

**Notice of Proposal Regarding Readoption with Amendments at N.J.A.C. 6A:8,  
Standards and Assessment**

The following is the accessible version of the notice of proposal for the readoption with amendments at N.J.A.C. 6A:8. The notice of proposal document includes two sections – [summary](#) and [proposed amendments](#).

## **Education**

### **State Board of Education**

#### **Standards and Assessment**

#### **Proposed Readoption with Amendments: N.J.A.C. 6A:8**

#### **Proposed Repeals and New Rules: N.J.A.C. 6A:8-3.2, 3.3, and 6**

#### **Proposed New Rules: N.J.A.C. 6A:8-3.4 and 3.5**

Authorized By: New Jersey State Board of Education, Kevin Dehmer, Commissioner, Department of Education, Secretary, State Board of Education.

Authority: N.J.S.A. 18A:7A-10 through 14, 18A:7C-1 et seq., 18A:7E-2 through 5, 18A:35-4.2 and 4.7, and 18A:59-5.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposal Number: PRN 2025-050.

Submit written comments by July 4, 2025, to:

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The agency proposal follows:

### **Summary**

The Department of Education (Department) proposes to readopt with amendments, new rules, and repeals, N.J.A.C. 6A:8, Standards and Assessment. The chapter, which implements the New Jersey Student Learning Standards (NJSLS) and the Statewide assessment system, was

scheduled to expire on May 3, 2025. As the Department submitted this notice of proposal to the Office of Administrative Law prior to that date, the expiration date was extended 180 days to October 30, 2025, pursuant to N.J.S.A. 52:14B-5.1.c(2).

The chapter requires all providers of publicly funded elementary, secondary, and adult high school education programs to align their curriculum and instruction with the NJSLs, which were amended and renamed by the State Board of Education (State Board) in May 2016. The NJSLs previously were known as the Core Curriculum Content Standards (CCCS). The chapter also mandates the implementation of a Statewide assessment system to measure student achievement of the NJSLs.

The chapter originally was adopted in May 2000, and readopted in June 2005. The chapter expired on June 7, 2010, and was adopted again as new rules effective February 7, 2011. The chapter was readopted in 2018, and amended to change the grade level at which the elementary science assessment is administered as part of the State's implementation of the revised NJSLs in science, which were adopted in July 2014.

As part of this readoption, the Department proposes amendments to streamline and clarify rules, procedures, and operations, and update terminology and rules to align to provisions throughout Title 6A of the New Jersey Administrative Code and Title 18A of the New Jersey Statutes. The Department also proposes, throughout the chapter, to delete/repeal rules that were effective during a limited timeframe or reference defunct programs.

The following summarizes the chapter's provisions and the proposed amendments, repeals, and new rules. Unless otherwise specified, the proposed amendments are to update terms and remove gendered nouns and pronouns in this chapter, or are for style, clarity, or grammatical improvement.

## **Subchapter 1. General Provisions**

### **N.J.A.C. 6A:8-1.1 Purpose**

This section establishes the chapter’s purpose, which is to design a Statewide system of education that prepares students for college, career, and life in an information-driven economy, with a focus beyond basic skills to critical thinking, problem solving, and creativity. The section describes the several mechanisms that have been created to advance this purpose, including the NJSLS in the nine content areas, benchmarked indicators that clarify student achievement goals, and 21st-century themes and skills integrated across all subjects. The Statewide assessment system measures progress toward meeting the NJSLS in English language arts (ELA), mathematics, and science.

The Department proposes replacing N.J.A.C. 6A:8-1.1(a) and deleting existing N.J.A.C. 6A:8-1.1(a)2 and 3 because the existing rules include outdated terminology such as indicators, 21st century themes, skills, and outcomes. The references to 21st century themes, skills, and outcomes originated from New Jersey’s commitment to the Partnership for 21st Century Skills, which was an organization that ceased significant operations in 2010. While the concepts of 21st century skills are still deeply infused within the NJSLS, the terminology is outdated. Therefore, the Department also proposes, at N.J.A.C. 6A:8-1.1(b), and throughout the chapter to replace “21st century outcomes” with “postsecondary and career success.” Also, the Department proposes at N.J.A.C. 6A:8-1.1(a) to state that the chapter’s purpose is to establish academic standards and assessment practices designed to ensure high-quality education, student achievement, and continuous improvement in educational outcomes for all students.

The Department proposes to amend existing N.J.A.C. 6A:8-1.1(a)1 to update the names of the nine content areas. The Department also proposes to codify the paragraph as the second sentence of subsection (a).

The Department proposes new N.J.A.C. 6A:8-1.1(b)2 to add the following to the list of opportunities provided to students: “Develop an understanding of roles, rights, and responsibilities as

informed, engaged members of a democratic society.” The proposed new paragraph captures the addition of civics education pursuant to N.J.S.A. 18A:6-3 and 18A:35-3 and 41.

The Department proposes to amend recodified N.J.A.C. 6A:8-1.1(b)4 to change the list of opportunities provided to students to “become self-directed seekers of ‘information’ able to ‘locate,’ evaluate, apply, and create new ‘information and’ knowledge in varying contexts.” As proposed for amendment, the paragraph highlights the focus on information literacy education pursuant to N.J.S.A. 18A:7F-4.4.

The Department proposes to amend N.J.A.C. 6A:8-1.1(c) to replace “indicators” with “performance expectations” because the latter term now is used to refer to the statements that further delineate the NJSLs and to add “civic” to the list of items promoted, pursuant to N.J.S.A. 18A:6-3 and 18A:35-3 and 41.

The Department proposes amendments at N.J.A.C. 6A:8-1.1(d) to add that the Statewide assessment system is designed “to meet Federal requirements, to ensure consistency in evaluating and reporting student learning, and to promote accountability.” The Department also proposes to add that the Federal requirements include the assessments identified at N.J.A.C. 6A:8-4.1(b) and (c), an alternate assessment based on alternate academic achievement standards (AA-AAAS) for students with significant intellectual disabilities, an English language proficiency assessment for MLs, and an alternate English language proficiency assessment for MLs with significant intellectual disabilities. The proposed amendments will clarify State and Federal assessment requirements pursuant to the Elementary and Secondary Education Act (ESEA) Sections 1111(b)(2) and 1111(e)(1)(B)(iii)(II).

The Department proposes new N.J.A.C. 6A:8-1.1(e) to state that the Statewide assessment system also includes the State graduation proficiency assessment administered pursuant to N.J.S.A. 18A:7C-1, 2, 3, 4, 6, and 6.1.

### **N.J.A.C. 6A:8-1.2 Scope**

This section establishes the chapter's scope.

The Department proposes to amend N.J.A.C. 6A:8-1.2(b) to include renaissance school projects, as they are providers of publicly funded elementary and secondary programs.

The Department proposes to amend N.J.A.C. 6A:8-1.2(c) to add "civic life" pursuant to N.J.S.A. 18A:6-3 and 18A:35-3 and 41. The Department proposes the same amendment at N.J.A.C. 6A:8-3.1(b) and (b)1.

The Department proposes to amend N.J.A.C. 6A:8-1.2(d) to clarify that the Statewide assessment system measures progress toward meeting the NJSLs "in English language arts, mathematics, and science," as well as the grades in which the Statewide assessments in each content area are administered. The existing rule does not reference the content areas for the Statewide assessments and includes only the general grade span for all of the assessments (that is, grades three through 12). The Department also proposes to include "by testing all students and offering appropriate accommodations when needed" to align the section with the ESEA Sections 1111(b)(2) and 1111(e)(1)(B)(iii)(II).

### **N.J.A.C. 6A:8-1.3 Definitions**

This section provides definitions for words and terms used in the chapter.

The Department proposes to replace the term "adult education assessment test" with "New Jersey High School Equivalency Assessment" to align the chapter with N.J.A.C. 6A:20, Adult Education Programs. The Department also proposes to relocate the amended term to the correct alphabetical order.

The Department proposes to add a definition for "advanced coursework" to provide examples of courses and programs that support students developing pathways toward postsecondary success.

The Department proposes to amend the definition of “all students” to include “students identified as gifted and talented” to the list of student groups.

The Department proposes to replace the term “alternative State assessment for students with disabilities” with “alternate assessment based on alternate academic achievement standards (AA-AAAS)” and to amend the term to align with the ESEA Section 1111(b)(2)(D) and N.J.A.C. 6A:14-4.10. The Department also proposes replacing the term throughout the chapter.

The Department proposes to add a definition for “alternate English language proficiency assessment” to align the chapter with the ESEA Section 1111(b)(1)(F) and (2)(G).

The Department proposes to delete the term “annual measurable objectives” (AMOs), which were required by the No Child Left Behind (NCLB) Act of 2001. AMOs are not required by the ESEA, which replaced NCLB in December 2015.

The Department proposes to add a definition for “appropriately certified” to clarify that it means an educator holds all necessary licenses, certificates, or endorsements required to serve in a grade level, subject area, or administrative position pursuant to N.J.S.A. 18A:26-2 and N.J.A.C. 6A:9B, State Board of Examiners and Certification.

The Department proposes to amend the term “approved private schools for the disabled” and the definition to align with the term “approved private schools for students with disabilities” and its definition at N.J.A.C. 6A:14, Special Education.

The Department proposes to amend the term “assessment” to “Statewide assessment” to differentiate the definition from other forms of assessments that may be administered in schools and school districts. The Department also proposes to relocate the amended term to the correct alphabetical order.

The Department proposes to amend the definition of “chief school administrator” to mirror the term’s definition at N.J.A.C. 6A:23A-1.2.

The Department proposes to amend the definition of “content equivalent” to clarify that the content is delivered by an educator who is an “appropriately certified educator in the aligned content area” to determine that the content represents the same or equivalent knowledge and skills.

The Department proposes to add the term “contextual learning,” as an update to the phrase “21st century skills.” Contextual learning develops skills similar to those previously identified as “21st century skills,” such as problem-solving, collaboration, and technological proficiency, but highlights the importance of providing learning experiences that are relevant and meaningful to students.

The Department proposes to add the term “corrective action plan” because the proposed term will be used at N.J.A.C. 6A:8-3.5.

The Department proposes to amend the definition of “cut score” to clarify the specific point on the assessment scale that distinguishes between different levels of proficiency, indicating the scope and level of a student’s performance.

The Department proposes to replace the term “evaluation” with “monitoring” to align with N.J.A.C. 6A:30, Evaluation of the Performance of School Districts, and to relocate the amended term to the correct alphabetical order. The Department also proposes replacing the term throughout the chapter.

The Department proposes to add a definition for “English language proficiency assessment” to align the chapter with the ESEA Section 1111(b)(2)(G).

The Department proposes to add a definition for “evidence-based science courses” because the term will be used at N.J.A.C. 6A:8-5.1, as proposed for amendment. The proposed term also will replace “laboratory/inquiry-based science course,” which is proposed for deletion.

The Department proposes to delete the term “504 student” to use person-first terminology and avoid identifying students solely by their educational plan.



The Department proposes to delete the term “GED” as it is a single assessment product and to replace it with the term “New Jersey High School Equivalency Assessment,” pursuant to N.J.A.C. 6A:20.

The Department proposes to replace the term “gifted and talented students” with “students identified as gifted and talented” to use person-first terminology. The Department also proposes to relocate the amended term to the correct alphabetical order.

The Department proposes to add the term “heritage language education” because the term will be used at N.J.A.C. 6A:8-3.1, as proposed for amendment.

The Department proposes to replace the term “indicator” with “performance expectations” and to relocate the amended term to the correct alphabetical order.

The Department proposes to amend the definition of “individualized student learning opportunities” to include “alternative” before “student experiences” to delineate the alternate pathway for students to meet the high school graduation requirement pursuant to N.J.A.C. 6A:8-5.1. The Department proposes deleting the second sentence, which provides examples, to allow for greater flexibility. The Department proposes deleting the third sentence because “based on student interest and career goals” already is required at N.J.A.C. 6A:8-6.6(b)1ii.

The Department proposes to add the term “industry-valued credential” because it will be used in the definition of “portfolio appeals process” and at N.J.A.C. 6A:8-4.2(d)5, as both are proposed for amendment.

The Department proposes to add the term “information literacy” because it will be used at new N.J.A.C. 6A:8-6.1, pursuant to N.J.S.A. 18A:7F-4.4.

The Department proposes to amend the definition of “interdisciplinary connections” to add “at the appropriate grade level” at the end. The proposed amendment will clarify that NJSLs and skills must be at the appropriate grade level when considering interdisciplinary connections.

The Department proposes to add the term “language instruction educational programs” or “LIEPs” because the term will be used at proposed new N.J.A.C. 6A:8-3.2.

The Department proposes to amend the term “ML” to state “‘Multilingual learner’ or ‘ML’” and the definition to align with the revised definition at N.J.A.C. 6A:15, Bilingual Education.

The Department proposes to delete the term “MOPI” to eliminate the name of a specific assessment product used to evaluate students’ world language proficiency.

The Department proposes to add the term “multiple measures” to clarify the types of indicators and sources of evidence of student assessment pursuant to N.J.S.A. 18A:35-36.

The Department proposes to amend the definition of “New Jersey Student Learning Standards” to delete the reference to the Common Core State Standards and to use the existing content area nomenclature.

The Department proposes to remove the term “OPI” to eliminate the name of a specific assessment product used to evaluate students’ world language proficiency.

The Department proposes to replace the term “QSAC” with “NJQSAC” to reflect the name for the New Jersey Quality Single Accountability Continuum, which is used to review and evaluate school districts, pursuant to N.J.A.C. 6A:30. The Department also proposes to relocate the amended term to the correct alphabetical order, add “and monitor,” and replace the term throughout the chapter.

The Department proposes to amend the definition of “pacing guide” to include alignment to the NJSLS, delete the existing second sentence because it is superfluous, and add that a pacing guide does not include lesson plans for clarity.

The Department proposes to delete the term “PARCC assessment” to eliminate the name of a specific assessment product that is no longer part of the Statewide assessment system. The Department also proposes throughout the chapter to delete references to the former assessment.

The Department proposes to delete the terms “personalization” and “Personalized Student Learning Plan” because both terms will no longer be used in the chapter, as proposed for amendment.

