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**AB-1219 Teacher credentialing: certificated employee assignment monitoring.** (2019-2020)

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**Assembly Bill No. 1219**

**CHAPTER 782**

An act to amend Sections 44230.5, 44253.10, 44253.11, and 44258.3 of, to add and repeal Section 44258.10 of, and to repeal and add Section 44258.9 of, the Education Code, relating to teacher credentialing.

[ Approved by Governor October 12, 2019. Filed with Secretary of State October 12, 2019. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 1219, Jones-Sawyer. Teacher credentialing: certificated employee assignment monitoring.

Existing law requires the Commission on Teacher Credentialing, among other duties, to establish standards for the issuance and renewal of credentials, certificates, and permits. Existing law requires a county superintendent of schools to monitor and review school district certificated employee assignment practices, as provided. Existing law requires a county superintendent of schools to submit an annual report to the commission and the State Department of Education summarizing the results of all assignment monitoring and reviews. Existing law requires the commission to submit biennial reports to the Legislature concerning teacher assignments and misassignments based, in part, on the annual reports of the county superintendents of schools.

This bill would repeal those provisions relating to teacher assignment monitoring. The bill would require the commission to administer a State Assignment Accountability System to provide local educational agencies with a data system for assignment monitoring. The bill would require the commission to annually use data it receives from the department to produce an initial data file of vacant positions and assignments that do not have a clear match of credential to assignment. The bill would identify the monitoring authority for a local educational agency, and would require a monitoring authority to review and determine any potential misassignments reported in and identified through the system for local educational agencies within its authority, as provided. The bill would grant the commission the authority to make a final determination for all potential misassignments. The bill would require the data generated from the system for the 2019–20 school year to be used for informational purposes only. The bill would require, commencing with the 2020–21 school year, the commission to make annual misassignment and vacant position data publicly available on its internet website.

The bill would require a certificated employee who has attained permanent status to notify specified entities if the certificated employee is required by the local educational agency to accept an assignment for which the certificated employee has no legal authorization, as provided. The bill would prohibit a local educational agency from taking adverse action against a certificated employee who provides that notice. To the extent the bill imposes additional duties on local educational agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

### **SECTION 1.** Section 44230.5 of the Education Code is amended to read:

**44230.5.** (a) The commission shall establish a nonpersonally identifiable educator identification number for each educator to whom it issues a credential, certificate, permit, or other document authorizing that individual to provide a service in the public schools. The nonpersonally identifiable educator identification number shall be used for sharing data, including, but not limited to, information obtained pursuant to Sections 44225.6 and 44258.9, with local educational agencies and the department. This identification number may also be used to disclose data pursuant to subdivision (t) of Section 1798.24 of the Civil Code.

(b) For purposes of this section, "local educational agency" means a school district, county office of education, charter school, or state special school.

### **SEC. 2.** Section 44253.10 of the Education Code is amended to read:

**44253.10.** (a) A teacher with a basic teaching credential may be assigned to provide specially designed content instruction delivered in English, as defined in subdivision (b) of Section 44253.2, to limited-English-proficient pupils only if both of the following conditions are met:

(1) The teacher, as of January 1, 1999, is a permanent employee of a school district, county office of education, or school administered under the authority of the Superintendent, or was previously a permanent employee and then was employed in a school district within 39 months of the previous permanent status, or has been employed in a school district with an average daily attendance of not more than 250 for at least two years.

(2) The teacher completes 45 clock hours of staff development in methods of specially designed content instruction delivered in English before January 1, 2008. The extension of the date by which a teacher is required to complete this staff development shall not be construed as authorizing teachers to teach limited-English-proficient pupils without a certificate issued pursuant to this section or Sections 44253.3 and 44253.4.

(b) (1) The commission, in consultation with the Superintendent, shall establish guidelines for the provision of staff development pursuant to this section. The commission and the Superintendent shall use their best efforts to establish these guidelines as soon as possible, but not later than January 1, 1996. Staff development pursuant to this section shall be consistent with the commission's guidelines.

