



California State Board of Education
1430 N Street, Room 1101 Sacramento, California 95814

Attention: Linda Darling-Hammond, President

Subject: SBE Agenda Item #4: Update on the Implementation of the Integrated Local, State, and Federal Accountability and Continuous Improvement System: Recommended Action on the Adoption of the Student Growth Model Methodology, and Update on the Continuing Development Work and Revisions under Consideration for Future California School Dashboards.

Dear State Board of Education,

Dear Ms. Darling-Hammond:

I am the chairperson for the Student Programs and Services Steering Committee (SPSSC) under the California County Superintendents' Educational Services Association (CCSESA). In this role, I represent county-operated student programs, including but not limited to regional special education programs, alternative education programs, juvenile court schools, and independent study programs. County-operated programs serve some of California's most vulnerable K-12 students in unique educational settings. This letter requests your support with changing California's current Teacher Equity definition under California's Consolidated State Plan under ESSA.

Historically, alternative education programs relied on the understanding (and past reporting practices) that teachers on a Local Assignment Option would be reported under the "with a full credential" category. These teachers provide instruction in a certificated position and are legally authorized to do so by statute.

The teacher quality definitions were updated in November 2019. Due to these updates, the "out of field" definition includes those on local assignment options. Although these teachers meet the CTC and Education Code requirements to be broadly assigned, they will be considered "out-of-field" for ESSA purposes if they do not have the credential that matches the subject matter content of instruction.

The new [Updated Teacher Equity Definitions](#) are inconsistent with the guidance found within the [SARC Preparation Guide for Public Schools](#) and [Data Elements Definitions](#) document (pages 7 and 8, updated in October 2020):

Page 7:

"...The CDE does not collect data on the number of teachers teaching outside their subject area of competence (with full credential). Teaching outside subject area data should be available in the LEA's personnel office. In most instances, teaching outside subject area is a subset of total teacher misassignments (see data definition for Teacher Misassignments...)."

Page 8:

"...Definitions

Teacher Misassignments -- For the three most recent school years (2018–2019, 2019–2020, and 2020–2021), the total number of the school's teacher misassignments, including the number of misassignments of teachers of ELs (the number of placements of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold). The number of misassignments of teachers of ELs is to be reported as both a subtotal and as part of the total teacher misassignments.

In addition to misassignments of teachers of ELs, total misassignments to be reported include the assignment of employees to services positions for which the employee does not hold the required certificate, credential, or other statutory authorization. These services areas, for which the California Commission on Teacher Credentialing issues credentials, include Administrative Services, Student Personnel Services, Clinical/Rehabilitative Services, Library Media Services, and School Nurse or Other Health Services..."

Changes to the Local Assignment Option will create significant challenges for alternative education settings in which teachers often teach in self-contained settings or teach multiple content areas.

For example, veteran and highly skilled court and community school teachers who teach in a self-contained classroom setting (as most do) will be considered misassigned.

Parents of incarcerated students (who have no choice in the school's location their child attends) will be notified that the teacher educating their child is misassigned within thirty days of their enrollment. This required notification will cause additional undue stress to parents and guardians with no opportunity for resolution as long as their child remains in a juvenile detention facility.

Teachers in county community schools who educate expelled, truant, or probation referred students will also be labeled as misassigned. Parents of students enrolled in these programs also have minimal educational options. Parents may choose to remove their students from county-operated programs that provide high-quality academic and social-emotional supports if they feel instruction is being provided by a teacher who is labeled as misassigned.

County court and community school teachers labeled as misassigned are problematic in two ways:

1. Expelled, truant, and probation referred students may enroll in a non-classroom-based charter option where instruction and supports are minimal. These students often get "lost" and return to county-operated programs after some time. When these students return, they are often highly credit-deficient after losing six to twelve months of academic and social-emotional supports.
2. Teachers who support difficult-to-fill county-operated programs may flee to traditional educational settings to avoid being labeled misassigned year after year.

Student Programs and Services Steering Committee (SPSSC) members are deeply concerned the perception will be "low quality" teachers are assigned to teach our students. Stakeholder groups may inappropriately see "misassignment" as evidence that certain student groups receive an inferior education when that isn't at all accurate. As county offices strive to provide high-quality alternative education programs to the state's most vulnerable children, increase rigor and program accountability, this perception negates that effort.

SPSSC members recommend the removal of Local Assignment Options from the "out-of-field" teacher definition. The committee is requesting that SBE consider amending the "out-of-field" definition in California's ESSA plan.

Thank you,

Susan Connolly, Chair
Student Programs and Services Steering Committee
California County Superintendents Educational Services Association