



Board Agenda Item #	IV D: Action Item
Date:	August 10, 2021
To:	Magnolia Board of Directors
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Derya Hajmeirza, MPS Human Resources Director
RE:	Approval of Teacher Assignment Option: Ed Code 44258.7(c)(d) Procedure and Process

Proposed Board Motion

I move that the board approve the teacher assignment option: Ed Code (“EC”) 44258.7(c)(d) procedure and process that MPS will adopt to provide a greater flexibility in elective course assignments in grades K-12.

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.

Analysis

MPS school site principals will work the assignment Committee to choose qualified teacher(s) for the assignment in accordance with the MPS Ed Code 44258.7 (c)(d) procedure and process that is included in Appendix 1.

The chosen teacher(s) will be reported to the respective authorizing county agency with the form included in Appendix 4. The assignment is for a maximum of one year, but may be reapproved yearly by the Committee prior to the start of assignment.

Budget Implications

- There are no budget implications.



Exhibits (attachments):

- Appendix 1: MPS Procedure and Process for EC 44258.7 (c)(d)Pg. 3
- Appendix 2: Teacher Petition FormPg. 5
- Appendix 3: Assessment of Subject-Matter KnowledgePg. 7
- Appendix 4: Committee on Assignment FormPg. 9
- Appendix 5: California Legislative Information: Ed Code 44258.7(c)(d)Pg. 11



Magnolia Public Schools (“MPS”) Procedure and Process for EC 44258.7(c)(d)

Purpose: It is the intent of MPS to facilitate the assignment of teachers in accordance with Education Code (“Ed Code” or “EC”) §44258.7(c)(d) when they consent to such assignments and when it has been verified that they are qualified for the requested assignment(s).

The following procedures are intended to provide for the implementation of EC §44258.7(c)(d).

1. School Principal identifies a vacancy in a specific subject-matter assignment.
2. School Principal verifies there is no available teacher on staff with the appropriate credential authorization and that EC §44258.7(c)(d) should be used to address the need.
3. Current site teachers who meet Commission on Teacher Credentialing (“CTC”) credential requirements will be notified of available openings via email by the Site Principal.
4. Teachers interested in the assignment will petition via email or letter to be considered for the assignment.
5. Teachers will submit the documents which may denote their qualifications for the assignment utilizing the criteria identified in EC 44258.7(c)(d) and outlined in the selection criteria.
6. The School Principal forwards petition documents to the review panel for determination of the teachers’ subject matter knowledge.
7. Upon review of all available information, the panel approves or disapproves the petition(s) and notifies the site principal of their decision.
8. The School Principal may choose the teacher for the assignment from the panel’s approved petition(s).

Selection Criteria: One or more of the following criteria may be used by the review panel to help choose the appropriate teacher for the assignment.

1. Successful prior teaching experience of the subject
2. Successful completion of intensive professional development in the subject to be taught
3. Review of portfolio containing evidence of demonstrated knowledge
4. Results of oral interviews
5. Practical experience
6. Passage of an examination that is valid for the subject and grade level
7. Observation over time of the teacher in the subject in the grade level currently being taught
8. Observation of demonstration lesson in the subject and at the grade level to be taught
9. Professional Growth Plan- The petitioning teacher and administrator have come to mutual agreement that a professional growth plan is necessary for the teacher to serve in the position.
10. Successful completion of college or university course work in the subject to be taught

11. Successful prior work experience in the content area



**Petition to Teach Departmentalized Subjects Under EC
§44258.7(c)(d)**

This form is to be used by a credentialed teacher and a site administrator to request verification of adequate knowledge to teach specified subjects in a departmentalized setting in kindergarten or any of grades K through 12 in accordance with EC §44258.7(c)(d).

Teacher: _____ SSN: _____

School: _____

Subject(s) being requested: _____

Initial Request

Subsequent Request

Briefly describe why you feel you have adequate subject-matter knowledge to teach the requested subject(s).

Check the additional criteria upon which this petition is based. Attach appropriate evidence for each criterion checked.

College/university course work

Relevant on-the-job experience or previous teaching in the subject area

Relevant volunteer experience

Subject-matter examination

Demonstrated competency in the subject to be taught

Portfolio related to subject(s)

Relevant professional growth activities

Recommendations from other subject-matter specialists or experts

Other (specify) _____

Describe any other circumstances or criteria to be considered regarding this petition. Attach any documentation that helps to substantiate this information.

If approved, I consent to the assignment under EC §44258.7(c)(d).

Teacher's Signature

Date

If approved, the teacher will be assigned to teach the subject area(s) requested on the front page of this form.

Site Principal's Signature

Date



Assessment of Adequacy of Subject-Matter Knowledge

This form is to be used in assessing the adequacy of subject-matter knowledge of the subject(s) a teacher is petitioning to teach in a departmentalized setting, in kindergarten or in any of grades K through 12, in accordance with EC §44258.7(c)(d).

Teacher: _____ SSN: _____

Subject(s) being requested: _____

Assessment Team Leader: _____

Assessment Team Members: _____

Subject-Matter Specialist on Team/Consulted

The assessment of the petitioner's adequacy of knowledge of the subject-matter and appropriate state framework for the subject(s) being requested yielded the following:

Course of Study:

State Framework(s):

The following methods were used to determine the adequacy of subject-matter knowledge of the petitioning teacher:

- Successful prior teaching of the subject
- Successful completion of intensive professional development in the subject
- Review of a portfolio containing evidence of demonstrated knowledge
- Results of a semi-structured interview
- Successful completion of college or university course work in the subject
- Passage of an examination related to the course, grade level and state framework for the subject to be taught
- Observation of the teacher in the subject and grade level currently being taught
- Observation of a demonstration lesson in the subject to be taught at the grade level to be taught
- Successful prior work experience in the content area
- Proof of professional performance in the content area
- Other (specify) _____

Based upon the assessments indicated, we recommend the following action:

APPROVAL of the petition based upon verification of adequate knowledge at a level justifying:

- Clear verification
- Approval with professional growth/support plan

DISAPPROVAL of the petition

The panel recommends that the following elements be included in the professional growth/support plan:

Assessment Team Leader's Signature

Date

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.)