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ENGLISH AS A SECOND LANGUAGE; BILINGUAL PROGRAMS

The board shall provide English as a second language (ESL) and/or bilingual programs of instruction for pupils who:

- A. Do not speak English and need instruction toward mastery of the English language;
- B. Speak a language other than English, are more capable of performing school work in that language, and need their basic educational program taught in that language.

The superintendent shall develop procedures in accordance with administrative code to determine which pupils would benefit from ESL and/or bilingual programs and to involve school staff, parents/guardian and community members in reviewing programs to determine which would best meet these pupils' needs.

The goal of ESL programs is to assist pupils to achieve fluency (including listening, comprehension, speaking, reading, and writing skills) in English. The goal of the bilingual program is to permit pupils to learn subject matter in their primary language while developing English language skills.

Parents/guardians of pupils of limited English speaking ability shall be notified by mail of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL or English language services education program. This written notice shall include the information that the parents may choose to decline to enroll their child into the bilingual program.

Communication with parents/guardians of pupils in these programs shall be in writing and in both English and their primary speaking language. Reports of pupil progress shall be made to parents/guardians on the same schedule as reports of pupils in the regular program.

The superintendent shall direct development of an annual plan for ESL and/or bilingual education which is in compliance with state guidelines. The board will review and approve the plan at a public meeting. The board must adopt the courses of study for ESL and bilingual programs in the same manner in which it adopts the curriculum for the regular program. In order to receive the state-endorsed high school diploma, Limited English Proficient (LEP) pupils must meet the district's graduation requirements.

Pupils enrolled in district bilingual or ESL programs shall be assessed annually for exit from such programs, using indicators described in the administrative code. Whenever it is determined that a pupil should exit from the bilingual program, parents/guardians shall be notified by mail.

Parents/guardians may remove a pupil who is enrolled in a bilingual education program at any time; except that during the first three years of the pupil's participation in a bilingual education program, he/she may only be removed at the end of each school year. Removal prior to the end of the school year shall be approved by the county superintendent. If the county superintendent determines that the pupil should remain in the bilingual education program until the end of the school year; the parents/guardians may appeal that decision to the commissioner of education/ designee pursuant to law. The commissioner shall render a decision within 30 days of the filing of the appeal.

The board may petition the commissioner of education to waive the requirement for a full-time bilingual program when it can demonstrate that it would be impractical to provide such a program, due to the age range, grade span or geographic location of the eligible pupils.

Dated: September 18, 2002

Legal References:

<u>N.J.S.A.</u>	18A:35-15 et seq	Bilingual education programs
<u>N.J.A.C.</u>	6:8-1.1	Words and terms defined
<u>N.J.A.C.</u>	6:8-2.1	Reporting requirements
<u>N.J.A.C.</u>	6:8-4.1	Review of mandated programs and services
<u>N.J.A.C.</u>	6:11-1.1 et seq	Teacher Preparation and Certification
See particularly:		
<u>N.J.A.C.</u>	6:11-8.4, -8.5	
<u>N.J.A.C.</u>	6A:5-1.1 et seq	Regulatory Equivalency and Waiver
<u>N.J.A.C.</u>	6A:8-4.1	Statewide assessment system
<u>N.J.A.C.</u>	6A:8-5.1	Graduation
<u>N.J.A.C.</u>	6A:15-1.1 et seq	Bilingual Education
<u>N.J.A.C.</u>	6A:30-1.1 et seq	Evaluation of the Performance of School Districts
See particularly:		
<u>N.J.A.C.</u>	6A:30-2.2	

English as a Second Language; Bilingual Programs

Policy 6142.2

New Jersey State Board Resolution, March 6, 1984, strengthens graduation requirements for pupils with limited English proficiency.

Manual for the Evaluation of Local School Districts (August 2000)

Cross References:

- 5120 Assessment of individual needs
- 5124 Reporting to parents/guardians
- 6121 Nondiscrimination/affirmative action
- 6146 Graduation requirements
- 6147 Standards of proficiency
- 6147.1 Evaluation of individual student performance
- 6171.2 Gifted and talented
- 6171.3 At-risk and Title I

