

## CHAPTER 30

### ADULT EDUCATION PROGRAMS

#### Authority

N.J.S.A. 18A:1-1, 18A:4-15, 18A:7C-1 et seq., 18A:27-2, 18A:48-1, 18A:49-1 through 8, 18A:50-12, 13 and 14, and the Adult Education Act, 20 U.S.C. 1201 et seq.

#### Source and Effective Date

R.1994 d.286, effective June 6, 1994.  
See: 26 N.J.R. 884(b), 26 N.J.R. 2257(a).

#### Chapter Expiration Date

Pursuant to Executive Order No. 22(1994), Chapter 30, Adult Education Programs, expires on December 6, 2000. See: 26 N.J.R. 3783(a) and 3942(a).

#### Chapter Historical Note

Chapter 30, originally Adult and Community Education, was recodified from N.J.A.C. 6:44-6 and 7 and adopted as R.1982 d.39, effective February 16, 1982, but with Subchapter 1, High School Equivalency (State Issued Diploma for Adults), operative October 1, 1982. See: 13 N.J.R. 721(a), 14 N.J.R. 205(c). Pursuant to Executive Order No. 66(1978), Chapter 30 was readopted as R.1986 d.310, effective July 7, 1986. See: 18 N.J.R. 871(b), 18 N.J.R. 1561(a). Chapter 30 was repealed and new rules on Adult Education Programs were adopted as R.1988 d.311, effective July 5, 1988. See: 20 N.J.R. 700(a), 20 N.J.R. 1540(a). Pursuant to Executive Order No. 66(1978), Chapter 30 was readopted as R.1993 d.267, effective May 11, 1993. See: 25 N.J.R. 1112(a), 25 N.J.R. 2264(a).

Pursuant to Executive Order No. 66(1978), Chapter 30 expired on May 11, 1994, and new rules on Adult Education Programs, replacing the expired rules, were adopted as R.1994 d.286. See: Source and Effective Date.

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### SUBCHAPTER 1. GENERAL PROVISIONS

#### 6:30-1.1 Purpose and functions

(a) The purpose of adult basic skills and literacy programs is to provide comprehensive life-long learning opportunities for adults.

(b) The Division of Academic Programs and Standards is responsible for:

1. Providing educational leadership for the programs cited in this chapter;
2. Allocating funds to local school districts, county community colleges, county and State institutions, and non-profit and for profit agencies and organizations for the operation of programs cited in this chapter;
3. Evaluating the programs cited in this chapter;
4. Providing technical assistance and training to programs cited in this chapter;
5. Supervising General Educational Development (GED) Testing Centers;
6. Evaluating college transcripts of persons applying for a State-issued high school diploma; and
7. Awarding State-issued high school diplomas to applicants meeting the requirements for diploma issuance.

#### 6:30-1.2 Age and out-of-school requirements

(a) In order to participate in programs described in this chapter, a person must be at least 16 years of age and no longer enrolled in school.

(b) Requests to participate in programs described in N.J.A.C. 6:30-2 and 3 from persons 16 and 17 years of age domiciled in a natural or foster home shall be accompanied by a Certificate of Consent to Participate signed by a parent, guardian, probation or parole officer, State rehabilitation counselor or a judge.

(c) Requests to participate in programs described in N.J.A.C. 6:30-2 and 3 from persons 16 or 17 years of age who are domiciled in a State, county or municipal institution, or in a residential program, must be accompanied by a Certificate of Consent to Participate signed by either a parent or guardian, or when neither is available, a surrogate parent.

1. Each institution shall ensure that the rights of a youth are protected through the provision of a surrogate parent who shall assume all parental rights under this chapter, when either:

- i. The parent(s) cannot be located after reasonable efforts; or
- ii. The youth is a ward of the State of New Jersey.

2. Each institution shall establish a method for selecting and training surrogate parents.

3. The person serving as a surrogate parent shall have:

- i. No interest that conflicts with those of the youth he or she represents; and
- ii. Knowledge and skills that ensure adequate representation of the youth.

4. A surrogate parent may be paid solely to act in that capacity. Persons serving as surrogate parents may not otherwise be employees of the institution.

(d) Requests to participate in programs described in N.J.A.C. 6:30-2 and 3 from emancipated minors, who are at least 16 years of age, shall be accompanied by a Certificate of Consent to Participate signed by a judge appointed in the State of New Jersey. For purposes of this chapter, an "emancipated minor" is a person 16 or 17 years of age, domiciled in an independent housing arrangement and not responsible to natural or foster parents or a guardian.

(e) Programs as described in N.J.A.C. 6:30-2 and 3 shall accept all requests to participate, as space allows, from residents of New Jersey who are at least 16 years of age and no longer enrolled in school. Participation in programs shall not be limited in any way, except with respect to the availability of facilities and teaching personnel. Participants shall not be denied access to a program because of their place of residency as long as they meet the requirement of New Jersey state residency.

### **6:30-1.3 Certification for a State-issued high school diploma**

(a) Either of the following methods may be used to qualify for a State-issued high school diploma:

1. Persons may apply for a State-issued high school diploma by taking the Tests of General Educational Development (GED) of the American Council on Education or other tests approved by the State Board of Education which shall be used as the basis for qualifying for a State-issued high school diploma.

i. The Commissioner shall establish uniform, State-wide standard scores for passage of the GED test.

ii. These standard score requirements shall be adopted and be subject to change by resolution of the State Board of Education. The State Board shall announce its intent to change GED score requirements no less than 28 days prior to final adoption.

iii. Exceptions to the standard score requirement may be made by the Commissioner upon the recommendation of the Assistant Commissioner, Division of Academic Programs and Standards with respect to persons 60 years of age and older. In no case may an exception to the passing score fall below the minimum passing scores established by the American Council on Education. Such a determination will be made on a case by case basis considering circumstances such as health and achievement.

