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Introduction

English Learners (ELs) are among the fastest-growing populations of students in Texas public schools. This diverse subgroup of a little over one million students brings important cultural and linguistic assets to the public education system, but also faces a greater likelihood of lower graduation rates, academic achievement, and, college enrollment than their non-EL peers.

The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 address the rights of students with disabilities in school and other educational settings. The local education agency (LEA) must promptly evaluate an EL suspected of having one or more disabilities to determine whether the EL needs aids or services to help with their educational needs. This includes regular or special education and related aids and services under IDEA or Section 504. Once a student is identified as needing special education services, an Individualized Education Program (IEP) must be developed by the Admission, Review, and Dismissal (ARD) committee. The IEP must be designed specifically for that student and must include services to meet that child's unique needs that result from his/her disability, including any specific language needs of an EL. The services must ensure the child has access to and progresses in the general education curriculum.

The IEP team [ARD committee] must consider the language needs of a child with limited English proficiency as those needs relate to the child's IEP. It is important that the IEP team [ARD committee] consider how the child's level of English language proficiency affects the special education and related services that the child needs in order to receive FAPE. Any decisions regarding the extent a child with limited English proficiency will receive instruction in English or the child's native language, the extent to which a child with limited English proficiency with a disability can participate in the general curriculum, or whether English language tutoring is a service that must be included in a child's IEP, must be made by the child's IEP team [ARD committee] and based on the individual need of the child. Title VI of the Civil Rights Act of 1964 also requires school districts to provide children with limited English proficiency with alternative language services to enable them to acquire proficiency in English and to provide them access to the total range of educational services provided by the school, including special education and related services. The IEP team [ARD committee] must also address whether the special education and related services that the child needs will be provided in a language other than English.

Ralabate Letter, OSEP, 10/9/2002

The purpose of this resource is to help ARD committees develop IEPs for English Learners that include appropriate supports for learning academic English and, when implemented, provide access to the general curriculum. Writing Culturally Relevant IEPs addresses the additional information that should be considered when developing an IEP for a student learning English as a second language.

NOTE: Throughout this document references are made to, “the content standards.” For the purposes of this document, “the content standards” are defined as the Texas Essential Knowledge and Skills (TEKS), the Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines, the Texas Prekindergarten Guidelines, or district-adopted prekindergarten curriculum for students aged three and four.
Second Language Acquisition

Children learning a second language go through a predictable and sequential series of learning stages. The five stages recognized by most researchers are: Preproduction, Early Production, Speech Emergence, Intermediate Fluency, and, Advanced Fluency (Krashen & Terrell, 1995). Each student will go through these stages at different rates due to factors such as proficiency in their native language, amount of time spent in school, family culture and, other characteristics.

Understanding the stages of language acquisition helps teachers predict and accept a student’s current stage of learning and also understand how to adjust instruction in a way that makes content comprehensible for a student that lacks the necessary language.

<table>
<thead>
<tr>
<th>The Six Stages of Second-Language Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Pre-production</strong></td>
</tr>
<tr>
<td>This is also called “the silent period,” when the student takes in the new language but does not speak it. This period often lasts six weeks or longer, depending on the individual.</td>
</tr>
<tr>
<td><strong>Early production</strong></td>
</tr>
<tr>
<td>The individual begins to speak using short words and sentences, but the emphasis is still on listening and absorbing the new language. There will be many errors in the early production stage.</td>
</tr>
<tr>
<td><strong>Speech Emergent</strong></td>
</tr>
<tr>
<td>Speech becomes more frequent, words and sentences are longer, but the individual still relies heavily on context clues and familiar topics. Vocabulary continues to increase and errors begin to decrease, especially in common or repeated interactions.</td>
</tr>
<tr>
<td><strong>Beginning Fluency</strong></td>
</tr>
<tr>
<td>Speech is fairly fluent in social situations with minimal errors. New contexts and academic language are challenging and the individual will struggle to express themselves due to gaps in vocabulary and appropriate phrases.</td>
</tr>
<tr>
<td><strong>Intermediate Fluency</strong></td>
</tr>
<tr>
<td>Communicating in the second language is fluent, especially in social language situations. The individual is able to speak almost fluently in new situations or in academic areas, but there will be gaps in vocabulary knowledge and some unknown expressions. There are very few errors, and the individual is able to demonstrate higher order thinking skills in the second language such as offering an opinion or analyzing a problem.</td>
</tr>
<tr>
<td><strong>Advanced Fluency</strong></td>
</tr>
<tr>
<td>The individual communicates fluently in all contexts and can maneuver successfully in new contexts and when exposed to new academic information. At this stage, the individual may still have an accent and use idiomatic expressions incorrectly at times, but the individual is essentially fluent and comfortable communicating in the second language.</td>
</tr>
</tbody>
</table>

BICS and CALPS

The acronyms BICS and CALP refer to the length of time required by students learning a second language to develop conversational skills in the target language (BICS) and grade appropriate academic proficiency (CALP) in that language. Understanding the difference between social language and academic language acquisition is an important concept for teachers working with students.

http://www.colorincolorado.org/faq/what-are-bics-and-calp

BICS:
Basic Interpersonal Communication Skills (BICS) refer to the language a child learns to be involved in everyday social environments such as communication on the playground, lunch room, or free time in the classroom. This type of communication is supported by the use of body language, hand gestures, and imprecise language usage. Students usually develop this level of language proficiency in six months to two years (Cummins, J. 1999).

CALP:
CALP stands for Cognitive Academic Language Proficiency and focuses on proficiency in academic language or language used in the classroom in the various content areas. Academic language is characterized by being specialized for a specific content area and usually lacks sufficient context to support comprehension without additional support. Academic language is more than just vocabulary. It is necessary for students to understand complex grammatical structures and discourse specific to a particular discipline. In addition to acquiring the language of a specific content, students need to develop general academic language and skills such as comparing, classifying, synthesizing, evaluating, and inferring when developing academic competence (Baker, 2017). Collier and Thomas (1995) found that “in U.S. schools where all instruction is given through the second language (English), non-native speakers of English with no schooling in their first language take 7-10 years or more to reach age and grade-level norms of their native English-speaking peers. English learners who have had 2-3 years of first language schooling in their home country before they come to the U.S. take at least 5-7 years to reach typical native-speaker performance.”

