Chapter 74. Curriculum Requirements

Subchapter A. Required Curriculum

Statutory Authority: The provisions of this Subchapter A issued under the Texas Education Code, §§7.102, 28.002, 28.023, 28.025, 28.054, and 38.003, unless otherwise noted.

§74.1. Essential Knowledge and Skills.

(a) A school district that offers kindergarten through Grade 12 must offer the following as a required curriculum:

(1) a foundation curriculum that includes:

(A) English language arts;

(B) mathematics;

(C) science; and

(D) social studies, consisting of Texas, United States and world history, government, geography, and economics, with emphasis on the free enterprise system and its benefits; and

(2) an enrichment curriculum that includes:

(A) to the extent possible, languages other than English;

(B) health, with emphasis on the importance of proper nutrition and exercise;

(C) physical education;

(D) fine arts;

(E) career and technical education;

(F) technology applications; and

(G) religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature.

(b) A school district must provide instruction in the essential knowledge and skills of the appropriate grade levels in the foundation and enrichment curriculum as specified in paragraphs (1)-(13) of this subsection. A school district may add elements at its discretion but must not delete or omit instruction in the foundation and enrichment curriculum specified in subsection (a) of this section.

(1) Chapter 110 of this title (relating to Texas Essential Knowledge and Skills for English Language Arts and Reading);

(2) Chapter 111 of this title (relating to Texas Essential Knowledge and Skills for Mathematics);

(3) Chapter 112 of this title (relating to Texas Essential Knowledge and Skills for Science);

(4) Chapter 113 of this title (relating to Texas Essential Knowledge and Skills for Social Studies);

(5) Chapter 114 of this title (relating to Texas Essential Knowledge and Skills for Languages Other Than English);

(6) Chapter 115 of this title (relating to Texas Essential Knowledge and Skills for Health Education);

(7) Chapter 116 of this title (relating to Texas Essential Knowledge and Skills for Physical Education);

(8) Chapter 117 of this title (relating to Texas Essential Knowledge and Skills for Fine Arts);

(9) Chapter 118 of this title (relating to Texas Essential Knowledge and Skills for Economics with Emphasis on the Free Enterprise System and Its Benefits);

(10) Chapter 126 of this title (relating to Texas Essential Knowledge and Skills for Technology Applications);

(11) Chapter 127 of this title (relating to Texas Essential Knowledge and Skills for Career Development);

(12) Chapter 128 of this title (relating to Texas Essential Knowledge and Skills for Spanish Language Arts and English as a Second Language); and

(13) Chapter 130 of this title (relating to Texas Essential Knowledge and Skills for Career and Technical Education).

Source: The provisions of this §74.1 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective October 3, 2004, 29 TexReg 9185; amended to be effective January 9, 2007, 32 TexReg 80; amended to be effective April 21, 2010, 35 TexReg 3028; amended to be effective May 30, 2012, 37 TexReg 3808.

§74.2. Description of a Required Elementary Curriculum.

A school district that offers kindergarten through Grade 5 must provide instruction in the required curriculum as specified in §74.1 of this title (relating to Essential Knowledge and Skills). The district must ensure that sufficient time is provided for teachers to teach and for students to learn English language arts and reading, mathematics, science, social studies, fine arts, health, physical education, technology applications, and to the extent possible, languages other than English. The school district may provide instruction in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade level standards.

Source: The provisions of this §74.2 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective January 9, 2007, 32 TexReg 80.

§74.3. Description of a Required Secondary Curriculum.

(a) Middle Grades 6-8.

(1) A school district that offers Grades 6-8 must provide instruction in the required curriculum as specified in §74.1 of this title (relating to Essential Knowledge and Skills). The district must ensure that sufficient time is provided for teachers to teach and for students to learn English language arts, mathematics, science, social studies, fine arts, health, physical education, technology applications, and to the extent possible, languages other than English. The school district may provide instruction in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade level standards.

(2) The school district must ensure that, beginning with students who enter Grade 6 in the 2010-2011 school year, each student completes one Texas essential knowledge and skills-based fine arts course in Grade 6, Grade 7, or Grade 8.

(b) Secondary Grades 9-12.

(1) A school district that offers Grades 9-12 must provide instruction in the required curriculum as specified in §74.1 of this title. The district must ensure that sufficient time is provided for teachers to teach and for students to learn the subjects in the required curriculum. The school district may provide instruction in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade level standards.

