

# **A Preliminary Report on the Assignments of Certificated Employees By County Offices of Education for Four School Years, 1995-1999**

**November 10, 2000**

## **Summary**

Education Code Section 44258.9 directs county superintendents of schools to submit an annual report to the California Commission on Teacher Credentialing summarizing the results of all assignment monitoring and reviews in one quarter of the school districts within their county. This section also requires the Commission to submit a report to the Legislature concerning teacher assignments and misassignments based on these reports of the county superintendents. The following is an analysis of the assignment data submitted to the Commission over the four-year cycle of county monitoring activities from September 1995 through June 1999.

## **Background**

The California Commission on Teacher Credentialing has been charged with the oversight of the appropriate and legal assignment of certificated personnel. 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.

To that end, since the initial Commission-directed study in 1982, the Commission has studied the extent of 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 school district assignment practices, Commission staff monitored the certificated assignments in five school districts and five county offices of education during 1982-83. While the study found that many of the school districts and county offices in the study 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 511 (Craven) (Statutes of 1985, Chapter 490) to provide greater assignment flexibility at these grades.

Legislation signed in 1986, Senate Bill 2371 (Watson) (Statutes of 1986, Chapter 1279), required the Commission on Teacher Credentialing 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 1985-86 school year.

Based on the findings and recommendations of this study, the Commission sponsored Senate Bill 435 (Watson) (Statutes of 1987, Chapter 1376) which was signed into law October 1987. As a result, Section 44258.9 was added to the Education Code requiring each county superintendent 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 teaching assignments made under various Education Code options and identified misassignments. Beginning with the 1988-89 school year Senate Bill 435 (Statutes of 1987, Chapter 1376) also 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 a 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, Education Code Section 44258.9 was amended, effective January 1, 1996, to require each county superintendent 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. Since the 1996-97 school year, \$350,000 is placed each year in the Commission's budget to distribute to the county offices of education for assignment monitoring activities. Districts no longer could claim funds as the section of the Education Code which required the districts to annually report to their governing board was eliminated. The money is distributed to the county offices of education based on a pro rata basis.

### **Assignment Data**

In 1989, the Commission established a comprehensive data base of assignment information compiled from the annual reports submitted

by the counties. Beginning with the 1989-90 report year, the teaching and other certificated employees (administrators, counselors, etc.) assignments in every school district 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 data base has been updated with information on the four-year cycle, September 1995 through June 1999, which is the focus of this report.

All county offices of education report to the Commission on a standard form developed by Commission staff that allows for consistency of the information reported. The Education Code mandates that certain information be collected and reported including:

- The numbers of teachers assigned and types of assignments made by local district governing boards under the authority of Sections 44256, 44258.2 and 44263 of the Education Code. For the provisions of these options see the section on "Information on Assignments Outside the Credential Authorization."
- Information on actions taken by local Committees on Assignment (EC §44258.7), including the number of assignments authorized and subject areas into which committee-authorized teachers are assigned.
- Information on each school district reviewed regarding misassignments of certificated personnel, including efforts to eliminate these misassignments.
- After consultation with representatives of county superintendents of schools, other information as may be determined to be needed by the Commission on Teacher Credentialing. This includes information on assignments under Education Code §44258.3 and the number of individuals assigned to serve Limited English Proficient students.

One of the significant outcomes of the passage of Assignment Monitoring legislation has been the improvement in the county offices' ability to record and track certificated personnel. Prior to the implementation of these laws, many county offices did not maintain complete or accurate records of credentials held by their certificated employees so they had no way of knowing whether individuals were legally assigned. In some instances, non-certificated individuals were known to be teaching in public schools. In order to be in compliance with the law, county offices have vastly improved their record keeping, most by automating credential and assignment information. As a result, the quality of the data submitted to the Commission has also improved over this reporting cycle. However, there continues to be a few counties and districts who do not have up-to-date computer programs.

**[The 1996 Report to the Commission on the 1992-95 Monitoring](#)**

## Cycle

Since the study completed in 1986 that found 8% of the State's secondary teachers misassigned, the Commission has attempted to increase awareness of assignment issues through workshops, the development and distribution of the Administrator's Assignment Manual and the sponsorship of legislation that offered more assignment flexibility. As a result, the Commission's 1993 report on the data collected from the first three-year cycle (1989-92) of assignment monitoring showed greater use of available avenues for assignment and a decline in the number of individuals identified as misassigned. The Commission's 1996 report on the second three-year cycle (1992-95) of assignment monitoring showed the use of available avenues for assignment remained about the same as compared to the previous cycle (1989-92) while there was an increase in the number of individuals identified as misassigned. Below is a summary of the report's findings.

