Admission, Review, and Dismissal (ARD) Committee-Language Proficiency Assessment Committee (LPAC) Collaboration

Training Agenda

• The Committees
• Collaboration Overview
• Entry Decisions
• Services
• State Assessment
• Exit Criteria
ARD Committee Membership

- The parents of the child with a disability
- Not less than one regular education teacher of such child, if the child is, or may be, participating in the regular education environment:
- Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of such child:
  - Who is appropriately certified or licensed;
- A representative of the school district who:
  - is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
  - is knowledgeable about the general education curriculum; and
  - is knowledgeable about the availability of resources of the school district;
- An individual who can interpret the instructional implications of evaluation results, who may be a member of the committee.
ARD Committee Membership

- At the discretion of the parent or the school district, other individuals who have knowledge or special expertise regarding the student, including related services personnel, as appropriate.
- The child with a disability, whenever appropriate, when the purpose of the meeting will be the consideration of TRANSITION SERVICES, and in compliance with the ADULT STUDENT framework.
- ...
- A professional staff member who is on the language proficiency assessment committee who may be a member of the committee described in subparagraphs (B) and (C) of this paragraph, if the student is identified as an English language learner…

DUAL ROLE??
19 TAC 89. Adaptations for Special Populations Subchapter AA.

• §89.1050. The Admission, Review, and Dismissal Committee.
• (c) ARD committee membership.
  – (1) ARD committees must include the following:
    • (J) a professional staff member who is on the language proficiency assessment committee who may be a member of the committee described in subparagraphs (B) and (C) of this paragraph, if the student is identified as an English language learner.
    • (B) not less than one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);
    • (C) not less than one special education teacher of the student, or where appropriate, not less than one special education provider of the student;


Interpreters

The LEA must take action to ensure that the parent understands the proceedings of the ARD committee meeting including arranging for an interpreter for parents:

• with deafness; or
• whose native language is other than English.

Composition of the LPAC

• Each school district required to offer bilingual education and special language programs (ESL) shall establish an LPAC.

• The LPAC is composed of a:
  – campus administrator*
  – professional bilingual educator*
  – ESL teacher/professional transitional language educator*
  – parent of a current ELL participating in the required bilingual or special language program (ESL)
    • this parent may not be an employee of the school district*

• "All members must be present!"
  • 19 TAC §89.1220
  • TEC §29.063

Membership Guidelines

• All LPAC members shall be trained.
• If one of the members does not understand English (parent), the training should be developed in the member’s primary language.
• At the LPAC meeting, an interpreter should be available if the parent representative is not proficient in English.
• The parent representative volunteers his/her participation in the LPAC.
• The student’s parents are not required to attend the LPAC meeting.
Membership Guidelines

• The trained LPAC parent serves as the representative parent for all ELLs. Anyone that is a designated LPAC member at these meetings must be trained in order to follow the process accordingly.
• Each trained member shall also sign an oath of confidentiality (sample included in the manual) because test and other information that is shared and analyzed for all students must be considered with respect to each student and his/her family’s right to confidentiality.

LPAC Guidelines

• All required members are given prior notification of meeting.
• All required members meet and a chair is selected for the meeting.
• Members review and discuss all student data and information.
• Members arrive at appropriate decisions.
• Members sign and date all documentation/LPAC forms.
LPAC Guidelines

• Decisions are included in LPAC minutes which are kept in a central location.
• The committee meeting is adjourned.
• Documentation for each student is filed in the student’s record folder.

Prior Written Notice

• The LEA must invite the parents and adult student to participate as members of the admission, review, and dismissal (ARD) committee by providing prior written notice
Prior Written Notice: Timely

- The LEA must provide the parents prior written notice at least five school days (unless the parents agree otherwise) before the LEA proposes to (or refuses to) initiate or change the identification, evaluation, or educational placement of the child with a disability or the provision of FAPE to the child.

