

Assignments of  
Certificated Employees  
by County Offices of  
Education for  
Monitoring Cycle  
1999-03



CALIFORNIA  
COMMISSION  
ON TEACHER  
CREDENTIALING

JUNE 2004 COMMISSION REPORT 04-03



Commission Report 04-03  
June 2004

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## CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

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#### The Commission:

Awards credentials to candidates who have fulfilled all the requirements of the credential.  
Develops and adopts standards to govern the structure and content of educator programs.

Oversees teacher-licensing examinations in California administered by contracts with professional testing companies.

Administers local assistance grant programs that support prospective teachers in completing the requirements for a teaching credential.

Reviews allegations of misconduct against a credential holder or applicant and, when necessary, disciplines educators.

#### Operation of the Commission

The Commission holds regular public meetings throughout the year. Those who wish to speak at a meeting may make request by writing to the Commission in advance or by submitting a request before the start of the meeting.

# **A Report on the Assignments of Certificated Employees By County Offices of Education for Monitoring Cycle 1999-2003**

## **Introduction**

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 schools 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 1999 through June 2003.

## **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.

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 districts assignment practices, Commission staff monitored the certificated assignments in five school and five county offices of education during 1982-83. 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 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 the study, the Commission sponsored Senate Bill 435 (Watson) 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 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. From the 1996-97 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 as 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 based on a pro rata basis. In the 2002-03 State budget the amount of money was reduced to \$308,000.

### **Assignment Data**

In 1989, the Commission established a comprehensive data base of assignment information compiled from the annual report submitted by the counties. Beginning with the 1989-90 report year, the teaching and other 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) that was presented to the Commission on December 2000.

In an effort to provide better customer service, utilize technology and improve communication, the Commission, created a voicemail line and specifically for assignment questions; followed by an e-mail box in 2001. In 2003, the Commission implemented an on-line reporting system for the counties.

The Education Code mandates that certain information be collected and reported including:

The number 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 "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 in 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.

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

### **The 1999 Report to the Commission on the 1995-99 Monitoring Cycle**

Since the 1986 study 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.

Below is a summary of the 1995-1999 monitoring report findings.

The total number of personnel initially identified as misassigned from 1995-1999 was 7,447 or 2.5% for the state.

The percentage of misassignments among secondary teachers was 5.7%, comparable to the 5.8% reported in the 1992-1995 report.

Twenty-four percent of the misassignments were in the subject area defined by the Commission as electives. Second highest percentages of misassigned teachers were in classes for English Language Development for English Learners and Specially Designed Academic Instruction in English (12.4%).

In the secondary subject areas, social science and the sciences both at 12% had the greatest number of misassignments, mathematics and English both at 11%, the same as reported for the 1992-1995 cycle.

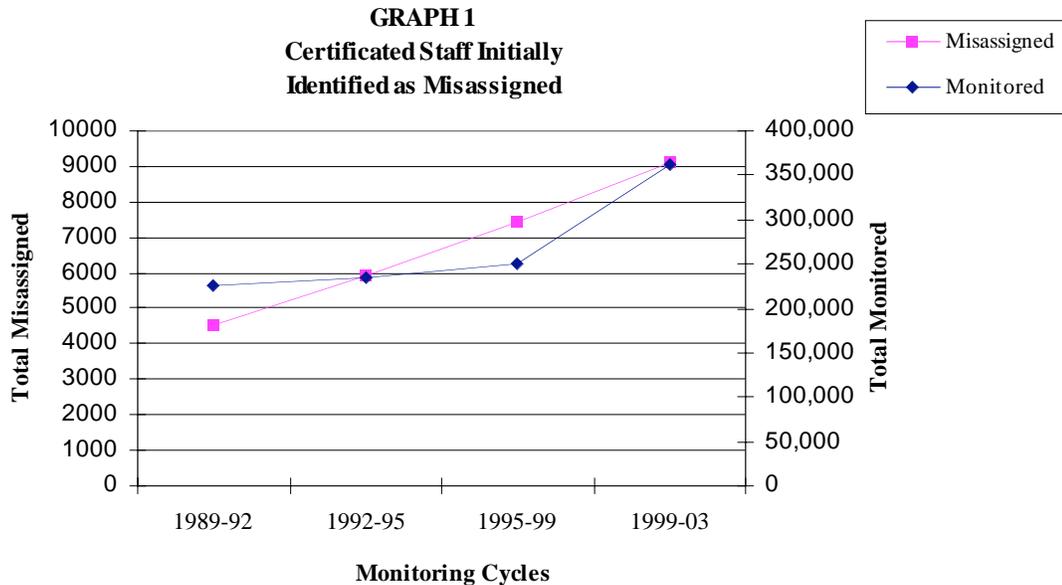
During the monitoring period from 1995-1999, there were a total 12,593 assignments made under EC options §44256(b), §44258.2, §44258.3, §44258.7 and §44263, an increase from the 9,378 reported in 1992-95 study.

