

Date of Hearing: March 26, 2025

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 833 (Alvarez) – As Amended March 17, 2025

SUBJECT: Teachers: exchange programs: local educational agencies: sponsors: reporting

SUMMARY: Requires that the rules and regulations adopted by the State Board of Education (SBE) under which teachers employed by California local educational agencies (LEAs) and charter schools may exchange positions with teachers in schools in other countries for a period of one year or less authorize J-1 visa sponsors designated by the United States Department of State (DOS), in addition to the California Department of Education (CDE) to sponsor teachers from Mexico for placement in California LEAs to promote cultural exchange, and requires the CDE to annually report on the program. Specifically, **this bill:**

- 1) Requires that the rules and regulations adopted by the SBE under which teachers employed by California LEAs may exchange positions with teachers in schools in other countries for a period of one year or less authorize J-1 visa sponsors designated by the DOS, in addition to the CDE, to sponsor teachers from Mexico for placement in California LEAs to promote cultural exchange for both of the following purposes:
 - a) To foster cross-cultural understanding by allowing Mexican teachers to share their knowledge, traditions, and teaching methodologies with pupils and educators in California; and
 - b) To provide participating teachers with firsthand experience in the United States education system, strengthening international collaboration and encouraging mutual appreciation of diverse educational approaches and cultural perspectives.
- 2) Defines, for purposes of this program, LEA to include a school district, county office of education (COE), or charter school.
- 3) Requires the CDE, by December 31, 2026, and annually thereafter, to report to the relevant policy and fiscal committees of the Legislature on the exchanges conducted pursuant to the World Language Teacher Exchange and Recruitment Law of 1963, including, but not limited to, the number of teachers participating in the program, disaggregated by their home country, grade level and subject matter, and hosting LEA.

EXISTING LAW:

- 1) Requires the SBE to adopt rules and regulations under which teachers employed by California school districts may exchange positions with teachers in schools in other countries for a period of one year or less. (Education Code (EC) Section 44612)
- 2) Requires that these arrangements be made through the CDE and in cooperation with the teacher exchange programs administered by agencies of the federal government. Requires that the first such exchanges take place during the 1964-65 school year. (EC 44612)

- 3) States the purpose of the program is to encourage and promote the temporary exchange of teachers between school districts in California and schools in foreign countries and to make available to California schools as teachers foreign-born persons and others who are especially qualified to provide instruction in one or more modern world languages in order that the schools of this state may comply with the requirement of the state law that world language instruction be given to pupils in grades 6, 7, and 8 as of July 1, 1965. (EC 44611)
- 4) Requires that California teachers participating in the program file with the CDE an application setting forth a plan of study to be completed during the year of service in a foreign country and agree to teach in a California school district for a minimum of two years following the year of exchange service. (EC 44613)
- 5) Conditions the program on the employing school district in California not being required to pay the salary of the teacher from the foreign country. Requires that teachers employed by California school districts, while serving as teachers in a foreign country, continue to receive from their employing school districts the full amounts of the regular salaries that would be payable to them if they were serving in the schools of the particular employing school districts, and requires the school districts make all deductions provided by law for retirement purposes during that period. (EC 44614)
- 6) Authorizes the CDE to pay the teachers from a foreign country employed by a school district in California, part or all of the difference between the salary being paid to them by their respective foreign employers and the salary being paid by the California school district to the teachers with whom they are exchanged, except that no payment for these purposes to a foreign teacher may exceed \$3,000 in one school year, and no more than 500 teachers from foreign countries are provided payments in any one fiscal year. (EC 44614)
- 7) Authorizes the CDE to pay the travel expenses of teachers in the exchange program but to no more than 500 California teachers and 500 teachers from foreign countries in any one fiscal year, and requires that those payments be for the actual expense involved in travel to and from the exchange assignments or for \$1,000, whichever is the lesser amount. (EC 44614)
- 8) Requires the Commission on Teacher Credentialing (CTC) to establish minimum standards for credentials for exchange teachers from a foreign country and provide for the issuance of credentials to those teachers. (EC 44614)
- 9) Authorizes the governing board of a school district, for the purposes of providing bilingual instruction, world language instruction, or cultural enrichment, in the schools of the school district, subject to the rules and regulations of the SBE to conclude arrangements with the proper authorities of a foreign country, or of a state, territory, or possession of the United States, for the hiring of bilingual teachers employed in public or private schools of a foreign country, state, territory, or possession. To be eligible for employment, the teacher must speak English fluently. Any persons employed pursuant to this section are known as a "sojourn certificated employee." (EC 44856)
- 10) Prohibits a person from being hired as a sojourn certificated employee by a school district unless they hold the necessary valid credential or credentials to serve in a position requiring certification qualifications in the school district proposing to employ them. Authorizes the person to be employed for a period not to exceed two years, except that thereafter the period

