
English as a Second Language (ESL) Program Policy 3.207

The Background:

The English as a Second Language (ESL) Program Policy is designed to set minimum requirements for ESL programs in Tennessee and provide a framework for implementing effective educational programs for English learners (ELs).

The proposal seeks to update the WIDA ACCESS exit criteria. The current exit criteria is a composite score of 4.2 and a literacy score of 4.0. This would update the exit criteria to a composite score of 4.4 and a literacy score of 4.2. This proposal also seeks to establish exit criteria on the WIDA Alternate ACCESS at a composite score of P1 and a literacy score of P1 to ensure that ELs with significant cognitive disabilities will have the opportunity to exit from ESL services.

In addition to changes to the exit criteria, this proposal also makes minor wording changes, including adding Heritage Language Programs to the list of approved ESL service models.

The Fiscal Analysis Impact:

T.C.A. § 49-1-212 requires that the Department prepare a fiscal analysis of any policy, rule, or regulation proposed to the State Board of Education. This item has minimal financial impact on an LEA. There would be no impact on BEP funding because the BEP funds active English Learners and transitional students in their first two years of transition. The Department estimates that federal Title III allocation for upcoming years would need to be spread across more ELs, so the per-student Title III allocation would decrease from \$139 to \$132 for a change of -\$7.00 per student.

Policy Justification:

T.C.A. § 4-5-230 requires that justification for adopting an item as a policy instead of a rule be submitted to the chair of the Government Operations Committee. [Portions of the policy will need to move to rule pursuant to PC 929 of 2018. State Board and Department of Education staff are working to bring rule language to the Board at a future meeting.](#)

The Recommendation:

The Department of Education recommends acceptance of this item on first reading. The SBE staff concurs with this recommendation.