The Department proposes to amend the definition of “portfolio appeals process” to add a new sentence to state that the techniques and instruments may include, but are not limited to, the Armed Services Vocational Aptitude Battery-Armed Forces Qualifying Test (ASVAB-AFQT), Commissioner-identified industry-valued credential attainment, and work-based or service-learning experiences. Historically, approximately eight percent of graduating students in New Jersey have utilized the ASVAB-AFQT to satisfy their graduation assessment requirement. The Department recognizes the importance of maintaining the ASVAB-AFQT pathway as an option students may utilize to satisfy their graduation assessment requirement. The Department proposes to include the instruments and experiences as examples for students to demonstrate proficiency for graduation.

The Department proposes to amend the term “professional development” to “professional learning” to align with N.J.A.C. 6A:9, Professional Standards, and 6A:9C, Professional Development.

The Department proposes to amend the term “service-learning experience” to delete “experience” and the second sentence, which confines the experience, to allow for flexibility in implementation.

The Department proposes to delete the term “STAMP” to eliminate the name of a specific assessment product used to evaluate students’ world language proficiency.

The Department proposes to amend the definition of “State graduation proficiency test” to replace “ELA 10, Algebra I, and Geometry” with “high school English language arts and mathematics” as the NJSL – ELA does not define a set of performance expectations specifically for grade 10; the NJSL – ELA is grade-banded to define skills for grades 9-10 and 11-12. The 2023 NJSL – Mathematics revised expectations to increase the emphasis on data literacy and statistics, and the Department proposes the broader language of “high school mathematics” to provide increased flexibility to potentially assess this content in the future. The Department also

proposes deleting the reference to the ASVAB-AFQT because it is proposed, instead, as a component of a new pathway within the portfolio appeals process.

The Department proposes to amend the definition for “State-issued high school diploma” to clarify that the Commissioner of Education (Commissioner) issues this type of diploma.

The Department proposes to replace the term “structured learning experience” with “work-based learning” to align the chapter with New Jersey’s Perkins V State Plan. The Department also proposes to relocate the amended term to the correct alphabetical order.

The Department proposes to delete the term “study abroad programs,” as it no longer will be used in the chapter, as proposed for amendment.

The Department proposes to amend the definition of “substitute competency test” to delete “for students in the classes of 2018 through 2022.” The Department also proposes to delete the “Armed Services Vocational Aptitude Battery-Armed Forces Qualifying Test (ASVAB-AFQT)” because it is proposed as a component of a new pathway within the portfolio appeals process.

The Department proposes to delete the terms “twenty-first century careers” and “twenty-first century themes and skills” because the terms originated from New Jersey’s commitment to the Partnership for 21st Century Skills, an organization that ceased significant operations in 2010. The spirit and intent are now integrated throughout the NJSLs; therefore, references to the defined terms and other 21st century references are proposed for deletion throughout the chapter.

The Department proposes to add the term “two-way bilingual immersion” to describe an instructional world language program that provides literacy and content instruction to all students through two languages. The proposed term is distinct from a “bilingual education program,” which is designed to offer a full-time language instruction education program (LIEP) in all courses or subjects provided in accordance with N.J.S.A. 18A:35-18 and N.J.A.C. 6A:15, Bilingual Education.

## **Subchapter 2. The New Jersey Student Learning Standards**

### **N.J.A.C. 6A:8-2.1 Authority for Educational Goals and Standards**

This section identifies the State Board’s responsibility for establishing State educational goals and standards. The section also captures the history of the adoption of the CCCS. The section further establishes the process by which the State’s academic standards are examined and revised every five years.

The Department proposes amendments at N.J.A.C. 6A:8-2.1(a) to update the reference to the public laws with “N.J.S.A. 18A:4-10, 18A:7C-1, 18A:7F-4.2, and 18A:7F-46.” The Department also proposes deleting existing N.J.A.C. 6A:8-2.1(a)1, 2, and 3 because they set forth previous revisions to the CCCS and NJSLS. The Department proposes to recodify the first sentence at existing N.J.A.C. 6A:8-2.1(a)4 as new paragraph (a)1 and to amend it to reference the 2014 adoption of the revised CCCS and the specific content areas. The Department further proposes new N.J.A.C. 6A:8-2.1(a)2, 3, and 4 to include the most recent historical context of the State Board’s review and readoption of the NJSLS.

The Department proposes to recodify the second sentence of existing N.J.A.C. 6A:8-2.1(a)4 as newly codified subsection (b) and to amend the subsection to state that the process for the State Board’s review and readoption of the NJSLS will be repeated in 2025 and every five years thereafter pursuant to N.J.S.A. 18A:7F-46.a. The proposed recodification and amendments will set apart the review process from the recent history and provide context for the five-year review cycle required pursuant to State law.

### **N.J.A.C. 6A:8-2.2 Authority for the State Plan for Career and Technical Education**

This section designates the State Board as the legally constituted State Board for Career and Technical Education, having responsibility for administration of the State Plan for Career and Technical Education. The section also ties the development of the State Plan for Career and Technical Education to the NJSLS, particularly Standard 8: Technology and Standard 9: 21st Century Life and Careers.

The Department proposes an amendment at N.J.A.C. 6A:8-2.2 to replace the references to the former NJSL Standards 8 and 9 with “The Strengthening Career and Technical Education for the 21st Century Act (Perkins V).” Perkins V is the primary source for developing the State Plan for Career and Technical Education, rather than the NJSL, which apply to all students and programs and are not specific or unique to career and technical education programming. The Department also proposes to add a reference to “N.J.S.A. 18A:35-4.2,” which is the State law governing the State Board of Education’s authority to establish and operate a career development program.

### **Subchapter 3. Implementation of the New Jersey Student Learning Standards**

#### **N.J.A.C. 6A:8-3.1 Curriculum and Instruction**

This section describes a district board of education’s responsibility for the design and delivery of curriculum and instruction needed to address the NJSL. The section also requires a district board of education to ensure that appropriate instructional adaptations are designed and delivered for students with disabilities, multilingual learners, students enrolled in alternative education programs, and students who are gifted and talented.

The Department proposes an amendment at N.J.A.C. 6A:8-3.1(a)2 to reframe “business, industry, labor, and higher education” as “representatives from local workforce and higher education.”

The Department proposes new N.J.A.C. 6A:8-3.1(a)3 to require district boards of education to make all approved curriculum pacing guides and citations for core instructional materials publicly available to offer greater transparency for families and communities.

The Department proposes an amendment at recodified N.J.A.C. 6A:8-3.1(a)4 to delete “and publicly reporting on” from the assessment reporting requirements for district boards of education. Reporting requirements are set forth at N.J.A.C. 6A:8-4.3. The Department also proposes to delete “civics, financial literacy” to eliminate the specific topical references and, instead, underscore the importance of school districts assessing all nine content areas.

The Department proposes relocating N.J.A.C. 6A:8-3.1(a)4, 5, and 7 as proposed new N.J.A.C. 6A:8-3.2, Inclusive curriculum. The Department also proposes to relocate N.J.A.C. 6A:8-3.1(a)6 as proposed new N.J.A.C. 6A:8-3.3, Professional learning. The Department proposes to delete existing N.J.A.C. 6A:8-3.1(a)6i because the requirements are addressed at N.J.A.C. 6A:8-3.1(a)6.

The Department proposes amendments at N.J.A.C. 6A:8-3.1(b) to add “two-way bilingual immersion and heritage language education” to the examples of educational programs.

The Department proposes deleting existing N.J.A.C. 6A:8-3.1(b)2, which requires district boards of education of school districts that include students in at least two of the grades from six through 12 to develop opportunities for personalization that strengthen relationships among students, teachers, staff members, families, and the larger community for students in grades six through 12. The existing paragraph is proposed for deletion because the spirit and intent of personalization has been integrated within the NJSLS – Career Readiness, Life Literacies, and Key Skills content area.

The Department proposes new N.J.A.C. 6A:8-3.1(b)2 to require school districts to provide students with access to advanced coursework. Increasing student access to diverse educational programs reflects the spirit and intent at N.J.A.C. 6A:7, Managing for Equity in Education.

The Department proposes to relocate N.J.A.C. 6A:8-3.1(c) and (d) as proposed new N.J.A.C. 6A:8-3.4, Required components of curriculum. The content of these subsections has been updated and expanded based on recent laws and amendments to related chapters of Title 6A of the New Jersey Administrative Code.

### **N.J.A.C. 6A:8-3.2 Career Education and Counseling**

This section requires a district board of education to develop and implement a comprehensive and developmental system for the delivery of guidance and academic counseling for all students to facilitate career awareness, exploration, and preparation in fulfillment of the NJSLS.

The Department proposes to repeal existing N.J.A.C. 6A:8-3.2. The majority of the section's rules will be relocated to proposed new N.J.A.C. 6A:8-6, Pathways to Postsecondary Success. The inclusion of guidance and academic counseling in the existing section about the implementation of the NJSLS limits the complementary, but distinct, role of counseling in a school setting. The creation of a new subchapter will highlight the unique aspect of school counseling within a students' educational experience and development, as much of the work often lives outside of the implementation of the NJSLS.

The requirement at N.J.A.C. 6A:8-3.2(a) for the Department to conduct a pilot project and evaluation of personalized student learning plans beginning in the 2009-2010 school year will not be relocated to the new subchapter because the pilot project has expired. The spirit and intent of the pilot program has been integrated into the revised NJSLS — Career Readiness, Life Literacies, and Key Skills content area and is applicable to all students.

The requirement at N.J.A.C. 6A:8-3.2(b)5iv will not be relocated to the new subchapter because the spirit and intent of student accomplishment portfolios has been integrated into the revised NJSLS – Career Readiness, Life Literacies, and Key Skills content area and is applicable to all students.

### **N.J.A.C. 6A:8-3.3 Enrollment in college courses**

This section provides for the continuity of education from secondary through postsecondary by requiring a district board of education to make reasonable efforts to increase opportunities for high school students to take college courses as part of their secondary educational program. The section also establishes parameters for student eligibility, courses, instructors, and credit acceptance.

The Department proposes to repeal existing N.J.A.C. 6A:8-3.3 and relocate the rules to new N.J.A.C. 6A:8-6.2. The content of college-level coursework is outside the scope of a kindergarten



through grade 12 (K-12) education program and the scope of the NJSLS. Therefore, the inclusion of this section in a subchapter devoted to the implementation of the NJSLS is not appropriate.

### **N.J.A.C. 6A:8-3.2 Inclusive Curriculum**

This proposed new section requires school districts to provide all students with the opportunity to attain the goals of an NJSLS-based curriculum in an educational environment that is designed to meet the students' needs. The proposed new section also requires district boards of education to create curriculum, customize instructional adaptations, allocate resources to provide equitable access to courses, programs, and experiences, and build student-centered learning environments that meet the NJSLS. The proposed new section also includes requirements for instructional adaptations and programs for diverse learners, such as students with disabilities, multilingual learners, and students identified as gifted and talented.

The Department proposes to relocate existing N.J.A.C. 6A:8-3.1(c) and (d) as new N.J.A.C. 6A:8-3.4(d) and (e), respectively. Proposed new N.J.A.C. 6A:8-3.2(c) has been changed to align with requirements related to students who are identified as gifted and talented, pursuant to P.L. 2019, c. 338.

The changes incorporated in the proposed new section address recent changes to State and Federal laws. The ESEA Section 1111(c)(4)(C) and Section 3111, and N.J.S.A. 18A:35-35 et seq., address appropriate instructional accommodations for diverse learners.

### **N.J.A.C. 6A:8-3.3 Professional Learning**

This proposed new section requires school districts to actively assist and support professional learning for teachers, educational services staff, and school leaders, including the school district's plan and additional professional learning requirements pursuant to N.J.A.C. 6A:9C-3.

The proposed new section includes professional learning for educators including, but not limited to, data-driven instructional practice, the needs of diverse learners, and evidence-based literacy instruction. The changes incorporated in the proposed new section address recent changes

to State and Federal laws, as well as N.J.A.C. 6A:9. The ESEA at Section 2101(c)(4)(B)(vii)(III) and Section 3111(b)(2)(C) addresses professional learning, and P.L. 2024, c. 52, requires evidence-based literacy instruction.

#### **N.J.A.C. 6A:8-3.4 Required Components of Curriculum**

This proposed new section establishes the responsibility of district boards of education to review and continuously improve curriculum and instruction aligned to the NJSLS.

Proposed new N.J.A.C. 6A:8-3.4(d) and (e) includes the requirements relocated from existing N.J.A.C. 6A:8-3.1(c) and (d).

Proposed new N.J.A.C. 6A:8-3.4(d)5 will require instructional tools to include universal literacy screeners and related instructional materials, as appropriate, and as defined at and required pursuant to P.L. 2024, c. 52.

#### **N.J.A.C. 6A:8-3.5 Accountability for Implementation of the NJSLS**

This proposed new section states that the Commissioner will assemble appropriate Department resources to provide technical support in the identified content area(s) if a district board of education is found to be noncompliant with N.J.A.C. 6A:8-3. The proposed new section also states that Department staff designated by the Commissioner will collaborate with school district leaders and educators to address and remediate the identified curriculum deficiencies. The proposed new section further states that the Commissioner will provide to a district board of education still found to be in noncompliance with N.J.A.C. 6A:8-3 after collaborative remediation is provided by the Department, written notification of the noncompliance and the requirement to develop a corrective action plan. The proposed new section will require the chief school administrator to establish an in-district team to develop the corrective action plan. The proposed new section will establish the corrective action plan's required components and the related responsibilities of the district board of education, chief school administrator, and the Department.

The proposed new section will strengthen existing N.J.A.C. 6A:8 and ensure that the curriculum and instruction are designed and delivered in such a way that all students have acquired the knowledge and skills specified by the NJSLs.

#### **Subchapter 4. Implementation of the Statewide Assessment System**

##### **N.J.A.C. 6A:8-4.1 Statewide Assessment System**

This section describes the Statewide assessment system linked to the NJSLs.

The Department proposes an amendment at N.J.A.C. 6A:8-4.1(b)1 to add “or as otherwise established pursuant to State and Federal law” after the reference to specific grade levels to account for possible future changes to either State or Federal assessment requirements and/or provide flexibility, as allowable.

The Department proposes an amendment at N.J.A.C. 6A:8-4.1(b)2 to replace “criteria defining adequate school district progress,” which is a reference to the adequate yearly progress requirement pursuant to the No Child Left Behind (NCLB) Act of 2001. The ESEA replaced NCLB in December 2015 and does not require schools, school districts, or states to demonstrate adequate yearly progress. The Department proposes, instead, to state that the State Board shall establish Statewide assessment cut scores to indicate the scope and level of student performance.

