

**Repeal English as a Second Language (ESL) Program Policy 3.207**

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**The Background:**

The English as a Second Language (ESL) Program Policy details requirements for identifying, serving, assessing, and exiting English learners in Tennessee. Over the past two years, the requirements of this policy were moved into rule in accordance with requirements of Public Chapter 929 of 2018, which revised criteria for the types of requirements that could be in policy and rule.

The English as a Second Language Program Rule 0520-01-19 is now fully promulgated and in effect for schools and districts. This item proposes to repeal the ESL Policy 3.207 because all pertinent information is now in the rule and having a duplicative rule and policy could cause confusion.

**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. This item is proposed to be adopted as a policy because it defines or explains the meaning of a statute or rule and/or concerns only the internal management of state government that does not affect private rights or privileges.

**The Recommendation:**

The State Board staff recommend approval of this item on final reading.