



State of New Jersey

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February 24, 2015

To: Chief School Administrators
Charter School Lead Persons
Bilingual/ESL Supervisors

From: Karen L. Campbell, Director
Office of Supplemental Educational Programs

RE: Federal Guidance on Serving English Language Learners

On January 7, 2015, the United States Departments of Education (USDE) and Justice (USDOJ) issued [joint guidance](#) for state education agencies (SEAs) and local education agencies (LEAs) to clarify their roles and responsibilities in ensuring that English language learners (ELLs) receive an education that is equitable to that of their English speaking peers. The guidance also reminds SEAs and LEAs of their legal obligation to provide ELLs and their families with the necessary programs and services to ensure students' academic success. The New Jersey Department of Education (NJDOE) advises LEAs (school districts) to carefully review the guidance to determine if their programs and services for ELLs are consistent with the following requirements:

- Identifying English learner students in a timely, valid and reliable manner;
- Offering all English learner students an educationally sound language assistance program;
- Providing qualified staff and sufficient resources for instructing English learner students;
- Ensuring English learner students have equitable access to school programs and activities;
- Avoiding unnecessary segregation of English learner students from other students;
- Monitoring students' progress in learning English and doing grade-level class work;

- Remediating any academic deficits English learner students incurred while in a language assistance program;
- Moving students out of language assistance programs when they are proficient in English and monitor those students to ensure they were not prematurely removed;
- Evaluating the effectiveness of English learner programs, and
- Providing limited English proficient parents with information about school programs, services, and activities in a language they understand.

To assist schools and districts with their implementation of the joint guidance, the USDOJ and USDE also developed a fact sheet that provides an overview of the joint guidance, a question-and-answer document for communicating with limited English proficient parents and a toolkit to help in the identification of ELLs. All documents are located at: <http://www.ed.gov/news/press-releases/us-departments-education-and-justice-release-joint-guidance-ensure-english-learn> . Additionally, the NJDOE has posted these documents on its Bilingual/ESL Education web page (<http://www.state.nj.us/education/bilingual/>).

The NJDOE appreciates your district's commitment to providing an equitable educational program for English language learners. If you have any questions about this guidance, or general questions about addressing educational needs of your districts' English language learners, please do not hesitate to contact the Bilingual/ESL Bureau in the Office of Supplemental Educational Programs at lep@doe.state.nj.us or (609) 984-0937.

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c: Members, State Board of Education
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