

English as a Second Language Exit Process Guidance

[Tennessee State Board Rule 0520-01-19-06](#) establishes the required English as a Second Language (ESL) exit process for English Learners (ELs).

Exit Scores for WIDA ACCESS

EL students who score a 4.4 composite or higher **and** a 4.2 literacy score or higher on the WIDA ACCESS for ELLs or Kindergarten ACCESS for ELLs shall be exited from Direct or Indirect ESL Services.ⁱ

WIDA Alt Exit Scores

ELs who take an alternate state assessment, as determined by their Individualized Education Program (IEP) team, are eligible to take the WIDA Alt. ACCESS. ELs who receive a P1 composite or higher **and** P1 literacy or higher on the Alt ACCESS shall be exited from the ESL program.ⁱⁱ

Exit from Another State

If a student was exited from ESL services by another state using an English Language Proficiency Assessment (ELPA), that exit stands in Tennessee and the student should not be reassessed.ⁱⁱⁱ The exit criteria of the other state do not have to match that of Tennessee's criteria.

If an exited student transfers from another state or a non-public school and has not completed the first two years of the transitional period prior to enrollment, the local education agency (LEA) is required to monitor the student for the remainder of the transitional period.^{iv} The LEA must maintain documented evidence that the student was monitored throughout the four-year transitional period.^v

Transitional ELs

Students who exit Direct or Indirect ESL Services shall be considered Transitional EL students for four (4) school years. ELs in the first and second years of transition are referred to as T1 and T2, respectively.^{vi} T1 and T2 students must have an Individual Learning Plan (ILP) that includes years of ESL services, years in transition, and assessment and screener results.^{vii}

Transitional students do not receive ESL services, funding, or state assessment accommodations unless accommodations are through an IEP or 504 plan. Transitional students are served in the general education classroom and may still require some classroom accommodations and scaffolding. However, transitional students do not take the yearly ELPA.

T3/T4 Accountability

ELs in the third and fourth years of transition are referred to as T3 and T4, respectively. T3 and T4 students are included in the LEA's EL subgroup for accountability purposes and do not require an ILP or monitoring. The Elementary and Secondary Education Act (ESEA) requires LEAs to report the number and percentage of former ELs (T1-T4) meeting state academic standards for the four years immediately after the student has achieved English language proficiency and no longer receives EL services.^{viii}

Monitoring of Transition Students

After an EL has exited from Direct or Indirect Services, the LEA must monitor the student's academic progress for at least two years to ensure that:

- students have not been prematurely exited;
- students are meaningfully participating in the regular classroom comparable to non-EL peers; and
- any academic deficits that were incurred as a result of participation in the ESL program have been remedied.^{ix}

Monitoring transition students ensures that they continue making appropriate progress while acquiring English and content knowledge in the content classroom.

If a transitional student demonstrates difficulty in the general education classroom or fails to meet ILP benchmarks, academic interventions should be provided by a general classroom teacher or teacher with an ESL endorsement pursuant to an ILP.^x If there is evidence that a student is struggling in one or more content areas, the first step is to ensure that the student has any instructional supports available in the school and to notify the Response to Instruction and Intervention (RTI²) team of the student's lack of academic progress and success.

The RTI² team, which must include an ESL specialist, should review the student's data and determine the next steps, appropriate interventions, and any potential increased tier for RTI² purposes. After these interventions are in place and progress has been measured over time, the RTI² team, which includes an ESL specialist, should determine whether the student is struggling due to a lack of content knowledge or English proficiency.

When considering a student's second language acquisition time frame, the following may be useful:

- Was the student formally educated in their home country? Did they have consistent schooling, or were there prolonged periods of interrupted or no schooling?
- What were the student's ACCESS scores and sub-scores in each domain?
- Were the student's achievement scores borderline for meeting standards or significantly above the minimum requirement?
- What are the student's areas of difficulty in the content courses they are struggling with? Is the teacher using accommodations in the classroom?
- Is the student having difficulty specifically in the domain of writing or reading, or are there factors outside of language involved?
- If the student is struggling in a particular course, is it a course in which they have always had difficulty?
- Are teachers differentiating instruction specifically to reach and support ELs?
- Is the student receiving academic support to compensate for a lack of background information?

Educators reviewing the data must determine if a student's academic difficulties are due to a lack of English proficiency rather than a lack of content knowledge, cognitive issues, or a disability.

Reclassification Procedure

Each LEA must have a reclassification procedure when a transitional EL is struggling and academic or non-academic interventions are unsuccessful.^{xi} A transitional EL experiencing academic difficulties should not be

immediately reclassified as an EL. As noted above, appropriate instructional supports, including RTI², should be implemented. If those additional instructional supports do not resolve the issue, the RTI² committee should review the documentation and, if appropriate, implement more intensive Tier II and III interventions. An ESL professional should be included in these discussions and decisions. All Tier II and III interventions must be linguistically accessible to the student.

A transitional student should only be reclassified if they are struggling academically due to a lack of English proficiency and that accommodations are not adequate for the student to experience academic success. This may happen when the cognitive load with grade-level work increases faster than gains in English language proficiency (ELP).

Parents must consent to reentry into the ESL program, and the LEA must document the basis for reentry into the ESL program. The reclassification procedure must contain a valid, reliable, and grade-appropriate ELP test to determine if the academic difficulty is due to a language barrier.^{xii}

Reclassification Best Practices

Data sources may include but are not limited to the following:

- oral communication skills
- reading and fluency skills
- benchmark data
- teacher observations
- attendance data
- grades
- portfolio assessments
- student and/or parent interviews
- progress monitoring data
- documentation of interventions including the areas of study skills, reading, math, writing, and other supports

Questions to consider for the reclassification process:

- Is academic content being delivered with scaffolding, accommodations, and/or modifications in the areas of:
 - the classroom instruction,
 - assignments,
 - homework, and
 - formative and summative assessments?
- Are all scaffolding strategies, use of accommodations, and/or modifications documented in writing with dates and comments?
- Has the content teacher reached out to the ESL specialist for other strategies to use with the student?
- Have multiple strategies been used?
- Has the student received other academic interventions in Tier III?
- Has the student received extra tutoring in the specific area of need?

ⁱ Tenn. R. & Regs. 0520-01-19-.06(1)

ⁱⁱ Tenn. R. & Regs. 0520-01-19-.06(5)

ⁱⁱⁱ Tenn. R. & Regs. 0520-01-19-.06(6)

^{iv} Tenn. R. & Regs. 0520-01-19-.06(2-3)

^v 20 U.S.C. § 6841(a)(5).

^{vi} Tenn. R. & Regs. 0520-01-19-.06(2)

^{vii} Tenn. R. & Regs. 0520-01-19-.03(4)(a)(5)

^{viii} 20 U.S.C. § 6841(a)(5)

^{ix} U.S. Dep't. of Just. & U.S. Dep't. of Educ., Dear Colleague Letter: English Learner Students and Limited English Proficient Parents (Jan. 7, 2015), <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>.

^x Tenn. R. & Regs. 0520-01-.06(3)(a)

^{xi} Tenn. R. & Regs. 0520-01-19-.06(4)

^{xii} U.S. Dep't. of Just. & U.S. Dep't. of Educ., Dear Colleague Letter: English Learner Students and Limited English Proficient Parents (Jan. 7, 2015), <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-el-201501.pdf>.