

# TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

## English Learner (EL) Monitoring Procedures

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The purpose of this document is to provide procedural information regarding English Learner (EL) monitoring. These procedures cover:

- [School Responsibilities](#)
  - [EL Coordinator](#)
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  - [Screening](#)
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### **School Responsibilities**

**EL Coordinator.** Each authorized charter school shall have one (1) EL Coordinator (“Coordinator”), at minimum. The Coordinator will serve as the contact between the Commission and the school. The school’s EL coordinator may also be responsible for completing the relevant sections of the school’s annual Sub-recipient Monitoring Self-Assessment. More information about the Sub-recipient Monitoring Self-Assessment can be found in the Commission’s Sub-recipient Monitoring Guidebook.

**ESL Teacher Hiring Plan.** All teachers of any language instruction program for English Learners (ELs) need to be fluent and competent in the four domains of language assessed by the English Language Proficiency Assessment: reading, writing, speaking, and listening.

A teacher’s fluency in listening and speaking shall be evaluated during the interview process. A selector shall be responsible for noting listening mistakes, miscues, grammar, and syntax mistakes, and judging the level of fluency for both speaking and listening.

Reading and writing shall be evaluated through the successful completion of the application process. Reading may also be satisfied through the college transcript if from an English speaking university or by a qualifying Praxis score.

Each authorized charter school shall maintain a ratio of 1 full-time equivalent (FTE) ESL endorsed teacher to 35 English learner students, including students who have waived direct ESL services and students who are in the first two years of transition out of ESL services.

**Screening.** If a student is referred for screening after completion of the Home Language Survey (see the Records section below for more details about the survey), the authorized charter school must first obtain input from the student’s parent/guardian to determine if the student’s needs may or may not be met

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through an Individualized Education Program (IEP) due to severe cognitive delays, hearing impairments, or any other disability that may be impeding language development. If the student is referred for evaluation for special education, the SPED Coordinator or case manager must include the EL Coordinator in the student's evaluation and IEP meetings to determine appropriate services.

The authorized charter school may choose to contract with an outside provider to screen incoming students, including another district. Charter schools shall ensure that they are provided a copy of the screening results to maintain in the cumulative file. The charter school maintains responsibility for creating and following procedures to address the following:

- (1) The relationship between the charter school and its contracted screening provider.
- (2) The system for obtaining and filing complete student screening information.

**Records.** EL records, including any evaluation data, shall be kept in a separate EL folder as part of the student's cumulative folder, or in any other location determined to be appropriate by the Commission or school. Documentation shall be translated into the appropriate language, as necessary.

Each school shall maintain the following documentation for any student identified as an English Learner:

- (1) Intake Data
  - (a) Date the student arrived in a U.S. School
  - (b) First language spoken by student
  - (c) Any available documents (e.g., birth certificate, I-94, other immigration documents, etc.)
  - (d) W-APT (if screened as a kindergartener prior to July 2021), WIDA Kindergarten Screener or WIDA Screener scores
- (2) Home Language Survey
  - (a) This document is administered once in each student's educational career. It shall be administered at the time of enrollment to gather information about a student's language background and to identify students whose primary or home language is a language other than English. Please see the Commission's Enrollment Procedures for specific requirements regarding the Home Language Survey.
  - (b) If the authorized charter school is unable to obtain a student's original Home Language Survey, the survey must be re-administered and labeled as secondary. If the charter school obtains an original Home Language Survey after the survey has been re-administered, the school shall communicate with the parents/guardians as needed to resolve any conflicting information. The original survey will replace the secondary survey in the student's file.
  - (c) Each student shall only have one survey in the student file.
- (3) English Language Proficiency (ELP) assessment (Initial)
  - (a) In order to monitor the progress of all EL students to ensure they achieve English language proficiency and acquire content knowledge within a reasonable period of time, schools must annually administer a valid and reliable ELP assessment in reading, writing, listening, and speaking that is aligned to state ELP standards.