To date, regardless of the model of instruction, developing academic language is considered to be one of the most critical tools for academic success in school of English learners.

Hoover, 2017

CONTEXT EMBEDDED LANGUAGE:
Teachers who embed realia, props, visuals, videos, graphs, pictures, etc. within instruction make the content comprehensible to students and reduce some of the cognitive demand required during a task. Learning environments that encourage students to interact with one another also reduce the cognitive demand of tasks by allowing interpersonal clues to support the development of meaning. Context embedded communication allows the participants to negotiate meaning using body language, intonation, visuals, and gestures. There is usually a shared experience that eliminates the need for explicit language use. In the following image, Quadrants A and B are context embedded and less cognitively demanding.
**CONTEXT REDUCED LANGUAGE:**

In context reduced communication there are few, if any, clues present to support the spoken or written words to help make the language comprehensible. Context reduced language is abstract and the context is usually known only to the author. The shared experience does not exist; therefore, explicit language use is necessary to avoid misunderstanding. Quadrants C and D are context reduced and more cognitively demanding according to Jim Cummins’s construct of proficiency (1981).

Quadrants A and B include tasks that have mostly become automatized and the need for high cognitive engagement is not necessary to perform the task. Educators should not apply this framework across the masses, but consider the language proficiency of each child to determine the cognitive demands of a task. Cummins (1981) stresses that this is a continuum and not a dichotomy.

Adapted from Cummins, 1981
“Cultural and linguistic diversity does not cease to be integral to diverse students’ teaching and learning once they are placed in special education.” (Hoover, et al., p. 12)

In addition to addressing the academic and functional needs of a student with a disability, the IEP of an EL must address the English language development needs as well.

Standards-based IEPs are developed to align with grade level content standards. In Texas, the content standards are the TEKS, the Texas Infant, Toddler, and, Three-Year-Old Early Learning Guidelines, the Texas Prekindergarten Guidelines, or district-adopted prekindergarten curriculum for students aged three and four. Local education agencies (LEAs) in Texas are also required to implement the English Language Proficiency Standards (ELPS) as an integral part of each subject in the required curriculum for ELs.

A process for developing IEPs that are aligned with state academic grade-level content standards and include considerations for meeting the cultural and linguistic needs of the child is described in this resource.

A Seven Step Process to Creating Standards-based IEPs was developed by Project Forum and can be found on the Project Forum webpage on the National Association of State Directors of Special Education (NASDE) website.

This section of Writing Culturally Relevant IEPs is adapted from information from Project Forum and an online course developed by the Utah Personnel Development Network (Utah Personnel Development Center 2012).

Each step in the seven step process is followed by guiding questions for the ARD committee to consider in making data-based decisions when writing culturally relevant IEPs.

This process can help stakeholders to:
- consider each student’s strengths and needs to develop goals focused on closing the gaps between the student’s levels of academic achievement and grade-level standards; and
- use data to make decisions, including selecting the most appropriate assessment option.
Consider the grade-level content standards (TEKS) for the grade in which the student is enrolled or would be enrolled based on age.

Examine classroom and student data to determine where the student is functioning in relation to the grade-level standards.

Develop the present level of academic achievement and functional performance (PLAAFP).

Develop measurable annual goals aligned with grade-level academic content standards.

Assess and report the student’s progress throughout the year.

Identify specially designed instruction including accommodations and/or modifications needed to access and progress in the general education curriculum.

Determine the most appropriate assessment option.
The Seven Steps

**Step 1 – Consider the Grade-Level Content Standards for the Grade in Which the Student is Enrolled**

- What is the intent of the content standard (TEKS; the Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines; the Texas Prekindergarten Guidelines; or district-adopted prekindergarten curriculum for students aged three and four)?
- What do the content standards indicate the student must know and be able to do?

Under a standards-based approach, discussion of present performance levels starts from a discussion of the state standards the student is expected to know and compare those standards to current levels of mastery. The discussion should concentrate on identifying skills and knowledge the student has already acquired that will allow him/her to work toward standards for the current grade level.

**What are TEKS?**

They are a set of skills that the state of Texas has determined are essential for each student to learn in grades K-12. These skills ensure that all schools are providing a learning experience that is equitable and objective for all learners. This ensures that all students in Texas receive the same content at the same time.

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*Case Study: Making Connections to the General Curriculum through the Seven Step IEP Process. © TEA & ESC 20*  
[www.texaspgc.net](http://www.texaspgc.net)
In addition to the TEKS, LEAs must implement the ELPS which outline the English language proficiency level descriptors and student expectations for ELs in all grade levels and subjects. These expectations should be discussed and given the same consideration as the TEKS.

The ELPS contain the following sections:
- Introduction
- School district responsibilities
- Cross-curricular language acquisition essential knowledge and skills for
  - learning strategies;
  - listening;
  - speaking;
  - reading;
  - writing; and
  - English language proficiency level descriptors.

Step 2 – Examine Classroom and Student Data to Determine Where the Student is Functioning in Relation to the Grade-Level Standards.

Gather data that are:
- Focused on student progress - not eligibility;
- Current and meaningful (curriculum-based assessments, informal observations, etc.);
- Specific to the impact of the disability on progress; and
- Inclusive of English language proficiency levels.

Questions to ask of the data:
- What is the current achievement level?
- What is typical compared to classroom peers?
- What is desired based on grade-level standards?
- What is needed instructionally?

