



2423 BILINGUAL AND ESL EDUCATION (M)

The Board of Trustees will provide programs of bilingual education, English as a second language (ESL), and English language services for students of Limited English Proficiency (LEP) as required by law and rules of the State Board of Education. Students of LEP are those students whose native language is other than English and who have sufficient difficulty speaking, reading, writing, or understanding the English language as measured by an English language proficiency test, so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English.

Identification of LEP Students

The Board will conduct a screening process to determine the native language of each student at the time of enrollment in the school district. A census shall be maintained of all students whose native language is other than English. The English language proficiency of each student whose native language is not English shall be determined by a screening process that includes the administration of a New Jersey Department of Education approved English language proficiency test, an assessment of the student's level of reading in English, a review of the student's previous academic performance, results of standardized tests in English, and a review of the input of teaching staff members responsible for the educational program of the limited English proficient students.

Program Implementation

The school shall provide the following programs:

1. An English language services program whenever there are one or more, but fewer than ten LEP students enrolled within the schools of the district. English language services shall be in addition to the regular school program;
2. An ESL program whenever there are ten or more LEP students enrolled within the schools of the district; and
3. A bilingual program whenever there are twenty or more LEP students in any one-language classification. Where the age range, grade span, and/or geographical location of eligible students makes a full-time bilingual program impractical, the Board may offer



an instructional program alternative, provided that program has been approved or a waiver for the alternative program has been requested and approval has been granted by the Department of Education. The Board may establish a program in bilingual education for any language classification with fewer than twenty students.

All teachers in these programs shall be appropriately certified in accordance with the requirements as outlined in N.J.A.C. 6A:15-1.9. Every student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years.

Bilingual, ESL, and English Language Services Program Enrollment, Assessment, Exit, and Re-entry

Students enrolled in a bilingual, ESL, or English language services program shall be assessed annually with a New Jersey Department of Education approved English language proficiency test to determine their progress in achieving English language proficiency goals and readiness for exiting the program. LEP students enrolled in a bilingual, ESL, or English language services program shall be placed in a monolingual English Program when they have demonstrated readiness to function successfully in the English-only program. This process shall be initiated by the student's level of English proficiency as measured by a New Jersey Department of Education established standard on an English language proficiency test, and the readiness of the student shall be further assessed on the basis of multiple indicators which shall, at a minimum, include classroom performance, the student's reading level in English, the judgment of the teaching staff member or members responsible for the education program of the student, and performance on achievement tests in English.

In accordance with provisions of N.J.S.A. 18A:35-22.1, a parent(s) or legal guardian(s) may remove a student who is enrolled in a bilingual education program at any time; except that during the first three years of a student's participation in a bilingual education program, parent(s) or legal guardian(s) may only remove the student at the end of each school year. If during the first three years of a student's participation in a bilingual education program, a parent(s) or legal guardian(s) wishes to remove the student prior to the end of each school year, the removal must be approved by the Executive County Superintendent of Schools. The parent(s) or legal guardian(s) may appeal the Executive County Superintendent's decision to the Commissioner of Education.



Newly exited students who are not progressing in the mainstream English program may be considered for re-entry to bilingual and ESL programs in accordance with the provisions of N.J.A.C. 6A:15-1.10(e)1 through (e)5.

When the exit review process is completed, the student's parent(s) or legal guardian(s) shall be informed by mail of the placement determination. A parent(s) or legal guardian(s), or teaching staff member who disagrees with the proposed placement may appeal the decision in writing to the School Director, or designee, who will provide a written explanation for the decision within 10 working days. The complainant may appeal this decision in writing to the Board. The Board will review the appeal and respond in writing within forty-five calendar days. A complainant not satisfied with the Board's explanation may appeal to the Commissioner of Education.

Parental Involvement

The parent(s) or legal guardian(s) of a student of limited English proficiency will be notified in accordance with the provisions of N.J.A.C. 6A:15-1.13 that their child has been identified as eligible for enrollment in a bilingual, ESL or English language services program. Notice shall be in writing, in the language of which the child of the parents so notified possesses a primary speaking ability, and in English. The notice must also include the information that the parents have the option of declining enrollment if they so choose.

The school will notify the parent(s) or legal guardian(s) of the LEP student by mail no later than thirty days after the beginning of the school year that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services program. If the student has not been identified as LEP prior to the beginning of the school year, then the parent(s) or legal guardian(s) must be notified within two weeks of the student's placement in a bilingual, ESL, or English language services program.

Parent(s) or legal guardian(s) shall receive progress reports in the same manner and frequency as those sent to parents or legal guardians of other students.

Parent(s) or legal guardian(s) of students of limited English proficiency will be offered opportunities for involvement in the development and review of program objectives. An advisory committee on bilingual education shall be formed with the majority being parent(s) or legal guardian(s) of students of limited English proficiency.

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Adopted date:



Graduation

Students of limited English proficiency will qualify for graduation from high school in accordance with N.J.A.C. 6A:8-5.1(a) and Policy No. 5460.

Program Plan

The School Director shall prepare and submit a plan for a bilingual, ESL, or English language services program every three years to the Board and the New Jersey Department of Education for approval in accordance with the provisions of N.J.A.C. 6A:15-1.6.

N.J.S.A. 18A:35-15 through 18A:35-25

N.J.A.C. 6A:15-1.1 et seq.