

N.J.A.C. 6A:15

Bilingual Education

Administrative Code Training

Presenters:

Lori Ramella, Education Specialist
Ericka Reed, Education Specialist
Office of Student Achievement and Accountability,
Bureau of Bilingual and ESL Education

What is the purpose of the *Administrative Code?*

- ▶ Interprets law or policy
- ▶ Official publication of Office of Administrative Law
- ▶ Code-adoption process
- ▶ 5 year expiration period



How to interpret changes to the code?

- ▶ underline signifies “new”
- ▶ [brackets] signify “deleted”



Section: 6A:15-1.1

General Requirements

To Ensure:

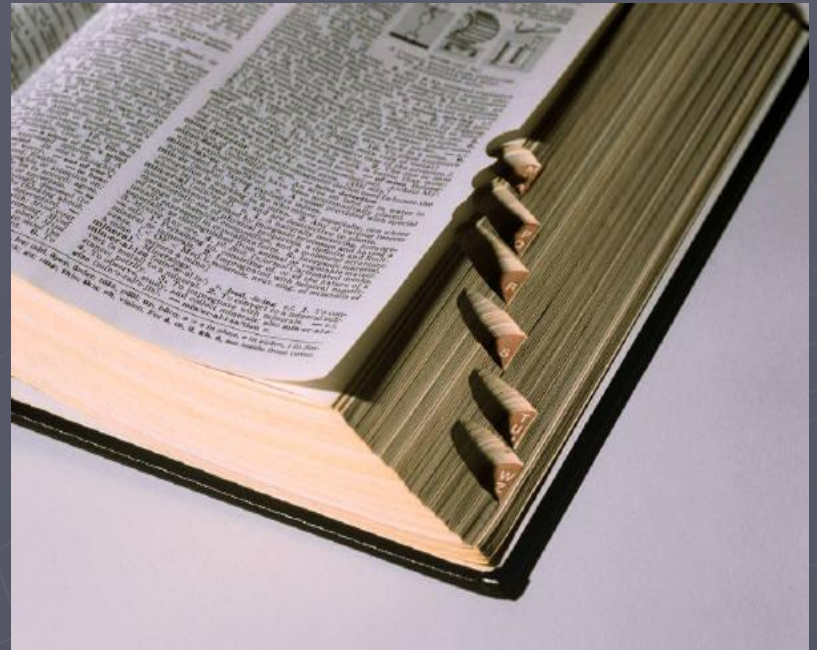
- that all LEP students receive a free and appropriate public education;
- the rights of LEP students are protected;
- the provision of bilingual education and related services

Section: 6A:15-1.2

Definitions

Purpose :

- ▶ To provide definition of key words and terms related to the Administrative Code



Section: 6A:15-1.2

Definitions: Activity



Oh my goodness!
What do all
these terms
mean?

Section: 6A:15-1.2

Changes

- ▶ "English as a second language (ESL) program" means a daily developmental second language program of up to two periods of instruction based on student [needs] language proficiency which teaches aural comprehension, speaking, reading and writing in English using second language teaching techniques, and incorporates the cultural aspects of the students' experiences in their ESL instruction. A period is the time allocated in the school schedule for instruction in core subjects.
- ▶ “ESL Standards for Pre-K through 12 Students” means the WIDA English Language Proficiency Standards for English Language Learners in Pre-Kindergarten through Grade 12 developed by the World-Class Instructional Design and Assessment (WIDA) Consortium.
- ▶ “Sheltered English Instruction” is an instructional approach used to make academic instruction in English understandable to LEP students. Sheltered English classes are taught by regular classroom teachers who have received training on strategies to make subject area content comprehensible for LEP students.