ARD Agenda (example)

- Introduction and statements of purpose of the meeting
- Review of evaluation data
- Determination of eligibility
- Development of the Individualized Education Program (Next Slide)
- Reaching Closure and Consensus (Signatures)
Project Forum – A Seven-Step Process to Creating Standards-based IEPs

**Step 1**
- Consider/Examine enrolled grade-level standards.

**Step 2**
- Examine classroom and student data to determine where the student is functioning in relation to enrolled grade-level standards.

**Step 3**
- Develop the present level of academic achievement and functional performance.

**Step 4**
- Develop measurable annual goals aligned with grade-level academic content standards.

**Step 5**
- Assess and report the student’s progress throughout the year.

**Step 6**
- Identify specially designed instruction including accommodations and/or modifications needed to access and progress in the general curriculum.

**Step 7**
- Determine the most appropriate assessment option.

Prior Written Notice: Timely

- The LEA must provide the parents prior written notice at least five school days (unless the parents agree otherwise) before the LEA proposes to (or refuses to) initiate or change the identification, evaluation, or educational placement of the child with a disability or the provision of FAPE to the child.

Copy of the IEP

The LEA must give the PARENT a copy of the child's individualized education program (IEP) at no cost.

• If the child's parent is unable to speak English, the LEA must:
  – Provide the parent with a written or audiotaped copy of the child's IEP translated into Spanish if Spanish is the parent's native language; or
  – If the parent's native language is a language other than Spanish, make a good faith effort to provide the parent with a written or audiotaped copy of the child's IEP translated into the parent's native language.


Special Education Eligibility Folder

Each school must maintain an eligibility folder, in addition to the child's cumulative record.

The eligibility folder must include:
  – Copies of referral data
  – Documentation of notices and consents
  – Evaluation reports and supporting data
  – ARD committee reports
  – The student's IEP

COLLABORATION OVERVIEW

GUIDANCE RELATED TO ARD COMMITTEE AND LPAC COLLABORATION

ENTRY DECISIONS

§89.1225 Testing and Classification of Students.

(4) The admission review and dismissal (ARD) committee in conjunction with the language proficiency assessment committee shall determine an appropriate assessment instrument and designated level of performance for indicating limited English proficiency as required under subsection (d) of this section for students for whom those tests would be inappropriate as part of the individualized education program (IEP). The decision for entry into a bilingual education or English as a second language program shall be determined by the ARD committee in conjunction with the language proficiency assessment committee in accordance with §89.1220(g) of this title (relating to Language Proficiency Assessment Committee).
Sec 29.056 (c) The language proficiency assessment committee may classify a student as limited English proficient 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;”

§89.1230. Eligible Students with Disabilities.

• (a) School districts shall implement assessment procedures that differentiate between language proficiency and handicapping conditions in accordance with Subchapter AA of this chapter (relating to Commissioner’s Rules Concerning Special Education Services) and shall establish placement procedures that ensure that placement in a bilingual education or English as a second language program is not refused solely because the student has a disability.

• (b) Admission, review, and dismissal committee members shall meet in conjunction with language proficiency assessment committee members to review the educational needs of each English language learner who qualifies for services in the special education program.
SERVICES

TEC, Subchapter B. Bilingual Education and Language Programs (Section 29)

• Sec 29.056 (f) “The district may not refuse to provide instruction in a language other than English to a student solely because the student has a disability.”
The Legal Framework

• Special Factors
  – “In the case of the child with limited English proficiency, the ARD committee must consider the language needs of the child as such needs relate to the child's IEP.”
    • 300.324(a)(2)(ii)
    • 1414(d)(3)(B)(ii)

<table>
<thead>
<tr>
<th>Step</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Consider/Examine enrolled grade-level standards.</td>
</tr>
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<td>7.</td>
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</table>

The Legal Requirement

• 34 CFR §300.320(a)(1)
  – PLAAFP statement must include:
    • “How the child’s disability affects the child’s involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
    • For preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities”

TEA Guidance Related to ARD Committee and LPAC Collaboration

• The majority of these meetings are informal discussions between key members of the ARD committee and key members of the LPAC. The discussions address:
  – The student's cognitive and linguistic abilities, and affective needs;
  – Linguistic accommodations that will help the student access the general curriculum; and
  – Whether the student will benefit from second language acquisition services.

