

## STAFF TEACHING ENGLISH ~~LANGUAGE~~-LEARNERS

### Definitions

~~English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English. (Education Code 306)~~

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. 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 a 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 Only a teacher with one or more English learners in his/her class who~~ possesses an English learner appropriate 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~~ 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. 4131 - Staff Development)  
(cf. 4222 - Teacher Aides/Paraprofessionals)

~~A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a CTC approved staff development program and, upon successful completion, may apply to the CTC for a Certificate of Completion of Staff Development authorizing instruction in SDAIE. (Education Code 44253.11)~~

~~(cf. 4131 - Staff Development)~~

AR 4112.22(b)

## STAFF TEACHING ENGLISH ~~LANGUAGE~~ LEARNERS (continued)

The ~~Board of Trustees~~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 Reference:

#### EDUCATION CODE

306 Definition, English learner

44253.1-44253.11 ~~Certification for bilingual crosscultural competence~~Qualifications of teachers of English learners

44258.9 County superintendent review of teacher assignments

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

44380-44386 Alternative certification

44856 Employment of teachers from foreign countries

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~~ Definition of English learner

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: *(see next page)*

AR 4112.22(c)

**STAFF TEACHING ENGLISH ~~LANGUAGE~~ LEARNERS** (continued)

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Administrator's Assignment Manual

Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California

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~~

CL-824 Certificate of Completion of Staff Development

WEB SITES

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

California Association for Bilingual Education: <http://www.bilingualeducationgocabe.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>*

~~(11/04-3/07)-7/11~~

Regulation

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**SCOTTS VALLEY UNIFIED SCHOOL DISTRICT**

Scotts Valley, California