

Personnel

ASSIGNMENT

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

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

Assignment to Courses/Classes

The 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 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 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 Board resolution. In such cases, the Superintendent or designee shall reference in district records the statute or regulation under which the assignment is authorized.

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

Vacancies and Misassignments

Annually, the district shall review potential misassignments and vacant positions throughout the district. Upon receiving notification from CTC of the availability of data regarding potential misassignments and vacant positions in the district, the Superintendent shall review the data within 60 days. When necessary, the Superintendent or designee may respond by submitting additional documentation to the County Superintendent 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)

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

The district 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 district'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 Superintendent or designee shall identify and address the equitable distribution of highly qualified and experienced teachers among district schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students. The Superintendent or designee shall annually report to the Board comparisons of teacher qualifications across district 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.

Legal References

<u>State</u>	<u>Description</u>
5 CCR 80003-80005	Credential authorizations
5 CCR 80020-80020.5	Additional assignment authorizations
5 CCR 80335	Performance of unauthorized professional services
5 CCR 80339-80339.6	Unauthorized certificated employee assignment
Ed. Code 33126	School accountability report card
Ed. Code 35035	Powers and duties of the superintendent; transfer authority
Ed. Code 35186	Complaints regarding teacher vacancy or misassignment
Ed. Code 37616	Consultation regarding year-round schedule
Ed. Code 44225.6	Commission report to the legislature re: teachers
Ed. Code 44250-44277	Credentials and assignment of teachers

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Legal Reference:

State

Ed. Code 44314

Ed. Code 44824

Ed. Code 44955

Gov. Code 3543.2

Federal

20 USC 6311

20 USC 6312

20 USC 6601-6651

Management Resources

California Department of
Education Publication

California Department of
Education Publication

Commission on Teacher
Credentialing Publication

Commission on Teacher
Credentialing Publication

U.S. Department of
Education Guidance

Website

Website

Website

Website

Website

Description

[Subject matter programs; approved subjects](#)

[Assignment of teachers to weekend classes](#)

[Reduction in number of permanent employees](#)

[Scope of representation](#)

Description

State plan

Local educational agency plan

Teacher and Principal Training and Recruiting Fund

Description

Every Student Succeeds Act 2016-17 School Year Transition Plan,
April 2016

California State Plan to Ensure Equitable Access to Excellent
Educators

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

The Administrator's Assignment Manual, 2021

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

[CSBA District and County Office of Education Legal Services](#)

[Commission on Teacher Credentialing](#)

[CSBA](#)

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

[California Department of Education](#)

WESTMINSTER SCHOOL DISTRICT

Westminster, California

Policy Adopted: July 5, 1990
Revised: May 9, 2013
Revised: March 7, 2024