(2) To ensure the highest standards of program quality and effectiveness, the guidelines shall include quality standards for the persons who train others to perform staff development training and for those who provide the training. The guidelines may require that teachers who qualify to provide instruction pursuant to paragraph (1) of subdivision (d) include a portion, within the total 45 clock hours of training provided in paragraph (2) of subdivision (a), in English language development.

(3) The guidelines for training to meet the requirements of paragraph (1) of subdivision (d) may provide for 20 hours, or fewer hours as the commission may specify, of training in any aspect of English language development or specially designed content instruction delivered in English.

(4) The guidelines shall require that the staff development offered pursuant to this section be aligned to the teacher preparation leading to the issuance of a certificate pursuant to Section 44253.3 and any amendments made to that section. This alignment, however, shall not result in any increase in the number of hours of staff development necessary to meet the requirements of this section.

(5) The guidelines and standards established by the commission to implement this section shall require and maintain compliance with any requirements mandated by federal law for purposes of assuring continued federal financial assistance.

(6) The commission shall review staff development programs in relation to the guidelines and standards established pursuant to this section. The review shall include all programs offered pursuant to this section except programs previously approved pursuant to subdivision (c). If the commission finds that a program meets the applicable guidelines and standards, the commission shall forward a report of its findings to the chief executive officer of the sponsoring school district, county office of education, or regionally accredited college or university. If the commission finds that a program does not meet the applicable guidelines or standards, or both, the report of the commission shall specify the areas of noncompliance and the time period in which a second review shall occur. If a second review of a program by the commission reveals a pattern of continued noncompliance with the applicable guidelines or standards, or both, the sponsoring agency shall not offer the program to teachers who have not already enrolled in it. The effective date for commission approval of staff development programs not

currently approved as of January 1, 2000, shall be on or before January 1, 2002, except for persons already enrolled in programs by January 1, 2002.

(7) By December 4, 2007, the commission shall report to the Legislature on the status of the 45-hour and the 90-hour alternative programs, including the strengths and weaknesses of the process and programs. In preparing the report, the commission shall include a summary of its review pursuant to paragraph (6) of the staff development programs.

(c) The staff development may be sponsored by any school district, county office of education, or regionally accredited college or university that meets the standards included in the guidelines established pursuant to subdivision (b) or any organization that meets those standards and is approved by the commission. Any equivalent three semester unit or four quarter unit class may be taken by the teacher at a regionally accredited college or university to satisfy the staff development requirement described in either subdivision (a) or (d), or both. Once the commission has made a determination that a college or university class is equivalent, no further review of the class shall be required pursuant to paragraph (6) of subdivision (b), regardless of the date of the initial review.

(d) (1) A teacher who completes the staff development described in subdivision (a) shall be awarded a certificate of completion of staff development in methods of specially designed content instruction delivered in English.

(2) A teacher who completes the staff development described in subdivision (a) may provide specially designed content instruction delivered in English, as defined in subdivision (b) of Section 44253.2, and instruction for English language development, as defined in subdivision (a) of Section 44253.2, in any departmentalized teaching assignment consistent with the authorization of the teacher's basic credential. This authorization also applies to teachers who completed the required staff development before January 1, 2000.

(3) A teacher who completes the staff development described in subdivision (a) shall not be assigned to provide content instruction delivered in the pupil's primary language, as defined in subdivision (c) of Section 44253.2.

(4) A teacher who completes the staff development described in subdivision (a) may be assigned to provide instruction for English language development, as defined in subdivision (a) of Section 44253.2, in a self-contained classroom under either of the following circumstances:

(A) The teacher has taught for at least nine years in California public schools, certifies that the teacher has had experience or training in teaching limited-English-proficient pupils, and authorizes verification by the entity that issues the certificate of completion. The teacher shall be awarded a certificate of completion in methods of instruction for English language development in a self-contained classroom.