The Department proposes an amendment at N.J.A.C. 6A:8-4.1(d)1i to add “science” to the Statewide assessments that can be administered to MLs in their native language, when available, and/or English.

The Department proposes an amendment at N.J.A.C. 6A:8-4.1(d)3 to replace “students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities” with “students with significant intellectual disabilities who have been determined eligible by the IEP team in accordance with N.J.A.C 6A:14-4.10.” The proposed amendment will align the rule with the ESEA Sections 1111(b)(2) and 1111(e)(1)(B)(iii)(II).

The Department proposes deleting N.J.A.C. 6A:8-4.1(d)3ii because the content has been included at N.J.A.C. 6A:8-4.1(d)3, as proposed for amendment.

The Department proposes amendments at recodified N.J.A.C. 6A:8-4.1(d)3ii to clarify that the subparagraph applies to MLs with significant intellectual disabilities because the alternate Department-approved English language proficiency assessment is for MLs with significant intellectual disabilities and not all MLs with disabilities.

#### **N.J.A.C. 6A:8-4.2 Documentation of Student Achievement**

This section sets forth the required content for student transcripts and requires a district board of education to maintain accurate student records, including performance on Statewide assessments.

The Department proposes an amendment at N.J.A.C. 6A:8-4.2(a)3 to add “other student groups as required pursuant to State and Federal law” to align the rule with the ESEA Sections 1111(c)(4)(A) and (B) and 1111(d) and (h).

The Department proposes an amendment at N.J.A.C. 6A:8-4.2(c) to specify that district boards of education are required to maintain an accurate record of each student’s performance on Statewide assessments “for 100 years, in accordance with N.J.A.C. 6A:32-7.8(f) and State public records laws at N.J.S.A. 47:3-1 et seq.” The proposed amendment will remind school districts of the required time frame for retaining Statewide assessment records and the applicable State rules and laws.

The Department proposes to delete N.J.A.C. 6A:8-4.2(d)4 because technological literacy have been integrated into NJSLs – Computer Science and Design Thinking, as well as NJSLs — Career Readiness, Life Literacies, and Key Skills, and would be found within related courses, rather than identified as such on a transcript. The proposed rule will align the section to the ESEA Sections 1111(c)(4)(A) and (B) and 1111(d) and (h).

The Department proposes amendments at recodified N.J.A.C. 6A:8-4.2(d)5 to replace “industry-recognized occupational credentials” with “industry-valued credentials” and delete “technical skill assessments” in alignment with Perkins V and the New Jersey State Plan for Career and Technical Education.

The Department proposes new N.J.A.C. 6A:8-4.2(d)6 to include the attainment of the State Seal of Biliteracy on a high school transcript, if applicable, pursuant to N.J.S.A. 18A:7C-14.

### **N.J.A.C. 6A:8-4.3 Accountability**

This section requires specific reporting of annual State assessment results and requires district boards of education to provide appropriate instruction to improve skills and knowledge for students who perform below established proficiency levels on State or local assessments.

The Department proposes an amendment at N.J.A.C. 6A:8-4.3(a) to clarify the timeframe for chief school administrators to report final results of Statewide assessments to 60 days of receipt of “the last set of paper individual student reports for all spring-administered assessments” from the Department. The staggered delivery of the different assessment reports to school districts may present an unintended burden on chief school administrators to report assessment results to the district board of education and the public on different schedules. The proposed amendment will allow chief school administrators to synthesize the findings of all Statewide assessment reports and present the public with a comprehensive and complete picture of student performance.

The Department proposes new N.J.A.C. 6A:8-4.3(c) to require district boards of education to use disaggregated data for the purpose of continuous improvement, to monitor student performance across various student groups, and to monitor student access to advanced coursework, when applicable. The proposed new subsection will require disaggregated data to be used in conjunction with local data to evaluate the school district's implementation of curriculum and instruction and related accommodations and adaptations pursuant to N.J.A.C. 6A:8-3.2. The

proposed subsection will align the section to the ESEA Sections 1111(c)(4)(A) and (B) and 1111(d) and (h).

The Department proposes at recodified N.J.A.C. 6A:8-4.3(d) to replace “either on” with “using multiple measures including, but not limited to” to align the subsection with the ESEA Sections 1111(c)(4)(A) and (B), and 1111(d) and (h).

The Department proposes an amendment at recodified N.J.A.C. 6A:8-4.3(e) to clarify the Statewide assessment system is administered in English language arts, mathematics, and science.

#### **N.J.A.C. 6A:8-4.4 Annual Review and Evaluation of School Districts**

This section requires the Department to review school and school district performance as measured by the Statewide assessment system.

The Department proposes to delete “annual” in the section heading as the review conducted pursuant to N.J.A.C. 6A:30 does not take place every year.

The Department proposes to amend the existing section because it focuses on the use of AMOs, which were required by the former NCLB and no longer are required pursuant to the ESEA. The Department proposes, instead, to state that the performance of schools will be reviewed pursuant to N.J.A.C. 6A:33 and school districts will be reviewed pursuant to N.J.A.C. 6A:30 to reflect the current rules that require reviews at the school and school district levels, respectively.

#### **N.J.A.C. 6A:8-4.5 Public Reporting**

This section requires the Department to report, annually, to the State Board and the public on the progress of all students and student subgroups in meeting the NJSLs as measured by the Statewide assessment system by publishing and distributing the annual New Jersey School Report Card (now called the New Jersey School Performance Reports) without compromising the confidentiality of individual students.

The Department proposes, throughout the section, to replace “student subgroups” with “student groups” to align to the terminology used in the New Jersey School Performance Reports.

## **Subchapter 5. Implementation of Graduation Requirements**

### **N.J.A.C. 6A:8-5.1 Graduation Requirements**

This section describes the ways in which students can obtain a high school diploma.

The Department proposes an amendment at N.J.A.C. 6A:8-5.1(a) to state that the local graduation requirements designed to meet graduation requirements must be “delivered by educators who are appropriately certified within each of the NJSL content areas.” The proposed amendment underscores that the content is to be delivered by a qualified educator who is able to accurately assess high school proficiency within the specific content area.

The Department proposes amendments throughout N.J.A.C. 6A:8-5.1(a)1 to delete course requirement effective dates that have passed. The Department proposes amendments at N.J.A.C. 6A:8-5.1(a)1iii to update the science credit requirements to include all science disciplines found in the NJSL. The Department proposes an amendment at N.J.A.C. 6A:8-5.1(a)1x to replace “21st century life and careers” with “career readiness” in alignment with the NJSL — Career Readiness, Life Literacies, and Key Skills.

The Department proposes amendments at N.J.A.C. 6A:8-5.1(a)2 to provide additional clarity to individualized student learning opportunities (ISLOs). The Department proposes to delete “or exceed” and “or exceeding,” as they indicate the ISLO is addressing content that is outside the scope of the NJSL. The ISLO is designed to meet the course requirements at N.J.A.C. 6A:8-5.1(a)1.

The Department proposes amendments at N.J.A.C. 6A:8-5.1(a)2i to replace “shall” with “may” to provide more flexibility to school districts regarding the implementation of an ISLO program. The Department also proposes an amendment at N.J.A.C. 6A:8-5.1(a)2i to replace “a process to approve” with “general policies and procedures” to increase the transparency that school districts provide to students and families interested in pursuing ISLOs. The Department further proposes to state that the ISLO policies and procedures will include “any performance or

competency assessment that will be used to determine student completion of programs” to ensure that proficiency in the identified content area is demonstrated pursuant to N.J.A.C. 6A:8-5.1(a)1.

The Department proposes to delete N.J.A.C. 6A:8-5.1(a)2i(1) to remove broad references to programs that may or may not be delivered with the spirit and intent of ISLOs and/or may not develop student proficiency in the content area as required for graduation. The Department also proposes the removal of the examples provided and the inclusion of guidelines for policies and procedures at N.J.A.C. 6A:8-5.1(a)2i(1) and (2).

The Department proposes to amend recodified N.J.A.C. 6A:8-5.1(a)2i(1) to add “and intended to supplant NJSLs-based courses” after “NJSLs” for clarity.

The Department proposes new N.J.A.C. 6A:8-5.1(a)2i(1)(A) to require ISLOs to be designed, approved, and delivered by appropriately qualified educators. The proposed amendment underscores that the content is to be delivered by a qualified educator who is able to accurately assess high school proficiency within the specific content area.

The Department proposes new N.J.A.C. 6A:8-5.1(a)2i(1)(B) and (C) to specify requirements for approved career and technical education programs and for dual enrollment, as follows:

Approved career and technical education programs and work-based learning experiences must be designed, approved, and supervised by appropriately certified educators in accordance with N.J.A.C. 6A:19-6.4 and 6A:9B-14.19 and 14.20; and

- Dual enrollment must be reviewed and approved by appropriately certified educators.

The Department proposes amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(1)(D) to require that appropriately qualified educators approve the assessment of proficiency of the NJSLs.

The Department proposes new N.J.A.C. 6A:8-5.1(a)2ii to provide additional directions for school districts as they develop general policies and procedures to increase the transparency that school districts provide for students and families interested in pursuing ISLOs. The proposed new requirements include alignment with NJSLs, delivery by appropriately qualified educators, similar



approval process for group programs, the provision of equitable access to ISLO opportunities for all students, assurance of student safety during experiences where they are offsite, and/or interacting with individuals who are not employed by the school district pursuant to N.J.S.A. 18A:6-7.1 and N.J.A.C. 6A:19-4.2.

The Department proposes new N.J.A.C. 6A:8-5.1(a)2iii to provide flexibility to school districts in granting credit for non-traditional learning experiences, such as summer courses, internships or apprenticeships, and service-learning experiences, provided they are determined to be content equivalent.

The Department proposes new N.J.A.C. 6A:8-5.1(a)2iv to require ISLOs designed to meet the graduation course requirements to be documented as content equivalent to traditional course requirements and to be subject to review, as scheduled, pursuant to N.J.A.C. 6A:30.

The Department proposes new N.J.A.C. 6A:8-5.1(a)6 to require students in the graduating classes of 2025, 2026, and 2027 to complete a financial aid application in a form prescribed by the Higher Education Student Assistance Authority, including, but not limited to, the Free Application for Federal Student Aid (FAFSA) or the New Jersey Alternative Financial Aid Application, for high school graduation or be exempted from the requirement, in accordance with procedures set forth at P.L. 2023, c. 295. The proposed new paragraph will align the section with the recent law.

The Department proposes deleting existing N.J.A.C. 6A:8-5.1(a)6i and (j) because the assessment graduation requirements and equivalency, respectively, applied to students in the graduating classes of 2019, 2020, 2021, and 2022.

The Department proposes an amendment at recodified N.J.A.C. 6A:8-5.1(a)8 to include “to demonstrate proficiency may be achieved by” to clarify the intent of the opportunities at recodified N.J.A.C. 6A:8-5.1(a)8i and ii. The Department also proposes an amendment at recodified N.J.A.C. 6A:8-5.1(a)8i to indicate that the opportunity for remediation is “as appropriate” to indicate appropriate

remediation may include limited support or longer term, including, but not limited to, intensive interventions, after-school, weekend, and summer programs pursuant to N.J.S.A. 18A:7C-6.2.

The Department proposes new N.J.A.C. 6A:8-5.1(a)9 to include the portfolio appeals process, pursuant to N.J.S.A. 18A:7C-3, for students who have not demonstrated proficiency on the ELA and/or mathematics components of the State graduation proficiency test and have been provided the opportunities at N.J.A.C. 6A:8-5.1(a)8. The proposed paragraph identifies the portfolio appeals process as a pathway for students who have not demonstrated proficiency on the State graduation proficiency test and have been provided with remediation and/or additional opportunities to demonstrate proficiency.

The Department proposes to delete N.J.A.C. 6A:8-5.1(b) because the Personalized Student Learning Plans pilot program ended in 2012.

The Department proposes to delete N.J.A.C. 6A:8-5.1(f) because the subsection was established to ensure adequate transition to the current Statewide assessment system from the high school end-of-course PARCC assessments for students in the graduating classes of 2018 through 2022.

The Department proposes an amendment at recodified N.J.A.C. 6A:8-5.1(e) to delete the reference to the classes of 2023, 2024, and 2025 because the alternative means established in the section now apply to all graduating students.

The Department proposes an amendment at recodified N.J.A.C. 6A:8-5.1(g) to clarify that the referenced high school assessments are the “components required at N.J.A.C. 6A:8-4.1(c).”

#### **N.J.A.C. 6A:8-5.2 High School Diplomas**

This section provides the requirements that students must meet for district boards of education to award them State-endorsed high school diplomas. The section provides the other paths by which New Jersey students can earn a diploma.

The Department proposes an amendment at N.J.A.C. 6A:8-5.2(b)2 to delete the requirement that students in graduating classes prior to 2018 must demonstrate proficiency as set forth for the classes of 2018 through 2022 because the years specified are in the past.

The Department proposes an amendment at N.J.A.C. 6A:8-5.2(c) to replace the reference to the General Education Development (GED) test and other adult education assessments with the NJHSEA. The Department also proposes new N.J.A.C. 6A:8-5.2(c)1 to require district boards of education to provide students awarded a State-issued high school diploma pursuant to N.J.A.C. 6A:8-5.2(c) or (d) with the opportunity for continued high school enrollment to age 21, if eligible pursuant to the Individuals with Disabilities Education Act (IDEA). The proposed paragraph will align the section with the New Jersey Supreme Court decision in *Bd. of Educ. of Twp. of Sparta v. M.N.*, A-16-25 (2024).

The Department proposes to delete N.J.A.C. 6A:8-5.2(e)1i because the subparagraph applied to students in the graduating classes of 2019, 2020, 2021, and 2022.

### **N.J.A.C. 6A:8-5.3 State Seal of Biliteracy**

This section provides the requirements that must be met for participating district boards of education to award the State Seal of Biliteracy to students.

The Department proposes an amendment at N.J.A.C. 6A:8-5.3(a)1 to replace “world languages” with “languages other than English” to provide clarity and avoid the implication that English is not a “world language.”

The Department proposes an amendment at N.J.A.C. 6A:8-5.3(a)2 to allow students to also demonstrate English language arts proficiency through a Department-approved English proficiency assessment as set forth at N.J.A.C. 6A:8-5.1(f).

The Department proposes an amendment at N.J.A.C. 6A:8-5.3(b) to delete “[b]eginning with the 2017-2018 school year” since the effective date has passed.