(2) The school district must offer the courses listed in this paragraph and maintain evidence that students have the opportunity to take these courses:

(A) English language arts--English I, II, III, and IV;

(B) mathematics--Algebra I, Algebra II, Geometry, Precalculus, and Mathematical Models with Applications;

(C) science--Integrated Physics and Chemistry, Biology, Chemistry, Physics, and at least two additional science courses selected from Aquatic Science, Astronomy, Earth and Space Science, Environmental Systems, Advanced Animal Science, Advanced Biotechnology, Advanced Plant and Soil Science, Anatomy and Physiology, Engineering Design and Problem Solving, Food Science, Forensic Science, Medical Microbiology, Pathophysiology, and Scientific Research and Design. The requirement to offer two additional courses may be reduced to one by the commissioner of education upon application of a school district with a total high school enrollment of less than 500 students. Science courses shall include at least 40% hands-on laboratory investigations and field work using appropriate scientific inquiry;

(D) social studies--United States History Studies Since 1877, World History Studies, United States Government, World Geography Studies, and Economics with Emphasis on the Free Enterprise System and Its Benefits;

(E) physical education--at least two courses selected from Foundations of Personal Fitness, Adventure/Outdoor Education, Aerobic Activities, or Team or Individual Sports;

(F) fine arts--courses selected from at least two of the four fine arts areas (art, music, theatre, and dance)--Art I, II, III, IV; Music I, II, III, IV; Theatre I, II, III, IV; or Dance I, II, III, IV;

(G) career and technical education--coherent sequences of courses selected from at least three of the following sixteen career clusters:

(i) Agriculture, Food, and Natural Resources;

(ii) Architecture and Construction;

(iii) Arts, Audio/Video Technology, and Communications;

(iv) Business Management and Administration;

(v) Education and Training;

(vi) Finance;

(vii) Government and Public Administration;

(viii) Health Science;

(ix) Hospitality and Tourism;

(x) Human Services;

(xi) Information Technology;

(xii) Law, Public Safety, Corrections, and Security;

(xiii) Manufacturing;

(xiv) Marketing;

(xv) Science, Technology, Engineering, and Mathematics; and

(xvi) Transportation, Distribution, and Logistics;

(H) languages other than English--Levels I, II, and III or higher of the same language;

(I) technology applications--at least four courses selected from Computer Science I, Computer Science II, Computer Science III, Digital Art and Animation, Digital Communications in the 21st Century, Digital Design and Media Production, Digital Forensics, Digital Video and Audio Design, Discrete Mathematics, Fundamentals of Computer Science, Game Programming and Design, Independent Study in Evolving/Emerging Technologies, Independent Study in Technology Applications, Mobile Application Development, Robotics Programming and Design, 3-D Modeling and Animation, Web Communications, Web Design, and Web Game Development; and

(J) speech--Communication Applications.

(3) Districts may offer additional courses from the complete list of courses approved by the State Board of Education to satisfy graduation requirements as referenced in this chapter.

(4) The school district must provide each student the opportunity to participate in all courses listed in subsection (b)(2) of this section. The district must provide students the opportunity each year to select courses in which they intend to participate from a list that includes all courses required to be offered in subsection (b)(2) of this section. If the school district will not offer the required courses every year, but intends to offer particular courses only every other year, it must notify all enrolled students of that fact. A school district must teach a course that is specifically required for high school graduation at least once in any two consecutive school years. For a subject that has an end-of-course assessment, the district must either teach the course every year or employ options described in Subchapter C of this chapter (relating to Other Provisions) to enable students to earn credit for the course and must maintain evidence that it is employing those options.

(5) For students entering Grade 9 beginning with the 2007-2008 school year, districts must ensure that one or more courses offered in the required curriculum for the recommended and advanced high school programs include a research writing component.

(c) Courses in the foundation and enrichment curriculum in Grades 6-12 must be provided in a manner that allows all grade promotion and high school graduation requirements to be met in a timely manner. Nothing in this chapter shall be construed to require a district to offer a specific course in the foundation and enrichment curriculum except as required by this subsection.

Statutory Authority: The provisions of this §74.3 issued under the Texas Education Code, §§7.102(c)(4), 28.002, and 28.025.

Source: The provisions of this §74.3 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective October 13, 1997, 22 TexReg 10129; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective September 1, 2001, 25 TexReg 7691; amended to be effective October 3, 2004, 29 TexReg 9185; amended to be effective January 9, 2007, 32 TexReg 80; amended to be effective December 23, 2009, 34 TexReg 9198; amended to be effective April 21, 2010, 35 TexReg 3028; amended to be effective May 30, 2012, 37 TexReg 3808.

§74.4. English Language Proficiency Standards.

(a) Introduction.

(1) The English language proficiency standards in this section outline English language proficiency level descriptors and student expectations for English language learners (ELLs). School districts shall implement this section as an integral part of each subject in the required curriculum. The English language proficiency standards are to be published along with the Texas Essential Knowledge and Skills (TEKS) for each subject in the required curriculum.

(2) In order for ELLs to be successful, they must acquire both social and academic language proficiency in English. Social language proficiency in English consists of the English needed for daily social interactions. Academic language proficiency consists of the English needed to think critically, understand and learn new concepts, process complex academic material, and interact and communicate in English academic settings.