2. Persons may apply and qualify for a State-issued high school diploma by passing the High School Proficiency Test, and presenting 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: communications; mathematics; science; social science; and the humanities. For the purpose of this section the five general education categories shall be defined as follows:

i. "Communications" shall mean courses designed to enhance facility in the English language;

ii. "Mathematics" shall mean courses designed to enhance mathematical conceptual understanding and application, including computer science;

iii. "Science" shall mean courses designed to enhance scientific conceptual understanding and application;

iv. "Social science" shall mean courses designed to promote social awareness, including understanding social, economic and political problems and the responsibilities of citizenship in an interdependent world; and

v. "Humanities" shall mean courses in literary, philosophical, foreign language, historical, aesthetic, or other humanistic studies to promote the understanding and transmission of values to one's own and other cultures.

3. Persons seeking to qualify for a State-issued high school diploma as outlined in this section, shall be at least 16 years of age and out of school. Exceptions to the age requirement may be made by the Commissioner upon the recommendation of the Assistant Commissioner, Academic Programs and Standards for persons under 16 years of age who have otherwise met all state high school graduation requirements. Such a determination will be made on a case by case basis considering extraordinary academic or personal achievement.

**6:30-1.4 Fees**

(a) Persons submitting applications for a State-issued high school diploma by examination or reexamination on the GED test shall pay a \$25.00 fee. Upon application to take the GED test, an applicant shall be presented with a certifying document verifying payment of the appropriate fee and designating a six-month time frame during which the applicant may take the GED test or reexaminations as may be necessary. Applicants will be required to present the payment certification document when registering for retesting during the six-month testing time frame.

(b) Persons housed under the custody and supervision of the New Jersey State Department of Corrections may, by contractual agreement with the New Jersey State Department of Education, be administered the GED test without charge to either the candidate or the New Jersey State Department of Corrections.

(c) Persons requesting a State-issued high school diploma based on the evaluation of college coursework, or a copy of a GED transcript and diploma verification shall do so in the form of a written request signed by the person making the request and shall include a \$5.00 fee.

**6:30-1.5 School and community planning process**

(a) Districts or agencies sponsoring programs as cited in N.J.A.C. 6:30-2 and 3 shall adopt school and community planning procedures for the operating of these programs.

(b) Agencies sponsoring these programs shall provide opportunity for public review and comment on programs funded under N.J.A.C. 6:30-2 and 3. Agencies shall establish advisory committees which shall include community residents and program staff and shall make provision annually for public input.

**6:30-1.6 Monitoring**

(a) The Commissioner shall require the monitoring of all programs described in this chapter pursuant to N.J.S.A. 18A:48-1, 18A:49-1 through 18A:50-12, 13 and 14, and the Adult Education Act, 20 U.S.C. 1201 et seq., to ensure that each is performing according to the standards and procedures prescribed by law and rule.

(b) The monitoring procedure shall be as follows:

1. The Assistant Commissioner, Division of Academic Programs and Standards shall establish a monitoring schedule annually.

2. Each chief school and agency administrator and program director responsible for adult programs described in this chapter shall be notified in advance by the Assistant Commissioner, Division of Academic Programs and Standards, of the date established for the monitoring visit.

3. Prior to the monitoring visit, each chief school and agency administrator and program director responsible for the adult programs described in this chapter shall receive a copy of the monitoring instrument prescribed by the Commissioner containing the specific indicators as noted in N.J.A.C. 6:30-2.6 and 3.3 needed to demonstrate satisfactory program performance.

(c) Based upon the monitoring findings, the Assistant Commissioner, Division of Academic Programs and Standards, shall determine whether to recommend the continuation or suspension of the program to the Commissioner.

(d) All programs cited in this chapter shall be monitored by June 6, 1999 and once every five years thereafter.

(e) Staff of the Bureau of Adult Education and Literacy shall conduct monitoring and shall record findings using worksheets prescribed by the Assistant Commissioner, Division of Academic Programs and Standards, and review the findings with the chief school or agency administrator and director responsible for the adult program.

(f) The Assistant Commissioner, Division of Academic Programs and Standards shall send a formal notification of findings to the chief school or agency administrator responsible for the program within 20 work days of the completion of the monitoring visit. The notification shall contain:

1. Copies of completed worksheets; and
2. A recommendation that the program be continued or suspended by the Commissioner.

(g) A chief school or agency administrator notified that the Assistant Commissioner, Division of Academic Programs and Standards will recommend to the Commissioner that an adult program be suspended shall be granted 60 calendar days from receipt of the notification to document to the Commissioner that the unacceptable findings have been corrected.

(h) Any adult program that does not correct deficiencies within the 60 calendar day period shall be suspended by the Commissioner, in accordance with the procedure established under N.J.A.C. 6A:3-3.1.

Amended by R.2000 d.137, effective April 3, 2000.

See: 31 N.J.R. 4173(a), 32 N.J.R. 1177(a).

In (h), changed N.J.A.C. reference.

**6:30-1.7 Definitions**

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

“Accredited” means that the high school, college or university has met the criteria and standards set by the appropriate accrediting agency such as the Middle States Association.

“Adult” means a person 18 years of age or older.

“Adult high school” means a school conducting supervised educational activities in the day or evening to provide adults with the necessary instruction to enable them to complete the requirements for a locally issued, State-endorsed diploma.

“Adult’s primary language” means the language most relied upon by the adult for communication, or the language most spoken by the adult in the adult’s home or work environment.

“Apprentice” means an employee of legal working age who meets the qualifications established by the apprentice sponsor and who is employed under a written agreement which provides that related training and on-the-job experience received be in accordance with approved standards of apprenticeship.

“Apprentice sponsor” means an employer who is a party to a written training agreement with an apprentice that includes the components of the training in accordance with approved standards of apprenticeship.

“Apprentice training” means a program of adult vocational education requiring a written training agreement between full-time paid apprentices and their apprentice sponsors. The program includes components of related instruction which are coordinated by an individual who holds a current administrative certificate of Coordinator: Apprentice Programs.

