

September 27, 2005

Ms. Melissa Morando

Re: In the Matter of the Appeal of Melissa Morando  
Docket No. 0506-113

Dear Ms. Morando:

As you are aware, you have appealed the determination that you are ineligible for teacher certification because your score on the Oral Proficiency Interview (OPI) fails to meet the level that is required for certification in a world language. At its meeting of September 22, 2005, the State Board of Examiners reviewed the information that you provided in support of your appeal. After careful consideration, the Board voted to deny your appeal because the documentation that you submitted failed to prove that your OPI score meets the new standards.

In order to enhance teacher quality in New Jersey, the State Board of Education directed that all applicants for world languages certificates “possess linguistic competency in the designated world language as demonstrated on a Department-approved, nationally recognized test of oral language proficiency for spoken language.” *N.J.A.C. 6A:9-11.10(a)1*. The State Board of Education has designated the OPI as the appropriate test for licensure purposes. The OPI requires that independent experts in the language of choice, which in your case is French, converse with you and evaluate your oral linguistic ability. Plainly, the State Board of Education established the OPI requirement because it was concerned that world language teachers possess oral competency in the languages that they teach. The OPI requirement was effective for all applications for a world language certificate received as of January 20, 2004. As you did not apply until after the effective date of *N.J.A.C. 6A:9-11.10(a)1*, your application was evaluated under the current requirements.

The State Board of Examiners considered and rejected your argument that you would not have to complete the OPI requirement if you had been a graduate of an approved New Jersey teacher training program. It is true that students who have matriculated in a traditional program may be certified pursuant to the requirements in effect at the time that they matriculated. It is only fair that students who are enrolled in a State-approved teacher training program should not have certification requirements change while they are completing a State-approved program. As your application for certification was not filed until after the effective date of the current regulations, you must meet the current standards for a Teacher of Spanish certificate, which includes a passing score on the OPI.

A passing score on the OPI demonstrates that the applicant has the minimum oral proficiency required to instruct in a particular language. All candidates must meet that standard. The State Board of Examiners is unable to issue teaching certificates to individuals who have not achieved a passing score on the state-required test. Nor does the Board have the authority to waive the requirement or substitute applicants' life experiences for the grade requirement, regardless of the applicants' circumstances. The schoolchildren of New Jersey have a right to language teachers who possess the minimum oral competency required to instruct them. Accordingly, the State Board of Examiners will not issue a certificate to an applicant who does not meet all certification requirements.

The State Board of Examiners would like to encourage you to retake the OPI in that hopes that you will achieve a score that meets the current requirement.

Sincerely,

Robert R. Higgins, Acting Secretary  
State Board of Examiners

MKK/AGL/morandomelissaappeal- OPI

By certified and regular mail

Date of mailing:

This matter may be appealed to the Commissioner of Education pursuant to *N.J.A.C.6A-3*.