Dual Language Immersion (DLI) Program Implementation Rubric
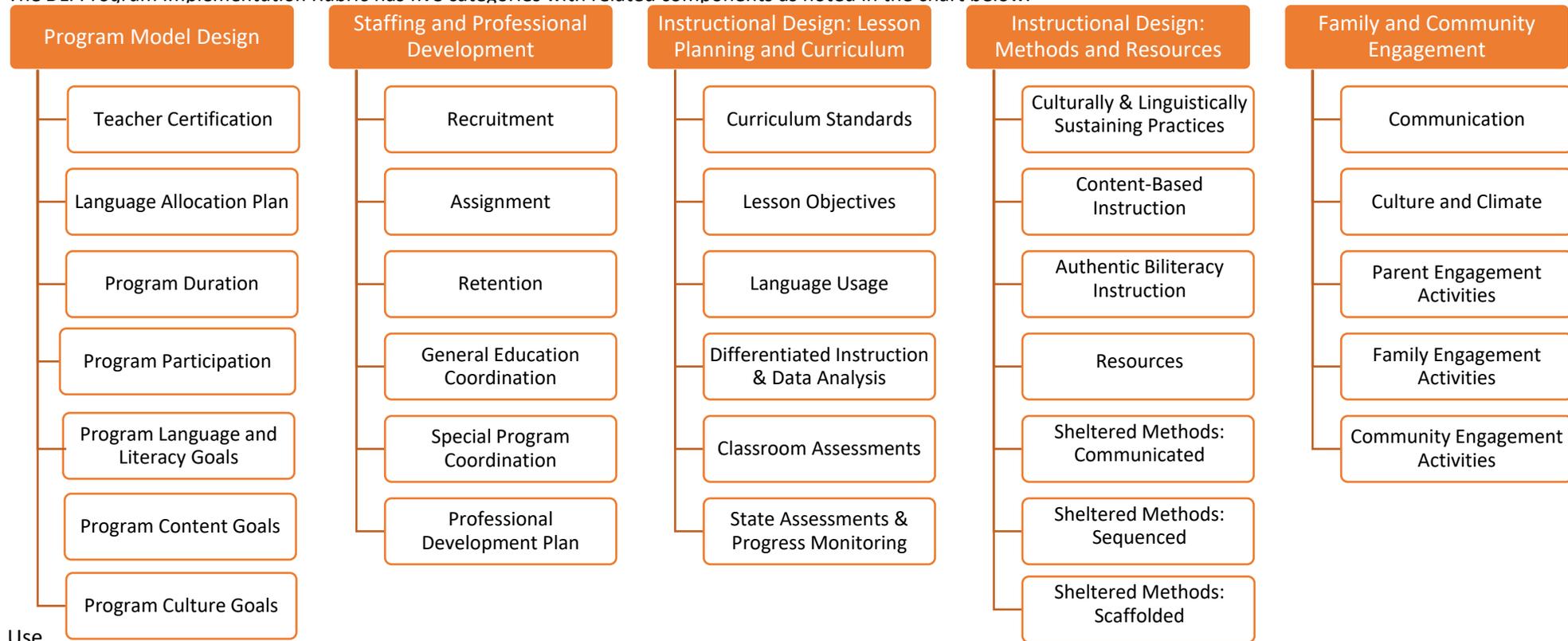
TEA — Texas Education Agency

Purpose

The *DLI Program Implementation Rubric* provides Local Education Agencies (LEAs) with a tool for self-evaluation of their DLI program effectiveness. This rubric and associated *DLI Program Scoring Tool* are intended for internal use for determining next steps for development and improvement of DLI programs at the campus and district level. Additionally, *Stakeholder Checklists* are provided to detail the specific lens and action items for the roles of teacher, campus administrator, and district administrator.

Organization

The *DLI Program Implementation Rubric* has five categories with related components as noted in the chart below.

Program Model Design	Staffing and Professional Development	Instructional Design: Lesson Planning and Curriculum	Instructional Design: Methods and Resources	Family and Community Engagement
Teacher Certification	Recruitment	Curriculum Standards	Culturally & Linguistically Sustaining Practices	Communication
Language Allocation Plan	Assignment	Lesson Objectives	Content-Based Instruction	Culture and Climate
Program Duration	Retention	Language Usage	Authentic Biliteracy Instruction	Parent Engagement Activities
Program Participation	General Education Coordination	Differentiated Instruction & Data Analysis	Resources	Family Engagement Activities
Program Language and Literacy Goals	Special Program Coordination	Classroom Assessments	Sheltered Methods: Communicated	Community Engagement Activities
Program Content Goals	Professional Development Plan	State Assessments & Progress Monitoring	Sheltered Methods: Sequenced	
Program Culture Goals			Sheltered Methods: Scaffolded	

Use

In each component of each rubric category, the scale develops from left to right, detailing levels from Below Basic Implementation to Exemplary Implementation. Each level builds upon the previous level. Therefore, Enhanced Implementation encompasses the descriptions from Basic Implementation and Enhanced Implementation levels. Likewise, Exemplary Implementation includes the elements described in Basic Implementation, Enhanced Implementation, and Exemplary Implementation.

When conducting a program evaluation using the rubric, use the associated *DLI Program Scoring Tool* for the associated *DLI Program Implementation Rubric* category to mark each component on a scale of 0 to 3 as directed. The scoring tool provides space to list evidence as rationale for rated levels of implementation, as well as possible considerations for program improvement. The purpose of the scoring tool is to facilitate planning for next steps and actions needed to achieve long-term goals.

References

Throughout the rubric, hyperlinks are embedded to connect to outside resources, other sections of the rubric, state rule citations, and footnotes. Furthermore, research references and a glossary of acronyms used within the rubric can be found at the end of the rubric document.

		0 **Below Basic**	1 **Basic Implementation**	2 **Enhanced Implementation**	3 **Exemplary Implementation**
Teacher Certification	Required action when below [minimum standard for bilingual education program](#) implementation as noted in [89.1201 (a)(3)](#) and [89.1205 (a-b)](#): [Bilingual Education Exception Requirements (89.1207 (a)(1-7)](#) Important notes: • November 1st deadline [89.1207 (a)(1);](#) [89.1245 (b)](#) • Maintain required documentation [89.1207 (a)(2)](#) • Request activation of appropriate permits [89.1245 (a)](#) • Fulfill all assurances of the exception submission [89.1207 (a)(1)](#)	All DLI teachers of identified English learners are appropriately certified as per [TEC 29.061 (89.1210 (c)(3) & (c)(4))](#) and in cases where a bilingual-certified teacher delivering instruction in the partner language is paired with a teacher instructing in English, that partner teacher must be ESL certified, as per [29.061 (b-1) (b-2).](#)	In addition to meeting basic implementation requirements, teachers of enrichment classes (art, PE, music) and electives are ESL certified and understand and routinely apply second language acquisition methodologies during instruction. (Thomas & Collier, 2012)	The school district provides opportunities for all teachers to become bilingual and/or ESL certified and routinely reviews teacher certifications to provide necessary trainings to support all teachers and campus staff to actively support language learners and language learning. One or more teachers of enrichment or electives classes (per campus) are bilingual certified and teach in the partner language. (Lindholm-Leary, 2001)
Language Allocation Plan		The program's language allocation plan: • clearly outlines which content areas are taught in each language at each grade level; • adheres to basic guidelines identified in the research for standard DL program model designs (e.g., 50/50 divides core content instruction equally between English and the partner language for the duration of the program; 90/10 gradually decreases allotment of core content instruction delivered in the partner language from 90% at PK/K to 50% beginning at grades 3 or 4); and • indicates a minimum of 50% of instructional time is provided in the language other than English for the duration of the program, as per [89.1227(d).](#) (Hamayan, Genesee, & Cloud, 2013; Howard, Lindholm-Leary, Rogers, Olague, Medina, Kennedy, Sugarman, & Christian, 2018)	Program leaders devote a minimum of one year to the DLI program planning process to ensure that the language allocation plan meets the needs of the immediate context and community. The language allocation plan and school master schedule allot time for DLI teachers to engage in collaborative planning with DLI and non-DLI teaching colleagues. For each content area where instruction is shared between two or more DLI teachers (e.g., in cases of paired teaching), additional planning time is built into the schedule to ensure adequate coordination across languages. Fidelity of implementation to the language allocation plan is systematically monitored at the campus level. (Hamayan, et al., 2013; Howard, et al., 2018)	The district has developed and implemented a standardized language allocation plan that is: • aligned with current research; • responsive to local community needs; • communicated to stakeholders and posted on the district web site; and • systematically supported district-wide through training and provision of ongoing support and monitoring for fidelity. A periodic and systematic review of the language allocation plan is in place, to evaluate for program model effectiveness based on data, and as the basis for refinement and revision. Diverse stakeholder input is an integral component of this review process. (Howard, et al., 2018)
Program Duration		A program plan is implemented at the elementary grades (PK-5/6). [89.1205(a)](#) English learners are encouraged to continue to participate for the entire duration of the program (six years or more), even after reclassification as English proficient. (Hakuta, Butler, & Witt, 2000; Saunders & O'Brien, 2006), [89.1227(e)](#)	A program plan is implemented at the elementary and middle school grades. [89.1205(g)](#) English learners are encouraged to continue to participate for the entire duration of the program, even after reclassification as English proficient. (Howard, et al., 2018), [89.1227(e)](#)	The district has developed and implemented a program plan for DLI education at the elementary, middle, and high school levels that: • clearly defines a path for obtaining a performance acknowledgement of biliteracy; and • actively incentivizes and monitors ongoing participation of English learners and reclassified English learners and implements strategies for student retention in the program.

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Program Participation	Required action when below [minimum standard for bilingual education program](#) implementation as noted in [89.1201 (a)(3)](#) and [89.1205 (b)](#): [Bilingual Education Exception Requirements (89.1207 (a)(1-7)](#) Important notes:	A DLI program • must provide required bilingual services to English learners [89.1233](#); • is optional for English proficient students who have never been English learners; • has a district developed policy on enrollment and continuation for participating students; • obtains written parental approval for all program participants [89.1228](#); and • does not exceed 40% English proficient students enrolled in the program district wide [89.1233](#).	A one-way DLI program is implemented district wide in place of any transitional bilingual education model. A two-way DLI program strives to maintain a ratio of 50% English learners to 50% partner language learners and has no more than two thirds speakers of one language to one third speakers of the other language in each classroom. (Howard, et al., 2018)	The district's policy for DLI enrollment does not limit participation based on factors such as academic achievement, level of language proficiency, or EL newcomer status for either English learners or English proficient students who have never been English learners. The DLI program at the secondary level is structured to meet the needs of reclassified as well as current English learners, including newcomers. (Arias & Markos, 2018; Bearse, de Jong, & Tsai, 2018)
Program Language and Literacy Goals	• November 1st deadline [89.1207 (a)(1)](#); [89.1245 (b)](#) • Maintain required documentation [89.1207 (a)(2)](#) • Request activation of appropriate permits [89.1245 (a)](#) • Fulfill all assurances of the exception submission [89.1207 (a)(1)](#)	Program participants receive language and literacy instruction in both English the partner language, per [28.0051 (a)](#) and [89.1210 (c)(3) and (c)(4)](#). Oral language and literacy instruction are allotted equal time in both languages (50/50 model) or are provided initially in the partner language (90/10, 80/20 model) and then allotted equal time once the program reaches a 50/50 division of instruction in the two languages. A [strict separation of languages[1]](#) is upheld. (Howard & Christian, 2002)	Program participants become bilingual and biliterate, as demonstrated on assessments conducted in both languages at least annually. Language and literacy instruction in both languages • focus on academic and social language development, • include explicitly taught strategies for making [cross-linguistic connections[2]](#) , and • include using one language as a resource for learning the other. (Beeman & Urow, 2012; Bialystok, Peets, & Moreno, 2014; García, 2009; Koda & Zehler, 2008)	The district has developed and implemented a program plan that clearly defines a path for program participants to successfully demonstrate high levels of bilingualism and biliteracy by • offering an AP language course in the partner language at the middle school level; • offering an AP literature course at the high school level; • ensuring that most program participants enroll in AP language and literature courses, successfully challenge the AP assessments, and graduate high school with a performance acknowledgement in biliteracy.

