

# Language Proficiency Assessment Committee Decisions

## Educator Guide



**Information about the Texas Assessment Program can be found on the [Student Assessment](#) website.**

**[Texas Educator Committees](#)**

The Texas Education Agency encourages highly qualified educators to apply to participate in educator committees for the Texas Assessment Program. Click the link or scan the QR code for more information.



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# Resources

- [STAAR](#)
- [STAAR Alternate 2](#)
- [TELPAS](#)
- [TELPAS Alternate](#)
- [Assessments for Special Populations](#)
- [Test Administration Resources](#)
- [\*District and Campus Coordinator Resources\*](#)

# Overview

This Texas Education Agency (TEA) publication is designed to guide language proficiency assessment committees (LPACs) in making assessment and accommodations decisions for emergent bilingual (EB) students participating in the Texas Assessment Program. EB students are required to participate in the State of Texas Assessments of Academic Readiness (STAAR®) and the Texas English Language Proficiency Assessment System (TELPAS).

Chapter 39 of the Texas Education Code (TEC) and Title 19, Chapter 101, of the Texas Administrative Code (TAC) require LPACs to make assessment decisions in accordance with administrative procedures established by TEA. In fulfilling its responsibilities, an LPAC must work as a committee to:

- adhere to the administrative procedures in this guide,
- make assessment decisions on an individual student basis, and
- maintain required documentation.

Decisions that LPACs make on behalf of EB students support the appropriate implementation of both the Texas Essential Knowledge and Skills (TEKS) and the Texas English Language Proficiency Standards (ELPS).

In addition to making assessment decisions, LPACs are also required to determine and document the number of school years an EB student has been enrolled in a U.S. school. This information, which is submitted in the Test Information Distribution Engine (TIDE) during the TELPAS and TELPAS Alternate administrations, is used for TELPAS and TELPAS Alternate reporting and STAAR assessment decisions. It is vital that LPACs follow state-defined policies and procedures to annually determine and document this important data element. Refer to the LPAC Resources section of the [Assessments for Special Populations](#) webpage for instructions on calculating years in U.S. schools.

# Test Participation Decisions: STAAR, STAAR Spanish, or STAAR Alternate 2

All students enrolled in Texas public schools and open-enrollment charter schools, including virtual schools, are required by federal and state law to participate in the Texas Assessment Program. Students are required to take academic achievement assessments (i.e., STAAR, STAAR Spanish, or STAAR Alternate 2) in specific grades and subjects. District testing personnel are required to provide a testing opportunity for all eligible students.

LPACs must make and document assessment participation decisions in accordance with requirements for the Texas Assessment Program. EB students, including students classified as emergent bilingual (EB)/English learner (EL) in the Public Education Information Management System (PEIMS) whose parents have declined bilingual or English as a second language (ESL) program services (PEIMS code C), are required to take STAAR, the general academic assessment, unless they meet the eligibility requirements for STAAR Spanish or STAAR Alternate 2. A student's LPAC must determine if STAAR Spanish is the most appropriate assessment to measure his or her academic progress. A student's admission, review and dismissal (ARD) committee must determine if the student meets the STAAR Alternate 2 participation requirements, which are available on the [STAAR Alternate 2 Resources](#) webpage.

EB students are required to participate in one of the following academic assessments unless they meet the criteria for special circumstances.

<b>STAAR</b>	<ul style="list-style-type: none"> <li>• general statewide assessment</li> <li>• accommodations available for students who meet eligibility criteria found in the <a href="#">Accommodations</a> section of the <i>District and Campus Coordinator Resources</i></li> <li>• taken by EB students not eligible for an assessment listed below</li> </ul>
<b>STAAR Spanish</b> (grades 3–5)	<ul style="list-style-type: none"> <li>• available for students, including those whose parents have declined bilingual or ESL program services, in grades 3–5 for whom a Spanish version of STAAR most appropriately measures their academic progress</li> <li>• accommodations available for students who meet eligibility criteria found in the Accommodations section of the <i>Coordinator Resources</i></li> </ul>
<b>STAAR Alternate 2</b>	<ul style="list-style-type: none"> <li>• available for students, including dual-identified EB students, who are receiving special education services and who meet requirements for an alternate assessment based on alternate achievement standards</li> <li>• participation requirements and information regarding available accommodations can be found on the <a href="#">STAAR Alternate 2 Resources</a> webpage</li> </ul>

For an EB student who receives special education services, the LPAC must work in conjunction with the student's ARD committee to make and document assessment participation decisions.