(B) The teacher has taught for less than nine years in California public schools, or has taught for at least nine years in California public schools but is unable to certify that the teacher has had experience or training in teaching limited-English-proficient pupils, but has, within three years of completing the staff development described in subdivision (a), completed an additional 45 hours of staff development, including specially designed content instruction delivered in English and English language development training, as set forth in the guidelines developed pursuant to subdivision (b). Upon completion of this additional staff development, the teacher shall be awarded a certificate of completion in methods of instruction for English language development in a self-contained classroom.

(e) During the period in which a teacher is pursuing the training specified in paragraph (2) of subdivision (a) or subdivision (d), or both, including the period for the assessment and awarding of the certificate, the teacher may be provisionally assigned to provide instruction for English language development, as defined in subdivision (a) of Section 44253.2, or to provide specially designed content instruction delivered in English, as defined in subdivision (b) of Section 44253.2.

(f) (1) A teacher who completes the staff development with any provider specified in subdivision (c), and who meets the requirements of subdivision (a) or (d) for a certificate of completion of staff development in methods of specially designed content instruction delivered in English or English language development in a self-contained classroom, or both, shall be issued the certificate or certificates.

(2) A teacher who completes a staff development program in methods of specially designed content instruction delivered in English or English language development in a self-contained classroom, or both, who has been determined by the commission to meet the applicable guidelines and standards pursuant to paragraph (6) of subdivision (b), shall receive a certificate or certificates of completion from the commission upon submitting an application, a staff development verification form to be furnished by the commission, and payment of a fee to be set by the commission, not to exceed forty-five dollars (\$45).

(3) A person who is enrolled in, or who has completed, a staff development program not approved by the commission before January 1, 2002, may, until January 1, 2003, apply to any of the following agencies for the certificate or certificates, but the teacher shall be issued the certificate or certificates by only one of these agencies:

(A) The school district in which the teacher is a permanent employee.

(B) The county office of education in the county in which the teacher is an employee for an agency specified in paragraph (1) of subdivision (a).

(C) Any school district or county office of education that provides staff development pursuant to subdivision (c). Before issuing a certificate or certificates based on an equivalent class or classes, as provided for in subdivision (c), the issuing agency shall determine if the class or classes meet the guidelines established pursuant to subdivision (b).

(4) Any school district or county office of education that issues a certificate of completion shall forward a copy of the certificate to the commission within 90 days of issuing the certificate.

(5) (A) An agency that issues a certificate or certificates of completion may charge the teacher requesting the certificate or certificates of completion a fee that will cover the actual costs of the agency in issuing, forwarding to the commission a copy of, and paying any fee charged by the commission for receiving and servicing, the certificate or certificates of completion.

(B) The commission may charge the agency that forwards a copy of a certificate or certificates of completion a one-time fee to cover the actual costs to the commission to file the copy or copies, and to issue duplicates when requested by the teacher. The fee shall not exceed an amount equal to one-half the fee the commission charges for issuing a credential.

(g) The certificate of completion is valid in all California public schools. A teacher who has been issued a certificate of completion may be assigned indefinitely to provide the instructional services named on the certificate in any school district, county office of education, or school administered under the authority of the Superintendent.

(h) The governing board of each school district shall make reasonable efforts to provide limited-English-proficient pupils in need of English language development instruction with teachers who hold appropriate credentials, language development specialist certificates, or cross-cultural language and academic development certificates that authorize English language development instruction. However, any teacher awarded a certificate or certificates of completion shall be deemed certificated and competent to provide the services listed on that certificate of completion. A teacher who completes staff development pursuant to this section may use those hours of staff development to meet the requirements of subdivision (b) of Section 44277.

