



## Personnel

### Staff Teaching Students of Limited English Proficiency

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

*(cf. 6174 - Education for English Language Learners)*

#### Demonstration of Educational Results

The district providing 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.

*(cf. 6162.5 - Student Assessment)*

Appropriately credentialed teachers providing English language development and/or primary language instruction.

*(cf. 4112.2 - Certification)*

A teacher shall be considered qualified to provide specially designed content instruction delivered in English if he/she 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.

*(cf. 4116 - Probationary/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)



## Personnel

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1. 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
2. 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 developing 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.

*(cf. 4112.21 - District Interns)*

*(cf. 4222 - Teacher Aides/Paraprofessionals)*

### 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 requesting a



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waiver from the State Board of Education under the General Waiver Authority. (Education Code 33050)

*(cf. 1431 - Waivers)*

### Specially Designed Services and Training

Whenever there are fewer than 51 students of a particular language group in the district or fewer than 21 students of a particular language group in any school, the Superintendent or designee designing special instructional services and staff training programs in concert with the California Department of Education's Bilingual Education Office.

*(cf. 4113 - Assignment)*

*(cf. 4131 - Staff Development)*

*(cf. 6190 - Evaluation of the Instructional Program)*



## Personnel

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#### *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)