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# 5B

## Action

### *Certification Committee*

#### **Assignment Monitoring of Certificated Staff in California by County Offices of Education 2013-2015, A Report to the Legislature**

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**Executive Summary:** This agenda item is provided in response to Education Code §44258.9, which requires the Commission to report to the Governor and Legislature biennially on assignment monitoring data for certificated employees submitted by county offices of education.

**Recommended Action:** That the Commission approve the *Assignment Monitoring of Certificated Employees in California by County Offices of Education, 2013-2015*, a report for transmittal to the Governor and the Legislature.

**Presenter:** Teri Clark, Director, Professional Services Division

#### **Strategic Plan Goals**

##### ***I. Educator Quality***

- ◆ Ensure that credential processing and assignment monitoring activities accurately, effectively, and efficiently identify educators who have met high and rigorous certification standards and who are appropriately assigned.

##### ***III. Communication and Engagement***

- ◆ Advise the Governor, Legislature, and other policy makers as appropriate regarding issues affecting the quality, preparation, certification, and discipline of the education workforce.

June 2017



**Assignment Monitoring of Certificated Staff in California  
by County Offices of Education 2013-2015,  
A Report to the Legislature**

Submitted Pursuant to Education Code §44258.9

This report was developed by staff of the Professional Services Division of the Commission on Teacher Credentialing. For more information about the content of this report, contact [psdinfo@ctc.ca.gov](mailto:psdinfo@ctc.ca.gov).

June 2017

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# Commission on Teacher Credentialing



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Mary Vixie Sandy  
Executive Director

Barnes, Kirsten	Non-Administrative Services Representative	2020
Cooney, C. Michael	Public Representative	2017
Darling-Hammond, Linda	Faculty Member	2017
de la Torre-Escobedo, Marysol	Teacher Representative	2019
Gonzalez, Jose	Administrative Services Representative	2019
Harris, Kathleen	Teacher Representative	2017
Hinde, Alicia	Teacher Representative	2020
Klatt, Bonnie	Teacher Representative	2017
Kung, Kevin	Teacher Representative	2020
Redmond, Castle	Public Representative	2019
Rodriguez, Haydee	Teacher Representative	2020
Rodriguez, Ref	School Board Member	2020
Zumot, Michelle	Designee, Superintendent of Public Instruction	Ongoing
Vacant	Public Representative	
Vacant	Public Representative	
<b>Ex-Officio Members</b>		
Browne, Kathryn	California Community Colleges	
Grenot-Scheyer, Marquita	California State University	
Martin, Shane	Association of Independent California Colleges and Universities	
Sloan, Tine	University of California	

## Vision Statement

All of California's students, preschool through grade 12, are inspired and prepared to achieve their highest potential by well prepared and exceptionally qualified educators.

## Mission Statement

To ensure integrity, relevance, and high quality in the preparation, certification, and discipline of the educators who serve all of California's diverse students.

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# **Assignment Monitoring of Certificated Staff in California by County Offices of Education 2013-2015, A Report to the Legislature**

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## **Executive Summary**

Examining assignment monitoring data is essential for policy makers as they analyze how current statutes and policies impact the assignment of certificated staff in California, as well as the need for expanded or alternative preparation programs in areas with a high number of unauthorized assignments. This report provides data collected by the Commission on Teacher Credentialing (Commission) from the county offices of education and addresses the assignment of teachers and other certificated staff in California.

This report is provided in response to Education Code (EC) §44258.9 which requires that the Commission report biennially to the Legislature on the assignment monitoring data for certificated staff submitted by the county offices of education. This report provides an analysis of assignment monitoring data for certificated staff in California's lowest performing schools ranked in Deciles 1, 2 and 3 of the 2012 base Academic Performance Index (API) at the state, county, school district, and school site levels. The report includes a comparison of assignment monitoring data reported for these school sites during the 2013-14 and 2014-15 school years. This report does not include data from the one-fourth monitoring of the districts that took place in 2011-15.

Selected findings are provided below that summarize the information contained in the full report:

- Overall decrease of 33.4% in identified teaching misassignments for schools ranked in Deciles 1, 2 and 3 (2012 base API) when comparing the same school sites between 2013-14 and 2014-15.
- Special Education represented the largest number of teaching misassignments in both years in schools ranked in the lowest three deciles but did decrease by 29.1 % between 2013-14 and 2014-15.
- Significant decreases in the number of misassignments in schools ranked in the lowest three deciles occurred in four core subject areas between 2013-14 and 2014-15: Science (-24%), English (-45%), Mathematics (-45%), and Social Science (-54%).

An electronic version of this report will be available on the Commission's website following Commission approval of the report to the Legislature.

## **Assignment Monitoring of Certificated Staff in California by County Offices of Education 2013-2015, a Report to the Legislature**

### **Introduction**

This agenda item provides data collected and reported to the Legislature biennially by the Commission on Teacher Credentialing (Commission) from monitoring activities completed by the county offices of education on the assignments of teachers and other certificated staff as required by Education Code (EC) §44258.9. The annual monitoring and data collection for schools ranked in the lowest three deciles in the state of California (Deciles 1, 2 and 3) is based on the 2012 Academic Performance Index (API).

This report is organized with the following headings and subheadings:

#### Assignment Monitoring Report for Certificated Staff in California Schools Ranked in Deciles 1, 2 and 3, 2013-14 and 2014-15 (2012 base API)

- A. Teaching and Non-Teaching Misassignment Data
- B. English Learner Data Collection for Classrooms Identified with 20% or More Students Identified as English Learners
- C. Statistics on Education Code Assignment Options for Teaching Outside of Credential Authorizations
- D. Teacher Vacancy Data
- E. Summary of Assignment Monitoring Data for Schools Ranked in Deciles 1, 2 and 3, 2013-14 and 2014-15 (2012 base API)

### **Background**

As a result of the *Williams v. State of California* settlement, county superintendents of schools are required to annually monitor the assignments of all certificated staff for schools ranked in Deciles 1, 2 and 3 of the Academic Performance Index (API). Assignment monitoring involves reviewing all assignment records for the certificated staff at these school sites in order to determine if the individual holds an appropriate credential and authorization for the instruction or service provided or if the educator is otherwise legally authorized to serve on the basis of a permit, waiver, or local assignment option within statute or regulation. County superintendents must also annually collect data for these schools on classrooms with a population of 20% or more English learner students in order to determine the number of classrooms served by a teacher without an appropriate English learner authorization. This report summarizes all data reported for schools ranked in Deciles 1, 2, and 3 (2012 Base API) during the 2013-14 and 2014-15 academic years. Additional information on the *Williams* settlement and the history of assignment monitoring in California is provided in the *Assignment Monitoring History* section at the end of the report.

County superintendents must also annually report the results of assignment monitoring activities conducted for approximately one-quarter of all certificated staff in each county throughout the state. At the end of a four-year cycle, all certificated staff assignments in California are monitored for all schools, districts, and county offices of education. The current four-year monitoring cycle

includes the 2011-12 through 2014-15 academic years. The data from the four-year monitoring cycle is not available at this time.

An explanation of common terms used in this report is provided below for clarification.

#### *Misassignment*

The placement of certificated staff in a teaching or services position for which the educator does not hold a legally recognized certificate, credential, permit, or waiver with an appropriate authorization for the assignment or is not otherwise authorized for the assignment under another section of statute or regulation.

#### *Academic Performance Index (API)*

A measurement maintained by the California Department of Education of the academic performance and growth of schools. It is a numeric index or scale that ranges from a low of 200 to a high of 1000. A school's score on the API is an indicator of a school's performance level. For purposes of annually monitoring schools ranked in Deciles 1, 2 and 3 schools, a specific base API year is identified in statute and is updated every three years. This results in the same school sites being monitored annually for three consecutive years and in order to reduce the number of the misassignments identified each year.