of employment may be extended from year to year for a total period of not more than five years upon verification by the employing school district that termination of the employment would adversely affect an existing bilingual or world language program or program of cultural enrichment, and that attempts to secure the employment of a certificated California teacher qualified to fill the position have been unsuccessful. (EC 44856)

- 11) Authorizes the CTC to establish minimum standards for the credentials for sojourn certificated employees. (EC 44856)
- 12) Federal regulations authorize exchange programs for teachers from the U.S. and from other countries, and are intended to promote the interchange of U.S. and foreign teachers and enhance mutual understanding between the people of the U.S. and other countries. It authorizes programs in which teachers work full time in U.S. public and private schools for up to three years. The U.S. DOS administers the program. (22 Code of Federal Regulations (CFR), Section 62.24)
- 13) Authorizes the DOS to designate bona fide programs as exchange visitor programs in the Teacher category.
- 14) Requires that the non-U.S. teachers participating in these exchanges:
 - a) Possess, at a minimum, a degree equivalent to a U.S. bachelor's degree in either education or the academic subject field in which he or she intends to teach;
 - b) Satisfy the teaching eligibility standards of the U.S. state in which he or she will teach, including any required criminal background or other checks;
 - c) Are of good reputation and character; and
 - d) Agree to come to the United States temporarily as a full-time teacher of record in an accredited primary or secondary school.
 - e) Meet the qualifications for teaching at the primary, including pre-kindergarten, or secondary levels in schools in their home country; are working as a teacher in his or her home country at the time of application; and have at least two years of full-time teaching experience; or are not working as a teacher in his or her home country at the time of application, but otherwise meets the qualifications for teaching at the primary (including pre-kindergarten) or secondary levels in schools in the home country; have had at least two years of full-time teaching experience within the past eight years; and, within 12 months of his or her application submission date for the program, have or will have completed an advanced degree in education or in an academic subject matter that he or she intends to teach or that is directly related to his or her teaching subject field;
- 15) Requires sponsors to screen foreign teachers carefully before accepting them for the program and require each exchange teacher to complete, within the U.S., and during each academic year of program participation, at least one cross-cultural activity as specified.
- 16) Establishes the Bilingual Teacher Professional Development Program (BTPDP), to be administered by the CDE, in consultation with the CTC. Requires the CDE to issue grants to

applicants through a competitive process. Establishes the project performance period for the BTPDP as January 1, 2018, to June 30, 2021. (EC 52202)

- 17) Establishes the Bilingual Teacher Training Assistance Program (BTTP), administered by the CDE in consultation with the CTC and representatives of bilingual educators, for teachers who are granted waivers and who are enrolled and participating in a program leading to a bilingual specialist credential or a certificate of competence for bilingual-crosscultural competence. (EC 52180)

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. The author states, “AB 833 represents a bold and transformative step in addressing California’s persistent teacher shortages, particularly in the vital areas of bilingual education and high-demand subjects. By mandating exchanges with Mexico, this groundbreaking legislation unlocks access to a pool of exceptionally qualified educators who bring rich expertise in Spanish-language instruction and culturally relevant teaching methods. With over 1.1 million English Learners in California’s public schools, the inclusion of Mexican teachers is not just beneficial but essential for cultivating an inclusive and supportive learning environment. This initiative not only aims to bridge the critical gap of bilingual teachers—particularly in subjects such as math, science, and special education—but also enhances the educational experience by fostering global education and cultural exchange. Furthermore, AB 833 emphasizes accountability through annual reporting on the program’s impact, ensuring that California builds strong educational partnerships with Mexico to better serve its diverse student population.”