### **The 1999-03 Assignment Monitoring Report**

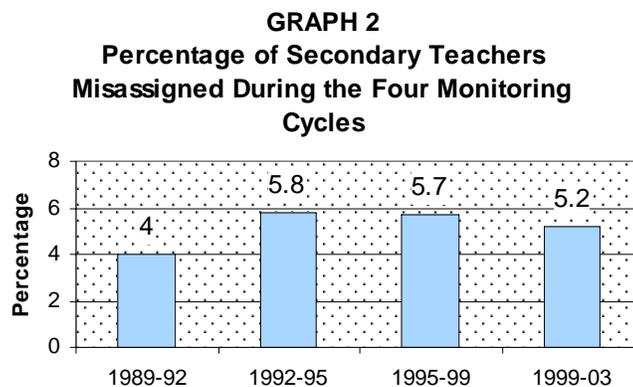
What is a misassignment? The placement of a certificated employee in a teaching or service position for which the employee does not hold a legally recognized certificate, credential, permit, or waiver, or is not authorized under another section of the law.

## Misassignment Information

From September 1999 through June 2003, the assignments of more than 314,000 elementary and secondary teachers and approximately 49,000 non-teaching assignments were reviewed. Of the certificated personnel monitored, 9,112 were initially identified as misassigned for the four year period. This equates to 2.5% for the state. Among the non-teaching assignments, which include administrators, counselors, librarians, pupil personnel services, etc., less than 1% was reported misassigned. Graph 1 below compares the number of misassignments and the total number of certificated staff monitored during the last four monitoring cycles.



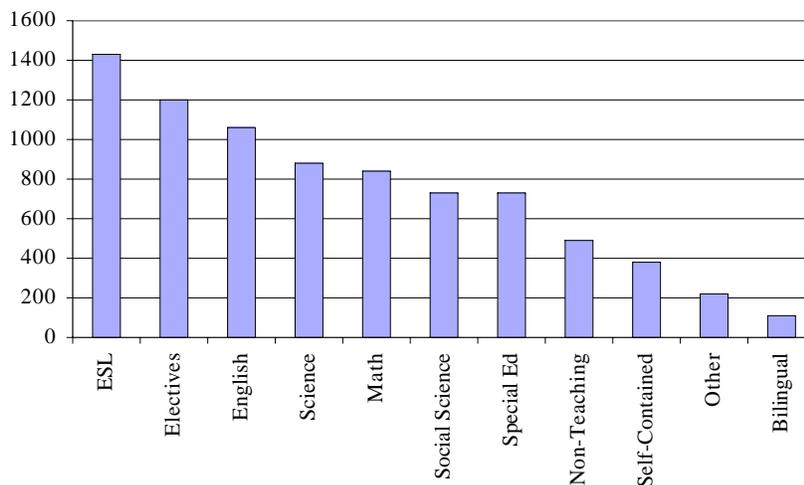
The rate of misassignments for secondary teachers alone is 5.2%, a slight decrease from the 1995-99 assignment review that found 5.7% of the secondary teachers misassigned. Graph 2 below shows a comparison of the percentages of secondary teachers misassigned for the last four monitoring cycles.



Graph 3 illustrates the total number of misassignments by subject area for the 1999-03 cycle. The subject area identified as “electives” includes, art, music, computers, home economics, industrial arts, agriculture, teen skills, etc. The subject of “other” is comprised of the following

courses: adult education, alternative education, continuation, opportunity, independent study and vocational education.