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Program Content Goals	Required action when below [minimum standard for bilingual education program](#) implementation as noted in [89.1201 (a)(3)](#) and [89.1205 (b)](#): [Bilingual Education Exception Requirements (89.1207 (a)(1-7)](#) Important notes:	English learners are provided with [culturally sustaining,](#) linguistically accommodated content instruction in English and another language that is [communicated](#), [sequenced](#), and [scaffolded](#) to ensure mastery of the essential knowledge and skills of the required curriculum (based on the TEKS and ELPS), per [89.1201](#).	With school-based leadership support and in conjunction with bilingual/ESL staff support as available, all DLI teachers continuously and strategically plan, deliver, reflect upon, and receive feedback on curriculum-based lessons that incorporate [culturally sustaining](#), linguistically accommodated content instruction in two languages. DLI participants at the campus-level perform as well as, or outperform, like peers on content assessments administered in English and/or the partner language. (Collier & Thomas, 2009; Howard, et al., 2018)	District-wide instructional leaders and curriculum specialists are [highly trained](#)[3] and lead the integration of [culturally sustaining](#) teaching practices and linguistic accommodations into district curriculum materials that provide access to the same grade-level curriculum for English and partner language learners. DLI participants at the district-level perform as well as, or outperform, like peers on content assessments administered in English and/or the partner language. (Collier & Thomas, 2009; Howard, et al., 2018)
Program Culture Goals	• November 1st deadline [89.1207 (a)(1)](#); [89.1245 (b)](#) • Maintain required documentation [89.1207 (a)(2)](#) • Request activation of appropriate permits [89.1245 (a)](#) • Fulfill all assurances of the exception submission [89.1207 (a)(1)](#)	DLI classrooms routinely demonstrate: • upholding of linguistic equity by following language allocation plan with fidelity; • implementation of [culturally sustaining](#) practices supported by use of rigorous and authentic resources and materials, made available in both program languages; • consideration for all student backgrounds as made evident through the respect and responsiveness of teacher-to-student and student-to-student interactions. School spaces demonstrate evidence of attention to program's [cultural objectives](#)[4] (e.g. student work, library holdings, showcase displays, school assemblies). (Howard, et al., 2018; Palmer, D., 2007; Palmer, D., 2010)	[Culturally sustaining](#) practices are routinely spotlighted at the school level, through the elevation of the partner language through its use during public announcements, assemblies, staff meetings, and community gatherings. Lesson plans demonstrate that classroom instruction periodically addresses the development of cross-cultural awareness and sociocultural competence so that staff and students value cultural differences as assets. (Gay, 2010; Howard, et al., 2018)	[District-wide systems](#)[5] are in place for: • selection of linguistically appropriate and [culturally sustaining](#) materials; • thoughtful integration of appropriate and responsive materials and sociocultural competence skills into the district curriculum; and coordination of a district-wide plan that addresses the development of sociocultural competence among all stakeholders, including teachers, school staff, administrators, and community members. (Gay, 2010; Howard, et al., 2018; Lindsey, Robins, & Terrell, 2009)

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Recruitment	Required action when below minimum standard for bilingual education program implementation as noted in 89.1201 (a)(3) and 89.1205 (a)(b)(f)(g)): Bilingual Exception Requirements 89.1207 (a)(1-7) Important notes: • November 1st deadline 89.1207 (a)(1); 89.1245 (b) • Maintain required documentation 89.1207 (a)(2) • Request activation of appropriate permits 89.1245 (a) • Fulfill all assurances of the exception submission 89.1207 (a)(1)	Active recruitment steps are taken at the local level to seek teachers who are appropriately certified in grade level, content area, and bilingual education (or ESL, as permitted), to provide content instruction to identified English learners 89.1201 (a)(3) through DLI one-way 89.1210 (c)(3) and/or DLI two-way. 89.1210 (c)(4) For LEAs opting to provide DLI at secondary levels (middle, high school), teachers are appropriately certified in bilingual education. 89.1205(g)	Active recruitment steps are taken at the state, national, and/or international level(s) to seek appropriately certified DLI teaching staff. These recruitment steps include **two** or more of the following: • annual bilingual teacher stipend, • bilingual teacher one-time hiring bonus, • intentional DLI teacher interview protocols, • active recruiting at state and/or national conferences, • international recruiting, • collaboration with local/regional educator preparation entities (IHEs, alternative certification programs); and • initiation of Grow-Your-Own programs. (Kennedy, 2018b)	District-level program and human resources staff collaborate to implement active recruitment steps at the state, national, and/or international level(s) to seek appropriately certified DLI teaching staff. These recruitment steps include **four** or more of the following: • annual bilingual teacher stipend, • bilingual teacher one-time hiring bonus, • intentional DLI teacher interview protocols, • active recruiting at state and/or national conferences, • international recruiting, • collaboration with local/regional educator preparation entities (IHEs, alternative certification programs); and • initiation of Grow-Your-Own programs. (Kennedy, 2018b)
Assignment		Positive steps are taken to assign teachers appropriately certified in bilingual education and/or ESL to the DLI program. 89.1245 (a) For LEAs opting to use a departmentalized teaching model (3 or more teachers), all DLI teachers are appropriately certified in grade level, content area, and bilingual education. 89.1210(c)(3); 89.1210(c)(4) For LEAs opting to use a paired teaching model within a 50/50 DLI program, the teacher assigned to teach content in English is appropriately certified in grade level, content area, and either ESL or bilingual education. 89.1210(c)(3); 89.1210(c)(4) Required summer school programs for English learners who participate in a bilingual program and will be entering Kindergarten or Grade 1 are staffed by appropriately certified bilingual teachers and/or ESL teachers using the paired model within a 50/50 DLI program. 89.1250 (3)(E); 89.1210(c)(3); 89.1210(c)(4)	DLI teachers are strategically positioned by school leadership to be recognized as valuable resources and knowledgeable practitioners. In other words, DLI teachers are appropriately represented as team leaders, content leads, campus representatives to district committees, etc. At least one member of campus-level leadership staff (instructional coach, administrator, etc.) is certified in bilingual education or has received significant, ongoing training in the area of bilingual theory and dual language education. (Howard, et al., 2018)	District-wide plans are implemented that target the positioning of DLI teachers as influential language specialists and leaders within curriculum development, strategic planning, and resource development. A district-level leadership team comprised of two or more educators certified in bilingual education guide and support DLI teacher recruiting, retention, and assignment efforts and provide avenues for leadership advancement for DLI staff. Opportunities for leadership development and advancement are systematically provided at the district level for DLI educators. (Howard, et al., 2018)

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Retention	Required action when below [minimum standard for bilingual education program](#) implementation as noted in [89.1201 (a)(3)](#) and [89.1205 (a)(b)(f)(g))](#): [Bilingual Exception Requirements 89.1207 (a)(1-7)](#)	All newly hired DLI teachers participate in DLI-specific on-boarding, which includes: • training in the LEA's DLI language allocation plan; • training in the foundational tenets of dual-language instruction (English and partner language) that provide for learning skills in the partner language and structured and sequenced mastery of English language skills through sheltered instruction; and • training that assists teachers in recognizing and addressing language differences, including an introduction to bilingual education theory and research. [89.1210 (a)(1)](#)	Targeted efforts for [retention](#) of bilingual staff are made, including provision of **two** or more of the following: • DLI-specific on-boarding for new staff; • cultural transition support for internationally recruited DLI staff; • scheduled extra collaborative planning time for DLI staff; • systems for recognizing DLI staff efforts and accomplishments; • DLI-specific professional development (beyond on-boarding); • voice in instructional resource acquisition; • direct support (DLI instructional coach, parent liaison); and • leadership opportunities. (Darling-Hammond, Hyler, & Gardner, 2017; Kennedy, 2018b; LaChance, 2017)	District-level program and human resources staff collaborate to implement targeted efforts for [retention](#) of bilingual staff, including provision of **four** or more of the following: • DLI-specific on-boarding for new staff; • cultural transition support for internationally recruited DLI staff; • scheduled extra collaborative planning time for DLI staff; • systems for recognizing DLI staff efforts and accomplishments; • DLI-specific professional development (beyond on-boarding); • voice in instructional resource acquisition; • direct support (DLI instructional coach, parent liaison); and • leadership opportunities. (Darling-Hammond, et al., 2017; Kennedy, 2018b; LaChance, 2017)
General Education Coordination	<u>Important notes</u>: • November 1st deadline [89.1207 (a)(1)](#); [89.1245 (b)](#) • Maintain required documentation [89.1207 (a)(2)](#) • Request activation of appropriate permits [89.1245 (a)](#) • Fulfill all assurances of the exception submission [89.1207 (a)(1)](#)	The district ensures coordination between the DLI program and the general education program [[89.1210 (b)](#)], including the full participation of DLI participants in subjects such as art, music, and physical education alongside English-speaking peers and full access to participation in instructional supports and interventions, electives, and all extracurricular activities. [[89.1210 (f)](#)]	Campus-based leadership ensures: • alignment between DLI and the general education program regarding language of instruction; • provision of regular training for all school staff, to deepen understanding of DLI program goals and collaborate on curriculum standards, lesson-delivery methods, resources, linguistic accommodations, and assessment; • scheduling of collaborative planning time for DLI teachers to plan with partner teachers and/or grade level team members, as appropriate to the language allocation plan; and • provision of vertical planning time to provide alignment of services for English learners, including movement from DLI at elementary to ESL programming at secondary or alignment of DLI programming across school levels. (Howard, et al., 2018)	District leadership ensures: • district-wide alignment between DLI and the general education program regarding language of instruction; • provision of [district-wide systems](#)[5] of support for campus administrators to implement regular training for all school staff, to deepen understanding of DLI program goals and collaborate on curriculum standards, lesson-delivery methods, resources, linguistic accommodations, and assessment; • supports for implementing vertical planning to ensure alignment of DLI and ESL services at the elementary and secondary levels. Teacher feedback and student outcome data are used to adjust district-wide planning. (Howard, et al., 2018)

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Special Program Coordination	Required action when below [minimum standard for bilingual education program](#) implementation as noted in [89.1201 (a)(3)](#) and [89.1205 (a)(b)(f)(g))](#): [Bilingual Exception Requirements 89.1207 (a)(1-7)](#) Important notes: • November 1st deadline [89.1207 (a)(1)](#); [89.1245 (b)](#) • Maintain required documentation [89.1207 (a)(2)](#) • Request activation of appropriate permits [89.1245 (a)](#) • Fulfill all assurances of the exception submission [89.1207 (a)(1)](#)	The language proficiency assessment committee (LPAC), which is formed with the appropriately trained members [[89.1220 (b)](#)], facilitates participation of English learners in [other special programs](#)[1] for which they are eligible while verifying full access to language program services [[89.1220 (g)(4)](#)] and coordinates services with admission, review, and dismissal (ARD) committee members for English learners who qualify for special education programs. [[89.1230 (a)-(b)](#)]	Campus-based leadership • monitors the coordination of services for English learners/DLI students who qualify for special education programs; • develops systems for communication and collaboration between the LPAC and ARD committees; • identifies and eliminates campus level barriers to the equitable participation of English learners/DLI students in [other special programs](#)[6], as eligible; and • monitors English learners' successful participation in these programs.	District-based leadership • develops, implements, and monitors systems for coordination of services for English learners/DLI students who qualify for special education programs; • ensures clear communication and collaboration between the LPAC and ARD; • encourages and monitors the participation of English learners/DLI students in [other special programs](#)[6] to ensure equal access; and • provides specific training for parents of English learners who also participate in special education or [other special programs](#)[6].
Professional Development Plan		Teachers providing the required bilingual program through DLI receive foundational, district specific training on providing the appropriate instructional approach to fulfill the goals of the required program. [89.1210 (c)(3)-(4)](#)	Campus-based leaders develop and administer a comprehensive professional development plan for all DLI teachers that: • provides tools for access to the same grade-level curriculum for English learners and partner language learners in all content areas; • addresses topics specific to DLI programming, instruction, and assessment; • delivers training that is [ongoing, job-embedded](#)[7], properly modeled, and monitored for implementation of training outcomes; and • includes provision of professional development conducted in the program partner language at least one time per school year. (Howard, et al., 2018)	District-based leadership develops and administers a comprehensive professional development plan for DLI teachers that • includes the analysis of student academic performance data in English and the partner language to determine growth based on teacher training implementation; • demonstrates a concerted effort to cooperate with colleges or universities for training [[89.1245 (e)](#)]; • addresses topics specific to DLI programming, instruction, and assessment; • provides, when possible, compensation to teachers for extra training designed to increase their skills related to the DLI program [[89.1245 (d)](#)]; and • includes provision of professional development conducted in the program partner language and in English that is job-embedded, ongoing, and supported through coaching, feedback, and reflection opportunities. (Howard, et al., 2018)

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Curriculum Standards	Required action when below minimum standard for DLI program implementation in lesson planning and curriculum as noted in 74.4 (a)(1); 89.1201 (d); 89.1210 (a)-(b): • Provide all DLI program participants with their grade appropriate content area TEKS, in English and the partner language • Provide all ELs with ELPS alongside all content area instruction delivered in English • Provide all DLI program participants with the CCRS as available to their non-DLI peers, in English and the partner language	As integral parts of the total school program, the district's required curriculum for DLI programs includes the appropriate grade level TEKS for each subject (including the SLAR TEKS), the ELPS, and the CCRS. To emphasize the integration, ELPS are to be published alongside the TEKS. 74.4 (a)(1); 89.1201 (d); 89.1210 (a)-(b)	DLI teachers are provided with ongoing, job-embedded[8] training on • curriculum that supports teaching for biliteracy, • ELPS integration for content delivered in English, and • integration of language and content instruction for content delivered in the partner language. Campus-based opportunities are provided to create and/or provide input on curriculum plans that • incorporate ELPS in instruction delivered in English; • target and support language development in instruction delivered in the partner language; and • support development of skills in making cross-linguistic connections[2] and using one language as a resource for developing skills in an additional language. Campus-level leadership has a system for ensuring that rigorous curriculum standards drive instruction in the partner language as well as in English. (Beeman & Urow, 2012; García, 2009; Howard, et al., 2018)	District-wide instructional leaders across all content-areas are highly trained[3] in ELPS and partner language/content integration and consistently incorporate ELPS/partner language integration into content-area trainings, instructional materials, and curriculum resources. District-wide instructional leaders provide the same level of leadership and support in incorporating language development as a key component of content instruction delivered in the partner language. The district-level DLI program manual • outlines standards for biliteracy instruction for DLI participants; • includes the ELPS, TEKS, CCRS, and correlating standards for instruction delivered in the partner language, and • defines trajectories toward biliteracy. (Escamilla, et al., 2014; Genesee, 2018; Howard, et al., 2018)
Lesson Objectives		In addition to each lesson's content objective, DLI teachers create, document, and display a measurable language objective (in the language of the lesson) that: • complements the content objective; • supports equal access to the curriculum; and • targets development of specific language skills. DLI teachers prioritize a language objective for the lesson that is most needed for participation in the grade level content, even when multiple language skills and functions may be addressed in a lesson. 74.4 (a)(1); 89.1201 (d); 89.1210 (a)-(b)	DLI teachers create, document, display, explain, and review the lesson's language objective that coincides with comprehensible input methods[9] within the lesson delivery to provide a full scope of sheltered instruction in the content area curriculum. DLI teachers intentionally plan for opportunities for students to make cross-linguistic connections[2]. DLI teachers periodically incorporate cultural objectives[4] into content lessons to develop students' sociocultural competence. (Beeman & Urow, 2012; Echeverría et al., 2016; Feinauer & Howard, 2014; García, 2009; Howard, et al., 2006)	District-wide lesson planning tools and templates are provided in English and the program partner language that incorporate language and cultural objectives[4] alongside content objectives. Campus leadership district-wide is provided with explicit training and resources on supporting the integration of ELPS/language development in the partner language across all content areas. Campus leadership district-wide monitor the implementation of consistent, targeted, and intentional use of language and cultural objectives[4] that provide task-based evidence of student progress. (Goldenberg, 2013; Howard, et al., 2018)

