

New Jersey Department of Education



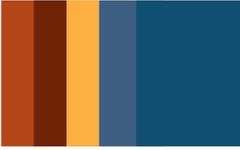
Chapter 15, Bilingual Education

Office of Supplemental Educational Programs

Division of Educational Services

December 7, 2022





Agenda



- Background
- Purpose and Rationale
- Proposed amendments at readoption
 - Definitions, shift to asset-based language.
 - Identification, including preschool.
 - Strengthening program design.
 - Supporting educators and building capacity.

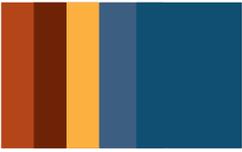


Purpose and Rationale



To clarify the expectations regarding the full breadth of services, including language instruction educational programs (LIEPs), that school districts are expected to provide MLs.





N.J.A.C. 6A:15 – General Changes



The proposed amendments are a responsive approach to shifts occurring in education:

- **Definitions:** Change English language learner (ELL) to Multilingual learner (ML);
- **Identification:** Include preschool students as part of the identification of MLs;
- **Program Design:**
 - Connect Chapter 15 to Chapters 7 (Managing for Equality and Equity), 8 (Standards & Assessment), 9 (Professional Standards); and
 - Establish the use of an umbrella term “language instruction educational program” (LIEP);
- **Educator Capacity:** Ensuring all teachers and administrators have the skills to teach all students.

Definitions





N.J.A.C. 6A:15-1.2 New Definitions *(slide 1 of 2)*



Terms

Comprehensive equity plan

Educational activities and programs

Educational equity

Equal educational opportunity

Multicultural curriculum

New Definitions

All terms added
from the definitions
in N.J.A.C. 6A:7.





N.J.A.C. 6A:15-1.2 New Definitions *(slide 2 of 2)*



Multilingual learner (ML)

A student whose primary language is not English, who is identified through the process set forth in this chapter, and who is developing proficiency in multiple languages (e.g., English and a primary language). The term is synonymous with “English learner” or “English language learner.”

Newcomer

Any student born outside of the United States who has recently arrived in the United States. Newcomer is an umbrella term that includes a heterogeneous group of immigrants; some newcomers may also be multilingual learners (MLs) or students with interrupted formal education (SIFEs).

Student with interrupted formal education (SIFE)

A multilingual learner (ML) in grades four to 12 who has experienced disruptions in their formal education that took place outside of the United States.





N.J.A.C. 6A:15-1.2 Updated Definitions



Bilingual part-time [component] program

An instructional program alternative in which students [are assigned to mainstream] **receive their academic content area classes in English** [program classes but are scheduled daily for their developmental reading] **language arts (ELA) and mathematics instruction with a certified bilingual teacher(s) who provides instruction in the primary language of the MLs in the program, as well as ESL instruction.**

Bilingual resource program

An instructional program alternative in which students receive [on an individual basis] **instruction and resources that are individualized for each student, daily instruction from a certified bilingual teacher in academic content areas as identified [subjects and with specific assignments] by the school districts as well as ESL instruction.**

Bilingual tutorial program

An instructional program alternative in which students receive one period of instruction from a certified bilingual teacher in [a] **an academic** content area required for graduation, [and] a second period of tutoring in [other] **another** required content area, **as well as ESL instruction.**

Identification of multilingual learners (MLs) Preschool to Grade 12





N.J.A.C. 6A:15-1.3(a)(3)(i): Identification



- i. Preschool students who are identified, through the processes set forth at (a)1 and (a)2 above, as having a primary language other than English shall be identified as MLs. Beginning in the July prior to the start of their kindergarten year, the district board of education shall administer an ELP assessment to preschool MLs to determine the ML's English language proficiency level.**

