

General Exemption Criteria

LEP STATUS	The student is identified as LEP, as defined by Texas State law in Section 29.052 of the Texas Education Code.
PROGRAM PARTICIPATION	The student is in a state-approved bilingual or English as a second language (ESL) program.
TAKS IMMIGRANT STATUS	*5 At some point in his or her history, the student has resided outside the 50 U.S. states for at least two consecutive years.
YEARS IN U.S. SCHOOLS	*6 The student is in his or her first three school years of enrollment in U.S. schools.
GRADES 2-12 TELPAS READING RATING⁷	<p>The student in his or her second school year of enrollment in U.S. schools has not yet received a rating of advanced high on the TELPAS Reading.</p> <p>The student in his or her third school year of enrollment in U.S. schools has not yet received a rating of advanced or Advanced high on the TELPAS Reading.</p>

A student who does not meet all five general Exemption criteria is not eligible for a LEP Exemption.

**5 This definition of immigrant status is for assessment purposes only. The definition differs from the one used for PEIMS. Country of birth and number of years in the U.S. are not used in determining immigrant status for state assessment purposes. Only students who at some point in their history have resided outside the 50 states for at least two consecutive years meet this criterion.*

**6 A partial year of school enrollment in the U.S. counts as one school year for purposes of both TAKS exemption eligibility and TELPAS data collection. Students in their fourth or subsequent school year of enrollment in a U.S. school are not eligible for a LEP exemption even if they have been enrolled for partial school years. Note, however, that schools should not include enrollment in pre-kindergarten or kindergarten in these counts.*

**7 RPE ratings (from spring 2007 or earlier) do not apply here.*