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Language Usage	Required action when below minimum standard for DLI program implementation in lesson planning and curriculum as noted in 74.4 (a)(1); 89.1201 (d); 89.1210 (a)-(b): • Provide all DLI program participants with their grade appropriate content area TEKS, in English and the partner language • Provide all ELs with ELPS alongside all content area instruction delivered in English • Provide all DLI program participants with the CCRS as available to their non-DLI peers, in English and the partner language	The ELPS are used to provide opportunities for English learners to develop social and academic English proficiency in listening, speaking, reading, and writing as well as the use of learning strategies, while gradually increasing the linguistic complexity of receptive and expressive English. 89.1210 (b)(2)(a); 74.4 (a)(2); 74.4 (c); 74.4 (a)(4) . DLI teachers function as models of the target language of the lesson, adhering to a strict separation of languages[1] during instruction and providing a comprehensible immersion setting for students to develop skills in English and the partner language. (Collier & Thomas, 2005)	DLI teachers focus on developing receptive and expressive language skills in the target language of the lesson, through a mixture of explicit instruction and opportunities for authentic generation of ideas for meaningful communication in both spontaneous and structured settings with support of contextual over prescriptive grammar[5]. Campus-based leadership constructs and monitors campus-wide initiatives that highlight the targeted and strategic development of academic language in English and the partner language. Students are encouraged through provision of instructional scaffolds, frequent opportunities for meaningful interaction around content, and bilingual pairing (two-way DLI) to use the target language of the lesson but are also encouraged to use all their linguistic resources to process content, explore understandings, articulate new learning, and develop metalinguistic awareness. A campus-wide language policy is in place. (Bialystok, et al., 2014; Gómez, Freeman, & Freeman, 2005; Saunders & O'Brien, 2006; Schleppergrell, 2013; Short & Echeverría, 2015)	A district-wide vision for effective practices for bilingual/biliteracy instruction via DLI programming: • is explicitly developed and communicated in order to inform classroom practices; • sets a clearly focused plan that commits to high expectations in academic language and biliteracy development of DLI students; • involves the district's highly invested leadership in monitoring the implementation of this plan as demonstrated by English/partner language learners' oral language and biliteracy outcomes; and • includes a district-wide language policy to ensure fidelity and consistency across campuses. (DeJong, 2011; Field & Menken, 2015; Genesee, 2018)
Differentiated Instruction & Data Analysis		DLI teachers routinely • are informed of the English language proficiency levels of the ELs within their classrooms; • plan for and deliver instruction that meets their students' current linguistic needs by accommodating their instruction, pacing, and materials; and • support language learners at beginning or intermediate levels of L2 proficiency with content-based instruction that integrates second language acquisition instruction and is focused (explicitly addresses English vocabulary, grammar, syntax, and mechanics), targeted (formally or informally assessed), and systematic (monitored for growth). 89.1210 (a); 74.4 (b)(1); 74.4 (a)(6)	Campus-based leadership establish systems that • ensure that the LPAC provides comprehensive and meaningful English/partner language proficiency data to DLI teachers; • provide LPAC support to teachers in data analysis and application of analysis to lesson planning; • specify methods and resources for accommodating instruction, pacing, and materials for DLI students; • outline campus-wide norms for integration of focused, targeted, and systematic second language instruction; and • monitor the implementation of these methods. (Brisk & Proctor, 2012; Escamilla, et al., 2014; Howard, et al, 2018; USDE, 2015)	District-level leadership establishes systems that provide campus-based leadership with • extensive, ongoing, job embedded[8] training on appropriate methods for linguistically accommodating instruction, pacing, and materials commensurate to students' needs; • practical tools that can be used to monitor, coach, and support teachers on differentiated instruction by proficiency level; and • professional development and tools to develop and support data analysis practices that include monitoring DLI student progress along a bilingual trajectory. (Escamilla, Hopewell, Butvilofsky, Soltero-González, Ruiz-Figueroa & Escamilla, 2014; Howard, et al., 2018)

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	0 Below Basic	1 Basic Implementation	2 Enhanced Implementation	3 Exemplary Implementation
Classroom Assessments	Required action when below minimum standard for DLI program implementation in lesson planning and curriculum as noted in 74.4 (a)(1); 89.1201 (d); 89.1210 (a)-(b): • Provide all DLI program participants with their grade appropriate content area TEKS, in English and the partner language • Provide all ELs with ELPS alongside all content area instruction delivered in English • Provide all DLI program participants with the CCRS as available to their non-DLI peers, in English and the partner language	DLI teachers distinguish the evaluation of English proficiency (partner language proficiency) and content area knowledge within classroom assessments and provide instructional interventions to address specific language needs as necessary. 89.1210 (a)(1); 89.1220 (i); 89.1220 (l)(1)(G)	DLI teachers routinely: • provide ongoing, formative content and language assessments throughout each lesson; • review language objectives at the end of each lesson to determine effectiveness of the incorporation of the ELPS/partner language goals; and • modify classroom assessment instruments as necessary to ensure the goal of the assessment is achieved. Campus-based leadership ensures that teachers are trained in and implement: • linguistic accommodations for classroom assessments, such as the use of word walls and glossaries in the two program languages; and • alternative evaluation methods, such as demonstration of mastery through non-verbal response, hands-on activities, models/visual displays, or sorting. (Echeverría et al., 2016)	Campus-based leadership, in conjunction with district-based leadership, allocates equitable resources for classroom use in the two program languages that facilitate alternative assessment methods, provide linguistic accommodations, and facilitate instructional interventions. District-wide curriculum is provided for appropriate instructional interventions based on students' grade level, English language proficiency level, and partner language proficiency level. District leadership provides professional development for DLI staff in effective practices in formative assessment for emergent bilingual students. (Howard, et al, 2018)
State Assessments & Progress Monitoring		In conjunction with the LPAC, teachers of ELs participating in the DLI program monitor the progress of academic success of current and former ELs (two years after reclassification) and determine appropriate assessment options for the state criterion referenced test (STAAR), including consideration of most appropriate language of assessment and designated support options that might exclude ELs from reclassification eligibility. 89.1220 (i); 89.1220 (l)(1)(F)(I); 89.1226 (i) & (k)	Campus-based leadership • facilitates coordination between the LPAC, testing coordinators, and DLI teachers to ensure that language of assessment decisions and designated supports provided by the LPAC for state assessment are commensurate with students' linguistic strengths and needs and are utilized within classroom instruction and assessment; and • develops and administers a plan for annual evaluation of DLI student academic and linguistic progress in both English and the program partner language. (Howard, et al., 2018)	District-level leaders establish systems to ensure that benchmark assessments are • made available in the two program languages, • linguistically accommodated to align with allowable designated supports on state assessments, and • reviewed by DLI teachers for alignment to curriculum standards and linguistic and cultural appropriateness. District-based leadership organizes annual evaluation of student progress toward attainment of the DLI program's goals of bilingualism and biliteracy, academic achievement, and sociocultural competence while mitigating the risk of over-assessment. (Brisk & Proctor, 2012; Escamilla, et al., 2014; Howard, et al, 2018; USDE, 2015)

	0 Below Basic	1 Basic Implementation	2 Enhanced Implementation	3 Exemplary Implementation
Culturally & Linguistically Sustaining Practices	Required action when below minimum standard for DLI program implementation in instructional methods as noted in 74.4 (a)(1); 89.1201 (d); 89.1210 (a)-(b): • Ensure the affective, linguistic, and cognitive needs of ELs are met • Provide all ELs with their grade appropriate content area TEKS in English and the program partner language (Continued on next page)	The affective needs of English learners (and partner language learners) are addressed through instruction in English (and the program partner language) using second language acquisition methods to incorporate introduction to the school environment, explicitly connecting to students' primary language and learning experiences, and cultural aspects of the students' backgrounds in order to instill confidence, self-assurance, and a positive bilingual and bicultural identity. 89.1210 (b)(1)(a)	Campus-based leadership • encourages regular incorporation of cultural objectives[4] in lesson plans; • provides culturally sustaining teaching materials; and • ensures that guest speakers and field trips reflect the cultural diversity of the school and DLI classrooms. (Bearse, et al., 2018; Howard, et al., 2018) With the direct support and encouragement of campus-based leadership, DLI teachers • actively seek to learn about their students' culture, language, and community; • provide a low-risk and safe learning environment that provides opportunities for ELs to make connections to content material in culturally sustaining ways; and • demonstrate deep respect and a valuing of their students' experiences and cultural backgrounds, including the honoring and celebrating of diverse language varieties[13].	District-based leadership provides structures and supports that encourage DLI student bilingual/bicultural identity development, which may include: • incorporation of cultural objectives[4] into lessons in order to deepen appreciation for cultural diversity and to develop sociocultural competence; • offering extracurricular/club activities that aim to build cultural awareness and appreciation in self and others; and • provision of incentives/awards to recognize attainment of the DLI culture goals. Robust and ongoing professional development on how to link culture to instructional activities is embedded and executed from the district's overall professional development comprehensive plan. (Howard, et al., 2018)

Content-Based Instruction		The linguistic and cognitive needs of DLI students are addressed through instruction in academic content areas that
		• utilizes second language acquisition methods and
		• is structured to ensure DLI students
		  ○ master the TEKS and higher-order thinking skills and
		  ○ develop proficiency in all language domains, in English and the partner language. 89.1210 (b)(2)(a) and (b)(3)(a)
			Campus-based leadership involves DLI and non-DLI teachers in the development of campus-wide curriculum and instruction practices for DLI students that
			• target and monitor the implementation of rigorous, quality content material;
			• include the use of higher-order thinking skills;
			• focus strategically on academic English/partner language development; and
			• emphasize that support for DLI students goes beyond general effective teaching practices and involves explicit language focus in the overall sheltered instruction approach. (Echeverría et al., 2016)
				District-wide systems[6] are planned and monitored that measure the academic language development of DLI students in English and the partner language, including higher-order thinking skills.
				
				District-based leadership consistently analyzes DLI student academic language development data in the two program languages and provides professional development support to teachers and campus-based leaders to address areas where progress is needed. (Howard, et al., 2018)

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		0 Below Basic	1 Basic Implementation	2 Enhanced Implementation	3 Exemplary Implementation
Authentic Biliteracy Instruction		Required action when below minimum standard for DLi program implementation in instructional methods as noted in 74.4 (a)(1); 89.1201 (d); 89.1210 (a)-(b): • Provide all ELs with ELPS alongside all content area instruction delivered in English, and with language skills development integrated into content instruction delivered in the program partner language (Continued on next page)	Literacy instruction is provided in accordance with the specific DLI program model and language allocation plan, ensuring that either • partner language literacy instruction is introduced first, with English literacy instruction added later in the upper elementary grades (in sequential, or 90-10, models); or • literacy instruction is provided in both program languages for the duration of the program (in simultaneous, or 50-50, models). (Lindholm-Leary, 2012; Palmer, 2007)	Campus-based leadership ensures that instructional approaches and practices for teaching literacy in the partner language and in English: • are authentic to the specific phonological and graphological features of each program language; • address language-specific differences in the primary grades during initial literacy instruction and in the upper grades to facilitate making cross-language connections[2]; • utilize linguistically and culturally authentic texts; and • are coordinated to capitalize on literacy skills that transfer across languages, e.g. comprehension and literary analysis skills. (Escamilla, et al., 2014; Howard, et al., 2018)	District-wide systems[6] are in place for ensuring that authentic biliteracy instruction is delivered district-wide. Supports may include: • recommended texts that support authentic biliteracy instruction in the two program languages; • professional development in similarities and differences between English and the partner language and implications for initial and ongoing literacy and biliteracy instruction; • professional development in authentic (language-specific) strategies for teaching reading and writing in the partner language and connecting literacy practices across the two program languages; and • coaching support in biliteracy development. (Beeman & Urow, 2012; Escamilla, et al., 2014; Howard, et al., 2018)
Resources			The district's Instructional Materials Allotment or local funds are utilized to provide general instructional materials for all students, including English learners served through DLI programs.	The district's Bilingual Education Allotment is utilized to provide targeted instructional materials in English and the partner language that are linguistically, culturally, and academically appropriate and are responsive to DLI student strengths and learning needs. 89.1203 (1) Campus-level leadership monitors the equitable provision of DLI classroom, technology, and school library resources made available in the partner language, in terms of quantity, quality, and authenticity, as compared to resources made available school-wide in English. (Howard, et al., 2018)	District-level leadership: • monitors the equitable provision of DLI resources made available in the partner language, in terms of quantity, quality, and authenticity, as compared to resources made available district-wide in English; • involves various stakeholders in the resource selection process, including English learners, parents of ELs, teachers of various grade levels and subject areas, campus administrators, campus and district instructional leaders, and community members; and • periodically conducts an equity audit of instructional resources. (Howard, et al., 2018)

		0 Below Basic	1 Basic Implementation	2 Enhanced Implementation	3 Exemplary Implementation
Sheltered Methods: Communicated		Required action when below minimum standard for DLI program implementation in instructional methods as noted in [74.4 (a)(1)](#); [89.1201 (d)](#); [89.1210 (a)-(b)](#): • Provide all ELs with the CCRS during instruction delivered in the two program languages, as available to their English proficient peers	Based on the use of communicated sheltered methods, DLI program teachers regularly plan and deliver content-based sheltered instruction and reflect on effectiveness of supports based on evaluation of student performance to adjust instruction. In a two-way program, sheltering methods are also used while instructing in the partner language to ensure equitable access for English proficient students. ([Examples of Communicated Sheltered Methods][10]) [74.4 (b)(2)](#)	Campus-based leadership: • is highly trained in sheltered instruction methods, adapted for use in DLI classroom settings, that are communicated, sequenced, and scaffolded; • develops a clearly defined and articulated plan for implementation within all content-area instruction, in English and the partner language; • explicitly monitors the effectiveness of such implementation with appropriate feedback and coaching for DLI teachers; and • spotlights examples of how DLI teachers are currently using adapted sheltered techniques with success and identify explicit examples in sheltered techniques not yet in use at the school that can benefit DLI students at various proficiency levels. (Howard, et al., 2006)	District-based leadership: • develops a clearly defined and articulated plan for district-wide implementation of sheltered instruction methods that are adapted for use in DLI classroom settings and that are communicated, sequenced, and scaffolded; • identifies campus-based expectations for monitoring the effectiveness of such implementation with appropriate feedback and coaching for DLI teachers; and • systematically analyzes district-wide DLI student content and language assessment data and demonstrates continual growth across all grade levels and language proficiency levels. The district's improvement plan indicates specific methods for growth of DLI student progress, including the dedication of resources toward instructional materials designated for sheltered instruction implementation in DLI classrooms and professional development for teachers and administrators of DLI students.
Sheltered Methods: Sequenced			Based on the use of sequenced sheltered methods, DLI program teachers regularly plan and deliver content-based sheltered instruction and reflect on effectiveness of supports based on evaluation of student performance to adjust instruction. In a two-way program, sheltering methods are also used while instructing in the partner language to ensure equitable access for English proficient students. ([Examples of Sequenced Sheltered Methods][11]) [74.4 (b)(2)](#)		
Sheltered Methods: Scaffolded			Based on the use of scaffolded sheltered methods, teachers of English learners regularly plan and deliver content-based sheltered instruction and reflect on effectiveness of supports based on evaluation of student performance to adjust instruction. In a two-way program, sheltering methods are also used while instructing in the partner language to ensure equitable access for English proficient students. ([Examples of Scaffolded Sheltered Methods][12]) [74.4 (b)(2)](#)		