(i) Any teacher completing staff development pursuant to this section shall be credited with three semester units or four quarter units for each block of 45 hours of staff development completed for the purpose of meeting the requirements set forth in subdivision (b) of Section 44253.3.

(j) Any school district may use funds allocated to it for the purposes of Chapter 3.1 (commencing with Section 44681) to provide staff development pursuant to this section.

**SEC. 3.** Section 44253.11 of the Education Code is amended to read:

**44253.11.** (a) A teacher with a designated subjects teaching credential or a service credential with a special class authorization may enroll in a course that meets the minimum requirements of staff development in methods of specially designed content instruction delivered in English, as described in Section 44253.3, 44253.4, 44253.7, or 44253.10.

(b) (1) The commission, in consultation with the Superintendent, shall establish guidelines for the provision of staff development pursuant to this section that are at least as rigorous as the guidelines established pursuant to Section 44253.10. The commission and the Superintendent may designate guidelines established pursuant to Section 44253.10 in satisfaction of this subdivision. Staff development pursuant to this section shall be consistent with the guidelines of the commission.

(2) To ensure the highest standards of program quality and effectiveness, the guidelines shall include quality standards applicable to persons who train others to perform staff development training, as well as for persons who provide the training.

(3) The guidelines shall require that staff development offered pursuant to this section be aligned with the teacher preparation that leads to the issuance of a certificate pursuant to Section 44253.3.

(4) The guidelines and standards established by the commission to implement this section shall comply with federal law.

(5) The commission shall review staff development programs in relation to the guidelines and standards established pursuant to this section. The review shall include all programs offered pursuant to this section. If the commission finds that a program meets the applicable guidelines and standards, the commission shall forward a report of its findings to the chief executive officer of the sponsoring school district, county office of education, or regionally accredited college or university. If the commission finds that a program does not meet the applicable guidelines or standards, or both, the report of the commission shall specify the areas of noncompliance and the time period in which a second review must occur. If a second review reveals a pattern of continued noncompliance with the applicable guidelines or standards, or both, the sponsoring agency shall be prohibited from continuing to offer the program to teachers.

(c) The staff development may be sponsored by a school district, county office of education, or regionally accredited college or university that meets the standards included in the guidelines established pursuant to this section or an organization that meets those standards and that is approved by the commission. An equivalent course may be taken by a teacher at a regionally accredited college or university in order to satisfy the staff development requirement. Once the commission makes a determination that a college or university class is equivalent, no further review of the class shall be required.

(d) (1) A teacher who completes the staff development described in this section shall be awarded a certificate of completion in methods of specially designed content instruction delivered in English.

(2) A teacher who completes the staff development described in this section is allowed to provide specially designed content instruction delivered in English, as defined in subdivision (b) of Section 44253.2.

(3) A teacher who completes the staff development described in this section shall not be assigned to provide content instruction delivered in the primary language of the pupil, as defined in subdivision (c) of Section 44253.2.

(e) A teacher who completes a staff development program in methods of specially designed content instruction delivered in English pursuant to this section shall receive a certificate of completion from the commission upon submitting an application, a staff development verification form to be furnished by the commission, and payment of a fee, as determined by the commission, not to exceed forty-five dollars (\$45).

(f) The certificate of completion is valid in all public schools. A teacher who has been issued a certificate of completion may be assigned indefinitely to provide the instructional services named on the certificate in a school district, county office of education, or school administered under the authority of the Superintendent.

(g) Teacher assignments made in accordance with this section shall be included in the report required by Section 44225.6.

(h) The governing board of each school district shall make reasonable efforts to provide limited-English-proficient pupils in need of English language development instruction with teachers who hold appropriate credentials, language development specialist certificates, or cross-cultural language and academic development certificates that authorize English language development instruction. However, a teacher awarded a certificate or certificates of completion pursuant to this section shall be deemed certificated and competent to provide the services listed on that certificate of completion.