Data Considerations (best practice; not required):
- Record data to show student progress
- Represent the data visually (graphs)
- Record the date when data is collected
Data Source Examples

• Informal
  – Curriculum-based measurement (CBM)
  – Progress monitoring data
  – Home Language Survey
  – Observations
  – Parent and student input
  – Work samples

• Criterion-referenced test results
  – Texas English Language Proficiency Assessment System (TELPAS)
  – STAAR
  – Reading inventories

• Behavior:
  – Direct observation data on the impact of the disability (i.e. classroom observations for on-task behavior, data from unstructured settings regarding physical aggressions or off task behaviors)
  – Behavioral checklists
  – Progress monitoring data
  – Interview - anecdotal

While gathering and examining the data, look for appropriate instructional methods (including sheltered instruction strategies), materials, and, scaffolding that would assure the content taught is aligned with the grade level standards, level of English proficiency, and that the student’s needs are being addressed.

Steps one and two constitute the initial planning for the IEP. After completing the first two steps, the ARD committee will have information that can be synthesized into a description of the student for development of the present levels of academic achievement and functional performance (PLAAFP) statement in Step 3.

Step 3: Develop Present Levels of Academic Achievement and Functional Performance (PLAAFP) Statements

An IEP must include a statement of the child’s present levels of academic achievement and functional performance, including:
  • How the child’s disability affects the child’s involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
  • For preschool children, as appropriate, how the disability affects the child’s participation in appropriate activities (34 CFR 300.320 (a)(1)(i)(ii)).

The PLAAFP statement(s) does not have to conform to a specific structure and LEAs may choose to include additional information.
These components can be used when developing PLAAFP statements:

- how the student’s disability affects involvement and progress in the general curriculum
  - What the student can do
  - What the student can’t do
- what the student needs to do in relation to the appropriate content standards and the ELPS

Guiding questions for PLAAFP development:

- Does the PLAAFP identify the disability condition and describe the cognitive processing information that is reported in the Full Individualized Evaluation (FIE)?
- Does the PLAAFP include the current language proficiency level reported in the TELPAS?
- Does the PLAAFP describe how the disability affects language acquisition (how the disability impacts language?)
- Does the PLAAFP reflect information about how the disability and language proficiency levels impact access and progress in the general education curriculum?

When developing PLAAFP statements, consider the following suggestions:

- Identify present performance level of the student;
- Refer to ELPS-TELPAS Proficiency Level Descriptors;
- Include current performance data;
- Include specific and measurable terms; and
- Use understandable language vs. strictly technical language.

When including what the student needs to do:

- use assessment data and scope and sequence of skills to determine next steps;
- identify area(s) the student needs to work toward (Refer to grade-level standards, STAAR Alt 2 Vertical Alignment documents* or LEA/district curriculum alignment documents, and, ELPS); and
- select the most critical skill(s) the student needs to be taught. Identifying the most critical need(s) will help determine measurable annual goals.

*The STAAR ALT 2 Vertical Alignment documents are useful for all teachers, not just those working with students taking an alternate state assessment. The documents show the progression of skills (TEKS) from one grade to the next on one page. This organization allows teachers to easily identify prerequisite skills for an identified grade-level standard.

What to AVOID when writing PLAAFP Statements:

- Including too much information;
- Including lists of strengths and weaknesses or lists of descriptive terms that do not identify levels of performance in educational areas affected by the child’s disability;
- Using vague test scores to indicate the student’s level; and
- Using general statements such as: “severe delay,” “mild/moderate disability,” “understands some English,” “needs specialized instruction.”

Well written PLAAFP statements include enough detail so that anyone who reads it knows where to begin instruction and under what conditions.
General PLAAFP excerpt:
The student is able to do some 2-digit multiplication problems but struggles with more complex problems.

Specific PLAAFP excerpt:
When presented with 2-digit by 2-digit multiplication problems without regrouping, the student is able to solve 9 out of 10 problems correctly in 10 minutes or less. When presented with 2-digit by 2-digit multiplication problems, an example problem showing the process for regrouping and extended time, the student is able to solve 8 out of 10 problems correctly in 15 minutes.

PLAAFP Examples for English Learners (bold type indicates culturally relevant features)

First Grade Reading
Gabe, who is a second language learner, is able to recite the English alphabet and name letters in random order: capital letters: 20/26 (does not know: E, H, K, Q, R, W) and lowercase letters: 21/26 (does not know: e, g, h, n, v). Gabe is able to name consonant letters sounds 17/21 (does not know: j, q, r, v) and long and short vowels 2/10 (he knows: long a, long o). His TELPAS reading level is intermediate due to the fact that Gabe struggles with phonological differences between Spanish and English and he consistently mixes up the letter sounds and the letter names between both languages. When provided visual cues, he is able to more accurately identify sounds. With CVC and VC words, he is able to decode 15/24 (most words missed include letters/sounds he does not know, i.e., jog, van, on, get). When assessed on the Dolch Sight Words Assessment, he reads from the pre-primer list: 10/20, primer list: 10/20 and Grade 1 list 3: 5/20 (most words he missed include letter and/or sounds he does not know, i.e., help, run, very, where). Based on existing current data from Reading A-Z, collected from the classroom teacher, Gabe performs at a level C, which is instructional level, at 90% reading accuracy. When the teacher explains the meanings of unknown English words, Gabe comprehends Level C books at 100% comprehension.

Sixth Grade Functional Skills
Golibe has difficulty getting to his classes on time. On most days he successfully enters his next classroom without being tardy only 4/8 times when transitioning independently. However, when moving with a peer, he is rarely late for class. Family reports that his difficulty with time is cultural in that in his home culture time does not take on the rigidity seen in US schools (i.e., approximation in use of time is preferred and practiced). Golibe also prefers to not ask for help when lost, continuing to wander around the school until he locates the classroom. In Golibe’s culture, seeking advice from others is important, so his reluctance to ask for directions to his next classroom is not culturally based, though, as stated, difference in how time is viewed is culturally based teaching. His family and teachers agree that Golibe needs to be more reliable and self-sufficient in transitioning to classes. A behavior plan was developed in which Golibe would transition from one class to the next with a peer for four of the eight classes daily — and independently for the remaining four classes, provided he asks for assistance if he is unsure of the next class location. The behavioral plan was revised as success occurred to where Golibe was able to successfully arrive on time on a more independent basis. Over a four-week period, his on-time attendance improved to 6/8 classes then to 100% over a 6-week period. Behavioral contracting is successful in improving his ability to independently transition between classes.