The state is revising its accountability system. Future assignment monitoring reports will not use the API but the revised accountability system.

#### *Deciles*

California schools are ranked in Deciles 1 (lowest) through 10 (highest) based on the API. While charter schools are ranked by decile, these schools are not subject to annual assignment monitoring under EC §44258.9 unless they elect to opt in. At this time, no charter schools have opted in for the additional monitoring and data for these schools are not included in this report.

## The Assignment Monitoring Report for Schools Ranked in Deciles 1, 2 and 3, 2013-14 and 2014-15 (2012 Base API)

In Part I, the assignment monitoring activities and data collection for this report is limited to California’s lowest performing schools ranked in Deciles 1, 2 and 3 of the 2012 base Academic Performance Index (API) for the 2013-14 and 2014-15 academic years. It is important to note for this specific type of assignment monitoring the same school sites are reviewed annually for three years. The more intensive monitoring of these school sites is conducted in accordance with statute in order to track whether the focused annual monitoring of certificated staff assignments results in a reduction in the number of initial misassignments at these school sites. For this reason, the data between years is always compared and contrasted rather than combined.

### Teaching Misassignment Data for Schools Ranked in Deciles 1, 2 and 3, 2013–14 and 2014-15 (2012 Base API)

In the 2013-14 school year, the assignments of more than 68,332 certificated teachers were reviewed in 2,183 schools ranked in the bottom three deciles of the 2012 Base API across 368 districts in California. The total number of certificated staff increased by almost 2% in 2014-15 to 69,698 in 2,183 schools across 368 districts. Of the certificated teachers monitored, 2,067 were initially identified as misassigned in 2013-14. The number of misassignments identified decreased to 1,377, a decrease of almost 34%, in 2014-15.

Table A details the total number of certificated teachers monitored and identified as misassigned during 2013-14 and 2014-15 in schools ranked in the lowest three deciles of California.

<b>Table A: Total Certificated Teachers Monitored Relative to Identified Misassignments for Schools Ranked in Deciles 1, 2, and 3, 2013-14 and 2014-15 (2012 Base API)*</b>			
	<b>2013-14</b>	<b>2014-15</b>	<b>% Change Between 2013-14 and 2014-15</b>
Base API Year	2012	2012	N/A
Total Monitored Districts	368	368	0%
Total Monitored Schools Ranked in Deciles 1-3	2183	2183	0%
Total Certificated Teachers Monitored	68,332	69,698	+2.0
<b>Total Teaching Misassignments</b>	<b>2,067</b>	<b>1,377</b>	<b>-33.4%</b>

\* The Base API Year changes only once every three years for monitoring purposes; therefore, some of the decile 1 through 3 school sites closed or merged prior to the 2013-14 and/or 2014-15 school years (2012 Base API). Charter schools ranked in deciles 1 through 3 (2012 Base API) are **not** included in this data.

Figure 1 illustrates the breakdown of identified teaching misassignments between the three decile ranks for each report year and demonstrates the significant reduction of those misassignments in each decile between the 2013-14 and 2014-15 report years. The identified misassignments decreased in each of the three decile ranks between 2013-14 and 2014-15 (2012 Base API): 24% decrease in Decile 1 schools, 22% decrease in Decile 2 schools, and 22% decrease in Decile 3 schools.



**Figure 1: Teaching Misassignments by Decile, 2013-14 and 2014-15 (2012 Base API)**

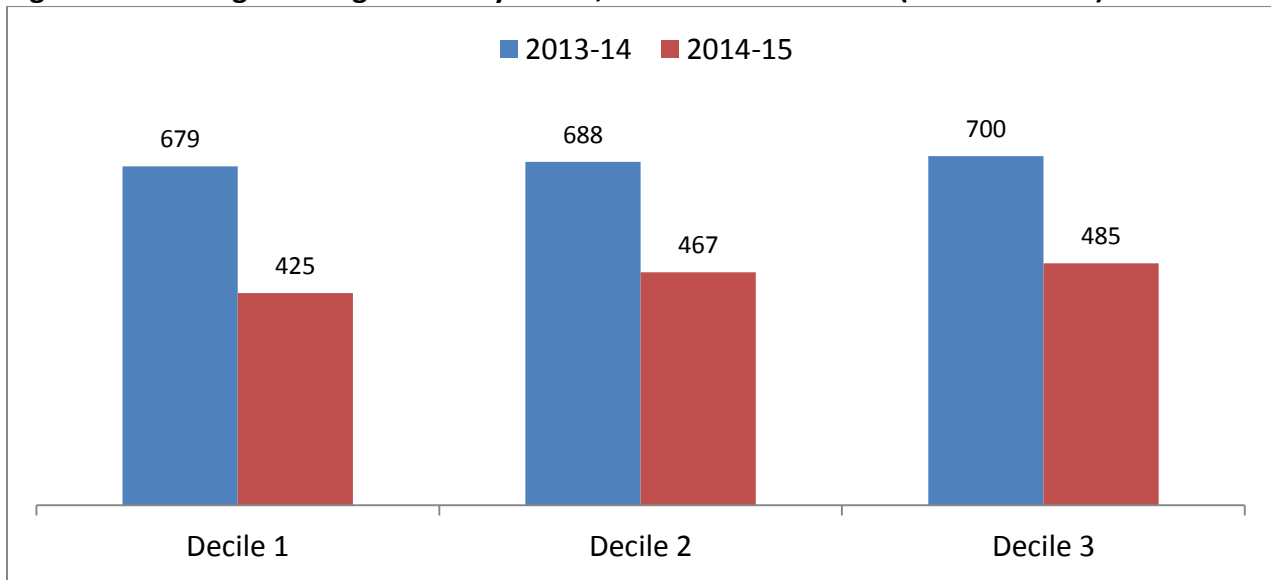


Figure 2 provides the percentage of teaching misassignments that occurred in 2013-14 and 2014-15 at each school level (Elementary, Middle and High). In both years, over 40% of all teaching misassignments are identified at the high school level. Elementary schools represent between 23%-30% of the identified teaching misassignments each year.

**Figure 2: Teaching Misassignments by Level, 2013-14 and 2014-15 (2012 Base API)**

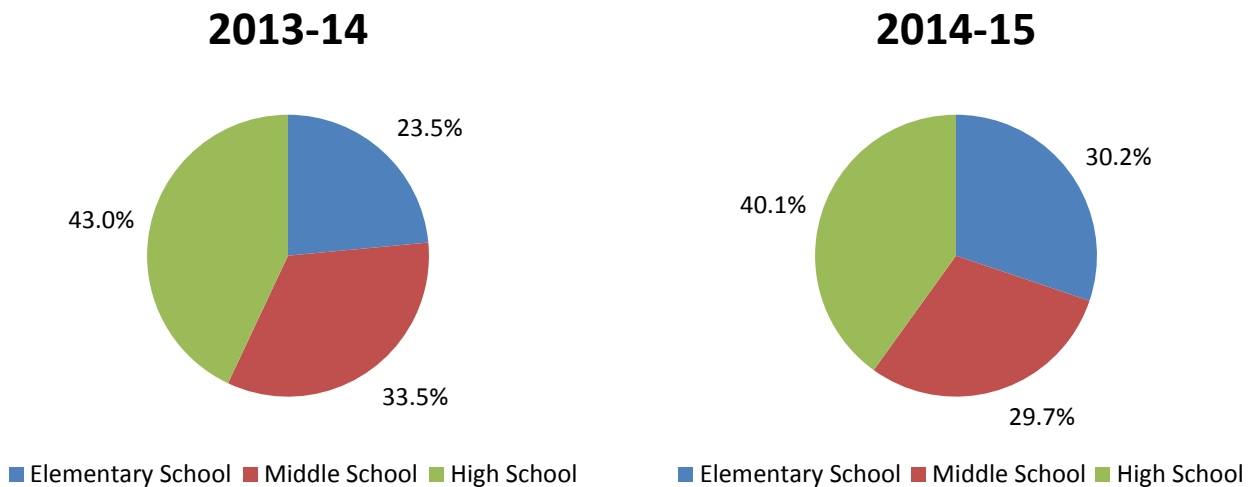


Table B includes specific information on the number of identified teaching misassignments by aggregate content areas in 2013-14 and 2014-15 for schools ranked in Deciles 1 through 3. The largest number of identified misassignments in each year is identified within the area of Special Education; however, there was over a 29% decrease in this area between the two report years.