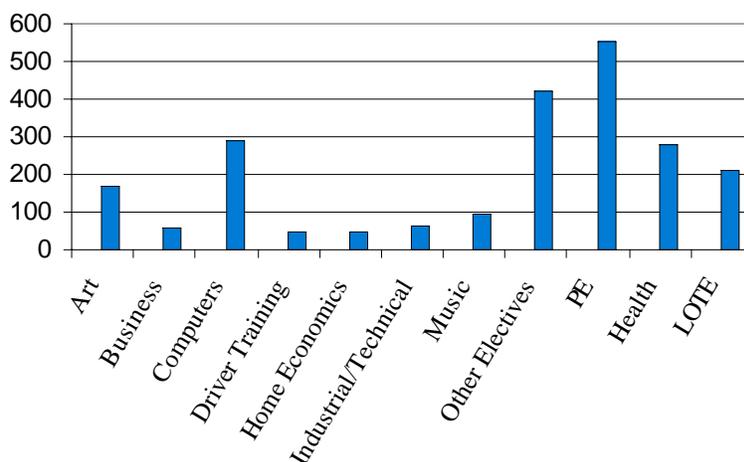
**GRAPH 3**  
**Total Misassignments by Subject Area**



“Electives” represent 24.5% of the misassignments. As illustrated in Graph 3, the second highest subject area for misassignment was in classes for English Language Development for English Learners and Specially Designed Academic Instruction in English (16%). A slight increase when compared to the findings in the 1995-99 report (12.4%). Of the 9,112 misassignments identified, 733 or 8% of the special education teachers were misassigned which is comparable to the 1995-99 report that found 614 or 8.2%.

As Graph 3 above illustrates, the subject category “electives” had the largest number of misassignments and is comprised of many subjects. Graph 4 shows the total misassignments for the four-year cycle in each of the subject areas under “electives”.

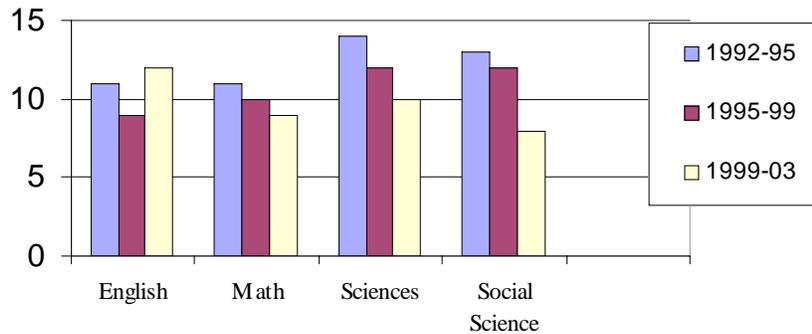
**GRAPH 4**  
**Misassignments in Elective Areas**



LOTE - Language other than English

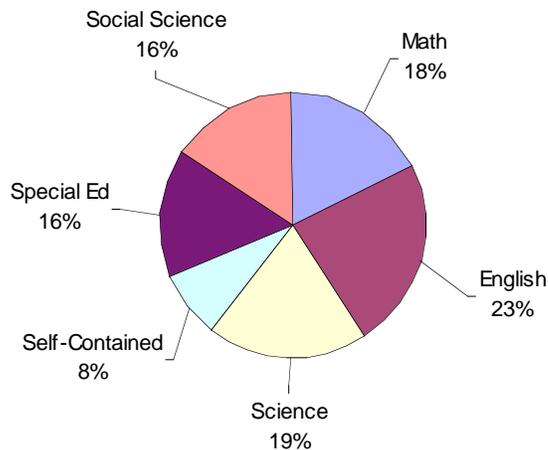
After noting electives and ESL, the four academic subject areas still had a high percentage of misassignments: English (14.6%), mathematics (12.4%), the sciences (11.9%), and social science (10.5%). Results are slightly higher as illustrated in Graph 5 below when compared to the findings in the 1995-99 report which found that, in secondary subject areas the greatest number of misassignments were in the sciences and social science (both at 12%), mathematics (10%) and English (9%).