Ninth Grade Mathematics
Based on a teacher generated curriculum-based algebra probe, Chloe scored 35/50, 70% accuracy. When solving word
problems, Chloe utilizes a bilingual dictionary that includes definitions and translation from French to English. Also, when provided visuals or manipulatives, she is able to more quickly and easily complete the mathematics problems. Chloe requires extended wait time to think through the language of word problems. Building academic language associated with the mathematics problems prior to asking her to respond is essential to ensure success. Chloe also uses a calculator on mathematics assignments and tests, allowing her to focus on concepts over computation.

Adapted from Hoover and Patton, 2017.

**Step 4: Develop Measurable Annual Goals**

A student’s IEP must include a measurable annual goal designed to:
- meet the child’s needs that result from the child’s disability to enable the child to be involved in and make progress in the general education curriculum; and
- meet each of the child’s other educational needs that result from the child’s disability (34 CFR 300.320(a)(2)(i)(B)).

In the development of the measurable annual goals, it is critical to consider the relationship between the PLAAFP statement and the associated goal. Information used in the PLAAFP guides the development of the goal(s). A well-written PLAAFP leads to a goal that addresses student needs in specific, measurable terms.

Measurable Annual Goals are:
1. statements that describe what the child can reasonably be expected to accomplish in a 12-month period in the child’s special education program; and
2. developed to enable the child to participate and progress in the regular curriculum

In the development of goals, consider the following:
- What are the student’s needs as identified in the PLAAFP?
- Does the goal have a specific time-frame?
- What can the student reasonably be expected to accomplish in one school year?
- Are the conditions for meeting the goal addressed?
- How will the outcome of the goal be measured?

Annual IEP goals that are academic in nature should link directly to specific grade-level TEKS for students in grades K-12. Preschool students should have goals that are aligned with the Texas Infant, Toddler, and, Three-Year-Old Early Learning Guidelines, the Texas Prekindergarten Guidelines, or district-adopted prekindergarten curriculum for students aged three and four.

A standards-based annual goal is considered directly linked to grade level standards, even if the focus skill is below grade level, if the skill is aligned across grade levels and supports progress toward the focus goal.
Consider the 5th grade mathematics TEKS, round decimals to tenths or hundredths. When writing a standards based goal for a student who would be unable to master that skill within a school year, the ARD committee would look at the TEKS aligned to the enrolled grade level TEKS at lower grade levels. Following is an excerpt from the Mathematics STAAR ALT 2 Vertical Alignment document. The grade level TEKS is highlighted.

The ARD committee should determine which skill the student is currently successful at and then choose the next skill in the alignment that would be reasonable for the student to master within the school year.

<table>
<thead>
<tr>
<th>Which TEKS would be reasonable for the student to master within the school year?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enrolled grade level TEKS</td>
</tr>
</tbody>
</table>

### Comparing, Ordering, and Rounding Numbers Using Place Value
- compare sets of objects up to at least 20 in each set using comparative language (K)
- use comparative language to describe two numbers up to 20 presented as written numerals (K)
- use place value to compare whole numbers up to 120 using comparative language (1)
- order whole numbers up to 120 using place value and open number lines (1)
- represent the comparison of two numbers to 100 using the symbols >, <, or = (1)
- use relationships to determine the number that is 10 more and 10 less than a given number up to 120 (1)
- use place value to compare and order whole numbers up to 1,200 using comparative language, numbers, and symbols (>, <, or =) (2)
- use an understanding of place value to determine the number that is 10 or 100 more or less than a given number up to 1,200 (2)
- compare and order whole numbers up to 100,000 and represent comparisons using the symbols >, <, or = (3)
- compare and order whole numbers to 1,000,000,000 and represent comparisons using the symbols >, <, or = (4)
- round whole numbers to a given place value through the hundred thousands place (4)
- compare and order decimals using concrete and visual models to the hundredths (4)
- compare and order two decimals to thousandths and represent comparisons using the symbols >, <, or = (5)
- round decimals to tenths or hundredths (5)
- order a set of rational numbers arising from mathematical and real-world contexts (6)
- order a set of real numbers arising from mathematical and real-world contexts (8)

### Language Goals
The ARD committee should review the TEKS; the Texas Infant, Toddler, and, Three-Year-Old Early Learning Guidelines; the Texas Prekindergarten Guidelines; or district-adopted prekindergarten curriculum for students aged three and four to determine the academic vocabulary necessary for the student to be successful and progress in the general curriculum. If appropriate, a language goal should be included in the IEP to increase the student’s proficiency level in English.

*It is important that the IEP team [ARD committee] consider how the child’s level of English language proficiency affects the special education and related services that the child needs in order to receive FAPE. . . The IEP team [ARD committee] must also address whether the special education and related services that the child needs will be provided in a language other than English.*

**Ralabate Letter, OSEP, 10/9/2002**

According to Kinsella and Ward Singer (2011), a language objective stems from the content objective and the language demands of the standard. The ARD committee should consider the language the student will be expected to produce in class discussions and any written responses that might be required. The student’s level of English proficiency should be included in the discussion of what the student can accomplish in a school year.
Content objectives are what you want the student to learn or do and are linked to the TEKS, the Texas Infant, Toddler, and, Three-Year-Old Early Learning Guidelines, the Texas Prekindergarten Guidelines, or district-adopted prekindergarten curriculum for students aged three and four. Language objectives tell how the student will perform the task (through listening, speaking, reading, and, writing) (Egbert and Ernst-Slavit, 2010; Esparza Brown, Julie, and Maranda Turner, 2016).

Guiding Questions for Linguistically Aligned IEP Goals
- What is the linguistic demand (taken from the content standards)?
- What is the language function (purpose)?
- What is the language form needed to perform the function?
- What key vocabulary will be used?