The Department proposes an amendment at N.J.A.C. 6A:8-5.3(c) to delete the reference to transcript insignias and the allowance to charge a fee to a participating student to discourage the practice of school districts charging students specifically for transcript insignias. The subsection allows, but does not require, the school district to cover the costs related to the Seal of Biliteracy; therefore, the costs will continue to be paid by either the school district or through a fee charged to students, according to school district policy.

The Department proposes an amendment at N.J.A.C. 6A:8-5.3(d)3 to state the student's transcript must include "New Jersey State Seal of Biliteracy" as the Commissioner-developed insignia and the language(s) for which the seal was awarded, when appropriate, pursuant to N.J.S.A. 18A:7C-14.

The Department proposes an amendment at N.J.A.C. 6A:8-5.3(f) to add that the assessments also can be "internationally" recognized to provide both flexibility and additional opportunities for students to demonstrate proficiency on assessments that have been developed outside of the United States and approved by the Department.

### **Subchapter 6. Bridge Year Pilot Program**

The Department proposes to repeal the subchapter, as the Bridge Year Pilot Program was applicable to only students in the graduating classes of 2021 and 2022 due to the COVID-19 pandemic and has expired.

#### **N.J.A.C. 6A:8-6.1 Purpose**

This section establishes the subchapter's purpose, which is to implement the Bridge Year Pilot Program authorized at P.L. 2020, c. 41. The rules specify procedures that all school districts, charter schools, and renaissance school projects with high schools and participating nonpublic high schools must follow, as well as the eligibility criteria for students.

#### **N.J.A.C. 6A:8-6.2 Scope**

This section establishes the subchapter's scope.

### **N.J.A.C. 6A:8-6.3 Host High School Responsibilities**

This section sets forth the host high school's responsibilities in implementing the Bridge Year Pilot Program.

### **N.J.A.C. 6A:8-6.4 Student Eligibility and Participation**

This section establishes the criteria for student eligibility and participation in the Bridge Year Pilot Program.

### **N.J.A.C. 6A:8-6.5 Bridge Year Liaison Responsibilities**

This section sets forth the responsibilities of the host high school's bridge year liaison.

### **N.J.A.C. 6A:8-6.6 Individual Learning Plans**

This section establishes the requirements for individual learning plans (ILPs).

### **N.J.A.C. 6A:8-6.7 Academic and Course Requirements**

This section sets forth the academic and course requirements for students participating in the Bridge Year Pilot Program.

### **N.J.A.C. 6A:8-6.8 Athletic and Extracurricular Activity Participation**

This section establishes the requirements for students participating in athletics and extracurricular activities during a bridge year.

## **Proposed Subchapter 6. Preparation for Postsecondary and Career Success**

### **N.J.A.C. 6A:8-6.1 Career Education and Academic Counseling**

This proposed new section requires a district board of education to develop and implement a comprehensive system for the delivery to all students, of guidance and academic counseling for all students to facilitate career awareness, exploration, and preparation. The proposed section also sets forth the requirements for the comprehensive system, as well as career guidance and academic counseling for certain students with disabilities, the development and implementation of curriculum and instructional methods, and a system of career development activities. The proposed section further requires a district board of education to offer high school students the opportunity

to more actively explore career interests by participating in work-based learning experiences aligned to the NJSLS.

The Department proposes new N.J.A.C. 6A:8-6.1 to relocate rules from existing N.J.A.C. 6A:8-3.2, as previously described, and to frame them in the context of postsecondary preparation rather than implementation of the NJSLS.

The Department proposes new N.J.A.C. 6A:8-6.1(d)1 to require a district board of education to offer curriculum and instructional methods that include the integration of information literacy consistent with the NJSLS and delivered in partnership by school library media specialists and classroom educators, pursuant to P.L. 2022, c. 138.

The Department proposes new N.J.A.C. 6A:8-6.1(f) to require a district board of education to offer high school students the opportunity to more actively explore career interests by participating in work-based learning experiences aligned to the NJSLS. The proposed new subsection replaces “structured learning experience” at existing N.J.A.C. 6A:8-3.2(f) with “work-based learning” to align with New Jersey’s Perkins V State Plan.

#### **Proposed N.J.A.C. 6A:8-6.2 Enrollment in College Courses**

This proposed new section provides for the continuity of education from secondary through postsecondary by requiring a district board of education to make reasonable efforts to increase opportunities for high school students to take college courses as part of their secondary educational program.

The Department proposes new N.J.A.C. 6A:8-6.2 to relocate rules from existing N.J.A.C. 6A:8-3.2, as previously described, and to frame them in the context of postsecondary preparation rather than implementation of the NJSLS.

The Department proposes new N.J.A.C. 6A:8-6.2(a) to require a school district to actively support and encourage students from diverse backgrounds to participate in college coursework.

The Department proposes new N.J.A.C. 6A:8-6.2(b) to support school districts in entering into dual enrollment agreements with public institutions of higher education pursuant to N.J.S.A. 18A:61C-10 to increase access to college coursework for high school students.

The Department proposes at N.J.A.C. 6A:8-6.2(d) to state that district boards of education may participate in the Twelfth Grade Postsecondary Transition Year Pilot Program, pursuant to P.L. 2023, c. 272, through a competitive grant award contingent upon available funds held within the Innovation Dual Enrollment II Fund.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement, pursuant to N.J.A.C. 1:30-3.3(a)5.

### **Social Impact**

The rules proposed for readoption with amendments, new rules, and repeals apply to all providers of publicly funded elementary, secondary, and adult high school education programs, including the governing authorities of the following providers: school districts; county vocational school districts; educational services commissions; jointure commissions; charter schools; renaissance school projects; alternative education programs; regional day schools; adult high schools; county special services school districts; the Marie H. Katzenbach School for the Deaf; the Department of Human Services; the Department of Children and Families; the Department of Corrections; the Juvenile Justice Commission; public college-operated programs; and approved private schools for students with disabilities (APSSDs).

The rules proposed for readoption with amendments, new rules, and repeals will have a positive social impact on New Jersey's diverse student population by ensuring that all students are prepared both for postsecondary education and for the demands of the modern workplace. The rules proposed for readoption with amendments, new rules, and repeals continue the process of including the performance of students with disabilities and MLs in the Statewide assessment system. The proposed amendments and new rules will have a positive impact on New Jersey's public school

students because they will ensure students have mastered the skills and competencies established in NJSLs, which are designed to promote a more authentic understanding of core concepts.

The rules proposed for readoption with amendments, new rules, and repeals will have a positive social impact on individuals who administer educational services by encouraging the active involvement of, and collaboration with, community, business, industry, labor, and higher education representatives in the development and implementation of educational programs.

### **Economic Impact**

The rules proposed for readoption with amendments, new rules, and repeals will have a positive economic impact on students by reducing the necessity for many of New Jersey's high school graduates to spend their time and financial resources on remedial courses at the college level. By better preparing graduates for postsecondary education and for the demands of the modern workplace, the rules proposed for readoption with amendments, new rules, and repeals also have the potential to significantly reduce future unemployment and increase long-term financial security among high school graduates.

The Department does not anticipate the rules proposed for readoption with amendments, new rules, and repeals will involve increased expenditures for school districts and other providers as all publicly funded education programs in New Jersey currently are required to align curriculum and instruction to assist students in achieving the NJSLs. The Department also does not anticipate the proposed amendments or new rules will have an economic impact.

### **Federal Standards Statement**

The rules proposed for readoption with amendments, new rules, and repeals are in compliance with, and do not exceed, Federal education requirements included in the Elementary and Secondary Education Act (ESEA) (P.L. 114-95) and in the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400). There are no other Federal requirements that impact the rules proposed for readoption with amendments, new rules, and repeals.



### **Jobs Impact**

The Department does not anticipate that rules proposed for readoption with amendments, new rules, and repeals will result in the generation or loss of jobs.

### **Agriculture Industry Impact**

The rules proposed for readoption with amendments, new rules, and repeals will have no impact on the agriculture industry in New Jersey.

### **Regulatory Flexibility Analysis**

The rules proposed for readoption with amendments, new rules, and repeals impose reporting, recordkeeping, or other compliance requirements on all providers of publicly funded elementary, secondary, and adult high school education programs, including APSSDs. APSSDs are entities approved by the Department, in accordance with N.J.A.C. 6A:14-7.2 or 7.3, to provide special education and related services to students with disabilities placed by the district board of education responsible for providing the students' education. APSSDs could be considered small businesses, as that term is defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules proposed for readoption with amendments, new rules, and repeals are largely programmatic, based on achieving the NJSLs, and must be in place for all students. To the extent that maintaining transcripts or fulfilling reporting requirements result in costs to APSSDs, such costs are necessary, and it would be disadvantageous to students and the general public if all providers did not follow the requirements. The proposed amendments and new rules will not change any of the reporting, recordkeeping, or other compliance requirements.

### **Housing Affordability Impact Analysis**

There is an extreme unlikelihood that the rules proposed for readoption with amendments, new rules, and repeals will have any impact on the affordability of housing in New Jersey. There is an extreme unlikelihood that the rules proposed for readoption with amendments, new rules, and

repeals would evoke a change in the average costs associated with housing because the rules concern academic standards, Statewide assessments, and high school graduation requirements.

### **Smart Growth Development Impact Analysis**

The rules proposed for readoption with amendments, new rules, and repeals will have an insignificant impact on smart growth. There is an extreme unlikelihood the rules proposed for readoption with amendments, new rules, and repeals would evoke a change in housing production in Planning Areas 1 and 2, or within designated centers, pursuant to the State Development and Redevelopment Plan in New Jersey because the rules proposed for readoption with amendments, new rules, and repeals concern academic standards, Statewide assessments, and high school graduation requirements.

### **Racial and Ethnic Community Criminal Justice and Public Safety Impact**

There is an extreme unlikelihood that the rules proposed for readoption with amendments, new rules, and repeals would have an impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State because the rules proposed for readoption with amendments, new rules, and repeals concern academic standards, Statewide assessments, and high school graduation requirements. Accordingly, no further analysis is required.

**Full text** of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 6A:8.

**Full text** of the rules proposed for repeal may be found in the New Jersey Administrative Code at N.J.A.C. 6A:8-3.2, 3.3, and 6.

**Full text** of the proposed amendments and new rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### Subchapter 1. General Provisions

##### 6A:8-1.1 Purpose

[(a) To prepare students for college and career, success in life, and work in an economy driven by information, knowledge, and innovation requires a public education system where teaching and learning are aligned with 21st century learning outcomes. The outcomes move beyond a focus on basic competency in core subjects and foster a deeper understanding of academic content at much higher levels by promoting critical thinking, problem solving, and creativity through:]

**(a) The purpose of this chapter is to establish academic standards and assessment practices designed to ensure high-quality education, student achievement, and continuous improvement in educational outcomes for all students.** [1.] The **academic standards shall be known as the** New Jersey Student Learning Standards (NJSLS), [that] **which** specify expectations in nine academic content areas: **career readiness, life literacies and key skills; comprehensive health and physical education; computer science and design thinking;** English language arts; mathematics; **science; social studies;** visual and performing arts; [comprehensive health and physical education; science; social studies;] **and** world languages[; technology; and 21st century life and careers;].

[2. Indicators at benchmark grade levels delineated in the standards that further clarify expectations for student achievement; and

3. Twenty-first century themes and skills integrated into all content standards areas.]

(b) District boards of education shall ensure that standards, assessments, curriculum, instruction, and professional development are aligned in a local support system that enables all students to achieve [21st century outcomes] **postsecondary and career success** through the establishment of student-centered learning environments that provide opportunities for academically diverse students to:

1. (No change.)

**2. Develop an understanding of roles, rights, and responsibilities as informed, engaged members of a democratic society;**

[2.] **3.** (No change in text.)

[3.] **4.** Become [self directed] **self-directed** seekers of [knowledge] **information** able to **locate**, evaluate, apply, and create new **information and** knowledge in varying contexts; and

[4.] **5.** Use effective communication, communication technology, and collaboration skills to interact with cultural sensitivity in [the] diverse local, [and world community] **State, national, and global communities.**

(c) The NJSLs, including [indicators] **performance expectations**, enable district boards of education to establish curriculum [and instructional methodologies] for the purpose of providing students with the constitutionally mandated system of a [“]thorough[”] **and efficient** public school instruction that promotes college, **civic**, and career readiness.

(d) The Statewide assessment system is designed to measure college and career readiness and student progress in the attainment of the NJSLs, **to meet Federal requirements, to ensure consistency in evaluating and reporting student learning, and to promote accountability. Federal requirements include the assessments identified at N.J.A.C. 6A:8-4.1(b) and (c), an alternate assessment based on alternate academic achievement standards (AA-AAAS) for students with significant intellectual disabilities, an English language proficiency assessment for MLs, and an alternate English language proficiency assessment for MLs with significant intellectual disabilities.**

(e) The Statewide assessment system also includes the State graduation proficiency assessment administered pursuant to N.J.S.A. 18A:7C-1, 2, 3, 4, 6, and 6.1.

[(e)] **(f)** (No change in text.)

#### **6A:8-1.2 Scope**

(a) (No change.)

(b) Unless otherwise noted, “district boards of education” shall be interpreted throughout this chapter to include the governing authorities of all providers of publicly funded elementary, secondary, and adult high school education programs, including county vocational school districts; educational services commissions; jointure commissions; charter schools; **renaissance school**

**projects; alternative [schools] education programs; regional day schools; adult high schools; county special services school districts; the Marie H. Katzenbach School for the Deaf; the Department of Human Services; the Department of Children and Families; the Department of Corrections; the Juvenile Justice Commission; public college-operated programs; and approved private schools for [the disabled] students with disabilities.**

(c) District boards of education shall align their curriculum and instructional methodologies to assist all students in achieving the NJSLs and to prepare all students for college, [and] career, **and civic life.**

(d) Progress toward meeting the NJSLs **in English language arts, mathematics, and science** shall be measured by the Statewide assessment system **in the following manner, by testing all students and offering appropriate accommodations, when needed:**

1. **In English language arts and mathematics** at grades three through [12] **eight and at least once in high school,** or if ungraded at equivalent ages[, and at];
2. **In science once in grades three through five, once in grades six through nine, and once in grades 10 through 12, or if ungraded at equivalent ages; and**
3. **At other grade(s) deemed appropriate by the Commissioner.**

#### 6A:8-1.3 Definitions

The following words and terms shall have the following meanings when used in this chapter unless the context clearly indicates otherwise.

