

**Rite of Passage  
Policy and  
Procedure**

<b>Policy Number:</b>	<b>600.554</b>	
<b>Policy Name:</b>	<b>ESL Policy-Raven</b>	
<b>Creation Date: 11/3/2022</b>	<b>Author: TBJ</b>	
<b>Board Approved On: 11/18/22</b>	<b>Revision Date &amp; #:</b>	<b>Initials: TBJ</b>

**Policy:**

Thomas Buzbee Vocational High School will comply with all the statutory requirements regarding English Language Learners (ELL) and immigrant students in compliance with Title III of Every Student Succeeds Act.

**LPAC Procedure:**

Each LPAC shall include:

1. An appropriately certified bilingual educator (for students served through bilingual education);
2. An appropriately certified English as a second language (ESL) educator (for students served through an ESL program);
3. A parent of the English learner participating in a bilingual or ESL program; and
4. A campus administrator.

Thomas Buzbee Vocational High School may add other trained members to the committee in any of the required categories. If Lone Star Success Academy does not have an individual in one or more of the job classifications required, another professional staff member shall be designated to serve on the LPAC.

All members of the LPAC, shall observe all laws and guidelines concerning student confidentiality. Lone Star Success Academy will provide training for all members of the LPAC.

*Education Code 29.063; 19 TAC 89.1220(a)-(f).*

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

***Home Language Survey***

Within four weeks of each student's enrollment, Thomas Buzbee Vocational High School shall conduct a home language survey to determine the language normally used in the home and the language normally used by the student, whenever possible. 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 grade 6 through grade 8, or by the student if the student is in grades 9 through 12. The original copy of the survey shall be kept in the student's permanent record.

Thomas Buzbee Vocational High School shall conduct only one home language survey of each student.

The home language survey shall be administered in English and Spanish; for students of other language groups, the home language survey shall be translated into the primary language whenever possible.

The home language survey shall contain the following questions:

1. "What language is spoken in the child's home most of the time?"
2. "What language does the child speak most of the time?"

If the response on the home language survey indicates that a language other than English is used, the student shall be tested in accordance with 19 Texas Administrative Code § 89.1226.

*19 TAC 89.1215.*

### ***Classification as an English Learner***

The 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).*

### ***Parent Notice and Consent***

Not later than the 10th day after the LPAC's classification of a student as an English learner, the LPAC shall give written notice of the classification to the student's parent. The notice must be in English and in the parent's primary language. The parents of students eligible to participate in the required bilingual education program shall be informed of the benefits of the bilingual education or special language program and that it is an integral part of the school program.

Placement of a student in the bilingual education or ESL program must be approved in writing by the student's parent.

*Education Code 29.056(a); 19 TAC 89.1040(a).*

Pending parent approval, Lone Star Success Academy shall place the student in the recommended program but may count only English learner students with parental approval for bilingual education allotment.

*Education Code 29.056(a), (d); 19 TAC 89.1220(j).*

Lone Star Success Academy may identify, exit, or place a student in a program without written parent approval if:

1. The student is 18 years of age or has had the disabilities of minority removed;

2. The parent provides approval by telephone or email that is documented in writing and retained; or
3. An adult recognized by Thomas Buzbee Vocational High School as standing in parental relation to the student provides written approval. This may include a foster parent, or employee of a state or governmental agency with temporary possession or control of the student.

*19 TAC 89.1220(j), (m), .1240(a).*

### ***Participation of Non-English Learner Students***

With the approval of Thomas Buzbee Vocational High School and a student's parent, a student who is not an English learner may participate in a bilingual education program. The number of participating students who are not English learners may not exceed 40% of the number of students enrolled in the program.

*Education Code 29.058; 19 TAC 89.1233(c).*

### ***Students with Disabilities***

Thomas Buzbee Vocational High School shall implement assessment procedures that differentiate between language proficiency and disabling conditions in accordance with 19 Administrative Code Chapter 89, Subchapter AA, and shall establish placement procedures that ensure that placement in a bilingual education or ESL program is not refused solely because a student has a disability.

LPAC members shall meet in conjunction with admission, review, and dismissal committee members to review and provide recommendations regarding the educational needs of each English learner who qualifies for services in the special education program.

*19 TAC 89.1230.*

### **BILINGUAL AND ESL PROGRAMS**

Upon the enrollment of 20 or more English learner students in any language classification in the same grade, Lone Star Success Academy shall offer a bilingual education or special language program as follows:

1. Bilingual education, instruction in English as a second language, or other TEA-approved transitional language instruction in 7th grades and 8th grade.
2. Instruction in English as a second language in grades 9–12.

