

Proposed Readoption with Amendments and Repeals at N.J.A.C. 6A:8, Standards and Assessment

The following is the accessible version of the proposed readoption with amendments and repeals at N.J.A.C. 6A:8. The adoption level document includes three sections – [comments and responses](#), a [summary of the rulemaking](#) and the [rule text of the chapter's rules and the proposed amendments and repeals](#).

Note: New additions to rule text at adoption level are indicated in boldface ***thus*** and new deletions at proposal level are indicated in brackets [[thus]].

**State Board of Education
Administrative Code
Comment/Response Form**

This comment and response form contains comments received since the April 2, 2025, meeting of the State Board of Education when the rulemaking was considered at Proposal Level.

Topic: Standards and Assessment

Meeting Date: October 8, 2025

Code Citation: N.J.A.C. 6A:8

Level: Adoption

Division: Teaching and Learning Services

Completed by: Office of the Executive Director

Summary of Comments and Agency Responses:

The following is a summary of the comments received from members of the public and the Department of Education's (Department) responses. Each commenter is identified at the end of the comment by a number that corresponds to the following list:

1. Tricina Strong-Beebe, School library media specialist
2. Renae Borgstrom, School library media specialist
3. Dr. JoAnne Negrin, Language and Literacy Associates for Multilingual and Multicultural Education
4. Dr. Elizabeth Franks, Retired multilingual teacher, Bradley Beach Board of Education
5. Katherine Mileto, School library media specialist
6. Nirav Lad, Supervisor, Edison Public Schools
7. Kathleen Fernandez, Executive Director, New Jersey Teachers of English to Speakers of Other Languages/New Jersey Bilingual Educators (NJTESOL/NJBE)
8. Samantha Nagy, Member, NJTESOL/NJBE
9. Derek Sica, Supervisor of English as a Second Language (ESL), Music, Social Studies, and World Languages, Jefferson Township Public Schools
10. Harjot Kaur, Multilingual learner (ML) Data and Testing Specialist, Linden Public Schools
11. Anibal Ponce, Supervisor, Essex County Schools of Technology
12. Julianna Ezzo, ESL teacher, Franklin High School
13. Benjamin Szczepanik, Special education teacher, Piscataway Township School District
14. Jessica Leguizamon, Bilingual education teacher, Franklin Township Public Schools
15. Kimberly Moss, ESL/ML teacher, Jefferson Township Middle School

16. Christine Marconi, Speech language specialist, School District of the Chathams
17. Dr. Vincent Gravina, Director of Curriculum, Woodbury City Public Schools
18. Tracy Skinner, Supervisor of Social Studies, Wall Township Public Schools
19. Ana Ventoso, Supervisor of World Languages, Summit Public Schools
20. Michelle Papa, Principal, Richard Butler Middle School
21. Donnalee Healy, ESL teacher, Riverside Township School District
22. Rachel Schwartz, ESL teacher, Burlington Township High School
23. Dr. Keith Perkins, Supervisor of ESL, Irvington Public Schools
24. Michele Wallace-Ixim, ESL teacher, Irvington Public Schools
25. Stacy Saia, Curriculum coordinator, Riverside Township School District
26. Tina Ezzo, Science teacher, Crossroads South Middle School
27. Stephanie Martinez, Principal, Hopatcong High School
28. Roxy Suggs, Supervisor of Central Registration, Linden Public Schools
29. Joanna Rodzen-Hickey, Coordinator of ESL, Hackettstown School District
30. Steven Carey, Supervisor of Special Areas, Monroe Township Public Schools
31. Lisa Harrison, Spanish teacher, Williamstown High School
32. Kristi Jackson, ESL teacher, Bergen Community College
33. Rosa Rivera, ESL teacher, Williamstown High School
34. Krystal Tornabene, ESL teacher, Linden Public Schools
35. Vanessa Granados, Multilingual Learners Welcome Center, Linden Public Schools
36. Kimberly Cruz-Garcia, Supervisor of World Language, East Brunswick Public Schools
37. Keith Aslin, Security Director, Linden Public Schools
38. Alesksandra Henson, ESL teacher
39. Vladislav Miransky, ESL teacher, Sparta High School
40. Dr. Kayla Lott, Director of Human Resources, Linden Public Schools
41. Heather Danberry, School counselor, Franklin High School

42. Kevin Thurston, School administrator, Linden Public Schools
43. Jamie Blanchard, ESL teacher, James Caldwell High School
44. Diondra Simmons, School counselor, Franklin High School
45. Jacqueline Schumacher, School counselor, Franklin High School
46. Debra Billmann, ML teacher, Delaware Valley High School
47. Joyce Farr, ESL teacher, Monroe Township Public Schools
48. Sonya Bertini, Adjunct faculty member, Rowan University
49. Laurie Knab, English Language Arts (ELA) teacher, French American School of Princeton
50. Stephanie Voit, Director of Curriculum and Instruction, Keyport Public Schools
51. Jennifer Peirson, Director of School Counseling, Keyport Public Schools
52. Dr. Andrea Fontenez, Director of Bilingual and ESL, New Brunswick Public Schools
53. Hana Prashker, English language learner (ELL) teacher, Hasbrouck Heights School District
54. Maribel Joven, Vice Principal, McManus Middle School
55. Pamela Caporale, Assistant Business Administrator, Linden Public Schools
56. Danie Orelie, Director of Multilingual Learners, Linden Public Schools
57. Charles Koonce, Principal, Linden High School
58. Richard Molinaro, Director of Mathematics, Linden Public Schools
59. Laura Venezio, Supervisor of ELA, Linden Public Schools
60. Jennifer Smith, Director of ELA, Linden Public Schools
61. Dr. Atiya Y. Perkins, Superintendent, Linden Public Schools
62. Stephanie Ross, Elementary ESL Supervisor, Linden Public Schools
63. Christopher George, Director of Language and Fine Arts, Phillipsburg School District
64. Alyson Stagich, ESL teacher, Long Branch High School
65. Raymond Fallon, Graduate student, The College of New Jersey
66. Alyxandra Cucinotta, ESL teacher, Franklin High School
67. Anja Norman, Supervisor of Bilingual, ESL, and World Languages, Dover Public Schools

68. Kelly Ryan, ESL teacher, Eisenhower Intermediate School
69. Jennifer Ruiz, ELL teacher, Berkeley Heights Public Schools
70. Timothy Hall, English language consultant
71. Hillary Cadra, ESL teacher, Ewing Public Schools
72. Kathleen O’Flynn, Director of Curriculum and Instruction, Northern Valley Regional School District
73. Danielle Da Giau, Superintendent, Old Tappan Public Schools
74. Kelly Stevens, Supervisor of Curriculum, Demarest Public Schools
75. Paul Wolford, Director of Elementary Education, Haworth Public Schools
76. Sean Conlon, Superintendent, Harrington Park Public Schools
77. Nathalie Covo, Administrative assistant, Northern Valley Regional School District
78. Michael Pinajian, Superintendent, Northvale Public Schools
79. Adrienne Huettenmoser, Principal, Haworth Public Schools
80. Dr. Laura Sullivan, Supervisor of Instruction for Curriculum and Educational Technology, Old Tappan Public Schools
81. Frank Mazzini, Principal, Demarest Public Schools
82. Kimberly Weber, Teacher, Harrington Park Public Schools
83. Missy Holzer, Ph.D., Science curriculum design consultant
84. Jennifer Santa, Principal, Old Tappan Public Schools
85. Kathleen DeRosa, Principal, Norwood Public Schools
86. Kristen Zanin, Assistant Principal, Closter Public Schools
87. Michele Schreiner, Supervisor of World Languages and Multilingual Learner, Egg Harbor Township Public Schools
88. Lois T. Baldwin, Supervisor of World Languages, Multilingual Learner Programming, and Business, Hopewell Valley Regional School District
89. Jackie Burke, Executive Director, New Jersey Council of County Vocational-Technical Schools
90. Ruth Cahill, ESL teacher, Phillipsburg Public Schools
91. Kimberly Fromme, School counselor, Franklin Township Public Schools

92. Daniel Clark, School counselor, Franklin Township Public Schools
93. Dr. Wendy Bordeau, School counselor, Franklin Township Public Schools
94. Matthew Konowicz, Director of Instruction for Agriscience, Applied Technology, Business, Family Consumer Science, and Visual and Performing Arts, Northern Burlington Regional School District
95. John Serapiglia Jr., Business Administrator, Linden Public Schools
96. Rhiannon Mindas, Teacher
97. Dr. Ashley Warren, Supervisor of World Languages and Dual Language Immersion, West Windsor-Plainsboro Public Schools
98. Lisa Howard, Supervisor, World Languages/ESL, Scotch Plains-Fanwood Public Schools
99. Petra Liz-Morell, Ed.D., Interim Principal, School No. 1, Linden Public Schools
100. Nicole Ciullo, Associate Director of Policy and Development, Education Law Center
101. Marcella Simadiris
102. Jean Public
103. Geoffrey Zoeller, Kean University
104. Nick Beykirch, Technology and engineering teacher, Bernards Township Public Schools, and Past President, New Jersey Technology and Engineering Educators Association
105. Mala Maharana
106. Jessica Verdiglione, Red Bank Regional High School
107. Matthew Hall, Hunterdon Central Regional High School District
108. Veronica Fiori, Supervisor of ESL, Bilingual Education, and World Languages, Rahway Public Schools
109. Katherine Howard
110. Michelle Land, Past President and Scholarship Chair, NJTESOL/NJBE
111. Amanda Brown, Supervisor of Fine Arts, Health, Physical Education, and World Languages, Warren Hills Regional School District
112. Melissa Weathers, ML teacher, Fair Lawn Public Schools
113. Angelina Martinez, Multilingual and World Language Education Supervisor
114. Angela Timm