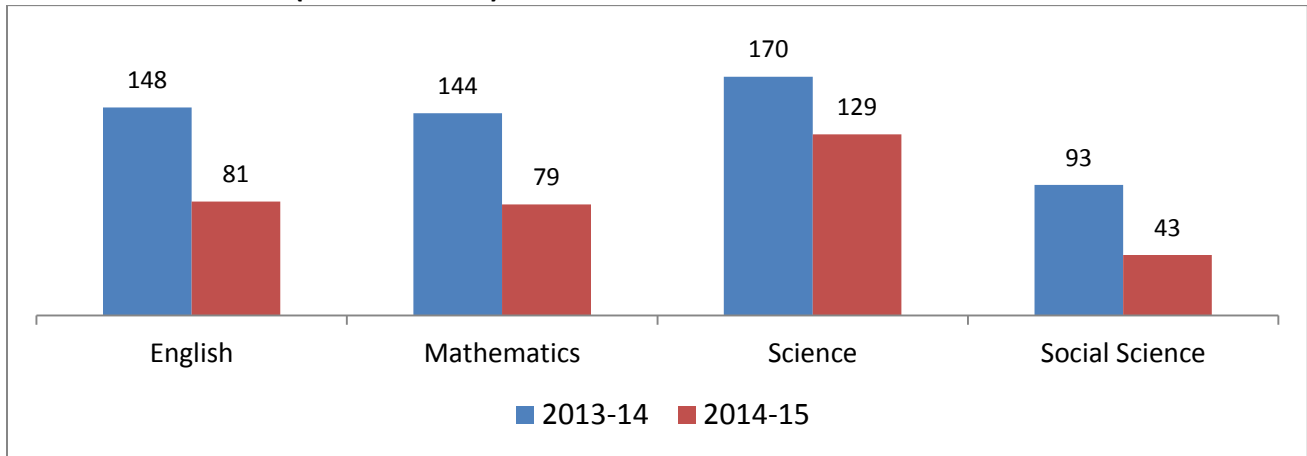
The aggregate area of Special Education is further broken out by specific federal disability category or specialty area authorization in *Table C*.

<b>Table B: Total Teaching Misassignments by Subject, 2013-14 and 2014-15 (2012 Base API)</b>			
<b>Subject</b>	<b>2013-14</b>	<b>2014-15</b>	<b>% Change between 2013-14 and 2014-15</b>
Agriculture	4	3	-25.0%
Art	51	29	-43.1%
Business	10	9	-10.0%
Career Technical Education (CTE)	22	11	-50.0%
Computer Education	52	15	-71.2%
Electives	128	110	-14.1%
English	148	81	-45.3%
English Learner	163	182	+11.7%
Health	86	35	-59.3%
Home Economics	15	3	-80.0%
Industrial Technology Education (ITE)	43	21	-51.2%
Mathematics	144	79	-45.1%
Music	13	15	+15.4%
Other	18	12	-33.3%
Physical Education	93	53	-43.0%
Science	170	129	-24.1%
Self-Contained	46	29	-37.0%
Social Science	93	43	-53.8%
Special Education	726	499	-29.1%
World Languages	42	19	-54.8%
<b>Totals</b>	<b>2,067</b>	<b>1,377</b>	<b>-33.4%</b>

The number of teaching misassignments decreased from 2013-14 to 2014-15 by almost a third. It is important to note that the teaching misassignment totals in 2011-12 (8,338) and 2012-13 (5,051) were significantly higher than the current year totals.

*Figure 3* highlights four ‘core’ content area misassignments for these school sites and demonstrates significant decreases between 24% and 53% for each content area over the two years.

**Figure 3: 'Core' Content Area Misassignments for Schools Ranked in Deciles 1, 2, and 3 2013-14 and 2014-15 (2012 Base API)**



**Table C: Special Education Teaching Misassignments by Disability Category or Specialty Area 2013-14 and 2014-15 (2012 Base API)**

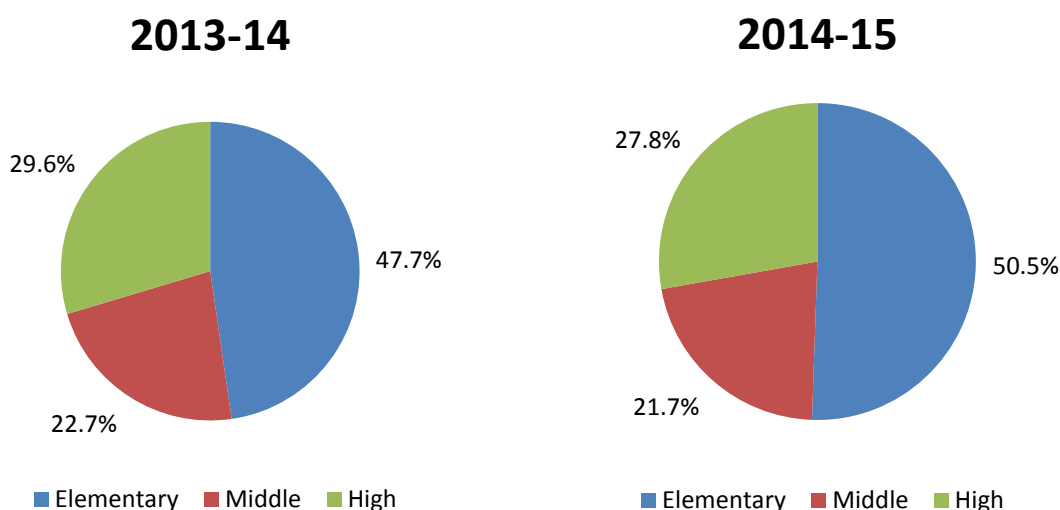
Special Education Misassignments*	2013-14	2014-15	% Change between 2013-14 and 2014-15
Adapted Physical Education (APE)	0	1	-
Autism Spectrum Disorders (ASD)	114	56	-50.9%
Deaf and Hard of Hearing (DHH)	27	2	-92.6%
Deaf-Blindness	62	45	-27.4%
Early Childhood Special Education (ECSE)	3	4	+33.3%
Emotional Disturbance (ED)	25	11	-56.0%
Intellectual Disabilities (ID)**	25	18	-28.0%
Mild/Moderate (M/M)	15	15	0.0%
Moderate/Severe (M/S)	11	7	-36.4%
Multiple Disabilities (MD)	18	15	-16.7%
Orthopedic Impairments (OI)	122	82	-32.8%
Other Health Impairments (OHI)	52	44	-15.4%
Physical and Health Impairments (PHI)	0	3	-
Resource Specialist (RSP)	23	23	0.0%
Specific Learning Disability (SLD)	49	32	-34.7%
Speech or Language Impairment (SLI)	142	99	-30.3%
Traumatic Brain Injury (TBI)	26	23	-11.5%
Visual Impairments including Blindness (VI)	12	19	+58.3%
<b>Totals</b>	<b>726</b>	<b>499</b>	<b>-31.3%</b>

\* Monitoring of special education assignments is transitioning from a focus on broad identification of special education classrooms that align with specialty areas to a more focused monitoring of the federal disability categories of the students being served and whether the teacher is appropriately prepared and authorized to serve that student population. This change in monitoring is aligned with legislation that focused on the specific disability category of Autism and the lack of teachers prepared to serve that population.

