Language Proficiency Assessment Committee Decisions

Educator Guide











Information about the Texas Assessment Program can be found on the <u>Student Assessment</u> website.

Texas Educator Committees

The Texas Education Agency encourages highly qualified educators to apply to participate in educator committees for the Texas Assessment Program. Click the link or scan the QR code for more information.



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Overview

This Texas Education Agency (TEA) publication is designed to guide language proficiency assessment committees (LPACs) in making assessment and accommodation decisions for emergent bilingual (EB) students participating in the Texas Assessment Program. With rare exceptions, EB students are required to participate in the State of Texas Assessments of Academic Readiness (STAAR®) and the Texas English Language Proficiency Assessment System (TELPAS).

Chapter 39 of the Texas Education Code (TEC) and Title 19, Chapter 101, of the Texas Administrative Code (TAC) require LPACs to make assessment decisions in accordance with administrative procedures established by TEA. In fulfilling its responsibilities, an LPAC must work as a committee to:

- adhere to the administrative procedures in this guide,
- make assessment decisions on an individual student basis, and
- maintain required documentation.

Decisions that LPACS make on behalf of EB students support the appropriate implementation of both the content-area Texas Essential Knowledge and Skills (TEKS) and the Texas English Language Proficiency Standards (ELPS).

In addition to making assessment decisions, LPACs are also required to determine and document the number of school years an EB student has been enrolled in a U.S. school. This information, which is submitted in the Test Information Distribution Engine (TIDE) during the TELPAS and TELPAS Alternate administrations, is used for TELPAS and TELPAS Alternate reporting and STAAR assessment decisions. It is vital that LPACs follow state-defined policies and procedures to determine and document this important data element annually. Refer to the *LPAC Resources* section of the <u>Assessments for Special Populations</u> webpage for instructions on calculating years in U.S. schools.

Test Participation Decisions: STAAR, STAAR Spanish, or STAAR Alternate 2

All students enrolled in Texas public schools and open-enrollment charter schools are required by federal and state law to participate in the Texas Assessment Program. Students are required to take academic achievement assessments in specific grades and subjects. Districts are required to provide a testing opportunity for students and to account for each student who is eligible to take an assessment. The STAAR program encompasses STAAR, STAAR Spanish, and STAAR Alternate 2. LPACs must make and document assessment participation decisions in accordance with STAAR program requirements. A student's admission, review and dismissal (ARD) committee must determine if the student has the most significant cognitive disabilities and meets the updated <u>participation requirements</u> for STAAR Alternate 2. With rare exceptions, EB students are required to participate in one of the following academic assessments.

STAAR	 general statewide assessment accommodations available for students who meet eligibility criteria found on the <u>Test Administration Resources</u> webpage taken by EB students not eligible for an assessment listed below
STAAR Spanish (grades 3–5)	 available for students in grades 3–5 for whom a Spanish version of STAAR most appropriately measures their academic progress accommodations available for students who meet eligibility criteria found on the Test Administration Resources webpage not permitted for an EB student whose parent or guardian has declined bilingual or English as a second language (ESL) program services
STAAR Alternate 2	 available for students, including dual-identified EB students, who are receiving special education services and who meet requirements for an alternate assessment based on alternate achievement standards participation requirements and information regarding available accommodations can be found on the STAAR Alternate 2 Resources webpage

For an EB student who receives special education services, the LPAC must work in conjunction with the student's ARD committee to make and document assessment participation decisions.

In making STAAR assessment decisions, LPACs should keep in mind that STAAR Spanish, in addition to being appropriate for students in bilingual programs who receive most of their academic instruction in Spanish, may sometimes be appropriate for an EB student in an ESL program. Examples include the following:

- a Spanish speaker who has recently moved to the United States
- an EB student who recently moved from a campus with a Spanish bilingual education program to a campus with only an ESL program
- a student in an ESL program who receives substantial academic support in Spanish

To most accurately evaluate the student's progress in learning English, it is recommended that LPACs make final assessment decisions as close as possible to the time of the assessment administration.

For non-EB students participating in a dual-language bilingual education program, including one-way or two-way dual-language programs, a student may be administered a STAAR Spanish assessment if the LPAC determines STAAR Spanish to be the most appropriate measure of the student's academic progress per TAC §101.1005(g). The LPAC must consider the student's language of instruction and the level of linguistic support that the student receives during classroom instruction when determining whether English or Spanish is the most appropriate assessment. This may differ by content area for the student and should be determined on an individual basis.

