

NOVATO UNIFIED SCHOOL DISTRICT

Board Policy

Series 4000

BP 4112.2

PERSONNEL

CERTIFICATION

The Superintendent or designee shall ensure that persons employed in positions requiring certification qualifications possess the appropriate credential or permit from the Commission on Teacher Credentialing (CTC) authorizing their employment in such positions.

- (cf. 4111 - Recruitment and Selection)
- (cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)
- (cf. 4112.23 - Special Education Staff)
- (cf. 4113 - Assignment)
- (cf. 4116 - Probationary/Permanent Status)
- (cf. 4121 - Temporary/Substitute Personnel)

When fully credentialed teachers are not available, the district may employ persons with intern credentials, emergency permits, pre-intern certificates or credential waivers under the conditions and limitations provided in state and federal law.

As necessary, all teachers of core academic subjects teaching in programs supported by federal Title I funds shall meet the requirements of the No Child Left Behind Act. By the end of the 2005-06 school year, all teachers of core academic subjects shall meet the requirements of the No Child Left Behind Act. (20 USC 6319, 7801; 5 CCR 6100-6125)

- (cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

National Board for Professional Teaching Standards Certification

The Board encourages district teachers to voluntarily seek, from the National Board for Professional Teaching Standards, additional certification which demonstrates advanced knowledge and teaching skills.

The Superintendent or designee shall inform district teachers and teachers working in charter schools about the program and how to acquire the necessary application and information materials.

- (cf. 0420.4 - Charter Schools)

The Superintendent or designee may provide release time and support to teachers participating in the program.

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Legal Reference:

EDUCATION CODE

8360-8370 Qualifications of child care personnel
32340-32341 Unlawful issuance of a credential
42647 Drawing of warrants
44066 Limitations on certification requirements
44200-44405 Teacher credentialing, especially:
44225.6 CTC annual report on credentials, internships and emergency permits
44225.7 Priorities for recruitment when fully prepared teacher not available
44251 Period of credentials
44252 Standards and procedures for issuance; proficiency testing of basic skills
44252.5 State basic skills assessment required for certificated personnel
44259 Minimum requirements for teaching credential
44259.5 Standards for teachers of all students, including English language learners
44270.3-44270.4 Out-of-state credentials, administrative services
44274-44274.5 Out-of-state credentials
44275.3 Employment of teachers with out-of-state credentials
44277 Requirements for maintaining valid credentials
44278 Credential appeal
44300-44301 Emergency permits
44302 CTC notification re district options when fully qualified teacher not available
44305-44308 Pre-internship teaching certificates
44325-44329 District interns
44330-44355 Certificates and credentials
44395-44399 National Board for Professional Teaching Standards
44464 Period of validity of internship credential
44468 Early completion of internship program
44500-44508 Peer Assistance and Review Program for Teachers
44662 Performance evaluation; Stull Act review
44735 Teaching as a priority block grant
44751 Recruitment centers
44830-44929 Employment of certificated persons; requirement of proficiency in basic skills
56060-56063 Substitute teachers in special education
90530 Recruitment Centers

CODE OF REGULATIONS, TITLE 5

6100-6125 Teacher qualifications, No Child Left Behind Act
80001-80674.6 Commission on Teacher Credentialing

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UNITED STATES CODE, TITLE 20

6311 Parental notifications
6312 District Title I plan
6319 Highly qualified teachers
7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers
200.61 Parent notification regarding teacher qualifications

COURT DECISIONS

Association of Mexican-American Educators et. al. v. State of California and the Commission on Teacher Credentialing, (1993) 836 F.Supp. 1534

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Human Resources, 1996

CTC PUBLICATIONS

Standards of Quality and Effectiveness for Professional Teacher Induction Programs, March 2002
Standards of Quality and Effectiveness for Professional Teacher Preparation Programs, September 2001
California Standards for the Teaching Profession, July 1997

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Improving Teacher Quality State Grants, December 19, 2002

CSBA ADVISORIES

Teacher Credentialing Commission Eliminates Emergency Permits, August 2003

WEB SITES

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>
California Department of Education: <http://www.cde.ca.gov>
U.S. Department of Education: <http://www.ed.gov>
CSBA: <http://www.csba.org>

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PERSONNEL

CERTIFICATION

Registration

Each person employed by the district for a position requiring certification qualifications shall, within 60 days after beginning employment, register with the county office of education a valid credential authorizing the person to work in that position. Certificated employees also shall register renewed credentials within 60 days after the renewal. (Education Code 44330, 44857)

Basic Skills Proficiency Test

Prior to being hired by the Governing Board, all certificated persons, whether hired on a permanent, temporary or substitute basis, shall demonstrate basic skills proficiency in reading, writing and mathematics, unless specifically exempted from this requirement by Education Code 44830. (Education Code 44830)

Certificated persons who have not held a position requiring certification within 39 months of employment and who have not taken the state basic skills proficiency test may be hired as temporary employees, provided they pass a basic skills proficiency test developed and administered by the district. Such employees shall subsequently take the state test within one year of employment. (Education Code 44830)

(cf. 4121 - Temporary/Substitute Personnel)

Persons holding a designated subjects/special subjects credential or vocational designated subject credential shall not be required to take the state basic skills proficiency test unless their specific credential requires the possession of a baccalaureate degree. Instead, these persons shall be assessed with district proficiency criteria established by the Board for these credentials, which shall be at least equivalent to the district test required for graduation from high school. (Education Code 44252, 44830)

Persons holding a designated subjects/special subjects credential or a vocational designated subject credential shall be charged a fee to take the district proficiency test.