- The total number of personnel initially identified as misassigned from 1992-95 was 5,939 or 2.7% for the State.
- Eliminating elementary school personnel (since very few misassignments occur in grades K-6), the percentage of misassignments among secondary teachers was 5.8%, up from the 4% reported in the 1989-1992 report.
- The subject area that had the highest percentage of misassigned personnel for the three years of assignment monitoring was in classes for Limited English Proficient (LEP) students (18%).
- In the secondary subject areas, sciences with 14% and social science with 13% had the greatest number of misassignments.
- Mathematics, at 26% was the highest area of misassignment in the 1986 study, dropped to 11% for 1992-95.
- During the monitoring period from 1992-95, there were a total of 9,378 assignments made under EC options §44256(b), §44258.2, §44258.3, §44258.7 and §44263.

## The 1995-99 Assignment Monitoring Report

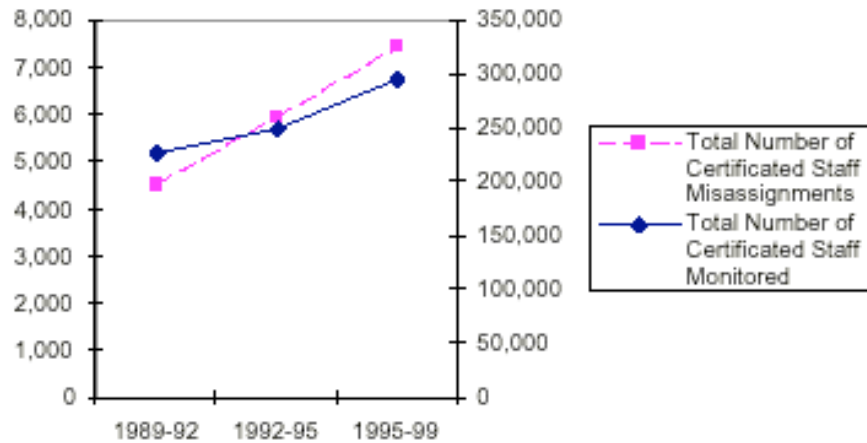
**MISASSIGNMENT:** the placement of a certificated employee in a teaching or service position for which the employee does not hold the legally recognized certificate, credential, permit or waiver, or is not authorized under another section of the law.

## Misassignment Information

Over the four years from September 1995 through June 1999, the assignments of more than 250,000 elementary and secondary teachers and approximately 43,000 non-teaching assignments were reviewed. Of the certificated personnel monitored, 7,447 were initially identified as misassigned. This equates to just over 2.5% for the

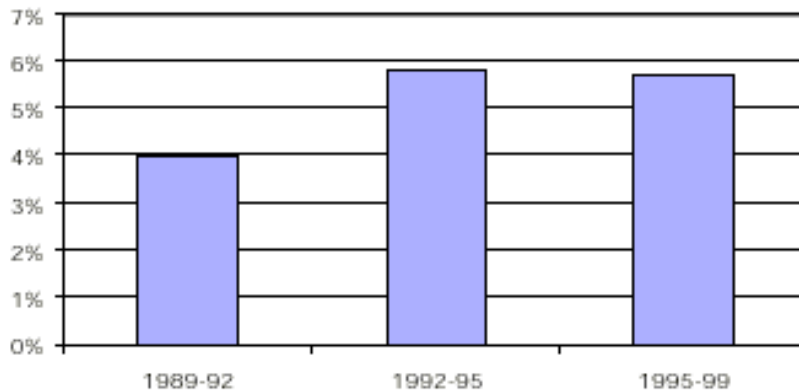
state. All but two counties reported misassignments for the four-year period. [Graph 1](#) below compares the number of misassignments to the number of certificated staff monitored for the last three monitoring cycles.

**GRAPH 1**  
**The Percentage of Secondary Teachers Misassigned During the Three Assignment Monitoring Cycles**



If the elementary school personnel are eliminated from the equation (since less than one percent of the elementary teachers were misassigned) the rate of misassignments for secondary teachers alone is 5.7% comparable to the 1992-95 assignment review that found 5.8% of the secondary teachers misassigned. [Graph 2](#) below shows a comparison of the percentages of secondary teachers misassigned for the last three monitoring cycles.

