



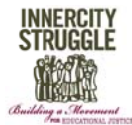
ASIAN PACIFIC AMERICAN
LEGAL CENTER



MEMBER OF
ASIAN AMERICAN CENTER
FOR ADVANCING JUSTICE



Disability Rights Education & Defense Fund



Dr. Linda Darling-Hammond, Chair
Dr. Mary Vixie Sandy, Executive Director
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95811-4213

March 4, 2013

RE: SUPPORT OF STAFF RECOMMENDATIONS FOR ITEM 3A

Dear Chair Darling-Hammond and Executive Director Sandy:

As organizations committed to ensuring that California’s most vulnerable students are taught by teachers fully prepared to meet their needs, we write to express our strong support for the California Commission on Teacher Credentialing (“the Commission”) staff’s recommendations for agenda item 3A: English Learner Authorization and Intern Credentials. Together we represent and partner with low-income parents and students throughout California, including English learner (“EL”) students, immigrants, and students with disabilities.

Faced with unique learning needs, ELs require teachers specially trained to help them learn English while simultaneously advancing their content area development. The Commission's current practice of labeling interns as fully authorized to teach ELs before they have completed the specialized training required to earn their EL authorization is both unlawful and detrimental to this at-risk population. The Commission's policy should reflect the uncontroverted research that ELs need prepared teachers. The proposed action to require that interns complete their EL coursework and fieldwork before they receive an EL authorization will benefit the tens of thousands of ELs currently taught by interns throughout the state.

EL students have a legal right to an EL authorized teacher.

Under state law—as strengthened and enforced by the *Williams* settlement—any teacher assigned to teach an EL student must have an authorization to teach ELs. The *Williams* settlement clarified that ELs have a legal right to be taught by a teacher who has the specialized knowledge and training to meet their needs and who has a statutorily-recognized EL authorization. Consistent with this legal principle, section 44253.3 of the California Education Code makes full certification a prerequisite for the EL authorization, and prohibits granting the EL authorization to interns and other underprepared teachers.

Federal law echoes California law in this area. The United States Supreme Court in *Lau v. Nichols*, and as codified in the Equal Educational Opportunities Act, recognized that EL students need specially-trained teachers to meet their unique academic needs, concluding that “there is no equality of treatment merely by providing [EL] students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.”

The Commission's policy should comply with both state and federal law and require that interns complete EL training before they receive the EL authorization.

EL students do better when they are taught by fully-certified teachers with EL training.

As Dr. Kenji Hakuta, a nationally recognized expert in the education of English learners and co-chair of the National Research Council's Committee on the Role of Language in School Learning, wrote to the Commission in January 2013, teachers “with specific training in ESL and content support methodologies have been shown to be more effective in student learning” than teachers without this specialized training. Additional research demonstrates that students taught by fully-trained novice teachers outperform students taught by interns and other novice teachers-in-training, and that teachers' effectiveness sharply increases over their first several years in the classroom. Dr. Hakuta emphasized that supporting ELs' language and content area development is “more critical than ever” given the implementation of the Common Core State Standards and the state English Language Development Standards. In his words, “it would make a mockery of the research and professional judgment of educators ... to authorize interns to teach English learners prior to their completion of all relevant coursework and fieldwork.”

Research further shows that English learners—like other high-need students—are disproportionately taught by interns in California. There were 4,400 interns during the 2010-2011 school year. Research from the Center for the Future of Teaching and Learning shows that interns in California are concentrated in low-performing schools serving large numbers of low-

income students and students of color—a student population that is also disproportionately comprised of English learners. Nearly 60% of interns teach special education.

Current policy hides the truth about teacher qualifications from parents and the public.

Labeling interns as fully authorized to teach ELs before they have actually completed their EL training deceives parents and the public. Interns should be an option of last resort, in accordance with the Legislature’s intent that underprepared teachers, including interns, be hired only if a suitable fully-prepared teacher is not available. The Commission staff reasonably suggests that if a district cannot hire a suitable fully-certified teacher, interns who have not yet completed their EL training could teach ELs if their employers seek local governing board approval through a EL Authorization Variable Term Waiver. Such a policy provides a mechanism so that parents and the public will know when their children are being taught by a teacher who is not yet trained to teach ELs, a level of transparency that is wholly lacking under current practice.

The proposed policy change appropriately balances districts’ need to hire interns to address teacher shortages with EL students’ needs for EL-trained teachers.

Some have argued that the proposed policy change will make it impossible for districts to hire interns. That is simply untrue. Where there are shortages of suitable fully-prepared and EL authorized teachers, districts can and will continue to rely on interns who lack an EL authorization to staff their classrooms. The proposed policy change will, however, bring sunshine to this critical issue for parents and the public while simultaneously providing numerous pathways for interns to quickly complete their EL training and earn the full EL authorization.

We urge you to adopt the staff’s proposed recommendations. Doing so will have an immediate and long-term positive impact on the educational opportunities available to the tens of thousands of English learner students in California who are currently taught by intern teachers.

Sincerely,

ACLU of California
Alliance of Californians for Community Empowerment
American Association of Colleges for Teacher Education
Asian Pacific American Legal Center
Asian Pacific Islander Youth Promoting Advocacy and Leadership
Association of Mexican American Educators (AMAE)
ATDLE – Association of Two-Way & Dual Language Education
Bay Area Parent Leadership Action Network
California Association for Bilingual Education
California Federation of Teachers
Californians for Justice
Californians Together
Chinese for Affirmative Action
Disability Rights Education and Defense Fund

Education Law Center
Exceptional Parents Unlimited
Inner City Struggle
National Council of Teachers of English
National Opportunity to Learn Campaign
Opportunity Action
Public Advocacy for Kids
Public Advocates Inc.
RYSE Center
Team of Advocates for Special Kids
United Church of Christ Justice & Witness Ministries
Youth Together

cc: Members, California Commission on Teacher Credentialing
Karen Stapf-Walters, Education Policy Advisor, Office of the Governor
Michael Kirst, President, State Board of Education
Ilene Straus, Member, State Board of Education/Liaison to CCTC
Sue Burr, State Board of Education/Liaison to CCTC Designate
Nick Schweizer, Program Budget Manager, Department of Finance