(3) Classroom instruction that effectively integrates second language acquisition with quality content area instruction ensures that ELLs acquire social and academic language proficiency in English, learn the knowledge and skills in the TEKS, and reach their full academic potential.

(4) Effective instruction in second language acquisition involves giving ELLs opportunities to listen, speak, read, and write at their current levels of English development while gradually increasing the linguistic complexity of the English they read and hear, and are expected to speak and write.

(5) The cross-curricular second language acquisition skills in subsection (c) of this section apply to ELLs in Kindergarten-Grade 12.

(6) The English language proficiency levels of beginning, intermediate, advanced, and advanced high are not grade-specific. ELLs may exhibit different proficiency levels within the language domains of listening, speaking, reading, and writing. The proficiency level descriptors outlined in subsection (d) of this section show the progression of second language acquisition from one proficiency level to the next and serve as a road map to help content area teachers instruct ELLs commensurate with students' linguistic needs.

(b) School district responsibilities. In fulfilling the requirements of this section, school districts 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 beginning, intermediate, advanced, and advanced high levels delineated in subsection (d) 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 (c) 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 ELLs in Grade 3 or higher who are at the beginning or intermediate level of English language proficiency in listening, speaking, reading, and/or writing as determined by the state's English language proficiency assessment system. These ELLs require focused, targeted, and systematic second language acquisition instruction to provide them with the foundation of English language vocabulary, grammar, syntax, and English mechanics necessary to support content-based instruction and accelerated learning of English.

(c) Cross-curricular second language acquisition essential knowledge and skills.

(1) Cross-curricular second language acquisition/learning strategies. The ELL uses language learning strategies to develop an awareness of his or her own learning processes in all content areas. In order for the ELL to meet grade-level learning expectations across the foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency. The student is expected to:

(A) use prior knowledge and experiences to understand meanings in English;

(B) monitor oral and written language production and employ self-corrective techniques or other resources;

(C) use strategic learning techniques such as concept mapping, drawing, memorizing, comparing, contrasting, and reviewing to acquire basic and grade-level vocabulary;

(D) speak using learning strategies such as requesting assistance, employing non-verbal cues, and using synonyms and circumlocution (conveying ideas by defining or describing when exact English words are not known);

(E) internalize new basic and academic language by using and reusing it in meaningful ways in speaking and writing activities that build concept and language attainment;

(F) use accessible language and learn new and essential language in the process;

(G) demonstrate an increasing ability to distinguish between formal and informal English and an increasing knowledge of when to use each one commensurate with grade-level learning expectations; and

(H) develop and expand repertoire of learning strategies such as reasoning inductively or deductively, looking for patterns in language, and analyzing sayings and expressions commensurate with grade-level learning expectations.

(2) Cross-curricular second language acquisition/listening. The ELL listens to a variety of speakers including teachers, peers, and electronic media to gain an increasing level of comprehension of newly acquired language in all content areas. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in listening. In order for the ELL to meet grade-level learning expectations across the foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency. The student is expected to:

(A) distinguish sounds and intonation patterns of English with increasing ease;

(B) recognize elements of the English sound system in newly acquired vocabulary such as long and short vowels, silent letters, and consonant clusters;

(C) learn new language structures, expressions, and basic and academic vocabulary heard during classroom instruction and interactions;

(D) monitor understanding of spoken language during classroom instruction and interactions and seek clarification as needed;

(E) use visual, contextual, and linguistic support to enhance and confirm understanding of increasingly complex and elaborated spoken language;

(F) listen to and derive meaning from a variety of media such as audio tape, video, DVD, and CD ROM to build and reinforce concept and language attainment;

(G) understand the general meaning, main points, and important details of spoken language ranging from situations in which topics, language, and contexts are familiar to unfamiliar;

(H) understand implicit ideas and information in increasingly complex spoken language commensurate with grade-level learning expectations; and

(I) demonstrate listening comprehension of increasingly complex spoken English by following directions, retelling or summarizing spoken messages, responding to questions and requests, collaborating with peers, and taking notes commensurate with content and grade-level needs.

(3) Cross-curricular second language acquisition/speaking. The ELL speaks in a variety of modes for a variety of purposes with an awareness of different language registers (formal/informal) using vocabulary with increasing fluency and accuracy in language arts and all content areas. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in speaking. In order for the ELL to meet grade-level learning expectations across the foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency. The student is expected to:

(A) practice producing sounds of newly acquired vocabulary such as long and short vowels, silent letters, and consonant clusters to pronounce English words in a manner that is increasingly comprehensible;

(B) expand and internalize initial English vocabulary by learning and using high-frequency English words necessary for identifying and describing people, places, and objects, by retelling simple stories and basic information represented or supported by pictures, and by learning and using routine language needed for classroom communication;

(C) speak using a variety of grammatical structures, sentence lengths, sentence types, and connecting words with increasing accuracy and ease as more English is acquired;

