

WEAVER UNION SCHOOL DISTRICT

BOARD POLICY

BP 4112.2

Personnel – Certification

The Governing Board recognizes that the district's ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or district requirements for the position.

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

(cf. 4113 - Assignment)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 5148 - Child Care and Development)

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to enable them to meet the qualifications required for the clear credential.

(cf. 4131 - Staff Development)

(cf. 4131.1 - Teacher Support and Guidance)

Responsibility for Renewal

All certificated personnel are personally responsible for the renewing of their credentials and for keeping them valid.

No Pay for Invalid Credential

A teacher whose credential is not valid cannot be paid for the time service is rendered under such conditions.

Responsibility for Registration

Each credential actively used by the teacher must be registered with the Office of the County Superintendent of Schools. This is the teacher's responsibility.

Certification and Registration Required

A teacher whose credential is not on file with the Office of the County Superintendent of Schools as required by Ia will be subject to automatic suspension. No warrant will be drawn in favor of any person requiring certification until he / she is properly credentialed and registered with the county.

Emergency and Provisional Credentials

Teachers may teach on emergency or provisional credentials, providing no regularly credentialed teachers are available, only in accordance with the provisions of Education Code Section 44254.

Priorities for Hiring Based on Unavailability of Credentialed Teacher

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who enrolls in an approved intern program in the region of the district and possesses an intern credential
2. A candidate who is scheduled to complete preliminary credential requirements within six months and who is granted a provisional internship permit (PIP) or short-term staff permit issued by the CTC

The Board shall approve, as an action item at an open Board meeting, a notice of its intent to employ a PIP applicant for a specific position. (5 CCR 80021.1)

3. An individual who has been granted a credential waiver by the CTC

Prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Board as an action item at a regularly scheduled open Board meeting, with the entire Declaration of Need being included in the Board agenda. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the District's specified employment criteria for the position(s) and that the district has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the district estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ non-credentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall notify the parents/guardians of each student attending a school receiving Title I funds that they may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher: (20 USC 6312)

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of the teacher's certification

(cf. 5145.6 - Parental Notifications)

In addition, the Superintendent or designee shall notify parents / guardians in a timely manner whenever their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area to which the teacher has been assigned. (20 USC 6312)

Legal Reference:

Education Code

- 8360-8370 Qualifications of child care personnel*
- 32340-32341 Unlawful issuance of a credential*
- 35186 Complaints regarding teacher vacancy or misassignment*
- 44066 Limitations on certification requirements*
- 44200-44399.1 Teacher credentialing, especially:*
- 44250-44277 Credential types; minimum requirements*
- 44300-44302 Emergency permit*
- 44325-44328 District interns*
- 44330-44355 Certificates and credentials*
- 44420-44440 Revocation and suspension of credentials*
- 44450-44468 University intern program*
- 44830-44929 Employment of certificated persons; requirement of proficiency in basic skills*
- 56060-56063 Substitute teachers in special education*

Code of Regulations, Title 5

- 80001-80674.6 Commission on Teacher Credentialing*

United States Code, Title 20

- 6312 Title I local educational agency plans; notifications regarding teacher qualifications*

Code of Federal Regulations, Title 34

- 200.48 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

Web Sites:

CSBA: <http://www.csba.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

*Commission on Teacher Credentialing, Credential Information Guide (for employers' use only):
<http://www.ctc.ca.gov/credentials/cig>*

National Board for Professional Teaching Standards: <http://www.nbpts.org>

National Board Resource Center: nbcalistrong.net

U.S. Department of Education: <http://www.ed.gov>

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