“Accommodations or modifications to the Statewide assessment system” means changes in testing procedures or formats that provide students with disabilities and multilingual learners (MLs) an equitable opportunity to participate in assessment and demonstrate their knowledge and skills in the **content** areas assessed.

...

[“Adult education assessment test” means a test approved by the United States Department of Education that is used to award a State-issued high school diploma.]

**“Advanced coursework” means courses and programs including, but not limited to, advanced placement courses, career and technical education, International Baccalaureate, honors, and dual enrollment options.**

...

“All students” means every student enrolled in public elementary, secondary, and adult high school education programs within the State of New Jersey, including **students in** general education [students], students with disabilities, **students identified as gifted and talented**, and multilingual learners (MLs).

“[Alternative State] **Alternate** assessment [for students with disabilities] **based on alternate academic achievement standards (AA-AAAS)**” means the [alternative] assessment used to determine cumulative student achievement of the knowledge and skills specified by the New Jersey Student Learning Standards for students with **significant intellectual** disabilities who [are unable to participate in the Statewide assessment system] **have been determined eligible by the IEP team, in accordance with N.J.A.C. 6A:14-4.10.**

[“Annual measurable objectives” or “AMOs” means the performance targets set by New Jersey in the Elementary and Secondary Education Act (ESEA) flexibility waiver approved by the United States Department of Education.]

**“Alternate English language proficiency assessment” or “alternate ELP assessment” means a Department-approved assessment for students with the most significant cognitive disabilities that assesses a student’s English language proficiency (ELP) on the four domains of listening, speaking, reading, and writing, and that is aligned with the English language development (ELD) standards and the Individuals with Disabilities Education Act (IDEA).**

**“Appropriately certified” means an educator holds all necessary licenses, certificates, or endorsements required to serve in a grade level, subject area, or administrative position pursuant to N.J.S.A. 18A:26-2 and N.J.A.C. 6A:9B.**

**“Approved private schools for [the disabled] students with disabilities”** means incorporated entities approved by the Department according to N.J.A.C. 6A:14-7.2 or 7.3 to provide special education and related services to students with disabilities who have been placed by the district board of education [or charter school] responsible for providing their education.

**["Assessment"]** means a State-developed or State-approved standardized instrument or process that measures student performance levels on the New Jersey Student Learning Standards.]

...

**“Career and technical education”** means as defined [in] **at** N.J.A.C. 6A:19-1.2.

**“Charter school”** means as defined [in] **at** N.J.A.C. 6A:11-1.2.

**“Chief school administrator” or “CSA”** means the superintendent [of schools or], **pursuant to N.J.S.A. 18A:17-15;** the administrative principal [who works directly with the district board of education if there is no], **pursuant to N.J.S.A. 18A:17-20.5; the State district superintendent, pursuant to N.J.S.A. 18A:7A-35 or 18A:7A-49, in the case of a school district under full or partial intervention; or the lead person of a charter school or renaissance school project, as defined at N.J.A.C. 6A:11-1.2.**

...

**“Content equivalent”** means courses or activities that include the same or equivalent knowledge and skills as found in traditionally titled courses that are required for high school graduation and are aligned with the New Jersey Student Learning Standards. The content must be taught by [certified] teachers[,] **who are appropriately certified in the aligned content area.** **The content also** may be integrated in one or more courses, may be titled differently, or may present material in an interdisciplinary or spiral format.

**“Contextual learning” means an educational approach where learning occurs in a context that is meaningful and relevant to students. Contextual learning emphasizes the connection between the content being taught and its real-life applications and allows students to see the practical significance of what they are learning. This approach often involves situational learning, where students engage with material through experiences that simulate or directly relate to real-world scenarios.**

**“Corrective action plan” means a tool that identifies areas for improvement; specific, demonstrable goals for each area; staff responsible for each element of the plan’s implementation; timelines for completion; and reviews of progress.**

...

**“Cut score” means a [score] specific point on the assessment scale[s] that [demarcates the various performance] distinguishes between different levels of proficiency, indicating the scope and level of a student’s performance.**

**“English language development standards” means as defined [in] at N.J.A.C. 6A:15-1.2.**

**[“Evaluation,” formerly called “monitoring,” means the process by which the Commissioner or his or her designee evaluates the status of each school district or charter school.]**

**“English language proficiency assessment” or “ELP assessment” means a Department-approved assessment that evaluates a student’s English language proficiency on the four domains of listening, speaking, reading, and writing, and that is aligned with the ELD standards.**

**“Evidence-based science courses” means courses in which students use science and engineering practices, disciplinary core ideas, and crosscutting concepts to deepen their understanding of phenomena and to address design challenges. Evidence-based science courses are designed to ensure proficiency in kindergarten through grade 12 NJSL-Science.**

**“504 plan” means a written educational plan prepared by the 504 team for a [504] student.**



["504 student" means a student who has a physical or mental impairment that substantially limits a major life function; has been determined eligible for services, including accommodations and modifications by the school district's 504 team; and has a 504 plan.]

...

["GED" means tests of General Educational Development taken in order to qualify for a State-issued high school diploma.

"Gifted and talented students" means students who possess or demonstrate high levels of ability in one or more content areas when compared to their chronological peers in the local school district and who require modifications of their educational program if they are to achieve in accordance with their capabilities.]

**"Heritage language education" refers to NJSLs content area instruction through a language other than English that learners acquire naturalistically at home from birth or in early childhood, or have a historical, familial, or cultural connection.**

"IEP" means individualized education program as defined [in] at N.J.A.C. 6A:14-1.3.

"IEP team" means as defined [in] at N.J.A.C. 6A:14-1.3.

["Indicator" means statements that further delineate the NJSLs.]

"Individualized student learning opportunities" means **alternative** student experiences based upon specific instructional objectives that meet [or exceed] the NJSLs at the high school level. [Such opportunities may occur in all NJSLs and may include, but are not limited to, independent study; online learning; study-abroad programs; student exchange programs; and structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences. The opportunities shall be based on student interests and career goals.]

**"Industry-valued credentials" mean a set of recognized degrees, diplomas, certificates, or certifications awarded for an occupation. Industry-valued credentials and the skills they certify have the following characteristics: valued and demanded by employers; transferable and**

**provide broad opportunities; lead to opportunities for continuous or advanced training and education; and lead to higher wages, career advancement, and/or increased job security.**

**“Information literacy” means, pursuant to N.J.S.A. 18A:7F-4.4, a set of skills that enables an individual to recognize when information is needed and to locate, evaluate, and use effectively the needed information. Information literacy includes, but is not limited to, digital, visual, media, textual, and technological literacy.**

**“Instructional adaptation” means an adjustment or modification to instruction enabling students with disabilities, MLs, or students in alternative education programs or who are identified as gifted and talented to participate in, benefit from, and/or demonstrate knowledge and application of the NJSLs.**

**“Interdisciplinary connections” means integrating NJSLs and skills from one or more content areas into instruction and assessment of another content area at the appropriate grade level.**

**[“Laboratory/inquiry-based science course” means a course in which students are systematically provided with ongoing opportunities to use data drawn from or to interact directly with the natural and designed/engineered world, using tools, data collection techniques, models, and scientific concepts and principles.]**

**“Language instruction educational programs” or “LIEPs” means as the term is defined at N.J.A.C. 6A:15-1.2.**

...

**“Multilingual learner” or “ML” means [multilingual learner, indicating a person who is in the process of acquiring English and has a first language other than] a student whose primary language is not English, who is identified through the process set forth at N.J.A.C. 6A:15, and who is developing proficiency in multiple languages (for example, English and a primary language). [MLs sometimes are referred to as] The term is synonymous with “English learner” or “English language learner[s] (ELL) or limited English proficient (LEP)].”**

[“MOPI” means the ACTFL Modified Oral Proficiency Interview, which is a standardized assessment of functional speaking ability often used to test lower proficiency ranges.]

**“Multiple measures” means the use of multiple indicators and sources of evidence of student assessment, of varying kinds, and gathered at multiple points in time. Examples include, but are not limited to, test scores, ability assessments, intelligence testing, student performance or products, talent portfolios, and parent, student, and/or teacher observations and recommendations.**

**“New Jersey High School Equivalency Assessment” or “NJHSEA” means any of the assessments approved by the State Board of Education for achieving a New Jersey State-issued high school diploma as set forth at N.J.A.C. 6A:20, Adult Education Programs.**

“New Jersey Student Learning Standards” or “NJSLS” means standards adopted by the State Board of Education on May 1, 1996, and as thereafter revised by the State Board, [and the Common Core State Standards adopted by the State Board on June 16, 2010, and as thereafter revised by the State Board,] that describe the knowledge and skills all New Jersey students are expected to acquire by benchmark grades in the following **content** areas: English language arts; mathematics; science; social studies; visual and performing arts; comprehensive health and physical education; world languages; [technology; and 21st career life and careers] **computer science and design thinking; and career readiness, life literacies, and key skills**. The standards are established for the provision of a thorough and efficient education pursuant to N.J.S.A. 18A:7F-46 and as a basis for the [evaluation] **monitoring** of school districts in accordance with N.J.A.C. 6A:30.

...

[“OPI” means the ACTFL Oral Proficiency Interview, which is a standardized assessment of functional speaking ability currently available in 37 world languages.]

**“NJQSAC” means the New Jersey Quality Single Accountability Continuum, which is used pursuant to N.J.A.C. 6A:30 to review, evaluate, and monitor school districts.**

“Pacing guide” means a schedule that includes [aligned] **NJSLS-aligned** concepts, topics, and skills related to a particular curriculum to be addressed over a defined period of time. [It is not a prescriptive, lock-step set of lesson plans that impede an educator's ability to exercise flexibility in meeting students' learning needs.] **A pacing guide does not include lesson plans.**

[“PARCC assessment” means the set of assessments designed by the Partnership for Assessment of Readiness for College and Careers that was used from the 2014-2015 through 2017-2018 school years to determine student achievement of knowledge and skills specified by the NJSLS in English language arts and mathematics.]

**“Performance indicator” means statements that further delineate the NJSLS.**

...

[“Personalization” means enabling students to build and strengthen relationships with peers, teachers, other staff members, families, and the community at large through multiple strategies that promote engagement and high expectations based on individual interests and aptitudes, and that are conducive to successful teaching and learning experiences.

“Personalized Student Learning Plan” means a formalized plan and process that involves students setting learning goals based on personal, academic, and career interests, beginning in the middle school grades and continuing throughout high school with the close support of adult mentors, including teachers, counselors, and parents.]

“Portfolio appeals process” means an alternative assessment of proficiency for graduation established by the Commissioner, pursuant to N.J.S.A. 18A:7C-3, utilizing techniques and instruments other than [PARCC English language arts (ELA) 10 or Algebra I assessments,] the State graduation proficiency test[,] or substitute competency tests. **The techniques and instruments may include, but are not limited to, the Armed Services Vocational Aptitude Battery-Armed Forces Qualifying Test (ASVAB-AFQT), Commissioner-identified industry-valued credential attainment, and work-based or service-learning experiences.**

“Professional [development] **learning**” means a comprehensive, sustained, and intensive approach to improving the effectiveness of teachers, principals, and other school personnel in raising student achievement.

...

[“QSAC” means the Quality Single Accountability Continuum, which is used pursuant to N.J.A.C. 6A:30 to review and evaluate school district operations.]

“Rehabilitation Act” means the Federal Rehabilitation Act of 1973, 29 U.S.C. §§ 701 et seq., as amended in 1992.]

“Service learning [experience]” means a method that allows students or participants to learn and develop through active participation in thoughtfully organized activities that are conducted in and meet the needs of a community, and that help foster civic responsibility. [Service learning experiences shall be coordinated with the community and with an elementary or secondary school, institution of higher education, or community-services program; shall be integrated into and enhance the school district’s academic curriculum; and shall provide structured time for students to reflect on the service experience.]

[“STAMP” means Standards-based Measurement of Proficiency, which is a test that is delivered, graded, and reported online, and that assesses students’ language proficiency from the “Novice-Low” to the “Intermediate-Mid” benchmark levels.]

...

“State-endorsed diploma” means a [locally-issued] **locally issued** document awarded to an exiting student indicating successful completion of high school graduation requirements.

“State graduation proficiency test” means a Statewide assessment that is aligned, at a minimum, to the New Jersey Student Learning Standards (NJSLS) for [ELA 10, Algebra I, and Geometry,] **high school English language arts and mathematics** and administered pursuant to N.J.S.A. 18A:7C-1, 2, 3, 4, 6, and 6.1. For students eligible to utilize the alternative means in accordance with N.J.A.C.

6A:8-[5.1(g)1]**5.1(e)1** to meet the graduation assessment requirement, the State graduation proficiency test shall also include the substitute competency test, which is an alternative set of third-party assessments approved by the Commissioner that may include, but are not limited to, the SAT, PSAT, ACT, ACT-Aspire, [Armed Services Vocational Aptitude Battery-Armed Forces Qualifying Test (ASVAB-AFQT),] or Accuplacer.

“State-issued high school diploma” means a diploma issued by the [State of New Jersey] Commissioner.

...

[“Structured learning experience” means as defined in N.J.A.C. 6A:19-1.2.

**“Statewide assessment” means a State-developed or State-approved standardized instrument or process that measures student performance levels on the New Jersey Student Learning Standards.**

“Study abroad programs” means programs that enable New Jersey students to attend a high school in another country for a semester or full academic year to acquire academic and cross-cultural skills that will help them live and work in a globally interdependent world.]

**“Student identified as gifted and talented” means students who possess or demonstrate high levels of ability in one or more NJSLS content areas when compared to their chronological peers in the school district and who require modifications of their educational program if they are to achieve in accordance with their capabilities.**

“Substitute competency test” means[, for students in the classes of 2018 through 2022,] an alternative set of third-party assessments approved by the Commissioner, including, but not limited to, the SAT, PSAT, ACT, ACT-Aspire, [Armed Services Vocational Aptitude Battery-Armed Forces Qualifying Test (ASVAB-AFQT),] or Accuplacer, that can be used to demonstrate competency in the NJSLS for students who have not demonstrated proficiency on [PARCC ELA 10 or Algebra I

assessments or] the [ELA] **English language arts** or mathematics components of the State graduation proficiency test.

“Technological literacy” means students meeting NJSLs [8.1 Educational Technology, obtained] through the integration of effective educational technology practices, strategies, and tools throughout all [curricular] **content** areas.

