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**ESL Program Policy 3.207**

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**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 the newly adopted English language proficiency assessment, the WIDA ACCESS, and to incorporate new requirements for English Learner students established in the Every Student Succeeds Act (ESSA).

ESSA made two major language changes for English Learners:

- Limited English proficient students are now referred to as English Learners.
- The department is now required to maintain data on students in transition for 4 years rather than the 2 years previously required.

Tennessee also has a newly adopted English language proficiency assessment, the WIDA ACCESS. WIDA ACCESS, in which Tennessee now adds a literacy requirement to exit criteria, is often referred to as the strongest indicator of academic success for literacy. The attached document reflects those changes in both the body of the policy and in the definition page.

With Tennessee's academic standards becoming more rigorous, it is necessary for us to raise the requirements for EL student's exit from ESL so that this subgroup demonstrates stronger academic growth. Further, ESSA requires that the English language proficiency standards be aligned to academic standards. This alignment requires higher proficiency in a second or subsequent language for this subgroup in order to enable ELs to reach proficiency in the academic content standards.

**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. This item has no financial impact on an LEA.

**The Recommendation:**

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