• These informal meetings result in a plan that is presented to the ARD committee. Decisions about entry, appropriate linguistic accommodations, and exit are made by the ARD committee in conjunction with the LPAC committee.

§89.1075 General Program Requirements and Local District Procedures

• (c) Each school district must ensure that each teacher who provides instruction to a student with disabilities:
  – (1) has access to relevant sections of the student's current IEP;
  – (2) is informed of the teacher's specific responsibilities related to implementation of the IEP, such as goals and objectives, and of needed accommodations, modifications, and supports for the student; and
  – (3) has an opportunity to request assistance regarding implementation of the student's IEP.

STATE ASSESSMENT
Assessment Decisions for ELLs Receiving Special Education Services

• ELLs receiving special education services may be administered any assessment depending on whether they meet the participation requirements
  – STAAR
  – STAAR Spanish
  – STAAR L
  – STAAR A
  – STAAR Alternate 2

• Chapter 101 of the TAC requires the LPAC to work in conjunction with the ARD committee to make assessment decisions for these students.

• The collaboration helps ensure that factors related to disabling conditions and second language acquisition are both carefully considered.

From TEA Student Assessment Division “Training on the LPAC Decision Making Process for the Texas Assessment Program”

Overview of the STAAR Assessments for ELLs

The chart below shows the ways in which the language needs of ELLs are addressed in the STAAR program.

<table>
<thead>
<tr>
<th>STAAR (3–8 and EOC)</th>
<th>General state assessments</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Some linguistic accommodations permitted</td>
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<tr>
<td></td>
<td>Taken by ELLs who do not qualify for another assessment below</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>STAAR Spanish</th>
<th>Native language assessments; grades 3–5 only; same subjects as STAAR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Taken by ELLs for whom a Spanish version of STAAR exists and most appropriately measures their academic progress</td>
</tr>
<tr>
<td></td>
<td>Linguistic accommodations not permitted because students testing in their native language</td>
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<table>
<thead>
<tr>
<th>STAAR L*</th>
<th>Linguistically accommodated STAAR mathematics, science, and social studies assessments</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>More substantial linguistic accommodations than for STAAR</td>
</tr>
<tr>
<td></td>
<td>May be administered to ELLs who—</td>
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<tr>
<td></td>
<td>• are not most appropriately assessed with STAAR Spanish, AND</td>
</tr>
<tr>
<td></td>
<td>• have not yet attained a TELPAS advanced high reading rating, AND</td>
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<tr>
<td></td>
<td>• have been enrolled in U.S. schools for 3 years or less (5 years or less if a qualifying asylee or refugee)</td>
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</table>

<table>
<thead>
<tr>
<th>STAAR A</th>
<th>Assessments for students with disabilities, including those who are ELLs, who meet eligibility requirements</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Some linguistic accommodations permitted</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>STAAR Alternate 2</th>
<th>Assessments for students receiving special education services, including those who are ELLs, who meet requirements for an alternate assessment based on alternate achievement standards</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>No specified list of allowable linguistic accommodations; assessment design allows for any language or other communication method routinely used with the student</td>
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</tbody>
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*For the STAAR L EOC assessments, eligibility can be carried over from spring to the July and December administrations.

Refer to the ELL Assessments webpage for more detailed information about the STAAR assessment program participation requirements for ELLs.

http://tea.texas.gov/student.assessment/accommodations
STAAR Alternate 2

• Important: ELLs participate in these assessments only on the basis of their disability, not second language acquisition.

• The LPAC’s involvement in assessment decision-making for ELLs served by special education should help ensure that ELL participation in these assessments is appropriate.