115. Florencia Girman, Supervisor of Technology, Edgewater Park Township School District
116. Aphrodite Dellaporte, Special Education Representative, NJTESOL-NJBE
117. Rona Johnson, ESL teacher, Dorothy L. Bullock School
118. Rosemary Quinones-Ericson, ESL teacher
119. David Gardner Garcia, ESL teacher, South Hunterdon Regional High School
120. Susana Rodriguez, Supervisor of ESL and World Languages, Ridgefield Park Junior Senior High School
121. Katherine Stotler, Supervisor of World Languages and MLs, Bernards Township School District
122. Sara Graja, Supervisor of Curriculum and Instruction, Ewing Public Schools
123. Ana Taylor
124. John Burns Esq., Senior Legislative and Policy Counsel, New Jersey School Boards Association
125. Courtney Madsen, Director, Church World Service

1. **Comment:** The commenter expressed support for amendments proposed at N.J.A.C. 6A:8 and the Department’s responsiveness to public comments. The commenter also expressed support for the addition of “monitor” to the proposed definition of “NJQSAC” at N.J.A.C. 6A:8-1.3, as it underscores the existing requirement and addresses fidelity in the New Jersey Quality Single Accountability Continuum (NJQSAC) process. **(101)**
Response: The Department appreciates the support.
2. **Comment:** The commenter stated that the proposed amendments to the definition of “substitute competency tests” at N.J.A.C. 6A:8-1.3 reference alternative assessments that can be used to demonstrate competency in the NJSLs, including, but not limited to, the SAT, ACT, ACT-Aspire, PSAT, and Accuplacer, but exclude the Accuplacer WritePlacer English Second Language (ESL). The commenter also stated that the Accuplacer WritePlacer ESL was allowed as an alternative assessment in the high school graduation assessment requirements for the class of 2022 but never included in the regulation. **(52)**
Response: The assessments cited in the definition of “substitute competency tests” at N.J.A.C. 6A:8-1.3 are among the [third-party assessments approved by the Commissioner](#) and updated annually. The reference to “Accuplacer” in the definition includes the Accuplacer WritePlacer ESL.
3. **Comment:** The commenters expressed concern about conflicting definitions and unintended consequences of the regulations at N.J.A.C. 6A:8-2.2, 4.2, 4.3, and 5.1 regarding the treatment of technology and engineering education. The commenters stated that the 2020 NJSLs shifted away from nationally recognized standards by conflating “educational technology” with “technology and engineering literacy.” The commenters also stated that terms at N.J.A.C. 6A:8-1.3 such as “technological literacy” are no longer in alignment with respected national organizations (that is, International Society for Technology in Education (ISTE), International Technology and Engineering Educators

Association (ITEEA), National Science Foundation (NSF), which, the commenters contended, potentially limits opportunities for students and their readiness. The commenters further stated that the misalignment also undermines essential design and problem-solving skills. The commenters also questioned whether the proposed amendments related to career and technical education (CTE) and “career readiness” mean that the Department’s Office of Career Readiness will be supporting technology and engineering education for all students, as in other states, or if it will be deemphasized. The commenters further stated that the Next Generation Science Standards include some engineering concepts, but they do not replace dedicated courses that provide hands-on design and problem-solving experiences. The commenters urged the Department to reconsider the terminology to ensure that students receive comprehensive and nationally aligned technology and engineering instruction. **(94 and 104)**

Response: The Department appreciates the comments regarding the treatment of technology and engineering education in the current NJSLS. Both the NJSLS–Computer Science and Design Thinking and the NJSLS – Career Readiness, Life Literacies and Key Skills are currently under review; therefore, the Department is developing proposed revisions and will seek public comment in the coming months. Further, N.J.A.C. 6A:8-3.1 requires district boards of education to 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, which includes concepts in engineering and technology captured in design thinking. The Department declines to amend the definition of “technological literacy” at N.J.A.C. 6A:8-1.3 because it focuses on the use of technology to meet the NJSLS.

4. **Comment:** The commenter stated that N.J.A.C. 6A:8 should acknowledge the variety of immersion programs that exist globally and within the State. The commenter also stated that the proposed term “two-way bilingual immersion” is a specific model of immersion education and does not reference one-way dual language immersion programs, which the commenter stated have been shown to be powerful and effective language programs for multilingual learners (MLs) and monolingual learners. The commenter requested that proposed definition for “two-way bilingual immersion” at N.J.A.C. 6A:8-1.3 be changed to “dual language immersion” and defined to mean “programs that provide literacy and content instruction to all students through two languages and that promote bilingualism and biliteracy, grade-level academic achievement, and sociocultural competence. In a dual language immersion program, teachers at the elementary level provide daily instruction in English and a minimum of 50 percent of instruction in a partner language. At the secondary level, at least two subjects are taught in the partner language.” The commenter supported the addition of language that reflects diverse models and suggested defining secondary immersion programs by the number of courses offered in the partner language rather than a fixed percentage of the school day, as stated in the proposed definition of “two-way bilingual immersion.” The commenter suggested that offering at least two courses in the partner language would provide structure and promote consistency and articulation throughout kindergarten through grade 12 (K-12). **(9)**

Response: The Department declines to replace “two-way bilingual immersion” with “dual language immersion” to avoid confusion with language instruction educational program (LIEP) requirements at N.J.A.C. 6A:15. Dual language programs can be either one- or two-way, depending on the program model and student population. The majority of one-way dual language programs in New Jersey serve students who are not yet proficient in English at the time of enrollment and, therefore, the programs qualify as

LIEPs pursuant to N.J.A.C. 6A:15-1.4, which governs one-way dual language programs aligned with Federal requirements pursuant to the Every Student Succeeds Act (ESSA). The Department also declines to define secondary immersion programs by the number of courses rather than the percentage of the school day, as a course-based definition may vary widely across school districts and schools depending on scheduling structures, course lengths, and credit systems, which could undermine consistency in program implementation Statewide. A percentage-based definition ensures consistency across school districts by establishing a clear, measurable, and comparable standard for instructional time in the partner language. Maintaining a percentage framework also provides the necessary flexibility to accommodate diverse scheduling models while ensuring that students in immersion programs receive a meaningful proportion of their instruction in the partner language. The use of “two-way bilingual immersion” at N.J.A.C. 6A:8 distinguishes dual language immersion programs from programs that are designed to meet the LIEP requirements pursuant to N.J.A.C. 6A:15 and the ESSA.

5. **Comment:** The commenters requested clarification regarding the proposed new requirement at N.J.A.C. 6A:8-3.1(a)3 to make curriculum publicly available. The commenters requested that the Department define the components of curriculum, stating that making available all curriculum materials could overwhelm community members and would not serve the intended purpose of enhancing understanding of curriculum and providing transparency of learning objectives at each grade level. **(72 through 82, 84, 85, and 86)**

Response: The Department appreciates the feedback regarding the original proposal at new N.J.A.C. 6A:8-3.1(a)3. Based on a prior comment, the Department amended new N.J.A.C. 6A:8-3.1(a)3 at proposal level, which was prior to the notice of proposal’s publication in the *New Jersey Register*. The proposed paragraph will require district boards of education to make publicly available “all approved curriculum pacing guides and citations for core instructional materials.” The Department is confident that the changes at new N.J.A.C. 6A:8-3.1(a)3 fully address the commenters’ request to specify the curricular components.

6. **Comment:** The commenter expressed support for proposed new N.J.A.C. 6A:8-3.2, Inclusive curriculum, and stated that district boards of education should exercise existing statutory authority to develop curricula that are aligned to the New Jersey Student Learning Standards (NJSLS) and reflect the diversity and needs of their student populations. The commenter stated that all students with disabilities should receive instruction designed to meet their needs in the least restrictive environment, and that students identified as gifted and talented receive appropriate instruction. The commenter further stated that State and Federal resources should be available to support development and implementation of local programs for students identified as gifted and talented. **(124)**
Response: The Department appreciates the support and plans to continue to develop resources for educators to support all students in meeting the NJSLS.

7. **Comment:** The commenter expressed support for proposed new N.J.A.C. 6A:8-3.2 and for the required curriculum components at N.J.A.C. 6A:8-3.4(a) and (b) because they will be advantageous to MLs. The commenter also expressed support for proposed new N.J.A.C. 6A:8-3.2(d), which will require district boards of education to provide LIEPs in accordance with N.J.A.C. 6A:15, Bilingual Education, because N.J.A.C. 6A:15-1.4(k)

expands on the proposed subsection. (4)

Response: The Department appreciates the support.

8. **Comment:** The commenter expressed support for proposed new N.J.A.C. 6A:8-3.3 and stated that teacher certification must be based on demonstrated effective teaching practices and ongoing professional development that fosters continuous quality of instruction throughout a teacher's career. (124)

Response: The Department appreciates the support.

