

The State Board of Education (SBOE) proposes new §120.20 and §120.21, concerning English language proficiency standards (ELPS). The proposed new sections would relocate the ELPS from 19 TAC §74.4 and include updates to ensure the standards remain current and comply with federal requirements.

**BACKGROUND INFORMATION AND JUSTIFICATION:** In 1998, standards for English as a second language (ESL) for students in Kindergarten-Grade 12 were adopted as part of 19 TAC Chapter 128, Texas Essential Knowledge and Skills for Spanish Language Arts and Reading and English as a Second Language. In a subsequent Title III monitoring visit, the U.S. Department of Education (USDE) indicated that there was insufficient evidence demonstrating that the ESL standards outlined in 19 TAC Chapter 128 were aligned to state academic content and achievement standards in mathematics, as required by the No Child Left Behind Act (NCLB), §2113(b)(2). In November 2007, the SBOE adopted the ELPS as part of 19 TAC Chapter 74, Curriculum Requirements, to comply with NCLB requirements. The adopted ELPS in 19 TAC §74.4 clarified that state standards in English language acquisition must be implemented as an integral part of the instruction in each foundation and enrichment subject. Additionally, English language proficiency levels of beginning, intermediate, advanced, and advanced high in the domains of listening, speaking, reading, and writing were established as part of the ELPS, as required by NCLB. The superseded second language acquisition standards in 19 TAC Chapter 128 were also repealed in September 2008 during the process of revising the Texas Essential Knowledge and Skills (TEKS) in 19 TAC Chapters 110 and 128.

The SBOE began review and revision of the ELPS in 2019, in accordance with the SBOE's approved TEKS and instructional materials review schedule. Applications to serve on ELPS review work groups were posted on the Texas Education Agency (TEA) website in December 2018, and TEA distributed a survey to collect information from educators regarding the current ELPS. Work groups were convened in March, May, August, September, and October 2019. In September 2019, the USDE indicated that Texas only partially met the requirements of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, and requested additional evidence that the ELPS are aligned to the state's academic content standards and contain language proficiency expectations needed for emergent bilingual students to demonstrate achievement of the state academic standards appropriate to each grade level/grade band in at least reading language arts, mathematics, and science.

In response to feedback from work group members and the USDE, TEA staff convened a panel of experts in second language acquisition from Texas institutions of higher education to complete an analysis of the work group recommendations and current research on English language acquisition. Based on the panel's findings and direction from the SBOE, TEA executed personal services contracts with the panel members and a representative of an education service center to prepare a draft of revisions to the ELPS. Text of the draft ELPS completed by the writers' panel was presented to the SBOE at the June 2023 SBOE meeting.

Applications to serve on the 2023-2024 ELPS review work groups were collected by TEA from June 2023 through January 2024. TEA staff provided SBOE members with applications for approval to serve on ELPS work groups in July, September, and December 2023 and January 2024. ELPS review work groups were convened in August, September, and November 2023 and in March 2024 with the charge of reviewing and revising the expert panel's draft. In April 2024, the SBOE held a discussion on the proposed new ELPS, and in May and June 2024 TEA convened a final work group to complete the recommendations for the new ELPS.

The new sections would propose new ELPS for implementation in the 2026-2027 school year. To make the ELPS easier for the public to locate and to improve organization of the standards, it is recommended that the standards be moved from 19 TAC §74.4 to 19 TAC Chapter 120, Subchapter B.

The SBOE approved the proposed new sections for first reading and filing authorization at its June 28, 2024 meeting.

**FISCAL IMPACT:** Monica Martinez, associate commissioner for standards and programs, has determined that for the first five years the proposal is in effect (2024-2028), there will be fiscal implications to state government. For fiscal year 2024, the estimated cost to TEA to reimburse committee members for travel to review and revise the ELPS is \$50,000. There will be implications for TEA if the state develops professional development to help teachers and administrators understand the revised ELPS.