(D) speak using grade-level content area vocabulary in context to internalize new English words and build academic language proficiency;

(E) share information in cooperative learning interactions;

(F) ask and give information ranging from using a very limited bank of high-frequency, high-need, concrete vocabulary, including key words and expressions needed for basic communication in academic and social contexts, to using abstract and content-based vocabulary during extended speaking assignments;

(G) express opinions, ideas, and feelings ranging from communicating single words and short phrases to participating in extended discussions on a variety of social and grade-appropriate academic topics;

(H) narrate, describe, and explain with increasing specificity and detail as more English is acquired;

(I) adapt spoken language appropriately for formal and informal purposes; and

(J) respond orally to information presented in a wide variety of print, electronic, audio, and visual media to build and reinforce concept and language attainment.

(4) Cross-curricular second language acquisition/reading. The ELL reads a variety of texts for a variety of purposes with an increasing level of comprehension in all content areas. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in reading. In order for the ELL to meet grade-level learning expectations across the foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency. For Kindergarten and Grade 1, certain of these student expectations apply to text read aloud for students not yet at the stage of decoding written text. The student is expected to:

(A) learn relationships between sounds and letters of the English language and decode (sound out) words using a combination of skills such as recognizing sound-letter relationships and identifying cognates, affixes, roots, and base words;

(B) recognize directionality of English reading such as left to right and top to bottom;

(C) develop basic sight vocabulary, derive meaning of environmental print, and comprehend English vocabulary and language structures used routinely in written classroom materials;

(D) use prereading supports such as graphic organizers, illustrations, and pretaught topic-related vocabulary and other prereading activities to enhance comprehension of written text;

(E) read linguistically accommodated content area material with a decreasing need for linguistic accommodations as more English is learned;

(F) use visual and contextual support and support from peers and teachers to read grade-appropriate content area text, enhance and confirm understanding, and develop vocabulary, grasp of language structures, and background knowledge needed to comprehend increasingly challenging language;

(G) demonstrate comprehension of increasingly complex English by participating in shared reading, retelling or summarizing material, responding to questions, and taking notes commensurate with content area and grade level needs;

(H) read silently with increasing ease and comprehension for longer periods;

(I) demonstrate English comprehension and expand reading skills by employing basic reading skills such as demonstrating understanding of supporting ideas and details in text and graphic sources, summarizing text, and distinguishing main ideas from details commensurate with content area needs;

(J) demonstrate English comprehension and expand reading skills by employing inferential skills such as predicting, making connections between ideas, drawing inferences and conclusions from text and graphic sources, and finding supporting text evidence commensurate with content area needs; and

(K) demonstrate English comprehension and expand reading skills by employing analytical skills such as evaluating written information and performing critical analyses commensurate with content area and grade-level needs.

(5) Cross-curricular second language acquisition/writing. The ELL writes in a variety of forms with increasing accuracy to effectively address a specific purpose and audience in all content areas. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in writing. In order for the ELL to meet grade-level learning expectations across foundation and enrichment curriculum, all instruction delivered in English must be linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's level of English language proficiency. For Kindergarten and Grade 1, certain of these student expectations do not apply until the student has reached the stage of generating original written text using a standard writing system. The student is expected to:

(A) learn relationships between sounds and letters of the English language to represent sounds when writing in English;

(B) write using newly acquired basic vocabulary and content-based grade-level vocabulary;

(C) spell familiar English words with increasing accuracy, and employ English spelling patterns and rules with increasing accuracy as more English is acquired;

(D) edit writing for standard grammar and usage, including subject-verb agreement, pronoun agreement, and appropriate verb tenses commensurate with grade-level expectations as more English is acquired;

(E) employ increasingly complex grammatical structures in content area writing commensurate with grade-level expectations, such as:

(i) using correct verbs, tenses, and pronouns/antecedents;

(ii) using possessive case (apostrophe *s*) correctly; and

(iii) using negatives and contractions correctly;

(F) write using a variety of grade-appropriate sentence lengths, patterns, and connecting words to combine phrases, clauses, and sentences in increasingly accurate ways as more English is acquired; and

(G) narrate, describe, and explain with increasing specificity and detail to fulfill content area writing needs as more English is acquired.

(d) Proficiency level descriptors.

(1) Listening, Kindergarten-Grade 12. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in listening. The following proficiency level

descriptors for listening are sufficient to describe the overall English language proficiency levels of ELLs in this language domain in order to linguistically accommodate their instruction.

(A) Beginning. Beginning ELLs have little or no ability to understand spoken English in academic and social settings. These students:

(i) struggle to understand simple conversations and simple discussions even when the topics are familiar and the speaker uses linguistic supports such as visuals, slower speech and other verbal cues, and gestures;

(ii) struggle to identify and distinguish individual words and phrases during social and instructional interactions that have not been intentionally modified for ELLs; and

(iii) may not seek clarification in English when failing to comprehend the English they hear; frequently remain silent, watching others for cues.