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- (b) For entering kindergarten students and first grade students who are screened in their first (1<sup>st</sup>) semester, the World Class Instructional Design and Assessment (WIDA) Kindergarten Screener may be used as an ELP screener.
- (i) Kindergarten students entering during the first (1<sup>st</sup>) semester shall complete only the listening and speaking components of the Kindergarten Screener. Kindergarten students entering during the second (2<sup>nd</sup>) semester and first grade students screened during the first (1<sup>st</sup>) semester shall complete all four components of the Kindergarten Screener: listening, speaking, reading, and writing.
  - (ii) The Kindergarten Screener must be administered by a certified ESL teacher who has been trained to administer the assessment within the past calendar year.
  - (iii) If a kindergarten student entering during the first (1<sup>st</sup>) semester receives an oral composite score below 4.5 or a score below 4 in either domain on the Kindergarten Screener, a minimum of one (1) hour of direct ESL service should be provided daily by an ESL-endorsed teacher.
  - (iv) If a kindergarten student entering during the second (2<sup>nd</sup>) semester receives an oral composite score below 5 or a score below 4 in any domain on the Kindergarten Screener, a minimum of one (1) hour of direct ESL service should be provided daily by an ESL-endorsed teacher.
  - (v) If a first-grade student screened during the first (1<sup>st</sup>) semester receives an oral composite score below 5 or a literacy composite score below 4.5 on the Kindergarten Screener, a minimum of one (1) hour of direct ESL service should be provided daily by an ESL-endorsed teacher.
- (c) For first grade students who enter in their second (2<sup>nd</sup>) semester and students entering in grades 2 through 12, the WIDA Screener may be used as an ELP screener.
- (i) The WIDA Screener must be administered by a certified ESL teacher who has been trained to administer the assessment within the past calendar year.
  - (ii) If a student receives a composite score less than 4.5, the student qualifies for English Language Services and a minimum of one (1) hour of direct ESL service should be provided daily by an ESL-endorsed teacher.
- (d) The authorized charter school shall maintain electronic documentation of each student's screening scores and information. The following information shall be noted: the date of receipt, the date the screening was conducted, and the student's score. Please reference the [English Language Proficiency \(ELP\) Assessment Record](#) at the end of this document for a sample template.
- (4) ELP assessment (most recent)
- (a) ELP assessments must be administered annually and dated within the past calendar year.
  - (b) The WIDA Kindergarten ACCESS for ELLs may be used as an ELP assessment for students in kindergarten. For students who score a 3.5 or higher on any domain, the school may tailor the service provided to those students, including providing less than one (1) hour of direct ESL service per day based on their ILP.

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- (c) The WIDA ACCESS for ELs 2.0 may be used as an ELP assessment for students in grades 1 through 12. Schools may tailor the services provided to those students, including providing less than one (1) hour of direct ESL service per day based on their ILP for students who score:
- a. 3.5 or higher on reading; and
  - b. 3.5 or higher on writing; and
  - c. 3.5 or higher on either the speaking or listening domains.
- (5) Individualized Learning Plan (ILP)
- (a) All EL students must have an ILP, which shall detail the following:
- (i) Assessment data from the English language proficiency assessment, achievement assessments, relevant benchmark data, universal reading screener data for EL students in Kindergarten through eight (K-8), Tennessee comprehensive assessment program (TCAP) data for EL students in grades four through eight (4-8), and career-readiness data for EL students in grades nine through twelve (9-12);
  - (ii) For EL students in grades Kindergarten through three (K-3), Direct ESL Services and language focused supports will be defined in the ILP that provide access to classroom instruction aligned to grade-level academic standards;
  - (iii) For EL students in grades four through twelve (4-12), Direct ESL Services and academic and career-readiness supports that provide access to classroom instruction aligned to grade-level academic standards;
  - (iv) Strategies, accommodations, and scaffolding used in the delivery of Indirect ESL Services, as decided appropriate by the student's ILP Team, that provide access to instruction;
  - (v) For Transitional EL students, long-term ELs, and students receiving Indirect Services, appropriate ILPs must outline services in accordance with EL status and needs, including years of ESL services, years in transition, and assessment and screener results;
  - (vi) Short-term goals that help the student proceed to the next proficiency level in the four (4) domains of language: reading, writing, speaking, and listening; and
  - (vii) Growth trajectories for English language proficiency based on individual student data.
- (b) Please see the Charter Commission's Individual Learning Plan Procedures for specific requirements regarding ILPs.
- (6) Parental Notifications
- (a) Charter schools shall notify parent(s)/guardian(s) of a student's eligibility for ESL services after the initial assessment and subsequently on an annual basis. Notifications must include all information outlined in the Commission's Enrollment Procedures. Notifications must include information regarding the right to waive Direct ESL Services.

