



Overview

This frequently asked questions (FAQ) document provides answers to common questions related to district/local education agency (LEA), including open enrollment charters, and district of innovation, filing for Bilingual Education Exception and English as a Second Language (ESL) Waiver in accordance with TEC §29.054 and TAC §89.1207.

General

1. [Determining Need for Exception/Waiver](#)
2. [Charters/DOIs](#)
3. [Intern/Probationary Certificates and Emergency Permits](#)
4. [Content/Grade Level Certification](#)

on the needs for appropriately certified teachers in bilingual education and ESL programs across the state.

The following resources provide LEAs with the process of identifying whether their district needs to file a bilingual education exception or ESL waiver. These resources can be found under ^ Z • } μ Œ • _ at the bottom of the [TEA Bilingual Education Exception and ESL Waiver Application webpage](#)

- x [Bilingual Education Exception Scenario Chain](#)
- x [English as a Second Language \(ESL\) Waiver Scenario Chain](#)



- x If the longterm substitute is covering for a classroom teacher who is appropriately certified for the bilingual education or ESL program and students are not added to the bilingual education exception or ESL waiver. The students in this classroom who are being instructed by the longterm substitute will be coded under the appropriate bilingual or ESL program.
- x If the longterm substitute is covering for a classroom teacher who is appropriately certified for the bilingual education or ESL program and is currently on leave



Further detail on TSDPEIMS coding is provided in the Bilingual/ESL Program Association [Code Guide](#)

13. What if our district is filing a bilingual education exception and has not yet begun development of the bilingual program, particularly when applying for an exception for languages other than Spanish?

Overall, the bilingual education exception includes two basic types of exception scenarios:

- 1) A district has a bilingual education program (in any language) and is only missing one or more of the appropriately certified teacher(s).
- 2) The district has met the requirement for providing a bilingual program (in any language) but has not yet begun the bilingual education program in the district at any grade level.

In the second scenario above, the district is planning for the number of classrooms and teachers that would be needed in order to provide the bilingual education program for the amount of EB

