

STAFF TEACHING ENGLISH LANGUAGE LEARNERS

Definitions

English learner means a student who is age 3-21 years, who is enrolled or is preparing to enroll in an elementary or secondary school, and whose difficulties in speaking, reading, writing, or understanding the English language may be sufficient to deny the student the ability to meet state academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society. ~~does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English.~~ An English learner may include a student who was not born in the United States or whose native language is a language other than English; a student who is Native American or Alaska Native, or a native resident of the outlying areas, who comes from an environment where a language other than English has had a significant impact on the individual's level of English language proficiency; or student who is migratory, whose native language is a language other than English, and who comes from an environment where a language other than English is dominant. (Education Code 306; 20 USC 7801)

Instruction for English language development (ELD) means instruction designed specifically for English learners to develop their listening, speaking, reading, and writing skills in English. (Education Code 44253.2)

Specially designed academic instruction in English (SDAIE) means instruction in a subject area, delivered in English, that is specially designed to meet the needs of English learners. (Education Code 44253.2)

Primary language instruction includes both primary language development designed to develop English learners' listening, speaking, reading, and writing skills in their primary language and content instruction delivered in the primary language in any subject area. (Education Code 44253.2)

~~(cf. 6174—Education for English Language Learners)~~

Teacher Qualifications

~~The Superintendent or designee shall ensure that any teacher with one or more English learners in his/her class possesses an English learner authorization issued by the Commission on Teacher Credentialing (CTC) authorizing ELD and/or SDAIE, as appropriate. A teacher possessing a bilingual authorization may be assigned to provide ELD, SDAIE, and/or primary language instruction.~~ Only a teacher who possesses an appropriate authorization issued by the Commission on Teacher Credentialing (CTC) shall provide ELD, SDAIE, and/or primary language instruction in a class with one or more English learners.

~~(cf. 1312.4—Williams Uniform Complaint Procedures)~~

~~(cf. 4112.2—Certification)~~

~~(cf. 4112.21—Interns)~~

~~(cf. 4112.24—Teacher Qualifications Under the No Child Left Behind Act)~~

~~(cf. 4113—Assignment)~~

~~(cf. 4222—Teacher Aides/Paraprofessionals)~~

STAFF TEACHING ENGLISH LANGUAGE LEARNERS (continued)

(cf. 4131—Staff Development)

The ~~Governing Board~~ **District** may, for the purpose of providing primary language instruction, hire bilingual teachers who are employed in public or private schools of a foreign country, state, territory, or possession, provided such teachers speak English fluently and hold the necessary sojourn credential issued by the CTC. After the initial two-year sojourn credential expires, the teacher may annually apply to the CTC for an extension for a total period of not more than five years. Any application for renewal shall include verification by the Superintendent or designee that termination of the employment would adversely affect an existing bilingual program and that attempts to secure the employment of a qualified certificated California teacher have been unsuccessful. (Education Code 44856)

Legal References:

EDUCATION CODE

306 Definition, English learner

44253.1 44253.11 Certification for bilingual crosscultural competence

44258.9 County superintendent review of teacher assignments

44259.5 Standards for teachers of all students, including English language learners

44380 44386 Alternative certification

52160 52178 Bilingual Bicultural Act of 1976

52180 52186 Bilingual teacher training assistance program

62001 62005.5 Evaluation and sunseting of programs

99230 99242 Mathematics and Reading Professional Development Program

CODE OF REGULATIONS, TITLE 5

6100 6125 Teacher qualifications, No Child Left Behind Act

80015 Requirements for the CLAD certification or English learner authorization

80015.1 80015.4 Requirements for CLAD, English learner authorization or bilingual authorization

80021 Short Term Staff Permit

80021.1 Provisional Internship Program

80024.7 80024.8 Emergency CLAD and bilingual permits

UNITED STATES CODE, TITLE 20

6319 Highly qualified teachers

6601 6651 Training and recruiting high quality teachers

6801 7014 Language instruction for English learners and immigrant students

7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55 200.57 Highly qualified teachers

COURT DECISIONS

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

Management Resources:

STAFF TEACHING ENGLISH LANGUAGE-LEARNERS (continued)

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

CL 622 Serving English Learners, December 2010

CL 626B Bilingual Authorizations, November 2010

CL 626C Crosscultural, Language and Academic Development (CLAD) Certificate, November 2010

CL 568 The Sojourn Certificated Employee Credential, August 2009

WEB SITES

CSBA: <http://www.esba.org>

California Association for Bilingual Education: <http://www.bilingualeducation.org>

<http://www.gocabe.org>

California Department of Education, English Learners: <http://www.cde.ca.gov/sp/el>

California Teachers of English to Speakers of Other Languages: <http://www.catesol.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

U.S. Department of Education: <http://www.ed.gov>

Regulation amended:

Regulation amended: August 14, 2014

Regulation amended: October 15, 2009

Regulation approved: October 4, 2001

ALVORD UNIFIED SCHOOL DISTRICT
Riverside, California