



PERSONNEL – CERTIFICATED EMPLOYEES

BOARD POLICY – ASSIGNMENT

BP 4113

In order to serve the best interests of students and the educational program, the County Superintendent of Schools or designee assigns certificated personnel to positions for which they are qualified pursuant to their certification, preparation, professional experience, and aptitude.

Teachers may be assigned to any program within the SBCEO in accordance with the collective bargaining agreement or Board policy.

Assignment to Courses/Classes

The County Superintendent or designee shall assign teachers based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching an elective course, the County Superintendent or designee shall select the credentialed teacher whose knowledge and skills best prepare the teacher to provide instruction in that subject.

When specifically authorized by law or regulation, the County Superintendent or designee may, with the teacher's consent, assign a teacher to a position outside the teacher's credential authorization in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual. Such assignments shall be annually approved by the County Superintendent. In such cases, the County Superintendent or designee shall reference in SBCEO records the statute or regulation under which the assignment is authorized.

If at any time a certificated employee is required by the SBCEO to accept an assignment which the employee believes is not legally authorized by the employee's credential, the employee shall notify the County Superintendent or designee, in writing, of the misassignment. Within 15 working days, the County Superintendent or designee shall notify the employee of the legality of the assignment. No adverse action shall be taken against an employee who files a notice of misassignment. (Education Code 44258.9)

Vacancies and Misassignments

Annually, the SBCEO shall review potential misassignments and vacant positions throughout the SBCEO. Upon receiving notification from CTC of the availability of data regarding potential misassignments and vacant positions in the SBCEO, the County Superintendent or designee shall review the data within 60 days. When necessary, the County Superintendent or designee may respond by submitting additional documentation showing that an employee is legally authorized for an assignment and/or that a position

identified as vacant was miscoded and a legally authorized employee is assigned to the position. (Education Code 44258.9)

If the SBCEO subsequently receives, within 90 days of CTC's initial notification, a notification indicating that a certificated employee in the SBCEO is assigned to a position for which the employee has no legal authorization, the SBCEO shall correct the assignment within 30 calendar days. (Education Code 44258.9)

The SBCEO shall serve as the monitoring authority for teacher assignments in any charter school it has authorized, in accordance with Education Code 44258.9-44258.10.

Any complaint alleging teacher misassignment or vacancy shall be filed and addressed through the SBCEO's procedures specified in AR 1312.4 - Williams Uniform Complaint Procedures.

The school accountability report card for each school shall include any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period. (Education Code 33126)

Equitable Distribution of Qualified and Experienced Teachers

The County Superintendent or designee shall identify and address the equitable distribution of highly qualified and experienced teachers among SBCEO programs, including those with higher than average levels of low-income, minority, and/or academically underperforming students. The County Superintendent or designee shall annually maintain a report with comparisons of teacher qualifications across SBCEO schools, including the number of teachers serving under a provisional internship permit, short-term staff permit, intern credential, emergency permit, or credential waiver.

Strategies for ensuring equitable access to experienced teachers may include, but are not limited to, incentives for voluntary transfers, provision of professional development, and/or programs to recruit and retain effective teachers.

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the County Superintendent of Schools or designee to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal

20 USC 6311
20 USC 6312
20 USC 6601-6651

Description

State plan
Local educational agency plan
Teacher and Principal Training and Recruiting Fund

Management Resources

California Department of Education
Publication
California Department of Education
Publication

Description

Every Student Succeeds Act 2016-17 School Year Transition Plan,
April 2016
California State Plan to Ensure Equitable Access to Excellent
Educators

Commission on Teacher Credentialing
Publication
Commission on Teacher Credentialing
Publication
U.S. Department of Education Guidance

Website
Website
Website
Website

State

5 CCR 80003-80005
5 CCR 80020-80020.5
5 CCR 80335
5 CCR 80339-80339.6
Ed. Code 33126
Ed. Code 35035
Ed. Code 35186
Ed. Code 37616
Ed. Code 44225.6
Ed. Code 44250-44277
Ed. Code 44314
Ed. Code 44824
Ed. Code 44955
Gov. Code 3543.2

The Administrator's Assignment Manual. rev. September 2007

Administrator's Assignment Manual - Updates and Revisions, May 2014

Improving Teacher Quality State Grants: ESEA Title II, Part A , rev. October 5, 2006

[U.S. Department of Education](#)

[CSBA](#)

[Commission on Teacher Credentialing](#)

[California Department of Education](#)

Description

Credential authorizations
Additional assignment authorizations
Performance of unauthorized professional services
Unauthorized certificated employee assignment
School accountability report card
Powers and duties of the superintendent; transfer authority
Complaints regarding teacher vacancy or misassignment
Notice of public hearing on year-round schedule
Commission report to the legislature re: teachers
Credentials and assignment of teachers
Subject matter programs, approved subjects
Assignment of teachers to weekend classes
Reduction in number of permanent employees
Scope of representation

ADOPTED BY COUNTY BOARD:
REVISED:

February 2, 2023