Federal and state law authorizes exchange visitor teacher program. Since the Mutual Educational and Cultural Exchange Act of 1961 (the Fulbright-Hayes Act), federal law has authorized teacher exchanges between the U.S. and other countries, using federal exchange visitor visas known as J-1 visas. According to the CDE, the purpose of the Exchange Visitor Program is to promote:

- Cross-cultural exchanges;
- Understanding and respect between California teachers and foreign teachers;
- Professional growth opportunities for teachers of California and foreign countries; and
- Interest in international studies and cross-cultural awareness.

The DOS designates public and private entities to act as exchange program sponsors. J-1 nonimmigrants are sponsored by an exchange program that is designated as such by the DOS.

According to the CDE, a visiting teacher can remain in CDE's program for a program period not to exceed three years unless a specific extension of one or two years is authorized. Visiting teachers must meet the qualifications for teaching in California's public schools and must pass the first year's probation with the designated school district or charter school in order to remain for an authorized five-year program period. The CDE also operates a summer migrant education exchange program, in which teachers from Mexico serve in summer programs for students of migrant agricultural workers.

Teachers participating in the exchange visitor program. According to national data from the DOS, in 2022 there were 3,580 teachers working in the top 21 receiving states under the

exchange visitor program. North Carolina had the greatest number of teachers (723), and California had 232. Nationwide, the greatest number of teachers came from the Philippines (1,401) and Spain (560), and 188 were from Mexico.

According to a 2022 article in Education Week, the number of international teachers employed by U.S. school districts jumped by 69% —from 2,517 in 2015 to 4,271 in 2021. Education Week reported that among the 19,491 teachers from 114 countries who taught in the U.S. within that six-year period, the greatest numbers came from:

- Philippines: 4,338;
- Spain: 3,614;
- Jamaica: 2,213;
- China: 1,816; and
- France: 1,431

Exchange visitor program seen as a means to support biliteracy, promote cultural understanding, and also to address workforce shortages. The growth in dual language immersion programs and the low rates of bilingual teacher preparation after Proposition 227 have increased demand for bilingual certified teachers. LEAs often cite the shortage of teachers with bilingual authorizations as a constraint on establishing new dual language immersion programs.

In addition to cultural exchange, the exchange visitor program has been seen as a means of supporting the goal of biliteracy for students. The Migration Policy Institute’s 2009 report, *The Binational Option: Meeting the Instructional Needs of Limited English Proficient Students*, (Terrazas, 2009) recommends that, to meet the needs of English learners, states consider arranging for visiting exchange teachers through unilateral recruitment or binational programs.

Nationally, some LEAs hire exchange visitor teachers to meet other workforce needs. According to a 2022 Education Week article, “Over the past several years, an increasing number of districts have turned to a particular strategy to help meet these complex staffing needs: hiring international teachers. For districts hiring international teachers, the talent pipeline has been especially critical for hard-to-fill positions in math, science, and special education.”

Memorandum of understanding (MOU) between the CDE and Mexico’s Secretariat of Education. According to materials provided by the author, the CDE interprets a 2004 MOU between California and Mexico’s Secretariat of Education to make it the exclusive sponsor of teachers from Mexico under the exchange visitor program. According to correspondence between Mexico’s Secretariat of Education and the Superintendent of Public Instruction (SPI), the Secretariat “[sees] no issue with Mexican teachers partnering with any U.S. DOS-designated sponsor for their participation in J-1 programs, including, but not limited to, the exchange program operated by the CDE. By offering this flexibility, we aim to broaden the range of opportunities available to Mexican educators, enhancing their professional growth and allowing more schools and students across California to benefit from their expertise.”

According to the author, as a result of the CDE serving as the sole sponsor of teachers from Mexico, a small number of Mexican teachers (ranging between 8 and 21 during the years 2017-18 and 2023-24) are sponsored to teach in California each year.

This bill would authorize California LEAs and charter schools to serve as sponsors in addition to the CDE, thereby increasing the number of foreign teachers who could serve in California schools. *The Committee may wish to consider that* this bill could significantly expand the number of teachers exchanged with Mexico, from less than 20 annually to many thousands.