In making assessment decisions, LPACs should keep in mind that STAAR Spanish, in addition to being appropriate for students in bilingual programs who receive most of their academic instruction in Spanish, may sometimes be appropriate for an EB student in an ESL program.

Examples include the following:

- a Spanish speaker who has recently moved to the United States
- an EB student who recently moved from a campus with a Spanish bilingual education program to a campus with only an ESL program
- a student in an ESL program who receives substantial academic support in Spanish

To most accurately evaluate the student's progress in learning English, it is recommended that LPACs make final assessment decisions as close as possible to the time of the assessment administration.

For non-EB students participating in a dual-language bilingual education program, including one-way or two-way dual-language programs, a student may be administered a STAAR Spanish assessment if the LPAC determines STAAR Spanish to be the most appropriate measure of the student's academic progress per TAC [§101.1005\(g\)](#). The LPAC must consider the student's language of instruction and the level of linguistic support that the student receives during classroom instruction when determining whether English or Spanish is the most appropriate assessment. This may differ by content area for the student and should be determined on an individual basis.

**NOTE:** For non-EB students, the LPAC is only responsible for determining the language of the assessment the student will take and is not responsible for completing the many other LPAC duties carried out for EB students.

## Special Circumstances

Eligible EB students may qualify for a STAAR grades 3–8 exemption or the STAAR English I special provision, provided they meet certain criteria.

### STAAR Exemption for Grades 3–8

TAC §101.1005 allows certain asylees and refugees an exemption from participating in a STAAR administration. This exemption applies to an EB student who:

- qualifies as an unschooled asylee or refugee,
- is in the first year of enrollment in U.S. schools, and
- is in grades 3–8.

### STAAR English I Special Provision

EB students are required to take the STAAR English I assessment at least once when completing an English I or English for Speakers of Other Languages (ESOL) I course. If an eligible EB student

passes the course but does not meet the passing standard on the STAAR English I assessment, the student may opt to retake the assessment or enact the special provision allowed under TAC [§101.1007](#).

By allowing students to not retake the STAAR English I assessment, this special provision acknowledges the unique circumstances of specific EB students and the challenges they could encounter when engaging with high school English course material due to having had insufficient time in the United States and insufficient time to learn English. These students may depend heavily on instructional scaffolding, including linguistic supports based on their second language acquisition needs, that cannot be provided as an accommodation during the STAAR English I assessment.

This provision applies to an EB student, including a student whose parents have declined bilingual or ESL program services, who:

- has been enrolled in U.S. schools for three school years or less or qualifies as an unschooled asylee or refugee enrolled in U.S. schools for five school years or less, and
- has not attained an Advanced High reading rating on TELPAS.

An EB student who qualifies as an unschooled asylee or refugee may be eligible for the STAAR English I special provision during the student's fourth or fifth school year of enrollment in a U.S. school if all other requirements are met.

Eligibility for this provision is made by the student's LPAC and must be determined in conjunction with the student's enrollment in an English I or ESOL I course. Documentation of eligibility for the special provision must be maintained in the student's permanent record file. Refer to the STAAR English I Special Provision Documentation form available on the [Assessments for Special Populations](#) webpage.

