

CHAPTER 31

BILINGUAL EDUCATION

Authority

N.J.S.A. 18:1-1, 18A:4-15, 18A:35-15 to 26, 18A:7A-1 et seq., specifically, 18A:7A-4 and 5, and P.L. 1991, c.12 and P.L. 1995, c.59 and c.327.

Source and Effective Date

R.1996 d.251, effective May 3, 1996.
See: 28 N.J.R. 1456(a), 28 N.J.R. 2857(a).

Executive Order No. 66(1978) Expiration Date

Chapter 31, Bilingual Education, expires on May 3, 1998.

Chapter Historical Note

Chapter 31, Bilingual Education, was filed and became effective October 6, 1975 as R.1975 d.296. See: 7 N.J.R. 403(a), 7 N.J.R. 498(b). Amendments to Chapter 31 were filed and became effective February 8, 1980 as R.1980 d.70. See: 11 N.J.R. 611(a), 12 N.J.R. 107(b).

Pursuant to Executive Order No. 66(1978), Chapter 31 was readopted effective January 24, 1985, with amendments effective February 19, 1985, as R.1985 d.46. See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a). Chapter 31, except section 6:31-1.11, was amended effective December 21, 1987 by R.1987 d.523. See: 19 N.J.R. 1126(a), 19 N.J.R. 2397(a).

Pursuant to Executive Order No. 66(1978), Chapter 31 was readopted as R.1989 d.600, effective November 16, 1989. See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Pursuant to Executive Order No. 22(1994), the expiration date of Chapter 31, Bilingual Education, was extended from November 16, 1994 to May 16, 1996. See: 26 N.J.R. 3783(a), 26 N.J.R. 3942(a).

Pursuant to Executive Order No. 66(1978), Chapter 31 was readopted as R.1996 d.251, effective May 3, 1996. See: Source and Effective Date. See, also, section annotations.

Law Review and Journal Commentaries

Toward parity in education: *Abbott v. Burke* and the future of New Jersey school systems. 5 Temp.Pol. & Civ.Rts.L.Rev. 183 (1996).

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SUBCHAPTER 1. GENERAL PROVISIONS

6:31-1.1 Definitions

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

“Act” means P.L. 1974 c.197 (N.J.S.A. 18A:35-15 to 26).

“Bilingual education program” means a full-time program of instruction in all those courses or subjects which a child is required by law or rule to receive, given in the native language of the children of limited English proficiency enrolled in the program and also in English; in the aural comprehension, speaking, reading, and writing of the native language of the children of limited English proficiency 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 which is the native land of the parents of children of limited English proficiency enrolled in the program and in the history and culture of the United States. All pupils in bilingual education programs receive English as a second language instruction.

“Bilingual part-time component” means a program alternative in which pupils are assigned to monolingual English program classes, but are scheduled daily for their developmental reading and mathematics instruction with a certified bilingual teacher.

“Bilingual resource program” means a program alternative in which pupils receive daily instruction from a certified bilingual teacher in identified subjects and with specific assignments on an individual pupil basis.

“Bilingual tutorial program” means a program alternative in which pupils are provided one period of instruction in a content area required for graduation and a second period of tutoring in other required content areas. These two periods of instruction are provided by a certified bilingual teacher.

“Children of limited English proficiency” means pupils whose native language is other than English and who have sufficient difficulty speaking, reading, writing or understanding the English language as measured by an English language proficiency test so as to be denied the opportunity to learn successfully in the classrooms where the language of instruction is English. This term means the same as limited English speaking ability, the term used in N.J.S.A. 18A:35-15 to 26.

“Developmental bilingual education programs” means a full-time program of instruction in elementary and secondary schools which provides structured English language instruction and instruction in a second language.

"Educational needs" means the particular educational requirements of pupils of limited English proficiency, the fulfillment of which will provide them with equal educational opportunities.

"English as a second language (ESL) program" means a daily developmental second language program which teaches aural comprehension, speaking, reading and writing in English using second language teaching techniques and incorporates the cultural aspects of the pupils' experience in their ESL instruction.

"English language fluency" means the ability to speak the English language with sufficient structural accuracy; to use vocabulary to participate effectively in most formal and informal conversations on practical, social and school topics; to read material for information and to complete forms and write essays and reports on familiar topics. Language fluency is not the same as language proficiency, which is the full command of language skills.