(B) Intermediate. Intermediate ELLs have the ability to understand simple, high-frequency spoken English used in routine academic and social settings. These students:

(i) usually understand simple or routine directions, as well as short, simple conversations and short, simple discussions on familiar topics; when topics are unfamiliar, require extensive linguistic supports and adaptations such as visuals, slower speech and other verbal cues, simplified language, gestures, and preteaching to preview or build topic-related vocabulary;

(ii) often identify and distinguish key words and phrases necessary to understand the general meaning during social and basic instructional interactions that have not been intentionally modified for ELLs; and

(iii) have the ability to seek clarification in English when failing to comprehend the English they hear by requiring/requesting the speaker to repeat, slow down, or rephrase speech.

(C) Advanced. Advanced ELLs have the ability to understand, with second language acquisition support, grade-appropriate spoken English used in academic and social settings. These students:

(i) usually understand longer, more elaborated directions, conversations, and discussions on familiar and some unfamiliar topics, but sometimes need processing time and sometimes depend on visuals, verbal cues, and gestures to support understanding;

(ii) understand most main points, most important details, and some implicit information during social and basic instructional interactions that have not been intentionally modified for ELLs; and

(iii) occasionally require/request the speaker to repeat, slow down, or rephrase to clarify the meaning of the English they hear.

(D) Advanced high. Advanced high ELLs have the ability to understand, with minimal second language acquisition support, grade-appropriate spoken English used in academic and social settings. These students:

(i) understand longer, elaborated directions, conversations, and discussions on familiar and unfamiliar topics with occasional need for processing time and with little dependence on visuals, verbal cues, and gestures; some exceptions when complex academic or highly specialized language is used;

(ii) understand main points, important details, and implicit information at a level nearly comparable to native English-speaking peers during social and instructional interactions; and

(iii) rarely require/request the speaker to repeat, slow down, or rephrase to clarify the meaning of the English they hear.

(2) Speaking, Kindergarten-Grade 12. ELLs may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in speaking. The following proficiency level descriptors for speaking are sufficient to describe the overall English language proficiency levels of ELLs in this language domain in order to linguistically accommodate their instruction.

(A) Beginning. Beginning ELLs have little or no ability to speak English in academic and social settings. These students:

(i) mainly speak using single words and short phrases consisting of recently practiced, memorized, or highly familiar material to get immediate needs met; may be hesitant to speak and often give up in their attempts to communicate;

(ii) speak using a very limited bank of high-frequency, high-need, concrete vocabulary, including key words and expressions needed for basic communication in academic and social contexts;

(iii) lack the knowledge of English grammar necessary to connect ideas and speak in sentences; can sometimes produce sentences using recently practiced, memorized, or highly familiar material;

(iv) exhibit second language acquisition errors that may hinder overall communication, particularly when trying to convey information beyond memorized, practiced, or highly familiar material; and

(v) typically use pronunciation that significantly inhibits communication.

(B) Intermediate. Intermediate ELLs have the ability to speak in a simple manner using English commonly heard in routine academic and social settings. These students:

(i) are able to express simple, original messages, speak using sentences, and participate in short conversations and classroom interactions; may hesitate frequently and for long periods to think about how to communicate desired meaning;

(ii) speak simply using basic vocabulary needed in everyday social interactions and routine academic contexts; rarely have vocabulary to speak in detail;

(iii) exhibit an emerging awareness of English grammar and speak using mostly simple sentence structures and simple tenses; are most comfortable speaking in present tense;

(iv) exhibit second language acquisition errors that may hinder overall communication when trying to use complex or less familiar English; and

(v) use pronunciation that can usually be understood by people accustomed to interacting with ELLs.

(C) Advanced. Advanced ELLs have the ability to speak using grade-appropriate English, with second language acquisition support, in academic and social settings. These students:

(i) are able to participate comfortably in most conversations and academic discussions on familiar topics, with some pauses to restate, repeat, or search for words and phrases to clarify meaning;

(ii) discuss familiar academic topics using content-based terms and common abstract vocabulary; can usually speak in some detail on familiar topics;

(iii) have a grasp of basic grammar features, including a basic ability to narrate and describe in present, past, and future tenses; have an emerging ability to use complex sentences and complex grammar features;

(iv) make errors that interfere somewhat with communication when using complex grammar structures, long sentences, and less familiar words and expressions; and

(v) may mispronounce words, but use pronunciation that can usually be understood by people not accustomed to interacting with ELLs.