NOTE: An LPAC is not responsible for completing for non-EB students the many other LPAC duties carried out for EB students.

Special Circumstances

Qualified Unschooled Asylee or Refugee

To qualify as an unschooled asylee or refugee, a student must meet each of the following criteria:

- The student must be identified as an EB student as defined by state law in TEC §29.052 and must participate in a state-approved bilingual or ESL program.
- The student's permanent record file must document that:
 - the student had little or no formal schooling outside the United States and lacked basic primary language literacy upon enrollment in a U.S. school;
 - the student is being provided accommodations and other ongoing interventions by the district to meet the student's unique affective, linguistic, and cognitive needs; and
 - as of the semester of the assessment administration, the student continues to lack the necessary foundation in the TEKS as a direct result of the student's inadequate schooling outside the United States.
- The student's permanent record file must contain appropriate documentation of asylee or refugee status. The student must:
 - be an asylee as defined by 45 Code of Federal Regulations §400.41 or a refugee as defined by 8 United States Code §1101, and
 - o have a Form I-94 Arrival/Departure record or successor document issued by the

United States Citizenship and Immigration Services that is stamped with "Asylee," "Refugee," or "Asylum" or a green card or one of the other forms of acceptable documentation described below.

Documentation of asylee or refugee status should come from the parent or legal guardian or from the student if he or she is 18 or older. District personnel may contact a resettlement agency or other social services provider that assisted the student at the time of initial enrollment in U.S. schools, as needed. If the student does not have a Form I-94, a green card containing a code indicating status as an asylee (AS6, AS7, or AS8) or as a refugee (RE6, RE7, RE8, or RE9) may be used.

Other forms of acceptable documentation for humanitarian populations that are included in refugee services as defined in 45 Code of Federal Regulations §400.41 and 8 United States Code §1101 and referenced in TAC §101.1005(c)(1) can be found on the U.S. Office of Refugee Resettlement webpage. For questions regarding whether a document other than Form I-94 or a green card is an acceptable form of documentation, contact a children's service specialist at the United States Conference of Catholic Bishops (USCCB) at (202) 541-3081. USCCB is the replacement designee for the federal Refugee School Impact grant. Specific written documentation must be maintained in the student's permanent record file verifying the determination by USCCB that the form of documentation available to the district is acceptable.

The <u>Assessments for Special Populations</u> webpage includes a TEA form that may be used in the rare case that a campus has compelling evidence of a student's asylee or refugee status but is unable to obtain official documentation by the time of the applicable assessment administration.

An EB student who qualifies as an unschooled asylee or refugee may be eligible for the STAAR English I EOC assessment special provision during the student's fourth or fifth school year of enrollment in a U.S. school if all other requirements are met.

STAAR Exemption for Grades 3–8

TAC §101.1005 allows the exemption of certain qualifying EB asylees and refugees from being administered a STAAR assessment in grades 3–8. This exemption applies to an EB student who:

- qualifies as an unschooled asylee or refugee,
- is in the first year of enrollment in U.S. schools, and
- is in grades 3–8.

STAAR English I Special Provision

EB students are required to take the STAAR English I assessment at least once when completing an English I or English for Speakers of Other Languages (ESOL) I course. If an EB student passes the course but does not meet the passing standard on the STAAR English I assessment, the student may opt to retake the assessment or enact the special provision allowed under TAC §101.1007.

The special provision permits an EB student who meets the eligibility criteria to not retake the STAAR English I assessment if the student passes the corresponding course but does not meet the passing standard on the assessment. An EB student whose parent or guardian has declined bilingual or English as a second language program services is not eligible for this special provision. Eligibility for this provision is determined by the student's LPAC and must be documented in the student's permanent record file.

This provision applies to an EB student who:

- has been enrolled in U.S. schools for three school years or less or qualifies as an unschooled asylee or refugee enrolled in U.S. schools for five school years or less, and
- has not attained an advanced high reading rating on the TELPAS in grade 2 or above.

This provision acknowledges the unique circumstances of specific EB students and the challenges they could encounter when engaging with high school English language arts course material due to having had insufficient time in the United States and insufficient time to learn English. These students may depend heavily on instructional scaffolding, including linguistic supports based on their second language acquisition needs, that cannot be provided as an accommodation during the STAAR English I assessment. LPACs must maintain documentation of eligibility for the special provision, which can be found on the Assessments for Special Populations webpage. Eligibility must be determined in conjunction with the student's enrollment in an English I or ESOL I course.