There may be fiscal implications for school districts and charter schools to implement the proposed new ELPS, which may include the need for professional development and revisions to district-developed databases, curriculum, and scope and sequence documents. Since curriculum and instruction decisions are made at the local district level, it is difficult to estimate the fiscal impact on any given district.

**LOCAL EMPLOYMENT IMPACT:** The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would create new regulations by requiring new, more specific, ELPS to be taught by school districts and charter schools.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** Ms. Martinez has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to better align the ELPS for second language acquisition to ensure the standards are current and comply with federal requirements. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** The proposal would have no data or reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** The public comment period on the proposal begins August 2, 2024, and ends at 5:00 p.m. on September 3, 2024. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in September 2024 in accordance with the SBOE board operating policies and procedures. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the Texas Register on August 2, 2024.

**STATUTORY AUTHORITY.** The new sections are proposed under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; and TEC, §29.051, which establishes bilingual education and special language programs in public schools and provides supplemental financial assistance to help school districts meet the extra costs of the programs.

**CROSS REFERENCE TO STATUTE.** The new sections implement Texas Education Code, §§7.102(c)(4), 28.002(a), and 29.051.

<rule>

§120.20. English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2026-2027 school year.
- (b) General requirements. In fulfilling the requirements of this section, school districts and charter schools 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 pre-production, beginning, intermediate, high intermediate, and advanced levels delineated in subsection (e) 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 (d) 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 emergent bilingual (EB) students in Kindergarten-Grade 12 who are at the pre-production, beginning, or intermediate level of English language proficiency in listening, speaking, reading, or writing as determined by the state's English language proficiency assessment system. These EB students require focused, targeted, and systematic second language acquisition instruction to provide them with the foundation of English language necessary to support content-based instruction and accelerated learning of English.
- (c) Introduction.
- (1) The English language proficiency standards (ELPS) outline student expectations and proficiency level descriptors for EB students in English. The ELPS are organized across four language domains: listening, speaking, reading, and writing.
  - (2) Language acquisition is a complex process that consists of several interrelated components, including phonetics, phonology, semantics, syntax, morphology, and pragmatics. As students develop proficiency in these language structures, they are able to make connections between their primary language and English.
  - (3) Classroom contexts foster social and academic registers, which are types of language appropriate for a situation or setting, to support language proficiency. Informal (social) language consists of English needed for students to effectively interact, exchange ideas, and engage in various settings and contexts. Formal (academic) language consists of oral and written language used to build knowledge, participate in content-specific discourse, and process complex academic material found in formal school settings and interactions.
  - (4) The progression of skills in the four language domains are developed simultaneously and can be divided into two categories: receptive skills and expressive skills. Listening and reading are the receptive (input) skills. Students' development in receptive skills is necessary for comprehension and attainment of the English language and content. Speaking and writing are the expressive (output) skills. Students' ability to express and share their personal ideas and content knowledge allow teachers the opportunity to check for understanding and adjust instruction. Effective content-based language instruction involves engaging EB students in scaffolded opportunities to listen, speak, read, and write at their current levels of proficiency while gradually increasing linguistic complexity.
  - (5) In order for EB students to be successful, educators must create an environment that welcomes and encourages students to leverage their unique cultural and linguistic experiences as they develop

English language skills and learn academic content. Educators must cultivate an approach that integrates students' and their families' funds of knowledge into the classroom instructional practices. Culturally and linguistically sustaining practices leverage and celebrate students' cultural heritage and backgrounds while elevating their cultural and linguistic identities. Teaching and learning cognates that connect both (or multiple) languages can also construct bridges between languages and increase confidence as English language acquisition progresses.