“Apprenticeship agreement joint approval” means a written training agreement between an apprentice and an apprentice sponsor in accordance with approved standards of apprenticeship. This agreement includes the components of the training and is signed by the apprentice, apprentice sponsor, apprentice coordinator, State Department of Education representatives and Federal Bureau of Apprenticeship and Training representative.

“Approved” means that a program has met the standards established by the Department of Education as evidenced by action taken by the State Board of Education.

“Assistant Commissioner” means the Assistant Commissioner, Division of Academic Programs and Standards.

“Attendance” means participation in a learning activity for more than one hour in a session.

“Comprehensive examination” means a test designed to assess mastery of a given set of proficiencies.

“Contact time” means the period in which a student interacts with a staff member of the adult high school for one hour or more at a Department of Education approved facility for purposes of instruction or advisement.

“Course” and “coursework” means activities and projects which are geared toward mastery of a set of proficiencies.

“DD-214” means a Department of Defense form issued to all members of the military which describes their service record.

“Disabled adult” means any adult who has any physiological, mental or psychological disorder or condition which substantially limits one or more major life activities, has a record of such an impairment or is regarded as having such an impairment.

“Educational plan” means a signed and dated document developed by the student and a professional staff member of the adult school program.

“English language fluency” means the ability to understand conversational English and to speak the 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.

“English language proficiency” is defined as the full command of language skills, including proficiency in listening, speaking, reading and writing. English language proficiency is defined operationally as the passing score on an English language proficiency test. To attain proficiency in a language requires more time than to attain fluency.

“Enrolled” means that an adult has completed and filed an application for enrollment and assisted in the development and completion of an educational plan.

“Flexible course” means a course that identifies and prescribes activities and projects necessary to achieve an accepted level of proficiency rather than a specified number of minutes of class time.

“Full-time employment” means work that is not less than 30 hours per week.

“Limited English proficient adult” is defined as an adult who has not demonstrated English language proficiency as measured by a language proficiency test.

“Locally issued, State-endorsed diploma” means a high school diploma awarded to an individual by a district board of education endorsed by the State Board of Education.

“Monitoring” means a process conducted by representatives of the Department of Education to determine whether or not a program can demonstrate satisfactory operational performance.

“New Jersey resident” means a person who resides in or whose principal residence is in the State of New Jersey.

“Occupational license” means a certificate verifying that a person has met qualifications prescribed by an issuing State agency for occupations designated by the New Jersey State Department of Labor.

“Official transcript” means an individual’s record of high school or college courses, grades and credits awarded or a record of GED scores.

“Part-time employment” means work that is more than 15 hours but less than 30 hours per week.

“Proficiency” means an explicitly stated and demonstrable knowledge and/or skill used to define a desired learning outcome.

“Proprietary school” means a privately owned school.

“Remedial college courses” means those courses taken at an accredited college or university which are not applied toward graduation and for which no college academic credit is awarded.

“School year” means a period of time commencing on July 1 and ending on June 30 of the following year.

“State-issued diploma” means a diploma issued by the State of New Jersey. This is contrasted with a locally issued, State-endorsed diploma.

“Statement of responsibilities” means an agreement signed by both the student and a representative of the adult high school establishing the requirements of each to engage in a successful academic program.

“Traditional course” means a course which has specified lengths of time for class meetings and the completion of activities necessary to achieve the accepted level of proficiencies for the award of credit.

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## SUBCHAPTER 2. ADULT BASIC SKILLS AND GENERAL EDUCATIONAL DEVELOPMENT (GED) PROGRAMS

### 6:30-2.1 Purpose and program descriptions

(a) Adult basic skills programs shall offer instruction designed to enable students to acquire the skills necessary to function independently as parents, workers, consumers and citizens.

1. Adult Basic Education (ABE) programs are designed for persons who are least educated and lacking the most basic educational skills. ABE programs focus instruction on basic communication, computation, pre-occupational, civic and everyday living skills.

2. General Educational Development (GED) programs are designed for persons preparing to take the Tests of General Educational Development (GED) in order to qualify for a State-issued high school diploma. GED programs focus instruction on subject areas covered by the GED test, namely, writing skills, social studies, science, interpreting literature and the arts, and mathematics. In these programs instruction may be offered in either English, Spanish or French, subject to the availability of teaching staff.

3. English as a Second Language (ESL) programs are designed for persons with limited English language proficiency to prepare them in the acquisition of listening, speaking, reading and writing English language skills necessary to function effectively in an English speaking environment and further, for those who so desire, to enter other adult education programs. Persons with limited English proficiency are those whose primary language is other than English and who, by oral placement test, are determined to be in need of instruction in English as a second language. An adult’s primary language is the language most relied upon by the adult for communication or the language most spoken by the adult in his or her home or work environment.

4. Evening schools for Foreign-Born Residents provide foreign-born persons with instruction in the English language pursuant to N.J.S.A. 18A:49-1. The program also provides instruction concerning the organization and function of Federal, State and local government and in the laws of New Jersey and of the United States. All instruction shall be oriented toward preparation for citizenship.

5. General Educational Development (GED) testing centers provide opportunities for adults to take the Tests of General Educational Development (GED) leading to the awarding of a State-issued high school diploma.

6. All curricula shall be adult oriented and shall emphasize instructional approaches and learning activities which are geared to the personal and academic needs and aspirations of each student.

7. For each student, in any adult program noted in this subchapter, an educational plan shall be developed reflecting initial test results indicating deficiencies in basic skills, remedial steps to be taken, dated results of instructional activity and a sign-off by the professional staff person recording the comments.

8. All professional staff members shall possess valid New Jersey teaching certificates and shall be supervised and evaluated annually by personnel possessing supervisory certification. This requirement shall not apply to persons providing services as unpaid volunteers.

Amended by R.1994 d.443, effective September 6, 1994.  
See: 26 N.J.R. 2184(a), 26 N.J.R. 3707(c).

