

## 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. 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 principal 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.

(*cf. 1312.4 - Williams Uniform Complaint Procedures*)

(*cf. 4112.2 - Certification*)

(*cf. 4112.21 - District Interns*)

(*cf. 4113 - Assignment*)

The Governing Board 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.

Legal Reference Next Page:

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### 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*
- 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

- 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 teachers*

#### 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:

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