation listed above. During the period for which the School is granted an exception, the School must use alternative methods approved by TEA to meet the needs of its LEP students, including hiring teaching personnel under bilingual emergency permits. Education code 19.054; 19 TAC 89.1205(g)

### 3. Waivers For The ESL Program

If the School is unable to provide an ESL program as described above, it shall request the commissioner's approval for a one year waiver and an alternative program. The request shall include all the information required by 19 TAC 89.1205(h).

### 4. Home Language Survey

a. All School students will have a home language survey, administered in English and the home language and placed in their permanent record folders, signed by their parents (for students in Grades PK-S) or by the student or parents (in Grades 9-12). TEC §29.056(a) (1), 19 TAC §89.121S (a).

b. The date of the parent's signature on the home language survey will be within four weeks of the student's initial enrollment date (first day the child attended school). This item is a one-time requirement, and only the original home language survey will be in the student's permanent record folder.

c. The HLS will include the following questions:

- (1) What language is spoken in your home most of the time?
- (2) Cual es el idioma que mas se habla en su hogar?
- (3) What language does your child (do you) speak most of the time?
- (4) Cual es el idioma que su nino (a) habla mas?

d. The home language survey shall be administered only one time to each student new to the School and to students previously enrolled who were not surveyed in the past. The survey shall be signed by the parent or guardian for students in pre-kindergarten through grade 8, and by the student in grades 9-12. The original copy of the survey shall be retained in the student's permanent record. If the home language survey indicated a language other than English is used, the student shall be tested in accordance with 19 TAC 89.1225 (see identification and assessment below). Education Code 19.056(a); TAC 89.1215

### 5. Language Proficiency Assessment Committees

a. If the School is required to offer special language programs, it shall establish one or more Language Proficiency Assessment Committees (LPACs) according to locally established procedures for the selection, appointment, and training of members. The LPAC shall include a parent of a limited English Proficient

student who is not an employee of the district, and at least one (for ESL) or two (for Bilingual Education) of the following as members:

- (1) A professional bilingual or ESL educator.
- (2) A professional transitional language educator.
- (3) A campus administrator.

b. If the School does not have an individual in one or more of the job classifications as required, it shall designate another professional staff member to serve on the LPAC. Education Code 29.063(a)(b); 19 TAC 89.1220(a)-(b).

#### 6. Language Proficiency Assessment Committees

The professional staff members of the LPAC(s) shall be assigned required duties by the Chief Executive Officer or designee. Selection of parent members of LPAC(s) shall be made after soliciting volunteers and upon the recommendations of professionals involved in the Bilingual/ESL programs.

#### 7. Training

The District shall provide orientation and training for all members of the LPAC(s), which shall include a discussion of the committee's duties and a thorough explanation and review of all laws and rules governing the confidentiality of information regarding individual students. In performing their duties, committee members shall be acting for the District and shall observe requirements regarding confidentiality of student records.

#### 8. Duties Of The LPAC

- a. Review all pertinent information on all LEP students, and correctly classify students with "Other than English" Home Language Surveys.
- b. Make recommendations concerning the most appropriate placement for the education advancement of the LEP student after the elementary grades.
- c. Review each LEP student's progress at the end of the school year in order to determine future appropriate placement.
- d. Monitor the progress of students formerly classified as LEP who have transferred out of the bilingual or ESL program within the past two years.
- e. Determine the appropriateness of a program that extends beyond the regular school year based on the needs of each LEP student.
- f. Make the determinations required regarding placement in and exit from bilingual and ESL programs.
- g. Before the annual administration of the State Assessment and according to criteria set forth in 19 TAC 89.1220(i), determine the eligibility of LEP students in grades 3-8 for:
  - h. Exemption from the test;
  - i. Administration of the Spanish version of the test; or
  - j. Administration of the English version of the State Assessment.

#### 9. Student Counts

Within twenty days of the beginning of school, the LPAC shall determine and report to the Board of Directors the number of LEP students on each campus and shall classify

each student according to the language(s) in which the student possesses primary proficiency. The Board of Directors shall report that information to TEA before November 1 each year. Education Code 29.053(b)

10. Identification and Assessment

Within twenty days of their initial enrollment in the School, students shall be identified, assessed, and classified for bilingual education or ESL programs according to the criteria and procedures established in rules adopted by the commissioner. Education Code 19.056(a); 19 TAC 89.1225(a)-(9).

