



BILL LEE
GOVERNOR

STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
NINTH FLOOR, ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0375

LIZZETTE REYNOLDS
COMMISSIONER

Via Electronic Mail

November 17, 2023

Brian Hutto, Director of Schools
Lebanon Special School District
397 North Castle Heights Avenue
Lebanon, TN 37087

Re: Waiver for English as a Second Language (ESL) Programs

Dear Director Hutto:

I am in receipt of your November 16, 2023 waiver request of State Board of Education Rule 0520-01-19 as it relates to staffing ratios for English as a Second Language (ESL) programs. You have requested to use an alternative staffing ratio at schools within the Lebanon Special School District. According to your request, the alternate staffing ratio will allow ESL teachers to better meet the individual needs of ESL students and ensure students are receiving the required amount of ESL services as prescribed in the State Board Rule.

Tenn. Code Ann. § 49-1-201(d) grants the commissioner the authority to “waive any state board rule or statute that inhibits or hinders the LEA’s ability to meet its goals or comply with its mission.” On the condition that the school district comply with the provisions of State Board of Education Rule 0520-01-19 by implementing the monitoring steps outlined in your waiver request, your request is hereby granted for the remainder of the 2023-24 school year.

Please do not hesitate to contact me if you have further questions.

Sincerely,

Lizzette Reynolds
Commissioner



Mr. Brian Hutto
Director of Schools

Dear Commissioner:

The Lebanon Special School District (LSSD) is seeking approval from the Tennessee Department of Education for a waiver of the 1:35 district-wide ESL staffing ratio. The current ESL district-wide teacher/student ratio is 1:36. Currently, LSSD has a total of 469 EL students. This includes 404 students with the 'L' designation, 64 students with the '1' or '2' designation and 1 student with the 'W' designation. We present the following information for your consideration of this waiver.

2023 WIDA ACCESS Results by School

Byars Dowdy Elementary: 69.5% met growth standard; 13.3% exited
Coles Ferry Elementary: 91.3% met growth standard; 20.6% exited
Jones Brummett Elementary: 69.6% met growth standard; 10.4% exited
Sam Houston Elementary: 50% met growth standard; 9.3% exited
Castle Heights Elementary: 94.7% met growth standard; 16.7% exited
Walter J. Baird Middle School: 50% met growth standard; 5.7% exited
Winfrey Bryant Middle School: 45.7% met growth standard; 10% exited

TCAP Academic Growth and Achievement of EL Students District-wide by Subject Area - Grades 3-8

ELA: Value-added = +1.32 (Level 4); Achievement = 7% Met/Exceeded Expectations
Math: Value-added = +.11 (Level 3); Achievement = 12% Met/Exceeded Expectations
Science: Value-added = +1.2 (Level 4); Achievement = 9% Met/Exceeded Expectations

Our justification for the alternative staffing ratio is that the numbers are not excessively past the 1:35 required ratio. Second, even though the district-wide staffing ratio is above the 1:35, the ESL class sizes are very reasonable both in the pull-out and CBI models. Thus, ESL teachers are able to effectively meet the individual needs of the EL students. Third, as one can see from the above data, EL students in general have historically made effective growth on both the WIDA ACCESS for English proficiency and TCAP Value-added in the academic areas. Finally, ESL teacher schedules verify that each EL student is receiving the minimum 60 minutes of ESL instruction except for those ELs who qualify for tailored services, as provided by State Board Rule.

The school district has multiple ways to monitor EL progress throughout the school year. Universal screeners are administered three times during the school year so that teachers can determine student progress in reading and math and plan skills-based interventions accordingly. The school district also administers benchmark tests each nine weeks to determine students' mastery of the state standards. This allows our teachers to strategically plan instruction and intervention. In between the benchmark assessments common formative assessments, created by each grade level's teachers, are administered at each school every 4.5 weeks for the same purpose. In addition to these assessments, we also have the Imagine Language & Literacy program for newcomers and beginning ELs. This is yet another way we can track student progress among ELs with the greatest language needs.

We appreciate your consideration of this waiver request. Please let me know if you have any questions.

Thank you,

Stan Blades
ESL Director