Strengthening LIEP Program Design





N.J.A.C. 6A:15-1.4(a): District Requirements



The district board of education shall provide all [kindergarten] **preschool** to 12th-grade [ELLs] **MLs** enrolled in the school district pursuant to N.J.S.A. 18A:7F-46 with **equal educational opportunities** and all **educational activities and programs, including** required courses and support services defined [in] at (b) through [(h)] **(e)** below to prepare [ELLs] **MLs** to meet **or exceed** the NJSLS for high school graduation. **The instructional opportunities shall be designed to assist MLs to fully comprehend all subject matter and demonstrate their mastery of all NJSLS academic content areas.**





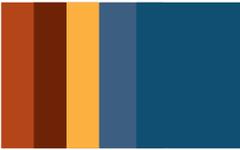
N.J.A.C. 6A:15-1.4(b): District Requirements *(slide 1 of 2)*



1. A district board of education shall provide appropriate instructional programs to preschool MLs pursuant to (b) below. Such services shall be considered a preschool LIEP if approved by the Department, pursuant to N.J.A.C. 6A:15-1.5.

2. Whenever there are 20 or more MLs in kindergarten through 12th grade in any one language classification enrolled in the school district, a LIEP shall include bilingual education or dual language immersion programs pursuant to (e) below, unless waived pursuant to N.J.S.A. 6A:15-1.15.





N.J.A.C. 6A:15-1.4(b): District Requirements *(slide 2 of 2)*



All district boards of education shall provide appropriate instructional programs to eligible preschool MLs based on the New Jersey Preschool Program Implementation Guidelines and the New Jersey Preschool Teaching and Learning Standards of Quality, pursuant to N.J.A.C. 6A:13A, Elements of High-Quality Preschool Programs. All district boards of education shall provide appropriate instructional programs to eligible preschool MLs based on the New Jersey Preschool Program Implementation Guidelines and the New Jersey Preschool Teaching and Learning Standards of Quality, pursuant to N.J.A.C. 6A:13A, Elements of High-Quality Preschool Programs.

1. A program that meets the New Jersey Preschool Teaching and Learning Standards of Quality and is approved pursuant to N.J.A.C. 6A:13A will be considered a preschool LIEP.



N.J.A.C. 6A:15-1.4(g): Newcomer Program



- For a limited duration in time;
- Address the needs of recent immigrant students, particularly SIFEs;
- Be age-appropriate;
- Include content that relates to the NJSLS;
- Include social-emotional learning; and
- Include courses that are credit-bearing and count toward graduation pursuant to N.J.A.C. 6A:8, or promotion requirements to allow students to meet grade-level standards within a reasonable period of time.



N.J.A.C. 6A:15-1.4(k): ESL and WL and ELA



The district board of education may develop and adopt a policy that sets forth how MLs may meet the world language or ELA course graduation requirements, pursuant to N.J.A.C. 6A:8-5.1, by applying credits earned in an ESL course.

- If a district board of education’s policy allows students to apply ESL coursework toward their ELA course requirements, the applicable ESL coursework shall be aligned to grade-level NJSLs for ELA.**



N.J.A.C. 6A:15-1.5(b)(2): Approval Procedures



2. For preschool, the ML instruction and support meets the language instruction requirements in the New Jersey Preschool Program Implementation Guidelines and the New Jersey Preschool Teaching and Learning Standards of Quality, pursuant to N.J.A.C. 6A:13A and the curricula include or are aligned with:

- i. The NJSLS;**
- ii. The Early Language Development Standards for preschool; and**
- iii. A multicultural curriculum, pursuant N.J.S.A. 18A:35-4.36a and N.J.A.C. 6A:7.**



N.J.A.C. 6A:15-1.5(b)(4): Approval Procedures



4. School district staff engage in ongoing and continuous program evaluation that shall include regular reviews of student performance data (for example, graduation rates and assessment results) and other measures (for example, absenteeism, disciplinary records, and course enrollment) to evaluate whether MLs in the school district have equitable access to educational opportunities, including, but not limited to, gifted and talented programs, advanced coursework and dual enrollment, work-based learning opportunities, extra-curricular activities, and career counseling;



N.J.A.C. 6A:15-1.5(b)(5-6): Approval Procedures



5. Preschool students participate in instructional activities pursuant to N.J.A.C. 6A:13A.

6. Bilingual and dual language immersion programs promote bilingualism, biliteracy, cross-cultural competency, high levels of academic achievement in both languages, and a path toward attaining the State Seal of Biliteracy.