(D) Advanced high. Advanced high ELLs have the ability to speak using grade-appropriate English, with minimal second language acquisition support, in academic and social settings. These students:

(i) are able to participate in extended discussions on a variety of social and grade-appropriate academic topics with only occasional disruptions, hesitations, or pauses;

(ii) communicate effectively using abstract and content-based vocabulary during classroom instructional tasks, with some exceptions when low-frequency or academically demanding vocabulary is needed; use many of the same idioms and colloquialisms as their native English-speaking peers;

(iii) can use English grammar structures and complex sentences to narrate and describe at a level nearly comparable to native English-speaking peers;

(iv) make few second language acquisition errors that interfere with overall communication; and

(v) may mispronounce words, but rarely use pronunciation that interferes with overall communication.

(3) Reading, Kindergarten-Grade 1. ELLs in Kindergarten and Grade 1 may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in reading. The following proficiency level descriptors for reading are sufficient to describe the overall English language proficiency levels of ELLs in this language domain in order to linguistically accommodate their instruction and should take into account developmental stages of emergent readers.

(A) Beginning. Beginning ELLs have little or no ability to use the English language to build foundational reading skills. These students:

(i) derive little or no meaning from grade-appropriate stories read aloud in English, unless the stories are:

(I) read in short "chunks;"

(II) controlled to include the little English they know such as language that is high frequency, concrete, and recently practiced; and

(III) accompanied by ample visual supports such as illustrations, gestures, pantomime, and objects and by linguistic supports such as careful enunciation and slower speech;

(ii) begin to recognize and understand environmental print in English such as signs, labeled items, names of peers, and logos; and

(iii) have difficulty decoding most grade-appropriate English text because they:

(I) understand the meaning of very few words in English; and

(II) struggle significantly with sounds in spoken English words and with sound-symbol relationships due to differences between their primary language and English.

(B) Intermediate. Intermediate ELLs have a limited ability to use the English language to build foundational reading skills. These students:

(i) demonstrate limited comprehension (key words and general meaning) of grade-appropriate stories read aloud in English, unless the stories include:

(I) predictable story lines;

(II) highly familiar topics;

(III) primarily high-frequency, concrete vocabulary;

(IV) short, simple sentences; and

(V) visual and linguistic supports;

(ii) regularly recognize and understand common environmental print in English such as signs, labeled items, names of peers, logos; and

(iii) have difficulty decoding grade-appropriate English text because they:

(I) understand the meaning of only those English words they hear frequently; and

(II) struggle with some sounds in English words and some sound-symbol relationships due to differences between their primary language and English.

(C) Advanced. Advanced ELLs have the ability to use the English language, with second language acquisition support, to build foundational reading skills. These students:

(i) demonstrate comprehension of most main points and most supporting ideas in grade-appropriate stories read aloud in English, although they may still depend on visual and linguistic supports to gain or confirm meaning;

(ii) recognize some basic English vocabulary and high-frequency words in isolated print; and

(iii) with second language acquisition support, are able to decode most grade-appropriate English text because they:

(I) understand the meaning of most grade-appropriate English words; and

(II) have little difficulty with English sounds and sound-symbol relationships that result from differences between their primary language and English.

(D) Advanced high. Advanced high ELLs have the ability to use the English language, with minimal second language acquisition support, to build foundational reading skills. These students:

(i) demonstrate, with minimal second language acquisition support and at a level nearly comparable to native English-speaking peers, comprehension of main points and supporting ideas (explicit and implicit) in grade-appropriate stories read aloud in English;

(ii) with some exceptions, recognize sight vocabulary and high-frequency words to a degree nearly comparable to that of native English-speaking peers; and

(iii) with minimal second language acquisition support, have an ability to decode and understand grade-appropriate English text at a level nearly comparable to native English-speaking peers.

(4) Reading, Grades 2-12. ELLs in Grades 2-12 may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in reading. The following proficiency level descriptors for reading are sufficient to describe the overall English language proficiency levels of ELLs in this language domain in order to linguistically accommodate their instruction.

(A) Beginning. Beginning ELLs have little or no ability to read and understand English used in academic and social contexts. These students:

(i) read and understand the very limited recently practiced, memorized, or highly familiar English they have learned; vocabulary predominantly includes:

(I) environmental print;

(II) some very high-frequency words; and

(III) concrete words that can be represented by pictures;

(ii) read slowly, word by word;

(iii) have a very limited sense of English language structures;

(iv) comprehend predominantly isolated familiar words and phrases; comprehend some sentences in highly routine contexts or recently practiced, highly familiar text;

(v) are highly dependent on visuals and prior knowledge to derive meaning from text in English; and

(vi) are able to apply reading comprehension skills in English only when reading texts written for this level.