\*\*In 2010, President Obama signed “Rosa’s Law” creating federal legislation to replace the term “Mental Retardation” (MR) with “Intellectual Disability” (ID). SB 1381 (Chap. 457, Stats. 2012) aligned California statutes with the federal law.

The number of special education misassignments decreased by over 30% over the two years monitored and are significantly lower than the total number of special education misassignments in 2011-12 (2,025) and 2012-13 (1,752). *Figure 4* represents the same data but broken out by the percentage of special education teaching misassignments that occurred at each school level. As with the total teaching misassignments, the majority occurred at the secondary level with over 40% identified at the high school level each year. Between 47% and 50% of special education teaching misassignments were identified at the elementary level during the 2013-14 and 2014-15 report years respectively.

**Figure 4: Special Education Misassignments by Level, 2013-14 and 2014-15 (2012 Base API)**

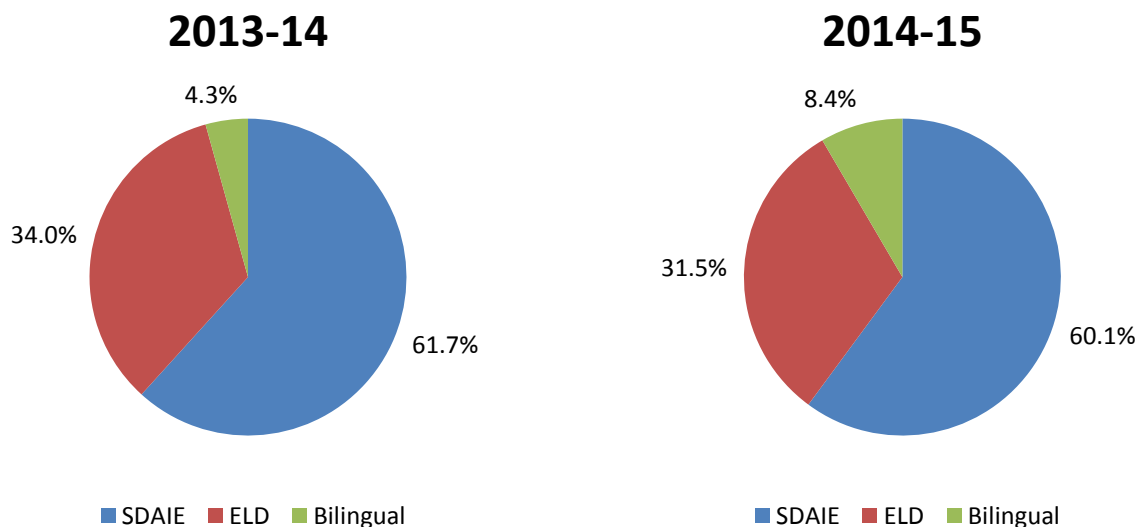


*Table D* represents a breakdown by type of the identified English learner (EL) teaching misassignments for each year in schools ranked in Deciles 1 through 3 (2012 Base API). Overall, the total number of EL misassignments increased between the two report years. Specially designed academic instruction in English (SDAIE) is a teaching approach intended for teaching various academic content (such as social studies, science or literature) using the English language to students who are still learning English and one component of a comprehensive program for English learners. SDAIE must be provided by a teacher who has completed appropriate preparation to earn an EL authorization that includes SDAIE. The number of misassignments in the area of Bilingual instruction almost doubled over the two years. Although the number of misassignments related to teaching English learners has increased between 2013-14 and 2014-15, the totals for 2011-12 (489) and 2012-13 (249) were higher than either of these two years.

<b>Table D: English Learner Misassignments by Type and Decile, 2013-14 and 2014-15 (2012 Base API)</b>									
<b>EL Authorization</b>	<b>2013-14</b>				<b>2014-15</b>				<b>% Change between 2013-14 and 2014-15</b>
	<b>D1</b>	<b>D2</b>	<b>D3</b>	<b>Total</b>	<b>D1</b>	<b>D2</b>	<b>D3</b>	<b>Total</b>	
SDAIE	39	28	33	100	44	29	38	111	+ 11.0 %
ELD	20	17	18	55	21	21	14	56	+ 1.8 %
Bilingual	4	3	1	8	5	7	3	15	+87.5%
<b>Totals</b>	<b>63</b>	<b>48</b>	<b>52</b>	<b>163</b>	<b>70</b>	<b>57</b>	<b>51</b>	<b>182</b>	<b>+ 11.7%</b>

Figure 5 shows the percentage for each type of EL teaching misassignment calculated against the total number of EL teaching misassignments identified. In 2013-14, out of the total 163 EL misassignments, SDAIE represented (100) 62%. The total number of EL misassignments reduced to 182 in 2013-14 and SDAIE increased to (111) 60% of the total in 2014-15. In contrast, ELD misassignments increased from (55) 19% of the 163 total in 2013-14 to (56) 31% of the 182 total in 2014-2015.

**Figure 5: Percentage of EL Misassignments by Type, 2013-14 and 2014-15 (2012 Base API)**



**English Learner Data Collection for Schools Ranked in Deciles 1, 2 and 3, 2013-14 and 2014-15 (2012 Base API)**

Additional data collection is required by statute for classrooms with 20% or more English learner students. For schools ranked in Deciles 1 through 3, counties are required to collect the following data:

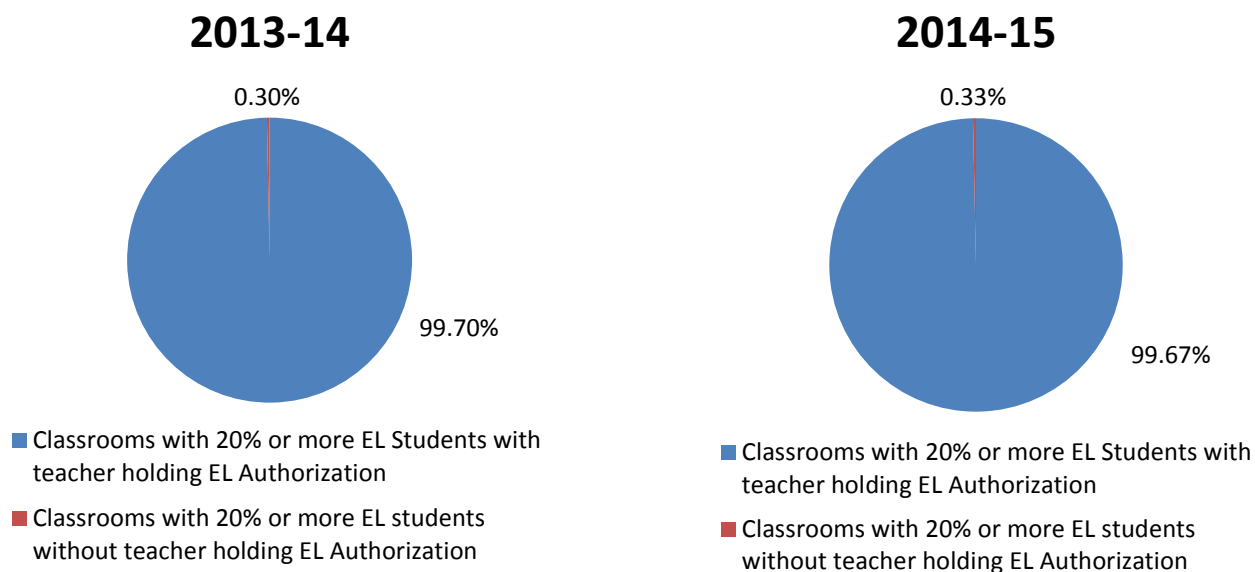
1. Total enrollment for students identified as English learners;
2. Total number of classrooms with an identified English learner student population of 20% or more;

3. Total number of classrooms with an identified English learner student population of 20% or more with a teacher who holds an English learner authorization; and
4. Total number of classrooms with an identified English learner student population of 20% or more with a teacher who does not hold an English learner authorization.