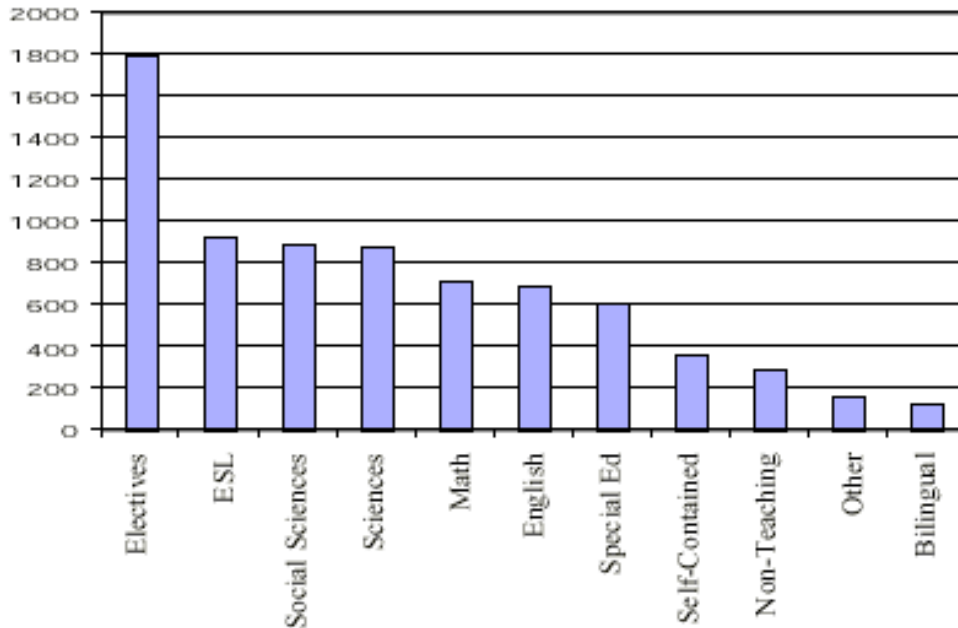
**GRAPH 2**  
**Comparison of the Number of Misassignments to the Number of Certificated Staff During the Three Assignment Monitoring Cycles**



[Graph 3](#) illustrates the total number of misassignments by subject area for the 1995-99 cycle. A cluster of subject areas (art, music, computers, driver education, home economics, industrial arts,

agriculture, teen skills, and etc.) were identified in the study collectively as "electives." The subject of "other" is composed of the following courses: adult education, alternative education, continuation, opportunity, independent study and vocational education.

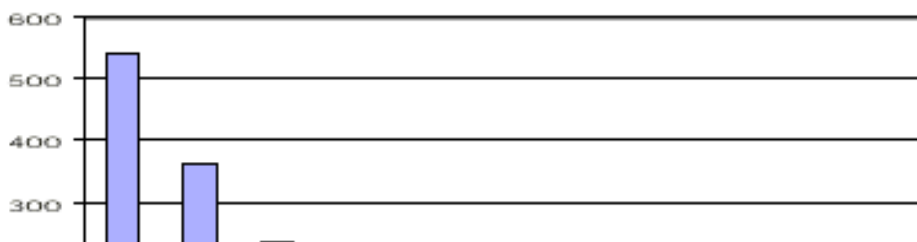
**GRAPH 3**  
**Total Misassignments By Subject Area, 1995-99**

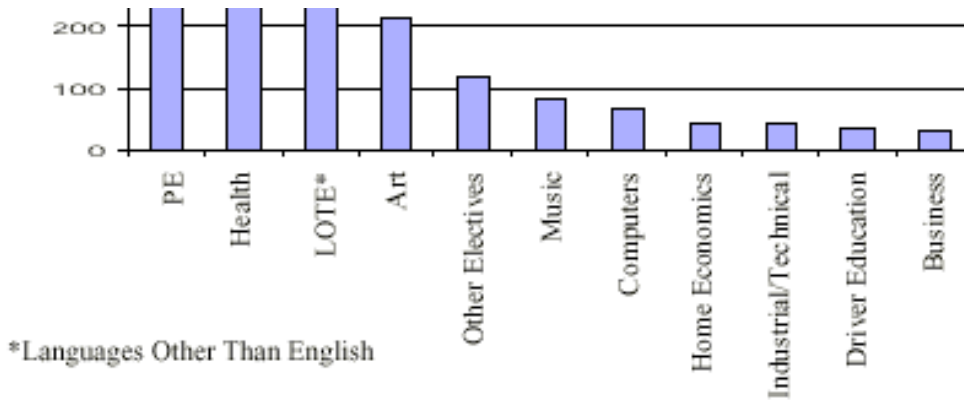


Twenty-four percent of the misassignments were in subject areas defined by the Commission as electives. As illustrated in [Graph 3](#), on the previous page, the second highest percentage of teachers were misassigned in classes for English Language Development for English learners and Specially Designed Academic Instruction in English (12.4%). Most employers corrected these misassignments by the employer placing the individual on the district's Plan to Remedy. The Plan to Remedy allows an employer to assign an individual to teach Limited English Proficient (LEP) students if they are actively participating in a training program leading to the appropriate certification to teach LEP students or English learners.