"English language proficiency test" means a test which measures English language skills in the areas of aural comprehension, speaking, reading and writing.

"English language services" means services designed to improve the English language skills of pupils of limited English proficiency. These services, provided in districts with less than 10 pupils of limited English proficiency, are in addition to the regular school program and have as their goal the development of aural comprehension, speaking, reading and writing skills in English.

"Exit criteria" means the criteria which must be applied before a pupil may be exited from a bilingual, ESL, or English language services education program.

"High intensity ESL programs" means a program alternative in which pupils receive two or more class periods a day of ESL instruction. One period is the standard ESL class and the other period is a tutorial or ESL reading class.

"Instructional program alternative" means a part-time program of instruction that may be established by a district board of education in consultation with and approval of the Department of Education. All pupils in an instructional program alternative receive English as a second language.

"Native language" means the language first acquired by the pupil; the language most often spoken by the pupil; or the language most often spoken in the pupil's home, regardless of the language spoken by the pupil.

"Parent(s)" means the natural parent(s) or the legal guardian(s), foster parent(s), surrogate parent(s) or person acting in the place of a parent with whom the pupil legally resides. Where parents are separated or divorced, parent means the person(s) who has legal custody of the pupil, provided such parental rights have not been terminated by a court of appropriate jurisdiction.

"Review process" is the process established by the district board of education to assess limited English proficient students for exit from bilingual, ESL, or English language services programs.

Amended by R.1985 d.46, effective February 19, 1985.
See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

Substantially amended.

Amended by R.1989 d.600, effective December 18, 1989.
See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Deleted "dominant language" and added "bilingual education program alternative", "bilingual part-time component", "bilingual resource program", "bilingual tutorial program", "English language proficiency test", "English language services" and "high intensity ESL programs".
Amended by R.1993 d.14, effective January 4, 1993.
See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

New definitions added for "developmental bilingual education programs" and "review process"; bilingual education program alternative has been changed to "instructional program alternative".

6:31-1.2 Identification of eligible participants

(a) Whenever a pupil enrolls in the district, that district shall ascertain the pupil's native language. Each district shall maintain a census indicating all pupils identified whose native language is other than English.

(b) The district shall determine the English language proficiency of all pupils whose native language is other than English by administering an English language proficiency test, assessing the level of reading in English, reviewing the previous academic performance of pupils as well as standardized tests in English and reviewing the input of teaching staff members responsible for the educational program for the limited English proficient pupils. Those pupils who score below the State-established cutoff score on the Language Assessment Battery or the Maculaitis Assessment Program as per the "Norming Study of the Language Assessment Battery and the Maculaitis Assessment Program—Practitioner's Report" (1989) and who have at least one other indicator, are pupils of limited English proficiency.

(c) The district shall report annually the number of pupils identified whose native language is other than English and of that group, the number of pupils of limited English proficiency on the Report of Limited English Proficient Students on Roll which is part of the Fall Report.

(d) The district shall administer the Maculaitis Assessment Program to all limited English proficient pupils who enter New Jersey schools after grade eight at the time of enrollment to determine their level of English language fluency.

Amended by R.1985 d.46, effective February 19, 1985.
See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

Deleted (c).

Amended by R.1989 d.600, effective December 18, 1989.
See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

At (b) further defined pupils of limited English proficiency and added requirement of annual report at (c); (c) recodified to (d).
Amended by R.1993 d.14, effective January 4, 1993.
See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Multiple indicators to be used in determining English language proficiency.

6:31-1.3 Graduation requirements for pupils of limited English proficiency

(a) All pupils of limited English proficiency must satisfy requirements for high school graduation in accordance with provisions of N.J.A.C. 6:8-7.1 except:

1. Pupils of limited English proficiency who enter New Jersey schools in grade nine or later may demonstrate that they have attained State minimum levels of proficiency through the Special Review Assessment in their native language; and

2. Pupils of limited English proficiency who enter New Jersey schools in grade nine or later and who demonstrate that they have attained State minimum levels of proficiency through the Special Review Assessment in their native language must take the Maculaitis Assessment Program and attain the passing level of fluency of 133 raw score points to be eligible for a State-endorsed high school diploma.

