

English as a Second Language

Identification and Screening for English Learners Guidance

[Tennessee State Board Rule 0520-01-19.03](#) establishes the required identification and screening procedures for English as a Second Language (ESL) for local education agencies (LEAs).

Two-Step Identification

Each LEA is responsible for identifying, screening, and delivering services to English learners (ELs). LEAs must use a two-step process, defined below, to identify ELs within 30 days of initial enrollment.ⁱ

Step One: Home Language Survey (HLS)

The Home Language Survey (HLS) is the first step LEAs must take to identify ELs: a student should only be administered an HLS one time in their educational career.ⁱⁱ To ensure that responses given on the HLS are accurate, LEAs must administer the HLS in a language and manner that the parent can understand.ⁱⁱⁱ

The HLS should be given to the family as a separate document that is thoroughly explained so the parent(s) understand its purpose. If the LEA includes the HLS in an electronic enrollment package, the first HLS must be retained in the cumulative folder or a digital file. As noted in the [Tennessee Department of Education ESL Manual](#), all completed surveys must be filed in the student's cumulative folder or maintained in a digital filing system and included with the folder if the student transfers.

If the student has previously attended another LEA, the receiving school or LEA shall attempt to obtain the original HLS from the sending LEA. If a language other than English was indicated, there should be documentation of the student's prior English language proficiency assessment(s) in their cumulative folder. The student's instructional program should follow accordingly. If the receiving LEA cannot obtain the original HLS after reasonable attempts to do so, it may re-administer the HLS but shall mark it as a secondary HLS. If the original is found, it shall replace the duplicate in the student's file.^{iv}

The HLS shall include, but is not necessarily limited to, questions that require the parent(s) or guardian(s) to address the following three topics:

1. The first language the student learned to speak;
2. The language the student speaks most often at home; and
3. The language that is most often spoken to the student at home.^v

LEAs may create their own questions to determine this information and may ask for additional information as needed. This is also the appropriate time for the LEA to discuss educational history with parents (e.g., milestones in early childhood, former education, interruptions to education, learning difficulties, traumatic events). LEAs should not inquire about immigration status since doing so could create a barrier to enrollment.^{vi}

If an HLS is determined to contain errors after the initial administration, the LEA/school should re-interview the parents or guardians. Any changes should be documented. It is best practice for parents to sign the

documentation in agreement. All versions and documents related to changes should be retained in the student's file.

If the HLS contains any language other than English for any of the three required topics, then the student shall be classified as Non-English Language Background (NELB).^{vii} Parents or guardians shall be interviewed further to clarify any discrepancies.

Other Interview Questions

The following contains a list of potential additional interview questions. This list is not intended to be an exhaustive list of possible interview questions.

- Who speaks the language(s) other than English in the home?
- What language did your child speak when he/she first began to talk?
- What language does your child best understand and speak?
- What language does your child speak to adults in the home most of the time?
- How old was the child when he or she began to speak?
- Has your child ever received English language development (ELD) or ESL support in a previous school?
- Has your child exited from an ESL or ELD program in a previous school?
- Has your child ever received formal education outside of the United States?
- Does your child respond with oral language?
- Does your child use any assistive technology to listen, respond, read, or write?

For additional questions to gather evidence of a student's developmental milestones and language acquisition, please see the [Ethnographic Interview for Culturally and Linguistically Diverse Students](#).

Step Two: Screening

After reviewing the HLS, the LEA shall screen all NELB students with the English language proficiency assessment approved by the Tennessee Department of Education (department). The screener determines whether the student qualifies for ESL services.^{viii}

Screeners^{ix}

NELB students screened in the first semester of kindergarten shall be screened with the ELPA21 Dynamic Screener in all four domains (listening, speaking, reading, writing). If the student receives a score below 3 in any non-exempt domain, the student shall be identified as EL and shall receive Direct ESL services.^x

NELB students screened in the second semester of kindergarten through Grade 12 shall be screened with the ELPA21 Dynamic Screener in all four domains. If the student receives a score below 4 in any non-exempt domain, the student shall be identified as EL and shall receive Direct ESL services.

Best Practices for Screening

The English language proficiency assessment (ELPA) suite, which includes the screener and yearly growth assessment, is accessible for most ELs with disabilities. Given the assessment design, specific domains on the screener or yearly growth assessment may not be accessible for a small percentage of students with disabilities. This guidance applies to the screener and summative assessment.