(B) Intermediate. Intermediate ELLs have the ability to read and understand simple, high-frequency English used in routine academic and social contexts. These students:

(i) read and understand English vocabulary on a somewhat wider range of topics and with increased depth; vocabulary predominantly includes:

(I) everyday oral language;

(II) literal meanings of common words;

(III) routine academic language and terms; and

(IV) commonly used abstract language such as terms used to describe basic feelings;

(ii) often read slowly and in short phrases; may re-read to clarify meaning;

(iii) have a growing understanding of basic, routinely used English language structures;

(iv) understand simple sentences in short, connected texts, but are dependent on visual cues, topic familiarity, prior knowledge, pretaught topic-related vocabulary, story predictability, and teacher/peer assistance to sustain comprehension;

(v) struggle to independently read and understand grade-level texts; and

(vi) are able to apply basic and some higher-order comprehension skills when reading texts that are linguistically accommodated and/or simplified for this level.

(C) Advanced. Advanced ELLs have the ability to read and understand, with second language acquisition support, grade-appropriate English used in academic and social contexts. These students:

(i) read and understand, with second language acquisition support, a variety of grade-appropriate English vocabulary used in social and academic contexts:

(I) with second language acquisition support, read and understand grade-appropriate concrete and abstract vocabulary, but have difficulty with less commonly encountered words;

(II) demonstrate an emerging ability to understand words and phrases beyond their literal meaning; and

(III) understand multiple meanings of commonly used words;

(ii) read longer phrases and simple sentences from familiar text with appropriate rate and speed;

(iii) are developing skill in using their growing familiarity with English language structures to construct meaning of grade-appropriate text; and

(iv) are able to apply basic and higher-order comprehension skills when reading grade-appropriate text, but are still occasionally dependent on visuals, teacher/peer assistance, and other linguistically accommodated text features to determine or clarify meaning, particularly with unfamiliar topics.

(D) Advanced high. Advanced high ELLs have the ability to read and understand, with minimal second language acquisition support, grade-appropriate English used in academic and social contexts. These students:

(i) read and understand vocabulary at a level nearly comparable to that of their native English-speaking peers, with some exceptions when low-frequency or specialized vocabulary is used;

(ii) generally read grade-appropriate, familiar text with appropriate rate, speed, intonation, and expression;

(iii) are able to, at a level nearly comparable to native English-speaking peers, use their familiarity with English language structures to construct meaning of grade-appropriate text; and

(iv) are able to apply, with minimal second language acquisition support and at a level nearly comparable to native English-speaking peers, basic and higher-order comprehension skills when reading grade-appropriate text.

(5) Writing, Kindergarten-Grade 1. ELLs in Kindergarten and Grade 1 may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in writing. The following proficiency level descriptors for writing are sufficient to describe the overall English language proficiency levels of ELLs in this language domain in order to linguistically accommodate their instruction and should take into account developmental stages of emergent writers.

(A) Beginning. Beginning ELLs have little or no ability to use the English language to build foundational writing skills. These students:

(i) are unable to use English to explain self-generated writing such as stories they have created or other personal expressions, including emergent forms of writing (pictures, letter-like forms, mock words, scribbling, etc.);

(ii) know too little English to participate meaningfully in grade-appropriate shared writing activities using the English language;

(iii) cannot express themselves meaningfully in self-generated, connected written text in English beyond the level of high-frequency, concrete words, phrases, or short sentences that have been recently practiced and/or memorized; and

(iv) may demonstrate little or no awareness of English print conventions.

(B) Intermediate. Intermediate ELLs have a limited ability to use the English language to build foundational writing skills. These students:

(i) know enough English to explain briefly and simply self-generated writing, including emergent forms of writing, as long as the topic is highly familiar and concrete and requires very high-frequency English;

(ii) can participate meaningfully in grade-appropriate shared writing activities using the English language only when the writing topic is highly familiar and concrete and requires very high-frequency English;

(iii) express themselves meaningfully in self-generated, connected written text in English when their writing is limited to short sentences featuring simple, concrete English used frequently in class; and

(iv) frequently exhibit features of their primary language when writing in English such as primary language words, spelling patterns, word order, and literal translating.

(C) Advanced. Advanced ELLs have the ability to use the English language to build, with second language acquisition support, foundational writing skills. These students:

(i) use predominantly grade-appropriate English to explain, in some detail, most self-generated writing, including emergent forms of writing;

(ii) can participate meaningfully, with second language acquisition support, in most grade-appropriate shared writing activities using the English language;

(iii) although second language acquisition support is needed, have an emerging ability to express themselves in self-generated, connected written text in English in a grade-appropriate manner; and

(iv) occasionally exhibit second language acquisition errors when writing in English.

(D) Advanced high. Advanced high ELLs have the ability to use the English language to build, with minimal second language acquisition support, foundational writing skills. These students:

(i) use English at a level of complexity and detail nearly comparable to that of native English-speaking peers when explaining self-generated writing, including emergent forms of writing;

(ii) can participate meaningfully in most grade-appropriate shared writing activities using the English language; and

(iii) although minimal second language acquisition support may be needed, express themselves in self-generated, connected written text in English in a manner nearly comparable to their native English-speaking peers.