9. **Comment:** The commenter asked if there is a timeline for a finding of noncompliance at proposed new N.J.A.C. 6A:8-3.5(c). The commenter also asked how long the collaboration and remediation process will last before the Department issues a finding of noncompliance and whether a school district will have adequate notice and an opportunity to be heard before a noncompliance finding is issued. The commenter further asked if a school district will be able to appeal a noncompliance finding. (124)

Response: N.J.A.C. 6A:8-3.5 provides a process for addressing noncompliance with the implementation of the NJSLS that includes an opportunity for collaboration and remediation prior to a formal notification of noncompliance. Once noncompliance is noted, the Department will provide technical support to the school district and engage in a period of collaborative remediation to address and remediate the identified curriculum deficiencies. The timeline for collaborative remediation is intentionally undefined to accommodate the specific circumstances of each school district. During this time, the school district will have ample opportunity to provide the Department with information about its compliance with the section. If collaborative remediation is unsuccessful and a written notification of noncompliance is issued, a school district may dispute the finding with the Office of Controversies and Disputes, as set forth at N.J.A.C. 6A:3.

10. **Comment:** The commenter expressed support for the proposed amendment at N.J.A.C. 6A:8-4.1(d)1 to permit the administration of the New Jersey Student Learning Assessments (NJSLAs) in science to MLs in their native language, when available, because it will be advantageous to MLs. (4)

Response: The Department appreciates the support.

11. **Comment:** The commenter urged the Department to adopt, at N.J.A.C. 6A:8-5.1, graduation policies that reflect the diversity, promise, and unique trajectories of all students, especially those historically marginalized. The commenter stated that many MLs enter New Jersey schools with interrupted formal education or are newcomers with extraordinary resilience. The commenter also stated that MLs face systemic barriers that narrow pathways to graduation rather than supporting MLs' full development. The commenter further stated that Department data for the 2022-2023 school year indicate that more than six percent of students Statewide were classified as MLs with higher percentages in many urban school districts and that MLs had a graduation rate that was seven percentage points lower than the graduation rate for English-proficient peers. The commenter also cited research that emphasized the importance of flexible pathways to graduation that include multiple measures of proficiency.

The commenter also recommended the following:

- Maintain and expand alternate pathways to graduation, including portfolio assessments, performance-based tasks, and language-proficiency aligned growth

metrics, particularly for students who have been enrolled in schools in the United States for less than five years;

- Incorporate, in graduation criteria, language development milestones that recognize student progress in English language acquisition through growth on the ACCESS for ELLs as an indicator of college and career readiness alongside academic performance;
- Provide professional development that enables educators to understand the intersection of content instruction and language acquisition and that focuses on MLs, as well as guidance documents that support the graduation requirements;
- Ensure that communication about graduation requirements are accessible to families in their home languages by providing translation, interpretation, and outreach supports, and utilize trusted community liaisons to provide the outreach; and
- Create regional teams to provide high-needs school districts with graduation-related technical assistance on how to support MLs at risk of not graduating due to language barriers. (99)

Response: The Department appreciates the comments and recommendations. The existing graduation requirements and related practices reflect the diverse needs of all students, while ensuring students receive a thorough and efficient education. The proposed amendments at N.J.A.C. 6A:8-4.2(d)5 will add flexibility to the portfolio pathway by introducing the use of new performance-based tasks, including attainment of industry-valued credentials and work-based or service-learning experiences. N.J.A.C. 6A:15 governs English language development, professional learning, translation services, and other supports and requirements specific to MLs; therefore, the remaining comments are outside the scope of this rulemaking.

12. **Comment:** The commenter stated that the Next Generation Science Standards include connections to engineering design and technology concepts within the discipline of science. The commenter also stated that the integration of engineering and technology concepts, rather than specific and explicit instruction in those areas, can lead to a lack of adequate instruction and the inability for students to develop proficiency. The commenter further stated that science teachers rarely have the proper training and preparation to facilitate engineering and technology activities and ensure student safety in those areas, and should not be held responsible for the engineering component of a student's educational experience. (104)

Response: The Department appreciates the commenter's perspective. The Department currently is reviewing both the NJSLS–Computer Science and Design Thinking and the NJSLS–Science and developing proposed revisions. The Department will seek public comment on proposed revisions in the coming months. Both the similarities and distinctions between the disciplines of science and engineering and technology will be addressed in the proposed NJSLS revisions, and guidance will be developed to ensure clarity across the disciplines. Science educators, much like technology and other educators, are held responsible for student safety in their classroom environments pursuant to N.J.A.C. 6A:16, Programs to Support Student Development. While N.J.A.C. 6A:16 contributes to ensuring student safety in science and engineering classrooms, school districts also typically rely on additional resources such as Occupational Safety and Health Administration (OSHA) guidelines, New Jersey Department of Health guidance, and district board of education policies.

13. **Comment:** The commenter supported maintaining the five-credit world language graduation requirement at N.J.A.C. 6A:8-3.1(a). The commenter stated that New Jersey is linguistically and culturally diverse and, therefore, it is vital that all students receive a world language education to promote language proficiency in an additional language, strengthen communication skills, develop intercultural competence, and prepare for successful participation in their multilingual communities and a diverse workforce. **(9)**
Response: The Department appreciates the support.
14. **Comment:** The commenter requested that the Department amend N.J.A.C. 6A:8 to explicitly state that world language programming is required throughout K-12, as reflected in the NJSLs, to ensure equitable access to language learning opportunities, align with best practices in language acquisition, and reinforce the State’s commitment to multilingualism as an essential skill for the 21st century. The commenter stated that world language program access currently varies greatly among school districts and that questions often arise about when language instruction is required for students. **(9 and 88)**
Response: The Department appreciates the comment but declines to amend the chapter as requested by the commenter because N.J.A.C. 6A:8-3.1(a) requires all school districts to offer K–12 programs that ensure students meet the NJSLs, including world language. The NJSLs–World Languages (NJSLs-WL) include benchmarks by proficiency levels and indicate grade bands (K–2, 3–5, 6–8, 9–12).” The Department actively provides professional development and technical assistance to convey this message to all school districts to ensure effective implementation of the NJSLs–WL.
15. **Comment:** The commenters stated that proposed N.J.A.C. 6A:8-3.3(b) fails to explicitly require training for all staff and administrators working with MLs, unlike the provisions for students with disabilities and students identified as gifted and talented. **(3, 6, 11, and 67)**
Response: The Department disagrees. N.J.A.C. 6A:8-3.3(b)5 references “[a]ll additional statutory and regulatory requirements,” which includes requirements at N.J.A.C. 6A:15-1.7 that govern the training required for educators working with MLs.
16. **Comment:** The commenter expressed concern about the high school graduation assessment requirements, stating that they disproportionately harm students of color and students from low-income backgrounds. The commenter stated that the heavy reliance on standardized testing fails to account for systemic inequities in education, such as unequal access to resources and experienced teachers. The commenter also stated that the current system contributes to student anxiety and mental health challenges, ultimately reinforcing educational inequality rather than working to resolve it. **(106)**
Response: The Department disagrees with the assertion that the high school graduation assessment requirements inherently perpetuate educational inequality. Standardized assessments provide an objective and consistent measure of whether students have met the academic expectations established in the NJSLs and identify students in need of additional services. Further, the ESSA mandates that states administer, to all students, statewide assessments aligned to states’ academic standards in reading/language arts and mathematics in grades three through eight and once in high school. In addition, N.J.S.A. 18A:7C-1 et seq. requires the Department to administer a State graduation proficiency test. The Department and State Board do not have the legal authority to alter State and Federal statutory requirements related to State assessments administered in high school.

17. **Comment:** The commenters stated that the current practice of administering multiple assessments in high school places unnecessary stress on students, particularly in 11th grade when they already face a heavy testing load. The commenters also stated that the current two-assessment system for graduation and Federal accountability creates logistical challenges and reduces instructional time. **(106 and 107)**
Response: While the Department appreciates the commenters' perspective, the Department and State Board do not have the legal authority to alter State and Federal statutory requirements related to State assessments administered in high school. Changes to State statutes must be initiated by the New Jersey Legislature, while changes to Federal laws are initiated by the United States Congress.
18. **Comment:** The commenter stated that a single, annual standardized assessment that meets both State high school graduation assessment requirements and Federal assessment mandates would be a more effective and efficient solution than the existing two assessments. **(107)**
Response: The Department declines to make the suggested change to the Statewide assessment system because the current schedule of assessments complies with the ESSA, which mandates that states administer, to all students, statewide assessments aligned to states' academic standards in reading/language arts and mathematics in grades three through eight and once in high school. The existing assessment system also meets the State statutory requirements to administer a State graduation proficiency test. The Department and State Board do not have the legal authority to alter State and Federal statutory requirements related to State assessments administered in high school.
19. **Comment:** The commenter stated that classroom diagnostic tools offer quick, detailed, and actionable feedback, but Statewide assessments remain outdated and time-consuming. Considering larger, inclusive classes and growing student mental health challenges, the commenter also stated that Statewide assessments cause stress, lack student buy-in, and unfairly assess students with individualized education programs (IEPs) at grade level. The commenter urged the Department to adopt more advanced, ongoing Statewide assessment tools to better support student learning. **(96)**
Response: The Department appreciates the comment and has been working on transitioning to a new Statewide assessment system, including the development of the next generation of assessments, to maintain high academic standards and continue to ensure equitable access to a quality education. After engaging New Jersey educators, the Department plans, within the coming year, to develop a new Statewide assessment system that provides the necessary accommodations and ensures assessment security.
20. **Comment:** The commenter expressed concern regarding the Department's decision prior to proposal level to reject a request to further amend N.J.A.C. 6A:8 to ensure the protection of student data related to the Armed Services Vocational Aptitude Battery-Armed Forces Qualifying Test (ASVAB-AFQT) by mandating that school districts select Option 8 when administering the ASVAB-AFQT to students. The commenter indicated that Option 8 is the only ASVAB-AFQT administration choice that prevents automatic sharing of student data with military recruiters unless students opt to have their data shared. The commenter stated that the Department's previous response, which indicated that school counselors could inform students of their reporting options, is insufficient and makes the protection of students' personal information optional for school counselors and relieves the Department of its responsibility to provide school counselors with the guidance necessary to help students and families make informed choices about using the

ASVAB-AFQT to satisfy the State assessment graduation requirement. The commenter urged the Department to reconsider requiring school districts to prioritize Option 8, to provide school districts and school counselors with clear guidance about the option, and to emphasize the need to share the guidance with students and families.