**GRAPH 5**  
**Comparison of Secondary Misassignments in the Four Academic Subject Areas**

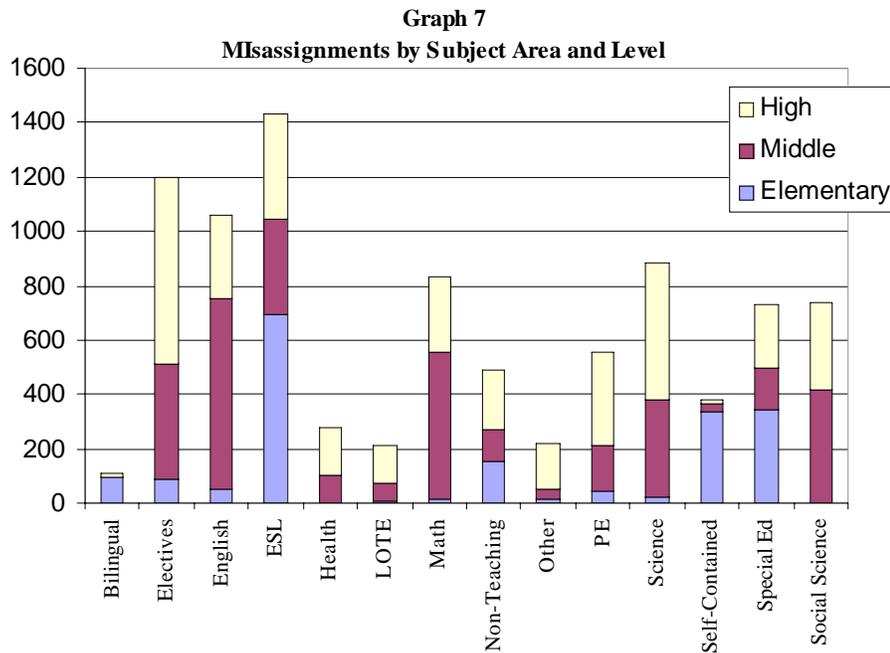


Graph 6 below compares the total misassignments for the 1999-03 cycle in the academic areas only. English had the highest percentage at 23%, followed by science at 19%.

**GRAPH 6**  
**Total Misassignments in Academic Areas, 1999-03**



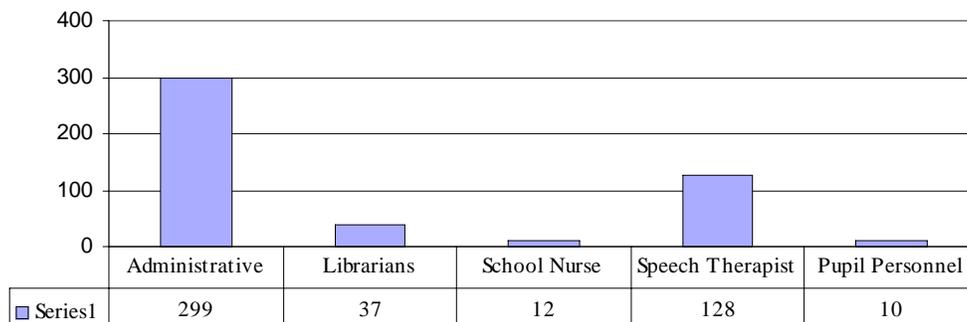
The following graph represents a break down of misassignments by school level. Typically, the largest number of misassignments is found at the middle and high school levels. This remains the case in the 1999-03 review of misassignments at the middle schools with 41.5% and 37.9% at the high schools. These results are comparable to the 1995-99 report that found 44% of misassignments at the middle schools and 41% at the high schools. .



The higher number of misassignments at the middle school level is primarily due 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.

Over 49,000 non-teaching assignments (administrators, counselors, librarians, etc.) were reviewed during the 1999-03 monitoring cycle. Of those 49,000 assignments 486 (.9%) were reported misassigned. Although not reported in the 1995-99 review, data shows that 296 of over 43,000 non-teaching assignments reviewed were misassigned (.7%). Graph 8 below shows the misassignments in the certificated areas for 1999-03 cycle.

**GRAPH 8**  
**Misassignments in Other Certificated Areas,**  
**Total: 486**



## Information on Assignments Outside the Credential Authorization

California has many provisions within the Education Code that provide avenues for assignments 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:

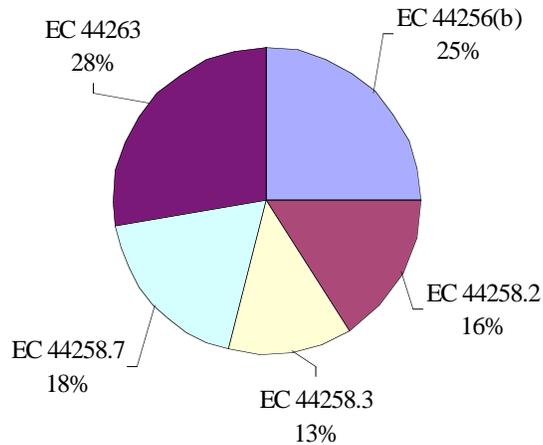
- **§44256(b) (6/12, grades 8 and below)** allows the elementary credentialed teacher to teach subjects in departmentalized classes grades 8 and below if the teacher had completed twelve semester units, or six upper division or graduate semester units in the subject area to be taught.
- **§44258.2 (6/12, 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, mathematics, 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 generally occurs 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.