As [Graph 3](#) above illustrates, the subject category "electives" had the largest number of misassignments and was composed of many subjects. [Graph 4](#) illustrates the total misassignments for the four-year cycle in each of the subjects under "electives."

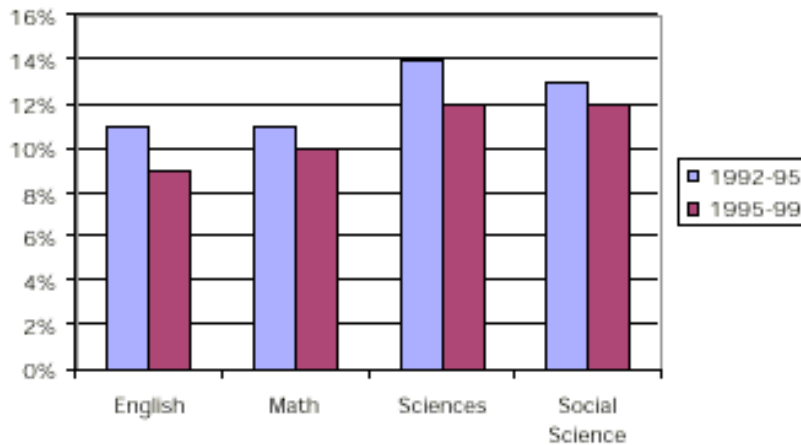
**Graph 4**  
**Total Misassignments in Elective Areas, 1995-99**





After considering electives and ESL, the four academic subject areas still had a high percentage of misassignments: social science (12%), the sciences (12%), mathematics (10%) and English (9%). As illustrated in [Graph 5](#), on the following page, these results are slightly lower when compared to the findings in the 1992-95 report which found that, in the secondary subject areas, the greatest number of misassignments were in the sciences (14%), social science (13%), mathematics and English (both at 11%).

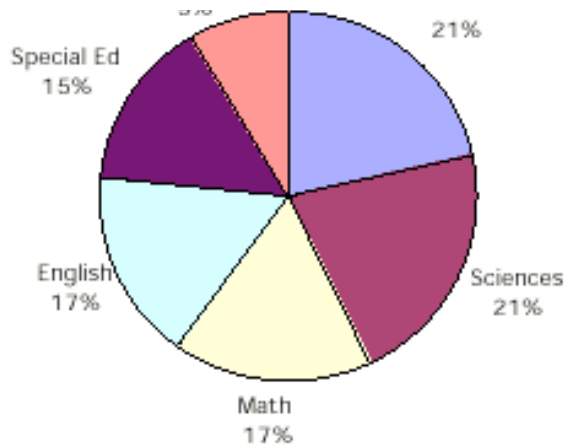
**Graph 5**  
**Comparison of Misassignments in the Four Academic Subject Areas**



[Graph 6](#) below compares the total misassignments for the 1995-99 cycle in the academic areas only. Social science and the sciences each had the highest percentage of misassignments at 21% with mathematics and English at 17% each.

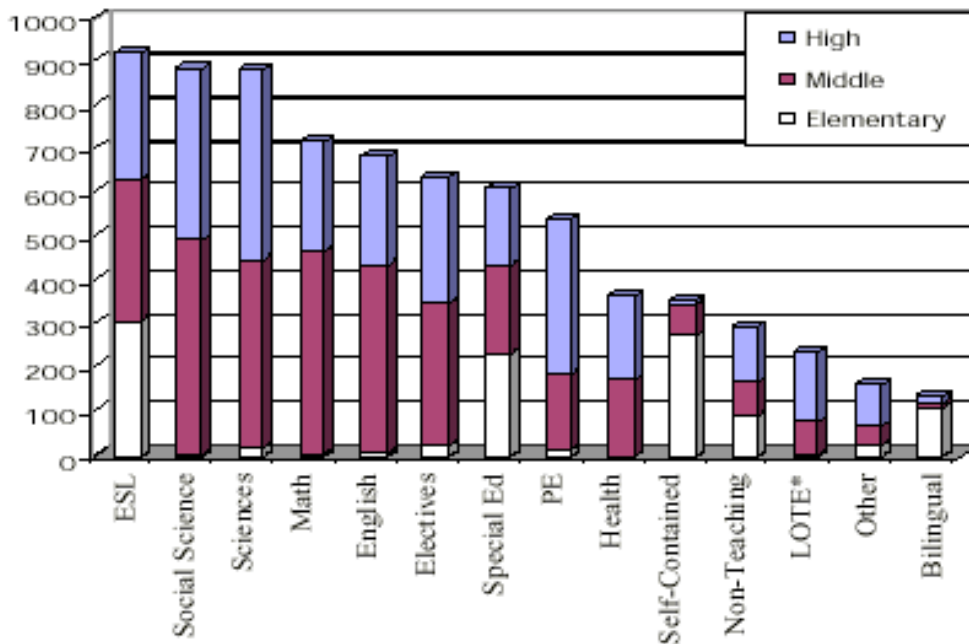
**Graph 6**  
**Total Misassignments in Academic Areas, 1995-99**