*Table E* below provides the data collected as a result of this additional monitoring, broken out by decile rank and report year. *Table E* demonstrates that there was an increase of 11% in the number of these classrooms served by a teacher without an appropriate EL authorization between 2013-14 and 2014-15. *Figure 6* provides a broader statewide perspective by illustrating that more than 99.6% of these classrooms were staffed by a teacher holding an appropriate EL authorization in 2013-14 and 2014-15.

<b>Table E: Data Collection for Classrooms with 20% or More English Learner Students by Decile, 2013-14 and 2014-15 (2012 Base API)</b>									
<b>Data Collection Criteria</b>	<b>2013-14</b>				<b>2014-15</b>				<b>% Change between 2013-14 and 2014-15</b>
	<b>D1</b>	<b>D2</b>	<b>D3</b>	<b>Total</b>	<b>D1</b>	<b>D2</b>	<b>D3</b>	<b>Total</b>	
Classrooms with 20% or more EL students	32,969	36,503	33,243	<b>102,715</b>	33,801	35,524	33,034	<b>102,359</b>	-3 %
Classrooms with 20% or more EL students <b>with</b> teacher holding EL authorization	32,425	35,417	32,815	<b>100,657</b>	33,691	35,413	32,921	<b>102,025</b>	+1.4%
Classrooms with 20% or more EL students <b>without</b> teacher holding EL authorization	91	112	98	<b>301</b>	110	111	113	<b>334</b>	+11.0%

**Figure 6: Percentage of Classrooms With 20% or More EL Students Appropriately Served by an EL Authorized Teacher, 2013-14 and 2014-15 (2012 Base API)**



**Statistics on Education Code Assignments Outside of the Credential Authorization for Schools Ranked in Deciles 1, 2 and 3, 2013-14 and 2014-15 (2012 Base API)**

California has many provisions within the Education Code that provide avenues for the assignment of certificated employees outside their basic credential authorization. These Education Code options allow local school districts the flexibility to assign teachers to provide instruction in subjects other than those already authorized by the credential(s) they hold. In most cases, teaching assignments made under these options require the agreement of the school site administrator, the affected teacher and the governing board. Through the *Assignment Monitoring and Review Report*, the Commission collects information on the most frequently used options. The provisions of these options are summarized below:

- **§44256(b)** allows the elementary credentialed teacher to teach subjects in departmentalized classes grades 8 and below if the teacher has completed twelve semester units, or six upper division or graduate semester units, in the subject area to be taught.
- **§44258.2** allows the secondary credentialed teacher to teach classes in grades 5 through 8, provided that the teacher has a minimum of twelve semester units, or six upper division or graduate semester units, in the subject to be taught.
- **§44258.3** allows local school districts to assign credentialed teachers to teach departmentalized classes in grades K-12 as long as the teacher’s subject-matter competence is verified according to policy and procedures approved by the governing board.
- **§44258.7(c) and (d)** allows a full-time teacher with special skills and preparation outside his or her credential authorization to be assigned to teach in an “elective” area (defined

as other than English, math, science, or social science) of his or her special skills, provided the assignment is approved by the local Committee on Assignments prior to the beginning of the assignment.

- **§44263** allows the credential holder to teach in a departmentalized class at any grade level if the teacher has completed eighteen semester units of course work, or nine semester units of upper division or graduate course work, in the subject to be taught.

Table F presents data for each of the local assignment options noted above with data broken out by school decile rank and report year. In total, the data indicates over a 7% increase between 2013-14 and 2014-15 in the use of local assignment options within these sections of statute for schools ranked in Deciles 1 through 3 (2012 Base API).

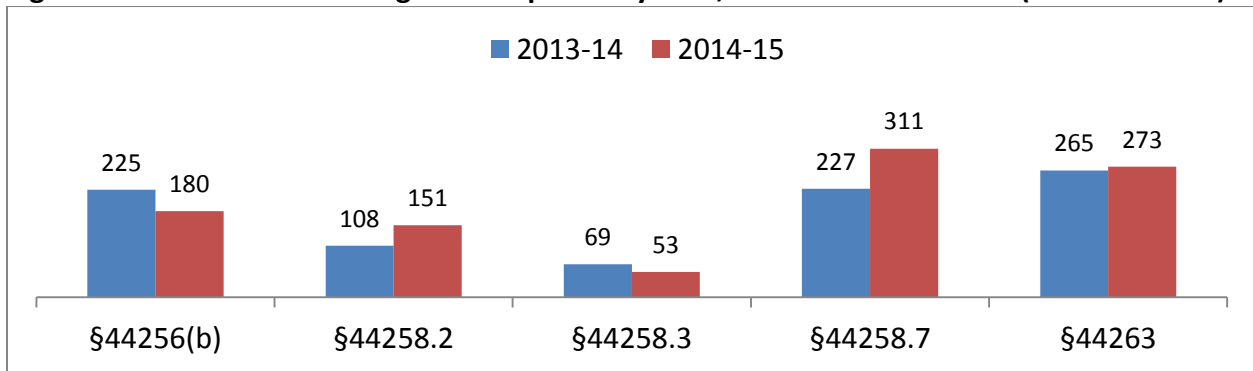
Education Code	2013-14				2014-15				Change between 2013-14 and 2014-15
	D1	D2	D3	Total	D1	D2	D3	Total	
§44256(b)	41	65	119	<b>225</b>	61	39	80	<b>180</b>	-20.0%
§44258.2	39	26	45	<b>108</b>	48	41	62	<b>151</b>	+39.8%
§44258.3	16	18	35	<b>69</b>	1	25	27	<b>53</b>	-23.2%
§44258.7	49	82	96	<b>227</b>	64	117	130	<b>311</b>	+37.0%
§44263	39	101	125	<b>265</b>	54	92	127	<b>273</b>	+3.8%
<b>Totals</b>	<b>184</b>	<b>292</b>	<b>415</b>	<b>898</b>	<b>228</b>	<b>314</b>	<b>426</b>	<b>968</b>	<b>+7.8%</b>

Most assignments made under the options within these sections of the Education Code are in the middle or high schools. EC §44256(b) is occasionally used to authorize teachers with a Multiple Subject or Standard Elementary Credential to teach specialized subjects (e.g., music, art, world language, physical education) in departmentalized classrooms to different groups of students throughout the day in elementary schools. This generally occurs in school districts that provide elementary teachers with release time for planning. The school may have “release time” departmentalized teachers for subjects such as art, music, physical education, or science. Although there was an increase between 2013-14 and 2014-15 in the use of assignment code options, both years show a decrease from the 2011-12 (1,372) and 2012-13 (1,045) years in the use of assignment code options.

Figure 7 shows a reduction in the use of only two options between the two monitored years. Section 44256(b) is primarily used for Multiple Subject teachers serving in departmentalized classrooms at the middle school level.



