

## Overview

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If a district/local education agency (LEA), including school districts, open-enrollment charters, and districts of innovation, does not have the appropriately certified educators for their required bilingual education or English as a second language (ESL) program, the district will file the applicable bilingual education exception or ESL waiver for the teachers and students impacted, per TEC §29.054 and 19 TAC §89.1207. This is a provisional measure taken to report the current needs of the district and to specify the actions to be taken in order to secure the appropriately certified staff, provide training and support to the teachers under the exception/waiver, and to verify the implementation of a temporary alternative language program code that will continue to meet the affective, linguistic, and cognitive needs of the emergent bilingual (EB) students/English learners and aligns as closely as possible to the required bilingual or ESL program.

The district’s bilingual/ESL program contact and/or Human Resources contact may complete and submit the exception/waiver application. Additionally, the application includes a verification that the superintendent has reviewed and approved the application.

The Bilingual Education Exception/ESL Waiver Application has two parts:




1. [Part 1](#) – District Information/Data Dashboard Application (Excel file)
2. [Part 2](#) – Alternative Language Program Code and Recruiting Activities (fillable PDF)

Completed applications must be submitted to TEA with both attachments and emailed to [BilingualExceptions\\_ESLWaivers@tea.texas.gov](mailto:BilingualExceptions_ESLWaivers@tea.texas.gov). The file names must follow this format: Full District Name (no abbreviations) + Bilingual Education Exception and/or ESL Waiver (as applicable). The files must *not* be converted to a zip file, nor the Excel file converted to a PDF.

For answers to frequently-asked-questions, see the [Bilingual Exceptions/ESL Waivers FAQ](#). For additional questions or clarification regarding bilingual education exceptions and/or ESL waivers, please contact the English Learner Support Division inbox at [EnglishLearnerSupport@tea.texas.gov](mailto:EnglishLearnerSupport@tea.texas.gov).

## Part 1 – District Information and Data Submission

This part of the Bilingual Education Exception/ESL Waiver Application is an Excel file and includes color coding for additional clarity on which sections are needed for completion:

-  Tabs 1, 4, and 5: Complete if submitting a bilingual education exception, ESL waiver, or both.
-  Tab 2: Complete only if submitting a bilingual education exception.
-  Tab 3: Complete only if submitting an ESL waiver.

If submitting for both a bilingual education exception and an ESL waiver, all sections of the application must be completed.

### Tab 1 – District Information and Data Dashboard

#### District Information

- Enter information:
  - *County District Number (CDN)*: Enter your CDN without any dashes. If you do not know your CDN, use the built-in tool to look for it in [AskTED](#).

- *Emergent Bilingual (EB) Students/English Learners (ELs) District-Wide*: Enter total number of identified EB students/ELs (including those with a parental denial of services) across the district.
- *Bilingual/ESL Contact Name, Email Address, and Phone Number (including extension, if applicable)*: Enter information for contact who will be able to answer questions regarding the submission of the application.
- **Prepopulated:**
  - *District Name, ESC Region, Superintendent Name, and Email, Human Resource Contact Name, and Email Address*: These fields will pre-populate once you enter the correct CDN for your district. Feel free to manually make any changes if the information that pre-populates is incorrect or missing.
  - *Application For*: This field will pre-populate once you fill out either the bilingual exception and/or ESL tabs (either tab 2 or tab 3 or both).
  - *Assurances Verified*: This field will pre-populate once you have reviewed and approved the assurances stated in tab 4 of the application.

## Bilingual Education Exception

**Skip this section if not applying for a bilingual education exception.**

- Report a District-Wide Number:
  - *Bilingual Certified (all personnel) Employed in the District*: This includes principals, vice-principals, and other staff who have their bilingual education certification but are serving in another role.
  - *Bilingual Certified Teachers Currently Teaching in a Bilingual Education Program*
- The following fields will prepopulate, as applicable, after completing Tab 2:
  - *Teachers needed to instruct EB students/ELs under a bilingual education exception (Spanish)*
  - *Teachers needed to instruct EB students/ELs under a bilingual education exception (languages other than Spanish)*
  - *Teachers needed to instruct EB students/ELs under a Bilingual Education Exception (Spanish and other languages)*

## English as a Second Language (ESL) Waiver

**Skip this section if not applying for an ESL waiver.**

- Report a District-Wide Number:
  - *ESL Certified (all personnel) Employed in the District*: This includes principals, vice-principals, and other staff who have their ESL certification but are serving in another role.
  - *ESL Certified Teachers (all grade levels) Currently Teaching in an ESL Program*
- *Teachers needed to instruct EB students/ELs under an ESL Waiver*: This field will prepopulate, as applicable, after completing Tab 3.