- (6) The ELPS student expectations are the knowledge and skills students must demonstrate. They indicate what students should know and be able to do in order to meet academic content standards. Proficiency level descriptors describe behaviors EB students exhibit across five proficiency levels as they acquire English. EB students may exhibit different proficiency levels within and across the domains of listening, speaking, reading, and writing.
  - (7) The ELPS demonstrate an asset-based approach to address the affective, linguistic, and cognitive needs of EB students in accordance with §89.1210(b) of this title (relating to Program Content and Design) as follows:
    - (A) acknowledge and leverage the existing funds of knowledge students possess, including linguistic repertoire, cultural heritage, and background knowledge;
    - (B) demonstrate targeted and intentional academic language skills to ensure content-area teachers are able to accurately evaluate the abilities of EB students and scaffold toward increasingly complex English students hear, speak, and are expected to read and write; and
    - (C) provide an exact and incremental measure of the stages of English language acquisition with attention to the fact that EB students at all levels of proficiency can engage in cognitively demanding tasks and master the required essential knowledge and skills with appropriate language support.
  - (8) The proficiency level descriptors are organized into general proficiency level descriptors and content-area proficiency level descriptors. General proficiency level descriptors are descriptions of a broad scope of student behaviors that can be observed in a variety of educational settings and across content areas. Content-area proficiency level descriptors describe student behaviors and language associated with discipline-specific learning in English language arts and reading, mathematics, science, and social studies.
- (d) Cross-curricular English language acquisition student expectations.
- (1) Student expectations--listening. The EB student listens to a variety of speakers, including teachers, peers, and multimedia, to gain an increasing level of comprehension in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels in listening. The student is expected to:
    - (A) distinguish sounds and intonation patterns by responding orally, in writing, or with gestures;
    - (B) demonstrate an understanding of content-area vocabulary when heard during formal and informal classroom interactions by responding with gestures or images, orally, or in writing;
    - (C) follow oral directions with accuracy;
    - (D) use context to construct the meaning of descriptive language, words with multiple meanings, register, or figurative language such as idiomatic expressions heard during formal and informal classroom interactions;
    - (E) demonstrate listening comprehension from information presented orally during formal and informal classroom interactions by recalling, retelling, responding, or asking for clarification or additional details; and
    - (F) derive meaning from a variety of auditory multimedia sources to build and reinforce concepts and language acquisition.

- (2) Student expectations--speaking. The EB student speaks using a variety of language structures for a variety of purposes with an awareness of different language registers (formal/informal) using vocabulary with increasing accuracy and fluency in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency level of English language acquisition in speaking. The student is expected to:
- (A) produce sounds of newly acquired vocabulary such as long and short vowels, silent letters, and consonant clusters to pronounce words with accuracy;
  - (B) speak using content-area vocabulary during formal and informal classroom interactions to demonstrate acquisition of new words and high-frequency words;
  - (C) speak using a variety of language and grammatical structures, sentence lengths and types, and connecting words;
  - (D) speak using appropriate register to convey a message during formal and informal classroom interactions with accuracy and fluency;
  - (E) narrate, describe, or explain information or persuade orally with increasing specificity and detail during formal and informal classroom interactions; and
  - (F) restate, ask questions about, or respond to information during formal and informal classroom interactions.
- (3) Student expectations--reading. The EB student reads a variety of texts for different purposes with an increasing level of comprehension in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels of English language acquisition in reading. For Kindergarten and Grade 1, certain student expectations apply to text read aloud for students not yet at the stage of decoding written text. The student is expected to:
- (A) demonstrate awareness of print concepts and directionality of reading as left to right and top to bottom;
  - (B) decode words using relationships between sounds and letters;
  - (C) use high-frequency words, cognates, and content-area vocabulary to comprehend written classroom materials;
  - (D) use context to construct the meaning of figurative language such as idiomatic expressions, descriptive language, and words with multiple meanings to comprehend classroom materials;
  - (E) use pre-reading strategies, including previewing text features, connecting to prior knowledge, organizing ideas, and making predictions, to develop comprehension;
  - (F) derive meaning from and demonstrate comprehension of content-area texts using visual, contextual, and linguistic supports;
  - (G) demonstrate reading comprehension of content-area texts by making connections, retelling, or responding to questions; and
  - (H) read with fluency and demonstrate comprehension of content-area text.
- (4) Student expectations--writing. The EB student writes using a variety of language structures with increasing accuracy to effectively address a variety of purposes (formal and informal) and audiences in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels of English language acquisition in writing. For Kindergarten and Grade 1, certain student expectations do not apply until the student has reached the proficiency level of generating original written text using a standard writing system. The student is expected to:
- (A) apply relationships between sounds and letters of the English language to represent sounds when writing;