Section: 6A:15-1.3

Identification of LEP Students

- Maintain a census indicating all students whose native language is other than English;
- ▶ Develop a screening process, initiated by a home language survey, to determine which students in K to 12th grade must be tested to determine English language proficiency. K-12 students who are not screened out must be tested with a department-approved English language proficiency test

http://www.nj.gov/education/bilingual/resources/prof_tests.htm

In addition, the following indicators must be considered (**multiple measures**):

- ▶ Level of reading in English;
- ▶ Previous academic performance;
- ▶ Achievement on standardized tests in English; and
- ▶ Teacher judgment

Section: 6A:15-1.3

(Continued)

- Students who do not meet the Department standard on a Department-approved language proficiency test and who have at least one other indicator, are students of limited English proficiency.
- State and federal law require parental notification and consent for placement in a language assistance program

<http://www.nj.gov/education/bilingual/resources/letter/>

<http://www.nj.gov/education/bilingual/title3/accountability/notification/letters>

Section: 6A:15-1.3

Changes

- ▶ 1.3(a)2 Report annually to the department as part of the [Fall Report] fall LEP Enrollment Summary, the number of all students identified in the census whose native language is other than English, and, of that group, the number who are LEP students.
- ▶ 1.3(b) The district board of education shall develop a screening process, initiated by a home language survey, to determine which students in kindergarten to 12th grade of those whose native language is other than English, must be tested to determine English language proficiency. This [prescreening] screening must be conducted by a bilingual/ESL or other certified teacher and must be designed to distinguish those students that are [fluent] proficient English speakers [from those whose English speech and comprehension are affected by language proficiency] and need no further testing.

Section: 6A:15-1.3

Changes (*Continued*)

- ▶ 1.3(c) The district board of education shall determine the English language proficiency of all kindergarten to 12th grade students, who are not screened out, whose native language is other than English by administering [an] a department-approved English language proficiency test, assessing the level of reading in English, reviewing the previous academic performance of students as well as standardized tests in English and reviewing the input of teaching staff members responsible for the educational program for the limited English proficient students. Those students who do not meet the Department standard on a Department-approved language proficiency test and who have at least one other indicator, are students of limited English proficiency. The district board of education shall also use age appropriate [assessment instruments to identify the English language proficiency and readiness of preschool LEP students to determine individual student eligibility for bilingual, ESL or mainstream classroom instruction] methodologies to identify limited English proficient preschool students in order to determine their individual language development needs.

Section: 6A:15-1.3

Changes (*Continued*)

- ▶ 1.3 [(d) The district board of education shall administer a language proficiency test approved by the Department to all limited English proficient students who enter New Jersey schools after grade eight at the time of enrollment to determine their level of English language fluency.]

Section: 6A:15-1.4

Language Assistance Programs

- Full-time Bilingual Program with ESL support
- Alternative programs that use students' native-language for instruction (Bilingual Part-time, Bilingual Tutorial, Bilingual Resource)
- Alternative programs that are English-based (High-Intensity ESL, Sheltered English Instruction)
- ESL-Only
- English Language Services (ELS)



Programs that utilize students' native-language as medium of instruction

- ▶ Bilingual Education
- ▶ Bilingual Part-Time
- ▶ Bilingual Resource
- ▶ Bilingual Tutorial
- ▶ Dual Language Bilingual Education Program

Programs that utilize English as medium of instruction

- ▶ High-Intensity ESL
- ▶ English as a Second Language (ESL)
- ▶ English Language Services (ELS)
- ▶ Sheltered English Instruction



Section: 6A:15-1.4

Changes

- ▶ 1.4 (a) The district board of education shall provide all kindergarten to 12th grade LEP students enrolled in the district pursuant to N.J.S.A. 18A:7F-4 with all required courses and support services defined in (b) through (h) below to prepare LEP students to meet the Core Curriculum Content Standards for high school graduation. [All district boards of education shall also provide appropriate instructional programs to eligible prekindergarten LEP students based on need according to N.J.A.C. 6A:15-1.3(b)]. This may also include tutoring, after school programs, summer programs and remedial services as needed by LEP students. All district boards of education shall also provide appropriate instructional programs to eligible preschool LEP students based on need according to the New Jersey Preschool Teaching and Learning Expectations: Standards of Quality (2004). These standards are guidelines for good practice and are intended for districts that provide preschool programs.