**Figure 7: Education Code Assignment Options by Year, 2013-14 and 2014-15 (2012 Base API)**



While the Commission has authority to collect information for the purpose of analysis and reporting to the Legislature, it does not have authority to conduct a qualitative review of the assignments made in local school districts using Education Code provisions. For example, the Commission does not have data such as subject content area or curriculum/methods of classes taken at a college or university or grades received for the courses used to accumulate the 18 or 9 semester units required under EC§44263 or the 12 or 6 semester units required under EC §§44256(b) or 44258.2.

**Teacher Vacancy Data for Schools Ranked in Deciles 1, 2 and 3, 2013-14 and 2014-15 (2012 Base API)**

‘Teacher vacancy’ is another statutorily required data item collected by the county offices of education. EC§33126(b)(5)(A)(B) and 5 California Code of Regulations §4600 defines ‘Teacher Vacancy’ as certificated positions for which a single designated employee has not been assigned for the entire year or if it is a one-semester course, then for the entire semester within the first twenty working days after the first day of class for students.

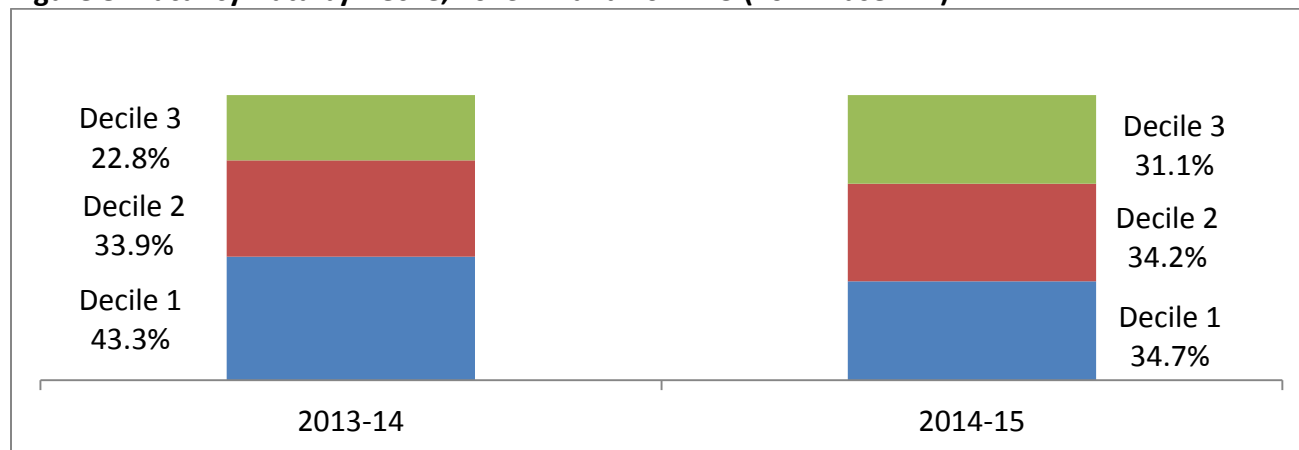
Table G below provides the teacher vacancy data collected by the county offices for the schools ranked in Deciles 1, 2 and 3 (2012 Base API) for the 2013-14 and 2014-15 report years. Teacher vacancy totals experienced a 17.7% increase between the two years with the largest increase occurring at schools ranked in the third decile.

<b>Table G: Teacher Vacancies by Decile, 2013-14 and 2014-15 (2012 Base API)</b>			
<b>Rank</b>	<b>2013-14</b>	<b>2014-15</b>	<b>% Change Between 2013-14 and 2014-15</b>
Decile 1	161	152	-5.6%
Decile 2	126	150	+19.0%
Decile 3	85	136	+60.0%
<b>Totals</b>	<b>372</b>	<b>438</b>	<b>+17.7%</b>

While Table G provides the percentage change between years for each decile rank, Figure 8 includes the percentage of teacher vacancies against the total number of teacher vacancies for each of the report years. While two of the three sets of decile schools had an increase in vacancies, the distribution of those vacancies between schools in each decile ranking is for the

most part equally distributed. In addition to the number of vacancies rising between 2013-14 and 2014-15, the numbers in 2011-12 (209) and 2012-13 (253.5) were lower than both of the years in this report.

**Figure 8: Vacancy Data by Decile, 2013-14 and 2014-15 (2012 Base API)**



**Certificated Services (Non-Teaching) Misassignment Data for Schools Ranked in Deciles 1, 2 and 3, 2013–14 and 2014-15 (2012 Base API)**

In the 2013-14 and 2014-15, the assignments of more than 9,000 educators providing certificated services in over 1,900 schools were monitored as a result of being ranked in the bottom three deciles of the 2012 Base API. The total number of certificated services misassignments decreased by a little over 1% between these two report years.

*Table H* details the total certificated services staff monitored and identified as misassigned during 2013-14 and 2014-15 in schools ranked in the lowest three deciles of California (2012 Base API).

**Table H: Total Certificated Services Staff Monitored Relative to Identified Misassignments for Schools Ranked in Deciles 1, 2, and 3, 2013-14 and 2014-15 (2012 Base API)**

	2013-14	2014-15	% Change Between 2013-14 and 2014-15
Base API Year	2012	2012	NA
Monitored Districts with Schools Ranked in Deciles 1-3*	368	368	0%
Monitored Schools Ranked in Deciles 1-3*	2183	2183	0%
Certificated Services Staff	9,430	9,975.8	+5.8%
Certificated Services Misassignments	69	68	-1.4%

\* The Base API Year has changed every three years for monitoring purposes; therefore, some of the Decile 1 through 3 school sites closed or merged prior to the 2011-2012 and/or 2012-2013 academic year (2012 Base API). Charter schools ranked in Deciles 1 through 3 (2012 Base API) are **not** included in this data.

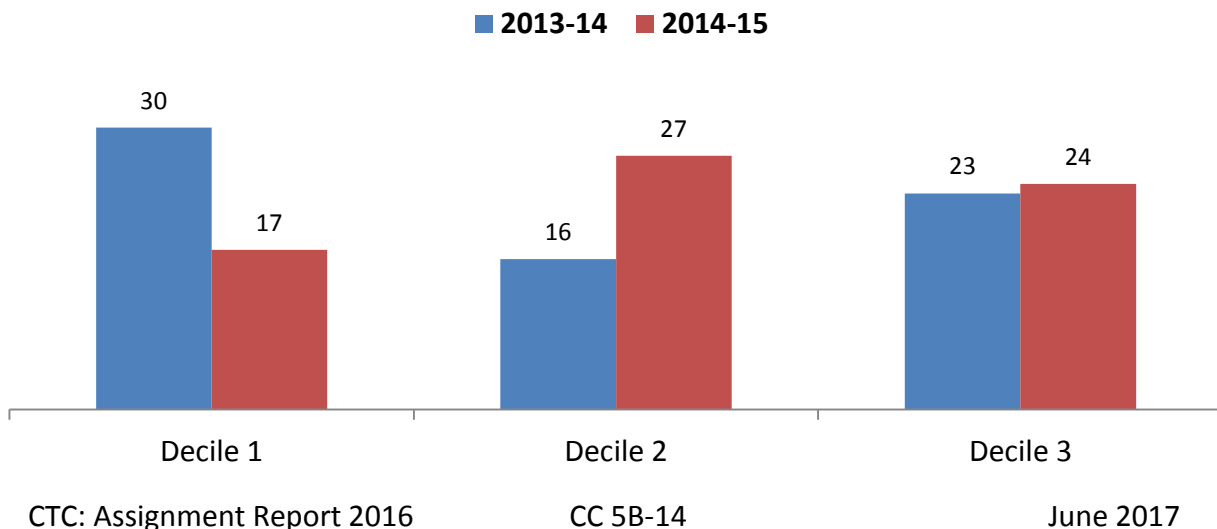
Table I provides a breakdown by the types of services position identified as misassigned for each report year.

