

<b>DATE:</b>	<b>October 3, 2019</b>
<b>SUBJECT:</b>	<b>2019-2020 Bilingual Education Exception/ESL Waiver Application</b>
<b>CATEGORY:</b>	<b>Special Populations</b>
<b>NEXT STEPS:</b>	<b>Share with appropriate staff</b>

The 2019-2020 Bilingual Education Exception/ESL Waiver Application and instructions are now available on the TEA Bilingual and English as a Second Language Education Programs webpage at <http://tea.texas.gov/bilingual/esl/education/>.

Pursuant to 19 TAC §89.1207(a)(1), (b)(1), a district or charter school that does not have the appropriately certified teachers to serve ELs in Texas must apply to Texas Education Agency (TEA) for a bilingual exception and/or ESL waiver. The approval of an exception and/or a waiver shall be valid only during the school year for which it was granted.

Districts and charter schools are required to identify and serve English Learners (ELs) through bilingual education or English as a second language (ESL) programs. School districts that have adopted a local innovation plan and are designated as an Innovation District are not exempt from this requirement.

Districts and charter schools that apply for a bilingual exception and/or ESL waiver must develop a comprehensive professional development plan targeting the competencies needed to serve English learners. At least 10% of the total Bilingual Education Allotment funds shall be utilized to fund the professional development mentioned in the plan, regardless if the district or charter school is applying for a bilingual exception and/or ESL waiver.

All applications are due on or before November 1, 2019, and must be submitted to the Texas Education Agency as an attachment to: [BilingualExceptions\\_ESLWaivers@tea.texas.gov](mailto:BilingualExceptions_ESLWaivers@tea.texas.gov).

**Bilingual Education Program Exception:** Districts or charter schools that are *unable to provide bilingual certified teachers to implement the bilingual program* in the elementary grades are required to request from the commissioner of education an exception to the bilingual education program and approval to offer an alternative program. For districts or charter schools implementing a bilingual education program at the secondary level, the same certification requirements apply.

**ESL Program Waiver:** Districts or charter schools that are *unable to provide ESL certified teachers to implement the ESL program* are required to request from the commissioner of education a waiver of the certification requirements for teachers who will provide ESL instruction.

If you have questions or need additional information regarding Bilingual Education Exceptions and/or ESL Waivers, please call (512) 463-9414 or email the English Learner Support Inbox at [EnglishLearnerSupport@tea.texas.gov](mailto:EnglishLearnerSupport@tea.texas.gov).