

**Zavalla Independent School District**  
**Operating Procedures**  
**Free and Appropriate Public Education**  
**Special Factors: Limited English Proficient (LEP)**

**1. For all LEP (Limited English Proficient) Students:**

- A. The LPAC report, which must have been completed within the past year, must be included with the referral packet. The student should have been tested in English and their primary language.
- B. Referral information will include: Initial referral information, LPAC report, LAS scores or equivalent test, amount of time in ESL, Home Language Survey copy.
- C. When the packet is verified, the diagnostician gives the packet to the ZISD Coordinator.

**2. Speech only referral:** (for these guidelines, Spanish is referenced as the other language)

- A. (LANGUAGE) The language proficiency assessment (ex. LAS, IDEA, other) should be considered with regard to the following:
  - i. If the student is proficient in English and has a lower proficiency in Spanish, the normal procedures for the speech pathologist evaluations are followed.
  - ii. If the student is proficient in Spanish and not in English, typically this would not be an appropriate referral. The speech pathologist will write the evaluation report (using information from the cumulative folder) and proceed to ARD.
  - iii. If the student is barely proficient in both languages, consult with the Coordinator or Director of ZISD before proceeding.
  - iv. If the student is proficient in both languages, normal procedures in English may be followed.
- B. (ARTICULATION) The articulation evaluation should be considered with regard to the following: If the student is misarticulating sounds that are different or not present in Spanish but are in English, therapy would not be appropriate.

**3. Other Referrals (LD, ID, etc.):**

- A. The language evaluation (ex. LAS, IDEA) should be considered with regard to the following:
  - i. If the student is proficient in English and lower in Spanish, the usual procedures for testing are followed.
  - ii. If the student is proficient in Spanish and not in English, typically this will be an inappropriate referral for a Learning Disability. This type of profile is usually an indication that the child needs more time to learn English. The diagnostician will write the FIE or full and individual evaluation report (using information from the cumulative folder) and proceed to ARD. If the student is to be considered for a physical, mental or emotional disability, collaboration with peer evaluators is necessary.
  - iii. If the student is barely proficient in both languages, consult with the Special Education Coordinator or Director before proceeding.
  - iv. If the student is above proficient in both languages, normal procedures in English may be followed.
- B. **If the student is not proficient in either language, a bilingual assessment should be requested.** Consideration should be given to the following:
  - i. Students who have been in English speaking schools for less than two years should be given careful consideration relative to referral.

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- ii. If the student has received English instruction for two or more years and there is no evidence of previous academic instruction in Spanish or another language, the LPAC may recommend testing in English or use of an interpreter.

**The Special Education Director or designee and the LPAC Coordinator will work closely together to ensure that campus staff has training and materials needed to make decisions in the ARDC. The LPAC and ARD will follow recommendations from the TEA website documents.**

Limited English Proficient (LEP) Students with Disabilities

For all LEP (Limited English Proficient) Students:

- A. The LPAC report, must have been completed within the past year for each Annual ARD to review.
- B. The ARD/IEP committee will determine placement based on current assessment and IEP Goals and Objectives needed.
- C. The ARD/IEP committee will include the LPAC representative and will ensure that placement in a bilingual education or English as a second language program, if appropriate, is not refused solely because the student has a disability.

Additional LPAC guidance on TEA website will be

followed: <http://www.tea.state.tx.us/index2.aspx?id=2147496923> or <http://www.tea.state.tx.us/student.assessment/ell/lpac/>

Role of LPAC and ARD

The members of the ARD and the LPAC will pool expertise related to special education and second language acquisition to collaborate making assessment and accommodation decisions with an LPAC member participating in the ARD to:

- evaluate student needs
- determine and implement testing requirements
- Supporting documentation must be kept in student's permanent record file (for LPAC) and student's IEP (for ARD committee).

1. Use the TEA manuals to assist with decision making.
2. Review carefully to be clear on how to fulfill special education and ELL assessment requirements for ELLs receiving special education services.
3. Decisions must be made on an individual basis.
4. The decision is indicated as "ARD Decision" in student's TELPAS record.
5. ELLs receiving special education services may be administered any assessment depending on whether they meet the participation requirements.
  - STAAR
  - STAAR Spanish
  - STAAR Alternate 2
6. Chapter 101 of the TAC requires the LPAC to work in conjunction with the ARD committee to make assessment decisions for these students.

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**Free and Appropriate Public Education**  
**Special Factors: Limited English Proficient (LEP)**

7. This collaboration helps ensure that factors related to disabling conditions and second language acquisition are both carefully considered.
8. The LPAC's involvement in assessment decision-making for ELLs served by special education should help ensure that ELL participation in these assessments is appropriate.

**Accommodations for ELLs with Disabilities**

For these students, LPACs will make accommodation decisions for the STAAR program in conjunction with the student's ARD committee, as applicable.

- Linguistic accommodation decisions
- Accommodation decisions related to the student's disability

These committees will refer to the accommodation information on the TEA Accommodation Resources webpage.

TELPAS (Texas English Language Proficiency Assessment System) results will be reviewed and considered as required by state law. To view all English language learner (ELL) resources, visit the [ELL webpage](http://www.tea.state.tx.us/student.assessment/ell/) . <http://www.tea.state.tx.us/student.assessment/ell/>

Through the implementation of the Zavalla ISD policies and procedures as outlined in the Legal Framework for the Child-Centered Special Education Process, the Zavalla ISD ensures that in the case of a child with limited English proficiency, the admission, review, and dismissal (ARD) committee considers the language needs of the child as required by the Individuals with Disabilities Education Act (IDEA) and its accompanying federal regulations, state statutes and regulations.

**PERSONS RESPONSIBLE:** ARD and LPAC Committee