(i) A teacher completing staff development pursuant to this section shall be credited with three semester units or four quarter units for each block of 45 clock hours completed for the purpose of meeting the requirements set forth in subdivision (b) of Section 44253.3.

**SEC. 4.** Section 44258.3 of the Education Code is amended to read:

**44258.3.** (a) The governing board of a school district may assign the holder of a credential, other than an emergency permit, to teach any subjects in departmentalized classes in kindergarten or any of grades 1 to 12, inclusive, if the governing board verifies, before making the assignment, that the teacher has adequate knowledge of each subject to be taught and the teacher consents to that assignment. The governing board shall adopt policies and procedures for the purpose of verifying the adequacy of subject knowledge on the part of each of those teachers. The governing board shall involve subject matter specialists in the subjects commonly taught in the school district in the development and implementation of the policies and procedures, and shall include in those policies and procedures both of the following:

(1) One or more of the following ways to assess subject matter competence:

(A) Observation by subject matter specialists, as defined in subdivision (d).

(B) Oral interviews.

(C) Demonstration lessons.

(D) Presentation of curricular portfolios.

(E) Written examinations.

(2) Specific criteria and standards for verifying adequacy of subject matter knowledge using any of the methods in paragraph

(1). The criteria shall include, but need not be limited to, evidence of the candidate's knowledge of the subject matter to be taught, including demonstrated knowledge of the curriculum framework for the subject to be taught and the specific content of the course of study in the school district for the subject, at the grade level to be taught.

(b) Teaching assignments made pursuant to this section shall be valid only in that school district. The principal of the school, or other appropriate administrator, shall notify the exclusive representative of the certificated employees for that school district, as

provided under Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code, of each instance in which a teacher is assigned to teach classes pursuant to this section. The commission may suspend the authority of a school district to use the teaching assignment option authorized by this section upon a finding that the school district has violated this section.

(c) Nothing in this section shall be construed to alter the effect of Section 44955 with regard to the reduction by a school district governing board of the number of certificated employees.

(d) For purposes of this section, "subject matter specialists" are mentor teachers, curriculum specialists, resource teachers, classroom teachers certified to teach a subject, staff to regional subject matter projects or curriculum institutes, or college faculty.

**SEC. 5.** Section 44258.9 of the Education Code is repealed.

**SEC. 6.** Section 44258.9 is added to the Education Code, to read:

**44258.9.** (a) (1) The Legislature finds and declares that continued monitoring of teacher assignments by county superintendents of schools will help ensure that local educational agencies meet the reporting requirements of the federal Every Student Succeeds Act (Public Law 114-95), or any other federal law that effectively replaces that act, and will ensure that the rate of teacher misassignments remains low. To the extent possible, and with the funds provided for that purpose, each county office of education shall perform its duties as a monitoring authority, as specified in subdivision (e).

(2) The commission and the department shall perform the duties specified in this section.

(3) Teacher assignment monitoring and the requirements of this section shall be executed in a manner consistent with the statewide system of support and the school accountability system established pursuant to Article 4.5 (commencing with Section 52059.5) of Chapter 6.1 of Part 28 of Division 4, and the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act, or any other federal law that effectively replaces that act.

(b) For purposes of this section, the following definitions apply:

(1) "Local educational agency" means a school district, county office of education, charter school, or state special school.

(2) "Misassignment" has the same meaning as defined in Section 33126. For purposes of this section, "employee," as used in the definition of "misassignment" in Section 33126, includes an individual hired on a contract. For purposes of this section, in a charter school, "misassignment" shall apply only to employees in teaching positions.

(3) "Monitoring authority" means:

(A) The county office of education for school districts in the county and programs operated by the county office of education.

(B) The commission for a school district or county office of education that operates within a city or county in which there is a single school district, including the Counties of Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, and the City and County of San Francisco, and the state special schools.

(C) The chartering authority for a charter school.