Self-Contained \_\_\_\_\_ Social Science



[Graph 7](#) represents a break down of misassignments by school level. Typically the largest number of misassignments are at the middle and high school levels. The review of assignments from 1995-99 found that this remains the case with 44% of the total misassignments at the middle schools and 41% at the high schools. This is comparable to the 1992-95 report that found 46% of the misassignments at the middle schools and 40% at the high schools.

**GRAPH 7**  
**Misassignments by Subject Area & Level, 1995-99**



\*Languages Other Than English

The higher number of misassignments at the middle school level is primarily attributed to the structure and content of classes under the middle school concept. This structure encourages a variety of innovative programs and classes such as core or the "team" concept that do not fit the traditional credential authorizations. Teachers at the middle school level may hold a Multiple Subject Teaching Credential that authorizes service in a self-contained classroom but may be



required to teach a departmentalized class for one or more periods a day. Individuals with Single Subject Teaching Credentials serving at the middle school level are sometimes assigned to teach a class outside the subject area listed on their document and thus create misassignments.

### Information on Assignments Outside the Credential Authorization

California has many provisions within the Education Code that provide avenues for assignment of certificated employees outside their basic credential authorization. These Education Code options allow local school districts the flexibility to assign teachers to teach subjects other than those authorized by the credential held. In most cases, teaching assignments made under these options require the agreement of the school site administrators, 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) (6/12, grades 8 & below)** allows the elementary credentialed teacher to teach subjects in departmentalized classes below grade 9 if the teacher has completed twelve semester units, or six upper division or graduate semester units in the subject to be taught.
- **§44258.2 (6/12, grades 5-8)** 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 (Craven)** allows local school districts to assign credentialed teachers to teach departmentalized classes in grades K-12, irrespective of the designations on their teaching credentials, as long as the teacher's subject-matter competence is verified according to policy and procedures approved by the governing board.
- **§44258.7(c) & (d) (Committee on Assignments)** 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 (9/18)** 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.

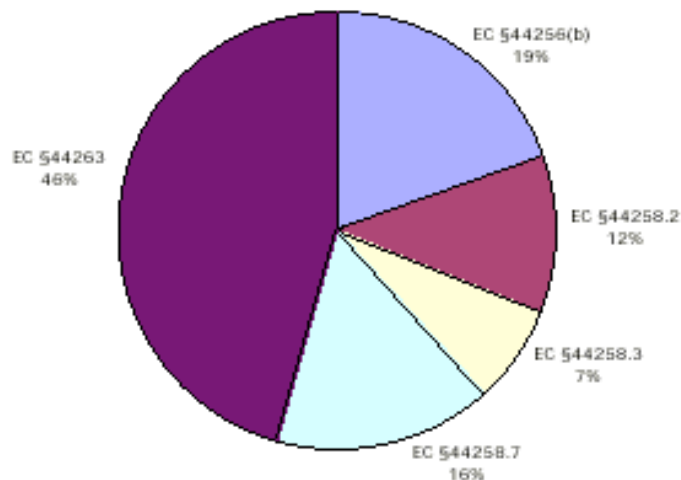
Almost all assignments made under these Education Code sections are made in the middle grades (6-8) or high schools. Occasionally §44256(b) is used in elementary schools to allow teachers with Multiple Subject or Standard Elementary Credentials to teach

specialized subjects in a departmental setting. This is especially prevalent in school districts that provide elementary teachers with release time for planning. The school may have a "release time" teacher for subjects such as art, music, physical education, or science.