## **Unschooled Asylee or Refugee**

To qualify as an unschooled asylee or refugee, a student must meet each of the following criteria:

- The student must be identified as an EB student as defined by state law in TEC [§29.052](#).
- The student's permanent record file must document that:
  - the student had little or no formal schooling outside the United States and lacked basic primary language literacy upon enrollment in a U.S. school;
  - the student is being provided accommodations and other ongoing interventions by the district to meet the student's unique affective, linguistic, and cognitive needs; and
  - as of the semester of the test administration, the student continues to lack the necessary foundation in the TEKS as a direct result of the student's inadequate schooling outside the United States.
- The student's permanent record file must contain appropriate documentation of asylee or refugee status. The student must:



- be an asylee as defined by 45 Code of Federal Regulations (CFR) [§400.41](#) or a refugee as defined by 8 United States Code (USC) [§1101](#), and
- have a Form I-94 Arrival/Departure record or successor document issued by the United States Citizenship and Immigration Services that is stamped with “Asylee,” “Refugee,” or “Asylum” or a green card or one of the other forms of acceptable documentation described below.

Documentation of asylee or refugee status should come from the parent or legal guardian or from the student if he or she is 18 or older. District personnel may contact a resettlement agency or other social services provider that assisted the student at the time of initial enrollment in U.S. schools, as needed. If the student does not have a Form I-94, a green card containing a code indicating status as an asylee (AS6, AS7, or AS8) or as a refugee (RE6, RE7, RE8, or RE9) may be used.

Other forms of acceptable documentation for humanitarian populations that are included in refugee services as defined in 45 CFR §400.41 and 8 USC §1101 and referenced in TAC §101.1005(c)(1) can be found on the [U.S. Office of Refugee Resettlement](#) webpage. For questions regarding whether a document other than Form I-94 or a green card is an acceptable form of documentation, contact a children’s service specialist at the United States Conference of Catholic Bishops (USCCB) at (202) 541-3081. USCCB is the replacement designee for the federal Refugee School Impact grant. Specific written documentation must be maintained in the student’s permanent record file verifying the determination by USCCB that the form of documentation available to the district is acceptable.

The [Assessments for Special Populations](#) webpage includes a TEA form that may be used in the rare case that a campus has compelling evidence of a student’s asylee or refugee status but is unable to obtain official documentation by the time of the applicable test administration.

# Test Participation Decisions: TELPAS or TELPAS Alternate

All EB students enrolled in Texas public schools and open-enrollment charter schools, including virtual schools, are required to be assessed annually with an English language proficiency assessment (i.e., TELPAS or TELPAS Alternate) until they are determined to be proficient by meeting the EB reclassification criteria available on the [Bilingual and English as a Second Language Education Programs](#) webpage.

LPACs must make and document assessment participation decisions in accordance with requirements for the Texas Assessment Program. EB students, including those whose parents have declined bilingual or ESL program services, are required to take TELPAS, the general English language proficiency assessment, unless they meet the participation requirements for TELPAS Alternate. For an EB student receiving special education services, the student’s ARD committee, in conjunction with the LPAC, must make and document assessment participation decisions.

## TELPAS for Students in Kindergarten and Grade 1

TELPAS holistically rated assessments are based on student classwork and ongoing classroom observations of students in daily instruction. For these assessments, trained teachers use proficiency level descriptors (PLDs) from the ELPS to determine students’ English language proficiency levels. EB students in kindergarten and grade 1 are assessed with the TELPAS holistically rated assessment for all four language domains.

<p><b>Kindergarten and Grade 1</b> (all domains)</p>	<p>For kindergarten and grade 1, listening, speaking, reading, and writing are holistically rated.</p>
<p><b>Students Receiving Special Education Services</b></p>	<p>EB students receiving special education services should be evaluated relative to how well they can understand and use English to access the general curriculum at their enrolled grade level in accordance with their individualized education program (IEP).</p> <p>Participation must be considered on a domain-by-domain basis. The reason for not assessing the student must be well supported and documented appropriately in the student’s permanent record file by the LPAC.</p> <p>With rare exceptions, students should be able to be observed and rated holistically in each domain. If the LPAC and ARD committee collaboratively decide that an assessment is inappropriate because of a student’s particular disability, the decision is recorded at the time of testing, and the student is not holistically rated in the applicable domain.</p>

## TELPAS for Students in Grades 2–12

The TELPAS listening and speaking assessment and TELPAS reading and writing assessment for students in grades 2–12 are administered online. The assessments are designed to determine where EB students are on the continuum of English language listening, speaking, reading, and writing proficiency as a measure of annual student progress. Because the span of listening, speaking, reading, and writing abilities is so broad and the purpose is to measure annual growth in English acquisition, these assessments should be appropriate for most EB students who receive special education services.

