

Guidelines for employing EAL/D teachers in schools

The English Language Proficiency (ELP) equity loading is provided to eligible schools through the SBAR as a teacher allocation (FTE) or flexible funding, or a combination of FTE and flexible funding, to support the needs of students learning English as an additional language or dialect (EAL/D).

This document provides advice to principals about how to manage the teaching allocation component of the ELP equity loading.

NSW Plan for Public Education

Our Plan for Public education identifies the importance of ensuring schools have access to the specialists and staff they need to advance equitable outcomes for students. The plan emphasises the need to attract and retain high-quality specialist teachers to strengthen trust and respect for the teaching profession.

The employment of EAL/D specialist teachers to support the needs of EAL/D learners is critical for the success of the plan.

School Budget Allocation Report (SBAR)

Information about the ELP equity loading provided through the SBAR is available through the [SBAR resource hub](#). Specific information about the [English language proficiency equity loading](#) is also available.

ELP equity loading teacher positions

The Department provides every school with a centrally identified staffing entitlement based on student enrolment numbers and specific needs. The staffing entitlement establishes the number and type of Centrally Identified Positions (classroom teacher, executive and principal) the Department will fund at each school.

The Department recognises that permanency is a key recruitment and retention incentive for teaching in NSW public schools. Centrally identified positions are permanent positions and, as such, should be filled on a permanent basis.

A school's ELP equity loading teacher allocation is considered centrally identified entitlement and provides specialist teaching positions to target specific support for EAL/D learners. These positions should be filled by TESOL qualified permanent teachers, especially in cases where the allocation, or part thereof, has been consistent over a number of years.

Principals are notified in writing by School Recruitment when a position is substantively vacant. **On receipt of vacancy advice, or where there is new entitlement, principals must provide advice to School Recruitment within four (4) school weeks of the action required for the vacant position.**

There are three possible actions:

1. If the role is to be filled on a permanent basis, the principal will submit the vacancy in OMSEE and advise the requirements of the role using approved to teach staffing codes; or
2. If the role is to be placed on hold under the provisions of Clause 7.1 of the Staffing Agreement, the principal will complete the Request to Hold form in OMSEE to progress for DEL consideration and endorsement, and for approval by senior officers of School Workforce and Public Schools division.
3. If the role is to be made inactive, the principal will provide this advice to Teacher Recruitment via email for review and appropriate action.

In the event a principal does not take any action within four (4) school weeks, School Recruitment will progress appropriate further action with the principal and their Director Educational Leadership.

Clause 7.1 Staffing Agreement: Filling centrally identified positions on a temporary basis

As per Clause 7.1 of the Staffing Agreement, centrally identified positions, including EAL/D entitlement positions may be filled on a temporary basis when:

- a. student enrolments at the school have been and/or are projected to decline;
- b. student enrolments at the school have been fluctuating;
- c. curriculum offerings at the school are changing and/or some subjects are expected to decline;
- d. part-time positions are required to target specific whole of school programs which are intended to occur for no more than two (2) years and with approval required on an annual basis. This point may apply to fractional EAL/D teacher allocations made through the ELP equity loading.

Where a principal requests to fill a permanent position on a temporary basis for one of the four listed reasons above, the request will first be considered by the Director, Educational Leadership. The Director, Educational Leadership will either endorse or decline the request.

All endorsed requests are then considered by the central panel consisting of senior officers of School Workforce and Public Schools which meets three times per term for the purposes of approving or declining endorsed requests and other matters.

What are my obligations under the Staffing Agreement?

An ELP equity loading staffing allocation, communicated through the SBAR, should be treated in the same way as any other teacher FTE entitlement. In the first instance, EAL/D entitlement should be filled on a permanent basis by a suitably qualified teacher.

The steps to follow include:

1. Identify whether there is currently a permanent teacher appointed to this position.
2. Determine whether the position meets the criteria above to be filled on a temporary basis.
3. Declare a vacant permanent position using the ESS or ESP staffing codes with Teacher Recruitment and undertake steps to fill the position if it does not meet the criteria for filling a position on a temporary basis. This should occur within four (4) school weeks of the position becoming vacant.

Advantages of creating a permanent EAL/D position

Learning English takes between 4 and 7 years with the support of EAL/D specialist teachers and even longer for students who have limited or no prior schooling. The permanent appointment of TESOL trained specialist EAL/D teachers to EAL/D specialist positions goes a long way to ensuring their retention as EAL/D teachers and contributes to the system's capacity to provide a highly qualified workforce capable of meeting EAL/D students' learning needs. A significant number of qualified EAL/D teachers are accepting permanent mainstream teaching positions because of a perceived lack of permanent opportunities for EAL/D specialist positions. Many of these teachers have expressed interest in moving to permanent EAL/D teaching positions but are reluctant to move to temporary EAL/D teaching roles.