Test Participation Decisions: TELPAS or TELPAS Alternate

All EB students are required to be assessed annually with an English language proficiency assessment, TELPAS, until they are determined to be proficient by meeting the EB reclassification criteria. This includes students classified as EB/English learner (EL) in the Public Education Information Management System (PEIMS) whose parents have declined bilingual or ESL program services (PEIMS code C). EB students must take TELPAS unless they meet the participation requirements for TELPAS Alternate.

LPACs are responsible for making and documenting participation decisions. In the case of a dual-identified EB student who is also receiving special education services, the LPAC and ARD committee must work in conjunction to make and document assessment participation requirements.

For EB students in kindergarten through grade 2 who do not have an ARD or Section 504 committee, the LPAC is not required to meet to determine participation decisions regarding unmodified English language proficiency assessments.

TELPAS for Students in Kindergarten and Grade 1

TELPAS holistically rated assessments are based on student classwork and ongoing classroom observations of students in daily instruction. For these assessments, trained teachers use proficiency level descriptors (PLDs) from the ELPS to determine students' English language proficiency levels. EB students in kindergarten and grade 1 will be assessed with the TELPAS holistically rated assessment for all four language domains.

Kindergarten and Grade 1 (all domains)	For kindergarten and grade 1, listening, speaking, reading, and writing are holistically rated.
Students Receiving Special Education Services	EB students receiving special education services should be evaluated relative to how well they can understand and use English to access the general curriculum at their enrolled grade level in accordance with their individualized education program (IEP). Participation must be considered on a domain-by-domain basis. The reason for not assessing the student must be well supported and documented appropriately in the student's permanent record file by the LPAC. With rare exceptions, students should be able to be observed and rated meaningfully in each holistically rated domain. If the LPAC and ARD committee collaboratively decide that an assessment is inappropriate because of a student's particular disability, the decision is recorded at the time of testing, and the student is not holistically rated in the applicable domain.

TELPAS for Students in Grades 2–12

The TELPAS listening and speaking assessment and TELPAS reading and writing assessment for grades 2–12 are administered online. The assessments are designed to determine where EB students are on the continuum of English language listening, speaking, reading, and writing proficiency as a measure of annual student progress. Because the span of listening, speaking, reading, and writing abilities is so broad and the purpose is to measure annual growth in English acquisition, these assessments should be appropriate for most EB students who receive special education services.

Online Assessments	For grades 2–12, TELPAS consists of online assessments for listening and speaking and for reading and writing. TEA accommodation policies may apply to any student taking TELPAS who meets eligibility criteria based on his or her educational needs.
Special Administration of an Assessment	In the following rare, unavoidable circumstances that prevent a student from testing online, a student may be eligible for a special administration of a TELPAS online assessment (listening and speaking or reading and writing) for grades 2–12. Refer to the Special Administration of an Assessment page of the <i>District and Campus Coordinator Resources</i> for more information.
	 Accommodations cannot be applied: a student might need a testing accommodation that is not possible to provide in an online setting. Prior to a special administration of an assessment, consideration should be given to accessibility features, locally-approved designated supports, and designated supports requiring TEA approval. Refer to the Accommodations section of the Coordinator Resources for information regarding these testing accommodations.
	A student is unable to participate in one domain: the student's ARD committee has determined that the student is not required to participate in TELPAS for a specific domain because of the student's disability.
	Technology access is precluded: in rare situations where appropriate computers or technology are absolutely unavailable, students may be eligible for a special administration.
Students Receiving Special Education Services	There are circumstances in which a student may not be required to participate in the general TELPAS or in one or more language domains. In rare cases it may be necessary for the ARD committee, in conjunction with the LPAC, to determine if an EB student receiving special education services should not be assessed in listening, speaking, reading, or writing due to a student's particular disability. One example would be a student needing a holistic administration of an online assessment.
	Participation must be considered on a domain-by-domain basis. The

reason for not assessing the student must be well supported and documented in the student's IEP by the ARD committee and documented appropriately in the student's permanent record file by the LPAC.

This non-participation decision is applicable only for an EB student receiving special education services who is not eligible for TELPAS Alternate.