**6:30-2.2 Eligibility for funding**

(a) The eligibility of an agency, institution or organization to apply for State and Federal funds for basic skills and GED programs shall be determined in accordance with requirements pursuant to N.J.S.A. 18A:50-12 and the Adult Education Act, 20 U.S.C. 1201 et seq.

(b) Eligibility for funding Evening Schools for Foreign-Born Residents is subject to the following limitations:

1. Funding is limited to school districts;
2. Teachers employed in the Evening School for Foreign-Born Residents programs shall hold a valid New Jersey teaching certificate; and
3. The classes shall be separate and distinct from other adult education classes. They may be held in the same building with other classes but shall be maintained in separate rooms. Classes may be held during daytime hours but shall be available in the evening in all local programs funded for this activity.

**6:30-2.3 Application for funding**

(a) Agencies entitled to program support for basic skills or GED programs shall submit a statement of intent to sponsor a program during the succeeding fiscal year to the Bureau of Adult Education and Literacy by September 15 of the pre-budget year. For the purpose of this section, "agency, institution and organization" shall be referred to as "agency." In this section, the phrase "pre-budget year" shall mean the school year prior to the school year to which an application for funding makes reference.

1. The Bureau of Adult Education and Literacy shall forward an application for funding by October 15 of the pre-budget year to each agency which submitted a statement of intent to sponsor a basic skills or GED program.
2. Agencies applying for basic skills or GED programs shall submit an application for funds by the deadline established annually in a request for proposals. Such application, issued by the Division of Academic Programs and Standards, shall be disseminated to all programs or agencies who have submitted a letter of intent pursuant to (a)1 above. Applications shall include the need and purpose of the program, assurance of compliance with state regulations, rationale, goals, a program description including implementation timelines, internal program evaluation, a statement of assurances, personnel and budget.
3. Funding for basic skills or GED programs to agencies shall be established annually as part of the application process.
4. The determination of funding for agencies for adult basic skills programming shall be based upon, but not limited to, the following:

- i. Current demographic data related to under-educated adults in the State of New Jersey;
- ii. Current demographic data related to each individual eligible agency;
- iii. Data submitted by applicants including previous student enrollments and program completion based on attendance or GED passage; and
- iv. Anticipated services described by applicants.

5. Agencies applying for funding for basic skills or GED programs will receive a notification of funding by February 15 of the pre-budget year.

(b) School districts requesting funding for Evening Schools for Foreign-Born Residents pursuant to N.J.S.A. 18A:49 shall submit a statement of intent to sponsor a program during the succeeding fiscal year to the Bureau of Adult Education and Literacy by September 15 of the pre-budget year.

1. To receive funding under this program, school districts shall make application annually to the Division of Academic Programs and Standards.

2. Each school district shall submit a statement to the Division of Academic Programs and Standards by September 15 of the pre-budget year stating intent to sponsor an Evening School for Foreign-Born Residents and an estimate of local funds which will be made available for program purposes. Allocations shall be developed for the following year pursuant to N.J.S.A. 18A:49.

3. The school district shall appropriate in its annual budget an amount at least equal to the allocation anticipated from the State. The expenditure of State and local funds for that year shall be confirmed in a fiscal report submitted to the Division of Academic Programs and Standards upon completion of the program but no later than July 30 following the close of the program year.

4. In any year that the State appropriation for this program is less than the amount applied for by school districts, the amounts requested by districts shall be prorated. The proration shall be based on the ratio of the State appropriation for that year to the total amount for which application is made.

5. Upon receipt of a notice of allocation from the Division of Academic Programs and Standards, districts shall submit an application for approval by the Division. Notice of annual allocation shall be made to school districts by June 30 of the school year preceding funding.

6. School districts approved for funding under this program shall maintain appropriate fiscal records pursuant to N.J.A.C. 6:20-2A.

7. A separate account shall be maintained for the receipt and disbursement of State and local funds. This account shall be shown in the annual audit of the district.

(c) Public schools, public post secondary education institutions, and State agencies, as approved by the State Department of Education, are eligible to apply for funding to operate GED testing centers.

1. Agencies eligible to operate GED testing centers shall submit an application in accordance with procedures established by the Division of Academic Programs and Standards which may include, but not be limited to, documentation related to location, target population, facilities, marketing strategies, institutional commitment, and hours of operation. Contracts shall be approved by the State Department of Education based on an agency's certification that contractual terms and conditions will be met.

#### 6:30-2.4 Eligibility for participation

(a) Participation in ABE and GED programs shall be limited to persons 16 years of age and older and no longer enrolled in school.

1. Participation in ESL programs shall be limited to persons who are residents of New Jersey, are 16 years of age and older and no longer enrolled in school, and judged by oral placement test to be in need of instruction in English as a second language.

2. Priority for participation in ABE and ESL programs shall be given first to persons who are least educated and most in need and second, to persons who have not obtained a high school diploma.

3. Participation in GED preparatory programs shall be limited to persons who do not possess a high school diploma, are residents of New Jersey, are 16 years of age or older and no longer enrolled in school, and have demonstrated a reading comprehension ability equivalent to a person functioning on a ninth grade level, as demonstrated on a commercially available, nationally normed, standardized test for adults.

(b) Participants in the Evening School for Foreign-Born Residents program shall be limited to adults who are residents of New Jersey, are 16 years of age or older, and no longer enrolled in school.

1. Participation by in-school youth who are under 16 years of age shall be permissible when these persons accompany parents or family members participating in the program but shall not be in lieu of regular day school instruction.

#### 6:30-2.5 Fees

Adult basic skills programs and GED programs and Evening Schools for Foreign-Born Residents provided in total or in part with State or Federal funds shall be offered free of tuition, fees or other charges, including the cost of books and other instructional materials.

#### 6:30-2.6 Monitoring

(a) Staff of the Bureau of Adult Education and Literacy shall monitor programs cited in this subchapter pursuant to the monitoring process outlined in N.J.A.C. 6:30-1.6.

