

Personnel

Staff Teaching Students of Limited English Proficiency

CERTIFICATED PERSONNEL

The Superintendent or designee shall ensure compliance with state staffing requirements for serving English language learners by:

A. Demonstration of Educational Results

The district will provide data demonstrating that limited English proficient (LEP) or former LEP students are performing at a level equal to or above that of all students statewide, or that current LEP students are learning at a sufficiently rapid pace to close the gap between their performance and that of all students.

B. Hiring appropriately credentialed teachers providing English language development and/or primary language instruction.

A teacher shall be considered qualified to provide specially designed content instruction delivered in English if he/she holds a valid and appropriate credential issued by CTC or meets both of the following conditions: (Education Code 44253.10)

1. The teacher, as of January 1, 1999, is a permanent employee of the district or was previously a permanent employee and then was employed in any California public school district within 39 months of the previous permanent status.
2. The teacher completes, prior to January 1, 2005, 45 hours of staff development in methods of specially designed content instruction delivered in English.

A teacher who has completed the above training may provide specially designed content instruction delivered in English and English language development in any departmentalized teaching assignment consistent with the teacher's basic credential. The teacher may provide instruction for English language development in a self-contained classroom if he/she has accomplished one or both of the following: (Education Code 44253.10)

3. Has taught for at least nine years in California public schools, certifies that he/she has had experience or training in teaching LEP students, and authorizes verification by the entity that issued a certificate of completion for the staff development
4. Has completed, within three years of completing the staff development described above, an additional 45 hours of staff development, including specially designed content instruction delivered in English and English language development training

During the period when the teacher is pursuing training in instruction for English language development or specially designed content instruction delivered in English, he/she may be provisionally assigned to provide that instruction. (Education Code 44253.10)

Local Designation of Qualified Teachers

Teachers providing English language development and/or primary language instruction meeting district criteria for teacher proficiencies which have been approved by the California Department of Education.

Plan to Remedy the Shortage of Qualified Teachers

The Superintendent or designee will develop a plan to remedy the district's shortage of qualified teachers in accordance with law and with California Department of Education approval.

This plan shall include an appropriate staff development program designed to provide training in English language development teaching methodology, bilingual cross-cultural teaching methodology, and the acquisition of the primary languages of LEP students. As part of this plan, appropriately qualified bilingual paraprofessionals may be teamed with regular teachers. The plan shall specify the number of teachers to be trained and the number expected to meet certification or local designation standards each year. The training program also shall address the needs of teachers who instruct LEP students on an interim basis.

General Waiver Authority

When the district is unable, after good faith efforts, to obtain the human and material resources necessary to provide instructional and support services for LEP students, the district will request a waiver from the State Board of Education under the General Waiver Authority. (Education Code 33050)

*Legal Reference:*EDUCATION CODE

10600-10610 California Education Information System

33050 Request for waiver of code provisions

44225 Duties of the Commission on Teacher Credentialing 44253.1-44253.10 Certification for bilingual-crosscultural competence

44259.5 Standards for teachers of all students, including English language learners 44380-44386 Alternative certification

44760-44763 Teacher supply and demand reporting 52160-52178 Bilingual-Bicultural Act of 1976

52180-52186 Bilingual teacher training assistance program 62000-62005.5 Evaluation and sunseting of programs CODE OF REGULATIONS, TITLE 5

80680-80690.1 Staff development programs for teachers of English learners UNITED STATES CODE, TITLE 20

1701-1704 Equal Educational Opportunities COURT DECISIONS

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

*Management Resources:*CDE PROGRAM ADVISORIES

0300.97 Programs for English Learners

0210.89 Changes Regarding Limited-English Proficient Program

0520.88 State Program for Students of Limited English Proficiency, CCP: 87/8-14 CDE

PUBLICATIONS

Remedying the Shortage of Teachers for LEP Students, 1991

Option 1 Alternatives: Technical Standards and Recommended Practices for Development of Outcome-Based Assessment of District Services to LEP Students, 1991 Local Designation of Qualified Teachers, LEP Staffing Option 3, 1989

A Resource Guide, Plan to Remedy the Shortage of Qualified Teachers (Option 4), 1991

Replaces AR 4112.22/4212.22 (1/95)

Approved: December 9, 2008