	0 Below Basic	1 Basic Implementation	2 Enhanced Implementation	3 Exemplary Implementation
Communication	Required action when below minimum standard for communication and access as noted in 89.1220 (h); 89.1240 (a) and (b); 89.1265 (d); 89.1210 (f): • Seek translation/ interpretation services as necessary	Parents with limited English proficiency are provided with communication in a language they can understand and in cases where DLI is provided, in the program partner language. Initial notification to parents of identified English learners served through DLI is provided in English and the partner language no later than 10 days after the classification decision and includes identification information, recommendation for placement, and the benefits of participation in the DLI program. Parents of ELs are notified of changes to program services, annual reports on student progress, and eligibility for reclassification as English proficient as well as potential exit from the DLI program with parent approval. 89.1220 (h); 89.1240 (a)-(b); 89.1265 (d)	Campus-level staff takes initiative to enhance methods of outreach communication for parents of DLI students that go beyond the general practices for communication to all parents of students on the campus, ensuring that the communication • is accessible, consistent, and targeted to the linguistic and cultural needs of DLI students and their families; • demonstrates a valuing and celebration of the partner language and culture; and • clearly articulates the DLI student's progress in English and partner language acquisition in a way that is comprehensible to the parent. Campus-level staff holds informational meetings with DLI families at least once a year. The annual meeting: • is conducted in the program partner language (one-way programs) and in both English and the program partner language (two-way programs); and • is designed to deepen parent understanding of the benefits of DLI education, inform them of any program changes or new initiatives, and seek family input and feedback.	District-wide systems[6] are clearly defined and communicated to campus-level leadership that detail how to enhance methods of outreach communication for parents of DLI students that go beyond the general practices for communication to all parents of students in the district, ensuring effective communication as described in the previous Enhanced level. District-level staff, including program coordinators/directors, the superintendent, and school board members: • are engaged in forging meaningful relationships with DLI parents; • ensure that district-wide systems[6] for communication and outreach are in place; and • regularly communicate with DLI families and inform them of district goals, providing opportunities for families to provide input.
Culture and Climate	• Secure systems for prompt and accurate communication on EL services • Provide access to ELs and their families to all school and district activities, events and resources	School signage (school marquee, signage in foyer/front office/public spaces) routinely contains information in the two program languages. Front office staff is welcoming of and responsive to the needs of families of diverse backgrounds. Classrooms clearly display instructional resources, visuals, and student work that reflect the linguistic and cultural diversity of the DLI students and their families.	One member of the front office staff and one school leader is fluent in both program languages. All staff at the school are trained in DLI program goals and culturally & linguistically sustaining practices. The two program languages are equally valued throughout the school, as evidenced by: • use of the partner language in public spaces, e.g. during public announcements, assemblies, meetings, school gatherings, etc.; and • school signage that elevates the partner language, e.g. by placing the partner language before/above English. DLI families are actively recruited to participate as volunteers and members/leaders on school committees, such as PTO or PTA. Campus events are sponsored that promote bilingualism and biliteracy, such as bilingual oratory or writing contests, spelling bees, etc.	More than one member of the front office staff and more than one school leader is fluent in both program languages. The district has systems in place for ensuring that DLI schools embody a positive and welcoming school climate, including: • provision of targeted PD on DLI program goals and culturally responsive practices; • provision of bilingual signage that elevates the partner language (for district office and campus use); • incentivizing of linguistically equitable practices through language policy; • active recruitment of DLI families to participate as members on district committees; and • sponsorship of district-wide events that spotlight and promote bilingualism and biliteracy, such as partner language spelling bees, UIL competitions in the partner language, and other celebrations.

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		0 Below Basic	1 Basic Implementation	2 Enhanced Implementation	3 Exemplary Implementation
Parent Engagement Activities		Required action when below minimum standard for communication and access as noted in 89.1220 (h); 89.1240 (a) and (b); 89.1265 (d); 89.1210 (f):	The families of English learners, including the parents/guardians and students, have equitable access to all extra-curricular activities, school and district-wide events, and community partnerships as the families of English proficient students. 89.1210 (f)	Campus-level staff provides targeted engagement activities and supports to parents/guardians of English learners that are supplemental to the services provided to all parents, such as: • second language acquisition resources, • outreach through district's social media, • home visits, • use of technology apps to build communication, and • parenting resources. In two-way DLI programs, campus-level staff • informs parents of English-proficient students on how to support their DLI child in the partner language at home, and • provides opportunities to increase shared engagement between DLI families who are English proficient and those whose primary language is the partner language.	District-wide parent/guardian engagement activities and supports that are supplemental to the services provided to all parents are developed and clearly communicated to campus-level leadership as a priority. District-level staff provides engagement opportunities for DLI parents from across the district, and/or from diverse backgrounds, to explore issues of diversity and equity, and to learn how to value one another's strengths and build similar attitudes in their DLI students to promote higher sociocultural, linguistic, and academic outcomes.
Family Engagement Activities	• Seek translation/ interpretation services as necessary • Secure systems for prompt and accurate communication on EL services • Provide access to ELs and their families to all school and district activities, events and resources			Campus-level staff provides targeted engagement activities and supports to be utilized by the family of English learners (parent and child together) that are supplemental to the services provided to all families, such as: • adult ESL or literacy programs, • family literacy programs (modeling literacy practices), • book programs, and • summer academies for families of ELs. Campus-level staff provide ongoing support to DLI families, e.g. through provision of a bilingual family liaison, a family resource center, additional training for parents, invitation of bilingual community members to present/mentor/volunteer at the school, opportunities for parents to advocate, etc.	District-wide family engagement activities and supports (parent and child together) that are supplemental to the services provided to all families are developed and clearly communicated to campus-level leadership as a priority. The district has systems in place to support DLI families, e.g. through provision of a bilingual family liaison at each DLI campus, a DLI family resource center, additional training for parents, invitation of bilingual community members to present/mentor/volunteer at the school, opportunities for parents to advocate, etc.
Community Engagement Activities				• Campus-level staff provide targeted community engagement partnerships to parents and families of ELs that are supplemental to the services provided to all EL families, such as partnerships with: • county and local libraries; • summer mobile libraries; • non-profits and local corporations; • universities and community colleges; and • community service fairs, big brother/sister mentoring programs, etc.	District-level leadership strategically formulates community engagement partnerships for parents and families of ELs that are supplemental to the services provided to all EL families.

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§89.1203. Definitions. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

> (1)   Bilingual education allotment--An adjusted basic funding allotment provided for each school district based on student average daily attendance in a bilingual education or special language program in accordance with Texas Education Code (TEC), §42.153.

§89.1201. Policy. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a)   It is the policy of the state that every student in the state 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, as required in the Texas Education Code (TEC), Chapter 29, Subchapter B. To ensure equal educational opportunity, as required in the TEC, §1.002(a), each school district shall:

> (1)   identify English learners based on criteria established by the state;
> (2)   provide bilingual education and ESL programs, as integral parts of the general program as described in the TEC, §4.002;
> (3)   seek appropriately certified teaching personnel to ensure that English learners are afforded full opportunity to master the essential knowledge and skills required by the state; and
> (4)   assess achievement for essential knowledge and skills in accordance with the TEC, Chapter 29, to ensure accountability for English learners and the schools that serve them.

(c)   The goal of ESL programs shall be to enable English learners to become competent in listening, speaking, reading, and writing in the English language through the integrated use of second language acquisition methods. The ESL program shall emphasize the mastery of English language skills, as well as mathematics, science, and social studies, as integral parts of the academic goals for all students to enable English learners to participate equitably in school.

(d)   Bilingual education and ESL programs shall be integral parts of the total school program. Such programs shall use instructional approaches designed to meet the specific language needs of English learners. The basic curriculum content of the programs shall be based on the Texas Essential Knowledge and Skills (TEKS) and the English Language Proficiency Standards (ELPS) required by the state.

§89.1205. Required Bilingual Education and English as a Second Language Programs. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a)   Each school district that has an enrollment of 20 or more English learners in any language classification in the same grade level district-wide shall offer a bilingual education program as described in subsection (b) of this section for the English learners in prekindergarten through the elementary grades who speak that language. "Elementary grades" shall include at least prekindergarten through Grade 5; sixth grade shall be included when clustered with elementary grades.

(b)   A school district shall provide a bilingual education program by offering dual-language instruction (English and primary language) in prekindergarten through the elementary grades, using one of the four bilingual program models described in §89.1210 of this title (relating to Program Content and Design).

(c)   All English learners for whom a school district is not required to offer a bilingual education program shall be provided an ESL program as described in subsection (e) of this section, regardless of the students' grade levels and primary language, and regardless of the number of such students, except in cases where a district exercises the option described in subsection (g) of this section.

(d)   A school district shall provide ESL instruction by offering an English as a second language program using one of the two models described in §89.1210 of this title.

(e)   School districts may join with other school districts to provide bilingual education or ESL programs.

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(f)   In addition to the required bilingual and/or ESL programs, school districts are authorized to establish a bilingual education program, even if they have an enrollment of fewer than 20 English learners in any language classification in the same grade level district-wide and are not required to do so under subsection (a) of this section. Under this authorization, school districts shall adhere to all program requirements as described in §89.1210 of this title (relating to Program Content and Design), and §89.1227, §89.1228, and §89.1229 of this title (relating to Dual Language Immersion program models only).

(g)   In addition to the required bilingual and/or ESL programs, school districts are authorized to establish a bilingual education program at grade levels in which the bilingual education program is not required under subsection (a) of this section. Under this authorization, school districts shall adhere to all program requirements as described in §89.1210 of this title (relating to Program Content and Design), and §89.1227, §89.1228, and §89.1229 of this title (relating to Dual Language Immersion program models only).

§89.1207. Bilingual Education Exceptions and English as a Second Language Waivers. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

(a)   Bilingual education program.

    (1)   Exceptions. A school district that is unable to provide a bilingual education program as required by §89.1205(a) of this title (relating to Required Bilingual Education and English as a Second Language Programs) because of an insufficient number of certified teachers shall request from the commissioner of education an exception to the bilingual education program and the approval of an alternative program. The approval of an exception to the bilingual education program shall be valid only during the school year for which it was granted. A request for a bilingual education program exception must be submitted by November 1 and shall include:

        (A)   a statement of the reasons the school district is unable to provide a sufficient number of certified teachers to offer the bilingual education program, with supporting documentation;

        (B)   a description of the alternative instructional program and methods to meet the affective, linguistic, and cognitive needs of the English learners, including the manner through which the students will be given opportunity to master the essential knowledge and skills required by Chapter 74 of this title (relating to Curriculum Requirements) to include foundation and enrichment areas, English Language Proficiency Standards (ELPS), and College and Career Readiness Standards (CCRS);

        (C)   an assurance that certified teachers available in the school district will be assigned to grade levels beginning at prekindergarten followed successively by subsequent grade levels to ensure that the linguistic and academic needs of the English learners with beginning levels of English proficiency are served on a priority basis;

        (D)   an assurance that the school district will implement a comprehensive professional development plan, which meets the following criteria:
(i) is ongoing and targets the development of the knowledge, skills, and competencies needed to serve the needs of English learners;
(ii) includes the non-certified teachers that are assigned to implement the proposed alternative program; and
(iii) may include additional teachers who work with English learners;

        (E)   an assurance that at least 10% of the bilingual education allotment shall be used to fund the comprehensive professional development plan required under §89.1207(a)(1)(D) of this title;

        (F)   an assurance that the school district will take actions to ensure that the program required under §89.1205(a) of this title will be provided the subsequent year, including its plans for recruiting an adequate number of certified teachers to eliminate the need for subsequent exceptions and measurable targets for the subsequent year and

        (G)   an assurance that the school district shall satisfy the additional reporting requirements as per §89.1265(c) (Evaluation).

    (2)   A school district submitting a bilingual education exception shall maintain written records of all documents supporting the submission and assurances listed in sub-section (1) of this section, including:

        (A)   a description of the proposed alternative instructional program designed to meet the affective, linguistic, and cognitive needs of the English learners;

        (B)   the number of teachers for whom a bilingual education exception is needed, by grade level, and per campus;

        (C)   a copy of the school district's comprehensive professional development plan;

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  (D) a copy of the bilingual allotment budget documenting that a minimum of 10% of the funds were used to fund the comprehensive professional development plan;

 (3) Approval of exceptions. Bilingual education program exceptions will be granted by the commissioner if the requesting school district:

  (A) meets or exceeds the state average for English learner performance on the required state assessments; or

  (B) meets the requirements and measurable targets of the action plan described in paragraph (1) (F) of this subsection submitted the previous year and approved by the Texas Education Agency (TEA); or

  (C) reduces by 25% the number of teachers under exception for bilingual programs when compared to the number of exceptions granted the previous year.

 (4) Denial of exceptions. A school district denied a bilingual education program exception must submit to the commissioner a detailed action plan for complying with required regulations for the following school year.