<b>Table I: Total Misassignments by Service Positions, 2013-14 and 2014-15 (2012 Base API)</b>			
<b>Certificated Service Position</b>	<b>2013-14</b>	<b>2014-15</b>	<b>% Change Between 2013-14 and 2014-15</b>
Administrative	28	19	-32.1%
Counselor	3	1	-66.7%
Program Coordinator (Non-teaching)	21	8	-61.9%
Psychologist	1	0	-100%
School Librarian	3	17	+467.7%
School Nurse	0	0	NA
Speech-Language Pathologists	7	4	-42.9%
Staff Developer (Non-teaching)	11	19	+72.7%
<b>Totals</b>	<b>74</b>	<b>68</b>	<b>-8.1%</b>

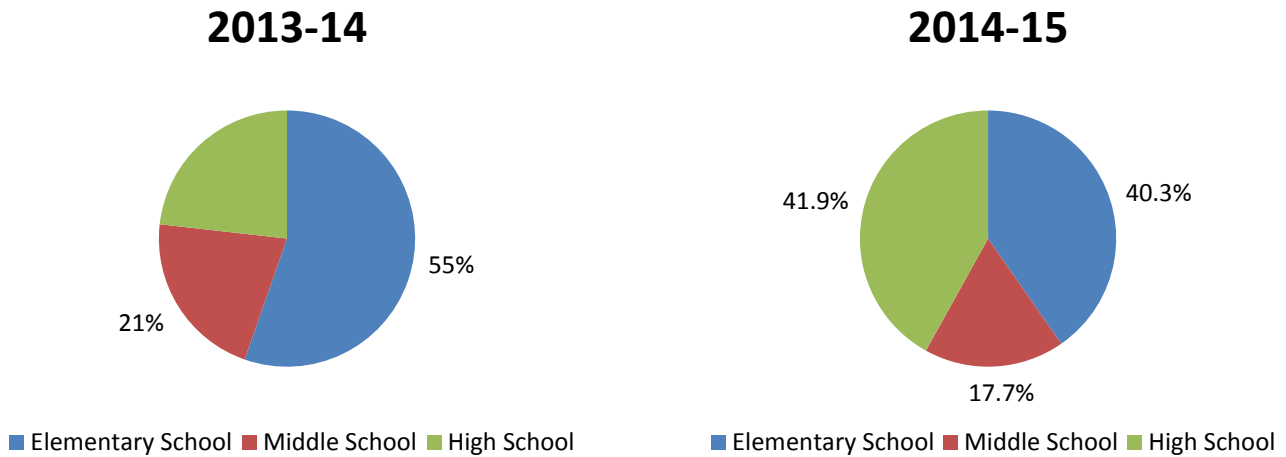
The two largest populations of certificated services identified were Program Coordinators and Staff Developers. Program Coordinators develop, direct, implement, or coordinate programs designed to improve instruction and enhance student learning. While the holder of an Administrative Services Credential is required for this type of position at the school district and county level, the Commission adopted Title 5 Regulations section 80020.4.1, effective in 2000, which provides a local assignment option for teacher leaders serving in these positions at the school site level. At the same time, Title 5 section 80020.4 was adopted as another local assignment option by the Commission to authorize teachers to serve as Staff Developers at the school, district, or county level. This particular local assignment option requires the teacher to hold a credential and authorization in the specific subject of the staff development or have their expertise in that subject verified by their local governing board.

Figure 9 illustrates the reduction in the certificated service misassignments across all deciles between 2013-14 and 2014-15. Figure 10 provides a breakdown by school level.

**Figure 9: Services Misassignments by Decile, 2013-14 and 2014-15 (2012 Base API)**



**Figure 10: Services Misassignments by Level, 2013-14 and 2014-15 (2012 Base API)**



**Summary of Selected Findings**

Selected findings are provided below that summarize the information contained in the full report for California for the schools ranked in Deciles 1, 2 and 3 in the 2013-14 and 2014-15 (2012 Base API) academic years:

- Total decrease of 33.4% in the number of teaching misassignments between the 2013-14 and 2014-15 report years. In total, a reduction from 2,067 teaching misassignments in 2013-14 to 1,377 in 2014-15.
- Between 69.8% and 76.5% of all teaching misassignments occur at the secondary school level (middle and high school) with approximately 40-43% of those identified at the high school level in each year.
- Special Education represented the largest number of teaching misassignments in both years but did decrease by over 29% between 2013-14 and 2014-15.
- Significant decreases in the number of misassignments in schools ranked in the lowest three deciles occurred in four core subject areas between 2013-14 and 2014-15: Science (-20%), English (-50%), Mathematics (-47%), and Social Science (-53%).
- Overall, the total number of EL misassignments increased by more than 9% between 2013-14 and 2014-15.
- More than 99% of classrooms with an EL student population of 20% or more were taught by an appropriately EL authorized teacher.
- Increase of almost 10% between 2013-14 and 2014-15 in the use of local assignment options in the Education Code for teachers serving outside of the authorized content area(s) on their teaching credentials for schools ranked in Deciles 1 through 3 (2012 Base API).
- Teacher vacancy totals increased by almost 18% between 2013-14 and 2014-15.
- Total number of certificated services misassignments decreased by approximately 1% between 2013-14 and 2014-15.

## **Appendix 1**

### **History of Assignment Monitoring**

#### **Introduction**

The Commission on Teacher Credentialing has been charged with the oversight of the appropriate and legal assignment of certificated personnel in the public schools. The Commission has attempted to achieve a balance between being certain that a certificated employee has the appropriate preparation to teach the subject to which he or she is assigned and the employer's need for assignment flexibility.

Since the initial Commission-directed study in 1982, the Commission has examined the extent of the misassignment of certificated personnel, the causes of misassignments, practices that eliminate or minimize misassignments, and solutions to the problem of misassignment. In the initial study of assignment practices, Commission staff monitored the certificated assignments in five school districts and five county offices of education during 1982-1983. While the study found that many of the school districts and county offices understood the obligation to appropriately assign certificated staff and keep accurate assignment data, it also uncovered deficiencies in some of the districts and county offices. These included the area of communication between their offices and the school sites when assignments were changed at the school site level and in the misunderstanding of the specific authorization for each type of credential.

The Commission followed up this report with a series of workshops in Spring 1984 to address assignment issues. These workshops brought to light several problems related to the assignment of teachers in the elementary and middle grades. In response, the Commission sponsored Senate Bill (SB) 511 (Chap. 490, Stats. 1985) to provide greater assignment flexibility at these grades.

Legislation signed in 1986, SB 2371 (Chap. 1279, Stats. 1986), required the Commission to conduct a statewide study of the misassignment of credentialed personnel. The Commission reported its findings and recommendations in a report to the Legislature in February 1987. Among its findings, the study concluded that 8% of the State's secondary teachers were illegally assigned for one or more class periods during the 1985-1986 school year.

Based on the findings and recommendations of the study, the Commission sponsored SB 435 (Chap. 1376, Stats. 1987), which was signed into law October 1987. As a result, §44258.9 was added to the Education Code requiring county superintendents of schools to monitor and review the certificated employee assignments in one-third of their school districts each year. The law also required that the Commission monitor and review certificated assignments for the State's seven single-district counties at least once every three years. Beginning July 1, 1990, county superintendents were required to submit an annual report to the Commission summarizing the results of all assignment monitoring and reviews within one third of their districts. These reports include information on assignments made under various Education Code options and identified misassignments. Beginning with the 1988-1989 school year, SB 435 established mandates for local monitoring activities that result in costs that were recoverable through the state mandated

costs procedures. School districts and county offices of education submitted annual claims to the Office of the State Controller.

