Merchantville Board of Education 130 South Centre Street Merchantville, NJ 08109	File Code : 6142.2 Adopted : 09/27/1988 Revised : 10/25/2016 Reviewed : 07/15/2024

English as a Second Language: Bilingual Programs

The board shall provide bilingual, English as a second language (ESL) and/or English language services programs of instruction for pupils who:

A. Do not speak English and need instruction toward mastery of the English language;

B. Speak English but reside in a home where English is not the primary language spoken, and need instruction toward mastery of the English language;

C. Speak a language other than English, are more capable of performing school work in that language, and need their basic educational program taught in that language.

Definitions

“Bilingual education program” means a full-time program of instruction in all courses or subjects that a child is required by law or rule to receive, given in the native language of ELLs enrolled in the program and also in English; in the aural comprehension, speaking, reading, and writing of the native language of ELLs enrolled in the program, and in the aural comprehension, speaking, reading, and writing of English; and in the history and culture of the country, territory, or geographic area that is the native land of the parents of ELLs enrolled in the program, and in the history and culture of the United States.

“English as a second language (ESL) program” means a daily developmental second-language program of at least one period of instruction based on student language proficiency that teaches aural comprehension, speaking, reading, and writing in English using second language teaching techniques, and incorporates the cultural aspects of the students' experiences in their ESL instruction. A period is the time allocated in the school schedule for instruction in core subjects.

“English language learner” or “ELL” means a student whose native language is other than English. The term refers to students with varying degrees of English language proficiency in any one of the domains of speaking, reading, writing, or listening and is synonymous with limited English speaking ability

"English language services" means services designed to improve the English language skills of ELLs. The services, provided in school districts with less than 10 ELLs, are in addition to the regular school program and are designed to develop aural comprehension, speaking, reading, and writing skills in English.

Identification of Eligible English Language Learners

The board shall determine the native language of each English language learner at the time of the student's enrollment in the district and maintain a census indicating all identified students whose native language is other than English.

The board of education shall develop and the chief school administrator or his or her designee shall implement a screening process, initiated by a home-language survey, to determine which students whose native language is other than English in grades kindergarten to 12 must be tested to determine English language proficiency. The screening shall be conducted by a bilingual/ESL or other certified teacher, and shall be designed to distinguish students who are proficient English speakers and need no further testing

The board shall ensure that the English proficiency of students who are not screened out by the home-language survey shall be determined by:

A. Administering a Department-approved English language proficiency test;

B. Assessing the level of reading in English;

C. Reviewing the previous academic performance of students, including their performance on standardized tests in English; and

D. Reviewing the input of teaching staff members responsible for the educational program for ELLs.

E. Students who do not meet the Department standard on a Department-approved language proficiency test and who have at least one other indicator shall be considered ELLs.

The board, through the chief school administrator or his or her designee shall also implement age-appropriate methodologies to identify preschool ELLs to determine their individual language development needs.

Programs and Services

The goal of English as a second language and English language services programs are to assist pupils to achieve fluency (including listening, comprehension, speaking, reading, and writing skills) in English and incorporates the cultural aspects of the students' experiences in their ESL instruction. The goal of the bilingual program is to permit pupils to learn subject matter in their primary language while developing English language skills. The goal of all such programs shall be achievement of the New Jersey Student Learning Standards.

Students enrolled in bilingual, ESL, and English language services programs shall have full access to educational services available to other students in the district. To the extent that is administratively feasible, supportive services to ELLs, such as counseling, tutoring, and career guidance, should be provided by bilingual personnel who are familiar with and knowledgeable of the unique needs and background of the ELLs and their parents.

All district high school English language learners (ELLs) shall satisfy both state and district requirements for graduation, except that any English language learners may demonstrate attainment of state minimum levels of proficiency through passage of the Alternative High School Assessment (AHSA) process in his/her native language and an English fluency assessment approved by the Department of Education or passage of the AHSA process in English with appropriate accommodations.

Parents/guardians of English language learners shall be notified by mail of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL or English language services education program. This notification shall be issued within 30 days of the child's identification and shall include the information that the parents may choose to decline to enroll their child into the bilingual program. The notice shall be in writing and in the language in which the parent/guardian possesses a primary speaking ability, and in English, and shall include the following information:

A. Why the student was identified as an ELL;

B. Why the student needs to be placed in a language instructional educational program that will help him or her develop and attain English proficiency and meet State academic standards;

C. The student's level of English proficiency, how the level of English proficiency was assessed, and the student's academic level;

D. The method of instruction the school will use to serve the student, including a description of other instruction methods available and how those methods differ in content, instructional goals, and the use of English and a native language, if applicable;

E. How the program will meet the student's specific needs in attaining English and meeting State standards;

F. The program's exit requirements, the expected rate of transition into a classroom not tailored for ELLs, and, in the case of high school students, the expected rate of graduation; and

G. How the instructional program will meet the objectives of the individualized education program of a student with a disability.