 (5) Appeals. A school district denied a bilingual education program exception may appeal to the commissioner or the commissioner's designee. The decision of the commissioner or commissioner's designee is final and may not be appealed further.

 (6) Special accreditation investigation. The commissioner may authorize a special accreditation investigation under the Texas Education Code (TEC), §39.057, if a school district is denied a bilingual education program exception for more than three consecutive years.

 (7) Sanctions. Based on the results of a special accreditation investigation, the commissioner may take appropriate action under the TEC, §39.102. ESL certified.)

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§89.1210. Program Content and Design. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

(a) Each school district required to offer a bilingual education or English as a second language (ESL) program shall provide each English learner the opportunity to be enrolled in the required program at his or her grade level. Each student's level of proficiency shall be designated by the language proficiency assessment committee in accordance with §89.1220(g) of this title (relating to Language Proficiency Assessment Committee). The school district shall accommodate the instruction, pacing, and materials to ensure that English learners have a full opportunity to master the essential knowledge and skills of the required curriculum, which includes the Texas Essential Knowledge and Skills (TEKS) and English Language Proficiency Standards (ELPS). Students participating in the bilingual education program may demonstrate their mastery of the essential knowledge and skills in either their primary language or in English for each content area.

 (1) A bilingual education program established by a school district shall be a full-time program of dual-language instruction (English and primary language) 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 under Texas Education Code (TEC), §29.055(a).

 (2) A program of instruction in English as a second language established by a school district shall be a program of intensive instruction in English in which ESL teachers recognize and address language differences per TEC, §29.055(a).

(b) The bilingual education program and ESL programs shall be an integral part of the general educational program required under Chapter 74 of this title (relating to Curriculum Requirements) to include foundation and enrichment areas, ELPS, and CCRS. In bilingual education programs, school districts shall purchase instructional materials in both program languages with the district's instructional materials allotment or otherwise acquire instructional materials for use in bilingual education classes per TEC §31.029(a). Instructional materials for bilingual education programs on the list adopted by the commissioner, as provided by TEC §31.0231, may be used as curriculum tools to enhance the learning process. The school district shall provide for ongoing coordination between the bilingual/ESL program and the general educational program. The bilingual education and ESL programs shall address the affective, linguistic, and cognitive needs of English learners as follows.

(1) Affective.

    (a) English learners in a bilingual program shall be provided instruction using second language acquisition methods in their primary language to introduce basic concepts of the school environment, and content instruction both in their primary language and in English, which instills confidence, self-assurance, and a positive identity with their cultural heritages. The program shall be designed to consider the students' learning experiences and shall incorporate the cultural aspects of the students' backgrounds TEC, §29.055(b).

    (b) English learners in an ESL program shall be provided instruction using second language acquisition methods in English to introduce basic concepts of the school environment, which instills confidence, self-assurance, and a positive identity with their cultural heritages. The program shall be designed to incorporate the students' primary languages and learning experiences and shall incorporate the cultural aspects of the students' backgrounds TEC, §29.055(b).

(2) Linguistic.

    (a) English learners in a bilingual program shall be provided intensive instruction in the skills of listening, speaking, reading, and writing both in their primary language and in English, provided through the ELPS. The instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher-order thinking skills in all subjects.

    (b) English learners in an ESL program shall be provided intensive instruction to develop proficiency in listening, speaking, reading, and writing in the English language, provided through the ELPS. The instruction in academic content areas shall be structured to ensure that the students master the required essential knowledge and skills and higher-order thinking skills in all subjects.

(3) Cognitive.

    (a) English learners in a bilingual program shall be provided instruction in language arts, mathematics, science, and social studies both in their primary language and in English, using second language acquisition methods in either their primary language, in English, or in both, depending on the specific program model(s) implemented by the district. The content area instruction in both languages shall be structured to ensure that the students master the required essential knowledge and skills and higher-order thinking skills in all subjects.

    (b) English learners in an ESL program shall be provided instruction in English in language arts, mathematics, science, and social studies using second language acquisition methods. The instruction in academic content areas shall be structured to ensure that the students master the required essential knowledge and skills and higher-order thinking skills.

(c)   The bilingual education program shall be implemented through at least one of the following program models.

(1)   Transitional bilingual/early exit is a bilingual program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria to be successful in English-only instruction not earlier than two or later than five years after the student enrolls in school. Instruction in this program is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061(b)(1), for the assigned grade level and content area. The goal of early-exit transitional bilingual education is for program participants to use their primary language as a resource while acquiring full proficiency in English. This model provides instruction in literacy and academic content through the medium of the students' primary language along with instruction in English that targets second language development through academic content.

(2)   Transitional bilingual/late exit is a bilingual program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school. Instruction in this program is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061(b)(2), for the assigned grade level and content area. The goal of late-exit transitional bilingual education is for program participants to use

their primary language as a resource while acquiring full proficiency in English. This model provides instruction in literacy and academic content through the medium of the students' primary language along with instruction in English that targets second language development through academic content.

(3)   Dual language immersion/one-way is a bilingual/biliteracy program model in which students identified as English learners are served in both English and another language and are prepared to meet reclassification criteria in order to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school. Instruction provided in a language other than English in this program model is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061. Instruction provided in English in this program model may be delivered either by a teacher appropriately certified in bilingual education or by a different teacher certified in ESL in accordance with TEC, §29.061. The goal of one-way dual language immersion is for program participants to attain full proficiency in another language as well as English. This model provides ongoing instruction in literacy and academic content in the students' primary language as well as English, with at least half of the instruction delivered in the students' primary language for the duration of the program.

(4)   Dual language immersion/two-way is a bilingual/biliteracy program model in which students identified as English learners are integrated with students proficient in English and are served in both English and another language and are prepared to meet reclassification criteria in order to be successful in English-only instruction not earlier than six or later than seven years after the student enrolls in school. Instruction provided in a language other than English in this program model is delivered by a teacher appropriately certified in bilingual education under TEC, §29.061, for the assigned grade level and content area. Instruction provided in English in this program model may be delivered either by a teacher appropriately certified in bilingual education or by a different teacher certified in ESL in accordance with TEC, §29.061, for the assigned grade level and content area. The goal of two-way dual language immersion is for program participants to attain full proficiency in another language as well as English. This model provides ongoing instruction in literacy and academic content in English and another language with at least half of the instruction delivered in the non-English program language for the duration of the program.

(e)   Except in the courses specified in subsection (f) of this section, second language acquisition methods, which may involve the use of the students' primary language, may be provided in any of the courses or electives required for promotion or graduation to assist the English learners to master the essential knowledge and skills for the required subject(s). The use of second language acquisition methods shall not impede the awarding of credit toward meeting promotion or graduation requirements.

(f)   In subjects such as art, music, and physical education, English learners shall participate with their English-speaking peers in general education classes provided in the subjects. As noted in TEC, §29.055(d), elective courses included in the curriculum may be taught in a language other than English. The school district shall ensure that students enrolled in bilingual education and ESL programs have a meaningful opportunity to participate with other students in all extracurricular activities.

§89.1220. Language Proficiency Assessment Committee. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

(a) School districts shall by local board policy establish and operate a language proficiency assessment committee. The school district shall have on file policy and procedures for the selection, appointment, and training of members of the language proficiency assessment committee(s).

(b) The language proficiency assessment committee shall include a certified bilingual educator (for students served through a bilingual education program), a certified English as a second language (ESL) educator (for students served through an ESL program), a parent of an English learner participating in a bilingual or ESL program, and a campus administrator in accordance with Texas Education Code (TEC), §29.063.

(c) In addition to the three required members of the language proficiency assessment committee, the school district may add other trained members to the committee.

(d) No parent serving on the language proficiency assessment committee shall be an employee of the school district.

(e) A school district shall establish and operate a sufficient number of language proficiency assessment committees to enable them to discharge their duties within four weeks of the enrollment of English learners.

(f) All members of the language proficiency assessment committee, including parents, shall be acting for the school district and shall observe all laws and rules governing confidentiality of information concerning individual students. The school district shall be responsible for the orientation and training of all members, including the parents, of the language proficiency assessment committee.

(g) Upon their initial enrollment and at the end of each school year, the language proficiency assessment committee shall review all pertinent information on all English learners identified in accordance with §89.1226 of this title (relating to Testing and Classification of Students) and shall:
(1) designate the language proficiency level of each English learner in accordance with the guidelines issued pursuant to §89.1226(b)-(f) of this title;
(2) designate the level of academic achievement of each English learner;
(3) designate, subject to parental approval, the initial instructional placement of each English learner in the required program;
(4) facilitate the participation of English learners in other special programs for which they are eligible while ensuring full access to the language program services required under the TEC, §29.053; and
(5) reclassify students, at the end of the school year only, as English proficient in accordance with the criteria described in §89.1226(i) of this title

(h)The language proficiency assessment committee shall give written notice to the student's parent or guardian, advising that the student has been classified as an English learner and requesting approval to place the student in the required bilingual education or ESL program not later than the 10th calendar day after the date of the student's classification in accordance with TEC, §29.056. The notice shall include information about the benefits of the bilingual education or ESL program for which the student has been recommended and that it is an integral part of the school program.

(i)Before the administration of the state criterion-referenced test each year, the language proficiency assessment committee shall determine the appropriate assessment option for each English learner as outlined in Chapter 101, Subchapter AA, of this title (relating to Commissioner's Rules Concerning the Participation of English Language Learners in State Assessments).

(j)Pending parent approval of an English learner's entry into the bilingual education or ESL program recommended by the language proficiency assessment committee, the school district shall place the student in the recommended program. Only English learners with parent approval who are receiving services will be included in the bilingual education allotment.

(k)The language proficiency assessment committee shall monitor the academic progress of each student who has met criteria for exit in accordance with TEC, §29.056(g), for the first two years after reclassification. If the student earns a failing grade in a subject in the foundation curriculum under TEC, §28.002(a)(1), during any grading period in the first two school years after the student is reclassified, the language proficiency assessment committee shall determine, based on the student's second language acquisition needs, whether the student may require intensive instruction or should be reenrolled in a bilingual education or special language program. In accordance with TEC, §29.0561, the language proficiency assessment committee shall review the student's performance and consider:

(1) the total amount of time the student was enrolled in a bilingual education or special language program;

(2) the student's grades each grading period in each subject in the foundation curriculum under TEC, §28.002(a)(1);

(3) the student's performance on each assessment instrument administered under TEC, §39.023(a) or (c);

(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 TEC, Chapter 37, Subchapter A (Alternative Settings for Behavior Management).

(l)The student's permanent record shall contain documentation of all actions impacting the English learner.

(1) Documentation shall include:

(A)the identification of the student as an English learner;

(B)the designation of the student's level of language proficiency;

(C)the recommendation of program placement;

(D)parental approval of entry or placement into the program;

(E)the dates of entry into, and placement within, the program;

(F)assessment information as outlined in Chapter 101, Subchapter AA, of this title;

(G)additional instructional interventions provided to address the specific language needs of the student;

(H)the date of exit from the program and parental approval;

(I)the results of monitoring for academic success, including students formerly classified as English learners, as required under the TEC, §29.063(c)(4); and

(J)the home language survey.

(2) Current documentation as described in paragraph (1) of this subsection shall be forwarded in the same manner as other student records to another school district in which the student enrolls.

§89.1226. Testing and Classification of Students. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a) Beginning with school year 2019-2020, the provisions of this subsection supersede the provisions in §89.1225 of this title (relating to Testing and Classification of Students).

(b) Within four weeks of initial enrollment in a Texas school, a student with a language other than English indicated on the home language survey shall be administered the state-approved English language proficiency test for identification as described in subsection (c) of this section and shall be identified as English learners and placed into the required bilingual education or ESL program in accordance with the criteria listed in subsection (f) of this section.

(c) For identifying English learners, school districts shall administer to each student who has a language other than English as identified on the home language survey:

(1) in prekindergarten through Grade 1, the listening and speaking components of the state-approved English language proficiency test for identification; and

(2) in Grades 2-12, the listening, speaking, reading, and writing components of the state-approved English language proficiency test for identification.

(d) School districts that provide a bilingual education program at the elementary grades shall administer a language proficiency test in the primary language of the student who is eligible to be served in the bilingual education program. If the primary language of the student is Spanish, the school district shall administer the Spanish version of the state-approved language proficiency test for identification. If a state-approved language proficiency test for identification is not available in the primary language of the student, the school district shall determine the student's level of proficiency using informal oral language assessment measures.

(e) All of the language proficiency testing shall be administered by professionals or paraprofessionals who are proficient in the language of the test and trained in the language proficiency testing requirements of the test publisher.

(f) For entry into a bilingual education or ESL program, a student shall be identified as an English learner using the following criteria.

(1) In prekindergarten through Grade 1, the student's score from the listening and speaking components on the state-approved English language proficiency test for identification is below the level designated for indicating English proficiency.

(2) In Grades 2-12, the student's score from the listening, speaking, reading, and writing components on the state-approved English language proficiency test for identification is below the level designated for indicating English proficiency.

(g) A student shall be identified as an English learner if the student's ability in English is so limited that the English language proficiency assessment described in subsection (c) of this section cannot be administered.

(h) The language proficiency assessment committee in conjunction with the admission, review, and dismissal (ARD) committee shall identify a student as an English learner if the student's ability in English is so limited or the student's disabilities are so severe that the English language proficiency assessment described in subsection (c) of this section cannot be administered. The decision for entry into a bilingual education or ESL program shall be determined by the language proficiency assessment committee in conjunction with the ARD committee in accordance with §89.1220(f) of this title (relating to Language Proficiency Assessment Committee).

(i) For exit from a bilingual education or ESL program, a student may be classified as English proficient only at the end of the school year in which a student would be able to participate equally in a general education, all-English instructional program. This determination shall be based upon all of the following:

(1) a proficiency rating on the state-approved English language proficiency test for exit that is designated for indicating English proficiency in each the four language domains (listening, speaking, reading, and writing);

(2) passing standard met on the reading assessment instrument under the Texas Education Code (TEC), §39.023(a), or, for students at grade levels not assessed by the aforementioned reading assessment instrument, a score at or above the 40th percentile on both the English reading and the English language arts sections of the state-approved norm-referenced standardized achievement instrument; and

(3) the results of a subjective teacher evaluation using the state's standardized rubric.