(b) The following indicators of program quality with associated measures of performance shall be used by the monitoring teams in carrying out the monitoring process in adult basic skills programs:

1. Learners demonstrate progress toward attainment of basic skills competencies that support their educational needs and goals. Measures of performance shall include:

- i. Standardized test score gains;
- ii. Informal Reading Inventory results, pre- and post;
- iii. Placement scores for ESL students;
- iv. Teacher reports of gains and improvements in computation and/or communications and/or life skill competencies; and
- v. Student goals and the identification of student skill needs, student comments and feedback, and examples of student work.

2. Learners progress according to their abilities in the instructional program or complete program educational requirements that allow them to continue their education or training or achieve their personal educational goals. Measures of performance shall include:

- i. Student advancement to higher levels of skill or competency in the adult education program;
- ii. Attainment of a State High School Diploma for GED level students; and
- iii. Attainment of a stated personal goal.

3. Based on a participatory planning process, the program develops, implements, evaluates and revises, as needed, written program goals. Measures of performance shall include:

- i. Existence of a planning document that specifies program goals and objectives and is regularly reviewed and revised at least once each year;
- ii. Openness of the program to community input on planning through mechanisms such as an advisory board, staff meetings and comments, student questionnaires, and public hearings;
- iii. As funding permits, program plan responds to and addresses community needs and priorities regarding location of classes, skills taught, and types of program services offered;
- iv. Existence of program evaluation component and evidence that evaluation feeds into the planning process; and

- v. Activities are implemented based on reviewed and revised program goals and objectives.
4. Program utilizes curriculum and instructional techniques sensitive to individual student and group learning styles and the varying levels of student need. Measures of performance shall include:
- i. Student assessment information is used to guide the goals and design of the instructional process; and
  - ii. Existence of written curriculum guides outlining instructional content including materials, approaches and strategies to address the educational needs and goals of individual students.
5. Program has a staff development process that considers the specific needs of its staff, offers opportunities for training in the skills necessary to provide quality instruction and utilization of skills learned. Measures of performance shall include:
- i. Presence of preservice and inservice staff development opportunities that include a program overview, philosophy and goals of the program, and ongoing topics appropriate to adult learning;
  - ii. Existence of a process for identifying staff development needs;
  - iii. Effective staff performance as measured by administrative observations of staff; and
  - iv. Hours of preservice and inservice staff development training received by staff.
6. Program identifies support service needs and the agencies which address these needs, provides information to students as needed, and promotes student access to these agencies through informal linkages with service providers as a means of enhancing student participation in the program. Measures of performance shall include:
- i. Presence of a process for identifying student support service needs; and
  - ii. Presence of a listing of support service providers, or informal agreements or linkages between the program and support service providers.
7. Program recruits the population within the service delivery area as identified in the Adult Education Act as needing literacy services. Measures of performance shall include:
- i. The types of recruitment activities the program performs if the program is undersubscribed;
  - ii. The percentage of target population enrolled compared with state demographics as compiled and reported by the state educational agency; and
  - iii. The percentage of target populations enrolled compared with state averages as compiled and reported by the state education agency.

8. Students are encouraged to remain in the program long enough to meet their educational goal(s). Program has a plan which addresses retention and implements that plan as needed. Measures of performance shall include:

- i. Existence of a written statement on the expected levels of student participation and the measures of activities to be implemented if attrition is above the stated acceptable levels;
- ii. Hours of participation in the program by type of program; and
- iii. Number of students who continue or return to the program in the following program year.

### SUBCHAPTER 3. ADULT HIGH SCHOOLS

#### 6:30-3.1 General provisions

(a) Adult high schools shall offer adults opportunity, accessibility and flexibility while maintaining the high standards inherent in the awarding of a high school diploma. Courses shall be sufficiently varied for meeting the educational needs of adults and shall be designed to challenge participants to achieve their highest level of educational ability.

(b) For each student, in an adult high school program, an educational plan shall be developed reflecting the student's past academic record, an analysis of past experiences for which credit may be awarded, graduation requirements, and a proposed schedule of courses for the current school year leading to completion of the requirements for graduation.

#### 6:30-3.2 Permission to establish, expand or relocate an adult high school

(a) To establish an adult high school, the district board of education shall file a request with the Division of Academic Programs and Standards by January 2 of the year of anticipated operation. The request shall include:

1. Data documenting community need;
2. An identification and description of the proposed program site;
3. A projection of enrollment for the first year of operation;
4. A projection of staff by job title;
5. A locally approved program of studies which includes state mandated courses required for graduation as prescribed in N.J.A.C. 6:30-3.7;
6. A projected budget for the first year of operation; and

7. A district board of education resolution approving the establishment of an adult high school.

(b) The Division of Academic Programs and Standards shall evaluate the application of the district board of education and visit the proposed site before the Assistant Commissioner shall grant or deny approval to establish an adult high school.

1. If permission is not granted, the district may resubmit an amended application.

2. If permission is not granted following resubmission, the proposed adult high school may not begin operations during the subsequent school year.

(c) To expand or to relocate an existing program to another site, the district board of education shall file a request with the Division of Academic Programs and Standards three months prior to the anticipated change. The request shall include elements (a)2, 3 and 4 listed above.

### 6:30-3.3 Monitoring

(a) Staff of the Bureau of Adult Education and Literacy shall monitor programs cited in this subchapter pursuant to the monitoring process outlined in N.J.A.C. 6:30-1.6.

(b) The following indicators of program quality with associated measures of performance shall be used by the monitoring teams in carrying out the monitoring process in adult high schools:

1. Learners demonstrate progress toward attainment of secondary school level competencies that support their educational needs and goals. Measures of performance shall include:

- i. Standardized test score gains;
- ii. HSPT score data;
- iii. Teacher reports of gains and improvements in computation and/or communications and/or life skills competencies; and
- iv. Student goals and the identification of student skill needs, student comments and feedback, and examples of student work.

