



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

September 22, 2023

Jason Manuel, Director of Schools
cc: Theodore Fuller, ESL Supervisor
3350 S. Forest Hill Irene Road
Germantown, TN 38138

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

Dear Director Manuel:

I am in receipt of your September 19, 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 at Houston Middle School (grades 6-8), Dogwood Elementary School (grades K-5), and Forest Hill Irene Elementary School (grades K-5) within the Germantown Municipal 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.

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: (1) continue to monitor classes on a quarterly basis, (2) regularly review lesson plans to ensure teachers are providing support to ELL students using the "Push-In" model, and (3) monitor 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



3350 S. Forest Hill Irene Road / Germantown, TN 38138 / www.gmsdk12.org / (901) 752-7879 / Fax (901) 757-6479

Dear Commissioner,

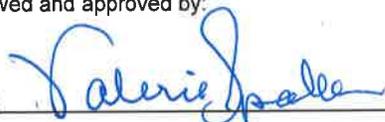
My name is Theodore Fuller and I am the ESL Supervisor for Germantown Municipal School (796). I am writing to request the use of a Push-In model for ESL services at three schools, Houston Middle School (6-8), Dogwood Elementary (K-5) and Forest Hill Irene Elementary (K-5). The district would like to implement the service model by September 20, 2023. As ESL Supervisor, I will monitor requests to use the service model, including the verification of schedules and other required services for the students. I will monitor classes quarterly and review lesson plans to ensure teachers are working together to support our English Language Learners using the push-in model. I will monitor ILPs to ensure that accommodations are being implemented in the classroom and that goals are being met.

In the push-in model, the ESL teacher pushes in or attends a core content class, such as ELA, in order to provide ESL services to the ELL to facilitate access to core curriculum through language support, while the classroom teacher focuses on core content. Research for the push-in model of instruction can be found in "Teaching Academic Content and Literacy to English Learners in Elementary and Middle School" by the Institute of Education Sciences and the "English Learner Toolkit of Strategies" by the California County Superintendents Educational Services Association. The push-in model allows the ESL and Content teachers to:

- Teach a set of academic vocabulary words intensively across several days using a variety of instructional activities.
- Integrate oral and written English language instruction into content-area teaching.
- Provide regular, structured opportunities to develop written language skills.
- Provide small-group instructional intervention to students struggling in areas of literacy and English language development.

This document has been reviewed and approved by:

LEA Board Attorney Signature:



Date:

9-19-23

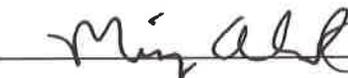
ESL Supervisor Signature:



Date:

9-19-2023

Federal Programs Director:



Date:

9/19/23



3350 S. Forest Hill Irene Road / Germantown, TN 38138 / www.gmsdk12.org / (901) 752-7879 / Fax (901) 757-6479

Research References:

<https://www.doe.mass.edu/ele/esl-toolkit/fundamentals/delivery-approach/push-in.html>

<https://ies.ed.gov/ncee/wwc/Docs/PracticeGuide/20074011.pdf>

https://ies.ed.gov/ncee/wwc/Docs/PracticeGuide/50629_TeachingAcademicContentLiteracy_PG_Summary_final.pdf

https://ccsesa.org/?wpfb_dl=7219



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:

Germantown Municipal School District 796

School Information (if applicable):

School Name: Houston Middle School

Street: 9400 Wolf River Blvd

City: Germantown, TN Zip Code: 38139

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

Chapter 0520-01-19 English as a Second Language Programs
Section 03 - (10) Service Models

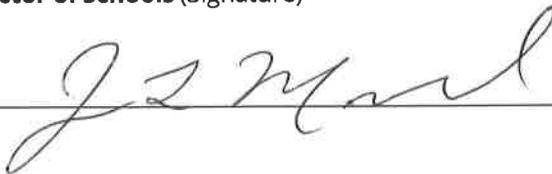
Explanation of how the statute(s) and/or state board rule(s) inhibits or hinders the local education agency's ability to meet its goals or comply with its mission:

In order to accommodate students with multiple service needs and limited schedule time, we are requesting the use of a push-in service model for ELLs. The ability to use the push-in model would give teachers the flexibility to provide the appropriate service time in tight schedules which include both RTI and enrichment activities. The push-in model would allow ESL teachers to provide language services and supports during core content classes. Push-in has the advantage of allowing the teacher to directly address academic language, which is challenging to ELLs, during instruction.

Expected duration of the condition necessitating this waiver request:

The request for the use of a push-in model is for the 2023-2024 school year.

Director of Schools (Signature)



Print Name Jason L. Manuel

Date 9-19-23



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- (M) Reductions in teachers' salaries;
- (N) Employee rights, salaries and benefits; and
- (O) Licensure of employees.

Local Education Agency:

Germantown Municipal School District 796

School Information (if applicable):

School Name: Dogwood Elementary School

Street: 8945 Dogwood RD

City: Germantown, TN Zip Code: 38139

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

Chapter 0520-01-19 English as a Second Language Programs
Section 03 - (10) Service Models

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Director of Schools (Signature)



Print Name Jason L. Manuel

Date 9-19-23



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- (M) Reductions in teachers' salaries;
- (N) Employee rights, salaries and benefits; and
- (O) Licensure of employees.

Local Education Agency:

Germantown Municipal School District 796

School Information (if applicable):

School Name: Forest Hill Elementary School

Street: 3368 Forest Hill Irene Rd

City: Germantown, TN Zip Code: 38138

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

Chapter 0520-01-19 English as a Second Language Programs
Section 03 - (10) Service Models

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Director of Schools (Signature)



Print Name Jason L Mancel

Date 9-19-23