...

[“Twenty-first century careers” means careers and occupations that have been impacted by technological and global forces and are in an ongoing state of reinvention due to technological advances and e-commerce.

“Twenty-first century themes and skills” means themes such as global awareness; financial, economic, business, and entrepreneurial literacy; civic literacy; health literacy; learning and innovation skills, including creativity and innovation, critical thinking and problem solving, and communication and collaboration; information, media, and technology skills; and life and career skills, including flexibility and adaptability, initiative and self-direction, social and cross-cultural skills, productivity and accountability, and leadership and responsibility.]

**“Two-way bilingual immersion” means a program that provides literacy and content instruction to all students through two languages where, at the elementary level, instruction is in a language other than English at least 50 percent of the instructional day and, at the middle and high school levels, instruction is in a language other than English at least 30 percent of the instructional day.**

**“Work-based learning” means sustained interactions with industry or community professionals in real workplace settings, to the extent practicable, or simulated environments at an educational institution that foster in-depth, first-hand engagement with the tasks required in a given career field, that are aligned to curriculum and instruction.**

6A:8-2.1 Authority for educational goals and standards

(a) The State Board of Education is responsible for establishing State educational goals and standards [according] **pursuant** to [P.L. 1990, c. 52, P.L. 1991, c. 3, and P.L. 1991, c. 62] **N.J.S.A. 18A:4-10, 18A:7C-1, 18A:7F-4.2, and 46.**

[1. In June 2009, the State Board adopted revised CCCS and associated indicators in visual and performing arts, comprehensive health and physical education, science, technology, 21st century life and careers, and world languages.

2. In September 2009, the State Board adopted revised CCCS and associated indicators in social studies.

3. In June 2010, the State Board adopted revised CCCS and associated indicators reflecting the Common Core State Standards for English language arts and mathematics.]

[4.] **1. [The] In 2014, the** State Board [on or before May 2008 initiated a review and readoption process for the] **adopted revised Core Curriculum Content Standards (CCCS) in the content areas of visual and performing arts, comprehensive health and physical education, science, world language, social studies, mathematics and English language arts, technology, 21st century life and careers, and the revised** Preschool Teaching and Learning [Expectations:] Standards [of Quality].

**2. In 2016, the State Board adopted the CCCS as the New Jersey Student Learning Standards (NJSLS) and revisions in the content areas of English language arts and mathematics.**

**3. In 2020, the State Board adopted revised NJSLS in the content areas of visual and performing arts; comprehensive health and physical education; science; computer science and design thinking; career readiness, life literacies, and key skills; world languages; and social studies.**



**4. In 2023, the State Board adopted revisions to the NJSLs and performance expectations in the content areas of English language arts and mathematics.**

**(b) The process for the State Board's review and readoption of the NJSLs will be repeated in 2025 and every five years thereafter pursuant to N.J.S.A. 18A:7F-46.a, based on recommendations by the Commissioner according to the following procedure:**

[i.] **1.** The Commissioner shall convene an advisory panel of public school educators, higher education representatives, business representatives, and other citizens, to review and, if necessary, to recommend modifications to the NJSLs and the associated [indicators] **performance expectations** within a scheduled period of time established by the Commissioner.

[ii.] **2.** The Commissioner shall present, to the State Board for consideration at a public meeting, any recommended revision(s) to the NJSLs and the associated [indicators] **performance expectations**.

Recodify existing iii-vi. as **3.-6.** (No change in text.)

6A:8-2.2 Authority for the State Plan for Career and Technical Education

(a) The State Board shall serve, [as required by] **pursuant to** P.L. 109-270 and [designated by] N.J.S.A. **18A:35-4.2 and** 18A:59-5, as the sole agency responsible for the administration of the State Plan for Career and Technical Education and the legally constituted State Board for Career and Technical Education.

(b) The State Board will be guided by the NJSLs and[, particularly, Standard 8: Technology and Standard 9: 21st Century Life and Careers,] **the Strengthening Career and Technical Education for the 21st Century Act (Perkins V)** in developing the State Plan for Career and Technical Education required [under] **pursuant to** P.L. 109-270 and N.J.S.A. **18A:59-5**.

### Subchapter 3. Implementation of The New Jersey Student Learning Standards

#### 6A:8-3.1 Curriculum and instruction

(a) District boards of education shall ensure that curriculum and instruction are designed and delivered in such a way that all students are able to demonstrate the knowledge and skills specified by the NJSLS. [and] **District boards of education also** shall ensure that appropriate instructional adaptations are designed and delivered for students with disabilities, for MLs, for students enrolled in alternative education programs, and for students [who are] **identified as** gifted and talented.

1. The Department shall provide district boards of education with [Standards] support materials that suggest a variety of activities and strategies that may assist in the development of local curricula aligned with the NJSLS.

2. District boards of education shall encourage the active involvement of representatives from the community, [business, industry, labor,] **including representatives from the local workforce** and higher education, in the development of educational programs aligned with the NJSLS.

**3. District boards of education shall make all approved curriculum pacing guides and citations for core instructional materials publicly available.**

[3.] **4.** District boards of education shall be responsible for assessing [and publicly reporting on] the progress of all students in developing the knowledge and skills specified by the NJSLS, including [civics, financial literacy, and] all content areas not currently included in the Statewide assessment program.

[4. District boards of education shall provide all students with disabilities an educational program aligned with the NJSLS, as well as the required individualized accommodations, instructional adaptations, and/or modifications as specified in a student's IEP or 504 plan.

5. District boards of education shall be responsible for identifying gifted and talented students and shall provide them with appropriate instructional adaptations and services.

i. District boards of education shall make provisions for an ongoing K-12 identification process for gifted and talented students that includes multiple measures.

ii. District boards of education shall provide appropriate kindergarten-through-grade-12 (K-12) educational services for gifted and talented students.

iii. District boards of education shall develop appropriate curricular and instructional modifications used for gifted and talented students indicating content, process, products, and learning environment.

iv. District boards of education shall take into consideration the Pre-K–Grade 12 Gifted Programming Standards of the National Association for Gifted Children in developing programs for gifted and talented students.

6. District boards of education shall actively assist and support professional development for teachers, educational services staff, and school leaders, including their efforts to meet mandatory professional development requirements specified in N.J.A.C. 6A:9C-3.

i. District boards of education shall facilitate the development and implementation by school leaders of professional growth plans aligned with the requirements set forth at N.J.A.C. 6A:9C.

7. District boards of education shall be responsible for developing for MLs English language assistance programs that are aligned to the NJSLS and the English language development standards.]

(b) District boards of education shall be responsible for the delivery of educational programs at the elementary and secondary levels using a coherent sequence of activities to prepare all students for college, [and] careers, **and civic life** upon their graduation. Examples of such programs include, but are not limited to, academic programs, career and technical education programs, **two-way bilingual immersion, heritage language education,** and/or magnet programs.

1. District boards of education shall implement educational programs that prepare all students for success in college, [and] careers, **and civic life**, including the kindergarten through grade eight development of academic skills integral to success in high school courses.

[2. District boards of education of school districts that include students in at least two of the grades from six through 12 shall develop opportunities for personalization that strengthen relationships among students, teachers, staff members, families, and the larger community for students in grades six through 12.]

**2. When applicable, district boards of education shall provide students with access to advanced coursework. District boards of education shall develop, implement, and regularly evaluate strategies that identify, support, and encourage all student groups to enroll in and succeed in advanced coursework.**

[(c) District boards of education shall be responsible for the review and continuous improvement of curriculum and instruction based upon changes in knowledge, technology, assessment results, and modifications to the NJSLs, according to N.J.A.C. 6A:8-2.

1. District boards of education shall include interdisciplinary connections throughout the K-12 curriculum.

2. District boards of education shall integrate into the curriculum 21st century themes and skills.

3. District boards of education shall provide the time and resources to develop, review, and enhance inter-disciplinary connections, supportive curricula, and instructional tools for helping students acquire required knowledge and skills. The tools include, but are not limited to:

i. A pacing guide;

ii. A list of core instructional materials, including various levels of texts at each grade level;

iii. Benchmark assessments; and

iv. Modifications for special education students, for MLs in accordance with N.J.A.C.

6A:15, for students at risk of school failure, and for gifted students.

(d) District boards of education shall establish procedures whereby any student whose parent or guardian presents to the school principal a signed statement that any or part of the instruction in health, family life education, or sex education is in conflict with his or her conscience or sincerely held moral or religious beliefs shall be excused from that part of the course where such instruction is being given and, pursuant to N.J.S.A. 18A:35-4.7, no penalties shall result.]

### **6A:8-3.2 Inclusive curriculum**

**(a) District boards of education shall provide all students enrolled in their school districts with the opportunity to attain the goals of an NJSLs-based curriculum in an educational environment that is designed to meet their needs. District boards of education shall create curriculum, customize instructional adaptations, allocate resources to provide equitable access to courses, programs, and experiences, and build student-centered learning environments that meet the NJSLs.**

**(b) District boards of education shall provide all students with disabilities an educational program aligned with the NJSLs, as well as the required individualized accommodations, instructional adaptations, and/or modifications as specified in a student's IEP or 504 plan.**

**(c) District boards of education shall be responsible for identifying students as gifted and talented and shall provide them with appropriate instructional adaptations and services as defined at P.L. 2019, c. 338.**

**(d) District boards of education shall provide language instruction educational programs (LIEPs) in accordance with N.J.A.C. 6A:15.**

### **6A:8-3.3 Professional learning**

**(a) District boards of education shall actively assist and support professional learning for teachers, educational services staff, and school leaders, including the school district's plan and additional professional learning requirements at N.J.A.C. 6A:9C-3.**

**(b) District boards of education shall provide to teachers, educational services staff, and school leaders, professional learning on the following, when applicable:**

- 1. The use of student and school performance data to provide insights into the strengths and areas for growth to improve the quality of instruction that students receive;**
- 2. Evidence-based literacy instruction in accordance with P.L. 2024, c. 52;**
- 3. The content knowledge, instructional strategies, and collaborative skills needed to meet the needs of students with disabilities required at N.J.A.C. 6A:14;**
- 4. The needs and educational development of students identified as gifted and talented; and**
- 5. All additional statutory and regulatory requirements.**

### **6A:8-3.4 Required components of curriculum**

**(a) In accordance with N.J.A.C. 6A:8-2, district boards of education shall be responsible for the review and continuous improvement of curriculum and instruction based upon changes in knowledge, technology, assessment results, and modifications to the NJSLs.**

**(b) District boards of education shall design curriculum that is comprehensive and meets the developmental needs of students at each grade level through complete alignment with the NJSLs. The curriculum shall be designed to prepare students for success in higher education, careers, and civic life by addressing essential academic subjects, fostering critical thinking, promoting social and emotional growth, and providing opportunities for creativity and contextual learning.**

**(c) District boards of education shall include interdisciplinary connections throughout the**

**kindergarten through grade 12 (K-12) curriculum.**

**(d) District boards of education shall provide educators with the time and resources to develop, review, and enhance contextual learning, supportive curricula, and instructional tools for helping students develop required knowledge and skills. The tools shall include, but are not limited to:**

**1. Curriculum designed and implemented to meet grade or grade-level expectations and graduation requirements;**

**2. List of core instructional and supplemental materials, including grade level-appropriate texts and decodable texts for emergent readers;**

**3. Integrated accommodations and modifications for students with disabilities, multilingual learners, students identified as gifted and talented, students not at grade-level proficiency, and students with 504 plans;**

**4. Assessments, including, formative, summative, benchmark, and alternative assessments;**

**5. Universal literacy screeners and related instructional materials, as appropriate and as defined at, and required pursuant to, P.L. 2024, c. 52;**

**6. Pacing guides; and**

**7. Opportunities for interdisciplinary connections and contextual learning.**

**(e) District boards of education shall establish and make publicly available procedures whereby any student whose parent or guardian presents to the school principal a signed statement that any or part of the instruction in health, family life education, or sex education is in conflict with the parent's or guardian's conscience or sincerely held moral or religious beliefs shall be excused from that part of the course where such instruction is being given and, pursuant to N.J.S.A. 18A:35-4.7, no penalties as to credit or graduation shall result.**

### **6A:8-3.5 Accountability for implementation of NJSL**

**(a) If a district board of education is found, through NJQSAC, monitoring, or other means, to be in noncompliance with this subchapter, the Commissioner, or the Commissioner's designee, will assemble appropriate Department resources to provide technical support in the identified content area(s) to the school district.**

**(b) Department staff designated by the Commissioner will collaborate with school district leaders and educators to address and remediate the curriculum deficiencies identified pursuant to (a) above.**

**(c) If, a district board of education is still found to be in noncompliance with this subchapter after collaborative remediation is provided by the Department pursuant to (b) above, the Commissioner, or the Commissioner's designee, will provide to the district board of education written notification of the noncompliance and the requirement to develop a corrective action plan.**

**(d) The CSA shall establish an in-district team to develop the corrective action plan. This in-district team shall consist, at a minimum, of school district administrators, curriculum supervisor(s), and educators certified in one or more of the identified areas of noncompliance.**

**(e) The corrective action plan shall include, but not be limited to, the following:**

- 1. The curricular, policy, or programmatic changes to be implemented, including, but not limited to, changes to curriculum frameworks and other required course revisions;**
- 2. The individual(s) responsible for addressing each change identified at (e)1 above;**
- 3. Specific timelines for the completion of each change identified at (e)1 above; and**
- 4. Alignment with, and incorporation of or references to, the relevant provisions of all applicable State and Federal plans.**

**(f) Within 60 days of the school district's receipt of the Commissioner's written notification**



pursuant to (c) above, the CSA shall present the corrective action plan to the district board of education for approval.

1. The district board of education shall review and approve the corrective action plan.

2. The CSA shall submit to the Commissioner, or the Commissioner's designee, the corrective action plan approved by the district board of education.

(g) The Commissioner, or the Commissioner's designee, shall review the corrective action plan and notify the CSA if the plan is acceptable.

1. The CSA shall implement the corrective action plan within 30 days of the notification provided pursuant to (g) above.

(h) The Commissioner, or the Commissioner's designee, shall review and verify the school district's implementation of the corrective action plan.

(i) When a corrective action plan is not submitted, it is determined by the Commissioner, or the Commissioner's designee, to be unacceptable, or is not implemented, the Commissioner shall notify the CSA of the action(s) that the Commissioner intends to take pursuant to State law, rules, and regulations.

