

Section I: Instructional Goals and Objectives	Knox County Board of Education Policy		
	Descriptor Term:	Descriptor Code:	Issued:
	ESL Program Policy	I-290	2/06
		Reviewed:	Revised:
	5/17	1/13	

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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).

6
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?

29
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.

32
33 **STEP 2:** Unless an NELB student has documentation from a previous district of meeting the definition of
34 Fluent English Proficient (FEP), school districts assess all NELB students with the state approved English
35 language proficiency test to determine whether they are limited English proficient (LEP). All NELB
36 students who are determined to be LEP must be identified as ELL and must receive ESL services through
37 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

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

3 **SERVICE DELIVERY MODELS**

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

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

21
22 At the high school level, districts shall use one course code for all ESL course work. Two ESL credits
23 may be counted toward the four English credits required for graduation. Additional ESL courses shall be
24 counted as elective credits. It is recommended that ELL students achieve the intermediate level on the
25 English language proficiency test before taking a regular English course.

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27 To receive a regular diploma, ELLs must pass all Gateway exams. However, as determined on an
28 individual basis, an ELL may take up to four years and a summer to receive a regular diploma and still be
29 counted in a school's or district's graduation rate for accountability purposes under the No Child Left
30 Behind Act of 2001.

31 32 **STAFFING RATIOS**

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

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

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- 44 • ESL class sizes shall not exceed state mandated grade level class size requirements; and
- 45 • The district-wide ESL program staffing ratio shall be based on an average of no more than 45
- 46 identified ELL students per full-time ESL endorsed teacher unless an alternate staffing ratio is
- 47 approved by the Department of Education.
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49 Districts seeking approval for an alternate district-wide staffing ratio shall provide the following
50 information annually to the Department of Education:

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- The number of ELLs;
- The proficiency levels of ELLs;
- The most recent adequate yearly progress determinations for the ELL subgroup in reading/language arts and mathematics;
- The proposed staffing ratio that will be used in place of the recommended 45 to 1 ratio; and,
- The justification for the alternate staffing ratio.

Legal References:

1. Title VI - Civil Rights Act of 1964
2. TCA §4-21-901
3. Rule 0520-1-3-.056.a.1&2ii
4. Tennessee State Board of Education Policy 3.207