New Rule: R.1989 d.600, effective December 18, 1989.
See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

6:31-1.4 Required programs for limited English proficient pupils

(a) Whenever there are one or more, but fewer than 10, pupils of limited English proficiency enrolled within the schools of the district, the district board of education shall provide services designed to improve the English language proficiency of those pupils pursuant to N.J.S.A. 18A:7A-4 and 5.

1. English language services shall be in addition to the regular school program.

2. At the secondary level, sufficient courses and relevant opportunities shall be offered to enable the pupils to fulfill all credits and other requirements for graduation.

(b) Whenever there are 10 or more pupils of limited English proficiency enrolled within the schools of the district, the district board of education shall establish an ESL program.

1. An ESL curriculum shall be adopted by the district board of education to address the instructional needs of pupils of limited English proficiency.

2. Programs and services designed to meet the special needs of pupils of limited English proficiency shall include, but not be limited to, compensatory education, special education and vocational training, and be provided in accordance with N.J.S.A. 18A:7A-4 and 5.

(c) In addition to the above listed requirements, whenever there are 20 or more pupils of limited English proficiency in any one language classification, the district board of education shall establish for each such classification a program in bilingual education as detailed in N.J.A.C. 6:31-1.5.

Amended by R.1985 d.46, effective February 19, 1985.

See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

Substantially amended.

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Changed term "speaking ability" to proficiency throughout and added requirement at (c) for establishing a separate ESL program in specific classifications.

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Punctuation only.

6:31-1.5 Bilingual education program

(a) When, at the beginning of any school year, there are within the schools of the district, 20 or more pupils of limited English proficiency in any one language classification, the district board of education shall establish for each such classification a program in bilingual education for all pupils therein, providing also that a district board of education may establish a program in bilingual education for any language classification with fewer than 20 pupils. All pupils in bilingual education programs must receive ESL instruction.

(b) A district may request a waiver from the requirement in (a) above to establish an instructional program alternative with the approval of the Department of Education when there are 20 or more pupils eligible for the bilingual education program in grades kindergarten through 12, and the district is able to demonstrate that due to the age range, grade span and/or geographic location of eligible pupils, it would be impractical to provide a full-time bilingual program.

1. Instructional program alternatives shall be developed in consultation with and approved annually by the Department of Education after review of pupil enrollment and achievement data.

2. The instructional program alternatives that may be established are the bilingual part-time component, the bilingual resource program, the bilingual tutorial program and the high intensity ESL program.

3. Districts implementing program alternatives must submit annually, student enrollment and achievement data that demonstrate the continued need for these programs.

4. As the number of pupils increases to the point where it would be feasible to form a self-contained or subject area class, the district shall establish a full-time bilingual education program.

(c) A program of bilingual education may make provisions for the voluntary enrollment on a regular basis of pupils whose primary language is English. Such programs of developmental bilingual education shall be designed to help pupils achieve proficiency in English and in a second language, while mastering subject matter skills. Instruction shall, to the extent necessary, be in all courses or subjects of study which will allow a pupil to meet grade promotion and

graduation standards. Where possible classes in these programs shall be comprised of approximately equal numbers of pupils of limited English proficiency and of pupils whose native language is English.

(d) The bilingual program curriculum shall be adopted by the district board of education.

1. It shall include the full range of required courses and activities offered on the same basis and under the same rules that apply to all pupils within the school district.

2. In subjects and activities in which verbalization is not essential to understanding, including, but not limited to, art, music and physical education, pupils of limited English proficiency shall participate fully with English speaking pupils in the monolingual English class or activities provided.

3. The bilingual program curriculum shall address the use of two languages within the curriculum.

(e) In grades nine through 12, sufficient courses and other relevant opportunities shall be offered to enable the pupil to fulfill all credits and other requirements for graduation. When sufficient numbers of pupils are not available to form a bilingual class in a subject area, plans must be developed in consultation with the Department of Education to meet the needs of the pupils.

(f) Bilingual programs and services designed to meet the special needs of pupils of limited English proficiency shall include, but not be limited to, compensatory education, special education and vocational education services and be provided by districts in accordance with N.J.S.A. 18A:7A-4 and 5.

Amended by R.1985 d.46, effective February 19, 1985.
See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

Added (c); (c)-(d) changed to (d)-(e); (f) added.
Amended by R.1989 d.600, effective December 18, 1989.
See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Recodified from N.J.A.C. 6:31-1.3 and added requirements to establish bilingual education alternative programs.

