



To the Administrator Addressed

Commissioner Mike Morath

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DATE:	April 20, 2023
SUBJECT:	Reclassification of Emergent Bilingual Students
CATEGORY:	Emergent Bilingual Student Programs
NEXT STEPS:	Share with Appropriate Staff

For the 2022–2023 school year only, language proficiency assessment committees (LPACs) will need to make determinations related to the reclassification of emergent bilingual (EB) students within the first 45 calendar days of the 2023–2024 school year.

Texas Education Code ([TEC](#), [§29.056\(g\)](#)), states that the LPAC may reclassify an EB student as English proficient at the end of the school year in which the student meets the [reclassification criteria](#) and is determined to be able to successfully participate in an English instructional program with no second language acquisition supports. 19 Texas Administrative Code ([TAC](#) [§89.1226\(i\)](#)) describes the specific performance an EB student must demonstrate on the Texas English Language Proficiency Assessment System (TELPAS) and the State of Texas Assessment of Academic Readiness (STAAR) reading test, as well as the teacher subjective letter using the state’s standardized rubric.

As previously announced, the TELPAS writing and STAAR reading assessments have been redesigned beginning with the spring 2023 administrations. Because of the process involved in setting performance standards for these redesigned assessments, TELPAS scores will be delayed until June 29th and STAAR grades 3–8 scores will be delayed until August 16th. Therefore, LPACs will not have the necessary information to make reclassification decisions prior to the end of the 2022–2023 school year. LPACs will need to make reclassification decisions for EB students within the first 45 calendar days of the 2023–2024 school year.

In subsequent years, when TELPAS and STAAR scores are available on more typical timelines, LPACs will be required to make reclassification determinations for students prior to the end of the school year as required by law.

Additionally, please note that proposed changes to the current reclassification criteria and other components of 19 TAC Chapter 89 Adaptations for Special Populations, Subchapter BB, will be available for public comment April 21–May 22, 2023. The proposed changes are scheduled to be effective in August 2023.

Please email any questions to the Emergent Bilingual Division at englishlearnersupport@tea.texas.gov.