

<u>Section I:</u> Instructional Goals and Objectives	Knox County Board of Education Policy		
	ESL Program Policy	Descriptor Term:	Descriptor Code: Issued:
			I-290 2/06
		Reviewed:	Revised:
	8/23	10/23	

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2 The English as a Second Language (ESL) Program Policy is designed to set minimum standards for
3 Tennessee school districts in providing services to non-English language background (NELB) students
4 who are also limited English proficient (LEP). These students are referred to as English Language
5 Learners (ELLs).

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7 Schools are required to provide specialized programs for LEP students to comply with Title VI of the
8 Civil Rights Act of 1964 and T.C.A. 4-21-90.

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10 **ANTI-DISCRIMINATION POLICIES AND PRACTICES**

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12 To comply with Title VI of the Civil Rights Act of 1964, T.C.A. 4-21-90, and the Equal Educational
13 Opportunities Act of 1974, KCS must have anti-discriminatory policies which preclude denial of equal
14 education opportunities to individuals based on race, color, or national origin. To comply with anti-
15 discriminatory policies, district practices must not result in the inappropriate placement of ELLs in or
16 exclusion from special opportunity programs or activities based on English language proficiency or
17 national origin.

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19 **IDENTIFICATION OF ENGLISH LANGUAGE LEARNERS**

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21 To comply with the ESL program policy, KCS must identify ELLs by following these two steps:

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23 **STEP 1:** KCS shall administer the Home Language Survey to all students in the district. The Home
24 Language Survey consists of three questions that will be asked of every parent/guardian enrolling his/her
25 child in the school district. These questions are:

- 26 1. What is the first language your child learned to speak?
27 2. What language does your child speak most often outside of school?
28 3. What language do people usually speak in your child's home?

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30 If the answer to any of the above questions is a language other than English, the child will be classified
31 Non-English Language Background (NELB) and assessed for English proficiency.

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33 **STEP 2:** Unless an NELB student has documentation from a previous district of meeting the definition
34 of Fluent English Proficient (FEP), school districts assess all NELB students with the state approved
35 English language proficiency test to determine whether they are limited English proficient (LEP). All
36 NELB students who are determined to be LEP must be identified as ELL and must receive ESL services
37 through an allowable service delivery model.

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39 **PARENTAL NOTIFICATION AND RIGHTS**

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41 School districts shall communicate information to all parents in the language that the parent can
42 understand, to the extent practicable. Parents of English Language Learners must be informed of their

right to refuse placement of their children in ESL programs. Parents must also be advised of studies related to emergent English Language Learners.

SERVICE DELIVERY MODELS

An alternative language program for ELLs, known as English as a Second Language, is defined in Tennessee Rules and Regulations as "English instruction especially designed for speakers of other languages" [Rule 0520-1-3-.056. a. 1 and 2 ii.]. An ESL program may be provided through various service delivery models including but not limited to: ESL pull-out programs, ESL cluster centers to which students are transported from their zone schools, resource centers/ESL laboratories, structured immersion classes, or scheduled ESL class periods, and push-in models for content based ESL. All EIs will be provided with an ILP with growth trajectories. The Department of Education must approve other models based on the available evidence of their effectiveness. All models must be research validated and address how academic deficits that are the result of students' limited English proficiency will be remediated.

An endorsed ESL teacher must provide direct daily services, or the equivalent, to beginning and intermediate level ELLs using the state approved ESL curriculum. Transitional ELL students are at the advanced level and may be mainstreamed in the regular classroom without direct service. The district must monitor students' progress for two years after they have exited from ESL services. If students are not successful in the regular curriculum without direct service, the district must design a support program that provides them with the necessary skills.

All teachers who serve EIs, including EIs whose guardians have waived direct ESL services, shall be trained annually on Tennessee (WIDA) English language development standards.

At the high school level, districts shall use appropriate course codes for all ESL course work. Two ESL credits may be counted toward the four English credits required for graduation. Additional ESL courses shall be counted as elective credits. It is recommended that ELL students achieve the intermediate level on the English language proficiency test before taking a regular English course.

STAFFING RATIOS

Appropriate staffing of ESL programs is based on two criteria. First, districts will provide adequate ESL faculty to implement the chosen service delivery model effectively, as documented by the progress in English language proficiency and academic content of their ESL students. Second, districts will adequately staff their ESL programs to meet all compliance requirements, including but not limited to, communication to parents, identification of English language learners, and monitoring of transitional ELLs.

To meet the two criteria of effective and compliant ESL programs, districts shall implement ESL programs based on the following staffing ratio standards:

- ESL class sizes shall not exceed state mandated grade level class size requirements; and
- The district-wide ESL program staffing ratio shall be based on an average of no more than 35 identified ELL students per full-time ESL endorsed teacher unless an alternate staffing ratio is approved by the Department of Education.

50 Districts seeking approval for an alternate district-wide staffing ratio shall provide the following
51 information annually to the Department of Education:

- 1 • The number of ELLs;
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- 3 • The proficiency levels of ELLs;
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- 5 • The most recent adequate yearly progress determinations for the ELL subgroup in
- 6 reading/language arts and mathematics;
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- 8 • The proposed staffing ratio that will be used in place of the recommended 35 to 1 ratio; and,
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- 10 • The justification for the alternate staffing ratio.
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Legal References:

- 38 1. Title VI - Civil Rights Act of 1964.
- 39 2. T.C.A. § 4-21-901.
- 40 3. TRR 0520-1-3-.056.a.1 & 2ii.
- 41 4. Tennessee State Board of Education Policy 3.207.
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44 Approved as to Legal Form
 45 By Knox County Law Department 8/21/2023
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