The commenter also stated that the request would align with Federal requirements, pursuant to the ESSA, to provide an opt-out process for sharing student information with military recruiters. The commenter further stated that the Rutgers University School of Law's best practice guide for school counselors on the ASVAB-AFQT administration indicates that Option 8 protects student privacy while preserving career exploration options, including military enlistment. The commenter requested that the State Board require the selection of Option 8 as other states have done. **(100)**

Response: The Department recognizes the concerns raised regarding the administration of the ASVAB-AFQT and the importance of protecting student data. However, the Department declines to make the requested change to require the use of a specific reporting option, such as Option 8, as it is more appropriately addressed through guidance. Including at N.J.A.C. 6A:8 a requirement that Option 8 be selected as the default recruiter contact option would limit school district flexibility and may exceed the Department's authority in prescribing the terms of third-party assessments not developed or administered by the State. Furthermore, the ASVAB-AFQT is a federally managed assessment with multiple reporting options offered by the Department of Defense, and school districts retain the discretion to administer the test in accordance with Federal requirements and local policies.

21. **Comment:** The commenter stated that the Department should clarify N.J.A.C. 6A:8-5.1(a)1x and refer to "career readiness, life literacies, and key skills" rather than "career readiness." The commenter stated that it is unclear which courses would meet the five-credit career readiness graduation requirement other than CTE courses. **(103)**

Response: The Department declines to propose further changes at N.J.A.C. 6A:8-5.1(a)1x because the NJSLs–Career Readiness, Life Literacies, and Key Skills (CLKS) are currently under review and the Department anticipates that the nomenclature of the readopted NJSLs-CLKS will not include "life literacies" and "key skills" but will retain "career readiness." If the NJSLs-CLKS nomenclature is amended further as part of the readoption process, the Department would be able to initiate a new rulemaking to align N.J.A.C. 6A:8 with the revised NJSLs-CLKS. The Department will also provide guidance to ensure that school districts understand the diversity of courses that meet the career readiness graduation requirement.

22. **Comment:** The commenter stated that the Advanced Placement (AP) Computer Science Principles course does not require knowledge of algebra 1 or geometry, despite N.J.S.A.18A:7C-2.1 requiring district boards of education to permit an AP computer science course to meet the third-year mathematics course requirement for graduation. The commenter also stated that the Department created separate content standards for computer science and design thinking that are distinct from the NJSLs–Mathematics. The commenter further stated that the Department should change N.J.A.C. 6A:8-5.1(a)1ii to provide school districts with guidance on how to meet both N.J.S.A. 18A:7C-2.1 and N.J.A.C. 6A:8-5.1(a)1ii. **(103)**

Response: The Department agrees that school districts may need support and guidance to reconcile the content gaps between N.J.S.A. 18A:7C-2.1 and N.J.A.C. 6A:8-5.1(a)1ii, but disagrees that a change at N.J.A.C. 6A:8-5.1(a)1ii is necessary. The Department can

develop guidance with input from stakeholders to ensure that the recommendations are appropriate and meet the expressed needs of school districts in implementing both the statute and the regulation.

23. **Comment:** The commenter supported the proposed amendments at N.J.A.C. 6A:8-5.1(a)1iii because they will ensure that all students have access to all science classes and content, inclusive of earth and space science courses and content. **(83)**
Response: The Department appreciates the support.
24. **Comment:** The commenter stated that the Department should include effective dates for the revised science requirements at N.J.A.C. 6A:8-5.1(a)1iii by graduating class so it is clear which cohorts of students are affected by the proposed amendments. **(103)**
Response: The Department declines to make the requested change at N.J.A.C. 6A:8-5.1(a)1iii. The proposed amendment does not change the existing requirement, but only introduces flexibility in the types of courses that can be part of the 15 credits. The class cohorts in the existing regulation are proposed for deletion because they previously were necessary to phase in additional science courses over three school years. The additional science courses have been fully required for more than a decade.
25. **Comment:** The commenter requested clarification regarding the reference to “passage of a Department-approved English language proficiency assessment” at recodified N.J.A.C. 6A:8-5.1(f). The commenter also requested adoption of a minimum score required for graduation in the Department-approved English language proficiency assessment. **(52)**
Response: “[P]assage of a Department-approved English language proficiency assessment” at recodified N.J.A.C. 6A:8-5.1(f) refers to students meeting established proficiency levels on the ACCESS for ELLs exam, which is the collective name for the WIDA Consortium’s suite of summative English language proficiency assessments. ACCESS for ELLs is the Department-approved English language proficiency assessment. N.J.A.C. 6A:15-1.9—rather than N.J.A.C. 6A:8—governs LIEP placement, assessment, exit, and reentry. The Department declines to include at N.J.A.C. 6A:8 a minimum score to exit LIEP programs because the score is established by the State Board of Education through a resolution and not through rulemaking.
26. **Comment:** The commenters stated that the currently required minimum score of 4.5 to exit LIEP programs is a barrier for some MLs who may not reach this threshold within four years to meet graduation requirements. **(52, 115, and 121)**
Response: N.J.A.C. 6A:15-1.9 — rather than N.J.A.C. 6A:8 — governs LIEP placement, assessment, exit, and reentry, and the minimum score to exit LIEP programs is established by the State Board of Education through a resolution and not through rulemaking. Therefore, the comment is outside the scope of this rulemaking.
27. **Comment:** The commenter stated that the ACCESS for ELLs assessment is not an accurate or valid measure of language proficiency. **(115)**
Response: The Department disagrees, as the ACCESS for ELLs assessment meets Federal ESSA requirements for monitoring and reporting MLs’ progress toward English language proficiency. In partnership with the WIDA Consortium, the Department continuously reviews and refines the ACCESS for ELLs assessment to ensure its validity and reliability. Annual technical reports for ACCESS for ELLs, available at <https://wida.wisc.edu/resources>, provide evidence of the validity and reliability of the assessment.

28. **Comment:** The commenter stated that efforts should be focused on improving instruction for MLs in non-ESL classrooms instead of requiring students to demonstrate language proficiency for graduation. **(115)**
Response: N.J.S.A. 18A:7C-1 et seq. requires students to demonstrate basic skills, which includes reading, writing and computational skills, as a minimum requirement for graduation from a public high school in the State. Proposed new N.J.A.C. 6A:8-3.2 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 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 further includes requirements for instructional adaptations and programs for diverse learners, such as students with disabilities, MLs, and students identified as gifted and talented.
29. **Comment:** The commenters stated that recodified N.J.A.C. 6A:8-5.1(f) appears to require MLs to demonstrate English proficiency to graduate, which the commenters contended may conflict with Federal law, research in the field of second language acquisition, and practical timelines. The commenters also stated that this requirement will create barriers to graduation for MLs. **(3, 4, 6, 7, 11, 23, 36, 38, 53, 67, 87, 108 through 114, 116 through 120, 122, 123, and 125)**
Response: The requirement at N.J.A.C. 6A:8-5.1(f) has existed since 2000 and has undergone minor technical, non-substantive amendments over time to address changes in the names of assessments and syntax issues. N.J.A.C. 6A:8-5.1 does not include differentiated graduation requirements for different student groups, but provides alternate pathways for students to pursue if the established requirements are not met. The Department will continue to analyze existing relevant data and obtain input from stakeholders regarding graduation-related assessment recommendations for MLs.
30. **Comment:** The commenters expressed concern regarding the existing requirement at recodified N.J.A.C. 6A:8-5.1(f) for all MLs to satisfy the high school graduation requirements. The commenters stated that MLs can demonstrate they have attained State minimum levels of proficiency through passage of the portfolio appeals process in their native language but expressed concern about requiring MLs to pass a Department-approved English language proficiency assessment. The commenters suggested that the provisions are contradictory because MLs who complete the portfolio appeals process in their native language usually have not passed the English language proficiency assessment because, if they did, they would complete the portfolio in English. The commenters stated that this must be an oversight and contended that passing the English language proficiency assessment has never been a graduation requirement. **(4, 87, and 114)**
Response: The requirement at N.J.A.C. 6A:8-5.1(f) has existed since 2000 and has undergone minor technical, non-substantive amendments over time to address changes in the names of assessments and syntax issues. N.J.A.C. 6A:8-5.1 does not include differentiated graduation requirements for different student groups, but provides alternate pathways for students to pursue if the established requirements are not met. The Department will continue to analyze existing relevant data and obtain input from stakeholders regarding graduation-related assessment recommendations for MLs.

