

LODI UNIFIED SCHOOL DISTRICT

Policy 4112.21

Personnel

English Learner Authorization Requirement

I. Statement of Purpose

- A. The Board of Education recognizes the considerable and increasing number of English Learner (EL) students throughout the District.
- B. A teacher assigned to instruct ELs must possess a valid authorization for instruction to ELs in addition to a valid authorization in the content area of instruction. The requirement for the authorization is based on the rights and needs of the students to an appropriate education.
- C. Certificated administrators are not required by the California Commission on Teacher Credentialing (CCTC) to obtain EL Authorizations. However, because certificated administrators will supervise and evaluate employees who are required to possess EL authorizations, all certificated administrators are also required to possess an EL authorization or to possess equivalent qualifications where the certificated administrator does not possess a teaching credential.
- D. A valid authorization for EL includes:
 - CLAD (Cross cultural Language and Academic Development)
 - Emergency CLAD
 - BCLAD (Bilingual Cross cultural Language and Academic Development)
 - SB 1969/SB 395/AB 2913
 - LDS (Language Development Specialist)
 - BCC (Bilingual Certificate of Competence)
 - ESL (English as a Second Language) Supplemental Authorization
 - SB 2042
 - AB 1059
 - or a certificate or credential deemed equivalent by the California Commission on Teacher Credentialing (CCTC).

II. Application of This Policy

- A. All Employees Who Possess a Valid EL Authorization
 1. All currently employed K-12 teachers and certificated administrators who possess a valid California EL authorization shall maintain it as a condition of employment.

B. Currently Employed K-12 Teachers

1. All currently employed K-12 teachers who are either providing classroom instruction, or who are authorized to provide classroom instruction, shall possess a valid California EL authorization by June 30, 2011.

C. Currently Employed Certificated Administrators

1. All currently employed certificated administrators who are authorized to provide classroom instruction shall possess a valid California EL authorization by June 30, 2011.
2. All currently employed certificated administrators who are not authorized to provide classroom instruction shall, by June 30, 2011, either:
 - a. Take and pass the California Teachers of English Learners (CTEL) exam; or
 - b. Apply to the Assistant Superintendent of Personnel for a waiver of the requirement set forth in Section II.C.2.a.

D. Future K-12 Teachers and Certificated Administrators

1. Future K-12 teachers shall either possess a valid California EL authorization at the time of hire, or shall (as a condition of continued employment) obtain a valid California EL authorization within 12 calendar months of employment.
2. Future certificated administrators shall either possess a valid California EL authorization at the time of hire, or shall (as a condition of continued employment) comply with this policy within 12 calendar months of employment. (See Section II.C., above.)

E. Authority of Superintendent or Designee

1. The Superintendent, or designee, shall monitor that employees who provide instruction to EL students possess an EL authorization.
2. The Superintendent, or designee, is authorized to take steps to ensure that affected employees are in compliance with this policy.

F. Failure to Comply

1. Affected employees who fail to comply with this policy shall be subject to adverse personnel action which may include, by way of illustration and not limitation, involuntary unpaid leave and/or dismissal.

Legal References:

Education Code:

300-446 English language education for immigrant children; English language

44253.1-44253.11 Certification for bilingual-crosscultural competence

44258.9 County superintendent review of teacher assignment

44259.5 Standards for teachers of all students, including English language learners

44380-44386 Alternative certification

52160-52178 Bilingual-Bicultural Act of 1976

52180-52186 Bilingual teacher training assistance program

Code of Regulations, Title 5

80016 Certificate of completion of staff development to teach English learners

United States Code, Title 20

6801-7014 Language instruction for English learners and immigrant students

Court Decisions

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

Governing Board of Ripon Unified School District v. Commission on Professional Conduct (Messick) (2009) 177 Cal.App.4th 1379.

Web Sites

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>

Policy

adopted:

02/16/10