(6) Writing, Grades 2-12. ELLs in Grades 2-12 may be at the beginning, intermediate, advanced, or advanced high stage of English language acquisition in writing. The following proficiency level descriptors for writing are sufficient to describe the overall English language proficiency levels of ELLs in this language domain in order to linguistically accommodate their instruction.

(A) Beginning. Beginning ELLs lack the English vocabulary and grasp of English language structures necessary to address grade-appropriate writing tasks meaningfully. These students:

(i) have little or no ability to use the English language to express ideas in writing and engage meaningfully in grade-appropriate writing assignments in content area instruction;

(ii) lack the English necessary to develop or demonstrate elements of grade-appropriate writing such as focus and coherence, conventions, organization, voice, and development of ideas in English; and

(iii) exhibit writing features typical at this level, including:

(I) ability to label, list, and copy;

(II) high-frequency words/phrases and short, simple sentences (or even short paragraphs) based primarily on recently practiced, memorized, or highly familiar material; this type of writing may be quite accurate;

(III) present tense used primarily; and

(IV) frequent primary language features (spelling patterns, word order, literal translations, and words from the student's primary language) and other errors associated with second language acquisition may significantly hinder or prevent understanding, even for individuals accustomed to the writing of ELLs.

(B) Intermediate. Intermediate ELLs have enough English vocabulary and enough grasp of English language structures to address grade-appropriate writing tasks in a limited way. These students:

(i) have a limited ability to use the English language to express ideas in writing and engage meaningfully in grade-appropriate writing assignments in content area instruction;

(ii) are limited in their ability to develop or demonstrate elements of grade-appropriate writing in English; communicate best when topics are highly familiar and concrete, and require simple, high-frequency English; and

(iii) exhibit writing features typical at this level, including:

(I) simple, original messages consisting of short, simple sentences; frequent inaccuracies occur when creating or taking risks beyond familiar English;

(II) high-frequency vocabulary; academic writing often has an oral tone;

(III) loosely connected text with limited use of cohesive devices or repetitive use, which may cause gaps in meaning;

(IV) repetition of ideas due to lack of vocabulary and language structures;

(V) present tense used most accurately; simple future and past tenses, if attempted, are used inconsistently or with frequent inaccuracies;

(VI) undetailed descriptions, explanations, and narrations; difficulty expressing abstract ideas;

(VII) primary language features and errors associated with second language acquisition may be frequent; and

(VIII) some writing may be understood only by individuals accustomed to the writing of ELLs; parts of the writing may be hard to understand even for individuals accustomed to ELL writing.

(C) Advanced. Advanced ELLs have enough English vocabulary and command of English language structures to address grade-appropriate writing tasks, although second language acquisition support is needed. These students:

(i) are able to use the English language, with second language acquisition support, to express ideas in writing and engage meaningfully in grade-appropriate writing assignments in content area instruction;

(ii) know enough English to be able to develop or demonstrate elements of grade-appropriate writing in English, although second language acquisition support is particularly needed when topics are abstract, academically challenging, or unfamiliar; and

(iii) exhibit writing features typical at this level, including:

(I) grasp of basic verbs, tenses, grammar features, and sentence patterns; partial grasp of more complex verbs, tenses, grammar features, and sentence patterns;

(II) emerging grade-appropriate vocabulary; academic writing has a more academic tone;

(III) use of a variety of common cohesive devices, although some redundancy may occur;

(IV) narrations, explanations, and descriptions developed in some detail with emerging clarity; quality or quantity declines when abstract ideas are expressed, academic demands are high, or low-frequency vocabulary is required;

(V) occasional second language acquisition errors; and

(VI) communications are usually understood by individuals not accustomed to the writing of ELLs.

(D) Advanced high. Advanced high ELLs have acquired the English vocabulary and command of English language structures necessary to address grade-appropriate writing tasks with minimal second language acquisition support. These students:

(i) are able to use the English language, with minimal second language acquisition support, to express ideas in writing and engage meaningfully in grade-appropriate writing assignments in content area instruction;

(ii) know enough English to be able to develop or demonstrate, with minimal second language acquisition support, elements of grade-appropriate writing in English; and

(iii) exhibit writing features typical at this level, including:

(I) nearly comparable to writing of native English-speaking peers in clarity and precision with regard to English vocabulary and language structures, with occasional exceptions when writing about academically complex ideas, abstract ideas, or topics requiring low-frequency vocabulary;

(II) occasional difficulty with naturalness of phrasing and expression; and

(III) errors associated with second language acquisition are minor and usually limited to low-frequency words and structures; errors rarely interfere with communication.

(e) Effective date. The provisions of this section supersede the ESL standards specified in Chapter 128 of this title (relating to Texas Essential Knowledge and Skills for Spanish Language Arts and English as a Second Language) upon the effective date of this section.

Source: The provisions of this §74.4 adopted to be effective December 25, 2007, 32 TexReg 9615.