Amended by R.1993 d.14, effective January 4, 1993.
See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

(d) deleted; recodified; redundant language removed.
Amended by R.1996 d.251, effective June 3, 1996.
See: 28 N.J.R. 1456(a), 28 N.J.R. 2857(a).

In (b) added reference to waiver.

Case Notes

Compliance with bilingual education requirements. In re: Bd. of Ed., Trenton, Mercer Cty., 1979 S.L.D. 648, 1979 S.L.D. 707, affirmed 176 N.J.Super. 553, 424 A.2d 435 (App.Div.1980), affirmed 86 N.J. 327, 431 A.2d 808 (1981).

6:31-1.6 Approval procedures

(a) Each school district providing a bilingual program, ESL program or English language services shall submit an annual plan to the Department of Education for approval.

(b) Plans submitted by districts for approval shall include information on the following:

1. Identification of pupils;
2. Program description;
3. School information;
4. Evaluation design; and
5. Review process for exit.

(c) Districts shall submit annually evaluation data which shall include achievement information in reading, writing, mathematics, and ESL, and the exit data for the pupils of limited English proficiency enrolled in the district.

(d) Districts shall also submit annually their budget for the bilingual and ESL program or English language services as part of the Annual Improvement Program Budget.

Amended by R.1985 d.46, effective February 19, 1985.

See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

Substantially amended.

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Recodified from N.J.A.C. 6:31-1.5 and added reference to English language services.

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

A new paragraph (b)5 has been added to require that district board of education bilingual education programs include a review process for exiting pupils from bilingual, ESL, or English language services programs.

6:31-1.7 Supportive services

(a) Pupils enrolled in bilingual, ESL, and English language services programs shall have full access to educational services available to other pupils in the school district.

(b) School districts may use bilingual personnel on a full or part-time basis to provide supportive services, such as counseling, to pupils of limited English proficiency. To the extent that is administratively feasible, supportive services should be provided by personnel who are familiar with and knowledgeable of the unique needs and background of the limited English proficient pupils and their parents.

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Recodified from N.J.A.C. 6:31-1.6 and editorial changes made; old N.J.A.C. 6:31-1.7 was repealed.

Former N.J.A.C. 6:31-1.7:

Amended by R.1985 d.46, effective February 19, 1985.

See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

At (b) the language has been changed to encourage the use of personnel who are familiar with and knowledgeable of the unique needs and background of the limited English proficient pupils and their parents to provide bilingual and ESL supportive services.

6:31-1.8 Inservice training

(a) Districts shall develop a plan for inservice training in the area of bilingual and ESL education for bilingual, ESL and other program staff based on their needs.

(b) The Professional Improvement Plan of the Annual Report (N.J.S.A. 18A:7A-11(e)) shall include the needs of bilingual and ESL teachers that will be addressed through inservice training.

Amended by R.1985 d.46, effective February 19, 1985.
See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

Substantially amended (a).

6:31-1.9 Certification

(a) All teachers of bilingual classes shall hold a valid New Jersey instructional certificate with an endorsement for the appropriate grade level and/or content area, as well as an endorsement in bilingual education pursuant to N.J.S.A. 18A:6-38 et seq. and N.J.S.A. 18A:35-15 to 26.

(b) All teachers of ESL classes shall hold a valid New Jersey instructional certificate with an endorsement in English as a second language pursuant to N.J.S.A. 18A:6-38 et seq. and N.J.S.A. 18A:35-15 to 26.

(c) All teachers providing English language services as defined in N.J.A.C. 6:31-1.4 shall hold a valid New Jersey instructional certificate.

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

New (c) added.

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Punctuation only.

6:31-1.10 Bilingual, ESL, and English language services program participation

(a) All school age pupils of limited English proficiency shall be enrolled in the bilingual, ESL or English language services education program established by the school district, as prescribed in N.J.A.C. 6:31-1.4(b) and 1.5(a), and P.L. 1995, c.59 and c.327.

