



Administrative Regulation

AR 4112.22

Personnel

July 6, 2021

STAFF TEACHING ENGLISH 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)

TEACHER QUALIFICATIONS

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.

The Santa Cruz County Office of Education 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 Santa Cruz County Superintendent of Schools 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 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
62001-62005. 5 Evaluation and sunseting of programs

CODE OF REGULATIONS, TITLE 5

80015 Requirements for the CLAD certification or English learner authorization
80015.1-80015.4 Requirements for CLAD, English learner authorization or bilingual authorization
Short-Term Staff Permit
80021.1 Provisional Internship Program
80024.7-80024.8 Emergency CLAD and bilingual permits

UNITED STATES CODE, TITLE 20

6601-6651 Training and recruiting high-quality teachers
6801-7014 Language instruction for English learners and immigrant students
7801 Definition of English learner

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

Administrator's Assignment Manual
Frequently Asked Questions Concerning Appropriate Assignment and Authorizations to Serve English Learners in California
CL-622 Serving English Learners
CL-626B Bilingual Authorizations
CL-626C Crosscultural, Language and Academic Development (CLAD) Certificate
CL-568 The Sojourn Certificated Employee Credential



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COUNTY OFFICE OF
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DR. FARIS SABBAH • SUPERINTENDENT OF SCHOOLS

CL-824 Certificate of Completion of Staff Development

WEB SITES

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

California Association for Bilingual Education: <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.etc.ca.gov>

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