

---

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 standards for Tennessee school districts in providing services to non-English language background students who are also limited English proficient. These students are referred to as English Learners (ELs).

This item presents several changes to the ESL Program Policy to reflect minor clarifications and to align the policy with the new requirements for EL students established in the Every Student Succeeds Act (ESSA).

Below is a brief summary of the changes that have been made for the second reading (page numbers reflect the tracked changes document):

- **Page 1:** Deleted in the second paragraph, “in addition to this policy, schools and districts” and “shall also adhere to the.” Changes “newest” in the last paragraph to “most recent.”
- **Page 2:** Deleted “an” in section c. line 2. Replaced the comma after “(FEP),” with a period and changed the “s” in “school” to a capital.
- **Page 3:** Deleted an extra period at the end of section c. In the 5<sup>th</sup> line of section d. replaced “have in place” with “adopt and implement.”
- **Page 4:** Changed numbering in the first section of c.
- **Page 5:** Changed “may” to “will.”
- **Page 6:** Change the lower case “s” to a capital letter in WIDA Screener because that is the name of the test.

**The Fiscal Analysis Impact:**

Tenn. Code Ann. § 49-1-212 requires that the Department prepare a fiscal analysis of any policy, rule or regulation proposed to the State Board of Education. Currently the BEP provides funding for ELL at a ratio of 1:25. To the extent a district exceeds the proposed 1:35 ratio staffing will have to be increased. Districts may also propose an alternate staffing ratio if the district is showing adequate academic growth for the EL population and can prove that ELs are receiving the recommended hours of service.

**The Recommendation:**

The Department of Education recommends adoption of this item on final reading. The SBE staff concurs with this recommendation.