



BEST FOR ALL

We will set all students on a path to success.

English as a Second Language Rule: Chapter 0520-01-19

Jan Lanier | Director of Title III Grant Management and Migrant Programming

Division of Federal Programs and Oversight | September 2021



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ACADEMICS

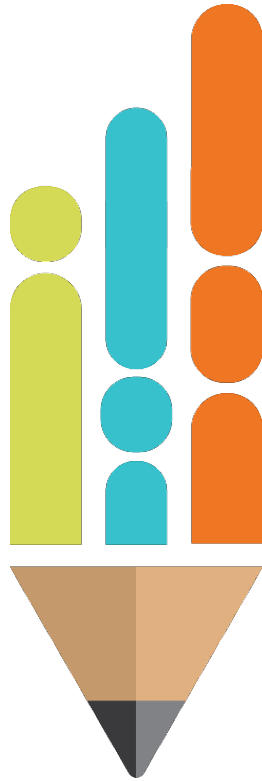
ALL TENNESSEE STUDENTS WILL HAVE ACCESS TO A HIGH-QUALITY EDUCATION, NO MATTER WHERE THEY LIVE

STUDENT READINESS

TENNESSEE PUBLIC SCHOOLS WILL BE EQUIPPED TO SERVE THE ACADEMIC AND NON-ACADEMIC NEEDS OF ALL STUDENTS IN THEIR CAREER PATHWAYS

EDUCATORS

TENNESSEE WILL SET A NEW PATH FOR THE EDUCATION PROFESSION AND BE THE TOP STATE TO BECOME AND REMAIN A TEACHER AND LEADER FOR ALL



Agenda

- Background
- Anti-Discrimination Policies and Practices
- Entrance Criteria
- Service Delivery Models
- Parental Rights
- Staffing Ratios
- Exit Criteria
- Contact Information



Background



Add “Yes/No” Answers Into the Chat

1. Have you reviewed the ESL Rule 0520-01-19 prior to today?
2. Have you searched the new ESL Rule for answers related to ESL programming prior to today?



Background

- ESL Policy 3.207 was converted into a the English as a Second Language Rule Chapter 0520-01-19.
- It became official on July 6, 2021.



Background

- The main difference between a policy and a rule is that a rule carries the weight of law, whereas a policy just provide guidelines.
- The requirements within the ESL Rule will be monitored annually by the department for compliance through the Results-based Monitoring (RBM) process.
 - LEAs not meeting the requirements under the ESL Rule will now receive monitoring findings (which must be corrected) rather than just recommendations for improvement.



Anti-Discrimination Policies and Practices



Anti-Discrimination Policies and Practices

- LEAs shall have **anti-discriminatory policies** that preclude denial of equal education opportunities to individuals based on race, color, or national origin.
- LEA practices **shall not result in the inappropriate placement of EL students in or the exclusion from special programs or activities** based on English language proficiency or national origin.
- LEAs **shall not deny enrollment** to a student based on the students' or their parents' or guardians' actual or perceived citizenship or immigration status.



Entrance Criteria for ESL Programs



Initial Identification

- Each LEA shall administer a **Home Language Survey (HLS)** **within thirty (30) days of initial enrollment** to identify Non- English Language Background (NELB) students. (0520-01-19-.03)
- If the parent(s) or guardian(s) list a language other than English for any question on the HLS, the student shall be classified as an NELB Student until screened for ESL services.

Screening NELB Students



Students in
Kindergarten
and
Grade 1 first semester

⑩ screened with the
**WIDA Screener for
Kindergarten.**

Students screened in
Grade 1 (second semester)
or
Grades 2-12,

- screened with the
WIDA Screener.

Identification

- Students scoring **below a 4.5** on the assigned screener shall be identified as an EL and **receive a minimum of one hour of Direct ESL service each school day** from a teacher who holds an **ESL endorsement**.
- **All EL students (L and W)** shall have an **Individual Learning Plan (ILP)**.
- Each LEA shall have an **oversight plan** for the service of ILPs.
- Teachers shall monitor both academic and English language proficiency growth for L, W, and transition 1 and 2 students.