<p><b>Online Assessments</b></p>	<p>For grades 2–12, TELPAS consists of online assessments for listening and speaking and for reading and writing. TEA accommodation policies may apply to any student taking TELPAS who meets eligibility criteria based on his or her educational needs. Refer to the <a href="#">Accommodations</a> section of the <i>Coordinator Resources</i> for more information.</p>
<p><b>Special Administration of an Assessment</b></p>	<p>In the following rare, unavoidable circumstances that prevent a student from testing online, a student may be eligible for a special paper administration of TELPAS reading or a special holistic administration of TELPAS listening, speaking, or writing. Refer to the <a href="#">Special Administration of an Assessment</a> page of the <i>Coordinator Resources</i> for more information.</p> <ul style="list-style-type: none"> <li>• Accommodations cannot be applied: a student might need a testing accommodation that is not possible to provide in an online setting. Prior to a special administration of an assessment, consideration should be given to accessibility features, locally-approved designated supports, and designated supports requiring TEA approval. Refer to the Accommodations section of the <i>Coordinator Resources</i> for information regarding these testing accommodations.</li> <li>• A student is unable to participate in one domain: the student’s ARD committee has determined that the student is not required to participate in TELPAS for a specific domain because of the student’s disability.</li> <li>• Technology access is precluded: in rare situations where appropriate computers or technology are absolutely unavailable, students may be eligible for a special administration.</li> </ul>
<p><b>Students Receiving Special Education Services</b></p>	<p>There are circumstances in which a student may not be required to participate in one or more language domains. In rare cases it may be necessary for the ARD committee, in conjunction with the LPAC, to determine if an EB student receiving special education services should not be assessed in listening, speaking, reading, or writing due to the student’s particular disability.</p> <p>Participation must be considered on a domain-by-domain basis. The reason for not assessing the student must be well supported and</p>

	<p>documented in the student’s IEP by the ARD committee and documented appropriately in the student's permanent record file by the LPAC.</p> <p>This non-participation decision is applicable only for an EB student receiving special education services who is not eligible for TELPAS Alternate.</p>
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## TELPAS Alternate

TELPAS Alternate is designed to assess the progress that EB students in grades 2-12 with the most significant cognitive disabilities make in learning the English language. It is a holistic inventory aligned to the ELPS and is based on alternate PLDs that were created to address the specific needs of this population. EB students are required to take TELPAS, the general English language proficiency assessment, unless they meet the participation requirements for TELPAS Alternate. A student’s ARD committee, in conjunction with the LPAC, must determine if the student meets the TELPAS Alternate participation requirements, which are available on the [TELPAS Alternate Resources](#) webpage.

<b>Grade 2</b>	For EB students in grade 2, the ARD committee, in conjunction with the LPAC, is required to make an assessment determination for TELPAS Alternate. As there is no STAAR Alternate 2 assessment for grade 2, refer to the TELPAS Alternate participation requirements.
<b>Grades 3–12</b>	EB students in grades 3–12 who are eligible to take STAAR Alternate 2 will take TELPAS Alternate. EB students in grades 11 or 12 who previously met STAAR Alternate 2 participation requirements and completed all STAAR Alternate 2 testing requirements will take TELPAS Alternate.

# Accommodations Decisions

In order to make appropriate accommodations decisions, LPACs are responsible for:

- coordinating with the content-area teachers who serve EB students to make decisions in accordance with the TEA policies described in the accommodations policy documents, and
- maintaining required documentation of the decisions.