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If documentation is missing from a student’s prior school district, the school shall make reasonable effort to obtain the missing documentation and shall document efforts to obtain the missing documentation in the student’s EL folder.

Should a student transfer from the authorized charter school, the current school is responsible for sending all documentation to the receiving school.

**Curriculum and Instruction.** Each authorized charter school must provide the following:

- (1) EL and content classrooms that utilize WIDA standards;
- (2) Training for ESL teachers and all regular education teachers providing instruction to EL students, which includes, at a minimum:
  - a. The Tennessee English language development (ELD) standards;
  - b. Appropriate ESL instructional methods to use with grade-level academic content standards in English language arts, mathematics, science and social studies;
  - c. English language acquisition training for general education teachers to understand the process of acquiring a second or subsequent language;
  - d. Strategies for collaboration between teachers serving EL students so that ILPs are developed and implemented by all educators; and
  - e. The requirements regarding ILP development and implementation.

**Service Delivery.** Each authorized charter school must provide an ESL program through one or more of the service delivery models approved by the State Board of Education:

- (1) Sheltered English Instruction;
- (2) Structured English Immersion;
- (3) Specially Designed Academic Instruction in English (SDAIE);
- (4) Content-Based Instruction;
- (5) Heritage Language;
- (6) Virtual ESL classes;
- (7) Pull-out instruction;
- (8) Another model approved by the Department of Education.

EL students in elementary school identified for ESL services via a Department of Education approved English language proficiency assessment shall receive a minimum of one (1) hour of Direct ESL Service per school day from a teacher who holds an ESL endorsement, until the student achieves a sufficient score on the WIDA ACCESS to be exited from Direct ESL Service or achieves a sufficient score on a summative assessment to have Direct or Indirect ESL Services modified by the ILP Team.

EL students in middle and high school identified for ESL services via a Department of Education approved English language proficiency assessment shall receive a minimum of one (1) hour of Direct ESL Service per school day or the equivalent of one (1) full class period of at least 45 minutes in duration per school day, from a teacher who holds a license with an ESL endorsement, until the student achieves a sufficient score

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on a summative assessment to be exited from Direct ESL Service or achieves a sufficient score on a summative assessment to have Direct or Indirect ESL Services modified by the ILP Team.

- f. **Exiting and Reclassification.** EL students who score a 4.4 composite or higher and 4.2 or higher for literacy on the WIDA ACCESS for Ells or Kindergarten ACCESS for Ells shall be exited from Direct or Indirect ESL Services. EL students who achieve a P1 composite or higher and P1 literacy or higher on the WIDA Alternate ACCESS assessment shall be exited from the ESL program. Students who exit Direct or Indirect ESL Services shall be considered Transitional EL students for four (4) school years.

When a student exits from ESL services, the ESL Teacher shall:

- (1) Send home an ESL exit letter and put a copy of the letter in the student's ESL file;
- (2) Notify the classroom teacher of the reclassification;
- (3) Ensure the student is correctly coded in the Student Information System (SIS);
- (4) Develop an appropriate ILP during the first two (2) years of transition from direct ESL services;
- (5) Monitor the classroom progress during the T1 and T2 years and document contact with the classroom teacher using the district's monitoring forms; and
- (6) Confer with the classroom teacher and offer support services during this period if the T1 or T2 student begins to struggle academically.