Waiver Requirements



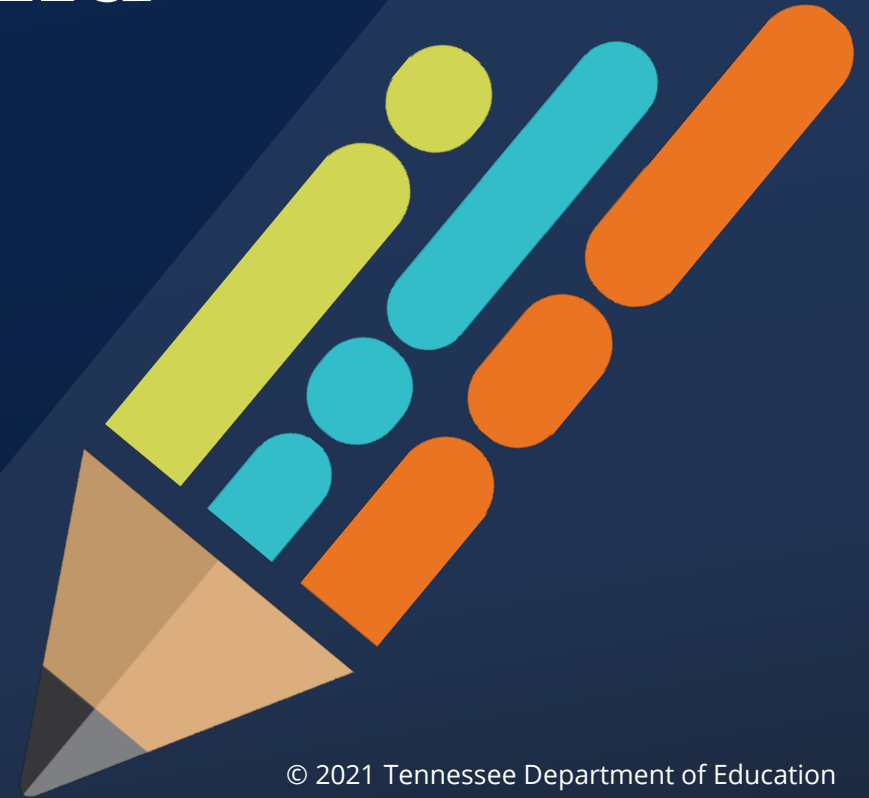
- **Parents/guardians of EL students shall be informed of the right to refuse** placement of their children in ESL programs.
- If the parents/guardians waive Direct ESL services for the student, the **general education classroom teacher shall be responsible for providing Indirect (waived) ESL services.**
- LEAs shall ensure that **all teachers who provide Direct or Indirect ESL services are annually trained on delivering ESL instruction** through both ESL and academic standards.

Tailoring of Daily Services



- **LEAs may tailor the services** provided to EL students in grades 1-12, including providing less than one (1) hour of Direct ESL Service per day based on their ILP for students who score:
 - **3.5 or higher on reading;** and
 - **3.5 or higher on writing;**
 - and **3.5 or higher on either the speaking or listening** domains.
- Students in Kindergarten who score a **3.5 or higher in any domain** may have services tailored, including less than one (1) hour of Direct ESL service per day based on their ILP.

Service Delivery Models and Methods



Service Delivery Models Overview

- The service delivery model must be from the state board ESL Rule-Chapter 0520-01-19 **approved list of research-based models or approved** by the department.
- **More than one service delivery model can be utilized** by an LEA.
- The service model should **address the academic deficits** that are the result of the student's limited English proficiency and how those deficits may be remedied.
- Any service model selected should **incorporate the Tennessee English language development standards** (2020 WIDA Standards) with Tennessee's academic standards.



Service Delivery Models (Part 1)

▪ Sheltered English Instruction

- integrates language and content instruction by making grade level content accessible.
- Teachers use clear, direct, and simple English while incorporating a range of scaffolding strategies to connect the new learning to prior learning and providing collaboration opportunities while adapting the new academic material to the students' English proficiency level.

▪ Structured English Immersion (SEI)

- uses English as the main content of SEI instruction and supports the academic content to acquire acquisition of English.
- Lessons are delivered through structured and sequential lessons based on the mainstreamed curricula.



Service Delivery Models (Part 2)

- **Specially Designed Academic Instruction in English (SDAIE)**
 - is teaching academic content using an array of strategies designed to help ELs.
 - These include activating student knowledge, using think-pair-share, simple knowledge, brainstorming, modeling, and other effective classroom strategies.
- **Pull-Out Instruction**
 - is a service delivery method that takes students out of the content classroom to receive English language instruction.
 - Utilizing pull-out often allows for small group instruction.
 - This method may include students of varied proficiency levels.
 - This delivery method could be used with other service delivery models, such as SDAIE.



Service Delivery Models (Part 3)

▪ Content-Based Instruction (CBI)

- is a model of providing EL instruction in content and language.
- Content-Based Instruction teaches the core curricula using authentic texts and language tailored to the language proficiency levels of the ELs in the classroom.

▪ Heritage Language

- uses the student's home language in the classroom for support of both the home and target languages.
- This method of instruction emphasizes for ELs the cultural connections and pride of the home language, history, and literature.



Service Delivery Models (Part 4)

- **Virtual ESL class**

- is a delivery method that may be used with other ESL models.
- The teacher must understand virtual instructional tools to use in a structured environment with differentiated instruction to promote language instruction and social emotional learning.

- Other models that are effective and researched based may be approved by the department.



Parental Rights



Parental Notification and Rights



- LEAs shall communicate information related to identification, screening, and service delivery to the parent(s) or guardian(s) of EL students **in the language and method that the parent(s) or guardian(s) can understand.**
- Parents or guardians of EL students shall be informed of:
 - (a) Their right to waive placement of their student in ESL programs;
 - (b) Their right to remove their student from Direct ESL Service at any time; and
 - (c) The scaffolding and accommodations to be provided in the general education setting via Indirect ESL Services if the parent(s) or guardian(s) waive Direct ESL Services.