While some accommodations may be appropriate for instructional use, they may not be appropriate or allowable on a statewide assessment. Providing unfamiliar or inappropriate accommodations during statewide assessments may hinder rather than aid a student.

For an EB student with a disability, LPACs are required to work in conjunction with the applicable committee (ARD committee, Section 504 committee, response to intervention [RtI] team, or student assistance team) in making both those accommodations decisions related to an EB student's language proficiency and those related to the student's disability. This collaboration helps ensure that factors related to disabling conditions and second language acquisition are carefully considered. Comprehensive information regarding accommodations can be found in the [Accommodations](#) section of the *Coordinator Resources*.

## STAAR

For EB students taking STAAR in English, the LPAC, as a sole authority, makes decisions for only the following designated supports:

- content and language supports
- oral administration

For EB students taking STAAR Spanish, the LPAC does not have sole authority to make designated supports decisions for content and language supports and oral administration. Decisions for content and language supports must be made by the ARD committee or Section 504 committee, in conjunction with the LPAC. Oral administration decisions must be made by the ARD committee, Section 504 committee, RtI team, or the appropriate team of people at the campus level, in conjunction with the LPAC.

It is recommended that LPACs make final accommodations decisions as close as possible to the time of the assessment administration to consider the student's progress in learning English. For STAAR end-of-course (EOC) assessments, accommodation decisions can be carried over from the December administration to the spring and June administrations.

## TELPAS

For TELPAS, all accommodations decisions must be made in conjunction with the ARD committee, Section 504 committee, or appropriate team of people at the campus level (e.g., RtI team, student assistance team).

# Documenting and Communicating Decisions

The LPAC must maintain documentation of participation decisions for STAAR, STAAR Alternate 2, TELPAS, and TELPAS Alternate and of accommodations decisions for STAAR and TELPAS in each EB student's permanent record file.

For participation and accommodations decisions that LPACs make in conjunction with the ARD committee, Section 504 committee, Rtl team, or student assistance team:

- the ARD committee will document decisions in the student's IEP,
- the Section 504 committee will document decisions in the student's individual accommodation plan (IAP), and
- other student assistance teams will document decisions in the student's permanent record file.

Sample forms are provided to assist LPACs in meeting documentation requirements and are available on the [Assessments for Special Populations](#) webpage. When using the forms, note that:

- There are separate sample forms for students in kindergarten through grade 5 and students in grades 6–12.
- LPACs may modify or reformat the forms. If forms are modified, district testing personnel must ensure that all components of required state documentation are included.
- District testing personnel may require additional supporting documentation and evidence.

LPACs are responsible for providing testing personnel with assessment decisions as well as STAAR and TELPAS accommodations information for EB students in time for appropriate testing arrangements to be made.

LPACs may use the sample forms to document and justify STAAR, STAAR Alternate 2, TELPAS, and TELPAS Alternate participation decisions as well as accommodations decisions, as required by TAC §101.1005 and [§101.1003](#).

## PART I: STAAR Participation and Locally-Approved Designated Supports Decisions


The table in Part I may be used by the LPAC to document the student's participation in and locally-approved designated supports decisions for STAAR. When completing the table in Part I of the form, note that:

- For STAAR, it is enough to include a general statement, such as "The LPAC has determined STAAR to be the most appropriate assessment" or "The student does not meet participation requirements for other assessments."
- For STAAR Spanish, the justification must specifically relate to the participation

requirements and must specifically validate the assessment decision.

- For STAAR Alternate 2, the justification is based on the LPAC and the ARD committee determination that the student meets eligibility for STAAR Alternate 2 for reasons specific to the student’s disability. The STAAR Alternate 2 participation requirements can be found on the [STAAR Alternate 2 Resources](#) webpage.

## For Kindergarten–Grade 5



### Decisions Regarding Assessment Participation and Accommodations (Kindergarten–Grade 5)

Student Name:				Enrolled Grade:			
School District or Charter School:				Campus:			
Academic Year:				Date:			

If a student is enrolled in kindergarten, grade 1, or grade 2, skip to Part II.

