

ENGLISH AS A SECOND LANGUAGE: BILINGUAL PROGRAMS

The Board shall provide English as a second language (ESL) and/or bilingual programs of instruction for students 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 unless it places an unreasonable burden on the Board.

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

The goal of ESL programs is to assist students to achieve proficiency (including listening, comprehension, speaking, reading, and writing skills) in English. The goal of the bilingual program is to permit students to learn subject matter in their primary language while developing English language skills. The goal of all such programs shall be achievement of the NJ Student Learning Standards or other state mandated standards.

Parents/guardians of students 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 students in these programs shall be in writing and in both English and their primary speaking language whenever possible. Reports of student progress shall be made to parents/guardians on the same schedule as reports of students 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.

Students 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 student should exit from the bilingual program, parents/guardians shall be notified by mail.

Students enrolled in District bilingual or ESL programs shall participate in state or federal mandated tests as required by the state or federal government.

Parents/guardians may remove a student who is enrolled in a bilingual education program at any time; except that during the first three years of the student'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 Executive County Superintendent. If the

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Executive County Superintendent determines that the student 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 students.

<u>Legal References:</u>	<u>N.J.S.A. 18A:35-15 et seq.</u>	Bilingual education programs
	<u>N.J.A.C. 6A:5-1.1 et seq.</u>	Regulatory Equivalency and Waiver
	<u>N.J.A.C. 6A:8-4.1</u>	Statewide assessment system
	<u>N.J.A.C. 6A:8-5.1</u>	Graduation requirements
	<u>N.J.A.C. 6A:9-1.1 et seq.</u>	Professional Licensure and Standards
	See particularly:	
	<u>N.J.A.C. 6A:9-11.4, -11.5</u>	
	<u>N.J.A.C. 6A:15-1.1 et seq.</u>	Bilingual Education
	See particularly:	
	<u>N.J.A.C. 6A:15-1.4</u>	
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
	See particularly:	
	<u>N.J.A.C. 6A:30-2.2</u>	
	<u>N.J.A.C. 6A:32-2.1</u>	Definitions
	<u>N.J.A.C. 6A:32-12.1</u>	Reporting requirements
	<u>N.J.A.C. 6A:32-14.1</u>	Review of mandated programs and services

No Child Left Behind Act of 2001, Pub. L. 107-110, 20 U.S.C.A. 6301 et seq.

<u>Cross References:</u>	*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 1

*Indicates policy is included in the Critical Policy Reference Manual.

Key Words

English As a Second Language, Bilingual Programs, ESL

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