Title VI Civil Rights, Part 1

- LEAs must take affirmative steps to ensure that EL student can participate meaningfully and equally in educational programs and services. LEAs must:

Identify EL students in a timely, valid, and reliable manner

Offer all EL students an educational sound language assistance program

Ensure EL students have equitable access to school programs, activities, and services

Avoid unnecessary segregation of EL students from other students

Monitor the progress of ELs learning English and doing grade-level work

Remedy any academic deficits EL students incur while in a language assistance program

Move ELs out of language assistance programs when they are proficient based on established exit criteria

Monitor ELs to ensure they were not prematurely exited

Evaluate the effectiveness of EL programs

Title VI Civil Rights, Part 2

- Civil Rights Fact Sheets:

<https://www2.ed.gov/about/offices/list/ocr/ellresources.html>



Staffing Ratios

- LEAs shall provide adequate ESL staff to implement the chosen service delivery model effectively.
- LEAs 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 staffing ratio shall be based on an average across the LEA of no more than **thirty-five (35) identified EL students per full-time equivalent ESL teacher**.

Exit Criteria



Exit Process



- EL students who score **4.4 composite or higher and 4.2 or higher for literacy** on the WIDA ACCESS or P1 on the WIDA ALT ACCESS shall be **exited** from Direct or Indirect ESL services.
- EL students who achieve a P1 composite or higher and P1 literacy or higher on the WIDA ALT ACCESS assessment shall be exited from Direct ESL Services.
- Students who exit Direct or Indirect ESL services shall be considered **transitional EL students for four (4) school years**.
- Transitional students **must be monitored for the first two (2) years** of the four (4) year transition period.

Exit Process

- Transitional EL students shall be served in the general education classroom.
 - T1 and T2 EL students shall be monitored at a minimum **for two years.**
- If a transitional student demonstrates difficulty in the general education classroom, academic interventions should be provided by a general classroom teacher or a teacher with an ESL endorsement.
- **The LEA shall apply its reclassification procedure if academic or non-academic interventions are unsuccessful.**

Exit Process

- If a student has been exited from ESL services by another state, that exit shall stand as valid.
- Each LEA shall have a **written reclassification procedure** requiring strong justification to be used to re-enter exited EL students into the ESL program.
 - This process should be a team decision and involve multiple educators, parents, and students where appropriate.

Closing



Review – True or False:

In chat **thumbs up** for true, **thumbs down** for false

ESL Rule-Chapter 0520-01-19 is replacing ESL Policy 3.207.

The LEA shall administer a Home Language Survey within 30 days of initial enrollment.

Students scoring below a 4.5 on the assigned screener shall be identified as an EL and receive a minimum of one hour of direct ESL service each school day from a teacher who holds an ESL endorsement.

LEAs must take affirmative steps to ensure that ELs can participate meaningfully and equally in educational programs and services.

ELs who score 3.5 composite or higher and 4.0 or higher for literacy on the WIDA ACCESS or P1 on the WIDA ALT ACCESS shall be exited from direct or indirect ESL services.

Review – True or False:

In chat **thumbs up** for true, **thumbs down** for false



ESL Rule-Chapter 0520-01-19 is replacing ESL Policy 3.207.



The LEA shall administer a Home Language Survey within 30 days of initial enrollment before school begins.



Students scoring below a 4.5 on the assigned screener shall be identified as an EL and receive a minimum of one hour of direct ESL service each school day from a teacher who holds an ESL endorsement.



LEAs must take affirmative steps to ensure that ELs can participate meaningfully and equally in educational programs and services.



ELs who score 3.5 composite or higher and 4.0 or higher for literacy on the WIDA ACCESS or P1 on the WIDA ALT ACCESS shall be exited from direct or indirect ESL services.



Questions?

Contact Information

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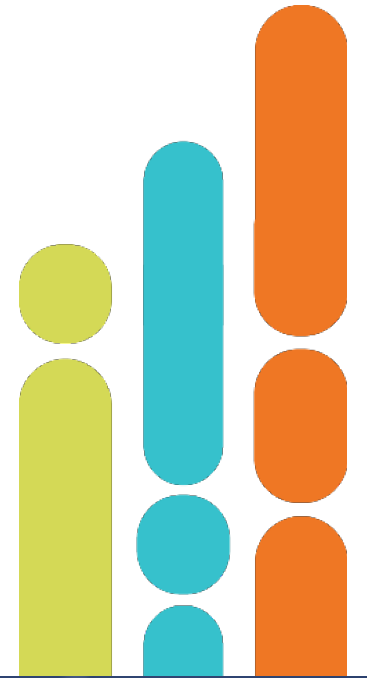
Please Share your Feedback:

https://stateoftennessee.formstack.com/forms/fall_2021_pd



Thank You!

#TNBestForAll



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