- (B) spell words following conventional spelling patterns and rules;
  - (C) write using high-frequency words and content-area vocabulary;
  - (D) write using a variety of grade-appropriate sentence lengths and types and connecting words;
  - (E) write formal or informal text using conventions such as capitalization and punctuation and grammatical structures such as subject-verb agreement and verb tense; and
  - (F) write to narrate, describe, explain, respond, or persuade with detail in the content areas.
- (e) Proficiency level descriptors.
- (1) The following five proficiency levels describe students' progress in English language acquisition.
    - (A) Pre-production. The pre-production level, also known as the silent period, is the early stage of English language acquisition when receptive language is developing. Students develop comprehension when highly scaffolded instruction and linguistic support are provided. Student responses are mostly non-verbal.
    - (B) Beginning. The beginning level is characterized by speech emergence (expressive language) using one word or two-to-three-word phrases. Students at this level require highly scaffolded instruction and linguistic support. Students at this level begin to consistently use present tense verbs and repeat keywords and familiar phrases when engaging in formal and informal interactions.
    - (C) Intermediate. The intermediate level is characterized by the ability to use receptive and expressive language with demonstrated literal comprehension. Students at this level need moderately scaffolded instruction and linguistic support. Additional visual and linguistic support is needed to understand unfamiliar or abstract concepts such as figurative language, humor, and cultural or societal references. Students at this level begin to consistently use short phrases and simple sentences or ask short questions to demonstrate comprehension during formal and informal interactions.
    - (D) High intermediate. Students at the high intermediate level begin to consistently use a variety of sentence types, express opinions, share thoughts, and ask for clarification. Students at this level have an increased level of literal and abstract comprehension. Students may need minimal scaffolded instruction and linguistic support to engage in formal and informal classroom interactions.
    - (E) Advanced. The advanced level is characterized by the ability of students to engage in formal and informal classroom interactions with little to no linguistic support. Students at this level engage in discourse using content-area vocabulary and a variety of grammatical structures with increasing accuracy.
  - (2) The Kindergarten-Grade 3 proficiency level descriptors are described in the figure provided in this paragraph.

Figure: 19 TAC §120.20(e)(2)

§120.21. English Language Proficiency Standards, Grades 4-12, Adopted 2024.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2026-2027 school year.
- (b) General requirements. In fulfilling the requirements of this section, school districts and charter schools 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 pre-production, beginning, intermediate, high intermediate, and advanced levels delineated in subsection (e) 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 (d) 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 emergent bilingual (EB) students in Kindergarten-Grade 12 who are at the pre-production, beginning, or intermediate level of English language proficiency in listening, speaking, reading, or writing as determined by the state's English language proficiency assessment system. These EB students require focused, targeted, and systematic second language acquisition instruction to provide them with the foundation of English language necessary to support content-based instruction and accelerated learning of English.

(c) Introduction.

