

**Personnel**

**Board Policy No. 4113 Assignment**

**Policy Adopted: September 2, 2010**

**Policy Reviewed: February 8, 2024**

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## **ASSIGNMENT**

In order to serve the best interests of students and the educational program, the Superintendent or designee shall assign certificated personnel to positions for which their preparation, certification, professional experience and aptitude qualify them.

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 to courses 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 him/her to provide instruction in that subject.

When specifically authorized by law or regulations, the Superintendent or designee may assign a teacher, with his/her consent, to a position outside his/her credential authorization, and in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's Administrator's Assignment Manual. Assignments made pursuant to Education Code 44256, 442582, and 44263 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)

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 Reference:*

*EDUCATION CODE*

*33126 School accountability report card*

*35035 Additional powers and duties of superintendent*

*35186 Complaint process*

*37616 Assignment of teachers to year-round schools*

*44225.6 Commission report to the legislature re: teachers*

*44250-44277 Credentials and assignments of teachers*

*44314 Subject matter programs, approved subjects*

*44395-44398 Incentives for assigning NBPTS-certified teachers to high-priority schools*

*44824 Assignment of teachers to weekend classes*

*44955 Reduction in number of employees*

*GOVERNMENT CODE*

*3543.2 Scope of representation*

*CODE OF REGULATIONS, TITLE 5*

*6100-6126 Teacher qualifications, No Child Left Behind Act*

*80003-80005 Credential authorizations*

*80020-80020.5 Additional assignment authorizations*

*80335 Performance of unauthorized professional services*

*80339-80339.6 Unauthorized certificated employee assignment*

*UNITED STATES CODE, TITLE 20*

*6311 State plan*

*6319 Highly qualified teachers*

*6601-6651 Teacher and Principal Training and Recruiting Fund*

*7801 Definitions, highly qualified teacher*

*CODE OF FEDERAL REGULATIONS, TITLE 34*

*200.55-200.57 Highly qualified teachers*