TELPAS Alternate

TELPAS Alternate is an alternate English language proficiency assessment designed to assess the progress that EB students with the most significant cognitive disabilities make in learning the English language. It is a holistic inventory aligned to the ELPS and is based on alternate PLDs that were created to address the specific needs of this population. Using the updated TELPAS Alternate participation requirements, which can be found on the TELPAS Alternate Resources webpage, the ARD committee, in conjunction with the LPAC, should determine if an EB student in grades 2–12 who is receiving special education services is eligible for TELPAS Alternate. It is important to note that students who are eligible for TELPAS Alternate must be evaluated for all four language domains; there are no domain-specific exemptions. For guidance on students that may qualify for "No Authentic Academic Response" or a "Medical Exception," refer to the applicable form on the TELPAS Alternate Resources webpage.

Grade 2	For EB students in grade 2, the ARD committee, in conjunction with the LPAC, will be required to make an assessment determination for TELPAS Alternate, as there is no STAAR Alternate 2 assessment for grade 2. The updated TELPAS Alternate participation requirements are posted on the TELPAS Alternate Resources webpage.
Grades 3-12	EB students in grades 3–12 who are eligible to take STAAR Alternate 2 will take TELPAS Alternate. EB students in grades 11 or 12 who previously met STAAR Alternate 2 eligibility and completed all STAAR testing requirements will take TELPAS Alternate.

Accommodation Decisions

In order to make appropriate accommodation decisions, LPACs are responsible for:

- coordinating with the content-area teachers who serve EB students to make accommodation decisions in accordance with the TEA policies described in the Accommodations policy documents; and
- maintaining required documentation of the decisions.

While some accommodations may be appropriate for instructional use, they may not be appropriate or allowable on a statewide assessment. Providing unfamiliar or inappropriate accommodations during statewide assessments may hinder rather than aid a student.

For an EB student with a disability, LPACs are required to work in conjunction with the applicable committee (ARD committee, Section 504 committee, response to intervention [Rtl] team, or student assistance team) in making both those accommodation decisions related to an EB student's language proficiency and those related to the student's disability. This collaboration helps ensure that factors related to disabling conditions and second language acquisition are carefully considered. Comprehensive information regarding accommodations can be found on the <u>Test Administration Resources</u> webpage.

STAAR

For EB students taking STAAR in English, the LPAC, as a sole authority, makes decisions for only the following designated supports:

- Content and Language Supports
- Oral Administration

For EB students taking STAAR Spanish, the LPAC does not have sole authority to make designated supports decisions for Content and Language Supports and Oral Administration. These designated supports decisions must be made by the ARD committee, Section 504 committee, Rtl team, or the appropriate team of people at the campus level, in conjunction with the LPAC.

It is recommended that LPACs make final accommodation decisions as close as possible to the time of the assessment administration to consider the student's progress in learning English. For STAAR EOC assessments, accommodation decisions can be carried over from the December administration to the spring and June administrations.

Designated Supports and Reclassification

Students for whom the LPAC recommends the following designated supports for any STAAR English RLA assessments may not be considered for reclassification at the end of the school year:

- Content and Language Supports
- Oral Administration

Contact the Division of English Learner Support at (512) 463-9414 or EnglishLearnerSupport@tea.texas.gov with questions about the reclassification process or policy.

TELPAS

For TELPAS, all accommodation decisions **must** be made in conjunction with the ARD committee, Section 504 committee, or appropriate team of people at the campus level (e.g., Rtl team, student assistance team).

Documenting and Communicating Decisions

The LPAC must maintain documentation of participation decisions for STAAR, STAAR Alternate 2, TELPAS, and TELPAS Alternate and of accommodation decisions for STAAR and TELPAS in each EB student's permanent record file.

For participation and accommodation decisions LPACs make in conjunction with the ARD committee, Section 504 committee, Rtl team, or student assistance team:

- the ARD committee will document decisions in the student's IEP,
- the Section 504 committee will document decisions in the student's individual accommodation plan (IAP), and
- other student assistance teams will document decisions in the student's permanent record file.

Sample forms are provided to assist LPACs in meeting documentation requirements and are available on the <u>Assessments for Special Populations</u> webpage.

Keep the following in mind when accessing the forms:

- There are separate sample forms for students in kindergarten through grade 5 and grades 6–12.
- LPACs may modify or reformat the forms. If forms are modified, school districts must ensure that all components of required state documentation are included.
- School districts may require additional supporting documentation and evidence.

LPACs are responsible for providing testing personnel with assessment decisions as well as STAAR and TELPAS accommodations information for EB students in time for appropriate testing arrangements to be made.

LPACs may use the sample forms to document and justify STAAR, STAAR Alternate 2, TELPAS, and TELPAS Alternate participation decisions as well as designated supports decisions, as required by TAC §101.1005 and §101.1003.