The role of the EAL/D specialist teacher

EAL/D specialist teachers co-design and implement teaching and learning programs to foster the development of English language, literacy and numeracy outcomes for students learning English as an additional language or dialect so they can access and continue learning in mainstream classrooms whilst developing their English language proficiency.

In the undertaking of their work EAL/D Specialist Teachers should not be used to provide relief for teachers and executive staff as referenced in Memorandum to principals, DN/08/00291.

For more information see the [EAL/D Specialist teacher statement of duties](#)

Recruiting an EAL/D specialist teacher

Recruiting a permanent EAL/D teacher position follows the same process as the recruitment of a permanent class teacher using the specialist EAL/D teaching codes of ESP or ESS.

[Teach and Learn Scholarships](#) are available for approved permanent and temporary teachers to study to qualify as an EAL/D specialist.

Your dedicated School Recruitment officer can assist you with the recruitment of your EAL/D position.

ELP equity loading fluctuations

The ELP equity loading fluctuates from year to year in response to changes in the EAL/D education needs of individual schools across the state. As the need for EAL/D specialist teaching shifts, it may be necessary for permanent EAL/D specialist teachers to move with that need.

Where changes to the ELP equity loading necessitate the nominated transfer of a permanent teacher they will retain permanent employment within the state-wide teaching service. Permanency is a key recruitment and retention incentive for teaching in NSW public schools.

School Recruitment will appoint nominated transfer candidates to a suitable vacancy typically within their default staffing area and no more than a one-hour travel distance from their home address. Nominated transfers will be matched to the subject/teaching area codes submitted for the vacancy. Teachers with nominated transfer status can also apply for other transfer types for which they are eligible where they have met the service period requirements.

What you cannot do

The staffing component of the ELP equity loading allocated to a school is intended to be used to employ an additional EAL/D teacher in line with the [staffing agreement](#).

It is not to be used for:

- relieving executive teachers from face-to-face teaching
- providing RFF for class teachers
- backfilling sick or absent teachers.

Any staffing allocation provided by the ELP equity loading needs to be included in a school's staff plan as part of a school's staffing entitlement. When creating a staff plan, permanent positions are described as either Base entitlement or Equity entitlement but are treated in the same way.

Creating a position using ELP equity loading flexible funding

Positions created using the flexible funding component of the ELP equity loading are considered above centrally identified staffing entitlement. For more information see [Staffing Procedure](#).

A longer-term temporary appointment of up to three (3) years can be made to fill a vacancy where:

- a permanent teacher will be absent from the school and has right of return to the position
- one or more of reasons in Clause 7.1 of the Staffing Agreement is met
- the position is above the centrally identified staffing establishment.

Consistent with the Principles for Determining the Mix of Staff in Schools, a principal may make a local decision to utilise ELP equity loading flexible funding provided above the school's centrally identified staffing establishment to create additional EAL/D specialist positions for filling by permanent appointment. If the permanent EAL/D specialist position is at executive level, the role description must include general selection criteria relevant to the position level, together with the specific EAL/D education criteria determined by the school. This will provide relative status at the executive level in the state-wide teaching service.

To give school principals clear guidance on the procedures for staffing Above Centrally Identified Positions, the department has produced a [Procedure for Determining the Mix of Staff in NSW Public Schools](#).

Annual reflection

Schools are required to reflect each year on the expenditure and impact of their English language proficiency equity loading resources as part of the School Excellence cycle.

During [annual reflection](#), schools consider their expenditure of the English language proficiency equity loading to examine:

- the initiatives the expenditure enabled, and the specific activities it partially or fully funded in the school
- how the allocation of funds impacted EAL/D learners
- the school's next steps to support EAL/D learners with this funding.

The annual reflection for evaluating the expenditure and impact of needs-based funding includes:

1. a list of relevant activities that have been implemented
2. a statement reporting on the impact the funding has had on student outcomes
3. a statement identifying how the funding will be used in future planning.

Examples linked to the ELP equity loading staffing allocation

Activities partially or fully funded with this equity loading may include:

- appointment of an EAL/D specialist teacher to model EAL/D strategies, with the aim of increasing teacher confidence and practice in their classrooms.
- additional staffing to implement co-teaching programs to provide intensive support for all students from EAL/D backgrounds
- professional learning delivered by the EAL/D specialist for teachers about effective EAL/D teaching and learning.

The allocation of this funding may have resulted in:

- student progress showing high growth on the EAL/D learning progressions

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- EAL/D students are more confident and prepared to take risks with their language use, as noted in teacher observations and work samples
 - using the [EAL/D School Evaluation Framework](#) school process have moved from Minimum Requirements Teaching Domain to Building.

Next steps may include:

- recruiting a permanent EAL/D specialist to lead EAL/D practices across the school
- supporting a teacher without TESOL qualifications working temporarily in an EAL/D role to gain EAL/D specialist qualifications through the Teach and Learn scholarship program

For more information

[Staffing Procedure](#)

[Staffing Agreement](#)

Contact

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