

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

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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/legal guardian enrolling  
25 his/her 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

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

### 3 **SERVICE DELIVERY MODELS**

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. All EIs will be  
11 provided with an ILP with growth trajectories. The Department of Education must approve other models  
12 based on the available evidence of their effectiveness. All models must be research validated and address  
13 how academic deficits that are the result of students' limited English proficiency will be remediated.

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  
19 not successful in the regular curriculum without direct service, the district must design a support program  
20 that provides them with the necessary skills.

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

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

### 30 **STAFFING RATIOS**

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

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

- 42 • ESL class sizes shall not exceed state mandated grade level class size requirements; and
- 44 • The district-wide ESL program staffing ratio shall be based on an average of no more than 35  
45 identified ELL students per full-time ESL endorsed teacher unless an alternate staffing ratio is  
46 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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