**PART I: STAAR Participation and Locally-Approved Designated Supports Decisions**

Participation			Locally-Approved Designated Supports			Justification <i>(Attach additional information if more room is required.)</i>	
Assessment	English	Spanish*	Content and Language Supports	Oral Administration	None		
<b>STAAR</b>	Mathematics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Reading Language Arts (RLA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Science (grade 5 only)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>STAAR Alternate 2</b>	<input type="checkbox"/>	The admission, review, and dismissal (ARD) committee, in conjunction with the language proficiency assessment committee (LPAC), has determined that the student meets the participation requirements and will be assessed with the State of Texas Assessments of Academic Readiness (STAAR®) Alternate 2 in all content areas.					

**Signature of Student’s Teacher for Content Area**  
For STAAR locally-approved designated supports decisions, the signature of the student’s teacher affirms that the supports marked are based both on the student’s need and the student’s routine use of the support in classroom instruction and testing.

**Mathematics:** \_\_\_\_\_


**RLA:** \_\_\_\_\_

**Science:** \_\_\_\_\_

\*The LPAC may make decisions on the language of a student’s assessment. However, if a student needs accommodations on a STAAR assessment in Spanish, that decision must be made by another committee or appropriate team at the campus level, in conjunction with the LPAC, as noted in each accommodations policy document.

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## For Grades 6–12



### Decisions Regarding Assessment Participation and Accommodations (Grades 6–12)

Student Name:		Enrolled Grade:		
School District or Charter School:		Campus:		
Academic Year:		Date:		

PART I: STAAR Participation and Locally-Approved Designated Supports Decisions					
Participation		Locally-Approved Designated Supports			Justification <i>(Attach additional information if more room is required.)</i>
Assessment		Content and Language Supports	Oral Administration	None	
STAAR	Mathematics	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Reading Language Arts (RLA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Science	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Social Studies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STAAR Alternate 2	<input type="checkbox"/>	The admission, review, and dismissal (ARD) committee, in conjunction with the language proficiency assessment committee (LPAC), has determined that the student meets the participation requirements and will be assessed with the State of Texas Assessments of Academic Readiness (STAAR®) Alternate 2 in all content areas.			
<b>Signature of Student's Teacher for Content Area</b> For STAAR locally-approved designated supports decisions, the signature of the student's teacher affirms that the supports marked are based both on the student's need and the student's routine use of the support in classroom instruction and testing.		Mathematics:			
		RLA:			
		Science:			
		Social Studies:			

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## PART II: TELPAS Participation and Accommodations Decisions

The table in Part II may be used by the LPAC to document the student's participation in TELPAS or TELPAS Alternate and accommodations decisions.

PART II: TELPAS Participation and Accommodations Decisions	
Assessment	Participation
TELPAS	<input type="checkbox"/> The student will take the general Texas English Language Proficiency Assessment System (TELPAS) in all four language domains.
	<input type="checkbox"/> The ARD committee, in conjunction with the LPAC, has determined that the student will not be assessed in one or more of the four language domains, as noted in the student's individualized education program (IEP).
	<input type="checkbox"/> The ARD committee, in conjunction with the LPAC, has determined that the student will receive accommodations, as noted in the student's IEP.
	<input type="checkbox"/> The ARD committee, in conjunction with the LPAC, has determined that the student will have a special administration of an assessment, as noted in the student's IEP or 504 paperwork.
TELPAS Alternate	<input type="checkbox"/> The ARD committee, in conjunction with the LPAC, has determined that the student meets the participation requirements and will be assessed with TELPAS Alternate, as noted in the student's IEP.



## **PART III: LPAC Notes**

This section can be used to record any other information pertinent to assessment administrations, including designated supports requiring TEA approval, accessibility features to be provided, and accommodations requested by a committee other than the LPAC.

## **PART IV: Signatures of Designated LPAC Members**

Signatures of designated LPAC members affirm that the decisions recorded have been made by the LPAC in full accordance with state policies and procedures.

TEXAS ASSESSMENT