



## EMPLOYEE POLICY

### BOARD POLICY: ASSIGNMENT

#### BP# 4113

In order to serve the best interests of students and the educational program, the Governing Board authorizes the Superintendent/CEO or designee to assign certificated personnel to positions for which their preparation, certification, professional experience, and aptitude qualify them.

Teachers may be assigned to any Gateway Community Charter (GCC) charter school in accordance with the GCC Employee Change Assignment policy as stated in the GCC Employee Handbook.

#### **Assignment to Courses/Classes**

The Superintendent/CEO or designee shall assign teachers to courses based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching an elective course, the Superintendent/CEO or designee shall select the credentialed teacher whose knowledge and skills best prepare him/her to provide instruction in that subject.

The Superintendent/CEO or designee may assign a teacher, with his/her consent, to a position outside his/her credential authorization when specifically authorized by law or regulation, and in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's Administrator's Assignment Manual. Assignments made pursuant to Education Code 44256(b), 44258.2, 44258.3, and 44263 shall be annually approved by Board resolution. In such cases, the Superintendent/CEO or designee shall reference in GCC and/or charter school records the statute or regulation under which the assignment is authorized.

If at any time a certificated employee is required by the GCC and/or charter school to accept an assignment which the employee believes is not legally authorized by the employee's credential, the employee shall notify the Superintendent/CEO or designee, in writing, of the misassignment. Within 15 working days, the Superintendent or designee shall notify the employee of the legality of the assignment. If no action is taken by the GCC and/or charter school, the employee shall provide written notification to the County Superintendent of Schools. No adverse action shall be taken against an employee who files a notice of misassignment. (Education Code 44258.9)

#### **Vacancies and Misassignments**

Annually, the GCC and/or charter school shall review potential misassignments and vacant positions throughout the GCC schools. Upon receiving notification from CTC of the availability of data regarding potential misassignments and vacant positions in the GCC schools, the Superintendent/COE or designee

shall review the data within 60 days. When necessary, the Superintendent/CEO or designee may respond by submitting additional documentation to the County Superintendent showing that an employee is legally authorized for an assignment and/or that a position identified as vacant was miscoded and a legally authorized employee is assigned to the position. (Education Code 44258.9)

If the GCC and/or school subsequently receives, within 90 days of CTC's initial notification, a notification from the County Superintendent indicating that a certificated employee in the GCC and/or charter school is assigned to a position for which the employee has no legal authorization, the GCC and/or charter school shall correct the assignment within 30 calendar days. (Education Code 44258.9)

The charter school accountability report card for each charter school shall include any assignment of teachers outside their subject areas of competence, misassignments, including misassignments of teachers of English learners, and the number of vacant teacher positions for the most recent three-year period. (Education Code 33126)

### **Equitable Distribution of Qualified Teachers and Experienced Teachers**

The Superintendent or designee shall identify and address the equitable distribution of highly qualified and experienced teachers among GCC charter schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students. The Superintendent/CEO or designee shall annually report to the Board comparisons of teacher qualifications across GCC charter schools, including the number of teachers serving under a provisional internship permit, short-term staff permit, intern credential, emergency permit, or credential waiver.

Strategies for ensuring equitable access to experienced teachers may include, but are not limited to, incentives for voluntary transfers, provision of professional development, and/or programs to recruit and retain effective teachers.