While 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.

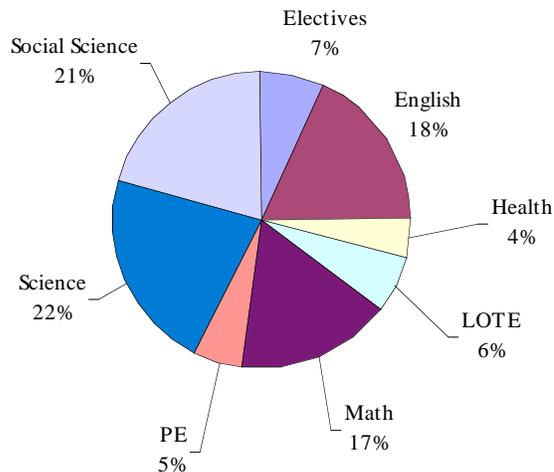
During the monitoring period from 1999-03 there were a total of 11,696 assignments made under these Education Code options. Graph 9, shows the percentage of teachers assigned under the provisions of each Education Code most commonly used.

**GRAPH 9**  
**Teachers Assigned Under Education Code Options,**  
**1999- 03, Total: 11,696**



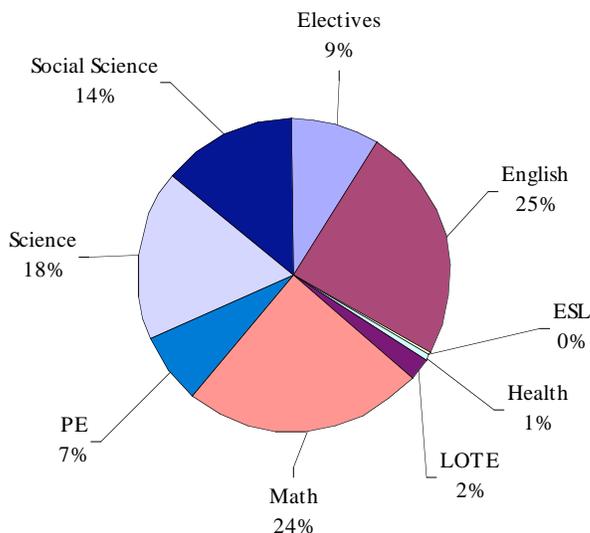
Of these 11,696 assignments 28% or 3,252, were made under Education Code Section §44263. Notably, over 65% of teachers on Education Code assignment options were in the four core subject areas. Graph 10 illustrates that 43% of the assignments made under this section were in the sciences (22%) and social science (21%), followed by English (18% and mathematics (17%).

**GRAPH 10**  
**Teachers Assigned Under EC 44263**



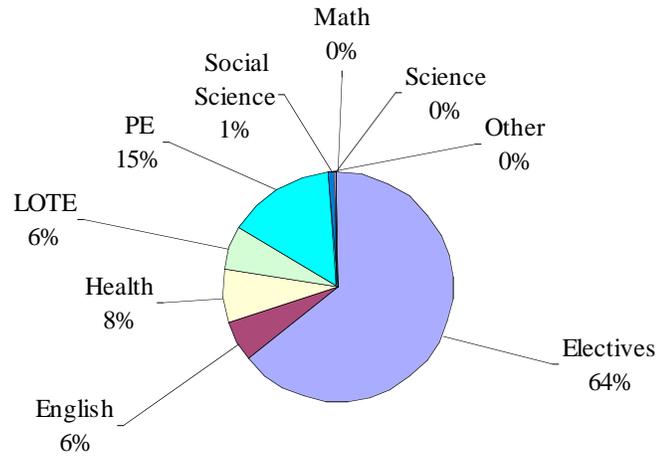
Education Code §44256(b) was the second most utilized option during this period at 25%. Graph 11 illustrates that eighty percent of the assignments under this option were in the four core subject areas of English (24%), mathematics (24%), the sciences (18%) and social science (14%), which is comparable to the eight-two percent reported during the 1995-99 cycle.