- (1) The English language proficiency standards (ELPS) outline student expectations and proficiency level descriptors for EB students in English. The ELPS are organized across four language domains: listening, speaking, reading, and writing.
- (2) Language acquisition is a complex process that consists of several interrelated components, including phonetics, phonology, semantics, syntax, morphology, and pragmatics. As students develop proficiency in these language structures, they are able to make connections between their primary language and English.
- (3) Classroom contexts foster social and academic registers, which are types of language appropriate for a situation or setting, to support language proficiency. Informal (social) language consists of English needed for students to effectively interact, exchange ideas, and engage in various settings and contexts. Formal (academic) language consists of oral and written language used to build knowledge, participate in content-specific discourse, and process complex academic material found in formal school settings and interactions.
- (4) The progression of skills in the four language domains are developed simultaneously and can be divided into two categories: receptive skills and expressive skills. Listening and reading are the receptive (input) skills. Students' development in receptive skills is necessary for comprehension and attainment of the English language and content. Speaking and writing are the expressive (output) skills. Students' ability to express and share their personal ideas and content knowledge allow teachers the opportunity to check for understanding and adjust instruction. Effective content-based language instruction involves engaging EB students in scaffolded opportunities to listen, speak, read, and write at their current levels of proficiency while gradually increasing linguistic complexity.
- (5) In order for EB students to be successful, educators must create an environment that welcomes and encourages students to leverage their unique cultural and linguistic experiences as they develop English language skills and learn academic content. Educators must cultivate an approach that integrates students' and their families' funds of knowledge into the classroom instructional practices. Culturally and linguistically sustaining practices leverage and celebrate students' cultural heritage and backgrounds while elevating their cultural and linguistic identities. Teaching and learning cognates that connect both (or multiple) languages can also construct bridges between languages and increase confidence as English language acquisition progresses.
- (6) The ELPS student expectations are the knowledge and skills students must demonstrate. They indicate what students should know and be able to do in order to meet academic content standards. Proficiency level descriptors describe behaviors EB students exhibit across five proficiency levels as they acquire English. EB students may exhibit different proficiency levels within and across the domains of listening, speaking, reading, and writing.

- (7) The ELPS demonstrate an asset-based approach to address the affective, linguistic, and cognitive needs of EB students in accordance with §89.1210(b) of this title (relating to Program Content and Design) as follows:
- (A) acknowledge and leverage the existing funds of knowledge students possess, including linguistic repertoire, cultural heritage, and background knowledge;
  - (B) demonstrate targeted and intentional academic language skills to ensure content-area teachers are able to accurately evaluate the abilities of EB students and scaffold toward increasingly complex English students hear, speak, and are expected to read and write; and
  - (C) provide an exact and incremental measure of the stages of English language acquisition with attention to the fact that EB students at all levels of proficiency can engage in cognitively demanding tasks and master the required essential knowledge and skills with appropriate language support.
- (8) The proficiency level descriptors are organized into general proficiency level descriptors and content-area proficiency level descriptors. General proficiency level descriptors are descriptions of a broad scope of student behaviors that can be observed in a variety of educational settings and across content areas. Content-area proficiency level descriptors describe student behaviors and language associated with discipline-specific learning in English language arts and reading, mathematics, science, and social studies.
- (d) Cross-curricular English language acquisition student expectations.
- (1) Student expectations--listening. The EB student listens to a variety of speakers, including teachers, peers, and multimedia, to gain an increasing level of comprehension in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels in listening. The student is expected to:
    - (A) distinguish sounds and intonation patterns by responding with gestures or images, orally, or in writing;
    - (B) use contextual factors or word analysis such as cognates, Greek and Latin prefixes, suffixes, and roots to comprehend content-specific vocabulary when heard during formal and informal classroom interactions by responding with gestures or images, orally, or in writing;
    - (C) respond with accuracy to oral directions, instructions, and requests;
    - (D) use context to construct the meaning of descriptive language, words with multiple meanings, register, and figurative language such as idiomatic expressions heard during formal and informal classroom interactions;
    - (E) demonstrate listening comprehension from information presented orally during formal and informal classroom interactions by restating, responding, paraphrasing, summarizing, or asking for clarification or additional details; and
    - (F) derive meaning from a variety of auditory multimedia sources to build and reinforce concepts and language acquisition.
  - (2) Student expectations--speaking. The EB student speaks using a variety of language structures for a variety of purposes with an awareness of different language registers (formal/informal) using vocabulary with increasing accuracy and fluency in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency level of English language acquisition in speaking. The student is expected to:
    - (A) pronounce words, including high-frequency words, cognates, and increasingly complex syllable types, with accuracy;
    - (B) speak using content-area vocabulary during formal and informal classroom interactions to demonstrate acquisition of new words and high-frequency words;