(b) Pupils enrolled in the bilingual, ESL, or English language services program 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 pupil to function successfully in the English-only program shall be initiated by the pupil's level of English proficiency as measured by a State-established cutoff score on an English language proficiency test, and the readiness of the pupil shall be further assessed on the basis of multiple indicators which shall, at a minimum, include classroom performance, the pupil's reading level in English, the judgment of the teaching staff member or members responsible for the educational program of the pupil, and performance on achievement tests in English (see P.L. 1991, c.12).

(c) A parent or guardian may remove a pupil who is enrolled in a bilingual education program at any time; except that during the first three years of a pupil's participation in a bilingual education program, a parent or guardian may only remove the pupil at the end of each school year. If, during the first three years of a pupil's participation in a bilingual education program, a parent or guardian wishes to remove the pupil prior to the end of each school year, the removal shall be approved by the county superintendent of schools. If the county superintendent determines that the pupil should remain in the bilingual education program until the end of the school year, the parent may appeal the county superintendent's decision to the Commissioner of Education, or his designee, pursuant to the provisions of section 2 of P.L. 1991, c.12 (N.J.S.A. 18A:35-19.2). The Commissioner's decision shall be rendered within 30 days of the filing of the appeal.

(d) Pupils enrolled in the bilingual, ESL, or English language services program shall be assessed annually for exit.

(e) Newly exited pupils who are not progressing in the monolingual English program may be considered for reentry to bilingual and ESL programs as follows:

1. After a minimum of one full semester and within two years of exit, the monolingual English classroom teacher, with the approval of the principal, may recommend retesting. A waiver of the minimum time limitation may be approved by the county superintendent upon request of the chief school administrator if the pupil is experiencing extreme difficulty in adjusting to the mainstream program.

2. The recommendation for retesting would be based on the teacher's judgment that the pupil is experiencing difficulties due to problems in using English as evidenced by the pupil's inability to:
 - i. Communicate effectively with peers and adults;
 - ii. Understand directions given by the teacher;
 - iii. Comprehend basic verbal and written materials.

3. The pupil shall be tested using a different form of the test or a different language proficiency test than the one used to exit the pupil.

4. If the pupil scores below the cutoff score on the language proficiency test, the pupil shall be reentered into the bilingual or ESL program.

(f) When the review process for exiting a pupil from a bilingual, ESL, or English language services program has been completed, the district board of education shall notify, by mail, the pupil's parent(s) or legal guardian of the determination of placement. If the parent(s), guardian or teaching staff member disagrees with the placement, he or she, upon exhausting the local district's appeal process, may

appeal the placement before the Commissioner of Education pursuant to N.J.S.A. 18A:6-9 and N.J.A.C. 6:24.

Amended by R.1988 d.448, effective September 19, 1988.

See: 20 N.J.R. 1034(a), 20 N.J.R. 2383(a).

Added (c) and (d).

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

References to "monolingual English" and to "State established cutoff score", added.

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

(b) has been amended to include the requirement that a pupil may be placed in a monolingual English program after meeting a majority of the exit criteria established by the district; (c) has been amended to require that limited English proficient pupils annually be assessed for exit from bilingual, ESL, or English language services programs; new (e) has been added to provide an assessment for exit from bilingual education programs that employes multiple criteria, which is sufficient to determine a student's readiness or inability to function successfully in the monolingual English program.

Amended by R.1996 d.251, effective June 3, 1996.

See: 28 N.J.R. 1456(a), 28 N.J.R. 2857(a).

Added (c) and recodified former (c)-(e) as (d)-(f).

6:31-1.11 Location

All bilingual, ESL, and English language services programs shall be conducted within classrooms approved by the county superintendent of schools within the regular school buildings of the district.

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Added reference to ESL.

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Added reference to English language services.

6:31-1.12 Notification

(a) Each school district shall notify by mail the parents of the pupils of limited English speaking ability of the fact that their child has been identified as eligible for enrollment in a bilingual, ESL, or English language services education program. Such notice shall include the information that the parents have the option of declining enrollment of their child in a bilingual program, and they shall be given an opportunity to decline enrollment if they so choose. The notice shall be in writing and in the language of which the child of the parents so notified possesses a primary speaking ability, and in English. In addition, whenever a school district determines, on the basis of a pupil's level of English proficiency, that a pupil should exit from a program of bilingual education, the district shall notify the parents of the pupil by mail.

