

**PERSONNEL**

**AR 4126 – 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.

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

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

*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.

**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.

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.

The Superintendent 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 on next page.

Legal Reference:

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, 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