(j) A student may not be exited from the bilingual education or ESL program in prekindergarten or kindergarten. A school district must ensure that English learners are prepared to meet academic standards required by the TEC, §28.0211.

(k) A student may not be exited from the bilingual education or ESL program if the language proficiency assessment committee has recommended designated supports or accommodations on the state reading assessment instrument.

(l) For English learners who are also eligible for special education services, the standardized process for English learner program exit is followed in accordance with applicable provisions of subsection (i) of this section. However, annual meetings to review student progress and make recommendations for program exit must be made in all instances by the language proficiency assessment committee in conjunction with the ARD committee in accordance with §89.1230(b) of this title (relating to Eligible Students with Disabilities). Additionally, the language proficiency committee in conjunction with the ARD committee shall implement assessment procedures that differentiate between language proficiency and disabling conditions in accordance with §89.1230(a) of this title.

(m) For an English learner with significant cognitive disabilities, the language proficiency assessment committee in conjunction with the ARD committee may determine that the state's English language proficiency assessment for exit is not appropriate because of the nature of the student's disabling condition. In these cases, the language proficiency assessment committee in conjunction with the ARD committee may recommend that the student take the state's alternate English language proficiency assessment and shall determine an appropriate performance standard requirement for exit by language domain under subsection (i)(1) of this section;

(n) Notwithstanding §101.101 of this title (relating to Group-Administered Tests), all tests used for the purpose of identification, exit, and placement of students and approved by the TEA must be re-normed at least every eight years.

§89.1227. Minimum Requirements for Dual Language Immersion Program Model. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a) A dual language immersion program model shall address all curriculum requirements specified in Chapter 74, Subchapter A, of this title (relating to Required Curriculum) to include foundation and enrichment areas, English language proficiency standards, and college and career readiness standards.

(b) A dual language immersion program model shall be a full-time program of academic instruction in English and another language.

(c) A dual language immersion program model shall provide equitable resources in English and the additional program language whenever possible.

(d) A minimum of 50% of instructional time shall be provided in the language other than English for the duration of the program.

(e) Implementation shall:
   (1) begin at prekindergarten or kindergarten, as applicable;
   (2) continue without interruption incrementally through the elementary grades; and
   (3) consider expansion to middle school and high school whenever possible.

(f) A dual language immersion program model shall be developmentally appropriate and based on current best practices identified in research.

§89.1228. Two-Way Dual Language Immersion Program Model Implementation. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a) Student enrollment in a two-way dual language immersion program model is optional for English proficient students in accordance with §89.1233(a) of this title (relating to Participation of English Proficient Students).

(c) A school district implementing a two-way dual language immersion program model shall develop a policy on enrollment and continuation for students in this program model. The policy shall address:
   (1) eligibility criteria;
   (2) program purpose;
   (3) the district's commitment to providing equitable access to services for English learners;
   (4) grade levels in which the program will be implemented;
   (5) support of program goals as stated in §89.1210 of this title (relating to Program Content and Design); and
   (6) expectations for students and parents.

(d) A school district implementing a two-way program model shall obtain written parental approval as follows.
   (1) For English learners, written parental approval is obtained in accordance with §89.1240 of this title (relating to Parental Authority and Responsibility).
   (2) For English proficient students, written parental approval is obtained through a school district-developed process.

§89.1229. General Standards for Recognition of Dual Language Immersion Program Models. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

(a)   School recognition. A school district may recognize one or more of its schools that implement an exceptional dual language immersion program model if the school meets all of the following criteria.

        (1) The school must meet the minimum requirements stated in §89.1227 of this title (relating to Minimum Requirements for Dual Language Immersion Program Model).

        (2) The school must receive an acceptable performance rating in the state accountability system.

        (3) The school must not be identified for any stage of intervention for the district's bilingual and/or English as a second language program under the performance-based monitoring system.

(b)   Student recognition. A student participating in a dual language immersion program model or any other state-approved bilingual or ESL program model may be recognized by the program and its local school district board of trustees by earning a performance acknowledgement in accordance with §74.14 of this title (relating to Performance Acknowledgments).

§89.1230. Eligible Students with Disabilities. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

(a)   School districts shall implement assessment procedures that differentiate between language proficiency and disabling 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)   Language proficiency assessment committee members shall meet in conjunction with admission, review, and dismissal committee members to review and provide recommendations with regard to the educational needs of each English learner who qualifies for services in the special education program.

§89.1233. Participation of English Proficient Students. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

(a)   School districts shall fulfill their obligation to provide required bilingual program services to English learners in accordance with Texas Education Code (TEC), §29.053.

(b)   School districts may enroll students who are not English learners in the bilingual education program or the English as a second language program in accordance with TEC, §29.058.

(c)   The number of participating students who are not English learners shall not exceed 40% of the number of students enrolled in the program district-wide in accordance with TEC, §29.058.

§89.1235. Facilities. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

Bilingual education and English as a second language (ESL) programs shall be located in the public schools of the school district with equitable access to all educational resources rather than in separate facilities. In order to provide the required bilingual education or ESL programs, school districts may concentrate the programs at a limited number of facilities within the school district. Recent immigrant English learners shall be enrolled in newcomer centers for no more than two years.

§89.1240. Parental Authority and Responsibility. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a)   The parent or legal guardian shall be notified in English and the parent or legal guardian's primary language that their child has been classified as an English learner and recommended for placement in the required bilingual education or English as a second language (ESL) program. They shall be provided information describing the bilingual education or ESL program recommended, its benefits to the student, and its being an integral part of the school program to ensure that the parent or legal guardian understands the purposes and content of the program. The entry or placement of a student in the bilingual education or ESL program must be approved in writing by the student's parent or legal guardian in order to have the student included in the bilingual education allotment. The parent's or legal guardian's approval shall be considered valid for the student's continued participation in the required bilingual education or ESL program until the student meets the reclassification criteria described in §89.1226(i) of this title (relating to Testing and Classification of Students), the student graduates from high school, or a change occurs in program placement.

(b)   The school district shall give written notification to the student's parent or legal guardian of the student's reclassification as English proficient and his or her exit from the bilingual education or ESL program and acquire written approval as required under the Texas Education Code, §29.056(a). Students meeting exit requirements may continue in the bilingual education or ESL program with parental approval but are not eligible for inclusion in the bilingual education allotment.

(c)   The parent or legal guardian of a student enrolled in a school district that is required to offer bilingual education or ESL programs may appeal to the commissioner of education if the school district fails to comply with the law or the rules. Appeals shall be filed in accordance with Chapter 157 of this title (relating to Hearings and Appeals).

§89.1245. Staffing and Staff Development. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a)   School districts shall take all reasonable affirmative steps to assign appropriately certified teachers to the required bilingual education and English as a second language (ESL) programs in accordance with the Texas Education Code (TEC), §29.061, concerning bilingual education and special language program teachers. School districts that are unable to secure a sufficient number of appropriately certified bilingual education and/or ESL teachers to provide the required programs shall request activation of the appropriate permits in accordance with Chapter 230 of this title (relating to Professional Educator Preparation and Certification).

(b)   School districts that are unable to employ a sufficient number of teachers, including part-time teachers, who meet the requirements of subsection (a) of this section for the bilingual education and ESL programs shall apply on or before November 1 for an exception to the bilingual education program as provided in §89.1207(a) of this title (relating to Bilingual Education Exceptions and English as a Second Language Waivers) or a waiver of the certification requirements in the ESL program as provided in §89.1207(b) of this title as needed.

(c)   Teachers assigned to the bilingual education program and/or ESL program may receive salary supplements as authorized by the TEC, §42.153.

(d)   School districts may compensate teachers and aides assigned to bilingual education and ESL programs for participation in professional development designed to increase their skills or lead to bilingual education or ESL certification.

(e)   The commissioner of education shall encourage school districts to cooperate with colleges and universities to provide training for teachers assigned to the bilingual education and/or ESL programs.

(f)   The Texas Education Agency shall develop, in collaboration with education service centers, resources for implementing bilingual education and ESL training programs. The materials shall provide a framework for:

(1) developmentally appropriate bilingual education programs for early childhood through the elementary grades;

(2) affectively, linguistically, and cognitively appropriate instruction in bilingual education and

ESL programs in accordance with §89.1210(b)(1)-(3) of this title (relating to Program Content and Design); and

(3) developmentally appropriate programs for English learners identified as gifted and talented and English learners with disabilities.

§89.1250. Required Summer School Programs. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

Summer school programs that are provided under the Texas Education Code (TEC), §29.060, for English learners who will be eligible for admission to kindergarten or Grade 1 at the beginning of the next school year shall be implemented in accordance with this section.

(1) Purpose of summer school programs.

(A) English learners shall have an opportunity to receive special instruction designed to prepare them to be successful in kindergarten and Grade 1.

(B) Instruction shall focus on language development and essential knowledge and skills appropriate to the level of the student.

(C) The program shall address the affective, linguistic, and cognitive needs of the English learners in accordance with §89.1210(b) of this title (relating to Program Content and Design).

(2) Establishment of, and eligibility for, the program.

(A) Each school district required to offer a bilingual or English as a second language (ESL) program in accordance with the TEC, §29.053, shall offer the summer program.

(B) To be eligible for enrollment:

(i) a student must be eligible for admission to kindergarten or to Grade 1 at the beginning of the next school year and must be an English learner; and

(ii) a parent or guardian must have approved placement of the English learner in the required bilingual or ESL program following the procedures described in §89.1220(g) of this title (relating to Language Proficiency Assessment Committee) and §89.1226(b)-(f) of this title (relating to Testing and Classification of Students).

(3) Operation of the program.

(A) Enrollment is optional.

(B) The program shall be operated on a one-half day basis, a minimum of three hours each day, for eight weeks or the equivalent of 120 hours of instruction.

(C) The student/teacher ratio for the program district-wide shall not exceed 18 to one.

(D) A school district is not required to provide transportation for the summer program.

(E) Teachers shall possess certification as required in the TEC, §29.061, and §89.1245 of this title (relating to Staffing and Staff Development).

(F) Reporting of student progress shall be determined by the board of trustees. A summary of student progress shall be provided to parents at the conclusion of the program. This summary shall be provided to the student's teacher at the beginning of the next regular school term.

(G) A school district may join with other school districts in cooperative efforts to plan and implement programs.

(H) The summer school program shall not substitute for any other program required to be provided during the regular school term, including those required in the TEC, §29.153.

(4) Funding and records for programs.

(A) A school district shall use state and local funds for program purposes.

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(i) Available funds appropriated by the legislature for the support of summer school programs provided under the TEC, §29.060, shall be allocated to school districts in accordance with this subsection.

(ii) 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 to one. The numbers of students required to earn units shall be established by the commissioner. The allotment per unit shall be determined by the commissioner based on funds available.

(iii) Any school district required to offer the program under paragraph (2)(A) of this subsection that has fewer than 10 students district-wide desiring to participate is not required to operate the program. However, those school districts must document that they have encouraged students' participation in multiple ways.

(iv) Payment to school districts for summer school programs shall be based on units employed. This information must be submitted in a manner and according to a schedule established by the commissioner in order for a school district to be eligible for funding.

(B) A school district shall maintain records of eligibility, attendance, and progress of students.

§89.1265. Evaluation. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a) All school districts required to conduct a bilingual education or English as a second language (ESL) program shall conduct an annual evaluation in accordance with Texas Education Code (TEC), §29.053, collecting a full range of data to determine program effectiveness to ensure student academic success. The annual evaluation report shall be presented to the board of trustees before November 1 of each year and the report shall be retained at the school district level in accordance with TEC, §29.062.

(b) Annual school district reports of educational performance shall reflect:
(1) the academic progress in the language(s) of instruction for English learners;
(2) the extent to which English learners are becoming proficient in English;
(3) the number of students who have been exited from the bilingual education and ESL programs; and
(4) the number of teachers and aides trained and the frequency, scope, and results of the professional development in approaches and strategies that support second language acquisition.

(c) In addition, for those school districts that filed in the previous year and/or will be filing a bilingual education exception and/or ESL waiver in the current year, the annual district report of educational performance shall also reflect:
(1) the number of teachers for whom an exception or waiver was/is being filed;
(2) the number of teachers for whom an exception or waiver was filed in the previous year who successfully obtained certification; and
(3) the frequency and scope of a comprehensive professional development plan, implemented as required under §89.1207 of this title (relating to Bilingual Education Exceptions and English as a Second Language Waivers), and results of such plan if an exception and/or waiver was filed in the previous school year.

(d) School districts shall report to parents the progress of their child in acquiring English as a result of participation in the program offered to English learners.

(e) Each school year, the principal of each school campus, with the assistance of the campus level committee, shall develop, review, and revise the campus improvement plan described in the TEC, §11.253, for the purpose of improving student performance for English learners.

Sec. 28.0051. DUAL LANGUAGE IMMERSION PROGRAM. ([Back to Program Model Design](#)) ([Back to Staffing and Professional Development](#)) ([Back to Instructional Design: Lesson Planning & Curriculum](#)) ([Back to Instructional Design: Methods and Resources](#)) ([Back to Family and Community Engagement](#))

(a)   A dual language immersion program should be designed to produce students with a demonstrated mastery, in both English and one other language, of the required curriculum under Section 28.002(a).

(b)   The commissioner by rule shall adopt:

　　(1) minimum requirements for a dual language immersion program implemented by a school district;

　　(2) standards for evaluating:

　　　　(A) the success of a dual language immersion program; and

　　　　(B) the performance of schools that implement a dual language immersion program; and

　　(3) standards for recognizing:

　　　　(A) schools that offer an exceptional dual language immersion program; and

　　　　(B) students who successfully complete a dual language immersion program.

(c)   A school district may implement a dual language immersion program in a manner and at elementary grade levels consistent with rules adopted by the commissioner under this section.

Added by Acts 2001, 77th Leg., ch. 925, § 2, eff. June 14, 2001.

Sec. 29.061. BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAM TEACHERS.