*Education Code 29.053(c)-(d), 29.054(a).*

### ***Program Content***

Thomas Buzbee Vocational High 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. The bilingual or ESL program shall be designed to consider the students' learning experiences and shall incorporate the cultural aspects of the students' backgrounds.

English learners shall participate fully with English-speaking students in regular classes provided in subjects such as art, music, and physical education. Lone Star Success Academy 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, .057(b); 19 TAC 89.1210(f).*

### ***Classes and 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. Lone Star Success Academy shall ensure that each student's instruction is appropriate to the student's level of educational attainment, and Lone Star Success Academy shall keep adequate records of the educational level and progress of each student enrolled in the program.

Bilingual education and special language programs shall be located on Lone Star Success Academy campus rather than in separate facilities.

*Education Code 29.057; 19 TAC 89.1235.*

### **COOPERATION AMONG DISTRICTS**

Thomas Buzbee Vocational High School may join with one or more other public schools to provide the required bilingual and special language programs. The availability of the programs shall be publicized throughout the schools involved.

*Education Code 29.059; 19 TAC 89.1205(e).*

### **SUMMER PROGRAM**

Thomas Buzbee Vocational High School is a year-round school and will offer a bilingual education or special language program, during the summer program.

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. Lone Star Success Academy shall comply with the requirements of 19 TAC 89.1250 in providing such a program.

#### **a) *Other Programs***

Thomas Buzbee Vocational High School 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. The summer program may not 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. *Education Code 29.061(b), (c)*.

If Thomas Buzbee Vocational High School is unable to hire enough teachers with bilingual teaching or ESL certificates, Thomas Buzbee Vocational High School may file an application for exception with TEA in accordance with 19 TAC 89.1207.

*Education Code 29.054; 19 TAC 89.1207.*

## **ENGLISH LEARNERS AND STATE ASSESSMENTS**

In grade 7 through grade 12, an English learner student shall participate in state assessments in accordance with Commissioner's rules at 19 TAC Chapter 101, subchapter AA.

## **PROGRAM EXIT**

Thomas Buzbee Vocational High School 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 39.023(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 the TEA; and
3. TEA-approved criterion-referenced tests and the results of a subjective teacher evaluation.

*Education Code 29.056(g).*

## ***Notice to Parents***

Thomas Buzbee Vocational High School shall notify the student's parent in writing of the student's reclassification as English proficient and his or her exit from the bilingual education or English as a second language program and acquire written approval as required under Education Code 29.056(a). Students meeting exit requirements may continue in the bilingual or English as a second language program with parental approval but are not eligible for inclusion in Lone Star Success Academy's bilingual education allotment.

*19 TAC 89.1240(b).*

## ***Evaluation of Transferred Students and Reenrollment***

The LPAC committee 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 the Student Code of Conduct.

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.*

## **STATE POLICY**

It is the policy of the state that every student who has a primary language other than English and who is identified as an English learner shall be provided a full opportunity to participate in a bilingual education or English as a second language (ESL) program.

## **LONE STAR SUCCESS ACADEMY RESPONSIBILITIES**

Thomas Buzbee Vocational High School shall:

1. Identify English learners based on criteria established by the state.
2. Provide bilingual education and ESL programs, as integral parts of its regular program.
3. Seek certified teaching personnel to ensure that English learners' students are afforded full opportunity to master the essential skills and knowledge required by the state; and
4. Assess achievement for essential knowledge and skills in accordance with Chapter 29, Education Code to ensure accountability for English learners and the schools that serve them.

*19 TAC 89.1201(a).*

*20 U.S.C. 6801-7014.*

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5. Identify English learners based on criteria established by the state.
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7. Seek certified teaching personnel to ensure that English learners' students are afforded full opportunity to master the essential skills and knowledge required by the state; and
8. Assess achievement for essential knowledge and skills in accordance with Chapter 29, Education Code to ensure accountability for English learners and the schools that serve them.

*19 TAC 89.1201(a).*

#### **IDENTIFYING ENGLISH LEARNER STUDENTS**

Within the first four weeks following the first day of school, the language proficiency assessment committee (LPAC) shall determine and report to the Board the number of English learner students at each campus and shall classify each student according to the language in which the student possesses primary proficiency. The Board shall report that information to the Texas Education Agency ("TEA") before November 1 every year. *Education Code 29.053(b).*

#### **LANGUAGE PROFICIENCY ASSESSMENT COMMITTEES**

Thomas Buzbee Vocational High School shall establish and operate enough LPACs to enable them to discharge their duties within four weeks of the enrollment of English learner students.