



Board Agenda Item #	IV C: Action Item
Date:	July 8, 2021
To:	Magnolia Board of Directors
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Derya Hajmeirza, MPS Human Resources Director
RE:	Teacher Assignment Option: Ed Code 44258.7(c)(d)

Proposed Board Motion

I move that the board approve the teacher assignment option: Ed Code 44258.7(c)(d)

Introduction

Ed Code options allow flexibility for teacher assignment-Elective Classes

Background

Education codes are created or changed based on laws passed by the state legislature or Governor. Education codes govern all public schools in California. This particular education code allows schools to create a committee consisting of an equal number of teachers and administrators to assign teachers to teach elective classes. It does not allow them to assign teachers to academic subject areas. Only teachers who have already completed a teacher preparation program, including student teaching and hold a Preliminary or Clear credential may be assigned utilizing this education code.

Traditionally, charter schools did not use Ed Code options, but with the credentialing rule changes due to AB1505 that all charter school teachers must now earn teaching credentials, it has been recommended by chartering authorities to use education code options as needed.

Due to the teacher shortage currently being experienced not just in California, but across the nation, Ed Code options give schools another legal option to assign teachers to positions within public schools.

Upon approval by the board of this Ed Code option, an assignment committee will be formed and will utilize the guidelines outlined in the education code to assign teachers to elective classes outside of their current credential authorization.

Budget Implications

- There are no budget implications.

Exhibits (attachments):

- California Legislative Information: Ed Code 44258.7(c)(d)
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Code: Section: [Up^](#)[<< Previous](#)[Next >>](#)[cross-reference chaptered bills](#)[PDF](#) | [Add To My Favorites](#)Search Phrase: **EDUCATION CODE - EDC****TITLE 2. ELEMENTARY AND SECONDARY EDUCATION [33000 - 65001]** (Title 2 enacted by Stats. 1976, Ch. 1010.)**DIVISION 3. LOCAL ADMINISTRATION [35000 - 45500]** (Division 3 enacted by Stats. 1976, Ch. 1010.)**PART 25. EMPLOYEES [44000 - 45500]** (Part 25 enacted by Stats. 1976, Ch. 1010.)**CHAPTER 2. Teacher Credentialing [44200 - 44418]** (Heading of Chapter 2 amended by Stats. 1988, Ch. 1355, Sec. 2.)**ARTICLE 4. Credential Types [44250 - 44277]** (Article 4 enacted by Stats. 1976, Ch. 1010.)

44258.7. (a) The holder of a standard secondary credential who, prior to September 1, 1989, has taught successfully in a subject within the department of his or her academic major or minor for a minimum of three years, as verified by the employing school district, may receive a supplementary authorization in that subject upon application, payment of a fee, which shall not exceed one-half of the regular credential fee, and evidence that one of the following has been accomplished:

- (1) Successful completion, by September 1, 1989, of a minimum of 12 semester units, or six upper division or graduate units, of coursework at an accredited institution in the subject.
- (2) The securing of a passing score on an examination in the subject approved by the Commission on Teacher Credentialing.
- (3) Verification of competence in the subject matter by a subject area specialist not associated with the employing school district.

(b) A person who holds a teaching credential in a subject or subjects other than physical education may be authorized by action of the local governing board to coach one period per day in a competitive sport for which students receive physical education credit, provided that he or she is a full-time employee of the school district and has completed a minimum of 20 hours of first aid instruction appropriate for the specific sport.

(c) A teacher employed on a full-time basis who teaches kindergarten or any of grades 1 to 12, inclusive, and who has special skills and preparation outside of his or her credential authorization may, with his or her consent, be assigned to

teach an elective course in the area of the special skills or preparation, provided that the assignment is first approved by a committee on assignments. For purposes of this subdivision an "elective course" is a course other than English, mathematics, science, or social studies. The membership of the committee on assignments shall include an equal number of teachers, selected by teachers, and school administrators, selected by school administrators.

(d) Assignments approved by the committee on assignments shall be for a maximum of one school year, but may be extended by action of the committee upon application by the schoolsite administrator and the affected teacher. All initial assignments or extensions shall be approved prior to the assignment or extension. Districts making assignments under this subdivision shall submit a plan to the county superintendent of schools which shall include, but need not be limited to, the following:

(1) Statements signed by the district superintendent and the president or chairperson of the district governing board, approving the establishment of the committee.

(2) Procedures for selection of the committee membership.

(3) Terms of office for committee members.

(4) Criteria for determining teachers' qualifications for these assignments.

(e) The Commission on Teacher Credentialing may develop and recommend general criteria that may be used by local committees on assignment in assessing a candidate's qualifications.

(f) The commission shall issue an Activity Supervisor Clearance Certificate to candidates serving in a position pursuant to subdivision (a) of Section 49024 upon verification of the candidate's personal identification and verification that the candidate meets all professional requirements pursuant to Sections 44339, 44340, 44341, and 44346.5. Each certificate shall be issued initially for a five-year period and may be renewed. The commission shall establish a fee for the Activity Supervisor Clearance Certificate.

(Amended by Stats. 2009, Ch. 379, Sec. 1. (AB 1025) Effective January 1, 2010.)