English Learners who have transitioned out of the ESL program shall be classified as transitional ELs for four years upon meeting exit criteria for the ESL program. Transitional students shall be monitored in the first two years following exit from ESL services. A transitional EL experiencing academic difficulties shall not be immediately reclassified as an EL.

If, during the transitional period, there is evidence that a student is struggling in one or more content areas, the school shall ensure the student is first provided with any instructional supports available in the school and notify the RTI<sup>2</sup> team of the student's lack of academic progress and success.

The RTI<sup>2</sup> team shall review the student's data and determine next steps, appropriate interventions, and any potential increased tier transition for RTI<sup>2</sup> purposes. After these interventions have been put in place and progress has been measured and documented over time, the RTI<sup>2</sup> team shall meet with an ESL-certified teacher or the school ESL coordinator to determine whether the student is struggling due to a lack of content knowledge, cognitive issues, a disability, or a lack of English proficiency.

If it is suspected that a transitional student is struggling due to a lack of English proficiency and accommodations are not adequate for the student to experience academic success, the RTI<sup>2</sup> team may determine that the student should re-enter the ESL program. At this time, the school may choose to administer the WIDA MODEL assessment to assist in determining placement in the ESL program. MODEL shall not be used to exit students from ESL services.

Each Commission authorized charter school shall develop a procedure for reclassification of EL students which shall include ongoing monitoring of Transitional EL students, the implementation of the school RTI<sup>2</sup>

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procedures to address academic challenges, and the use of a formative English proficiency assessment to determine if reclassification is needed.

**Considerations for Retention.** Special considerations must be made when considering ELs for retention. Retention of ELs should not be based on the consequences of low English proficiency. An authorized charter school must have approval from the Commission to retain an EL student. In January of each year, the LEA Special Populations Coordinator will confer with the school ESL coordinator to discuss requirements for EL students who may be at risk for retention. Follow-up consultations shall be scheduled as needed to discuss the progress of students considered for retention.

- Students in Grades K-2 and 4-8. If an EL student in grades K-8 is considered for retention, the school shall notify the LEA Special Populations Coordinator and the student's parent or guardian within fifteen (15) days of identification and shall develop an individualized promotion plan and offer to meet with the parent as required by LEA Policy 4603. The school shall comply with all other requirements of LEA Policy 4603 regarding promotion and retention. If the student has not demonstrated sufficient progress on his or her promotion plan by the end of the school year, a consultation shall be made with the school ESL coordinator and the LEA Special Populations Coordinator to determine if retention is appropriate. If the student is enrolled in a summer reading or learning program, the consultation may be had and a decision regarding retention may be made and communicated to the parent after completion of the summer program, but no later than ten (10) days prior to the start of the next school year. Schools shall utilize the [Considerations for Retention of an EL Student](#) form at the end of this document during the consultation. If it is determined that a student will be retained, parents shall be notified of their right to appeal a retention decision pursuant to school policy and LEA policy 4603 regarding promotion and retention.
- Students in Grade 3. If an EL student in grade 3 is considered for retention under T.C.A. § 49-6-3115, the school shall notify the Special Populations Coordinator and the student's parent or guardian. The school shall ensure the student's parent or guardian is provided information about their right to appeal the retention decision. Schools shall submit the [English Learner Third Grade Retention Decision](#) form to the LEA Special Populations Coordinator by July 1. The LEA Special Populations Coordinator may schedule a consultation to discuss the student prior to the district approving or denying the retention decision.
- Students in Grades 9-12. If an EL student in grades 9-12 is considered for retention, the school shall notify the LEA Special Populations Coordinator and the student's parent or guardian within fifteen (15) days of identification. If the student has not made sufficient progress and is still being considered for retention by the end of the school year, notification shall be made to the parent and the LEA Special Populations Coordinator and a consultation shall be made with the school ESL coordinator and the LEA Special Populations Coordinator to determine if retention is appropriate. Schools shall utilize the [Considerations for Retention of an EL Student](#) form at the end of this document during the consultation. If it is determined that a student will be retained based on attendance reasons, parents shall be notified of the right to appeal an attendance-based retention decision pursuant to school policy and LEA policy 6200 regarding attendance.