Students with severe cognitive disabilities may not be able to access all domains of the screener appropriately. If a domain of the ELPA screener is not accessible for administration to a student with severe cognitive disabilities or if a student's disability hinders their ability to access part of the screener, they should not be screened with that domain. For example, students who do not have oral language cannot appropriately access the speaking portion of the screener; therefore, the speaking domain of the screener is inappropriate for them. Students who are nonverbal could include those who are completely nonverbal, who mimic or parrot, or students who cannot independently form statements, phrases, or words.

Students with a severe hearing impairment or deafness may not be able to access the listening or speaking sections of a screener. Signed language is considered a complete language with a visual mode rather than an auditory system.^{xi} The HLS assesses the spoken language of the home and therefore may be an incomplete assessment of the student's visual language use and proficiency. Students who have been diagnosed with selective mutism may not be able to access the speaking portion of the screener.

ELPA21 provides an option of domain exemption when the student is unable to participate in the domain. A student's IEP team, in coordination with the ESL team, should determine whether specific domains of the screener would be an appropriate assessment of a student's English language proficiency.^{xii} If a specific domain is inappropriate for the student, the team should document this within the IEP with the note that the student shall be exempt from that specific domain and that the team will continue to coordinate and revisit the appropriateness of the exemption every year, at minimum.

Domain exemptions are:

- Available to students with a disability preventing participating on the specific domain
- Data based by the IEP team
- Finalized at the state level

Domain exemptions are not:

- Available to students who are able participate in the same activity in the classroom
- Used to help boost scores
- Available through an ILP

In some cases, it may be necessary for the student to participate in the Alt ELPA Screener. The Alt ELPA Screener is based on the Alternate English Language Proficiency Standards, which reflect the appropriate expectations for ELs with significant cognitive disabilities. For a student to use the Alt ELPA21 Screener, the following guidance must be followed. If the Home Language Survey (HLS) indicates the need for a screening then:

Option 1: The student is entering a TN school with an IEP where Alternate Assessments have been indicated. This student should be screened with the Alt ELPA21 Screener.

Option 2: The student is entering a TN school with no IEP, and there is a preponderance of evidence that the student has or may have a significant cognitive disability including adaptive needs. Examples: the student needs supports for social engagement, daily living, self-care, etc. beyond barriers of language.

Note: District or school level educational support teams should determine if the Alt ELPA Screener is recommended for use with an individual student in option 2. This team should use performance-based

evidence in determining a student’s eligibility for the Alt ELPA21 Screener. It is recommended that the educational support team include a speech therapy expert, as it is important to have data about the child’s communication system before making a decision about administering the Alt ELPA Screener. The education support team must include an ESL specialist.

Screening from Non-ELPA21 States

Students who transfer to an LEA from a non-ELPA21 state and have no ELPA21 dynamic screener must be screened upon enrollment unless they have documentation from the previous state that the student has exited ESL services with an English Language Proficiency Assessment (ELPA).^{xiii}

If a student has documentation from a previous state that they have exited ESL services with an ELPA, that exit stands in Tennessee and the student should not be reassessed.^{xiv}

ⁱ Tenn. R. & Regs. 0520-01-19-.03(1)

ⁱⁱ Tenn. R. & Regs. 0520-01-19-.03(2)

ⁱⁱⁱ U.S. Dept. of Just. & U.S. Dep’t. of Educ., Information for Limited English Proficient (LEP) Parents and Guardians and for Schools and School Districts that Communicate with Them, (Jan. 7, 2015), <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-factsheet-lep-parents-201501.pdf>.

^{iv} Tenn. R. & Regs. 0520-01-19-.03(2)

^v U.S. Dept. 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>.

^{vi} Tenn. R. & Regs. 0520-01-19-.03(2)(a)

^{vii} Tenn. R. & Regs. 0520-01-19-.03(2)(c)

^{viii} Tenn. R. & Regs. 0520-01-19-.03(3)

^{ix} Tenn. R. & Regs. 0520-01-19-.03(3)

^x Tenn. Policy 3.207 II

^{xi} National Institute on Deafness and Other Communication Disorders, American Sign Language, (March 2020), <https://www.nidcd.nih.gov/sites/default/files/Documents/health/hearing/american-sign-language-2020.pdf>.

^{xii} U.S. Dep’t. of Educ., English Learner Toolkit for State and Local Education Agencies (Nov. 2016), https://ncela.ed.gov/sites/default/files/legacy/files/english_learner_toolkit/OELA_2017_ELsToolkit_508C.pdf.

^{xiii} Tenn. R. & Regs. 0520-01-19-.03(3)

^{xiv} Tenn. R. & Regs. 0520-01-19-.06(6)