Example language objective:
At the end of 35 instructional weeks, after reading a grade level informational article with the main idea (e.g. topic sentence, topic paragraph, title, headings) removed, David will infer and verbally state the main idea using at least one complex complete sentence in 2 out of 3 trials as measured by teacher observation.
Adapted from Esparza Brown, Julie, and Maranda Turner, 2016

Step 5: Assess and Report Student Progress throughout the Year

The decision regarding data collection and reporting on IEP progress needs to be made at the time of IEP development (34 CFR 300.320(a)(3)(ii)). Data are to be collected in an ongoing way, which lends support to the ability of the teacher and others working with the student to make adjustments in instruction based on the data and student needs.
When setting the criteria for the degree of mastery on a given IEP goal, it is critical to consider at what level a student should perform. When making this decision, consider the following:
- The grade level content standards (TEKS, Pre-K Guidelines, Texas Infant, Toddlers and Three-Year-Old Early Learning Guidelines) and, the ELPS; and
- The level necessary to support the next skill (refer to STAAR Alt 2 Vertical Alignment documents or LEA/district curriculum alignment documents).

Guiding Questions for Progress Monitoring
- What will be measured?
- How will it be measured?
- Does it measure its purpose?
- Are the tools sensitive to diverse populations? If not, can I create an informal measure that will address the skill set and be culturally and linguistically appropriate for the learner?
- Are the tools valid for ELs?
- What knowledge do you have to interpret the results?
• What is impacting the rate of progress?
  – Instructional Setting
  – Intensity of Instruction

• Is the student making adequate progress?

• How does the student's progress compare to like peers?

• Have you met with appropriate stakeholders?

• Is the student's language proficiency impacting growth?

• Is it valuable, reliable, and, culturally appropriate?

It is important to use a variety of assessment tools to measure progress of English Learners to ensure that language and cultural diversity are recognized and valued. A student may be able to demonstrate knowledge in a content area using one progress monitoring tool and other skills through a different tool. It is also important to monitor the same skill using different progress monitoring tools to ensure language is not affecting the data. This decision is made as the IEP is developed.

Hoover and Patton (2017) provide a list of culturally responsive Progress-Monitoring Practices and Associated Tools in the table that follows.

<table>
<thead>
<tr>
<th>Monitoring Practice</th>
<th>Associated Tool(s)</th>
<th>Cultural/Linguistic Significance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curriculum-Based Measurement (CBM)</td>
<td>Running records, DRA2/EDL2</td>
<td>Properly designed or modified CBMs allow educators to accommodate language and culture diversity features and values.</td>
</tr>
<tr>
<td>Cross-Cultural Interview</td>
<td>Interview guide</td>
<td>Direct input provided by classroom teachers, family members, and/or students provides perspective to instruction and associated monitoring results.</td>
</tr>
<tr>
<td>Language Sample</td>
<td>Classroom-based oral/written samples of language usage</td>
<td>Language samples provide direct evidence of student use of both native and English languages in the learning context.</td>
</tr>
<tr>
<td>Classroom Observations</td>
<td>Observation guide</td>
<td>Instructional observations provide direct evidence of culturally and linguistically responsive instruction.</td>
</tr>
<tr>
<td>Work Sample Analysis</td>
<td>Work completed by student in IEP content areas</td>
<td>Progress is illustrated by examining instruction-based student work samples associated with IEP goals and objectives.</td>
</tr>
<tr>
<td>Performance-Based</td>
<td>Summative product</td>
<td>Product generated and completed by student over a defined period of time or instructional unit provides opportunity to incorporate cultural values within his/her own English language proficiency.</td>
</tr>
<tr>
<td>Portfolio Assessment</td>
<td>Work artifacts</td>
<td>Portfolios provide evidence of progress over time by drawing on student's interests and collection of artifacts along with written language skills used to reflect on the learning and growth.</td>
</tr>
<tr>
<td>Monitoring Practice</td>
<td>Associated Tool(s)</td>
<td>Cultural/Linguistic Significance</td>
</tr>
<tr>
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</tr>
<tr>
<td>Functional Behavioral Assessment (FBA)</td>
<td>FBA process and steps</td>
<td>Use of FBAs provides educators with a more comprehensive view of social and behavioral needs and progress associated with IEP annual goals by allowing accommodated procedures to be incorporated into the FBA process, reflecting culturally/linguistically diverse characteristics and qualities.</td>
</tr>
</tbody>
</table>

**Curriculum-Based Measurements (CBMs)**

CBMs are an effective progress monitoring tool because they directly monitor what has been taught, support recording progress over time, reduce interference with instructional time, use standard administration procedures, allow for instruction to be adjusted to improve learning, and rely on objective measurement rather than subjective.

Graphing the data collected and determining a goal/aim line allows teachers to know if the student’s rate of progress is sufficient to reach the goal(s) by the end of the stated time frame.

In the case study that follows, the teacher regularly monitored the IEP goal on a weekly basis.

- In the first section, the student made adequate progress as indicated by the goal line. Therefore, no instructional changes or adjustments were needed.
- Between weeks 7 and 15, the teacher noticed that the student’s trend line was lower than the progression of the goal/aim line. During this time, the teacher made instructional changes. These changes helped the student get back on track to meet his annual IEP goal by the expected time frame.

![Student's trend-lines](image)

Progress toward IEP goals must be reported to parents 34 CFR §300.320(a)(3)(ii). The ARD committee determines how often progress is reported.
Step 6 – Identify Specially Designed Instruction Including Accommodations and Modifications

Specially designed instruction means adapting, as appropriate to the child’s needs, the content, methodology, or delivery of instruction to address the unique needs of the child that result from the child’s disability. It also ensures access of the child to the general education curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children. *34 CFR §300.39(a)*

So, what does “adapting” and “to ensure access” mean?

A comprehensive evaluation, the PLAAFP, and annual goals provide information for the ARD committee to determine what constitutes specialized instruction for that individual student. The instruction is individually designed and must be more intensive, systematic instruction to learn skills (academic or behavior) that typically developing children acquire naturally or with regular instruction.