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Authorized charter schools shall maintain and submit to the Special Populations Coordinator the following documentation for any EL student being considered for retention. This documentation will be discussed during the retention consultation:

- (1) School Plan for monitoring and limiting the retention of ELs
- (2) The student’s Individual Learning Plan (ILP) with evidence of progress towards goals and goal adjustment throughout the year
- (3) The student’s individualized promotion plan with evidence of progress on strategies identified in the plan (required for students in grades K-8)
- (4) Documentation of multiple parental contacts regarding the student’s progress
- (5) Documentation of multiple opportunities to make up assignments
- (6) Evidence of implementation of language supports integrated in classroom instruction
- (7) Evidence of implementation of interventions in areas of deficit (academic/RTI<sup>2</sup>, behavior, attendance)
- (8) Action plan to address problematic behavior, if applicable (academic, behavior, attendance)
- (9) Student’s schedule, attendance record, behavior history

The decision to retain an EL student should not be based on any sole criterion. A priority should be placed on allowing the child to remain in the grade level that is age appropriate.

**LEA Responsibilities**

**RTI<sup>2</sup> Monitoring.** The Commission shall annually review and monitor authorized charter school RTI<sup>2</sup> procedures and shall ensure that reclassification procedures, including timelines and assessments, are included in that document and consistent with the school RTI<sup>2</sup> procedures.

**EL Monitoring.** The Commission shall monitor compliance annually through an audit of randomly selected student files to ensure schools maintain the proper documentation. The Commission shall utilize the [EL Monitoring Checklist](#) contained within these operating procedures to ensure all documents and signatures are accounted for. If proper documentation is not maintained, the Commission shall notify the appropriate parties utilizing the [Missing EL Documentation Memo](#).

**ILP Monitoring.** The Commission shall monitor ILPs annually through an audit of randomly selected student files. Please see the Commission’s Individual Learning Plan Procedures for specific requirements regarding ILP monitoring.

The Commission shall maintain documentation of EL and ILP monitoring, including the date the monitoring occurred, the number of files monitored, and whether a missing documentation memo was sent to the school ESL coordinator as a result of the monitoring.



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### Forms and Appendices

The following forms and appendices are included to supplement these procedures:

- [EL Monitoring Checklist](#) – *required*
- [Considerations for Retention of an EL Student Form](#) – *required, if applicable*
- [English Learner Third Grade Retention Decision Form](#) – *required, if applicable*
- [English Language Proficiency \(ELP\) Assessment Record](#) – *sample template*
- [Missing EL Documentation Memo](#) – *required, if applicable*

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**EL Monitoring Checklist**

Student: \_\_\_\_\_

Date: \_\_\_\_\_

Monitor Initials: \_\_\_\_\_

Required EL Documents	Check if fulfilled
Intake Data	
Home Language Survey	
English Language Proficiency (ELP) assessment (initial)	
English Language Proficiency (ELP) assessment (most recent)	
Individualized Learning Plan (ILP)	
Parental Notifications	

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### Considerations for Retention of an EL Student

An authorized charter school must have approval from the Commission to retain an EL student. A consultation shall be made with the school ESL coordinator and the LEA Special Populations Coordinator to determine if retention is appropriate. The following items shall be considered during the consultation.