PART I: STAAR Participation, Designated Supports, and Justification

The table in Part I may be used by the LPAC to document the student's participation in and locally-approved designated supports decisions for STAAR assessments. Keep the following in mind when completing the table in Part I of the form:

- For STAAR, it is enough to include a general statement such as, "The LPAC has determined STAAR to be the most appropriate assessment," or "The student does not meet participation requirements for other assessments."
- For STAAR Spanish, the justification must specifically relate to the participation requirements and must specifically validate the assessment decision.

• For STAAR Alternate 2, the justification is based on the LPAC and the ARD committee determination that the student meets eligibility for STAAR Alternate 2 for reasons specific to the student's disability. The STAAR Alternate 2 participation requirements can be found on the STAAR Alternate 2 Resources webpage.

For Kindergarten-Grade 5

Student Nar					Enrolled Grade:		
	ict or Charter Scho	ol:		Campus:			
Academic Ye If a student	ear: is enrolled in kinde	ergarten, gra	de 1. or grade	2. skip to Part II.	Date:		
				ated Supports Decision	s		
	Participat				Approved Designated S	Supports*	
					,		Justification (Attach additional information if more roon
Ass	essment	English	Spanish [†]	Content and Language Supports	Oral Administration	None	is required.)
	Mathematics						
STAAR	Reading Language Arts (RLA)						
	Science (grade 5 only)						
STAAR Alternate 2			d that the stud				ency assessment committee (LPAC), has Academic Readiness (STAAR®) Alternate 2
For STAAR lo	Student's Teacher of cally-approved design	gnated suppo	rts	Mathematics:			
the supports	e signature of the st marked are based t	ooth on the st	udent's need	RLA:			
and the student's routine use of the support in classroom instruction and testing.			WHIN	Sec >			
	na testing.			Science:			

For Grades 6-12

Student Name:				Enrolled Grade:		
School Distr	ict or Charter School:			Campus		
Academic Ye	ar:			Date:		
PART I: STAA	R Participation and Locally-Ap	proved Designated S	upports Decisions	5		
Participation Assessment		Locally-Approved Designated Supports*		l Supports*	lustification	
		Content and Language Supports	Oral Administration	None	(Attach additional information if more room is required.)	
	Mathematics					
STAAR	Reading Language Arts (RLA)					
	Science					
	Social Studies					
STAAR Alternate 2		The admission, review, and dismissal (ARD) committee, in conjunction with the language proficiency assessment committee (LPAC), has determined that the student is eligible and will participate in the State of Texas Assessments of Academic Readiness (STAAR®) Alternate 2 for all content areas.				
Signature of Student's Teacher for Content Area For STAAR locally-approved designated supports decisions, the signature of the student's teacher affirms that the supports marked are based both on the student's need and the student's routine use of the support in classroom instruction and testing.		Mathematics:				
		RLA:				
		Science:				
		Social Studies:				
	r whom the LPAC recommo			orts or Oral Admin	istration for any English RLA assessment may	

PART II: TELPAS Participation and Accomodations

The table in Part II may be used by the LPAC to document the student's participation in TELPAS (kindergarten–grade 12) or TELPAS Alternate (grades 2–12) and accommodation decisions.

PART II: TELPAS Participation and Accommodations Decisions									
Assessment	Partici	Participation							
		The student will take the general Texas English Language Proficiency Assessment System (TELPAS) in all four language domains.							
TT! DAG		The ARD committee, in conjunction with the LPAC, has determined that the student will not be assessed in one or more of the four language domains, as noted in the student's individualized education program (IEP).							
TELPAS		The ARD committee, in conjunction with the LPAC, has determined that the student will receive accommodations, as noted in the student's IEP.							
		The ARD committee, in conjunction with the LPAC, has determined that the student will have a special administration of an assessment, as noted in the student's IEP or 504 paperwork.							
TELPAS Alternate		The ARD committee, in conjunction with the LPAC, has determined that the student meets the TELPAS Alternate eligibility criteria and will be assessed with TELPAS Alternate, as noted in the student's IEP.							

PART III: Notes

This section can be used to record any other information pertinent to assessment administrations, including designated supports requiring TEA approval and accommodations

requested by a committee other than the LPAC. Additional notes pertinent to the assessment administration, such as accessibility features to be provided based on the student's need, may also be recorded in this section.

PART IV: LPAC Signatures

Signatures of designated LPAC members affirm that the decisions recorded have been made by the LPAC in full accordance with state policies and procedures.