(4) "System," unless the context requires otherwise, means the State Assignment Accountability System, which is an electronic data system administered by the commission for monitoring teacher assignments and vacant positions.

(5) "Vacant position" means a position to which a single-designated certificated employee has not been assigned at the beginning of the year or, if the position is for a one-semester course, a position to which a single-designated certificated employee has not been assigned at the beginning of a semester.

(c) The commission and the department shall enter into a data sharing agreement to provide the commission with employee assignment data necessary to annually identify misassignments and vacant positions at local educational agencies. The data sharing agreement shall also require the commission to make credential, misassignment, and other relevant data available to the department to support reporting consistent with the state plan approved by the state board that is required for compliance with the federal Every Student Succeeds Act, or any other federal law that effectively replaces that act.

(d) The commission may engage in a variety of activities designed to inform school administrators, teachers, and personnel within the county offices of education of the regulations and statutes affecting the assignment of employees. These activities may include, but shall not necessarily be limited to, the preparation of instructive brochures and the holding of regional workshops.

(e) (1) The commission shall annually use the data provided by the department pursuant to subdivision (c) to produce an initial data file of vacant positions and certificated employee assignments that do not have a clear match of credential to assignment.

The commission shall notify local educational agencies and monitoring authorities of the opportunity to access the system and review the initial data file of potential misassignments and vacant positions.

(2) A local educational agency may do any of the following within 60 days of the commission's notification pursuant to paragraph (1):

(A) Access and review the initial data file in the system to determine if each employee included in the initial data file is otherwise legally authorized for the assignment.

(B) Submit documentation or additional assignment information to the commission and monitoring authority showing that the employee is otherwise legally authorized for the assignment. This information may include the use of local assignment options outlined in any statute or regulation.

(C) Submit documentation to the commission and monitoring authority showing that a position identified in the initial data file as vacant was miscoded and that a legally authorized employee was assigned to the position.

(3) Information submitted to the commission and monitoring authority pursuant to paragraph (2) shall be submitted electronically through the system.

(4) A monitoring authority shall access the system to review the initial data file and any documentation or additional information submitted by a local educational agency for which it is a monitoring authority and make a determination of potential misassignments and vacant positions within 90 days of the commission's notification pursuant to paragraph (1).

(5) After the 90-day review period pursuant to paragraph (4), the commission shall report the misassignments and vacant positions for that year.

(6) The commission shall have the authority to make a final determination for all potential misassignments.

(7) Notwithstanding any other law, the commission, when identifying misassignments using the system, shall identify an employee in a teaching position, including an employee of a charter school, as correctly assigned only when the employee holds the certificate or credential required by the commission for that assignment in a noncharter public school, taking into account local assignment options.

(8) Commencing in the 2020–21 school year, a chartering authority, as provided in this section, may request technical assistance to assist in its determination of potential misassignments and vacant positions from the county office of education in the county in which the chartering authority is located.

(9) For a school district, the county superintendent of schools shall notify, through the office of the school district superintendent, a certificated school administrator responsible for the assignment of a certificated person to a position for which the person has no legal authorization of the misassignment and shall advise the school administrator to correct the assignment within 30 calendar days. For a charter school, the monitoring authority shall notify the charter school administrator responsible for the assignment of a certificated person to a position for which the person has no legal authorization of the misassignment and shall advise the charter school administrator to correct the assignment within 30 calendar days.

(f) The system and the data reported from the system shall not be used by a local educational agency for purposes of evaluating certificated employees, certificated employee performance determinations, or employment decisions.

(g) If an employee, including an employee who is employed by a charter school, is required by a local educational agency to accept an assignment in a teaching or services position for which the employee has no legal authorization, all of the following shall occur:

(1) (A) After exhausting existing local remedies, an employee of a school district shall notify the superintendent of the school district, and an employee of a charter school shall notify the administrator of the charter school, in writing, of the illegal assignment.