Progress reports for students in in bilingual, ESL, or English language services programs shall be made to parents/guardians on the same schedule as the reports of all pupils enrolled in the district. Progress reports shall be in writing and in both English and their primary speaking language unless doing so places unreasonable burden on the board.

<u>Exiting the Program</u>

Students shall be placed in a monolingual English program when they have demonstrated readiness to function successfully in an English-only program. The process to determine the readiness or inability of the individual student to function successfully in the English-only program shall be initiated by the student's level of English proficiency as measured by a Department-established standard on an English language proficiency test. The readiness of the student shall be further assessed on the basis of multiple indicators that shall include, at a minimum:

A. Classroom performance;

B. The student's reading level in English;

C. The judgment of the teaching staff member or members responsible for the educational program of the student; and

D. Performance on achievement tests in English.

When the review process for exiting a student from a bilingual, ESL, or English language services program has been completed, the parent/guardian shall be notified by mail of the placement determination. The notice shall be in English and in the language in which the parents/guardian possesses a primary speaking ability. If the parent(s), guardian, or teaching staff member disagrees with the placement, he or she may appeal the placement to the Commissioner, after appealing the decision to the board.

Removal from the Program

Parents/guardians may remove a pupil who is enrolled in a bilingual, ESL or English language services program at any time; except that during the first three years of the pupil's participation in a bilingual education program, he/she may only be removed at the end of each school year. Removal prior to the end of the school year shall be approved by the executive county superintendent. If the executive county superintendent determines that the pupil should remain in the bilingual education program until the end of the school year, the parents/guardians may appeal that decision to the commissioner of education/designee pursuant to law. The commissioner shall render a decision within 30 days of the filing of the appeal.

Parent Involvement

The board is committed to providing the maximum practicable involvement of parents/guardians of ELLs in the development and review of program objectives and dissemination of information to and from the board and communities served by the bilingual, ESL, or English language services education programs. The board directs the chief school administrator or his or her designee to shall establish a parent advisory committee on bilingual education of which the majority membership shall be parent(s) of ELLs.

Inservice Training

The board shall ensure that the chief school administrator oversees the development of a plan for inservice training for bilingual, ESL, and mainstream teachers; administrators who supervise bilingual/ESL programs; and administrators and any personnel who observe and evaluate

teachers of ELLs. The plan shall include instructional strategies and appropriate assessments to help ELLs meet the New Jersey Student Learning Standards and the World-class Instructional Design and Assessment (WIDA) English language development standards. All bilingual and ESL teachers shall receive training in the use of the ESL curriculum. The professional development plan of the school district shall include the needs of bilingual and ESL teachers, which shall be addressed through inservice training (see board policy 4131/4131.1 Staff Development, Inservice Education).

Implementation

The chief school administrator shall direct development of a plan for bilingual program, ESL program, or English language services that is in compliance with state guidelines. The plan shall be submitted every three years to the Department of Education for approval. The plan shall include information on the following:

A. Identification of students;

B. Program description;

C. The number of certified staff hired for the program;

D. Bilingual and ESL curriculum development;

E. Evaluation design;

F. Review process for exit; and

G. A budget for the bilingual and ESL program or English language services.

The board may request a waiver of the requirement for a full-time bilingual or ESL program when there are 20 or more students eligible for the bilingual education program in grades kindergarten through 12, to establish annually an instructional program alternative. The request must be approved by the Department of Education, and the school district must be able to demonstrate that it would be impractical to provide a full-time bilingual program due to the age range, grade span, and/or geographic location of eligible students.

Key Words

English as a Second Language, Bilingual Programs, ESL, English language Learner, English Language Services

Legal References:

N.J.S.A. 18A 35-15 et seq Legislative findings

N.J.A.C. 6A 5-1.1 Purpose and scope
N.J.A.C. 6A 8-1.3 Definitions
N.J.A.C. 6A 8-4.1 Statewide assessment system
N.J.A.C. 6A 8-5.1 Graduation requirements
N.J.A.C. 6A 9B-3.1 General
N.J.A.C. 6A 9B-11.5 Bilingual/bicultural education
N.J.A.C. 6A 9B-11.6 English as a second language
N.J.A.C. 6A 15-1.1 et seq General requirements
N.J.A.C. 6A 15-1.4 Bilingual programs for English language learners
N.J.A.C. 6A 30-1.1 Purpose and scope
N.J.A.C. 6A 30-2.2 Quality performance indicators of school district effectiveness
20 U.S.C. 6301 et seq Every Student Succeeds Act (Formerly NCLB)

Cross References

5120 - Sample Policy: Assessment of Individual Needs
5124 - Sample Policy: Reporting to Parents Guardians
6121 - Sample Policy: Nondiscrimination, Affirmative Action
6146 - Sample Policy: Graduation Requirements
6147 - Sample Policy: Standards of Proficiency
6147.1 - Sample Policy: Evaluation of Individual Student Performance
6171.2 - Sample Policy: Gifted and Talented
6171.3 - Sample Policy: At-Risk, Title 1