The Commission has authority to collect information for the purpose of analysis and reporting to the Legislature. It does not have authority to make a qualitative review of these assignments made in local school districts using Education Code provisions. For example, it is unknown the type of classes (subject content area or curriculum/methods) taken at a college or university or the grades received for the courses used to accumulate the 18 or 9 units required under §44263 or the 12 or 6 units under §44256(b) or 44258.2. For example, under current law a teacher with 18 units broadly distributed across history, psychology, sociology and other social sciences or drama, speech, and English literature, may be given the same authorizations (Social Science or English) for local purposes as those who complete a 45 unit undergraduate program for credentialing purposes.

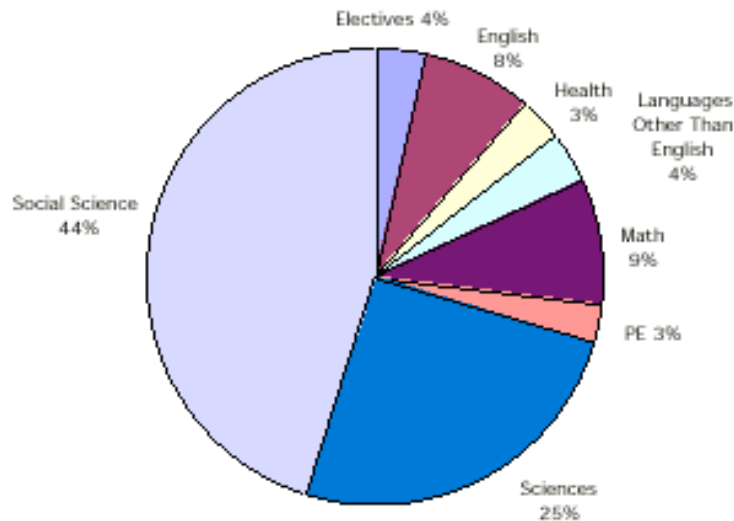
During the monitoring period from 1995-99 there were a total of 12,593 assignments made under these Education Code options. All but four counties reported using Education Code assignment options over the four-year period. [Graph 8](#), on the following page, shows the percentage of teachers assigned under the provisions of each Education Code.

**Graph 8**  
**Teachers Assigned Under Education Code Options, 1995-99**  
**Total: 12,593**



Of these 12,593 assignments, 46% or 5,741, were made under Education Code Section §44263. [Graph 9](#) displays that eighty-six percent of the assignments made under this section were in social science (44%) and the sciences (25%) followed by mathematics (9%) and English (8%).

**Graph 9**  
**Teachers Assigned Under EC §44263, 1995-99**  
**Total: 5,741**

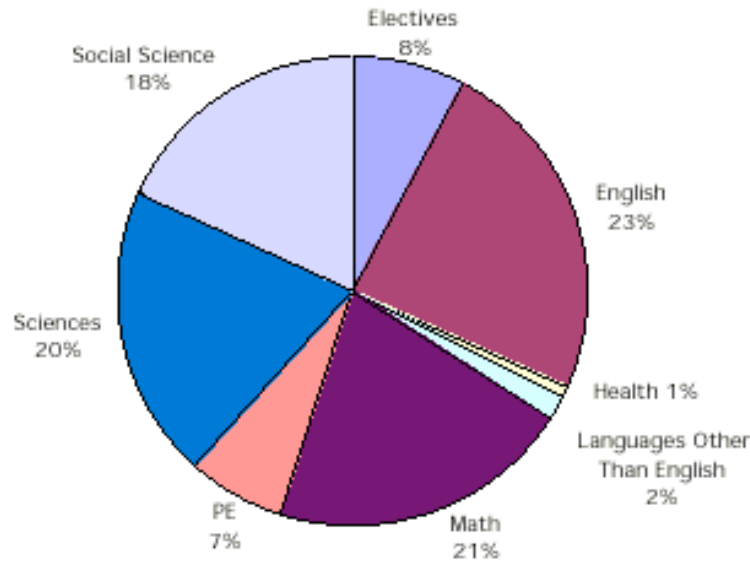


Assignments in the social sciences increased 18% when compared to the 1992-95 monitoring review when they accounted for 26% of the assignments made under this option. The number assigned in the sciences increased by 1%, whereas the numbers in mathematics and English each declined by 6% when compared to the 1992-95 monitoring review.

Of the 5,741 individuals assigned under Education Code §44263, the Commission also collected information on the subject areas of the credentials held by 3,176 individuals. The Commission did not receive information on the subject areas of the credentials held by the individuals assigned under this option in Los Angeles Unified School District for the 1995-96 and 1996-97 school years (2,565 assignments). Of the 3,176 individuals for which we received the information of the subject area of their credential, a high number of those individuals holding credentials in elective subjects were assigned to teach the four core subject areas of English (34%), mathematics (49%), the sciences (26%) and social science (28%). Most noteworthy were the number of individuals holding credentials in physical education assigned to teach courses in the sciences (132), mathematics (111), and social science (92).