Section: 6A:15-1.4

Changes (*Continued*)

- ▶ 1.4 (c) 2. Content Standards and the "ESL Standards for Pre-K through 12 Students,"] most current version of the "WIDA English Language Proficiency Standards, 2007 edition incorporated herein by reference, as amended and supplemented, shall be developed and adopted by the district board of education to address the instructional needs of LEP students.
- ▶ 1.4 (d) 2. Include a bilingual program curriculum that addresses the Core Curriculum Content Standards, the ["ESL Standards for Pre-K through 12 Students"] WIDA English Language Proficiency Standards and the use of two languages. The bilingual education curriculum shall be adopted by the district board of education; and

Section: 6A:15-1.5

Bilingual Waiver: Activity

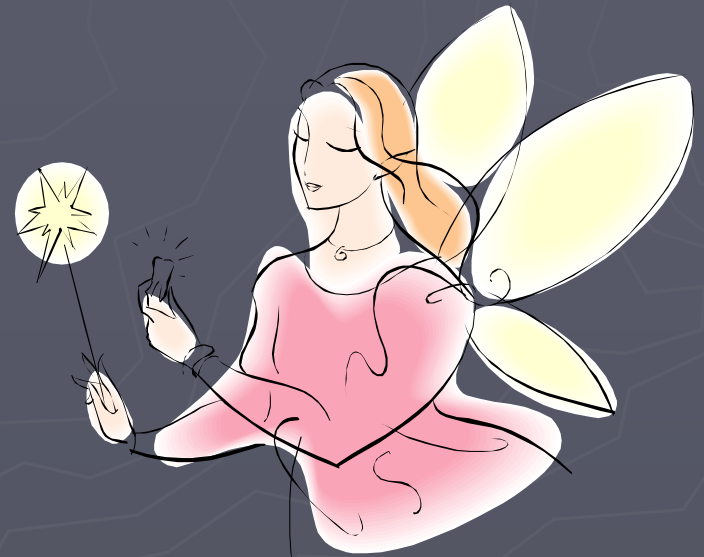
Think-Pair-Share

A district board of education may not request a waiver when the number of LEP students increases in one language group to the point where the district can establish two or more self-contained or subject area classes in two consecutive grades within any one school in the district, the local board of education shall establish a full-time bilingual education program for that language group.



Bilingual Waiver Myths

- ▶ A district does not have to demonstrate the reasons why it cannot offer a bilingual program.
- ▶ There must be 20 or more students in the same grade who speak the same language to have a bilingual program.
- ▶ There must be 20 or more students in the same school who speak the same language to have a bilingual program.
- ▶ An instructional alternative does not need to be provided in a waiver request and the minimum amount of ESL time will suffice.
- ▶ Once a district has an approved waiver request, it will be automatically approved in future years.
- ▶ A bilingual waiver request is not required if a district is intending to provide a part-time bilingual program.



Section: 6A:15-1.5

Bilingual Waiver Process

- ▶ Waiver requests
- ▶ Instructional alternatives

Section: 6A:15-1.5

Changes

- ▶ 1.5(a)2 The instructional program alternatives that must be established include, but are not limited to: the bilingual part-time component, bilingual resource program, bilingual tutorial program, the sheltered English instruction program and the high-intensity ESL program.
- ▶ 1.5(a)4 [A district board of education may not request a waiver when the number of LEP students increases in one language group to the point where the district can establish two or more self-contained or subject area classes in two consecutive grades within any one school in the district, the local board of education shall establish a full-time bilingual education program for that language group.]

Section: 6A:15-1.6

Bilingual/ESL/ELS Three-Year Program Plan

Purpose of Bilingual/ESL/ELS Program Plan:

- ▶ Describes the enrollment of limited English proficient students in the district and the bilingual/ESL or ELS instructional services offered to these students;
- ▶ Serves as a planning tool for schools;
- Provides the Department with assurances that LEP students are provided language services in accordance with law and code.

