

Overview

With legislation addressing remote instruction pending in the second called 87th legislative session, the Texas Education Agency's Division of English Learner Support has drafted guidance on supporting emergent bilingual (EB) students in [remote learning settings](#). Please note that, as a result of Senate Bill 2066 of the 87th Regular Session, the term of emergent bilingual (EB) student has replaced limited English proficient (LEP) student in the Texas Education Code, and thus will be replacing English learner (EL) in the Texas Administrative Code and supporting guidance documents.

Frequently Asked Questions

- 1) If the family of an EB student who participates in the ESL program of a local educational agency (LEA) opts for a remote learning setting, is the LEA required to continue ESL program services in the remote setting?

Yes. The LEA must continue ESL program services for EB students if participating in a remote learning setting, which includes providing the appropriately certified teacher(s) for the ESL program. If the EB students participating in a remote ESL program prior to November 1, 2021 do not receive at a minimum their English reading and language arts instruction by an ESL certified teacher to fulfill the requirements of an ESL pull-out model, an ESL waiver must be filed by the LEA, and a temporary alternative language program will be in place in accordance with 19 TAC §89.1207.

- 2) When an LEA has a bilingual program that is provided in person and is not offered as a remote learning option, what are the procedures for placing and coding EB students currently served in a bilingual program in a non-bilingual program remote learning setting?
- Parents of EB students currently served in a bilingual program who are requesting access to the remote learning option must be informed that the student's current bilingual program services will be offered in-person only, not remote.
 - If parents choose the remote learning option with the understanding that bilingual program services will not be offered, the LEA should do the following:
 - Obtain parental approval to deny bilingual program services, encourage parents to consent to receive ESL program services, and place the student in a remote learning setting with a minimum of reading and language arts instruction provided by an ESL certified teacher (to fulfill the requirements of an ESL pull-out model). The LEA may create a form specific to the remote context in which the parents temporarily deny bilingual program services in order to participate in a remote learning setting, or the LEA may use its standard form already in place for parental denial of bilingual program participation and acceptance of ESL program participation.
 - Code EB students previously served in a bilingual program and now participating in an ESL program as follows, based on the [Code Guide for Bilingual and ESL Program Association](#):
 - LEP/EL Indicator: 1 (identified as an emergent bilingual)
 - Parental Permission: A (denied bilingual program, consented to ESL program)

- Bilingual Program Code: 0 (not participating in bilingual program)
 - ESL Program Code: 2 (content based) or 3 (pull out)
 - Alternative Language Program Code: 00 (not participating in alternative language program; not under bilingual exception or ESL waiver)
- The codes above shall be changed, as appropriate, whenever the child is once again served in the bilingual program.
 - If the EB students who now have parental consent for an ESL program do not have the appropriately certified ESL teacher(s) in the remote learning setting prior to November 1, 2021, the remote learning teacher(s) should be under the LEA's ESL waiver.
 - Keep internal records on the EB students previously served in a bilingual program to ensure that they are returned to the bilingual program with updated parental consent and coding when they return to in-person instruction or when the appropriately certified teacher(s) is/are provided to offer the bilingual program in a remote learning setting, whichever comes first. This is critical for all students, especially those who may change LEAs prior to their return to the bilingual program.

3) What are the instructional considerations for serving EB students previously served in the bilingual program whose parents have temporarily consented to ESL program services?

- The ESL teacher serving EB students previously served in the bilingual program should be informed of the EB students' previous program participation, including language allocation plan.
- Ongoing support for the ESL teacher in the remote learning setting should include an emphasis on
 - linguistic accommodations appropriate for the EB students previously served in a bilingual program and now in all-English remote instruction;
 - access to targeted resources in the students' primary language (e.g., academic vocabulary lists, cognate lists, texts, cross-curricular content);
 - effective practices, such as [5 Instructional Methods for Teachers of Emergent Bilinguals During Remote Learning](#); and
 - intentional use of the ELPS coupled with all content TEKS to develop academic language.
- It is recommended that the LEA provides supplemental primary language access to the EB students previously served in the bilingual program in order to continue primary language literacy development. Examples include the following:
 - Remote small group sessions led by a bilingual staff member (teacher, instructional coach, paraprofessional, etc.) in which
 - students read and discuss primary language books or other text related to classroom content or
 - students participate in a book club in which they read a book of their choice and share a review with other students (may incorporate Preview, View, Review methodology).

- Student opportunities to continue developing writing skills through short responses, summaries, narratives, interactive journal entries, etc. in their primary language with coordinated feedback from a bilingual staff member
- Technology resources and the appropriate, compatible devices that provide content in both the primary language and English (e.g., online books in the primary language, bilingual sites for content enrichment)
- Designated collaboration time between the remote teacher and the previous bilingual teacher. Proactive discussion will help inform the remote teacher of student strengths and areas of growth for daily instruction as well as informed LPAC participation. Teachers can
 - discuss student work completed in the primary language,
 - collaborate on student linguistic and academic progress, and
 - facilitate communication with the students' families so parents can provide targeted primary language activities at home. (All parent communication should be in the preferred language of the family and English.)

4) How is the remote learning setting placement different from remote conferencing?

Please see the [remote conferencing FAQ](#), and notice in question 16 that during remote conferencing the appropriately certified bilingual or ESL staff is required for continued bilingual or ESL program services. If there is not an appropriately bilingual/ESL certified teacher to provide remote conferencing, consider this as a long-term substitute situation as described in question #9 of the [Bilingual Education Exception/ESL Waiver FAQ](#).