31. **Comment:** The commenter stated that the proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(1)(B) and (C) that the Department included at proposal level do not achieve the goal of setting separate requirements for each of the three possible scenarios (i.e., career and technical education programs, work-based learning experiences, and dual enrollment opportunities) and, instead, included them as clauses in a list of requirements for any individualized learning opportunities. The commenter requested that the Department clarify that the proposed amendments specify that each scenario has separate requirements and that a learning opportunity does not have to meet the requirements in all three scenarios. (89)

Response: The Department agrees that the proposed amendments may not achieve the goal of setting separate requirements for each of the three possible scenarios of individualized student learning opportunities (i.e., career and technical education programs, work-based learning experiences, and dual enrollment opportunities). The proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(1) were intended to establish separate requirements for each of three possible scenarios that allow for flexibility in the role of appropriately certified educators in the delivery of individualized student learning opportunities. As indicated by the commenter and other stakeholders, educators and administrators may misinterpret the proposal as requiring all three conditions to be met for any individualized opportunity, including career and technical education programs, work-based learning experiences, and dual enrollment opportunities. This confusion could cause school districts to halt or delay programs, which would reduce student access to meaningful learning experiences.

If recodified N.J.A.C. 6A:8-5.1(a)2i(1) is adopted as proposed, it could unintentionally harm students by leading school district officials to presume that all three sets of requirements must be met simultaneously, thereby making it administratively or logistically impossible to offer certain programs, like CTE programs, work-based learning, or dual enrollment, especially in underserved areas. Furthermore, each type of program has different requirements for supervision and educator certificates. CTE programs, work-based learning experiences, and their unique and respective educator certificate requirements are governed pursuant to N.J.A.C. 6A:19-6.4 and 6A:9B-14.19 and 14.20, while dual enrollment programs are typically delivered either by certified educators or non-certificated university faculty. If school districts think they must apply a uniform approach and requirements to all three types of programs, otherwise eligible programs or educators could be disqualified and, therefore, student learning options could be severely limited rather than expanded, as intended by the original proposal.

Further amending recodified N.J.A.C. 6A:8-5.1(a)2i(1) at adoption level will not negatively impact students, educators, or school districts; in fact, the additional proposed amendments will help students, educators, and school districts by clarifying and preserving the intended flexibility. Clearly separating the requirements by each scenario will allow school districts to design learning experiences tailored to their students' interests and the types of available opportunities without fear of noncompliance with recodified N.J.A.C. 6A:8-5.1(a)2i(1). The additional proposed amendments will also ensure that CTE programs, work-based learning, and dual enrollment programs can each operate within their unique guidelines, which will help more school districts create new pathways that align with their students' interests and postsecondary goals. Simplifying and clarifying the proposal will also avoid misinterpretation by school districts, which will benefit students who rely on alternative or flexible learning models to meet graduation requirements.

Therefore, the Department proposes to amend recodified N.J.A.C. 6A:8-5.1(a)2i(1)(B) and (C) upon adoption as follows:

[(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**[[;]]**, except as follows:***

[[(B)]] ***i.* For approved career and technical education programs and work-based learning experiences, *individualized student learning opportunities shall* 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; *or***

[[(C)]] ***ii.* For dual enrollment, *individualized student learning opportunities shall* be reviewed and approved by appropriately certified educators;**

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

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

32. **Comment:** The commenter stated that the Department should revert back to the amendment at N.J.A.C. 6A:8-5.1(a)2i(1)(A) proposed at first discussion for individualized student learning opportunities to “[b]e designed, approved, and delivered or supervised” by appropriately certified educators. The commenter also stated that

removing “or supervised” removed the flexibility intended by the original proposed amendment, especially for students who are athletes, dancers, or musicians, and essentially undermines the use of “Option Two” to allow students to use authentic learning experiences to meet graduation requirements. The commenter further stated that the Department should include effective dates for the student graduation cohorts affected by the amended rules. **(103)**

Response: The Department appreciates the comment regarding the deletion of “or supervised” and recognizes that the proposed amendment may have introduced unintentional barriers. Therefore, the Department has proposed further amendments at N.J.A.C. 6A:8-5.1(a)2i(1), as indicated in the response to Comment 31. The Department declines to include an effective date, as the proposed amendments clarify the existing rule and do not change the requirements.

- 33. Comment:** The commenters expressed concern that proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(2) may conflict with existing State and Federal civil rights laws, especially regarding ESL instruction, because they could create barriers to graduation by limiting MLs’ access to CTE and advanced coursework. The commenters also expressed concern about fairness in graduation requirements, especially for students who arrive to the program late in their high school careers. The commenters further questioned the proposed amendments to classify group ESL and CTE programs as individualized student learning opportunities. **(3, 6, 11, and 67)**

Response: The proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(2) were deleted in an agency-initiated change at proposal level, which was prior to the notice of proposal’s publication in the *New Jersey Register*.

- 34. Comment:** The commenters opposed the proposed amendment at N.J.A.C. 6A:8-5.1(a)2i(2) that would prevent educators with an ESL endorsement from teaching high school ESL courses for English language arts (ELA) or world language graduation credit unless they have dual endorsements or co-teach with a teacher who holds the appropriate content endorsement. The commenters stated that this contradicts previous Department guidance that teachers with an ESL endorsement are qualified to teach ELA and world languages to MLs and can independently teach ELA to MLs. The commenters also stated that educator preparation programs for the ESL endorsement include linguistics, literacy development, and language acquisition strategies. The commenters further stated that the WIDA English Language Development Standards align with New Jersey’s ELA standards and previous Federal and State policies (that is, the No Child Left Behind Act and N.J.A.C. 6A:15-1.4(k)) have already recognized ESL teachers as highly qualified for these roles. **(3, 4, 6 through 14, 16, 17, 18, 21, 23 through 39, 41 through 62, 64, 65, 66, 68, 69, 70, 71, 80, 84, 87, 95, 96, 98, and 99)**

Response: The proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(2) were deleted in an agency-initiated change at proposal level, which was prior to the notice of proposal’s publication in the *New Jersey Register*.

- 35. Comment:** The commenter suggested that the Department phase in a requirement to include additional content addressing ESL/bilingual student support in educator preparation programs. The commenter stated that this could include encouraging teacher candidates to hold dual endorsements and/or include an add-on ESL endorsement. The commenter stated that, until the suggested provisions can be offered, it is unfair to expect that school districts will be able to comply with the proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(2), which, the

commenter contended, will result in MLs missing required courses. **(4)**

Response: The proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(2) were deleted in an agency-initiated change at proposal level, which was prior to the notice of proposal's publication in the *New Jersey Register*.

36. **Comment:** The commenter asked if the proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(2) complement, contradict, or override existing N.J.A.C. 6A:15-1.4(k), which provides school districts with a process for awarding graduation credits for ESL courses. **(15)**

Response: The proposed amendments at recodified N.J.A.C. 6A:8-5.1(a)2i(2) were deleted in an agency-initiated change at proposal level, which was prior to the notice of proposal's publication in the *New Jersey Register*.

37. **Comment:** The commenters stated that the proposed requirement at new N.J.A.C. 6A:8-5.1(a)2i(2)(B) for ESL courses designed to meet graduation requirements to be delivered either by ESL or bilingual educators who also hold an ELA endorsement or coteach with a teacher holding an ELA endorsement would create staffing and financial burdens for school districts, complicate scheduling, and, most importantly, add barriers to graduation for MLs. **(17, 22, 39, 40, 49, 61, 62, 64, 66, 69, 70, 87 and 90)**

Response: Proposed new N.J.A.C. 6A:8-5.1(a)2i(2)(B) was deleted in an agency-initiated change at proposal level, which was prior to the notice of proposal's publication in the *New Jersey Register*.

38. **Comment:** The commenters stated that studies indicate that integrated, content-based ESL instruction leads to stronger academic and language outcomes, which, the commenters contended, directly opposes the reasoning for the proposed amendments at N.J.A.C. 6A:8-5.1(a)2i(2). The commenters urged the Department to maintain the existing policy at N.J.A.C. 6A:15-1.4(k) and uphold equitable access to quality education for MLs. **(17 and 90)**

Response: The proposed amendments at N.J.A.C. 6A:8-5.1(a)2i(2) were deleted in an agency-initiated change at proposal level, which was prior to the notice of proposal's publication in the *New Jersey Register*.

39. **Comment:** The commenter opposed the proposed amendment at N.J.A.C. 6A:8-5.1(a)2i(2) that would require ESL teachers to have dual endorsements. The commenter proposed an alternate approach that would group English learners by proficiency level using reliable data (that is, WIDA scores), assign ESL teachers to lead ELA instruction for each proficiency-leveled student group, which would replace general education ELA until MLs meet a proficiency benchmark, and develop transition criteria collaboratively between ESL and ELA teachers. The commenter suggested that the current model leaves general educators underprepared and unable to adequately serve either MLs or general education students. **(63)**

Response: The proposed amendments at N.J.A.C. 6A:8-5.1(a)2i(2) were deleted in an agency-initiated change at proposal level, which was prior to the notice of proposal's publication in the *New Jersey Register*.

40. **Comment:** The commenter stated that during the N.J.A.C. 6A:8 readoption process, the Department did not consult with key stakeholders in multilingual education and contended that no one in the Department's Office of Standards or Office of Assessments has significant experience working with MLs. **(7, 21, and 87)**

Response: The Department disagrees, as the solicitation of internal and external feedback is an integral component of every rulemaking process. Every division, including the

Division of Educational Services and its Office of Supplemental Educational Programs, was consulted regarding the existing rules and proposed amendments at N.J.A.C. 6A:8 prior to first discussion. Both the Office of Standards and the Office of Assessments are comprised of appropriately qualified staff who have experience supporting MLs and who regularly collaborate with colleagues in the Office of Supplemental Educational Programs to serve all students, including MLs.