#### Subchapter 4. Implementation of the Statewide Assessment System

##### 6A:8-4.1 Statewide assessment system

(a) The Commissioner, in accordance with N.J.S.A. 18A:7C-1 et seq., [and 18A:7E-2 and 3,] may implement assessment of student achievement in the State's public schools in any grade(s) and by such assessments as [he or she] **the Commissioner** deems appropriate. The Commissioner shall report to the State Board the results of such assessments.

(b) The Commissioner shall implement a system and related schedule of Statewide assessments to evaluate student achievement of the NJSLs.

1. The Commissioner, with the approval of the State Board, shall define the scope and level of student performance on Statewide assessments that demonstrate thorough understanding of the

knowledge and skills delineated by the NJSLs at grade levels three through 12, **or as otherwise established pursuant to State and Federal law.**

2. After consultation with the Commissioner, the State Board shall establish, by resolution, uniform Statewide [criteria defining adequate school district progress] **assessment cut scores to indicate the scope and level of student performance** toward meeting the NJSLs.

(c) District boards of education shall, according to a schedule prescribed by the Commissioner, administer the applicable Statewide assessments, including the following major components: the elementary assessment component for grades three through five; the middle school assessment component for grades six through eight[,]; the high school assessment component[,]; and the [alternative State assessment for students with disabilities] **AA-AAAS** and provide notification to each student entering grades three through 12 of the Statewide assessment schedule.

1. – 3. (No change.)

(d) Pursuant to (b) and (c) above, all students at grade levels three through 12, and at any other grade(s) designated by the Commissioner pursuant to (a) above, shall take all appropriate Statewide assessments, as scheduled.

1. District boards of education shall provide all appropriate accommodations or modifications to the Statewide assessment system, as specified by the Department, for MLs and students with disabilities as defined at N.J.A.C. 6A:14-1.3 or eligible pursuant to Section 504 of the Rehabilitation Act, as specified in a student's IEP or 504 plan.

i. District boards of education may administer the Statewide assessments in mathematics **and science** to MLs in their native language, when available, and/or English.

ii. (No change.)

2. District boards of education shall ensure students with disabilities as defined [in] **at** N.J.A.C. 6A:14-1.3 participate in Statewide assessments in accordance with N.J.A.C. 6A:14-4.10.

3. At specific times prescribed by the Commissioner, district boards of education shall administer the [alternative State assessment] **AA-AAAS** for students with **significant intellectual** disabilities [to students with severe disabilities who cannot participate in other assessments due to the severity of their disabilities] **who have been determined eligible by the IEP team in accordance with N.J.A.C. 6A:14-4.10.**

i. The Department shall implement the [alternative State assessment] **AA-AAAS** for students with **significant intellectual** disabilities according to the schedules at (c)1, 2, and 3 above.

[ii. The alternative State assessment for students with disabilities measures the progress of students who have been determined eligible for the alternative State assessment for students with disabilities by the IEP team in accordance with N.J.A.C. 6A:14-4.10.]

[iii.] **ii.** The Department shall also implement an approved English language proficiency assessment to measure the progress in English language proficiency of MLs [with an IEP] who have been determined eligible by the IEP team for an [alternative] **alternate** Department-approved English language proficiency assessment for [students] **MLs** with **significant intellectual** disabilities.

4. District boards of education shall implement alternative ways for students to demonstrate graduation proficiency in accordance with N.J.A.C. 6A:8-5.1(a)6, **(e)**, (f), **or** (g), [(h), or (i),] as applicable.

(e) (No change.)

#### 6A:8-4.2 Documentation of student achievement

(a) After each test administration, the Department shall provide to chief school administrators, the following:

1. – 2. (No change.)

3. School and school district summary data, including school and school district means, numbers tested, and percent achieving at each performance level. The school district summary data

shall be aggregated and disaggregated, and school summary data shall be disaggregated, for students with disabilities as defined at N.J.A.C. 6A:14-1.3, [and for] MLs, **and other student groups as required pursuant to State and Federal law.**

(b) (No change.)

(c) District boards of education shall maintain an accurate record of each student's performance on Statewide assessments **for 100 years, in accordance with N.J.A.C. 6A:32-7.8(f) and State public records laws at N.J.S.A. 47:3-1 et seq.**

(d) District boards of education shall maintain for every student a ninth-grade-through-graduation transcript that [contains] **includes** the following, as available:

1. Results of all applicable State assessments, including assessments that satisfy graduation requirements set forth at N.J.A.C. 6A:8-[5.1(a)6]**5.1(a)7**;

2. Results of any English language proficiency assessments according to N.J.A.C. 6A:8-[5.1(h)]**5.1(f)**;

3. (No change.)

[4. Evidence of technological literacy;]

[5.] **4.** (No change in text.)

[6.] **5.** Evidence of State-issued occupational licenses and credentials [, industry-recognized occupational] **and/or industry-valued** credentials[, and/or technical skill assessments] for students enrolled in Department-approved career and technical education programs pursuant to N.J.A.C. 6A:19-3.2; [and]

**6. Attainment of the State Seal of Biliteracy, if applicable; and**

7. (No change.)

#### 6A:8-4.3 Accountability

(a) Chief school administrators shall report final results of [annual] **Statewide** assessments to district boards of education and members of the public at a public meeting within 60 days of

receipt of [information] **the last set of paper individual student reports for all spring-administered assessments** from the Department.

(b) Chief school administrators shall provide educators, parents, and students with the results of [annual] **Statewide** assessments [as required under N.J.A.C. 6A:8-4.2(a),] within 30 days of receipt of information from the Department, **pursuant to N.J.A.C. 6A:8-4.2(a).**

(c) **District boards of education shall use disaggregated data for the purpose of continuous improvement, to monitor student performance across various student groups, and to monitor student access to advanced coursework, when applicable. Disaggregated data shall be used in conjunction with local data to evaluate the school district's implementation of curriculum and instruction and related accommodations and adaptations pursuant to N.J.A.C. 6A:8-3.2.**

[(c)] (d) District boards of education shall provide appropriate instruction to improve skills and knowledge for students performing below the established levels of student proficiency in any content area [either on] **using multiple measures including, but not limited to,** the Statewide or local assessments.

[(d)] (e) All students shall be expected to demonstrate the knowledge and skills of the NJSLs as measured by the Statewide assessment system **in English language arts, mathematics, and science.**

#### 6A:8-4.4 [Annual review] **Review and evaluation of school districts**

The Department shall review the performance of schools **pursuant to N.J.A.C. 6A:33** and school districts [by using a percent of students performing at the proficient level as one measure of AMO and incorporating a progress criterion indicative of systemic reform] **pursuant to N.J.A.C. 6A:30.**

[The review shall include the performance of all students, including students with disabilities as defined at N.J.A.C. 6A:14-1.3, students from major racial and ethnic groups, economically disadvantaged students, and MLs. The review shall take place at each grade level in which Statewide assessments are administered, using the AMO targets.]

#### 6A:8-4.5 Public reporting

(a) The Department shall report annually to the State Board and the public on the progress of all students and student [subgroups] **groups** in meeting the NJSLs, as measured by the Statewide assessment system, by publishing and distributing the Department's annual New Jersey School Report Card in accordance with N.J.S.A. 18A:7E-2 through 5.

(b) After each test administration, the Department shall report to district boards of education on the performance of all students and of student [subgroups] **groups**.

(c) The Department shall report performance on the [alternative State assessment for students with disabilities] **AA-AAAS** with the same frequency and in [the same] **similar** detail as it reports on other Statewide assessments, including school and school district means, and the number and percentage of participating students.

(d) In public reporting of school and **school** district performance data, the Department shall not compromise the confidentiality of individual students.

### Subchapter 5. Implementation of Graduation Requirements

#### 6A:8-5.1 Graduation requirements

(a) For a State-endorsed diploma, district boards of education shall develop, adopt, and implement local graduation requirements that prepare students for success in [post-secondary] **postsecondary** degree programs, careers, and civic life [in the 21st century], **that are delivered by educators who are appropriately certified within each of the NJSLs content areas**, and that include the following:

1. Participation in a local program of study of not fewer than 120 credits in courses designed to meet all of the NJSLs, including, but not limited to, the following credits:

i. At least 20 credits in English language arts, aligned to grade nine through 12 standards[, effective with the 2009-2010 grade nine class];

ii. At least 15 credits in mathematics, including algebra I or the content equivalent [effective with the 2008-2009 grade nine class]; geometry or the content equivalent [effective with

the 2010-2011 grade nine class]; and a third year of mathematics that builds on the concepts and skills of algebra and geometry and that prepares students for college and [21st century] careers [effective with the 2012-2013 grade nine class];

iii. At least 15 credits in **evidence-based science courses that develop proficiency with the full range of grades nine through 12 NJSLS for science**, [including at least five credits in laboratory biology/] **which shall include the disciplines of physical science; life science; [or the content equivalent effective with the 2008-2009 grade nine class; one additional laboratory/inquiry-based science course, which shall include chemistry, environmental science, or physics effective with 2010-2011 grade nine class; and one additional laboratory/inquiry-based science course effective with 2012-2013 grade nine class]** **earth and space sciences; and engineering, technology, and applications of science;**

iv. At least 15 credits in social studies, including satisfaction of N.J.S.A. 18A:35-1 and 2; five credits in world history; and the integration of civics, economics, geography, and global content in all course offerings;

v. At least 2.5 credits in financial, economic, business, and entrepreneurial literacy[, effective with 2010-2011 grade nine class];

vi. At least 3 3/4 credits in health, safety, and physical education during each year of enrollment, distributed as 150 minutes per week, [as required by] **pursuant to** N.J.S.A. 18A:35-5, 7, and 8;

vii. (No change.)

viii. At least five credits in world languages or student demonstration of proficiency as set forth [in (a)2ii(2)] **at (a)2v(2)** below;

ix. (No change.)

x. At least five credits in [21st century life and careers,] **career readiness** or [career-technical] **career and technical** education;

2. The 120-credit requirement set forth [in] **at** (a)1 above may be met [in whole or in part] through program completion of a range of experiences that enable students to pursue a variety of individualized **student** learning opportunities, as follows:

i. District boards of education [shall] **may** establish [a process to approve] **general policies and procedures for the implementation of** individualized student learning opportunities that meet [or exceed] the NJSLs, **as well as any performance or competency assessment that will be used to determine student completion of programs.**

[(1) Individualized student learning opportunities in all NJSLs areas include, but are not limited to, the following:

- (A) Independent study;
- (B) Online learning;
- (C) Study abroad programs;
- (D) Student exchange programs; and
- (E) Structured learning experiences, including, but not limited to, work-based programs, internships, apprenticeships, and service learning experiences.]

[(2)] **(1)** Individualized student learning opportunities based upon specific instructional objectives aimed at meeting [or exceeding] the NJSLs **and intended to supplant NJSLs-based courses** shall:

[(A) Be based on student interest and career goals as reflected in the Personalized Student Learning Plans;]

**(A) Be designed, approved, and delivered by appropriately certified educators;**

**(B) For approved career and technical education programs and work-based learning experiences, be designed, approved, and supervised by appropriately certified educators in accordance with N.J.A.C. 6A:19-6.4 and 6A:9B-14.19 and 14.20;**



**(C) For dual enrollment, be reviewed and approved by appropriately certified educators;**

**[(B)] (D) Include demonstration of student competency approved by appropriately certified educators;**

**[(C)] (E) Be certified for completion based on the district board of education process adopted [according to (a)2ii] in accordance with (a)2v below; and**

**[(D)] (F) Be on file in the school district and subject to review by the Commissioner or [his or her] the Commissioner's designee.**

**[(3)] (2) Group programs based upon specific instructional objectives aimed at meeting [or exceeding] the NJSLS shall be permitted [under] pursuant to this section and shall be approved in the same manner as other approved courses.**

**ii. District boards of education establishing a process pursuant to (a)2i above shall:**

**(1) Provide programs and related assessments based on specific instructional objectives aimed at meeting the NJSLS and overseen by educators appropriately certified within each aligned content area;**

**(2) Approve group programs in the same manner as other courses;**

**(3) Provide equitable access pursuant to N.J.A.C. 6A:7, Managing for Equity in Education;**

**(4) Develop policies that clearly address student safety, transportation, tuition, and fee requirements and comply with applicable laws and rules as set forth at N.J.A.C. 6A:19-4.2; and**

**(5) Consider the need for procedures that are consistent with the district board of education's employment practices, including criminal background checks in accordance with N.J.S.A. 18A:6-7.1.**

**iii. Coursework and experiences may bear credit for core academic courses or elective coursework. District boards of education may establish policies that:**

**(1) Allow the granting of credits for summer courses that replace traditional courses;**

**(2) Allow the granting of credits for work-based learning experiences, including, but not limited to, internships, apprenticeships, and service-learning;**

**(3) Limit opportunities to only courses that are not offered to all students by the district board of education; and**

**(4) Prioritize opportunities that are more experiential in nature and not designed to meet the course requirements at (a)1 above.**

**iv. District boards of education allowing the granting of credit for experiences designed to supplant courses required for graduation as set forth at (a)1 above shall document the experiences' substantial equivalency with the identified NJSLs and locally adopted curriculum designed to meet the requirements at (a)1 above. The documentation shall be subject to review, in accordance with N.J.A.C. 6A:30, including the instruction and program indicators at 6A:30 Appendices A and B.**

[ii.] **v.** District boards of education shall establish a process for granting of credits through successful completion of assessments that verify student achievement in meeting [or exceeding] the NJSLs at the high school level, including standards achieved by means of the individualized student learning opportunities [enumerated] **set forth** at (a)2 above. Such programs or assessments may occur all, or in part, prior to a student's high school enrollment; no such locally administered assessments shall preclude or exempt student participation in applicable Statewide assessments at grades three through 12.

**(1)** District boards of education shall choose assessments that are aligned with [or exceed] the NJSLs and may include locally designed assessments.

(2) District boards of education shall [choose from among the following assessment options to] determine if students have achieved the level of language proficiency designated as Novice-High as defined by the ACTFL and recognized as fulfilling the world languages requirement of the NJSLS[:

(A) The STAMP online assessment;

(B) The OPI or MOPI; or

(C)] **through either Department-approved proficiency assessments or** Department-approved locally designed competency-based assessments;

[iii.] **vi.** District boards of education shall establish a process to approve [post-secondary] **postsecondary** learning opportunities that may consist of Advanced Placement (AP) courses, CLEP, **International Baccalaureate (IB)**, or concurrent/dual enrollment at accredited higher education institutions.