2. Learners progress according to their abilities in the instructional program or complete program educational requirements that allow them to continue their education or training or achieve their personal educational goals. Measures of performance shall include:

- i. Student advancement to higher levels of skill or competency in the academic and training community;
- ii. Attainment of a district adult high school diploma; and
- iii. Attainment of a stated personal goal.

3. Based on a participatory planning process, the program develops, implements, evaluates and revises, as needed, written program goals. Measures of performance shall include:

i. Existence of a planning document that specifies program goals and objectives and is regularly reviewed and revised at least once each year;

ii. Openness of the program to community input on planning through mechanisms such as an advisory board, staff meetings and comments, student questionnaires, and public hearings;

iii. As funding permits, program plan responds to and addresses community needs and priorities regarding location of classes, skills taught, and types of program services offered;

iv. Existence of program evaluation component and evidence that evaluation feeds into the planning process; and

v. Activities are implemented based on reviewed and revised program goals and objectives.

4. Program utilizes curriculum and instructional techniques sensitive to individual student and group learning styles and the varying levels of student need. Measures of performance shall include:

i. Student assessment information is used to guide the goals and design of the instructional process; and

ii. Existence of written curriculum guides outlining instructional content including materials, approaches and strategies to address the educational needs and goals of individual students.

5. Program has a staff development process that considers the specific needs of its staff, offers opportunities for training in the skills necessary to provide quality instruction and utilization of skills learned. Measures of performance shall include:

i. Presence of preservice and inservice staff development opportunities that include a program overview, philosophy and goals of the program, and ongoing topics appropriate to adult learning;

ii. Existence of a process for identifying staff development needs;

iii. Effective staff performance as measured by administrative observations of staff; and

iv. Hours of preservice and inservice staff development training received by staff.

6. Program identifies support service needs and the agencies which address these needs, provides information to students as needed, and promotes student access to these agencies through informal linkages with service providers as a means of enhancing student participation in the program. Measures of performance shall include:

- i. Presence of a process for identifying student support service needs; and
  - ii. Presence of a listing of support service providers, or informal agreements or linkages between the program and support service providers.
7. Program recruits the population within the service delivery area identified as lacking a high school diploma. Measures of performance shall include:
- i. The types of recruitment activities the program performs if the program is undersubscribed;
  - ii. The percentage of target population enrolled compared with state demographics as compiled and reported by the state education agency; and
  - iii. The percentage of target populations enrolled compared with state averages as compiled and reported by the state education agency.
8. Students are encouraged to remain in the program long enough to meet their educational goal(s). Program has a plan which addresses retention and implements that plan as needed. Measures of performance shall include:

- i. Existence of a written statement on the expected levels of student participation and the measures of activities to be implemented if attrition is above the stated acceptable levels;
- ii. Hours of participation in the program by type of program; and
- iii. Number of students who continue or return to the program in the following program year.

#### 6:30-3.4 Eligibility for enrollment and State aid

(a) To qualify for enrollment in an adult high school, a person shall:

- 1. Be a New Jersey resident;
- 2. Meet the age and out-of-school requirement of N.J.A.C. 6:30-1.2;
  - i. A person enrolled in secondary school with senior standing, lacking an opportunity to take courses in his or her secondary school of enrollment, which are available in the adult high school, shall be exempt from the out-of-school requirement provisions of N.J.A.C. 6:30-1.2 provided that the chief school administrators of both the sending and receiving districts approve in a written joint agreement the participation of such a person on a space available basis in that adult high school. Such written approval shall explicitly state the course(s) to be taken and the time frame covered by the agreement. Tuition established by the receiving district on a cost-recovery basis may be charged to the sending district for persons enrolled under this exception;

3. Have not earned a locally issued, State-endorsed high school diploma;

- i. Persons holding locally issued high school diplomas may enroll in an adult high school on a space available basis for the express purpose of supplementing their high school record. Tuition established by the host district on a cost-recovery basis may be charged to persons enrolling under this exception; and

4. Complete and sign an application for enrollment including a statement of responsibilities.

(b) To qualify for State aid a person shall:

- 1. Have met the requirements set forth in (a) above;
- 2. Have an educational plan on file; and
- 3. Have met the following attendance requirements:

- i. Be enrolled and on the school register as of October 15 of the current school year; and

- ii. Be in attendance at least once from October 16 through October 31, unless excused by the adult high school principal for reasonable cause.

(c) Adults who qualify for State aid shall be reported for State aid purposes on the basis of the number of course credits projected in the educational plan for the current school year on the following schedule:

- 1. One, to and including, 14 credits as a value of 0.5.
- 2. Fifteen or more credits as a value of 1.0.

(d) Persons enrolled pursuant to (a)2i and 3i above shall not qualify for State aid with respect to their participation in the adult high school.

#### 6:30-3.5 Adults with special needs

(a) Limited English proficient adults shall be required to demonstrate language fluency on the Maculaitis Assessment Program at a score level determined by the State Board of Education.

- 1. Limited English proficient adults shall be referred to appropriate classes in the adult high school to attain English language proficiency. If the language improvement needs of the adult cannot be met by the adult high school, then the principal shall refer the person to the nearest adult program with staff available to meet those needs.

(b) For an adult with previous experience in a special education program now seeking similar services at an adult high school, the principal of the adult high school with the concurrence of the adult shall request the most recent evaluation and individualized educational plan (IEP) for that adult from the high school of last attendance, provided the evaluation was made within the last three years.

1. The principal shall review the IEP to determine the services required by the plan and also the availability of such services in the adult high school.

i. If the IEP can be carried out, it shall serve as the instructional guide for that adult.

ii. If the principal determines that the IEP cannot be carried out, the principal shall promptly refer the adult to the nearest adult high school with staff available to offer the special services required in the IEP or to appropriate county or State agencies or institutions with resources and personnel able to serve the special needs of the adult.

2. If the evaluation was made more than three years prior to application to the adult high school, the IEP may not serve as a guide for the adult's instructional program at the adult high school.