Education Code §44256(b) was the second most utilized option during this period at 19%. [Graph 10](#) illustrates that eighty-two percent of the assignments under this option were in the four core subject areas of English (23%), mathematics (21%), the sciences (20%), and social science (18%).

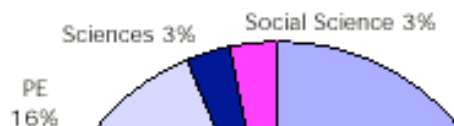
**Graph 10**  
**Teachers Assigned Under EC §44256(b), 1995-99**  
**Departmentalized Classes in Grades K-8**  
**Total: 2,449**

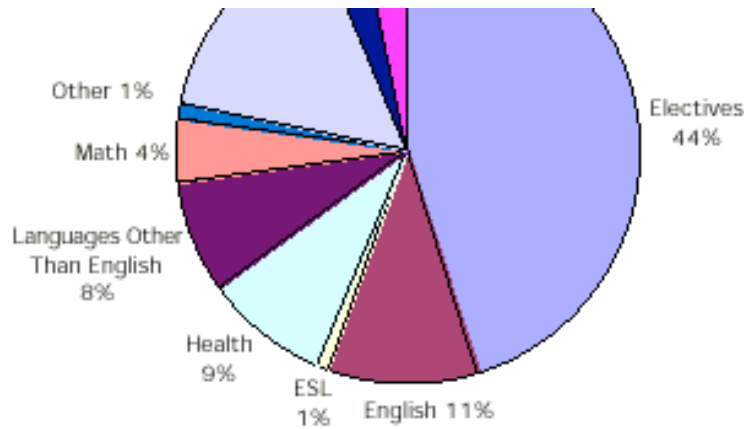


In the 1992-95 monitoring review, Education Code §44258.7 (Committee on Assignments) was found to be the second most used option at 22%. The increased usage of Education Code §44256(b) in the 1995-99 cycle may be attributed to the amendment made to §44258.7 on January 1, 1996 which specified that teacher assignments by local Committees on Assignments must be in elective courses only, defined as courses other than English, mathematics, science and social science. As illustrated in the [above graph](#), eighty two percent of the assignments were in the four core subject areas no longer allowed under §44258.7(c)&(d).

The Committee on Assignments was the third most utilized option during this period at 16%. As illustrated in the [graph below](#), most of the assignments made under §44258.7 were in elective subjects (art, photography, agriculture, and teen skills) which was the original intent of this option -- to allow teachers with "special skills" to teach in the area of that special skill as long as the assignment is approved by the local Committee on Assignments. Because the law was not amended until January 1, 1996, to specify that teacher assignments must be in elective courses only, there are some assignments under this code section for the 1995-96 school year in the non-elective areas. English had the second largest percentage of assignments at 11%. This is due to courses in drama, speech and journalism that fall under the subject of English but receive elective credit. If the courses are not receiving English credit then an individual authorized by the Committee of Assignments may teach them.

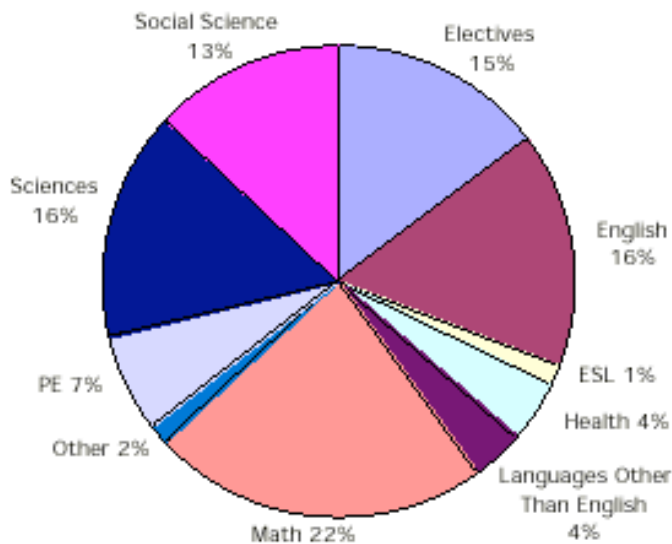
**Graph 11**  
**Teachers Assigned Under EC 44258.7 (Committee on Assignments), 1995-99**  
**Total: 2,024**





Education Code §44258.3 (more commonly known as "Craven" after the bill's sponsor), was the least utilized at 7% over the four year period. As illustrated in [Graph 12](#), on the following page, two-thirds of the assignments under Education Code §44258.3 were in English, mathematics, social science and the sciences. While most assignments were in these "core" subject areas, this Education Code Section may be used for any subject area.