(1) District boards of education shall award credit for successful completion of an approved, accredited college course that [assures] **ensures** achievement of knowledge and skills that meets [or exceeds] the NJSLS.

3. – 5. (No change.)

**6. For students in the graduating classes of 2025, 2026, and 2027, completion of a financial aid application in a form prescribed by the Higher Education Student Assistance Authority, including, but not limited to, the Free Application for Federal Student Aid (FAFSA) or the New Jersey Alternative Financial Aid Application, or be exempted from the requirement in accordance with procedures set forth at P.L. 2023, c. 295;**

[6.] **7.** The requirement that all students demonstrate proficiency by achieving a passing score on the **English language arts (ELA)** and mathematics components of the State graduation proficiency test or through the alternative means at [(h)] **(f)** below, if applicable, or for students

who take the State graduation proficiency test but do not achieve a passing score through the alternative means set forth at **(e) and (g)** [and (i)] below;

[i. Students in the graduating classes of 2019, 2020, 2021, and 2022 shall be required to demonstrate proficiency by achieving a passing score on the high school end-of-course PARCC assessments in ELA 10 and Algebra I or through the alternative means set forth at (f), (h), and (i) below;]

[7.] **8.** For students who have not demonstrated proficiency on the ELA and/or mathematics components of the State graduation proficiency test, the opportunity [for] **to demonstrate proficiency may be achieved by** the following:

- i. Remediation, **as appropriate**, pursuant to N.J.S.A. 18A:7C-3; and
- ii. One or more additional opportunities to demonstrate proficiency on the State graduation proficiency test pursuant to N.J.S.A. 18A:7C-6; [and]

**9. The portfolio appeals process, pursuant to N.J.S.A. 18A:7C-3, for students who have not demonstrated proficiency on the ELA and/or mathematics components of the State graduation proficiency test and have been provided with the opportunities at (a)8 above; and**

[8.] **10.** Students graduating from an adult high school shall demonstrate proficiency in the ELA and mathematics components of the State graduation proficiency test, or through the alternative means set forth at **(e), (f), and (g)**[(h), and (i)] below.

[(b) In the development of Personalized Student Learning Plans according to N.J.A.C. 6A:8-3.2(a), district boards of education shall actively encourage all students who have otherwise met the requirements for high school graduation according to (a)1 through 3 above, to include in their programs of study the following additional credits:

1. Five credits in mathematics during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;

2. Five credits in a laboratory science during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers;

3. Five credits in social studies during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers; and

4. Five credits in world languages during each year of enrollment, aimed at preparation for entrance into post-secondary programs or 21st century careers.]

[(c)] **(b)** (No change in text.)

[(d)] **(c)** District boards of education shall provide to the executive county superintendent their graduation requirements each year they are evaluated through [QSAC] **NJQSAC** and update the filed copy each time their graduation policies are revised.

[(e)] **(d)** District boards of education shall provide each student entering high school and [his or her] **the student's** parents or legal guardians with a copy of the district board of education's requirements for a State-endorsed diploma and the programs available to assist students in attaining a State-endorsed diploma, in accordance with N.J.S.A. 18A:7C-5.

[(f)] To ensure adequate transition to the new Statewide assessment system, district boards of education shall provide students in the graduating classes of 2018 through 2022 who have not demonstrated proficiency on the high school end-of-course PARCC assessments in ELA 10 and Algebra I with the opportunity to demonstrate such competence through one of the alternative means set forth below:

1. For the graduating classes of 2018 through 2022, students who did not take both the ELA 10 and the Algebra I end-of-course PARCC assessment or who take but do not achieve a passing score on both assessments, as required at (a)6 above, may satisfy the State requirement to demonstrate proficiency in English language arts and/or mathematics in one of the following ways:

i. Achieve a passing score, as determined by the Commissioner, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable, or substitute a

passing score on another end-of-course PARCC assessment, including ELA 9, ELA 11, Geometry, or Algebra II; or

ii. Meet the criteria of the portfolio appeals process.]

[(g)] **(e)** [For students in the classes of 2023, 2024, and 2025, the] **The** alternative means referenced at [(a)6] **(a)7** above shall be as follows:

1. – 2. (No change.)

[(h)] **(f)** All MLs shall satisfy the requirements for high school graduation[, except]. **However**, MLs may demonstrate they have attained State minimum levels of proficiency through passage of the portfolio appeals process in their native language, when available, and passage of a Department-approved[, ] English [fluency] **language proficiency** assessment.

[(i)] **(g)** Students, including students with disabilities as defined at N.J.A.C. 6A:14-1.3 or eligible [under] **pursuant to** Section 504 of the Rehabilitation Act, who participate in the [alternative] **alternate** assessment **based on alternate academic achievement standards (AA-AAAS)** for students with **significant intellectual** disabilities[, ] are not required to participate in repeated administrations of high school assessment components required at N.J.A.C. 6A:8-4.1(c).

[(j)] For students in the classes of 2019, 2020, 2021, and 2022, the Department shall consider high school end-of-course State assessments to be equivalent to the corresponding high school end-of-course PARCC assessments.]

#### 6A:8-5.2 High school diplomas

(a) District boards of education shall award a State-endorsed high school diploma to prospective graduates who have met all of the requirements adopted in accordance with N.J.A.C. 6A:8-5.1(a), [or (c)] **(b)**, or (d) below.

(b) District boards of education shall not issue a high school diploma to any student **who does not** [meeting] **meet** the criteria specified in the [rule provisions] **rules** referenced at (a) above.

1. (No change.)

2. District boards of education shall allow any out-of-school individual to age 20 who has otherwise met all State and local graduation requirements but has failed to pass the State proficiency test to demonstrate proficiency through alternative means as set forth at N.J.A.C. 6A:8-5.1(a)6 through [(i)] **(f)**, as applicable, pursuant to the standards applicable to the student's graduating class. [Students in graduating classes prior to 2018 shall demonstrate proficiency as set forth for the classes of 2018 through 2022 at N.J.A.C. 6A:8-5.1(f)1.] Upon certification of passing the test applicable to the student's class in accordance with this chapter, a State-endorsed diploma shall be granted by the high school of record.

(c) Pursuant to N.J.A.C. 6A:20-1.4, the Commissioner shall award a State-issued high school diploma based on achieving the Statewide standard score on [the General Education Development test (GED) or other adult education assessments] **a New Jersey High School Equivalency Assessment (NJHSEA)** to individuals age 16 or older who are no longer enrolled in school and have not achieved a high school credential.

**1. District boards of education shall provide students awarded a State-issued high school diploma pursuant to (c) above or (d) below the opportunity for continued high school enrollment to age 21 if eligible pursuant to the IDEA.**

(d) (No change.)

(e) District boards of education shall award a State-endorsed high school diploma to any currently enrolled student, regardless of grade level, who:

1. Has demonstrated proficiency in the State graduation proficiency test, pursuant to N.J.A.C. 6A:8-[5.1(a)6,]**5.1(a)7** or as set forth at N.J.A.C. 6A:8-[5.1(g)]**5.1(e)**.

[i. District boards of education shall award a State-endorsed high school diploma to any currently enrolled student in the graduating classes of 2019, 2020, 2021, and 2022 who has demonstrated proficiency in the high school end-of-course PARCC assessments in ELA 10 and Algebra I, or as set forth at N.J.A.C. 6A:8-5.1(f).]

2. – 3. (No change.)

(f) Pursuant to N.J.S.A. 18A:7C-7 and 18A:7E-3, the chief school administrator [or lead person of a charter school] shall report annually to the district board of education or the charter school **or renaissance school project** board of trustees at a public meeting not later than September 30, and to the Commissioner:

1. – 5. (No change.)

6. The number of students denied graduation from the 12th grade class solely because of failure to pass [the high school end-of-course PARCC assessments,] the State graduation proficiency test, substitute competency tests, or portfolio appeals process based on the provisions of this chapter.

#### 6A:8-5.3 State Seal of Biliteracy

(a) A district board of education may award a State Seal of Biliteracy to any student who has met all requirements [in] **at** N.J.A.C. 6A:8-5.2 and demonstrates proficiency in the following:

1. One or more [world] languages [via] **other than English through** an assessment approved pursuant to (f) below during the student's next to last or final year of high school[; and].

i. Pursuant to P.L. 2015, c. 303, a [foreign] language other than English [also] shall include, but not be limited to, American Sign Language, Latin, and Native American languages.

2. English language arts as set forth [in] **at** N.J.A.C. 6A:8-5.1(a)6 **or through a Department-approved English proficiency assessment as set forth at N.J.A.C. 6A:8-5.1(f).**

(b) [Beginning with the 2017-2018 school year, a] **A** district board of education that chooses to award the State Seal of Biliteracy shall incorporate the process into the local graduation policy developed, adopted, and implemented pursuant to N.J.A.C. 6A:8-5.1(a), denoting participation in the voluntary program. A district board of education choosing to participate shall submit, in accordance with N.J.A.C. 6A:8-[5.1(d)]**5.1(c)**, a copy of the local graduation policy that reflects the option for students to participate in the State Seal of Biliteracy.



(c) A district board of education may pay the costs for related assessments and [transcript insignias or may charge a fee to a participating student. A participating district board of education] shall include in its revised local graduation requirements whether it will cover the related costs or charge a fee.

(d) A district board of education that [chooses to] awards the State Seal of Biliteracy shall [do the following]:

1. – 2. (No change.)

3. Include the Commissioner-developed insignia “**New Jersey State Seal of Biliteracy**” **and the language(s) for which it was awarded** on the student’s transcript; and

4. (No change.)

(e) A district board of education shall not award a State Seal of Biliteracy to any student who does not meet the criteria [in] **at** (a) above and shall not include the Commissioner-developed insignia on the student’s transcript.

(f) A list of Department-approved, nationally **or internationally** recognized assessments and the Statewide scores necessary for a student to satisfy requirements for the State Seal of Biliteracy shall be set by a resolution approved by the State Board of Education.

1. (No change.)

(g) (No change.)

## **Subchapter 6. Preparation for Postsecondary and Career Success**

### **6A:8-6.1 Career education and academic counseling**

**(a) In fulfillment of the NJSLs, district boards of education shall develop and implement a comprehensive system for the delivery, to all students, of guidance and academic counseling that facilitates career awareness, exploration, and preparation. The system shall:**

**1. Be consistent with the NJSLs;**

**2. Take into consideration the 2019 American School Counselor Association’s National Standards for School Counseling Programs, incorporated herein by reference, as**

amended and supplemented, and available at

<https://www.schoolcounselor.org/getmedia/a8d59c2c-51de-4ec3-a565-a3235f3b93c3/SC-Competencies.pdf>;

3. Be infused throughout the kindergarten through grade 12 (K-12) curriculum as appropriate for all students;

4. Be supported by professional learning programs;

5. Provide developmental career guidance and academic counseling, aligned with the NJSLs, designed to:

i. Assist students in making and implementing informed educational and career choices, including opportunities to change career focus;

ii. Support students' academic attainment, career development, and personal/social development; and

iii. Develop students' understanding of the relationships among academic attainment, career development, and personal/social development; and

6. Specify the delivery format, which may include:

i. An integrated curriculum that is based on the NJSLs and provides students with the opportunity to engage in contextual learning, service learning, and/or work-based learning to acquire information about their career interests and/or take advanced coursework linked to their career interests; and/or

ii. Specialized programs that reflect the needs of students and the community.

(b) For students with disabilities beginning at age 14 or younger, if determined appropriate by the IEP team, district boards of education shall ensure that career guidance and academic counseling are coordinated with transition services provided in accordance with N.J.A.C. 6A:14-3.7.

(c) In fulfillment of the NJSLs, district boards of education shall develop and implement the following for all students:

**1. Curriculum and instructional methods that:**

**i. Include the integration of technological literacy, consistent with the NJSLS;**

**ii. Include the integration of information literacy, consistent with the NJSLS**

**and delivered in partnership by school library media specialists and classroom educators, pursuant to P.L. 2022, c. 138;**

**iii. Provide an understanding of the career applications of knowledge and skills learned in the classroom; and**

**iv. Provide opportunities to apply knowledge and skills learned in the classroom to real or simulated career challenges.**

**2. A system of career development activities that:**

**i. Offers the opportunity to more fully explore career interests that are linked to NJSLS, pursuant to N.J.A.C. 6A:19, Career and Technical Education Programs and Standards;**

**ii. Provides the appropriate format for offering career-development activities based on school district resources, community needs, and student interest;**

**iii. Identifies the delivery format, which may include:**

**(1) An integrated curriculum that is based on the NJSLS and provides students the opportunity to acquire information about their career interests and/or take advanced coursework linked to their career interests; or**

**(2) Specialized programs that reflect the needs of students and the community; and**

**iv. Instills the concept of the need for continuous learning throughout life.**

**(d) District boards of education shall offer high school students the opportunity to more actively explore career interests by participating in work-based learning experiences aligned to the NJSLS.**

**1. Work-based learning experiences shall give students opportunities to demonstrate and apply academic knowledge in authentic settings and to develop career and personal/social goals.**

**2. Students may voluntarily select work-based learning experiences that:**

**i. Are co-curricular or extra-curricular activities; and**

**ii. Take place within the school district, at a work site, or in the community, in accordance with N.J.A.C. 6A:19-6.4.**

**3. District boards of education shall ensure students participating in school-sponsored external work-based learning experiences, either paid or unpaid:**

**i. Are supervised by school personnel, in accordance with N.J.A.C. 6A:9B-14.19 and 14.20; and**

**ii. Are in approved programs compliant with Federal and State law.**

#### **6A:8-6.2 Enrollment in college courses**

- (a) District boards of education shall develop, implement, and regularly evaluate strategies that identify, support, and encourage students from diverse backgrounds to enroll in and succeed in college courses.**
- (b) District boards of education may enter into a dual enrollment agreement with one or more public institutions of higher education, in accordance with N.J.S.A. 18A:61C-10, to increase the availability of college-level instruction for high school students.**
- (c) Credits earned by students pursuant to this section shall be accepted at all New Jersey public higher education institutions, pursuant to N.J.S.A. 18A:61C-11.**
- (d) District boards of education may participate in the Twelfth Grade Postsecondary Transition Year Pilot Program, pursuant to P.L. 2023, c. 272, through a competitive grant award contingent upon available funds held within the Innovation Dual Enrollment II Fund.**