(a)   The State Board for Educator Certification shall provide for the issuance of teaching certificates appropriate for bilingual education instruction to teachers who possess a speaking, reading, and writing ability in a language other than English in which bilingual education programs are offered and who meet the general requirements of Chapter 21. The board shall also provide for the issuance of teaching certificates appropriate for teaching English as a second language. The board may issue emergency endorsements in bilingual education and in teaching English as a second language.

(b)   A teacher assigned to a bilingual education program using one of the following program models must be appropriately certified for bilingual education by the board:

　　(1) transitional bilingual/early exit program model; or

　　(2) transitional bilingual/late exit program model.

(b-1) A teacher assigned to a bilingual education program using a dual language immersion/one-way or two-way program model must be appropriately certified by the board for:

　　(1) bilingual education for the component of the program provided in a language other than English; and

　　(2) bilingual education or English as a second language for the component of the program provided in English.

(b-2) A school district that provides a bilingual education program using a dual language immersion/one-way or two-way program model may assign a teacher certified under Subsection (b-1)(1) for the language other than English component of the program and a different teacher certified under Subsection (b-1)(2) for the English language component.

(c)   A teacher assigned to an English as a second language program must be appropriately certified for English as a second language by the board.

(d)   A school district may compensate a bilingual education or special language teacher for participating in a continuing education program that is in addition to the teacher's regular contract. The continuing education program must be designed to provide advanced bilingual education or special language program endorsement or skills.

(e)   The State Board for Educator Certification and the Texas Higher Education Coordinating Board shall develop a comprehensive plan for meeting the teacher supply needs created by the programs outlined in this subchapter.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by: Acts 2015, 84th Leg., R.S., Ch. 453 (H.B. 218), Sec. 1, eff. June 15, 2015.

(a) Introduction. (Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

    (1) The English language proficiency standards in this section outline English language proficiency level descriptors and student expectations for English language learners (ELLs). School districts shall implement this section as an integral part of each subject in the required curriculum. The English language proficiency standards are to be published along with the Texas Essential Knowledge and Skills (TEKS) for each subject in the required curriculum.

    (2) In order for ELLs to be successful, they must acquire both social and academic language proficiency in English. Social language proficiency in English consists of the English needed for daily social interactions. Academic language proficiency consists of the English needed to think critically, understand and learn new concepts, process complex academic material, and interact and communicate in English academic settings.

    (3) Classroom instruction that effectively integrates second language acquisition with quality content area instruction ensures that ELLs acquire social and academic language proficiency in English, learn the knowledge and skills in the TEKS, and reach their full academic potential.

    (4) Effective instruction in second language acquisition involves giving ELLs opportunities to listen, speak, read, and write at their current levels of English development while gradually increasing the linguistic complexity of the English they read and hear, and are expected to speak and write.

    (5) The cross-curricular second language acquisition skills in subsection (c) of this section apply to ELLs in Kindergarten-Grade 12.

    (6) The English language proficiency levels of beginning, intermediate, advanced, and advanced high are not grade-specific. ELLs may exhibit different proficiency levels within the language domains of listening, speaking, reading, and writing. The proficiency level descriptors outlined in subsection (d) of this section show the progression of second language acquisition from one proficiency level to the next and serve as a road map to help content area teachers instruct ELLs commensurate with students' linguistic needs.

(Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

 (b) School district responsibilities. In fulfilling the requirements of this section, school districts shall:

    (1) identify the student's English language proficiency levels in the domains of listening, speaking, reading, and writing in accordance with the proficiency level descriptors for the beginning, intermediate, advanced, and advanced high levels delineated in subsection (d) of this section;

    (2) provide instruction in the knowledge and skills of the foundation and enrichment curriculum in a manner that is linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's levels of English language proficiency to ensure that the student learns the knowledge and skills in the required curriculum;

    (3) provide content-based instruction including the cross-curricular second language acquisition essential knowledge and skills in subsection (c) of this section in a manner that is linguistically accommodated to help the student acquire English language proficiency; and

(4) provide intensive and ongoing foundational second language acquisition instruction to ELLs in Grade 3 or higher who are at the beginning or intermediate level of English language proficiency in listening, speaking, reading, and/or writing as determined by the state's English language proficiency assessment system. These ELLs require focused, targeted, and systematic second language acquisition instruction to provide them with the foundation of English language vocabulary, grammar, syntax, and English mechanics necessary to support content-based instruction and accelerated learning of English.

(Back to Program Model Design) (Back to Staffing and Professional Development) (Back to Instructional Design: Lesson Planning & Curriculum) (Back to Instructional Design: Methods and Resources) (Back to Family and Community Engagement)

(c) Cross-curricular second language acquisition essential knowledge and skills.

(1) Cross-curricular second language acquisition/learning strategies. The ELL uses language learning strategies to develop an awareness of his or her own learning processes in all content areas. In order for the ELL to meet grade-level learning expectations across the foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency.

(2) Cross-curricular second language acquisition/listening. The ELL listens to a variety of speakers including teachers, peers, and electronic media to gain an increasing level of comprehension of newly acquired language in all content areas. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in listening. In order for the ELL to meet grade-level learning expectations across the foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency.

(3) Cross-curricular second language acquisition/speaking. The ELL speaks in a variety of modes for a variety of purposes with an awareness of different language registers (formal/informal) using vocabulary with increasing fluency and accuracy in language arts and all content areas. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in speaking. In order for the ELL to meet grade-level learning expectations across the foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency.

(4) Cross-curricular second language acquisition/reading. The ELL reads a variety of texts for a variety of purposes with an increasing level of comprehension in all content areas. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in reading. In order for the ELL to meet grade-level learning expectations across the foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency. For Kindergarten and Grade 1, certain of these student expectations apply to text read aloud for students not yet at the stage of decoding written text.

(5) Cross-curricular second language acquisition/writing. The ELL writes in a variety of forms with increasing accuracy to effectively address a specific purpose and audience in all content areas. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in writing. In order for the ELL to meet grade-level learning expectations across foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency. For Kindergarten and Grade 1, certain of these student expectations do not apply until the student has reached the stage of generating original written text using a standard writing system.

Research References

Alanís, I. & Rodríguez, M. A. (2008). Sustaining a dual language immersion program: Features of success. *Journal of Latinos and Education, 7*(4), 305-319.

Arias, M. B., & Markos, A. (2018). Recent research on the three goals of dual language education. In M. B. Arias & M. Fee (Eds.), *Profiles of dual language education in the 21st century* (pp. 3-19). Blue Ridge Summit, PA: Multilingual Matters.

August, D., & Shanahan, T. (Eds.). (2006). *Developing literacy in second-language learners: A report of the National Literacy Panel on Language-minority Children and Youth.* Mahwah, NJ: Lawrence Erlbaum Associates.

Bearse, C. I., de Jong, E. J., & Tsai, M. (2018). Opportunities and dilemmas for TWI programs at the secondary level. In M. B. Arias & M. Fee (Eds.), *Profiles of dual language education in the 21st century* (pp. 86-102). Blue Ridge Summit, PA: Multilingual Matters.

Beeman, K., & Urow, C. (2012). *Teaching for biliteracy: Strengthening bridges between languages.* Philadelphia: Caslon.

Bialystok, E. 2007. "Cognitive effects of bilingualism: How linguistic experience leads to cognitive change." *International Journal of Bilingual Education and Bilingualism* 10(3): 210-223.

Bialystok, E., Peets, K., & Moreno, S. (2014). Producing bilinguals through immersion education: Development of metalinguistic awareness. *Applied Psycholinguistics, 35*(1), 177-191. doi:10.1017/S0142716412000288

Block, N. (2011). The impact of two-way dual-immersion programs on initially English-dominant Latino students' attitudes. *The Journal of the National Association for Bilingual Education*, *34*(2), 125–141.

Brisk, M.E., & Proctor, C.P. (2012). Challenges and Supports for English Language Learners in Bilingual Programs. *Understanding Language: Language, Literacy, and Content Learning.* Stanford, CA. Downloaded from: https://ell.stanford.edu/sites/default/files/pdf/ academic-papers/11-Brisk%20Bilingual%20Programs%20FINAL_0.pdf.

Burger, S., Weinberg, A., Hall, C., Movassat, P., & Hope, A. (2011). French immersion studies at the University of Ottawa: Programme evaluation and pedagogical challenges. In D. J. Tedick, D. Christian, & T. W. Fortune (Eds.), *Immersion education: Practices, policies, possibilities* (pp. 123–142). Clevedon, UK: Multilingual Matters.

Christian, D. (2018). Making space for dual language education: The role of policy. In M. B. Arias & M. Fee (Eds.), *Profiles of dual language education in the 21st century* (pp. 115 - 132). Blue Ridge Summit, PA: Multilingual Matters.

Collier, V. P., & Thomas, W. P. (2005). The beauty of dual language education. *The TABE Journal*, *8*(1), 1–6.

Collier, V.P., and Thomas, W. P. (2009). *Educating English learners for a transformed world*. Albuquerque, NM: Dual Language of New Mexico Fuente Press.

Culatta, B., Reese, M., & Setzer, L. (2006) Early literacy instruction in a dual-language (Spanish-English) kindergarten. *Communication Disorders Quarterly, 27*(2), 67-82. https://doi.org/10.1177/15257401060270020501.

Cummins, J., & Swain, M. (1986). *Bilingualism in education: Aspects of theory, research, and practice.* Reading, MA: Addison, Wesley, Longman.

Darling-Hammond, L., Hyler, M. E., Gardner, M. (2017). *Effective Teacher Professional Development*. Palo Alto, CA: Learning Policy Institute.

de Jong, E. (2011). *Foundations for multilingualism in education: From principles to practice.* Philadelphia, PA: Caslon.

de Jong, E. J. (2014). Program design and two-way immersion programs. *Journal of Immersion and Content-Based Language Education*, *2*(2), 241–256.

De Jong, E.J., & Howard, E. (2009) Integration in two-way immersion education: Equalising linguistic benefits for all students. *International Journal of Bilingual Education and Bilingualism*, *12*(1), 81–99.

Escamilla, K., Hopewell, S., Butvilofsky, S., Soltero-González, Ruiz-Figueroa, O., & Escamilla, M. (2014). *Biliteracy from the start: Literacy squared in action.* Philadelphia, PA: Caslon.

Echeverría, J., Vogt, M.E., & Short, D.J. (2016). *Making content comprehensible for English learners: The SIOP model (5th ed.).* Boston, MA: Pearson.

Feinauer, E., & Howard, E. (2014). Attending to the third goal: Cross-cultural competence and identity development in two-way immersion programs. *Journal of Immersion and Content-Based Language Education*, *2*(2), 257–272.

Ferguson, C. (2008). *The school-family connection: Looking at the larger picture: A review of current literature.* Austin, TX: National Center for Family and Community Connections with Schools.

Field, R., & Menken, K. (2015). What might the process of language education policy development look like at the district and school levels relative to the Common Core State Standards? In G. Valdéz, K. Menken, & M. Castro (Eds.), *Common Core bilingual and English language learners: A resource for educators* (pp. 121-122). Philadelphia, PA: Caslon.

Fortune, T., Tedick, D., & Walker, C. (2008). Integrated language and content teaching: Insights from the immersion classroom. In T. Fortune & D. Tedick (Eds.), *Pathways to multilingualism: Evolving perspectives on immersion education* (pp. 71–96). Clevedon, England: Multilingual Matters.

García, O. 1993. Understanding the societal role of the teacher in transitional bilingual education classrooms: Lessons from Sociology of Language. In *Bilingual Education in Friesland: Facts and Prospects,* ed. by Koen Zondag. Leeuwarden, The Netherlands: Gemeenschappelijk Centrum voor Onderwijsbegeleiding in Friesland, pp. 25-37.

García, O. (2009). *Bilingual Education in the 21st Century: A Global Perspective*. West Sussex, UK: Wiley-Blackwell.

García, E., Jensen, B., & Scribner, K. (2009). The demographic imperative. *Educational Leadership, 66(7),* 8-13.

Genesee, F. (2004). What do we know about bilingual education for majority language students? In T.K. Bahtia & W. Ritchie (Eds.), Handbook of bilingualism and multiculturalism (pp. 547 – 576). Malden: Blackwell.

Genesee, F. (2018). Conclusion: Taking stock: Lessons on dual language education. In M. B. Arias & M. Fee (Eds.), *Profiles of dual language education in the 21st century* (pp. 86-102). Blue Ridge Summit, PA: Multilingual Matters.

Genesee, F., Lindholm-Leary, K.J., Saunders, W., & Christian, D. (2006). *Educating English language learners.* New York, NY: Cambridge University Press.

Goldenberg, C. (2013). Unlocking the research on English learners. *American Educator,* 38, 4-11.

Gómez, L., Freeman, D., & Freeman, Y. (2005). Dual language education: A promising 50-50 model. *Bilingual Research Journal*, *29*(1), 145–164.

Hakuta, K., Butler, Y.G., & Witt, D. (2000). *How long does it take English learners to attain proficiency?* University of California Linguistic Minority Research Institute Policy Report 2000-01. Retrieved September 2018 from http://web.stanford.edu/~hakuta/Publications/%282000%29%20-%20HOW%20LONG%20DOES%20IT%20TAKE%20ENGLISH%20LEARNERS%20TO%20ATTAIN%20PR.pdf

Hamayan, E., Genesee, F., & Cloud, N. (2013). *Dual language instruction: From A to Z.* Portsmouth, NH: Heinle & Heinle.

Hansen-Thomas, H. (2008). Sheltered Instruction: Best Practices for ELLs in the Mainstream. Kappa Delta Pi Record, 44(4), 165-169. Retrieved February 2018 from, http://search.ebscohost.com/login.aspx?direct=true&db=ehh&AN=31993319&site=ehost-live

Hernandez, A. (2015). Language status in two-way bilingual immersion. *Journal of Immersion and Content-Based Education*, *3*(1), 102–126.

Howard, E., & Christian, D. (2002). *Two-way immersion 101: Designing and implementing a two-way immersion program at the elementary level*. Education Practice Report #9. Santa Cruz, CA: Center for Research on Education, Diversity & Excellence. Retrieved from http://mas-link.net/Additional/Bilingual/PAC%20PDFs/%282%29EPR9.pdf

Howard, E. R., Lindholm-Leary, K. J., Rogers, D., Olague, N., Medina, J., Kennedy, B., Sugarman, J., & Christian, D. (2018). *Guiding principles for dual language education* (3rd ed.). Washington, DC: Center for Applied Linguistics.