11. Parental Notice And Approval

a. Within ten days after classification, the LPAC shall give written notice to parents advising that a student has been classified as limited English proficient and requesting approval to place the student in the required bilingual or ESL program. The notice shall be in English and the primary language and shall include information about 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 School shall place the student in the recommended program, but may receive its bilingual/ESL allotment only for those students in the bilingual/ESL program with parent approval. Education Code 19.056(a) (d); 19 TAC 89.1220(1).

b. The entry or placement of a student in the bilingual or ESL program must be approved in writing by the student's parent. Approval shall be considered valid for the student's continued participation in the program until the student meets the established exit criteria, graduates from high school, or the parent requests a change in program placement. 19 TAC 89.1240(a).

12. Program Exit

a. A student may not be exited from the bilingual or ESL program in pre kindergarten through grade one. For exit from a Bilingual Education or English as a Second Language program, a student:

(1) 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 as determined by:

(a) Meeting state performance standards for the English language criterion-referenced assessment instrument for reading and writing (when available) required in Texas Education Code 39.023, at grade level; and

(b) 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 both the student's primary language and English;

(2) May be classified as English proficient when he or she scores 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;  
or

(3) May be classified as English proficient as determined by criteria that meet the requirements outlined in Texas Education Code 29.055 and 19 TAC 89.155, detailing requirements for a local plan.

b. A student exited from the program may be re-enrolled if later evidence indicates that the student has inadequate English proficiency and achievement. Education Code 29.056(9) (h); 19 TAC 89.1225(h)-(j).

c. 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).

13. Program Content

The School's bilingual education program shall be a full-time program of dual language 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. Education Code 29.055(a).

14. Program Design

a. The bilingual and ESL programs shall be designed to consider the students' learning experiences and shall incorporate the cultural aspects of students' backgrounds. Education Code 29.055(b).

b. The district has designed the instruction of ESL to be an intensive program of instruction to develop proficiency in the comprehension, speaking, reading, and composition of the English language. 19 TAC §89.1210(d)-(f).

c. Instruction is provided in English, mathematics, science, health, and social studies using second language methods (cognitive needs). ESL is structured to ensure that the students master the required TEKS and higher-order thinking skills in all subjects (linguistic needs).

d. The district program addresses the history and cultural heritage associated with the student's home language (affective needs).

e. In pre-kindergarten through Grade 8, district instruction in ESL may vary from the amount of time accorded to instruction in English language arts in the regular program for English-proficient students to full-time instructional setting utilizing second language methods. In high school, the ESL program is consistent with graduation requirements.

15. Participation

LEP students shall participate fully with English-speaking students in regular classes provided in subjects such as art, music, and physical education. The School shall provide students enrolled in the bilingual or ESL programs a meaningful opportunity to participate fully with other students in extracurricular activities. Education Code 29.055(c), (e).

16. Facilities

Bilingual education and special language programs will be located in the School's regular schools rather than in separate facilities. 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 School will ensure that each student's instruction is appropriate to the student's level of educational attainment, and the School shall keep adequate records of the educational level and progress of each student enrolled in the program. In order to provide the required program, the School may concentrate the programs at a limited number of schools, provided that the enrollment in those schools shall not exceed 60 percent limited English proficient students. Education Code 29.057; 19 TAC 89.1235.

17. Required Programs

- a. If the School is required to offer a bilingual education or special language program, it shall offer a voluntary summer school program for LEP children 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 a similar schedule approved by the Board of Directors. A school that operates on any other system shall offer 120 hours of instruction on a schedule established by the Board of Directors.
- b. The program will 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 School shall comply with the requirements of 19 TAC 89.1250 in providing such a program. Education Code 19.060(a)-(c); 19 TAC 89.1250.

18. Other Programs

The School may establish other summer school, extended day, or extended week bilingual or ESL programs for limited English proficient students; however, neither these programs nor the required voluntary program may substitute for the program to be provided during the regular school year. Education Code 29.060(d), (e).

**D4 - ACCELERATED CREDIT**

1. The Board of Directors shall review and approve examinations for accelerated credit for students.