California's participation in the exchange visitor program. According to the CDE, in 1986, the DOS designated the CDE as an Exchange Visitor Program sponsor to bring credentialed teachers from overseas on J-1 visas to teach in California bilingual classrooms. The CDE supports this program by providing staff to coordinate the program, working closely with the DOS, U.S. embassies, and the education agencies of participating nations.

According to the CDE, over the years since it has sponsored over 2,500 teachers from Spain and Mexico, and in any given year, the CDE has 80 to 120 sponsored J-1 teachers participating throughout the state. CDE states that participating districts have realized many benefits for their students, as documented by their continued requests for bilingual and biliterate teachers to serve California's high percentage of Spanish-speaking students and the growing demand for bilingual classrooms.

The CDE staff coordinates the Teacher Exchange Program through a MOU with each country. As part of the MOU, the CDE staff:

- Pre-test applicants' written and verbal English language proficiency;
- Ensure that applicants are fully qualified and properly licensed in the academic and teaching requirements of their countries of origin;
- Organize necessary documents for entry into the U.S.; and
- Assist California school districts and charter schools in establishing effective processes for screening, selecting, contracting with, and credentialing exchange teachers with the CTC.

School districts and charter schools must sign an agreement of collaboration with the CDE to employ an exchange visitor teacher.

Data about the exchange visitor program limited. According to the Migration Policy Institute (Terrazas, 2009), "as a result of the extremely decentralized management of the US-Spain and US-Mexico visiting teacher programs, there is very little comprehensive data on the programs beyond numbers of participants. Once hired, states and districts can decide what grade level and what subject visiting instructors teach."

This bill requires the CDE, by December 31, 2026, and annually thereafter, to report to the relevant policy and fiscal committees of the Legislature on the exchanges conducted through this program including, but not limited to, the number of teachers participating in the program, disaggregated by their home country, grade level and subject matter, and hosting LEA.

Multiple policies promote biliteracy as a state goal. Numerous policies enacted or adopted in recent years affirm biliteracy as a state goal for students in California. They include:

- The California English Learner Roadmap, adopted by the SBE in 2017, promotes an assets orientation toward primary language while students are also learning English, and that these assets are "valued and built upon in culturally responsive curriculum and

instruction and in programs that support, wherever possible, the development of proficiency in multiple languages.”

- The Global California 2030 report, published by the CDE in 2019, set as a goal that by 2030, half of all K–12 students would be participating in programs leading to proficiency in two or more languages, either through a class, a program, or an experience, and by 2040, three out of four students would be proficient in two or more languages, earning them a State Seal of Biliteracy.
- The State Seal of Biliteracy, established by AB 815 (Brownley), Chapter 618, Statutes of 2011, recognizes proficiency in two languages in the form of a seal affixed to students’ high school diplomas.
- Proposition 58, passed by the voters in 2016, authorizes school districts to establish dual language immersion programs for both native and nonnative English speakers.
- The state has created and funded several programs aimed at increasing the number of DLI programs, and increasing the number of teachers who hold bilingual authorizations.

Sojourn certificated employee credentials. Current law requires the CTC to establish minimum standards for credentials for exchange teachers from a foreign country and provide for the issuance of credentials to those teachers. Current law also authorizes school districts, for the purposes of providing bilingual instruction, world language instruction, or cultural enrichment, to conclude arrangements with the proper authorities of a foreign country for the hiring of bilingual teachers. These teachers are known as “sojourn certificated employees.”

Requirements for CTC’s sojourn certificated employee credentials include:

- Completion of 90 semester hours of college or university coursework taken at an institution in a country other than the United States;
- Satisfying the basic skills requirement;
- Certification by the governing board of the employing California school district that the individual is a bilingual-biliterate teacher, fluent both in English and the target language, as specified;
- Verification that the individual was employed as a teacher during the calendar year immediately preceding the date of application;
- Certification by the governing board of the employing California school district that the individual will be employed by the school district in a teaching assignment authorized by the Sojourn Certificated Employee Credential;
- A written statement, signed by the applicant, verifying knowledge of the general requirements for a regular credential and agreeing to diligently pursue completion of those requirements;
- Completed credential application; and
- Completed Live Scan receipt.

Additionally, federal exchange visitor requirements, noted above, include possession of a bachelor’s degree and prior teaching experience in the home country.

