

Emergent Bilingual Summer School Guidance

Local Education Agencies (LEAs) are required to provide summer school for emergent bilingual (EB) students served in bilingual education and English as a second language (ESL) programs entering kindergarten and grade 1 (Texas Education Code [Sec. 29.060](#); Texas Administrative Code [§89.1250](#)). The required summer school program is intended to prepare our youngest EB students for linguistic and academic success in early grades. This program provides multiple opportunities for students to engage with meaningful linguistic and academic experiences to prepare them for the next grade level.

Requirements

The EB student summer school program guidance described in Texas Administrative Code (TAC) §89.1250 is applicable as listed below:

- LEAs must offer summer school to families of EB students if the LEA is required to offer bilingual or English as a second language (ESL) programs [TAC §89.1250 (2)(A)].
- To be eligible for enrollment, a student must be eligible for kindergarten or grade 1 during the subsequent school year, be identified as an emergent bilingual student, and have parental/guardian approval for bilingual/ESL program placement [TAC §89.1250 (2)(B)].
- Instruction focuses on language development and essential knowledge and skills appropriate to the level of the student [TAC §89.1250 (1)(B)].
- Program addresses the affective, linguistic, and cognitive needs of EB students [TAC §89.1250 (1)(C)].
- Enrollment is optional [TAC§ 89.1250 (3)(A)].
- Duration of the program should be 120 hours of instruction [TAC §89.1250 (3)(B)] and is closely aligned to the bilingual/ESL program of implementation.
- Student/teacher ratio does not exceed 18:1 [TAC §89.1250 (3)(C)].
- A school that operates on a semester system shall offer the program during the period school is recessed for the summer. A school that operates on a system permitted by this code other than a semester system shall offer 120 hours of instruction on a schedule the board of trustees of the district establishes [TEC Sec. 29.060 (a)].
- Program is staffed by teachers appropriately certified for the bilingual/ESL program [TAC §89.1250 (3)(E)].
- Reporting of student progress shall be determined by the board of trustees. A summary of student progress shall be provided to parents/guardians at the conclusion of the program and next year's teacher [TAC §89.1250 (3)(F)].
- LEAs must document that they have communicated to parents/guardians and encouraged participation in multiple ways; however, if an LEA has fewer than 10 students LEA-wide desiring to participate, they are not required to provide the program [TAC §89.1250 (4)(A)(iii)].
- An LEA shall maintain records of eligibility, attendance, and progress of students [TAC §89.1250 (4)(B)].
- An LEA shall use state and local funds for program purposes [TAC §89.1250 (4)(A)].
- Funding for the summer school program shall be on a unit basis in such an allocation system to ensure a pupil/teacher ratio of not more than 18:1. Payment to LEAs for summer school programs shall be based on units employed [TAC §89.1250 (4)(A)(ii); (iv)].

Frequently Asked Questions

1. Is there flexibility for completing bilingual education and ESL summer school requirements for emergent bilingual (EB) students entering kindergarten and grade 1 (Texas Education Code [Sec. 29.060](#); Texas Administrative Code [§89.1250](#))? (Updated February 2023)

All Local Education Agencies (LEAs) required to offer a bilingual and or ESL program are required to offer 120 hours of instruction that are supplemental to the regular school year and must be completed during the summer intermission without extending into the subsequent school year including LEAs offering Local Remote Learning Programs (virtual instruction) [TEC §29.9091 and TEC §48.0079 (c)].

- LEAs offering Additional Days School Year (ADSY), the summer school program will be based on their program design and implementation which may allow for some flexibility during the school year, see the [Summer Learning Budgeting Guidance](#) Document for more details.

2. Are remote or hybrid methods of delivery permissible during EB student summer school?

Only the LEAs offering remote learning during the school year may deliver the 120 instructional hours synchronously during the required bilingual summer school program with a student teacher ratio not to exceed 18:1.

LEAs providing face-to-face instruction are to fulfill the 120 hours of instruction through in-person instruction with a student to teacher ratio not to exceed 18:1.

3. How will reimbursement be calculated for EB summer school?

- Reimbursement amounts will be based on teaching units with 18 students or a fraction thereof. Allotments will be prorated on this unit value.
- Business managers should be informed that the fund code is 289 and that payment to the LEA will be provided through direct deposit.
- Reimbursement amounts will replenish the local/state funds that were leveraged to implement the summer school program.

4. Do summer school teachers have to be bilingual/ESL certified?

- Yes, all teachers serving EB students in the required summer school program shall be appropriately certified. A teacher under a bilingual education exception or ESL waiver may be hired to teach during the summer school program.

Bilingual Education Program	Teacher Certification
Dual Language Immersion Program and Transitional Bilingual Education Program	Content Certificate- age and grade with Bilingual Certification A teacher under a bilingual education exception for the current school year
ESL Program Content-Based and Pull-Out	Content Certificate- age and grade with ESL Certification A teacher under an ESL Waiver for the current school year