**GRAPH 11**  
**Teachers Assigned Under EC 44256(b)**  
**Departmentalized Classes**  
**in Grades K-8 Total: 2932**



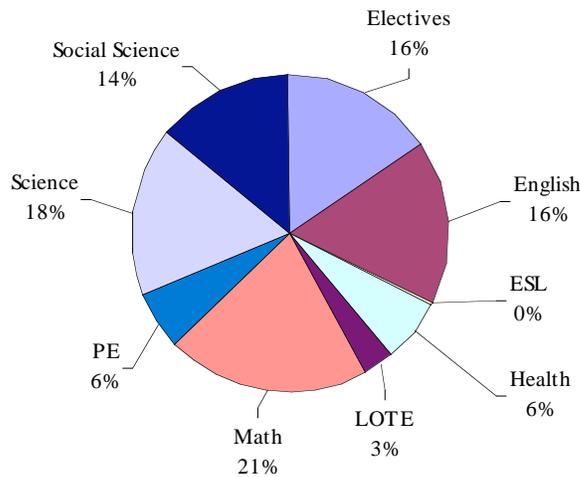
The Committee on Assignments was the third most utilized option during this period at 18%. As illustrated in the graph below, most of the assignments made under §44258.7 were in elective subjects (art, photography, agriculture, and teen skills) which was the original intent of this option—to allow teachers 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.

**GRAPH 12**  
**Assignments Under EC44258.7 (Committee on Assignments)**  
**Total: 2,144**



Education Code 44258.3 (more commonly known as “Craven after the bill's sponsor), was the least at 13% over the four year period. Over sixty-nine percent of the assignments under Education Code §44258.3 were in English, mathematics, social science and the sciences. While the majority of assignments were in these “core” subject areas, this Education Code Section may be used for any subject area.

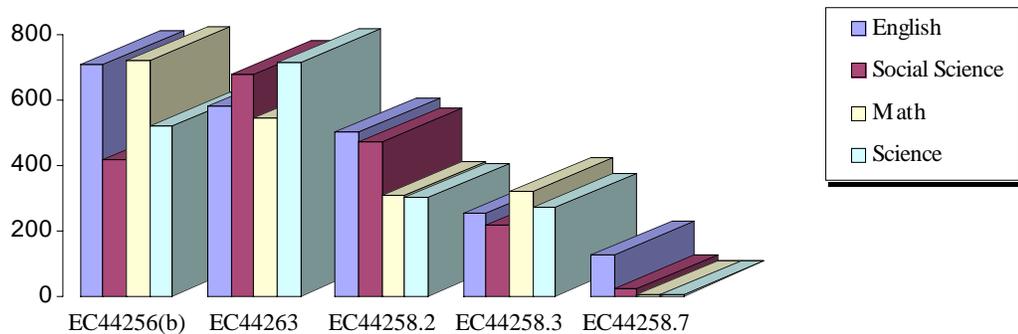
**GRAPH 13**  
**Teachers Assigned Under EC 44258.3 (Craven)**  
**Total: 1538**



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. The usage of this Education Code Section has risen as compared to the 1995-99 (911) cycle. Usage could be attributed to awareness of the option and understanding the process in establishing local assessment procedures.

Graph 14 that follows, illustrates the use of Education Code provisions for assignment into subjects generally considered the core of school curricula. During the monitoring period of 1999-03, there were 11,696 made under the five assignment options. Of these, 7,644 (65%) were for the core subject areas of English, mathematics, science and social science. Assignments into English accounted for 18%, mathematics 16%, and the sciences and social science both at 15%.

**GRAPH 14**  
**Total Assignments by Education Code Options**  
**in the Academic Subject Areas**



## Conclusion

In reviewing the assignments for over 363,000 certificated employees as reported by the county superintendents for the four-year cycle from 1999-03, just over 2.5% were found to be misassigned. If the elementary teacher misassignments are not considered (1709 or 1% of elementary teachers), then 5.2% of the secondary (middle and high school) teachers were misassigned which is a slight decrease to the 1995-99 report that found 5.7% of the secondary teachers misassigned. Of the 9,112 misassignments identified, 3,514 (39%) were found in the four academic subject areas of English, mathematics, the sciences, and social science.

During the 1999-03 monitoring cycle 11,696 teachers were assigned under an Education Code assignment option to teach a subject for which they were not credentialed. Of those 11,696 assignments 7,644 or 65% were assigned to teach in the four academic subject areas of English, mathematics, the sciences and social science.

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