41. **Comment:** The commenter asked why data regarding passage of the State graduation proficiency assessment are not routinely made available so local taxpayers have a full report on the education system's effectiveness in producing graduates. The commenter contended that the Department stated that the data are available in NJSMART and, therefore, should be made available on each school district's website a month after students graduate high school. The commenter also asked when the data will be available and published. **(102)**
Response: Existing N.J.A.C. 6A:8-5.2(f) requires the chief school administrator to report, at a public meeting no later than September 30 each year, the total number of students who graduated, including those who utilized a substitute competency test or the portfolio appeals process.
42. **Comment:** The commenters stated that MLs may face challenges in qualifying for the State Seal of Biliteracy as set forth at N.J.A.C. 6A:8-5.3 due to current timing and assessment requirements. The commenters requested that the Department amend the section to allow MLs who are seniors and have yet to meet ELA graduation requirements to demonstrate proficiency in two languages through an English language assessment (that is, WIDA MODEL) that is administered in the fall or winter of their senior year, alongside current approved assessments for other languages. The commenters stated that this would create a more equitable path for MLs to earn the State Seal of Biliteracy. **(9 and 88)**
Response: Results from assessments administered from January 1 of a student's junior year through the testing deadline of February 10 of a student's senior year may be used to meet the requirements for the State Seal of Biliteracy. The Department-approved assessments are not referenced in N.J.A.C. 6A:8-5.3 but are updated by the Department, after consulting with the State Seal of Biliteracy Advisory Committee, and presented to the State Board of Education for approval. The Department will engage with the advisory committee to determine whether to propose allowing MLs who are seniors to demonstrate English proficiency through a fall/winter WIDA MODEL.
43. **Comment:** The commenter supported the proposed amendments at N.J.A.C. 6A:8-5.3(d)3 to require the inclusion of "New Jersey State Seal of Biliteracy" as the Commissioner-developed insignia on the student's transcript because it will be advantageous to MLs. **(4)**
Response: The Department appreciates the support.
44. **Comment:** The commenter expressed support for the NJSLS in information literacy and for proposed new N.J.A.C. 6A:8-6.1(c)1ii. The commenter stated that instruction in media literacy will reduce violent behavior by teaching students the difference between reality and fiction. The commenter also stated that higher education institutions should include information literacy training as part of educator preparation programs. **(124)**
Response: The Department appreciates the support for information literacy and proposed N.J.A.C. 6A:8-6.1(c)1ii. The rules governing educator preparation programs are found at N.J.A.C. 6A:9A, New Jersey Educator Preparation Programs. Therefore, the comment related to higher education institutions is outside the scope of this rulemaking.

45. **Comment:** The commenters supported the NJSLS in information literacy and at proposed N.J.A.C. 6A:8-6.1(c)1ii. The commenters stated that P.L. 2022, c. 138, does not require information literacy instruction to be delivered by classroom teachers and, instead, states that “[t]he school library media specialist shall be included in the development of the curriculum concerning information literacy whenever possible.” The commenters suggested that the Department change proposed N.J.A.C. 6A:8-6.1(c)1ii to replace “delivered by classroom educators in partnership with school library media specialists” with “delivered by school library media specialists and/or classroom educators in partnership with school library media specialists” because the main function of a school library media specialist is the delivery of instruction in information literacy skills. **(1, 2, and 5)**
Response: The Department agrees and proposed the amendments at N.J.A.C. 6A:8-6.1(c)1ii at proposal level.
46. **Comment:** The commenter requested the Department consider administering the grade 11 NJSLA-Science within the same testing window as the New Jersey Graduation Proficiency Assessment (NJGPA) to optimize student performance and reduce the impact on instructional time and scheduling logistics. **(105)**
Response: The Department provides school districts with the annual schedule for the Statewide assessment program, including specific dates and administration windows for each assessment. The testing schedule is determined by the Department on an annual basis after consideration of various factors, including, but not limited to, State and Federal mandates, logistical considerations, etc. Due to the dynamic nature of the annual administration windows, the testing schedule is not established at N.J.A.C. 6A:8.

Agency-initiated Changes

1. The Department proposes at N.J.A.C. 6A:8-1.3 to amend the definition of “advanced coursework” by capitalizing “advanced placement,” which reflects the definition as approved by the State Board of Education for publication. “Advanced Placement,” which is the formal name of a specific type of courses and related assessments, was inadvertently lowercased during the editing process. The proposed amendment is as follows:

“Advanced coursework” means courses and programs including, but not limited to, [advanced placement] *Advanced Placement* courses, career and technical education, International Baccalaureate, honors, and dual enrollment options.
2. The Department proposes to amend N.J.A.C. 6A:8-2.1(a) to clarify that the cited statutes include N.J.S.A. 18A:7F-4.2 and 46. The proposed amendment is as follows:
 - (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, *and* 18A:7F-4.2[[,]] and 46.**

3. The Department proposes at N.J.A.C. 6A:8-3.5(i) to add “it” before “is not implemented” to clarify that the language relates to the corrective action plan. The proposed amendment will mirror the use of “it” before “is determined,” which was added during the editing process after the State Board approved the rulemaking for publication. The proposed amendment is as follows:

(i) When a corrective action plan is not submitted, it is determined by the Commissioner, or the Commissioner's designee, to be unacceptable, or *it* 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.

4. The Department proposes to amend proposed new N.J.A.C. 6A:8-5.1(a)6 to add a reference to a recently enacted public law that amended the procedures for students seeking an exemption from the graduation requirement to complete the Free Application for Federal Student Aid (FAFSA) or the New Jersey Alternative Financial Aid Application. P.L. 2023, c. 295 established the requirement, which applies to students in the graduating classes of 2025, 2026, and 2027, and the exemption procedures. P.L. 2025, c. 95, which was enacted on July 8, 2025, amended the exemption procedures; therefore, the proposed amendment at adoption will ensure that the proposed new paragraph aligns with the amended procedures. Not making the change at adoption could create confusion for students, parents, and school administrators regarding the process to follow for student exemptions. The proposed amendment at adoption is as follows:

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 *and P.L. 2025, c. 95*;



State of New Jersey

DEPARTMENT OF EDUCATION

PO Box 500

TRENTON, NJ 08625-0500

Adoption Level
October 8, 2025

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

KEVIN DEHMER
Commissioner

To: Members, State Board of Education

From: Kevin Dehmer
Commissioner

Subject: N.J.A.C. 6A:8, Standards and Assessment

Reason for Action: Readoption with amendments and repeals

Authority: N.J.S.A. 18A:4-15, 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.

Sunset Date: October 30, 2025

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 in the aligned content area.”

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 terms 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 NJSLS – ELA does not define a set of performance expectations specifically for grade 10; the NJSLS – ELA is grade-banded to define skills for grades 9-10 and 11-12. The 2023 NJSLS – 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(b) to replace the references to the former NJSLs 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 NJSLs, 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 NJSLs. 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 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.

Proposed 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.

Proposed 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.

Proposed 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.

Proposed 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 help 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 has 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 must be “delivered by educators who are appropriately certified within each of the NJSLS 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 NJSLS. 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 NJSLS -- 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 NJSLS. 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, with two exceptions for slightly different requirements for career and technical education programs and dual enrollment. The proposed regulation 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 at N.J.A.C. 6A:8-5.1(a)2i(1)(B) 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 to 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 proposed 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 establish 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

Proposed 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 and the proposed amendments and new rules follows (addition 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. Learn in meaningful, real-world contexts through rigorous and relevant curriculum that promotes engagement in learning by addressing varying college and career goals;
2. **Develop an understanding of roles, rights, and responsibilities as informed, engaged members of a democratic society;**

[2.] 3. Access and use quality learning tools, technologies, and resources;

[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) The results of the Statewide assessments shall facilitate program evaluation based on student performance and shall enable district boards of education, the public, and government officials to evaluate the educational delivery systems of all public schools.

6A:8-1.2 Scope

- (a)** The New Jersey Student Learning Standards (NJSLS) apply to all students enrolled in public elementary, secondary, and adult high school education programs within the State of New Jersey.
- (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[, at and];
 - 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.

“ACTFL” means the American Council on the Teaching of Foreign Languages.

[“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]] *Advanced Placement* courses, career and technical education, International Baccalaureate, honors, and dual enrollment options.

“Advanced Placement courses” means courses aligned with course descriptions provided by the College Board and intended to provide students with the opportunity to complete college-level studies during secondary school.

“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 awareness, exploration, and preparation” means instruction and programs that assist students to clarify career goals; explore career possibilities; develop employability skills; develop foundational knowledge necessary for success in the workplace; and make the transition from school to careers, including college, training, and employment.

“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**.

“CLEP” means College-Level Examination Program, which enables students to receive college credit by earning qualifying scores on examinations that are offered by the College Board and cover material taught in courses most students take as requirements in the first two years of college. A college usually grants the same amount of credit to students earning satisfactory scores on the CLEP examination as it grants to students successfully completing the course.

“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.

“Credit” means the award for the equivalent of a class period of instruction, which meets for a minimum of 40 minutes, one time per week during the school year or as approved through N.J.A.C. 6A:8-5.1(a)2.

“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.]

“504 team” means a group of persons that makes program and placement decisions according to Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and 34 CFR § 104.35(c).

[“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.

“Magnet program” means a distinctive program designed to:

1. Attract students by offering a specialized curriculum based on a special theme or method of instruction; and
2. Substantially strengthen the knowledge of academic subjects and the attainment of tangible and marketable vocational, technological, and professional skills of students attending the program.

“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.

“Native language” means the language or mode of communication first learned by the student.

“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 **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.

"Performance level" means one of several categories describing student proficiency with regard to the achievement of 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.