Educator Skills and Capacity Building





N.J.A.C. 6A:15-1.7(a): Professional Development



(a) [The] **As part of the professional development requirements at N.J.A.C. 6A:9C, the district board of education shall develop a professional development plan [for inservice training] for bilingual, ESL, and [mainstream] academic content teachers whose classroom instruction is in English; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate teachers of [ELLs] MLs.**



N.J.A.C. 6A:15-1.7(b)(1): Professional Development



(b) The district board of education's professional development plan shall:
[include]

1. Include instructional **adaptational** strategies, pursuant to N.J.A.C. 6A:8-3.1, and **training on** appropriate assessments to help [ELLs] MLs meet the NJSLS and the [WIDA English language development] **ELD** standards[.]; [All bilingual and ESL teachers shall receive training in the use of the ESL curriculum.]

[(b)] **2.** [The Professional Development Plan of the school district shall include] **Address** the needs of bilingual and ESL teachers, [which] **who** shall [be addressed through inservice] **receive** training[.] **in the use of the ESL curriculum and the ELD standards; and**



N.J.A.C. 6A:15-1.9(e): Parent Refusal



(e) A parent [or guardian] may remove a student who is enrolled in a [bilingual education program] LIEP pursuant to [provisions in P.L. 1995 c. 327] **N.J.S.A. 18A:35-22.1.**

1. Students who are identified as a ML and whose parent refuses placement in a LIEP shall still access and meet the academic expectations of the NJSLS. Pursuant to N.J.A.C. 6A:8 and 6A:15-1.6, a district board of education shall ensure that students whose parents refuse placement are provided the appropriate instructional adaptations and appropriate assessment modifications and accommodations for Statewide assessments.



N.J.A.C. 6A:15-1.9(f): Monitoring Former MLs



(f) The district board of education shall monitor, for a minimum of two years, the academic progress of students who are exited from a LIEP to ensure that the students are continually meeting or exceeding the NJSLS when the curriculum and instruction are delivered in English.



N.J.A.C. 6A:15-1.9(g): LIEP Re-Entry *(slide 1 of 2)*



[(e)] (f) Newly exited students who are not **academically** progressing in [the mainstream] **classes where English [program] is the primary language of instruction** may be considered for reentry to [bilingual and ESL programs] a **LIEP** as follows:

1. After a minimum of one-half an academic year and within two years of exit, the [mainstream English classroom] teacher **delivering instruction in English** may recommend retesting with the approval of the principal.
2. A waiver of the minimum time limitation may be approved by the executive county superintendent upon request of the chief school administrator if the student is experiencing extreme difficulty in adjusting to [the mainstream program] **classes where English is the primary language of instruction.**



N.J.A.C. 6A:15-1.9(g): LIEP Re-Entry *(slide 2 of 2)*



3. The recommendation for retesting shall be based on the teacher's [judgment] **documented observation of a student's academic performance and data-based determination** that the student is experiencing difficulties due to problems in using **the English** [as evidenced by the student's inability to:] **language to** communicate effectively with peers and adults; understand directions given by the teacher; and/or comprehend basic verbal and written materials.
4. The student shall be tested using a different form of the [test or a different] **English** language proficiency [test] **assessment** than the one used to exit the student **from the LIEP**.
5. If the student scores below the [State-established standard] **Department-determined cut score** on the **English** language proficiency [test] **assessment**, the student shall be reenrolled into [the bilingual or ESL program] **a LIEP**.

N.J.A.C. 6A:15-12(a)1-2: Notification



Current

Mail

Enrollment

Start of SY: 30 days

Midyear: 14 days

Proposed Change

Written Communication

Placement

Start of SY: 30 calendar days

Midyear: 14 days of a student being placed in a LIEP





Thank You!



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