CARROLL
Independent School District

Emergent Bilingual

Placement

Adopted October 2, 2023

Disclaimer: This information is provided for educational purposes only to facilitate a general understanding of the law or other regulatory matter. This information is neither an exhaustive treatment on the subject nor is this intended to substitute for the advice of an attorney or other professional advisor. Consult with your attorney or professional advisor to apply these principles to specific fact situations.

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Model operating procedures created by
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Placement

What is Required

Both the identification and placement process must be completed within four (4) calendar weeks of a student's enrollment in the District. The parent of a student identified as Emergent Bilingual (EB) must approve the student's placement in a bilingual education or ESL program in writing. Therefore, once the LPAC identifies the student as EB and determines appropriate placement, the LPAC Campus Administrator will notify the parent of the decision and seek consent through a parent approval form. The LPAC Campus Administrator may also obtain parent consent through another form of writing, a phone conversation, or via email and will document the discussion and consent in writing. This information will be communicated to the parent in the parent's native language and/or through the use of an interpreter to the extent practicable. The LPAC Campus Administrator will then retain the parent approval form or alternative documentation of approval in the student's educational file. The student will be placed in the bilingual education or ESL program immediately upon receipt of parental approval. The Campus PEIMS Administrator will also code the participation in the bilingual education or ESL program in the TSDS PEIMS application effective the date indicated on the parental approval form.

The LPAC may place the student in a program without written approval of the parent if:

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

(2) The parent provides approval through a phone conversation or email that is documented in writing and retained in the student's educational file; or

(3) An adult who the District recognizes as legally standing in parental relation to the student provides written approval. This includes a foster parent or employee of a state or local governmental agency with temporary possession or control of the student. The District must have documentation authorizing the adult to stand in parental relation to the student.

A student receiving instruction in a bilingual education or ESL program with parental approval will remain in the program until such time that the student meets reclassification requirements, graduates from high school, or the parent rescinds approval for services and the District follows the proper procedures.

Denial of Services

If a parent refuses to allow the student to participate in a bilingual education or ESL program, the student will continue to be placed in the general education classroom. The

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District may not receive Bilingual Education Allotment funding for this student. Should the parent of a student identified as EB deny services, the LPAC Campus Administrator will call the parent to discuss the benefits of the program and encourage them to reconsider allowing the student to participate. The LPAC Campus Administrator will continue to call the parent annually until the student graduates to review the benefits of the program and offer services. District or Campus Personnel will document each conversation and retain the documentation in the student's educational file.

Students Previously Enrolled in a Texas Public School District

For a student who has already been identified as EB in Texas, the District will continue to recognize the student as EB and communicate with the parent regarding the continuation of bilingual education or ESL services within the District. If the parent has not previously approved the student's participation in a bilingual education or ESL program, Campus EB Personnel will send the parental approval form and discuss the benefits of a bilingual education/ESL program with the parent. Additionally, if the student previously received bilingual education or ESL services but the services provided in the District will differ from the services provided in the previous school district, Campus EB Personnel will send the parental approval form and discuss the services that will be provided with the parent. All communications with the parent of a student previously enrolled in a Texas public school district will be documented and retained in the student's educational file.

Placement Prior to Kindergarten

If a student attends school for less than two hours of instruction per day to receive special education services, the LPAC and the ARD Committee will collaborate to ensure the student receives both special education and bilingual education or ESL program services. The LPAC and the ARD Committee may determine that the student will participate in the District's full-time prekindergarten program, that the student will receive special education and bilingual education or ESL program services in the District's Early Education setting, or that the child will continue to receive drop-in services. If the student only receives drop-in services, the District will not provide bilingual education or ESL services to the student until the student can participate in a full-time prekindergarten program or early education setting with parent approval.

Opportunity for Participation

EB students must be placed in classes with other students of approximately the same age and level of educational attainment. The campus will provide instruction that is appropriate to the student's level of educational attainment and maintain adequate records of each EB student's progress. Additionally, EB students must be allowed to participate fully in regular classes for subjects such as art, music, and physical education and must be provided a meaningful opportunity to participate fully with other students in all extracurricular activities. Elective courses included in the curriculum may be taught in a language other than English.

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Evidence of Implementation

- Home Language Survey
- Signed Parent Approval Form
- Documentation of Alternative Parent Approval
- Documentation Authorizing the Adult to Stand in Parental Relation to the Student
- TSDS PEIMS Data
- Documentation of Conversation with Parent Following Denial of Services
- Documentation of LPAC and ARD Committee Meetings
- Application for Dual-Language Immersion Program

Resources

Bilingual and English as a Second Language Education Programs - Texas Education Agency

Commissioner's Rules Concerning State Plan for Educating English Learners

FAQs LPAC and Emergent Bilingual Students - Texas Education Agency

LPAC Framework: Placement - Texas Education Agency

Suggested Forms for Placement - Texas Education Agency

Beginning of Year LPAC Guidance - Texas Education Agency

ESL Flowchart - Texas Education Agency

Guidance on Identification and Placement of Emergent Bilingual Students Prior to Kindergarten - Texas Education Agency

CITATIONS

Board Policy EHBE(LEGAL); Texas Education Code §§ 29.056, 29.058, 29.064; 19 TAC 89.1220, 89.1226, 89.1233, 89.1235, 89.1240.

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