(c) Disabled adults without previous experience in a special education program or those individuals with IEPs that have been issued more than three years prior to their application to the adult high school shall be counseled regarding educational options which would lead to high school graduation and shall be served to the maximum extent appropriate to the needs of the disabled adult within the capability of the program to provide such services.

#### 6:30-3.6 Curriculum

(a) The adult high school curriculum shall comply with the requirements of law and rule and shall include a program of studies which has been adopted by the district board of education.

(b) A copy of the program of studies together with the rules governing its administration as formulated locally and approved by the district board of education shall be kept on file in the principal's office of each adult high school. Such program shall include the courses offered, both required and elective, and the number of credits for each course.

(c) The program of studies shall include all course descriptions. Each course description outline shall include:

1. The course title;
2. A course description;
3. A topical listing of course content;
4. A list of course proficiencies;
5. Evaluation criteria and the standard of mastery; and
6. A comprehensive examination.

(d) The comprehensive examinations for all courses, except for those in the fine, practical or performing arts, shall be written examinations.

(e) When similarly titled courses exist in the adult high school and in high schools of the district, the proficiencies for adult high school courses must meet or exceed the proficiencies established for those courses in the high schools of the district.

(f) The program of studies shall indicate whether a course is traditional or flexible.

1. Traditional courses shall be held in classroom sessions which meet a minimum of 7,200 minutes for each one-year, five credit course.

2. Flexible courses shall require the completion of projects and activities which shall be reviewed in biweekly meetings between a subject area specialist and a student.

#### 6:30-3.7 Graduation

(a) The district board of education of each adult high school shall adopt policies for adult high school graduation requirements pursuant to law and rule. Policies shall include passing the Statewide assessment test. When adults are unable to pass the Statewide assessment test, there shall be further evaluation through a Special Review Assessment pursuant to N.J.A.C. 6:8-7.1(b)3, 4 and 5. When limited English proficient adults are unable to pass the Statewide assessment test, they shall be further evaluated through a Special Review Assessment pursuant to N.J.A.C. 6:7-1(b)3, 4 and 5 and shall demonstrate English language fluency on the Maculaitis Assessment Program as a requirement for graduation.

(b) The district board of education of each adult high school shall establish minimum credit requirements for graduation which shall meet the requirements of the district's regular high school and shall not be less than 110 credits for newly enrolled adults. Continuously enrolled adults are persons with no more than a 12-month break of participation, and as such, must abide by the requirements in effect at the time of initial enrollment.

1. Of the required credits, no more than 15 credits may be in physical education.

2. Of the required credits, at least 10 credits must be earned in coursework taken at the adult high school issuing the diploma.

(c) Each adult high school shall establish minimum curriculum requirements for graduation which shall meet the requirements of the district's regular high school and include the following:

1. Twenty credits of communication, of which five credits shall be in literature;

2. Fifteen credits of mathematics;

3. Ten credits of history as required by N.J.S.A. 18A:35-1 and 2, and five credits of world history/cultures;

4. Ten credits of natural or physical science;

5. Five credits of fine, practical or performing arts;
6. Five credits in health or safety; and
7. Two and one-half credits of career exploration or development.

(d) The staff of each adult high school shall distribute to each entering adult a copy of all State and local adult high school graduation requirements. In addition, all adults shall receive at the beginning of each course a list of proficiencies required for successful completion of that course.

(e) Successful completion of the requirements set forth in (a), (b) and (c) above, and those established by the district board of education, shall be required as conditions for awarding a locally issued, State-endorsed diploma.

(f) No district board of education may issue an adult high school diploma without State endorsement.

(g) No district board of education may issue an adult high school diploma without signed verifications for all credit awarded for experience and an official transcript(s) being on file.

#### 6:30-3.8 Award of credit

(a) The district board of education of each adult high school shall annually adopt policies at a public meeting which provide for the awarding of credit, subject to the following:

1. Credits verified by an official transcript may be transferred from accredited or State-approved high schools or institutions. Experiences being considered for transferred credit from proprietary schools or public vocational training programs shall be assessed in terms of proficiencies for district courses offering similar experiences.

- i. An official transcript shall have either of the following indicators: a raised seal or the original signature of an administrator of the school.

2. Credits may be awarded for other than remedial courses which lead to a degree and are taken at an accredited college. Courses must be verified by an official transcript. Five credits may be awarded for each course meeting two semesters or one year. Credit may be prorated for courses meeting for shorter periods of time.

3. Credits may be awarded for physical education and basic military training with the following limitations.

- i. Up to 15 credits may be awarded for previously earned high school physical education credits verified by an official transcript.

- ii. Up to 10 credits verified by a DD-214 form may be awarded for basic military training.

- iii. The combination of (a)3i and ii above may not exceed 15 credits.

4. A maximum of two and one-half credits in health and safety may be awarded for the possession of a valid New Jersey driver's license if credit for driver's education has not been awarded.

5. Credit may be awarded for work experience with the following limitations:

- i. Two and one-half credits may be awarded for each 12 months of full-time employment that is verified by a signed statement from the employer(s).

- ii. Two and one-half credits may be awarded for each 24 months of part-time employment that is verified by a signed statement from the employer(s).

- iii. The combination of (a)5i and ii above may not exceed 10 credits and may not duplicate credits awarded for apprentice training, an occupational license or on-the-job training.

6. Credits may be awarded for completion of apprentice training with the following limitations:

- i. The apprentice training must be approved by the Office of Adult and Occupational Education at the Department of Education;

- ii. Completion of training must be verified by a signed document from the registered apprentice sponsor;

- iii. The award may not exceed 20 credits and may not duplicate credits awarded for work experiences, an occupational license, on-the-job training or transferred credit from an official transcript; and

- iv. The Assistant Commissioner, Division of Academic Programs and Standards, shall announce periodically the apprenticeship titles eligible for the award of credit and determine the amount of credit to be awarded.

