

**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