Specially designed instruction is the instruction provided to a student with a disability who has an IEP in order to help him/her master IEP goals/objectives. Specially designed instruction is not a part of the Response to Intervention (RtI) or Section 504 of the Americans with Disabilities Act processes, but is specific to a student who qualifies for special education services in order to help him/her master IEP goals/objectives and ensure access to and progress in the general curriculum. Specially designed instruction goes beyond differentiated instruction and addresses the unique needs that exist because of a student’s disability. Specially designed instruction is implemented in addition to, not in place of, differentiated instruction and/or high yield instructional strategies (*Specially Designed Instruction: A Resource for Teachers*).

### Specially Designed Instruction vs. High Yield Instructional Strategies

<table>
<thead>
<tr>
<th>Specially Designed Instruction</th>
<th>High Yield Instructional Strategies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adapting, as appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction—(i) To address the unique needs of the child that result from the child’s disability, and (ii) To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children.</td>
<td>An Approach to teaching essential content in ways that address the varying learning needs of students with the goal of maximizing the possibilities of each learner</td>
</tr>
<tr>
<td>Students with disabilities who are eligible for special education services</td>
<td>ALL Students, including students with disabilities</td>
</tr>
<tr>
<td>EIP Requirement</td>
<td>Teacher Decision</td>
</tr>
<tr>
<td>Examples: - Individual student’s IEP goals and benchmarks/short-term objectives - Level of special education support (direct, indirect, consultant) - Related Services - Accommodations &amp; Modifications - Behavior Intervention Plan (BIP)</td>
<td>Examples: - Small group instruction - Graphic Organizers - Peer Tutoring - Cooperative Learning - Intergenerational Groups - Nonglossic Representations - Movement - Hands on activities and learning experiences - Student Choice - Flexible Grouping - Peaking - Technology - Differentiated Instruction</td>
</tr>
<tr>
<td>- Must be implemented per the student’s IEP - Provision must be documented including the frequency, duration, and location of the service(s) in accordance with TEA standards, <a href="http://tea.texas.gov/wwr-wlraste.xs/SPED_State_Guidance.aspx">http://tea.texas.gov/wwr-wlraste.xs/SPED_State_Guidance.aspx</a></td>
<td>- Best Practice - Documentation determined by LEA - Debriefs of students may affect what strategies are chosen, i.e., a student with a visual impairment may have difficulty using strategies that require visualization.</td>
</tr>
</tbody>
</table>

Specially Designed Instruction: A Resource for Teachers © TEA & ESC-20
Specially Designed Instruction for English Learners

The ever-changing diversity of our ELs and their equally diverse academic needs require educators to routinely provide second language acquisition support through linguistically accommodated instruction. This support facilitates the challenging task that ELs face learning English and content area material simultaneously.

Linguistically accommodated instruction involves the differentiation of instructional materials and instruction. Content should be communicated in a manner that ELs understand through the use of sequential skills and scaffolded instructional techniques and tasks. As students learn English, linguistic accommodations are adjusted to meet their individual ongoing academic language needs.

Shade, Kelly, and Oberg (1997) suggest that culturally responsive instruction is not just the educational soup du jour and cannot be dismissed as “just good teaching.” References to culturally relevant instruction are a mainstay in the research on strategies for closing the existing achievement gaps by race/ethnicity. Culturally relevant instruction includes:

- using the language and understandings that students have acquired in their families and communities to bridge the gap between what students know and are able to do and what they need to learn in school;
- incorporating the everyday issues and concerns of families and the community into curriculum and instruction;
- actively engaging students in the learning process; and
- using equitable grouping practices.

Failure to provide continued ELD [English Language Development] for English learners with a disability often results in lack of progress with IEP content goals and objectives due to reduced English language instruction essential for academic success. (Hoover and Patton 2017)

The primary objective of instruction is to provide comprehensible input for English learners - to make sure that what is said or what they read is understood. Sullivan (1992) suggests several techniques to ensure content is comprehensible for students.

- Increase wait time.
- Respond to the student’s message. Don’t correct errors if the answer is correct and understandable.
- Simplify teacher language, rephrase, and use body language.
- Provide alternate ways for the student to show knowledge. Don’t force oral production.
- Demonstrate; use visuals and manipulatives.
- Provide opportunities for sensory input during lessons.
- Pair or group student with native speakers.
- Adapt the materials to student’s language proficiency. Maintain the expected rigor of the content standard.
- Build on the student’s prior knowledge.
- Bring the student’s home language and culture into the classroom.
- Find out as much as possible about the student’s first language and culture.
Resources for Linguistic Accommodations

The ELPS Linguistic Instructional Guide provides suggested teacher behaviors aligned to the ELPS-TELPAS proficiency level descriptors for K-12. This resource can assist the ARD committee and/or teachers in determining, based on a student's level of proficiency in English, the appropriate instructional supports to aid the learning of content standards.

The English Learner (EL) Instructional Accommodations Checklist allows the ARD committee to identify appropriate linguistic accommodations for teachers to routinely implement in classroom instruction for English learners throughout the course of the school year.
Step 7: Determine the Most Appropriate Assessment Option

IDEA 2004 specifies that “the IEP must include a statement of any adaptations that are necessary to measure the academic achievement and functional performance of children on the statewide assessment” (IDEA 2004 Sec. 614(d)(1)(A)(i)(VI)(aa)).

At the time of IEP development, it is necessary to consider how the student will demonstrate what he/she knows on classroom, district, and state assessments. If adaptations are warranted based on the student’s needs, these adaptations must be noted on the IEP and implemented during assessments.

Consider the following:

- What accommodations are approved for the state assessment?
- What are the TEA-required participation requirements for STAAR testing accommodations?
- Has the student received standards-based, grade-level instruction?

The ARD committee must determine which state assessment is most appropriate for each student. The Texas Assessment Program includes assessments designed to meet the needs of all students. Below are links for information on specific state assessment options in Texas. The Texas Education Agency’s main testing page is located at https://tea.texas.gov/Student_Testing_and_Accountability/Testing/Testing/.