7. Credit may be awarded for possession of a current occupational license, issued by an agency of the State of New Jersey, with the following limitations:

- i. A maximum of five credits may be awarded for a current occupational license;

- ii. The Assistant Commissioner, Division of Academic Programs and Standards, shall announce periodically those occupational titles eligible for the award of credit;

- iii. Credit may be awarded for only one occupational license; and

- iv. Credit awarded for an occupational license may not duplicate credit awarded for work experience, on-the-job training, apprenticeship or transferred credit from an official transcript.

8. Credits may be awarded for on-the-job training and advanced military training with the following limitations:

i. Five credits may be awarded for each 120 hours of on-the-job training that is formally supervised, follows a prescribed training outline and is verified by a signed statement from the employer;

ii. One credit may be awarded for each week of advanced military training not to exceed 10 credits that is verified by the Military Occupational Speciality designation which appears on the DD-214 form; and

iii. The combination of (a)8i and ii above may not exceed 20 credits and may not duplicate credits for work experience, apprentice training, or an occupational license.

9. The cumulative award of credit for (a)5, 6, 7 and 8 above shall not exceed 30 credits.

10. Credit may be awarded for passing a comprehensive examination with the following limitations:

i. The award shall not exceed five credits;

ii. The comprehensive examination must be part of an approved course and may only be used to award credit for a single course; and

iii. The comprehensive examination may not be a standardized test, such as the General Educational Development Test.

11. Credit may be awarded for remedial coursework in communications and computation only to persons who have demonstrated reading or computational proficiency below the 9.0 grade level on a commercially available, nationally normed, standardized test for adults or to persons unable to pass the Statewide assessment test.

i. The award of credit may not exceed 20 credits in communications and 20 credits in computation.

12. Credit may be awarded for coursework in English as a second language (ESL).

i. The award of credit in English as a second language may not exceed 20 credits.

ii. Courses in English as a second language shall be offered only as traditional courses pursuant to the requirements in N.J.A.C. 6:30-3.6(f)1.

#### 6:30-3.9 Awarding credit for foreign studies

(a) Credit for the equivalent of American secondary school studies experienced in a foreign country may only be awarded as determined by the Manager, Bureau of Adult

Education and Literacy following an evaluation of transcript(s) presented by the adult.

(b) Transcript evaluation shall be for the purpose of participating in an adult high school program and shall be transmitted to the Bureau of Adult Education and Literacy with a written request for such an evaluation by the principal of the adult high school.

1. Each request for a transcript evaluation shall be accompanied by a \$25.00 fee payable by the local educational agency.

2. Transcript evaluations may be made by staff at an approved adult high school for adult students in attendance providing that the evaluator has been trained by the Division of Academic Programs and Standards and has been approved as an adult transcript evaluator by the Manager, Bureau of Adult Education and Literacy.

#### 6:30-3.10 Maintaining student records

(a) Each adult high school shall have the responsibility to compile, maintain and retain student records and to regulate access to and security of such records.

(b) The attendance records of all adult high schools shall be maintained on a daily basis indicating the number of hours of program participation and shall be submitted to the Department of Education on an annual basis.

(c) For the purpose of attendance record keeping, any adult participating in a learning experience for less than one full hour is not considered as having attended that scheduled session.

#### 6:30-3.11 Maintaining financial records

(a) The financial records of all adult high schools shall be maintained in appropriate accounts pursuant to N.J.A.C. 6:20.

(b) Adult high school opportunities shall be offered free of tuition, fees or other charges, including the cost of books and other instructional materials except as noted in N.J.A.C. 6:30-3.9(b)1.

#### 6:30-3.12 Staffing

(a) The adult high school shall have an adequate number of professional staff, properly certified for their respective assignments; however, those persons involved in adult advisement shall be certified as either principal, supervisor, counselor or teacher.

(b) District boards of education shall only assign position titles to professional staff members which are recognized in N.J.A.C. 6:11.

**6:30-3.13 Special conditions**

The rules set forth in N.J.A.C. 6:3, 6:8-7.1, and 6:20-3.1 governing the operation of a high school within a school district shall govern the operation of an adult high school unless otherwise explicitly stated in this subchapter.

**SUBCHAPTER 4. APPRENTICE TRAINING****6:30-4.1 Apprentice program responsibility and duties**

(a) The Department of Education is the recognized State agency responsible for the administration of the related training and instruction portion of apprentice programs. The Department of Education shall staff the State Apprenticeship Coordinator position. The State Apprenticeship Coordinator shall coordinate activities on apprenticeship in cooperation with the United States Department of Labor, Bureau of Apprenticeship and Training (BAT), under the Statement of Joint Program Administration, to involve training and instruction that must comply with federal standards of apprenticeship as published in Labor Standards for the registration of Apprenticeship Programs, 29 C.F.R. Sec. 29-1.13 (1977). Duties of the State Apprenticeship Coordinator shall include, but not be limited to:

1. Approving the initial and ongoing Registered Apprenticeship Programs and related training;

2. Approving individual apprenticeship agreements and related training, criteria for related training, the training component of new Registered Apprenticeship Programs, and advanced standing for School-to-Work apprenticeship linkage programs;

3. Monitoring and investigating compliance issues;

4. Compiling and maintaining records and agreements;

5. Issuing Certificates to sponsor Registered Apprenticeship Programs by business/industry/labor unions, and for completion of a Registered Apprenticeship Program;

6. Providing technical assistance to business and industry, and in the development of training for new registered apprenticeship programs; and

7. Providing liaison with Federal, State and governmental entities, as requested, on issues related to apprenticeship.

**6:30-4.2 Approval of related training and instruction**

Upon receipt of the Apprenticeship Agreement Joint Approval form from the Federal Bureau of Apprenticeship and Training, the Department of Education will evaluate the related training and instruction component of the apprenticeship. Within 30 days of receipt of the form, the Department shall notify the Federal Bureau of Apprenticeship and Training of its approval or disapproval of the related training and instruction.