Section: 6A:15-1.6

Changes

- ▶ 1.6 (a) 1. vii A budget for the bilingual and ESL program or English language services. The budget must indicate how the bilingual categorical aid funds are directly related to the bilingual/ESL program instructional services and materials.]
- ▶ 1.6 (b)3. Data on the number of immigrant students enrolled in the district.

Section: 6A:15-1.7

Supportive Services



*Equal Access to
Educational and
Supportive
Services*

- ▶ Counseling
- ▶ Tutoring
- ▶ Career Guidance

Section: 6A:15-1.7

Changes

- ▶ 1.7(b) [The district board of education may use bilingual personnel on a full or part-time basis to provide supportive services, such as counseling, tutoring, and career guidance to LEP students.] To the extent that is administratively feasible, supportive services such as counseling, tutoring, and career guidance to LEP students should [shall] be provided by [certified] bilingual personnel[. To the extent that is administratively feasible, certified personnel] who are [bilingual and] familiar with and knowledgeable of the unique needs and background of the LEP students and their parents [should be used].

Section: 6A:15-1.8

In-Service Training

- ▶ District plan to in-service teachers
- ▶ Use of NJCCCS, WIDA ELP Standards, and ESL curriculum



Section: 6A:15-1.8

Changes

- ▶ 1.8(a) The district board of education shall develop a plan for in-service training for bilingual, ESL and mainstream teachers based on their needs and to include instructional strategies to help LEP students meet the Core Curriculum Content Standards and the ["ESL Standards for Pre-K through 12 Students."] WIDA English Language Proficiency Standards. All bilingual and ESL teachers shall receive training in the use of the ESL curriculum.
- ▶ 1.8(b) [The Professional Improvement Plan of the Annual Report (N.J.S.A. 18A:7A 11(e)] The Professional Development Plan of the district shall include the needs of bilingual and ESL teachers that shall be addressed through in-service training.

Section: 6A:15-1.9

Certification

- ▶ Bilingual Teachers must hold valid New Jersey instructional certificate in a content area, in addition to an endorsement in bilingual education.
- ▶ ESL Teachers must hold a valid New Jersey certificate in English as a Second Language (ESL)



Section: 6A:15-1.10

Program Enrollment, Assessment, Exit and Reentry

- ▶ Enrollment and exit based on ELP test and multiple indicators
- ▶ Annual language proficiency assessment to determine progress in English
- ▶ Parent notification

Section: 6A:15-1.10

Changes

- ▶ 1.10(a) All LEP students from [prekindergarten] kindergarten through grade 12 shall be enrolled in the bilingual, ESL or English language services education program established by the school district board of education as prescribed in N.J.A.C. 6A:15-1.4(b) through (e) and 1.5(a), and P.L. 1995, c. 59 and c. 327.
- ▶ 1.10(b) Students enrolled in the bilingual, ESL, or English language services program shall be assessed annually with a department-approved English language proficiency test to determine their progress in achieving English language proficiency goals and readiness for exiting the program.
- ▶ 1.10(f)1. After a minimum of [one full semester or] one-half an academic year, and within two years of exit, the mainstream English classroom teacher, with the approval of the principal, may recommend retesting.

Section: 6A:15-1.11

Graduation Requirements



All limited English Proficient students must satisfy requirements for high school graduation according to 6A:8-5.1(a)

Section: 6A:15-1.12

Location

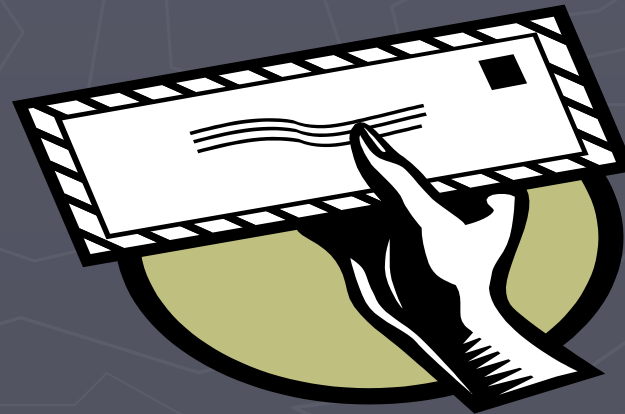
- ▶ All bilingual, ESL, and English language services programs shall be conducted within classrooms approved by the county superintendent of schools within the regular school buildings of the district per N.J.S.A. 18A:35-20.