Student: \_\_\_\_\_

Date: \_\_\_\_\_

#### I. Document Checklist

Required Documents	Check if fulfilled	Notes
School Plan for monitoring and limiting the retention of ELs		
The student's Individual Learning Plan (ILP) with evidence of progress towards goals and goal adjustment throughout the year		
The student's individualized promotion plan with evidence of progress on strategies identified in the plan (Required for students in grades K-8)		
Documentation of multiple parental contacts regarding the student's progress		
Documentation of multiple opportunities to make up assignments		
Evidence of implementation of language supports integrated in classroom instruction		
Evidence of implementation of interventions in areas of deficit (academic/RTI <sup>2</sup> , behavior, attendance)		
Action plan to address problematic behavior, if applicable (academic, behavior, attendance)		

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<b>Student's schedule, attendance record, behavior history</b>		
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**II. Considerations for Retention**

Retention of ELs should not be based on the consequences of low English proficiency. The following items shall be considered when deciding whether to retain or promote an EL student.

(1) Has the student been enrolled in the school for an adequate period of time to meet the educational goals?

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(2) Have accommodations been made in the student's classroom, homework, assignments, and assessments?

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(3) Have accommodations been documented and frequently reviewed for effectiveness?

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(4) Has the student received differentiated instruction, and has the differentiation been documented?

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(5) Has the student received the required amount of ESL services based on their proficiency?

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(6) If the student has an individualized promotion plan, has the student demonstrated sufficient progress on the strategies included in his/her promotion plan during the school year? (Required for grades K-8) *NOTE: If a K-8 student demonstrates sufficient progress on their individualized*

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*promotion plan, they shall be promoted to the next grade level and shall be enrolled in a summer reading or learning program, if available.*

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**III. Team Decision**

Promotion       Retention

**IV. Comments/Special Conditions**

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**V. Signatures**

LEA Special Populations Coordinator \_\_\_\_\_

School ESL Coordinator \_\_\_\_\_

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**English Learner Third Grade Retention Decision Form**

Students who are eligible for English Learner services and have received less than two (2) years of English instruction are **exempt** from retention under T.C.A. § 49-6-3115. Since federal and state guidance prohibit retaining an English Learner based solely on their lack of English proficiency, schools must carefully assess on a case-by-case basis whether and to what extent an English Learner’s TCAP results may be impacted by their limited English proficiency for those students who are **not** exempt from the law. Schools shall use this form to document their recommendation for the promotion or retention of an English Learner who is **not** exempt from retention under T.C.A. § 49-6-3115. School leaders must consult with ELL and General Education teachers and consider a variety of data when determining whether retention is appropriate for an English Learner student. This form **must** be submitted to the TPCSC to be signed by the Commission’s Director of Schools or their designee if the school recommends retention of an English Learner student. Forms may be submitted to the school’s Reporting Calendar folder in Microsoft Teams.

**1. Student Name:**

**2. The following data and information were considered when making this promotion/retention decision (check all that apply):**

- TCAP scores
- Years of schooling in the U.S.
- Language proficiency scores, including WIDA Screener, ACCESS, and any additional formative data
- Stage of language acquisition
- ILP
- Input from classroom teacher
- Cultural and linguistic factors
- Access to scaffolds
- Interventions
- Parental involvement

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3. The school team recommends the following (check one):

- Promotion       Retention

4. The following individuals contributed to and agree with this decision:

Role	Name	Signature	Date
Principal or Designee			
ELL Teacher			
Classroom Teacher			
Commission's Director of Schools or Designee <i>(required for retention recommendation)</i>			

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**English Language Proficiency (ELP) Assessment Record**

School Name: \_\_\_\_\_ Year: \_\_\_\_\_

English Language Proficiency (ELP) Assessment Record						
Student Name	DOB	ID Number	Date of Receipt	Date of Screening	Score	Notes



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**Missing EL Documentation Memo**

**To:**

**From:**

**Date:**

**Re:** EL Monitoring – Missing Documentation

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**Missing EL Documentation**

This memo is to make notice of missing documents in     (student name)    's EL file. The Commission completed compliance monitoring of these files on     (date)     and found that the following files are missing  online  on-site:     (file name)    .

Please add these documents to the student's file by     (date)    .

If you have questions, please contact the Tennessee Public Charter School Commission.