“Proficient” or “proficiency” means a student-achieved score at or above the cut score, which demarks a solid understanding of the content measured by an individual section of any State assessment.

[“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.]

“Standards support materials” means documents published by the Department that include and elaborate on the NJSLS for preschool through grade 12 education, and that may assist in the development of local curricula.

“State Board” means the New Jersey State Board of Education.

“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**.

“State Seal of Biliteracy” means the designation established pursuant to P.L. 2015, c. 303, to recognize high school graduates who have attained a high level of interpretive, interpersonal, and presentational proficiency in one or more languages in addition to English.

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

[“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.]

“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.

“Student identified as gifted and talented” means students who possess or demonstrate high levels of ability in one or more NJSL 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 NJSL 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.

“Transcript” means a document for all students exiting the public education system that describes a student’s progress toward achievement of the NJSLs and other relevant experiences and achievements.

[“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.

Subchapter 2. The New Jersey Student Learning Standards

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, *and* 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**.
 - [iii.] 3. Advanced notice(s) of the State Board meeting at which the recommended NJSLs will be considered shall be published in the New Jersey Register.

[iv.] **4.** The State Board will conduct public hearings on the Commissioner's recommendations at dates, times, and locations announced in the New Jersey Register.

[v.] **5.** Upon State Board adoption, the Commissioner shall publish and distribute to district boards of education and the general public the revised NJSLs.

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 Career education and counseling]

- [(a) The Department shall conduct a pilot project and evaluation of Personalized Student Learning Plans beginning in the 2009-2010 school year.
- (b) In fulfillment of the NJSLS, district boards of education shall 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. The system shall:

1. Be linked to the NJSLS;
2. Take into consideration the American School Counselor Association's National Standards for School Counseling Programs;
3. Be infused throughout the K-12 curriculum as appropriate for all students;
4. Be supported by professional development programs;
5. Provide developmental career guidance and academic counseling, linked to 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;
 - iii. Develop students' understanding of the relationships among academic attainment, career development, and personal/social development; and
 - iv. Encourage students to create and maintain portfolios consisting of student accomplishments including academic and career-oriented work samples that reflect achievement of the NJSLS; and
6. Allow district boards of education to select the delivery format, which may include:
 - i. An integrated curriculum that is based on NJSLS 9.1 through 9.4 and provides students the opportunity to acquire information about their career interests and/or take advanced courses linked to their career interests; and/or
 - ii. Specialized programs that reflect the needs of students and the community.

- (c) 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.
- (d) District boards of education, in fulfillment of the NJSLS, shall develop and implement curriculum and instructional methods that:
 - 1. Include the integration of technological literacy, consistent with the NJSLS;
 - 2. Provide all students with an understanding of the career applications of knowledge and skills learned in the classroom; and
 - 3. Provide all students with opportunities to apply knowledge and skills learned in the classroom to real or simulated career challenges.
- (e) District boards of education, in fulfillment of the NJSLS, shall develop and implement for all students a system of career development activities that:
 - 1. Offers all students the opportunity to more fully explore career interests within one or more of the Career Clusters identified in the Career and Technical Education Programs and Standards rules at N.J.A.C. 6A:19, that are linked to NJSLS and measured by the Statewide assessment system according to N.J.A.C. 6A:8-4;
 - 2. Allows district boards of education to select the appropriate format for offering career-development activities based on district resources, community needs, and student interest;
 - 3. Allows district boards of education to select the delivery format that may include:
 - i. An integrated curriculum, based on the NJSLS, that provides students the opportunity to acquire information about their career interests and/or take advanced courses linked to their career interests; or
 - ii. Specialized programs that reflect the needs of students and the community; and

4. Instills the concept of the need for continuous learning throughout one's life.
- (f) District boards of education shall offer all high school students opportunities to more actively explore career interests by participating in structured learning experiences linked to the NJSLS.
1. Structured learning experiences should give students opportunities to demonstrate and apply a high level of academic attainment and to develop career and personal/social goals.
 2. Interested students may voluntarily select structured learning experiences that are:
 - i. Co-curricular or extra-curricular activities; and
 - ii. Taking 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, paid, or unpaid external structured learning experiences:
 - i. Are supervised by school personnel in accordance with N.J.A.C. 6A:9B-11.19 through 11.22; and
 - ii. Conform to Federal and State law.]

[6A:8-3.3 Enrollment in college courses]

- [(a) District boards of education, pursuant to N.J.S.A. 18A:61C-1, shall make reasonable efforts to increase the availability of college-level instruction for high school students through courses offered by institutions of higher education at their campuses and in high schools. The credits shall be accepted at all public New Jersey higher education institutions pursuant to N.J.S.A. 18A:61C-8.
- (b) District boards of education shall determine the eligibility of students to participate in college courses.

- (c) District boards of education and partner colleges shall ensure that college courses offered to high school students are:
 - 1. Equivalent to those offered to regularly admitted college students; and
 - 2. Accepted toward both college degree and high school graduation requirements.
- (d) District boards of education and partner colleges shall ensure that college courses for high school students are taught by college faculty with academic rank. Adjunct faculty and members of the district staff who have a minimum of a master's degree may also be included.]

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 NJSLs

- (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 **it** 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. The Department shall implement the elementary component of the Statewide assessment of the NJSLs consisting of the following:
 - i. Continued administration of mathematics and English language arts in grades three, four, and five, and of science in grade five.
 2. The Department shall implement the middle school component of the Statewide assessment of the NJSLs consisting of the following:
 - i. Continued administration of mathematics and English language arts in grades six, seven, and eight, and of science in grade eight.
 3. The Department shall implement a high school component of the Statewide assessment of the NJSLs consisting of, at a minimum, English language arts, mathematics, and science, in accordance with State and Federal law.
- (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. District boards of education shall have the option for a first-year ML of substituting a Department-approved language proficiency test only for the English language arts component of the Statewide assessment, when the student has entered the United States after June 1 of the calendar year prior to the test administration.
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) District boards of education shall be responsible for ensuring the security of all components of the Statewide assessment system that are administered within the school district.

6A:8-4.2 Documentation of student achievement

- (a) After each test administration, the Department shall provide to chief school administrators the following:
1. Rosters of student performance in each content area;
 2. Individual student reports; and
 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) District boards of education shall transmit within 10 business days any official records, including transcripts, of students who transfer to other school districts or institutions.
- (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. Evidence of instructional experience and performance in the NJSLs;
 - [4. Evidence of technological literacy;]
 - [5.] **4.** Evidence of career education instructional experiences and career development activities;
 - [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. Any other information deemed appropriate by the district board of education.

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. At least five credits in visual and performing arts;
 - 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. Technological literacy, consistent with the NJSLs, integrated throughout the curriculum; and
 - 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[[]]*, except as follows:*

[[B)]] *i.* For approved career and technical education programs and work-based learning

experiences, ***individualized student learning opportunities shall*** 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; ***or***

[[C)] ***ii.*** For dual enrollment, ***individualized student learning opportunities shall*** be reviewed and approved by appropriately certified educators;

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

[(C)] [(E)] *** (C) *** 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)] *** (D) *** 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. **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.
- ii. 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.
- iii. 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. Local student attendance requirements;

4. Any other requirements established by the district board of education;

5. Any statutorily mandated requirements for earning a high school diploma;

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 *and P.L. 2025, c. 95*;**

[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)** Through the IEP process set forth at N.J.A.C. 6A:14-3.7 and pursuant to N.J.A.C. 6A:14-4.11, district boards of education may specify alternate requirements for a State-endorsed diploma for individual students with disabilities as defined at N.J.A.C. 6A:14-1.3.

1. District boards of education shall specifically address any alternate requirements for graduation in a student's IEP, in accordance with N.J.A.C. 6A:14-4.11.
2. District boards of education shall develop and implement procedures for assessing whether a student has met the specified alternate requirements for graduation individually determined in an IEP.

[(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. Achieve a passing score, as determined by the Commissioner and approved by the State Board of Education, on a corresponding substitute competency test in English language arts and/or mathematics, as applicable; and/or
2. Demonstrate proficiency through the portfolio appeals process, pursuant to N.J.S.A. 18A:7C-3.

[(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. District boards of education shall provide students exiting grade 12 without a diploma the opportunity for continued high school enrollment to age 20 or until the requirements for a State-endorsed diploma have been met, whichever comes first.

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) The Commissioner shall award a State-issued high school diploma to individuals age 16 or older and no longer enrolled in high school based on official transcripts showing at least 30 general education credits leading to a degree at an accredited institution of higher education. Included in the 30 general education credits must be a minimum of 15 credits with at least three credits in each of the five general education categories as follows:
English; mathematics; science; social science; and the humanities.

- (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. Has presented official transcripts showing at least 30 general education credits leading to a degree at an accredited institution of higher education; and
 3. Has formally requested such early award of a State-endorsed high school diploma.
- (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. The total number of students graduated;
 2. The number of students graduated under the substitute competency test process;
 3. The number of students graduated under the portfolio appeals process;
 4. The number of students receiving State-endorsed high school diplomas as a result of meeting any alternate requirements for graduation as specified in their IEPs;
 5. The total number of students denied graduation from the 12th grade class; and

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. Provide the Department with information regarding students who qualify for the State Seal of Biliteracy pursuant to (a) above;
 2. Present each student who qualifies pursuant to (a) above with a Department-issued certificate;
 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. Maintain appropriate records to identify students who have earned the State Seal of Biliteracy.
- (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. If an approved assessment, pursuant to (f) above, does not exist for a particular language, a district board of education may administer a Department-approved, locally designed proficiency-based assessment.