As part of the 1996-97 state budget negotiations, the Legislative Analyst recommended that all of the mandates on school districts and county offices of education related to certificated assignment monitoring be changed. As a result, EC §44258.9 was amended, effective January 1, 1996, to require county superintendents of schools to monitor and review the certificated employee assignments in one-fourth of their districts each year and for the Commission to monitor the State's seven single district counties once every four years. At the end of a four-year cycle, the entire state has been monitored. Therefore, it is important to note that each year is a snapshot look at the assignments of certificated employees in the state. From the 1996-1997 to 2001-2002 school years, \$350,000 was placed in the Commission's budget to distribute to the county offices of education for assignment monitoring activities. Districts no longer could claim funds since the section of the Education Code which required the districts to annually report to their governing board was eliminated. The monies are distributed to the county offices of education on a pro rata basis. In the 2002-03 State budget the amount of money was reduced to \$308,000.

#### **Changes to Assignment Monitoring as a Result of the *Williams* Lawsuit Settlement**

*Williams v. State of California (Williams)* was filed as a class action in 2000. The basis of the lawsuit was that state agencies had failed to provide public school students with equal access to instructional materials, safe and decent school facilities, and qualified teachers. The case was settled in August 2004 and several bills implementing the settlement were enacted.

As provided in Assembly Bill (AB) 3001 (Chap. 902, Stats. 2004), and AB 831 (Chap. 118, Stats. 2005), the Commission is responsible with respect to teacher assignment and reporting. Schools most affected by the *Williams* settlement are in Deciles 1, 2, and 3 as determined by the 2003 Academic Performance Index (API) Base Report. Deciles are groupings of schools ranked 1 (lowest) through 10 (highest) based on the API. Some provisions are not limited to specific decile schools but affect all schools regardless of API decile.

AB 3001, AB 831, and SB 512 (Chap. 677, Stats. 2005) made changes to certificated assignment monitoring that existed in EC §44258.9. The four-year monitoring cycle remains the same for most schools as does the online reporting that is due by July 1 of each year. All certificated assignments in the school districts being monitored as a result of the four-year cycle, teaching and non-teaching support positions, must be monitored. Beginning the 2004-2005 school year, the changes were:

- 1) Assignment monitoring must be annually conducted and reported by county offices on all assignments for schools in Deciles 1, 2, and 3 unless the school is under review through a state or federal intervention program. If the annual review of schools ranked in Deciles 1, 2, and 3, inclusive of the 2003 API, finds that a school has no teacher misassignments or teacher vacancies for two consecutive years, the school may be included with the district's next review according to the regular four-year cycle.

If a school is under state or federal review, the exemption from assignment monitoring responsibilities is limited to the annual monitoring of all assignments in the Decile 1, 2 and 3 schools (2003 API) and does not extend to the EL data collection or the regular one-fourth of districts monitoring.

- 2) As a result of the annual monitoring of all assignments, if a Decile 1, 2, and 3 school (2003 API) is found to have no teacher misassignments or teacher vacancies for two consecutive years, the school may return to their district's regular monitoring cycle. This allows a county office to re-monitor the assignments in a school district during a four-year cycle if the district is found to have problems with misassignments and/or teacher vacancies. However, Decile 1, 2, and 3 schools that are likely to have problems with teacher misassignment and teacher vacancies must be annually monitored at the discretion of the county office.
- 3) The timeline for the Commission to send the results of the monitoring report to the county superintendent of the seven single district counties that are monitored by the Commission was shortened from 45 to 30 days.
- 4) The assignment monitoring data is reported to both the Commission and the California Department of Education.
- 5) The county offices of education must collect and report additional English learner data. Subdivision (c)(4)(A) of EC §44258.9 requires county offices of education, on an annual basis, to report on the appropriate English learner certification held by teachers in kindergarten through grade twelve classes in Deciles 1, 2, and 3 (2003 API Base) schools if the class has 20 % or more English learners. This is a school-by-school, classroom-by-classroom evaluation and must be completed on an annual basis whether or not the county is monitoring all the assignments in the district that year. The review is limited to collecting and reporting data on the appropriate English learner authorization.

It is important to note that the 20% or more rule for reviewing the appropriateness of the teacher's English learner authorization applies only to the separate data collection and reporting required under *Williams* and not to the regular assignment monitoring completed by the county offices. It does not matter whether one student or all the students in a class require English learner services; the teacher must hold the appropriate basic and English learner authorization or is otherwise authorized by statute.

After the county has determined the classes with 20 percent or more English learners, the data that will be collected and reported by the county offices will be in four areas:

- 1) Number of classes at a school site that have 20% or more English learners;
- 2) Number of classes with 20% or more English learners and the teacher holds an appropriate English learner authorization;

- 3) Number of classes with 20% or more English learners and the teacher does not hold an appropriate English learner authorization; and
- 4) English learner enrollment at each school site.

For the purpose of the English learner authorizations, the authorization must match the type of English learner services being provided by the teacher, i.e., English Language Development (ELD), Specially Designed Academic Instruction in English (SDAIE), or bilingual/primary language instruction, to be considered appropriately authorized. For example, a teacher with a Crosscultural Language Academic Development (CLAD) authorization is authorized for ELD and SDAIE, but is not appropriately authorized to provide bilingual/primary language instruction.

### **Assignment Data**

In 1989, the Commission established a comprehensive database of assignment information compiled from the annual report submitted by the counties. Beginning with the 1989-1990 report year, teaching and non-teaching certificated employees (administrators, counselors, etc.) assignments in every school in the State have been monitored. Information compiled on the first three-year cycle (September 1989 through June 1992) of assignment monitoring was presented in a report to the Commission in August 1993 and the report on the second three-year cycle (September 1992 through June 1995) was presented to the Commission in September 1996. The database was updated with information on the four-year cycle (September 1995 through June 1999) than was presented to the Commission in December 2000.

In an effort to provide better customer service, utilize technology and improve communication, the Commission created a voicemail line specifically for assignment questions, followed by an e-mail box in 2001. In 2003, the Commission implemented an online assignment monitoring report system for the counties. In 2004 and 2005, the Commission created additional online report systems for county reporting of the English learner data collection and assignment monitoring of the schools in Deciles 1, 2 and 3 (2003 API).

EC §44258.9 mandates that certain information be collected and reported including:

- 1) The number of teachers assigned and types of assignments made by local district governing boards under the authority of §§44256, 44258.2 and 44263 of the Education Code;
- 2) Information on actions taken by local Committees on Assignment (EC §44258.7), including the number of assignments authorized and subject areas in which committee-authorized teachers are assigned;
- 3) Information on each school district reviewed regarding misassignments of certificated personnel, including efforts to eliminate these misassignments;
- 4) Information on all assignments for schools in Deciles 1, 2, and 3 annually unless the school is under review through a state or federal intervention program;



- 5) Information on additional English learner data collected annually pursuant to the *Williams* settlement including the appropriate English learner certification held by teachers in kindergarten through grade twelve classes in Deciles 1, 2, and 3 (2006 API ) schools if the class has 20 % or more English learners; and
- 6) After consultation with representatives of county superintendents of schools, other information determined to be needed by the Commission. This includes information on assignments under EC §44258.3 and the number of individuals assigned to serve English learner students.

Of significance in the passage of Assignment Monitoring legislation has been the improvement in the ability of county offices to record and track certificated personnel. In order to be in compliance with statute, county offices have vastly improved their record keeping, most by automating credential and assignment information.