Arguments in support. The San Diego County Office of Education writes, “Since 1986, when the U.S. Department of State designated CDE as a sponsor for the Exchange Visitor Program, the Teacher Exchange Program has been instrumental in bringing credentialed teachers from abroad to California on J-1 visas. These educators have played a critical role in supporting bilingual and bicultural education, particularly in classrooms with high numbers of English learners. However, the current arrangement lacks scalability, leaving many students in need of bilingual or bicultural teachers without access to these vital educational opportunities.

AB 833 (Alvarez) would expand exchanges with Mexico, which would help address the shortage of qualified bilingual educators and strengthen cultural and educational ties between California and Mexico. By increasing the limited number of Mexican teachers sponsored by CDE, we can better serve our diverse student population and ensure they receive the high-quality, culturally responsive education they deserve.

AB 833’s requirement for CDE to report annually to the relevant policy and fiscal committees of the Legislature, beginning by Dec. 31, 2026, is a critical step toward improving the program’s transparency and effectiveness. These reports will provide valuable insights into the number of foreign teachers participating in the program, its impact on bilingual education, and areas for improvement. This data-driven approach will help ensure the program meets the needs of California’s students and schools.”

Related legislation. AB 1127 (Reyes and McCarty), Chapter 830, Statutes of 2023, extends the deadline for the submission of a final report on the Bilingual Teacher Professional Development Program (BTPDP) from 2029 to 2030, and states that specified program participants are eligible for professional development services.

SB 952 (Limon) of the 2021-22 Session would have revised and recasted an existing three-year competitive dual language grant program administered by the CDE for schools. This bill was held in the Assembly Appropriations Committee.

AB 2514 (Thurmond), Chapter 763, Statutes of 2018, establishes the Pathways to Success Grant Program for the purpose of providing grants for the establishment and expansion of dual language immersion programs, developmental bilingual programs for English learners, and early learning dual language learners programs.

AB 130 (Committee on Budget), Chapter 44, Statutes of 2021, appropriated \$10 million for a dual language immersion grant program, to award 25 one-time grants over a period of 3 fiscal years to eligible entities to expand or establish dual language immersion programs.

AB 1363 (L. Rivas), Chapter 498, Statutes of 2021, requires the SPI to develop procedures for providers to identify and report data on dual language learners enrolled in the CSPP.

AB 1012 (Reyes) of the 2019-20 Session would have required, upon appropriations for this purpose, the CDE to provide grants to LEAs for, among other purposes, professional learning for child development providers so that they can support the development of dual language learners. This bill was held in the Assembly Appropriations Committee.

SB 594 (Rubio) of the 2019-20 Session would have established the California English Learner Roadmap Initiative, for the purpose of awarding grants to build capacity for implementation of

the EL Roadmap, including the EL Roadmap at every level of the statewide system of support, and establishing connections to the local control and accountability plan and Title III plan, among other goals. This bill was held in the Assembly Education Committee.

AB 952 (Reyes) of the 2017-18 Session, as it passed this Committee, would have established the Bilingual Teacher Professional Development Program and required the CDE to allocate grant funding for purposes of providing professional development services to specified teachers and paraprofessionals to provide instruction to English learners. Most of the contents of the bill as it passed this Committee were included in AB 99, the trailer bill to the Budget Act of 2017 (see below). As it was sent to the Governor, this bill would have required the CTC to establish a process to identify short-term, high-quality pathways to address the shortage of bilingual education teachers. This bill was vetoed by Governor Brown, who stated:

California recently provided funds to support teachers and paraprofessionals interested in becoming bilingual teachers. This past spring the Commission awarded one-time grants to higher education institutions that sought to create or improve four-year integrated teacher education programs, including for bilingual teachers. Before making additional investments on this matter I believe it's wise to first assess the success of our current programs.

AB 99 (Committee on Budget), Chapter 15, Statutes of 2017, establishes the BTPDP and requires the CDE to allocate grant funding for purposes of providing professional development services to specified teachers and paraprofessionals to provide instruction to English learners.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association for Bilingual Education
International Alliance Group
Programa Binacional De Educación Migrante
San Diego County Office of Education
San Diego Unified School District

Opposition

None on file

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