- (C) speak using a variety of language and grammatical structures, sentence lengths and types, and transition words;
  - (D) speak using appropriate register to convey a message during formal and informal classroom interactions with accuracy and fluency;
  - (E) narrate, describe, explain, justify, discuss, elaborate, or evaluate orally with increasing specificity and detail in academic context or discourse; and
  - (F) restate, ask questions about, or respond to information during formal and informal classroom interactions.
- (3) Student expectations--reading. The EB student reads a variety of texts for different purposes with an increasing level of comprehension in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels of English language acquisition in reading. The student is expected to:
- (A) demonstrate awareness of print concepts and directionality of reading as left to right and top to bottom;
  - (B) decode words using the relationships between sounds and letters and identify syllable patterns, cognates, affixes, roots, or base words;
  - (C) use high-frequency words, contextual factors, and word analysis such as Greek and Latin prefixes, suffixes, and roots and cognates to comprehend content-area vocabulary in text;
  - (D) use context to construct the meaning of figurative language such as idiomatic expressions, descriptive language, and words with multiple meanings to comprehend a variety of text;
  - (E) use pre-reading strategies, including previewing the text features, connecting to prior knowledge, organizing ideas, and making predictions to develop comprehension;
  - (F) derive meaning from and demonstrate comprehension of content-area texts using visual, contextual, and linguistic supports;
  - (G) demonstrate reading comprehension of content-area texts by retelling, paraphrasing, summarizing, and responding to questions; and
  - (H) read with fluency and prosody and demonstrate comprehension of content-area text.
- (4) Student expectations--writing. The EB student writes using a variety of language structures with increasing accuracy to effectively address a variety of purposes (formal and informal) and audiences in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels of English language acquisition in writing. The student is expected to:
- (A) apply relationships between sounds and letters of the English language to represent sounds when writing;
  - (B) write text following conventional spelling patterns and rules;
  - (C) write using a combination of high-frequency words and content-area vocabulary;
  - (D) write content-area texts using a variety of sentence lengths and types and transition words;
  - (E) write content-area specific text using conventions such as capitalization, punctuation, and abbreviations and grammatical structures such as subject-verb agreement, verb tense, possessive case, and contractions; and
  - (F) write to narrate, describe, explain, respond, or justify with supporting details and evidence using appropriate content, style, register, and conventions for specific purpose and audience.

(e) Proficiency level descriptors.

- (1) The following five proficiency levels describe students' progress in English language acquisition.
- (A) Pre-production. The pre-production level, also known as the silent period, is the early stage of English language acquisition when receptive language is developing. Students develop comprehension when highly scaffolded instruction and linguistic support are provided. Student responses are mostly non-verbal.
  - (B) Beginning. The beginning level is characterized by speech emergence (expressive language) using one word or two-to-three-word phrases. Students at this level require highly scaffolded instruction and linguistic support. Students at this level begin to consistently use present tense verbs and repeat keywords and familiar phrases when engaging in formal and informal interactions.
  - (C) Intermediate. The intermediate level is characterized by the ability to use receptive and expressive language with demonstrated literal comprehension. Students at this level need moderately scaffolded instruction and linguistic support. Additional visual and linguistic support is needed to understand unfamiliar or abstract concepts such as figurative language, humor, and cultural or societal references. Students at this level begin to consistently use short phrases and simple sentences or ask short questions to demonstrate comprehension during formal and informal interactions.
  - (D) High intermediate. Students at the high intermediate level begin to consistently use a variety of sentence types, express opinions, share thoughts, and ask for clarification. Students at this level have an increased level of literal and abstract comprehension. Students may need minimal scaffolded instruction and linguistic support to engage in formal and informal classroom interactions.
  - (E) Advanced. The advanced level is characterized by the ability of students to engage in formal and informal classroom interactions with little to no linguistic support. Students at this level engage in discourse using content-area vocabulary and a variety of grammatical structures with increasing accuracy.
- (2) The Grades 4-12 proficiency level descriptors are described in the figure provided in this paragraph.

Figure: 19 TAC §120.21(e)(2)