Test Accommodations Decisions

• “When an ELL has a disability and is receiving special education services or Section 504 services, the LPAC and applicable admission, review, and dismissal (ARD) or Section 504 committee work in conjunction to make test accommodation decisions. LPAC resources outline the decision-making and documentation processes for these students.”

• Retrieved from TEA's Accommodations Resources page: http://tea.texas.gov/student.assessment/accommodations/
# EXIT CRITERIA

## English Proficiency Exit Criteria

### 2015-2016 English Proficiency Exit Criteria Chart

<table>
<thead>
<tr>
<th>Grade</th>
<th>1st</th>
<th>2nd</th>
<th>3rd</th>
<th>4th</th>
<th>5th</th>
<th>6th</th>
<th>7th</th>
<th>8th</th>
<th>9th</th>
<th>10th</th>
<th>11th</th>
<th>12th</th>
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</thead>
<tbody>
<tr>
<td>English Reading</td>
<td>Scaled Score on English (CTP)**</td>
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<tr>
<td>English Writing</td>
<td>Agency-Approved Writing Test</td>
<td>Agency-Approved Writing Test</td>
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### Notes:
- **Exit criteria**: A student must meet the criteria for both English reading and writing to exit the program.
- **Scaled Score on English (CTP)**: Minimum score required for exit.
- **Agency-Approved Writing Test**: A test approved by the state that assesses writing skills.

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1. **Exit Criteria**: A student must meet the criteria for both English reading and writing to exit the program.
2. **Scaled Score on English (CTP)**: Minimum score required for exit.
3. **Agency-Approved Writing Test**: A test approved by the state that assesses writing skills.

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**Parents/guardians should review the chart with their child to determine if they are ready to enter the exit criteria process.**

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**Note**: Updated on [Date].
Process for Considering Special Exit Criteria from Bilingual/English as a Second Language (ESL) Services Under 19 TAC §89.1225(k)

2015–2016 School Year
Grades 1–12

Under Texas Administrative Code (TAC) §89.1225(h), districts are required to use the exit criteria represented in the chart titled 2015-2016 English Proficiency Exit Criteria Chart found at [http://tea.texas.gov/bilingual/esl/education](http://tea.texas.gov/bilingual/esl/education) to exit English language learners (ELLs) from bilingual/ESL programs. The exit criteria under TAC §89.1225(h) apply to the vast majority of ELLs who receive special education services. In rare cases, an ELL receiving special education services may qualify to exit using criteria permitted under TAC §89.1225(k), which give special consideration to an ELL for whom assessments and/or standards under TAC §89.1225(h) are not appropriate because of the nature of a student’s particular disabling condition. Students considered for special exit criteria under TAC §89.1225(k) should only be those designated to take STAAR Alternate 2, as determined by the ARD committee in conjunction with the LPAC.

This document outlines the process to follow when considering whether a student qualifies to exit using the criteria authorized by TAC §89.1225(k).

Step 1: Schedule Meeting to Evaluate Whether Student Potentially Qualifies for Exit
At or near the beginning of the school year, a meeting is to be scheduled between key admission, review, and placement committee (ARD) members and the ELL. At this meeting:

- Review student’s academic progress
- Review student’s participation in bilingual/ESL services
- Review student’s engagement in general education

Evaluate whether the student potentially qualifies for exit. If the student potentially qualifies for exit, the ARD committee must:

- Complete the Bilingual/ESL Exit Form
- Ensure that the student is in the process of being taught English proficiency
- Ensure that the student is in the process of being taught English language arts
- Ensure that the student is in the process of obtaining English academic skills

If the student does not potentially qualify for exit, the ARD committee must:

- Complete the Bilingual/ESL Exit Form
- Ensure that the student is in the process of being taught English proficiency
- Ensure that the student is in the process of being taught English language arts
- Ensure that the student is in the process of obtaining English academic skills

Retrieved from [http://tea.texas.gov/bilingual/esl/education](http://tea.texas.gov/bilingual/esl/education)

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Thank you!

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