Howard, E.R., Olague, N., and Rogers, D. (2003). *The dual language program planner: A guide for designing and implementing dual language programs.* Washington, DC: Center for Applied Linguistics. Retrieved from file:///C:/Users/bkennedy/Downloads/dlppfinal.pdf

Howard, E.R., Sugarman, J., and Coburn, C. (2006). *Adapting the Sheltered Instruction Observation Protocol (SIOP) for two-way immersion education: An introduction to the TWIOP.* Washington, DC: Center for Applied Linguistics. Retrieved from http://www.cal.org/twi/TWIOP.pdf

Kennedy, Barbara (2018a). Teacher preparation for dual language classrooms. In M. B. Arias & M. Fee (Eds.), *Profiles of dual language education in the 21st century* (pp. 103-114). Blue Ridge Summit, PA: Multilingual Matters.

Kennedy, Barbara. (2018b). The Bilingual Teacher Shortage in One Texas School District: Practitioner Perspectives. *Journal of Latinos and Education*. 1-17. 10.1080/15348431.2018.1526688.

Koda, K., & Zehler, A.M. (2008). *Learning to read across languages: cross-linguistic relationships in first-and second-language literacy development*. Oxon, UK: Routledge.

LaChance, J.R. (2017). A case study of dual language program administrators: The teachers we need. *NCPEA International Journal of Educational Leadership Preparation*, 12(1), 1-18.

Lee, J. S., & Jeong, E. (2013). Korean–English dual language immersion: Perspectives of students, parents and teachers. *Language, Culture and Curriculum*, *26*(1), 89–107.

Lindholm-Leary, K. J. (2001). *Dual language education.* Clevedon, England: Multilingual Matters.

Lindholm-Leary, K. (2012). Success and challenges in dual language education. *Theory Into Practice, Special Issue: Rethinking Language Teaching and Learning in Multilingual Classrooms, 51*(4), 256–262.

Lindholm-Leary, K.J., & Borsato, G. (2001). *Research Paper #10: Impact of two-way bilingual elementary programs on students' attitudes toward school and college*. Santa Cruz, CA: Center for Research on Education, Diversity and Excellence.

Lindholm-Leary, K.J., & Genesee, F. (2010). Alternative educational programs for English language learners. In California Department of Education (Eds.), *Improving education for English learners: Research-based approaches* (pp. 323-382). Sacramento: CDE Press.

Lindholm-Leary, K.J., & Genesee, F. (2014). Student outcomes in one-way, two-way, and indigenous language immersion education. *Journal of Immersion and Content-Base Language Education* 2 (2), 165–180.

Lopez, F. (2010). Identity and motivation among Hispanic English language learners in disparate educational contexts. *Education Policy Analysis Archives*, *18*(16), n16.

Markos, A., & Himmel, J. (2016). Using Sheltered Instruction to Support English Learners. Center for Applied Linguistics. Retrieved February 2018 from, http://www.cal.org/resource-center/briefs-digests/briefs/using-sheltered-instruction

Marzano, R.J. (2003). *What works in schools: Translating research into action.* Alexandria, VA: Association for Supervision and Curriculum Development.

McGriff, M. p., & Protacio, M. s. (2015). Similar Settings, Different Story Lines: The Positioning of ESL Teachers in Two Middle Schools. Reading Horizons, 54(1), 1-25. Retrieved February 2018 from, https://wgu.idm.oclc.org/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=eft&AN=109458975&site=eds-live&scope=site

Moughamian, A. C., Rivera, M. O., & Francis, D. J. (2009). Instructional models and strategies for teaching English language learners. Portsmouth, NH: RMC Research Corporation, Center on Instruction. Retrieved September 2018 from, https://files.eric.ed.gov/fulltext/ED517794.pdf

Montecel, M. R., & Cortez, J. D. (2002). Successful bilingual education programs: Development and the dissemination of criteria to identify promising and exemplary practices in bilingual education at the national level. *Bilingual Research Journal*, *26*, 1-21.

Montone, C. L., & Loeb, M. I. (2000). *Implementing two-way immersion programs in secondary schools.* Santa Cruz, CA: Center for Research on Education, Diversity & Excellence.

National Academies of Sciences, Engineering, and Medicine. (2017). *Promoting the educational success of children and youth learning English: Promising futures.* Washington, DC: The National Academies Press. doi: 10.17226/24677

Palmer, D. (2007). A dual immersion strand programme in California: Carrying out the promise of dual language education in an English-dominant context. *International Journal of Bilingual Education and Bilingualism*, *10*(6), 752–768.

Palmer, D. (2010). Race, power, and equity in a multiethnic urban elementary school with a dual-language "strand" program. *Anthropology & Education Quarterly, 41*(1), 94–114.

Porras, D. A., Ee, J., & Gandara, P. C. (2014). Employer preferences: Do bilingual applicants and employees experience an advantage? In R. M. Callahan & P. C. Gándara (Eds.), *The bilingual advantage: Language, literacy, and the labor market* (pp. 234–257). Clevedon, UK: Multilingual Matters.

Portes, A., & Hao, L. (2002). The price of uniformity: Language, family and personality adjustment in the immigrant second generation. Ethnic and Racial Studies, 25, 893.

Rumbaut, R. G. (2014). English plus: Exploring the socioeconomic benefits of bilingualism in southern California. In R. M. Callahan & P. C. Gándara (Eds.), *The bilingual advantage: Language, literacy, and the labor market* (pp. 182–205). Clevedon, UK: Multilingual Matters. Retrieved from http://ssrn.com/abstract=2440950 or http://dx.doi.org/10.2139/ssrn.2440950

Rolstad, K., Mahoney, K., & Glass, G. (2005). The big picture: A meta-analysis of program effectiveness research on English language learners. *Educational Policy, 19* (4), 572-594.

Sandy-Sanchez, D. (2008). Secondary dual language guiding principles: A review of the process. *Soleado,* 8. Retrieved from http://www.dlenm.org/index.php?option=com_content&view=article&id=426

Santibañez, L., & Zárate, M. E. (2014). Bilinguals in the United States and college enrollment. In R. Callahan & P. Gándara (Eds.), The bilingual advantage: Language, literacy and the U.S. labor market (pp. 213–234). Bristol: Multilingual Matters.

Saunders, W., & O'Brien, G. (2006). Oral language. In F. Genesee, K. Lindholm-Leary, W. Saunders, & D. Christian (Eds.), *Educating English language learners: A synthesis of research evidence* (pp. 14–63). New York, NY: Cambridge University Press.

Schleppegrell, M.J. (2013). The role of metalanguage in supporting academic language development. *Language Learning,* 63 (Suppl 1), 153 – 170.

Short, D. J., & Echevarria, J. (2015). *Developing academic language with the SIOP model.* Boston, MA: Pearson/Allyn & Bacon.

Slavin, R.E., & Cheung, A. (2005). A synthesis of research on language of reading instruction for English language learners. *Review of Education Research, 75(2),* 247-284.

Sugarman, Julie. (2016). *Funding an equitable education for English learners in the United States.* Washington, DC: Migration Policy Institute. Downloaded in 10/0602108 from: file:///C:/Users/BK/Downloads/US-Funding-FINAL.pdf.

Thomas, W.P. & Collier, V.P. (2012). *Dual language education for a transformed world.* Albuquerque, NM: Fuente Press.

Umansky, I., & Reardon, S.F. (2014). Reclassification Patterns among Latino English Learner Students in Bilingual, Dual Immersion, and English Immersion Classrooms. *American Educational Research Journal*, 51 (5), 879 - 912.

U.S. Department of Education, Office of English Language Acquisition, *Dual Language Education Programs: Current State Policies and Practices*, Washington, D.C., 2015.

U.S. Department of Education, Office of English Language Acquisition, *Dual Language Education Programs: Current State Policies and Practices*, Washington, D.C., 2015. Downloaded at: https://www.air.org/sites/default/files/downloads/report/Dual-Language-Education-Programs-Current-State-Policies-April-2015.pdf .

U.S. Department of Education, Office of English Language Acquisition. (2016). *English Learner Toolkit (Rev. ed.).* Washington, DC: Author. Downloaded at: https://www2.ed.gov/about/offices/list/oela/english-learner-toolkit/index.html.

U.S. Department of Education, Office of Planning, Evaluation and Policy Development; Policy and Program Studies Services. (2012). *Language Instruction Educational Programs (LIEPs): A Review of the Foundational Literature.* Washington, D.C. Retrieved May 2018 from, https://www2.ed.gov/rschstat/eval/title-iii/language-instruction-ed-programs-report.pdf

Valentino, R.A., and Reardon, S.F. (2015). Effectiveness of four instructional programs designed to serve English learners: Variation by ethnicity and initial English proficiency. *Educational Evaluation and Policy Analysis, 37*(4), 612-637

Valentino, R.A., & Reardon, S. (2015). Effectiveness of four instructional programs designed to serve English language learners: Variation by ethnicity and initial English proficiency. *Educational Evaluation and Policy Analysis*. Retrieved from https://cepa.stanford.edu/content/effectiveness-four-instructional-programs-designed-serve-english-language-learners

Wilson, J. A. (1988). *Foreign language program articulation: Building bridges from elementary to secondary school*. ERIC Digest. Washington, DC: ERIC Clearinghouse on Languages and Linguistics. Retrieved in September 2018 from http://www.ericdigests.org/pre-929/bridges.htm

Zentella, A.C. (1997). *Growing up bilingual: Puerto Rican children in New York*. Oxford, UK: Blackwell.

Notes

[1] Strict separation of languages – This is the concept that in dual language education, the teacher must protect the time spent in each language to show equity to the partner language, ensure immersion, and follow the language allocation plan with fidelity. More recently there has been additional research into a concept Garcia (2009) refers to as "translanguaging" which identifies several strategies for communicating in a multilingual context and supporting the more natural development of bilingualism. For the purpose of meeting program language goals at the basic implementation level, however, a strict separation of languages is appropriate.

[2] Cross-linguistic connections – purposeful, planned teaching moments in which a DLI teacher makes connections between the partner language and English (cognate awareness, bridging, contrastive analysis, etc.)

[3] Highly trained - Refers to having comprehensive, research-based professional development on a targeted topic and having documented evidence of demonstrated proficiency in the material or topic

[4] Cultural objectives– strategically planned learning opportunities that promote the development of sociocultural competence (identity development, multicultural appreciation, conflict-resolution strategies) and can be especially leveraged through project-based learning, cross-disciplinary learning, and team teaching

[5] Contextual over prescriptive grammar – Prescriptive grammar instruction is also referred to as traditional or isolated grammar instruction. It generally involves explicit instruction on a grammar rule, and practice exercises that cause students to replicate the rule. Research has shown consistently that prescriptive grammar instruction does not improve student writing (Lindemann, 2001). Contextual grammar instruction may also involve explicit instruction, but real-world application of the rule is found in the context of literature and authentic student writing.

[6] District-wide systems - Plans, models, and protocols that are organized at the district level to structure DLI programming that is consistent and equitable across all campuses within the LEA

[7] Other Special Programs - Advanced Academics, Gifted/Talented, 504, Dyslexia, Response to Intervention (RtI), Special Education, Career and Technical Education (CTE), etc.

[8] Ongoing, job-embedded - training that is part of a comprehensive professional development plan, providing continuous opportunities for targeted professional learning based on self- and leader-initiated goals that has practical application and monitored implementation for utilization in the classroom and includes instructional coaching methods (such as real-time feedback, modeling, and co-teaching approaches)

[9] Comprehensible Input Methods – use of visuals, gestures, clear explanation of tasks, and appropriate language including native language resources are provided to convey key concepts

[10]Sheltered Methods: Communicated = Examples include, but are not limited to:

- a communicative language teaching approach - shifts from teaching *about* language to teaching language *through* content with a focus on communicative functions over form
- repeated exposure and meaningful practice with content material
- comprehensible input methods - use of visuals, gestures, clear explanation of tasks, and appropriate language including native language resources are provided to convey key concepts
- speech commensurate with ELs' language level
- context-embedded resources: visuals, gestures, realia, symbols, manipulatives
- explicitly expressed instructions for tasks (U.S. Department of Education, 2012; Coleman & Goldenberg, 2010; Hansen-Thomas, 2008; Markos & Himmel, 2016)

[11]Sheltered Methods: Sequenced = Examples include, but are not limited to:

- explicit academic language instruction, such as pre-teaching of language needed for academic discourse across disciplines
- language and content instruction that is commensurate with ELs' language level
- exposure to authentic language usage
- connections to previous learning and ELs' background knowledge
- instructional supports, such as connections to primary language, previous primary language instruction, and primary language resources
- efforts to target content area knowledge instead of English proficiency level), such as accommodating for language, or using an assessment in the primary language

[12]Sheltered Methods: Scaffolded = Examples include, but are not limited to:

- structured oral language development, such as sentence frames and appropriate wait time
- meaningful and authentic cooperative learning
- instructional modeling, including structural outlines, graphic organizers, paragraph frames
- amplified texts involving contextual supports
- task-based or inquiry approach (Markos & Himmel, 2016; U.S. Department of Education, 2012)

[13]Language variety – as defined by sociologists, any distinctive form of a language, which can include dialect, register, jargon, etc. Language varieties may connotate power and prestige or may lend themselves to discrimination based on several factors. Bilingual teachers in any program model must recognize that language variety exists for geographic, cultural, and social reasons, and that all varieties should be respected and honored as valid. The consequences of language variety choice in various situations should be discussed in order to support academic, linguistic, and sociocultural goals.

Glossary of Acronyms

- CCRS = College and Career Readiness Standards
- EL = English learner
- ELPS = English Language Proficiency Standards
- ESC = Regional Education Service Center
- L1 = Primary language
- LEA = Local Education Agency
- LPAC = Language Proficiency Assessment Committee
- SIFE = Students with Interrupted Formal Education
- SLA = Second Language Acquisition
- STAAR = State of Texas Assessment of Academic Readiness
- TEKS = Texas Essential Knowledge and Skills