Section: 6A:15-1.13

Parental Notification

- ▶ Each board of education must notify parents of LEP students eligibility for enrollment and exit criteria of the language assistance program.
- ▶ Each district board of education must send progress reports to parents of students enrolled in the language assistance program.
- ▶ Notices shall be in writing and in the native language of the parent.



Section: 6A:15-1.13

Changes

- ▶ 1.13 (c) Progress reports shall be written in English and in the native language of the parent(s) of students enrolled in the bilingual and ESL program unless it can be demonstrated and documented in the [annual] three-year plan required in N.J.A.C.6A:15-1.6(a) that this requirement would place an unreasonable burden on the district board of education.

Section: 6A:15-1.14

Joint Programs



- ▶ A school district may join with any other district board of education with the approval of the county superintendent of schools on a case by case basis to provide bilingual, ESL or English language services programs.

Section: 6A:15-1.15

Parental Involvement

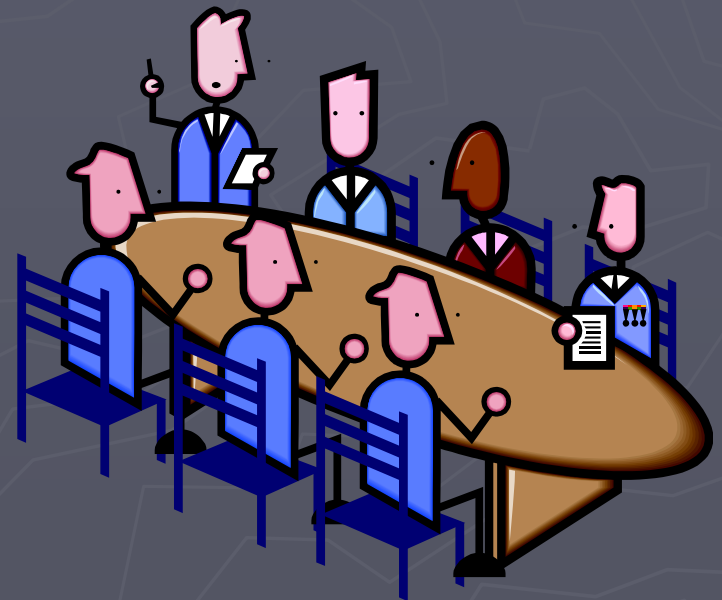


Each district board of education implementing a bilingual education program shall establish a Parent Advisory Committee on Bilingual Education in which the majority will be parent(s) of students of limited English proficiency.

Section: 6A:15-1.16

State Advisory Committee on Bilingual Education

- (a) The State Board of Education shall establish a State advisory committee on bilingual education. The Commissioner of Education shall appoint the members of the committee with representation from parents, institutions of higher education, bilingual and ESL teachers, school board members, school administrators and lay persons.
- (b) The committee shall advise the Department of Education in the formulation of policies and procedures relating to the Act.



New Jersey Department of Education

Office of Student Achievement and Accountability Bureau of Bilingual/ESL Education

Suzanne Ochse, Director, suzanne.ochse@doe.state.nj.us

James F. Curry, Manager, james.curry@doe.state.nj.us

Raquel Sinai, Bilingual/ESL Coordinator, raquel.sinai@doe.state.nj.us

Lori Ramella, Bilingual/ESL Education Program Specialist,
lori.ramella@doe.state.nj.us

Ericka Reed, Bilingual/ESL Education Program Specialist,
ericka.reed@doe.state.nj.us

www.state.nj.us/education

<http://www.nj.gov/education/bilingual/>

(609) 292-8777