**Graph 12**  
**Teachers Assigned Under EC 44258.3 (Craven), 1995-99**  
**Total: 911**

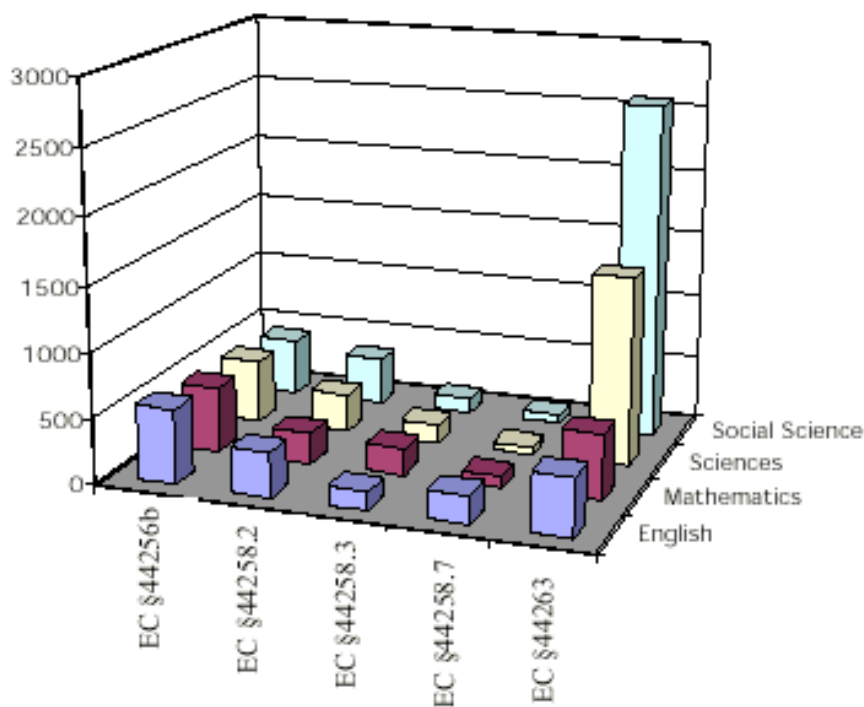


Effective January 1, 1996, amendments to §44258.3 permanently extended the option by removing a sunset clause, expanded teaching assignments to grades K-12 from K-8, clarified the role of school boards as approving, not establishing, procedures for local assessments and eliminated the requirement that boards review assignments made under §44258.3 annually. In many ways §44258.3 is preferable to the other assignment options because the process involves a professional review of a teacher's ability to teach the subject as opposed to transcript reviews of course work. It was anticipated that the amendments to §44258.3, along with the

limitation of §44258.7 (Committee on Assignments) for elective courses, would encourage a higher use of this option. The usage of this Education Code Section remained the same when compared to the 1992-95 cycle. Districts have cited various reasons for not using this option, ranging from lack of knowledge about the option or understanding the process to the amount of work involved in establishing local assessment procedures. Currently the Commission staff is in the process of updating the manual on §44258.3 to make it more user friendly and anticipates sending it to the county offices of education and school districts by January 1, 2001.

[Graph 13](#), on the following page, illustrates the use of Education Code provisions for assignment into subjects generally considered the core of school curricula. During the monitoring period of 1995-99, there were 12,593 assignments made under the five assignment options. Of these, 9,308 (74%) were for the core subjects of English, mathematics, science and social science. Assignments into the social sciences accounted for 28%, the sciences 19%, English 14% and mathematics 12%.

**Graph 13**  
**Total Assignments by Education Code Options**  
**In the Academic Subject Areas, 1995-99**



### Conclusion

After reviewing the assignments for over 293,000 certificated employees as reported by the county superintendents for the four-year cycle from 1995-99, just over 2.5% were found to be misassigned. If the elementary teacher misassignments are not considered (1,030 or .8% of elementary teachers), then 5.7% of the secondary (middle and high school) teachers were misassigned which is comparable to the

1992-95 report that found 5.8% of the secondary teachers misassigned. Of the 7,447 misassignments identified, 3,171 (43%) were found in the four academic subject areas of English, mathematics, the sciences and social science.

During the 1995-99 monitoring cycle 12,593 teachers were assigned under an Education Code assignment option to teach a subject for which they were not credentialed. Of those 12,593 assignments, 9,308 (74%) were assigned to teach in the four academic subject areas of English, mathematics, the sciences and social science.