TEA Webpages:
- STAAR
- STAAR Spanish (grades 3-5)
- STAAR Alternate 2
- TELPAS
Appendix A - Applicable State and Federal Regulations
(excerpted and summarized)

Students who Are ELs and Also Eligible for Special Education Services

19 TAC §89.1225(b)
The Language Proficiency Assessment Committee (LPAC) in conjunction with the Admission, Review, and Dismissal (ARD) committee shall identify a student as an English Learner (EL) if the student’s ability in English is so limited or the student’s disabilities are so severe that the English oral language proficiency or norm-referenced assessments described 19 TAC §89.1225(c) cannot be administered. The decision for entry into a bilingual education or ESL program shall be determined by the language proficiency assessment committee in conjunction with the ARD committee in accordance with 19 TAC §89.1220(f) (relating to Language Proficiency Assessment Committee).

19 TAC §89.1225(l)-(m)
- For English learners who are also eligible for special education services, the standardized process for English learner program exit is followed in accordance with applicable provisions of 19 TAC §89.1225(i). However, annual meetings to review student progress and make recommendations for program exit must be made in all instances by the LPAC in conjunction with the ARD committee in accordance with 19 TAC §89.1230(b) (relating to Eligible Students with Disabilities). Additionally, the LPAC in conjunction with the ARD committee shall implement assessment procedures that differentiate between language proficiency and disabling conditions in accordance with 19 TAC §89.1230(a).

- For an English learner with significant cognitive disabilities, the LPAC in conjunction with the ARD committee may determine that the state’s English language proficiency assessment for exit is not appropriate because of the nature of the student’s disabling condition. In these cases, the LPAC in conjunction with the ARD committee may recommend that the student take the state’s alternate English language proficiency assessment and shall determine an appropriate performance standard requirement for exit by language domain under 19 TAC §89.1225(j)(1).

19 TAC §89.1230 (a)(b)
School districts shall establish placement procedures that ensure that placement in a bilingual education or English as a second language program is not refused solely because the student has a disability. ARD committee members shall meet in conjunction with LPAC members to review the educational needs of each EL who qualifies for services in the special education program.

English Language Proficiency Standards (ELPS)

19 TAC §74.4 English Language Proficiency Standards (ELPS)
The ELPS outline English language proficiency level descriptors and student expectations for ELs. School districts shall implement this section as an integral part of each subject in the required curriculum. The ELPS are to be published along with the Texas Essential Knowledge and Skills (TEKS) for each subject in the required curriculum.
Federal Regulations for the Individuals with Disabilities Education Act (IDEA)  
(excerpted and summarized)

34 CFR §300.324(a)(2)(ii)
In the case of the child with limited English proficiency, the ARD committee must consider the language needs of the child as such needs relate to the child’s IEP.

Texas Administrative Code  
(excerpted and summarized)

Students who Eligible for Special Education Services and Also ELs

19 TAC 89.1050(c)(1)(J)
If the child is identified as an EL, the ARD committee must include a professional member of the language LPAC in addition to other required members of the ARD committee.

Additional Resource: Dear Colleague Letter (specifically pages 24-27)
Appendix B – Special Education Eligibility Categories
(excerpted and summarized)

There are 13 areas of eligibility for special education services as defined by the Individuals with Disabilities Education Act (IDEA) in its final federal regulations at 34 CFR §300.8 and in Texas Administrative Code at 19 TAC §89.1040. In order to qualify for special education services, the ARD committee must determine that a child meets the criteria for at least one of thirteen eligibilities, and, as a result of the disability, has a need for special education services.

The definitions that follow are brief excerpted summaries and are not to meant be full definitions/explanations of any of the eligibilities.

**Auditory Impairment** means a hearing impairment that is so severe that the child is impaired in processing linguistic information through hearing, with or without amplification. This hearing loss adversely affects the child’s educational performance. In Texas, these students have been determined to meet the criteria for deafness or hearing impairment and the evaluation must include an ontological examination and an audiological evaluation. The evaluation data must include a description of the implication of the student’s hearing loss in a variety of circumstances with or without recommended amplification, as well as an assessment of the child’s potential for communication through a variety of means.

Note: The terms auditory impairment, hearing impairment, and hard of hearing are all referred to in Texas, while federal law generally uses the term hearing impairment.

(34 CFR §300.8(c)(3); TEC §30.083 (a)(6); 19 TAC §89.1040 (c)(3))

**Autism** is developmental disability significantly affecting verbal and nonverbal communication and social interaction that adversely affects a child’s educational performance. It is generally evident before age three. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. In Texas, autism also includes students with pervasive developmental disorders.

(34 CFR §300.8(c)(1); 19 TAC §89.1040 (c)(1))

**Deaf-blindness** means related hearing and visual impairments, the combination of which causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for children with deafness or children with blindness. In Texas, these students meet the eligibility criteria for both auditory impairment and visual impairment and will have a documented medical diagnosis of a progressive medical condition that will result in concomitant hearing and vision losses that, without special education intervention, will adversely affect his/her educational performance.

(34 CFR §300.8(c)(2); 19 TAC §89.1040 (c)(2))
**Emotional disturbance**, which includes schizophrenia, means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory, or health factors.
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers.
- Inappropriate types of behavior or feelings under normal circumstances.
- A general pervasive mood of unhappiness or depression.
- A tendency to develop physical symptoms or fears associated with personal or school problems.

(34 CFR §300.8(c)(4); 19 TAC §89.1040 (c)(4))

**Intellectual disability** means significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior that adversely affects a child's educational performance. This is manifested during the developmental period. In Texas, there are specific measurement criteria for intellectual functioning and specific areas to measure for adaptive behavior.

(34 CFR §300.8(c)(6); 19 TAC §89.1040 (c)(5))

**Multiple disabilities** means associated impairments (such as intellectual disability-blindness or intellectual disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness. In Texas, this is further defined as expected to continue indefinitely and as affecting two or more specific areas.

