



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 8, 2023

Dr. David L. Snowden, Director of Schools
Franklin Special Schools
507 Highway 96 West
Franklin, TN 37064

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

Dear Director Snowden:

I am in receipt of your October 18, 2023 waiver request of State Board of Education Rule 0520-01-19 as it relates to the use of an alternate English as a Second Language (ESL) service model. You have requested to use a "Push-In" model for ESL services for grades K-8 classes within the Franklin Special School District.

This "Push-In" model will allow the ESL teacher to attend a core content class in order to provide ESL services to English Language Learner (ELL) students while the classroom teacher focuses on core content. According to your request, this model will better allow for English language and general education teachers to collaborate to encourage positive English language model interactions with ELL students.

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: (1) continuing to monitor classes, (2) regularly reviewing lesson plans to ensure teachers are providing support to ELL students using the "Push-In" model, and (3) monitoring ILPs to ensure classroom accommodations are implemented and goals are met, 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



Franklin Special School District

SINCE 1906

David L. Snowden, Ph.D., Director of Schools • 507 New Highway 96 West • Franklin, TN 37064 • 615-794-6624 • 615-790-4716 (fax) • www.fssd.org

October 27, 2023

Franklin Special School District Waiver Request for alternate English Learner service delivery model; push-in services

Requesting an Alternate ESL Program Model **State Board of Education Rule 0520-01-19**, English as a Second Language Programs.

1. LEA ESL director or coordinator name

Dr. Lee Kirkpatrick, Student Support Services Supervisor

2. ESL service delivery model being requested

Push-in services in the general education setting

3. Number of schools that will implement the ESL service delivery Model

Eight

4. Grade levels that will implement the ESL service delivery model (i.e., k-5, 6-8, 9-12, etc.)

K-8

5. Proposed implementation date

2023-204 academic year

6. Proposed monitoring plan of new model

Monitoring by Student Support Services Supervisor and School-based Administrative Teams. Monitoring will take place through TEAM Evaluation and informal classroom walkthroughs.

7. Short description of the ESL service delivery model being requested that includes evidence base of success from research that supports linguistic, and academic needs of English learners.

Description of Model: Collaborative teaching ESL (push-in) is an instructional delivery approach in which ESL instruction is provided by an ESL teacher in conjunction with an appropriately endorsed content area teacher. Instruction is provided within grade level/content area classrooms and teachers co-plan, co-teach and co-assess English learners together. This model is a language-focused curriculum aligned to both the WIDA English Language Development Standards Framework and Tennessee Framework for English Learners.

Best practice would include ensuring one of the following steps:

8. Confirm board attorney has reviewed and approved this waiver request

9. ESL director or coordinator signature

10. Federal programs director signature

Signature,

Dr. Lee Kirkpatrick
Student Support Services Supervisor, ESL Coordinator
Franklin Special School District
507 New Highway 96 West
Franklin TN 37064



Tennessee Department of Education – Office of The Commissioner

710 James Robertson Parkway - Andrew Johnson Tower, 9th Floor - Nashville, TN 37243

Local Education Agency Waiver Request

Pursuant to Tennessee Code Annotated § 49-1-201(d), upon application by the local education agency (LEA) for one or more of its schools, the commissioner of education may waive any state board rule or statute that inhibits or hinders the LEA's ability to meet its goals or comply with its mission. Please submit completed forms to Commissioner.Education@tn.gov. Following review by the commissioner, the LEA will be notified in writing if the waiver request is approved or denied. Unless otherwise stated, all waivers granted by the commissioner shall be granted for one-year terms.

Waivers may **not** be granted by the commissioner for regulatory or statutory requirements related to:

- (A) Federal and state civil rights;
- (B) Federal, state and local health and safety;
- (C) Federal and state public records;
- (D) Immunizations;
- (E) Possession of weapons on school grounds;
- (F) Background checks and fingerprinting of personnel;
- (G) Federal and state special education services;
- (H) Student due process;
- (I) Parental rights;
- (J) Federal and state student assessment and accountability;
- (K) Open meetings;
- (L) Educators' due process rights;
- (M) Reductions in teachers' salaries;
- (N) Employee rights, salaries and benefits; and
- (O) Licensure of employees.

Local Education Agency:

Franklin Special School District

School Information (if applicable):

School Name: Franklin Special School District

Street: 507 New Highway 96 West

City: Franklin, TN Zip Code: 37064

Please list the statute(s) and/or state board rule(s) for which waiver is being requested:

Rule 0520-01-19- .03 Item Number 10

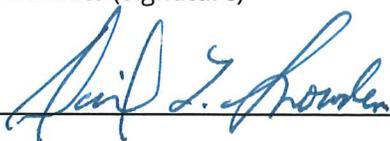
Explanation of how the statute(s) and/or state board rule(s) inhibits or hinders the local education agency's ability to meet its goals or comply with its mission:

The push-in service delivery model serving English Language Learners is not on the TDOE list of approved service delivery models. Many of our EL and General Education Teachers successfully and effectively collaborate using co-teaching instructional strategies. Serving the students, for a portion of their EL service time in the general education setting, takes advantage of the expertise of both the EL and General Education Teachers as well as encourages effective positive peer English language model interactions with English Learners.

Expected duration of the condition necessitating this waiver request:

This request is for the 2023-2024 academic year but we anticipate making the waiver request in the future if the push-in service delivery service model is not added to the TDOE approved list.

Director of Schools (Signature)



Print Name David L. Snowden

Date 10-18-23