- (g) The Commissioner shall submit to the Governor and the Legislature by September 1 of each school year a report that includes the number of students awarded the State Seal of Biliteracy in the previous school year, the languages in which the students attained proficiency, and the method(s) by which the students demonstrated proficiency.

[Subchapter 6. Bridge Year Pilot Program]

[6A:8-6.1 Purpose]

- [(a) This subchapter implements the Bridge Year Pilot Program authorized by P.L. 2020, c. 41. The law provides students in the graduating classes of 2021 and 2022 with the opportunity to defer graduation from high school for one year to offset disruptions to learning opportunities and participation in extracurricular activities that might have resulted from the closure of schools for in-person instruction in the spring of 2020 due to the COVID-19 pandemic. 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.
1. This additional year will be referred to throughout the subchapter as “bridge year.”]

[6A:8-6.2 Scope]

- [(a) This subchapter shall apply to all public high schools and their school districts and district boards of education or charter school or renaissance school project board of trustees.
1. A nonpublic high school that elects to participate in the Bridge Year Pilot Program shall follow the rules throughout this subchapter, as applicable.

2. “Host high school,” which is the high school that a student who pursues a bridge year attended as a junior, shall be used throughout the subchapter to refer to a public high school and its school district and district board of education or charter school or renaissance school project board of trustees, as well as a participating nonpublic high school.
- (b) This subchapter shall apply to students in the graduating classes of 2021 and 2022 who pursue a bridge year and meet the eligibility criteria at N.J.A.C. 6A:8-6.4.]

[6A:8-6.3 Host high school responsibilities]

- [(a) Each host high school shall provide students in the graduating classes of 2021 and 2022, who are eligible, pursuant to N.J.A.C. 6A:8-6.4, with the opportunity to pursue a bridge year during the academic year immediately following their senior year of high school.
- (b) Each host high school shall designate a staff member as a bridge year liaison to carry out the responsibilities set forth at N.J.A.C. 6A:8-6.5.
1. Nothing at (b) above or at N.J.A.C. 6A:8-6.5 shall be construed to require a host high school to hire an individual to serve as a bridge year liaison.
- (c) The host high school shall permit a student pursuing a bridge year to participate in graduation ceremonies with the graduating class of 2021 or 2022, as applicable, or at the conclusion of the student’s bridge year, but the host high school shall not issue a diploma to the student until the conclusion of the bridge year.
1. If a student initially decides to pursue a bridge year but does not complete the fall or spring semester, the student’s host high school shall release all final transcripts and other records, as necessary, and as may be requested.

- (d) A host high school shall indicate in NJ SMART, by June 30, whether students in the 12th grade are planning to participate in a bridge year during the following school year. This requirement does not apply to participating nonpublic schools.]

[6A:8-6.4 Student eligibility and participation]

- [(a) A student in the graduating classes of 2021 or 2022 who has met all applicable State and local high school graduation requirements by the end of the student's senior year of high school may defer graduation from high school for one year to pursue a bridge year.

1. To receive a State-endorsed high school diploma, a student participating in a bridge year shall:

- i. Meet the graduation requirements in place for the student's original senior year; and
- ii. Not be required to meet any additional graduation requirements implemented for the student's bridge year.

- (b) A student shall be 19 years of age or younger and shall not turn 20 years of age at any time during the bridge year, except as detailed at (b)1 below.

1. A student with disabilities who has satisfied State and local graduation requirements but may need an extra year of services, and will not turn 21 years old before June 30, may participate in the Bridge Year Pilot Program and receive services for another year as determined by the student's individualized education program (IEP) team, which includes the student and the student's parent(s)/guardian(s).

- (c) A student who intends to pursue a bridge year shall notify the host high school's bridge year liaison no later than February 15 of the student's senior year.

- (d) A student pursuing a bridge year shall remain enrolled in the host high school while participating in the Bridge Year Pilot Program. The student shall not be permitted to transfer to a different high school, as the designation of host high school is not transferable.
- (e) To remain in the Bridge Year Pilot Program, a student shall maintain a grade point average of 2.0 while fulfilling the credit requirements at N.J.A.C. 6A:8-6.7.]

[6A:8-6.5 Bridge year liaison responsibilities]

- [(a) Each host high school's bridge year liaison shall do the following:
 - 1. Serve as the host high school's point of contact for students who are interested in pursuing, or are participating in, a bridge year;
 - 2. Facilitate planning of academic services for students participating in a bridge year;
 - 3. Communicate regularly with the host high school's respective county college or applicable four-year institution attended by a student participating in a bridge year regarding the academic progress of students;
 - 4. Develop individual learning plans (ILPs) in accordance with N.J.A.C. 6A:8-6.6;
 - 5. Collect and report attendance according to the host high school's policy for students participating in classes not at the host high school and in accordance with N.J.A.C. 6A:16-7.6;
 - 6. Receive, at least quarterly, reports from the respective county college and other institutions of higher education attended by a student participating in a bridge year as specified in the student's ILP; and
 - 7. Ensure, at the conclusion of each semester of the bridge year, that the student's high school transcript reflects the high school and college credits earned during

the bridge year in accordance with host high school's policy for students participating in classes not at the host high school.]

[6A:8-6.6 Individual learning plans]

[(a) The host high school's bridge year liaison shall develop, in consultation with the student, an individual learning plan (ILP) for each student pursuing a bridge year.

1. The bridge year liaison may confer with a multi-disciplinary team of professionals with knowledge of the student's educational, behavioral, emotional, social, and health needs. For students with a disability, the multi-disciplinary team shall include the student's IEP team.

2. The bridge year liaison may utilize the ILP template on the [Department's website](https://www.nj.gov/education/covid19/boardops/bridge.shtml) at <https://www.nj.gov/education/covid19/boardops/bridge.shtml>.

(a) An ILP for a student's bridge year shall define academic and extracurricular goals and shall detail activities and strategies that will support the student in accomplishing the goals.

1. All academic goals in the ILP shall be in accordance with N.J.A.C. 6A:8-6.7 and shall:

- i. Be based on specific instructional objectives;
- ii. Be based on student interest and career goals; and
- iii. Include demonstration of student competency.

2. The activities and strategies detailed in the ILP may include, but are not limited to, counseling, academic support, coursework, transition services, and extracurricular or athletic participation.

3. Host high schools that do not operate on the basis of fall and spring semesters shall ensure that students in a bridge year meet the total credit requirements at N.J.A.C. 6A:8-6.7 over the course of the entirety of the bridge year.

- (c) An ILP for a student's bridge year shall specify the manner in which the institution of higher education must report quarterly to the host high school's bridge year liaison regarding the student's progress and performance related to the academic goals defined in the ILP.
- (d) Each student's ILP shall be completed by June 1 of the student's senior year.
- (e) The host high school's bridge year liaison shall update and modify a student's ILP throughout the student's bridge year to ensure the student is meeting academic and performance goals. The host high school's bridge year liaison shall utilize the quarterly reports submitted pursuant to (c) above to modify a student's ILP.]

[6A:8-6.7 Academic and course requirements]

- [(a) The high school or college credits taken by a student pursuant to this section shall together form a coordinated sequence of academic content that prepares the student for high-skill, high-wage, or in-demand occupations.
- (b) During the fall semester of the bridge year, students shall take between nine and 12 credits at the host high school, the county college that serves the county of the host high school, or a combination thereof.
- (c) During the spring semester of the bridge year, students shall take between nine and 12 credits at the county college that serves the county of the host high school.
- (d) During the fall or spring semester of the bridge year, students may also take up to three credits offered by a four-year institution of higher education at any high school in the State or at any other location to fulfill the credit requirements at (b) or (c) above.
- (e) To meet the credit requirements at (b) and (c) above, students may participate in learning opportunities, including, but not limited to, independent study, online learning, and structured learning experiences.

- (f) Students in a bridge year do not need to participate in health, safety, and physical education requirements at N.J.S.A. 18A:35-5, 7, and 8 or at N.J.A.C. 6A:8-5.1(a)1vi.
- (g) A student who participates in a spring sport sanctioned by the New Jersey State Interscholastic Athletic Association (NJSIAA) during the bridge year shall enroll in less than 12 college credits, or otherwise be enrolled in a number of college credits as to not be considered a full-time college student during either semester of the student's bridge year.
- (h) For the purpose of taking college credits pursuant to this section, the student participating in a bridge year shall be considered a non-matriculated student of the county college.]

[6A:8-6.8 Athletic and extracurricular activity participation]

- [(a) A student in a bridge year may participate in a spring sport sanctioned by the New Jersey State Interscholastic Athletic Association (NJSIAA) and extracurricular activities at the host high school.
 - 1. A student pursuing a bridge year shall not be eligible to participate in any fall or winter sport sanctioned by the NJSIAA.
 - 2. A student who decides not to continue the bridge year in the spring semester shall not be eligible to participate in a spring sports program or extracurricular activities at the host high school.
- (b) To participate in a spring sport during the bridge year, the student shall meet all of the NJSIAA's eligibility requirements, except as detailed at (b)1 below.
 - 1. For students participating in a spring sport during a bridge year, the host high school shall request that the NJSIAA waive the rule under which a student is not eligible for high school athletics after the expiration of eight consecutive semesters following the student's entrance into the ninth grade.

- (c) A student participating in a spring sport or extracurricular activity during the bridge year shall pay applicable student athletics and activities fees and be subject to the host high school's student code of conduct, athletic code of conduct, and any other applicable codes, rules, or policies that other students participating in the spring sport or extracurricular activity at the host high school are required to follow.]

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.**