Out-of-State Credentials

The district may employ an out-of-state applicant who has met the requirements of Education Code 44274.2, 44275.3, or 44275.4 and obtained a preliminary or professional clear credential from the Commission on Teacher Credentialing (CTC).

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(cf. 4112.5/4312.5 - Criminal Record Check)

A teacher prepared out of the state who has been issued a five-year California preliminary credential shall pass the state basic skills proficiency test described above within one year of the issuance date of the credential in order to be eligible to continue teaching, unless the CTC has determined that the teacher licensing body of the state in which the teacher completed his/her preparation requires an applicant to demonstrate a level of basic skills proficiency that is at least comparable and equivalent to passage of the state basic skills proficiency test. (Education Code 44274, 44275.3)

A teacher prepared in a country other than the United States who has been issued a five-year California preliminary credential shall pass the state basic skills proficiency test described above within one year of the issuance date of the credential in order to be eligible to continue teaching. (Education Code 44275.4)

To be eligible for a professional clear credential, teachers prepared out of state or out of the country must also meet legal requirements for subject matter competence, course completion, and either a fifth-year postsecondary program or an induction program for beginning teachers. (Education Code 44274, 44275.3, 44275.4)

Emergency Substitute Teaching Permits

The district may employ persons with an emergency 30-day substitute permit for 30 school days or less for any one teacher during the school year. Persons with an emergency substitute permit may be employed for 20 school days or less in special education positions requiring certification, unless an extension has been approved by the Superintendent of Public Instruction. (Education Code 56061; 5 CCR 80025, 80025.4)

Before employing such persons, the Superintendent or designee shall prepare and keep on file a signed statement of need. The statement of need shall describe the situation or circumstances that necessitate the use of a 30-day substitute permit holder and state either that a credentialed person is not available or that the available credentialed person does not meet the district's specified employment criteria. (5 CCR 80025)

Emergency Teaching or Specialist Permits

No person with an emergency teaching permit or credential waiver shall be newly hired to teach core academic subjects in programs supported by federal Title I funds. By the end of the 2005-06 school year, such persons shall not be assigned to teach core academic subjects in any classroom. (20 USC 6319, 7801; 5 CCR 6115)

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(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4113 - Assignment)

Before employing persons with emergency teaching or specialist permits for more than 20 school days in special education positions or for more than 30 school days in other positions, the Board shall document that it has made a diligent search for, but has been unable to recruit, a sufficient number of certificated teachers, including teacher candidates pursuing full certification through internships or other alternative programs. (Education Code 44300; 5 CCR 80026)

The district's diligent search shall include, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring the incentives included in the Teaching as a Priority block grant pursuant to Education Code 44735, participating in the state and regional recruitment centers established pursuant to Education Code 44751 and 90530, and participating in job fairs in the state. (Education Code 44300)

(cf. 4111 - Recruitment and Selection)

The Board shall certify by an annual resolution that it has made reasonable efforts to recruit a certificated teacher for the position. (Education Code 44225.7)

For any assignment for which a certificated teacher is not available, the district shall make reasonable efforts to recruit an individual in the following priority order: (Education Code 44225.7)

1. A candidate who is scheduled to complete initial preparation requirements within six months
2. A candidate who is qualified to participate in an approved internship program in the region of the district

(cf. 4112.21 - Interns)

If a person who meets these priorities is not available, the district may, as a last resort, request that the CTC approve the assignment of a person who does not meet the above criteria. (Education Code 44225.7)

In the year of need, the district shall submit to the CTC, on a form provided by the commission, a declaration of need for fully qualified educators. The declaration of need shall be made in the form of a motion adopted by the Board during a regularly scheduled public Board meeting. The motion shall not be part of the consent agenda. (Education Code 44300; 5 CCR 80026)

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The Superintendent or designee shall provide an orientation for teachers who are obtaining emergency teaching or specialist permits for the first time. This orientation shall include at least an overview of the curriculum that the teacher is expected to teach and effective techniques of classroom instruction and management at the teacher's assigned level. (Education Code 44300; 5 CCR 80026.5)

Whenever possible, the orientation shall occur before the teacher begins his/her teaching assignment. The Superintendent or designee shall also assign an experienced educator to guide and assist the teacher. This person shall be a certificated district employee or a certificated retiree of a California school district or county office of education and must have completed at least three full years of full-time classroom teaching experience or the equivalent. (Education Code 44300; 5 CCR 80026.5)

The Superintendent or designee shall inform all emergency permit holders that, in accordance with rules established by the CTC, they must complete their work for a credential by June 30, 2006, and will not be able to get an emergency permit renewed after that date.

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