(34 CFR §300.8(c)(7); 19 TAC §89.1040 (c)(6))

**Noncategorical early childhood** In Texas, student between the ages of 3-5 who is evaluated as having an intellectual disability, an emotional disturbance, a specific learning disability, or autism may be described as noncategorical early childhood.

(19 TAC §89.1040 (c)(13))

**Orthopedic impairment** means a severe orthopedic impairment that adversely affects a child's educational performance. The term includes impairments caused by a congenital anomaly, impairments caused by disease (e.g., poliomyelitis, bone tuberculosis), and, impairments from other causes (e.g., cerebral palsy, amputations, and, fractures or burns that cause contractures).

(34 CFR §300.8(c)(8); 19 TAC §89.1040 (c)(7))

**Other health impairment** means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment, that is due to chronic or acute health problems and adversely affects a child's educational performance.

(34 CFR §300.8(c)(9); 19 TAC §89.1040 (c)(8))
**Specific learning disability** means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and, developmental aphasia.

In Texas, further definition includes a student who:

• does not achieve adequately for the student's age or meet state-approved grade-level standards in defined areas when provided appropriate instruction, as indicated by performance on multiple measures; or a process based on the student's response to evidence-based intervention; and
• does not make sufficient progress when provided a process based on the student's response to evidence-based intervention as indicated by the student's performance relative to the performance of the student's peers on repeated, curriculum-based assessments of achievement at reasonable intervals, reflecting student progress during classroom instruction; or
• exhibits a pattern of strengths and weaknesses in performance, achievement, or both relative to age, grade-level standards, or intellectual ability, as indicated by significant variance among specific areas of cognitive function, or between specific areas of cognitive function and academic achievement.

(34 CFR §300.8(c)(9); 19 TAC §89.1040(c)(8))

**Speech or language impairment** means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

(34 CFR §300.8(c)(11); 19 TAC §89.1040(c)(10))

**Traumatic brain injury** means an acquired injury to the brain caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects a child's educational performance. Traumatic brain injury applies to open or closed head injuries resulting in impairments in one or more areas.

(34 CFR §300.8(c)(12); 19 TAC §89.1040(c)(11))

**Visual impairment including blindness** means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term includes both partial sight and blindness. In Texas, a student with a visual impairment is one who has been determined by a licensed ophthalmologist or optometrist to have no vision or to have a serious visual loss after correction; or to have a progressive medical condition that will result in no vision or a serious visual loss after correction; and has been determined by a functional vision evaluation and a learning media assessment the following evaluations to have a need for special services.

(34 CFR §300.8(c)(13); 19 TAC §89.1040(c)(12))
Resources

English Learner Instructional Accommodations Checklist -
https://projects.esc20.net/upload/page/0084/docs/ELLChecklist.pdf

English Language Proficiency Standards (ELPS) -
http://ritter.tea.state.tx.us/rules/tac/chapter074/ch074a.html#74.4
The English language proficiency standards in this section outline English language proficiency level descriptors and student expectations for ELs.

ELPS Linguistic Instructional Alignment Guide -

Colorín Colorado -
http://www.colorincolorado.org/
Colorín Colorado is a national website serving educators and families of ELs in Grades PreK-12. Colorín Colorado provides free research-based information, activities, and advice to parents, schools, and communities.

Individual Education Program (IEP) Annual Goal Development Question and Answer Document -
https://projects.esc20.net/upload/page/0096/docs/1%20Individualized_Education_Plan_IEP_Q_and_A_2017.pdf

Language Proficiency Assessment Committee (LPAC) -
https://projects.esc20.net/page/lpac.home
This TEA website includes the LPAC framework, parent resources, video vignettes, resources and the Decision Making Manual

National Association for Bilingual Education (NABE) -
http://www.nabe.org/
The National Association for Bilingual Education (NABE) is a non-profit membership organization that works to advocate for educational equity and excellence for bilingual/multilingual students in a global society

National Association of State Directors of Special Education, Inc Project Forum (Seven Step Process for Writing IEP Goals) -
Project Forum was a federally funded project at NASDSE for nearly 30 years that ended at the end of December, 2012. The project identified information needed to improve the management, administration, delivery, and effectiveness of education programs and services, and promoted utilization of research data and other information for improving outcomes for infants, toddlers, children and youth with disabilities

Specially Designed Instruction: A Resource for Teachers -
https://projects.esc20.net/upload/page/0103/docs/SDI%202018.pdf
STAAR Alt 2 Vertical Alignment Documents -

Supporting ELS in Texas -
http://www.elltx.org/assessment.html
This TEA website includes information on assessment, instructional environments, professional development, and information for parent.

TEA Bilingual and English as a Second Language Education Programs -
https://tea.texas.gov/Academics/Special_Student_Populations/Bilingual_%E2%80%93_ESL_Education/Bilingual_and_English_as_a_Special-Language_Education_Programs/
The Bilingual/ESL Unit in the Special Populations Division provides direction and leadership with the implementation of Bilingual and English as a Second Language (ESL) Programs for ELs.

TEA Information on State Assessments for English Learners -
https://tea.texas.gov/student.assessment/ell/
This webpage contains information on state assessments for ELs and includes resources for STAAR, Texas English Language Proficiency Assessment System (TELPAS), LPACs.

TEA Special Education Programs and Services
-Resources to Support Student Progress in the General Curriculum -
https://tea.texas.gov/Academics/Special_Student_Populations/Special_Education/Programs_and_Services/Resources_to_Support_Student_Progress_in_the_General_Curriculum/

Texas Essential Knowledge and Skills (TEKS) -
https://tea.texas.gov/curriculum/teks/

Texas Gateway -
https://www.texasgateway.org/
This TEA website includes online resources including professional development courses.
-English Language Support -
https://www.texasgateway.org/resource-index/?f%5B0%5D=im_field_resource_subject%3A1

Texas Infant, Toddler, and Three-Year-Old Early Learning Guidelines -

Texas Prekindergarten Guidelines -
https://tea.texas.gov/pkq.aspx
Sources


Northwest Regional Education Laboratory. Strategies and Resources for Mainstream Teachers of English Language Learners. May 2003.