(b) School districts shall send progress reports to parent(s) of pupils enrolled in bilingual, ESL, or English language services programs in the same manner and frequency as progress reports are sent to parent(s) of other pupils enrolled in the school district.

(c) Progress reports shall be written in English and in the native language of the parent(s) of pupils enrolled in the bilingual program. The progress reports for pupils enrolled in an ESL program shall be written in English and in the native language of the parent(s), unless it can be demonstrated and documented in the annual plan required in N.J.A.C. 6:31-1.6(c) that this requirement would place an unreasonable burden on the local school district.

(d) Districts shall notify the parent(s) when pupils meet the exit criteria and are placed in a monolingual English program. The notice shall be in English and in the language in which the parent(s) possesses a primary speaking ability.

Amended by R.1985 d.46, effective February 19, 1985.

See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

(a) added "The notice shall . . . in the program."

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Added new (d) requiring parental notification when pupils meet criterion and are placed in monolingual English program.

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Added reference to English language services programs.

Amended by R.1996 d.251, effective June 3, 1996.

See: 28 N.J.R. 1456(a), 28 N.J.R. 2857(a).

Rewrote (a).

6:31-1.13 Joint programs

A school district may join with any other school district(s), according to procedures prescribed by the Commissioner of Education with the approval of the county superintendent, to provide bilingual, ESL or English language services programs.

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Added reference to English language services programs.

6:31-1.14 Parental involvement

(a) Each district shall provide for the maximum practicable involvement of parent(s) of pupils of limited English proficiency in the development and review of program objectives and dissemination of information to and from the local school districts and communities served by the bilingual, ESL, or English language services education program.

(b) Each school district implementing a bilingual education program shall establish a parent advisory committee on bilingual education on which the majority will be parents of pupils of limited English proficiency.

(c) The parent advisory committee shall be convened a minimum of four times per school year.

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Changed term "speaking ability" to "proficiency".

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Added reference to English language services programs.

6:31-1.15 Office of Bilingual Education

(a) There shall be established in the State Department of Education an Office of Bilingual Education.

(b) The Office of Bilingual Education shall be charged with the following:

1. Administration of the provisions of this chapter;
2. Providing technical assistance to school districts in the implementation of their bilingual, ESL, and English language services programs; and
3. Coordination and monitoring in conjunction with the county offices of education of local, State and Federal programs designed to meet the educational needs of pupils of limited English proficiency.

Amended by R.1985 d.46, effective February 19, 1985.

See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

(b)3, added "and monitoring . . . of education" of local, "State".

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Changed term "speaking ability" to "proficiency".

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Added reference to English language services program.

6:31-1.16 State advisory committee on bilingual education

(a) The State Board of Education shall establish a State advisory committee on bilingual education. The Commissioner of Education shall appoint the members of the committee.

(b) The committee shall advise the Department of Education in the formulation of policies and procedures relating to the Act.

(c) The committee shall be composed of at least 15, but not more than 25, members, one of whom shall be elected chairperson. The membership shall include the following representation:

1. A minimum of two but not more than four parents of pupils of limited English proficiency;
2. A minimum of three but not more than four persons from institutions of higher education experienced in the training of teachers of bilingual and ESL education;
3. A minimum of four but not more than six teachers experienced in bilingual and ESL teaching techniques;
4. A minimum of one but not more than three persons serving on a district board of education implementing a bilingual or ESL education program; and
5. A minimum of two but not more than four school administrators of bilingual or ESL education programs; and
6. A minimum of two but not more than four laypersons knowledgeable in the field of bilingual and ESL education.

Amended by R.1985 d.46, effective February 19, 1985.

See: 16 N.J.R. 2721(a), 17 N.J.R. 425(a).

Deleted "local school" and substituted "district".

Amended by R.1989 d.600, effective December 18, 1989.

See: 21 N.J.R. 2443(a), 21 N.J.R. 3948(a).

Changed term "speaking ability" to "proficiency".

Amended by R.1993 d.14, effective January 4, 1993.

See: 24 N.J.R. 3497(a), 25 N.J.R. 66(a).

Editorial correction only.

Amended by R.1996 d.251, effective June 3, 1996.

See: 28 N.J.R. 1456(a), 28 N.J.R. 2857(a).

In (a) and (b) deleted references to State Board of Higher Education, the Chancellor of Higher Education and the Department of Higher Education.