

2423 BILINGUAL AND ESL EDUCATION (M)

The Board of Education will provide programs of bilingual education, English as a second language (ESL), and English language services for **English language learners (ELLs)** ~~pupils of Limited English Proficiency (LEP)~~ as required by law and rules of the State Board of Education. ~~Pupils of LEP~~ **ELLs** are those ~~students~~ ~~pupils~~ whose native language is other than English and who have **varying degrees in English language proficiency in any one of the domains of sufficient difficulty** speaking, reading, writing, or ~~understanding~~ **listening and is synonymous with limited** ~~the English language as measured by an English speaking ability pursuant to N.J.S.A 18:35-15 to 26.~~ ~~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 Pupils~~ **ELLs**

The Board will conduct a screening process to determine the native language of each **ELL student** ~~pupil~~ at the time of enrollment in the school district. A census shall be maintained of all **identified students** ~~pupils~~ whose native language is other than English. The English language proficiency of each ~~pupil~~ **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 ~~pupil's~~ **student's** level of reading in English, a review of the ~~pupil's~~ **student's** previous academic performance, **including their performance on** ~~results of~~ standardized tests in English, and a review of the input of teaching staff members responsible for the educational program **for ELLs** ~~of the limited English proficient pupils.~~

Program Implementation

The district shall provide the following programs:

1. An English language services program **to improve the English language proficiency of ELLs** whenever there are **at least** one or more, but fewer than ten ~~LEP pupils~~ **ELLs** enrolled ~~within the schools of~~ **in the school** district. English language services shall be **provided** in addition to the regular school program;
2. An ESL program **that provides at least one period of ESL instruction based on student language proficiency** whenever



there are ten or more LEP pupils ELLs enrolled within the schools of the district; and

3. A bilingual education program whenever there are twenty or more LEP students pupils in any one-language classification enrolled in the school district pursuant to N.J.S.A. 18A:35-18. Where the age range, grade span, and/or geographical location of eligible pupils students makes a full-time bilingual program impractical, the Board may annually 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 pupils.

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 pupil student participating in a bilingual, ESL, or English language services program shall be entitled to continue such participation for a period of three years pursuant to N.J.S.A. 18A:35:-19.

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

Pupils Students enrolled in a bilingual, ESL, or English language services program shall be assessed annually using 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 pupils ELLs 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. The This process to determine the readiness or inability of the individual student to function successfully in English-only program shall be initiated by the pupil'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 pupil shall be further assessed on the basis of multiple indicators which shall include, at a minimum, include classroom performance, the pupil's student's reading level in English, the judgment of the teaching staff member or members responsible for the educational program of the student; pupil, 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 pupil student who is enrolled in a bilingual education program at any time; except that during the first three years of a student's pupil's participation in a bilingual education program, the parent(s) or legal guardian(s) may only remove the student pupil at the end of each school year. If during the first three years of a student's pupil's participation in a bilingual education program, a parent(s) or legal guardian(s) wishes to remove the student pupil 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 pupils 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 for exiting a student from a bilingual, ESL or English language services program has been is completed, the student's pupil'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 Principal Superintendent of Schools or designee, who will provide a written explanation for the decision within 15 seven working days. The complainant may appeal this decision in writing to the Board within seven calendar days of receiving the Superintendent's or designee's written explanation of the decision. The Board will review the appeal and respond in writing to the parent within forty-five calendar days of the Board's receipt of the parent's written appeal to the Board. A complainant not satisfied with the Board's determination of the appeal explanation may appeal to the Commissioner of Education.

Parental Involvement

The parent(s) or legal guardian(s) of ELLs a pupil 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, and in the language in which the parent(s) 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 a statement the information that the parents have the



option of declining **their child's** enrollment **in a bilingual program, and shall be given an opportunity to do so** if they **choose** ~~so chose~~.

The district will notify the parent ~~(s) or legal guardian(s)~~ of the LEP pupil by mail no later than **within** thirty days after the beginning of the school year that their child has been identified as **of the child identification** eligible for enrollment in a bilingual, ESL, or English language services program. If the pupil 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 pupil's placement in a bilingual, ESL, or English language services program.

Parent ~~(s) or legal guardian(s)~~ shall receive progress reports **of students enrolled in bilingual, ESL, or English language services programs** in the same manner and frequency as **progress reports are** ~~those~~ sent to parents ~~or legal guardians~~ of other ~~pupils~~ **students enrolled in the district.**

~~Parent(s) or legal guardian(s) of pupils of limited English proficiency will be offered opportunities for involvement~~ **The Superintendent or designee will provide for the maximum practical involvement or parent(s) of ELLs in the development and review of program objectives and dissemination of information to and from the district Boards of Education and communities served by the bilingual, ESL, or English language services education programs. A school district that implements a bilingual education program shall establish a parent** ~~An advisory committee on bilingual education shall be formed with~~ **of which** the majority **membership will be** ~~being~~ parent(s) or legal guardian(s) of pupils of limited English proficiency **of ELLs.**

Graduation

~~Pupils of limited English proficiency~~ **ELLs** 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 Superintendent 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.



POLICY

BLACK HORSE PIKE REGIONAL BOARD OF EDUCATION

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N.J.S.A. 18A:35-15 through 18A:35-25
N.J.A.C. 6A:15-1.1 et seq.

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