(B) If no action is taken after the notice required pursuant to subparagraph (A), an employee of a school district shall notify the county superintendent of schools, and an employee of a charter school shall notify the chartering authority, in writing, of the illegal assignment.

(2) In the case of an assignment by a school district for which the employee has filed a notice that the employee has no legal authorization, the school district or county superintendent of schools shall advise the employee about the legality of the assignment within 15 working days. In the case of an assignment by a charter school for which the employee has filed a notice that the employee has no legal authorization, the administrator of the charter school or the chartering authority shall advise the employee about the legality of the assignment within 15 working days.

(3) A local educational agency shall not take adverse action against an employee who files a notice of misassignment pursuant to paragraph (1).

(4) Notwithstanding any other law, for purposes of a charter school authorized by the state board, the employee shall file the written notices regarding misassignment described in paragraph (1) with the commission.

(5) During the period of a misassignment, the certificated employee who files a written notice pursuant to subparagraph (B) of paragraph (1) shall be exempt from Section 45034.

(6) If it is determined that a misassignment has occurred, a performance evaluation pursuant to Article 11 (commencing with Section 44660) of Chapter 3 of the certificated employee in the misassignment shall be nullified.

(7) A certificated employee who has not attained permanent status is subject to the protections described in this subdivision and subdivision (f) even if the certificated employee does not provide notice pursuant to paragraph (1).

(h) For the 2019–20 school year, the final data file generated by the system to identify misassignments and vacant positions shall be nonconsequential and shall be provided to the department, local educational agencies, and monitoring authorities by the commission for informational purposes only.

(i) Commencing with the 2020–21 school year, and each school year thereafter, following the 90-day review period provided for monitoring authorities pursuant to subdivision (e), the commission shall do all of the following:

(1) Make annual employee misassignment and vacant position data generated by the system publicly available in a searchable format on its internet website.

(2) Ensure that data for charter schools is distinguishable from data for noncharter public schools when made publicly available in a searchable format.

(3) Maintain each year's data for no less than five years.

(4) Provide the department with annual data on the total number of misassignments at the schoolsite, school district, and county level.

(5) Ensure that the publicly available misassignment data reported from the system shall not include any personally identifiable information, including names, social security numbers, home addresses, telephone numbers, or email addresses of individual employees.

(j) The commission may promulgate regulations that define standards for a local educational agency, including a charter school, that consistently misassigns employees and what sanctions, if any, to impose on that local educational agency.

(k) (1) On or before December 1, 2022, the commission shall report to the appropriate policy and fiscal committees of the Legislature on the development of the system, including, but not limited to, all of the following:

(A) The development and current status of the system.

(B) The ability of the system to efficiently produce accurate annual data on teacher misassignments.

(C) Statewide information regarding misassignments, delineated by credential type, assignment, and type of school.

(D) Use of local assignment options, delineated by local assignment option and type of school.

(E) Any recommendations to improve the system and the local assignment monitoring process required by this section.

(F) Identification of any need for further technical assistance for local educational agencies, including chartering authorities, to improve assignment monitoring and reduce the overall rate of misassignment.

(2) Pursuant to Section 10231.5 of the Government Code, the reporting requirement described in paragraph (1) shall be inoperative on December 1, 2026.

(l) This section shall not relieve a local educational agency from compliance with state and federal law regarding teachers of English learners or be construed to alter the definition of "misassignment" for purposes of Section 33126.

**SEC. 7.** Section 44258.10 is added to the Education Code, to read:

**44258.10.** (a) Notwithstanding paragraph (9) of subdivision (e) of Section 44258.9, for teachers employed by charter schools during the 2019–20 school year, the monitoring authority shall not be required, pursuant to paragraph (9) of subdivision (e) of Section 44258.9, to advise the charter school administrator to correct a misassignment until July 1, 2025.



(b) This section shall become inoperative on July 2, 2025, and, as of January 1, 2026, is repealed.

**SEC. 8.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.