## Tab 2 – Bilingual Education Exception

**Skip this tab if not applying for a bilingual education exception.**

- *Campus District Campus (CDC) Number*: Enter your CDC without any dashes. If you do not know your CDC, use the built-in tool to look for it in [AskTED](#).

- *Campus Name*: Enter the campus name and check that it matches the campus name prepopulated at the end of the row on the far right (after the totals).
- *Language of Exception*: Do not use any abbreviations.
  - For Spanish, enter the full word to ensure appropriate calculation into the prepopulated data for Spanish exceptions in Tab 1.
  - Any other language entered will be automatically calculated and prepopulated into the exceptions for Languages Other Than Spanish in Tab 1.
  - If a campus has multiple languages under an exception, enter the campus’s data for each language on its own row.
- For each/all grade(s) lacking appropriately certified teacher(s) for the bilingual education program at the campus that is listed, enter the following information:
  - *Number of Students under Exception*: Be sure only to calculate EB students/ELs who are instructed by a teacher(s) that is/are not appropriately certified for the bilingual education program.
  - *Number of Classrooms under Exception/Number of Teachers under Exception*: Take into consideration the pupil-teacher ratio when determining the number of classrooms and teachers needed under an exception when these students would be grouped differently to fully implement the bilingual education program.
- *Expected Bilingual Certification Assessment Date*: Enter the projected date for the teacher(s) to become appropriately certified (ex: May 2023).
- Continue entering all the campuses in your district that do not have the appropriately certified teachers for the bilingual education program.

The **Total** numbers of students, classrooms, and teachers under the exception will prepopulate at the end of each row. Also, key information that has been entered in Tab 2 (Bilingual Education Exception) will pre-populate in your District Information/Data Dashboard on Tab 1 in the blue section for Bilingual Education Exceptions.

## Tab 3 – ESL Waiver

**Skip this tab if not applying for an ESL waiver.**

- *Campus District Campus (CDC) Number*: Enter your CDC without any dashes. If you do not know your CDC, use the built-in tool to look for it in [AskTED](#).
- *Campus Name*: Enter the campus name and check that it matches the campus name prepopulated at the end of the row on the far right (after the estimated assessment date).
- *Number of Teachers*: Enter the total number of teachers at that campus who will be under an ESL Waiver.
- *Grade Level*: Enter the grade level(s) of the teacher’s/teachers’ students under the ESL waiver.
- *Expected ESL Certification Assessment Date*: Enter the projected date for the teacher(s) to become appropriately certified (ex: May 2023).
- Continue entering all the campuses in your district that do not have the appropriately certified ESL teachers needed.

Note: Key information that has been entered in Tab 3 (ESL Waiver) will pre-populate in your District Information/Data Dashboard on Tab 1 in the green section for ESL Waivers.

## Tab 4 – Assurances

- Verify the assurances and select a response from the drop down located in Column B.
- A “yes” response will prepopulate under “Assurances Verified” in Tab 1. This response verifies that the district’s superintendent has reviewed and approved the application in full awareness of the assurances. For reference, assurances can be found in 19 TAC §89.1207.

## Tab 5 – Alternative instructional methods during the temporary assignment of the Alternative Language Program Code

Tab 5 provides a link to Part 2 of the application process: *Alternative Language Program Code and Recruiting Activities (including Action Plan and Comprehensive PD Plan that comprises test preparation sessions and instructional evidenced-based practices)* narrative responses.

### Verify Prepopulated Information in Tab 1

Prior to completing Part 2 of the application, verify all of the prepopulated information in Tab 1 (District Information/Data Dashboard).

## Part 2 – Alternative Language Program Code and Recruiting Activities

Complete the [Alternative Language Program Code and Recruiting Activities form \(fillable PDF\)](#).

## Application Submission

- Prepare email to [BilingualExceptions\\_ESLWaivers@tea.texas.gov](mailto:BilingualExceptions_ESLWaivers@tea.texas.gov).
- Ensure the following two documents are attached prior to submission:
  - District Information/Data Dashboard Application (Excel file)
  - Alternative Language Program Code and Recruiting Activities Form (fillable PDF)
- Remember:
  - The attached file names must follow this format: Full District Name (no abbreviations) + Bilingual Education Exception and/or ESL Waiver (as applicable).
  - The attached files must *not* be converted to a zip file, nor the Excel file converted to a PDF.
  - Do not include any additional attachments with your application.
- Save a copy of the application documents for your records prior to submission.