

TULARE/KINGS COUNTIES PERSONNEL COMMITTEE

Tulare County Office of Education

Redwood Room A & B

Friday, March 24, 2023

9:00 a.m. - 11:00 a.m.

❖ Welcome – Chris Meyer

❖ Certificated Contracts -- Roberta Rowe, Lozano Smith

- Certificated Letters of Intent to Return
- Classified Reasonable Assurance letters

❖ New Teacher & Leadership Development (NTLD) – Travis Brown

❖ Credential: COVID Refresher – Sara Marvin

- What the rules are now
- New ways to meet subject matter
- Substitute Flexibilities

❖ End of year survey – Chris Meyer

<https://forms.gle/VM8QqEbgmuC9DAv67>



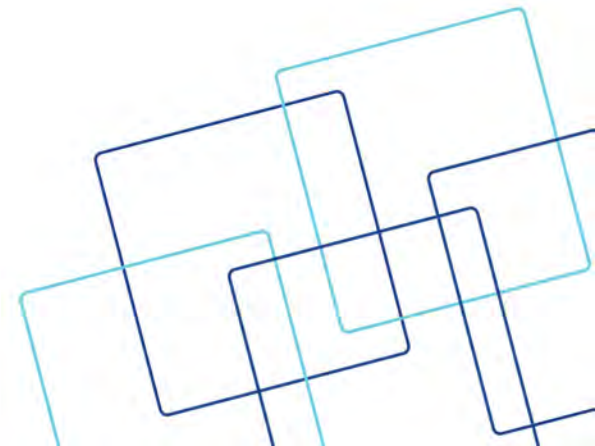


SORTING IT OUT: CERTIFICATED EMPLOYEE STATUS AND CONTRACTS

Presented by: Roberta L. Rowe

Tulare County Office of Education -- Personnel Committee

March 24, 2023



Presenter

Roberta L. Rowe

AT LOZANO SMITH

Roberta L. Rowe is a Partner in Lozano Smith's Fresno office. She focuses on student, and labor and employment matters for school districts and community college districts in her daily practice of law. Ms. Rowe has expertise in certificated and classified employee matters, termination and layoff hearings, collective bargaining, grievance arbitrations and unfair labor practice charges.

She also has in-depth knowledge of the Brown Act, conflicts of interest and policy development. In addition, she has been involved with investigations on behalf of school districts and municipalities related to harassment and discrimination complaints.



CONNECT

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Overview

- Certificated Employee Status/Contracts
- Certificated Letters of Intent to Return
- Classified Reasonable Assurance Letters



STATUS/CONTRACTS

Certificated Employees

Four possible categories:

- Substitute
- Temporary
- Probationary (default)
- Permanent

There are quirks for:

- Interns (“probationary zero”; no tenure)
- Adult education / ROP
- Extra duty assignments



Substitute Certificated Employees

Definition: someone actually filling in for an absent employee

At-will employees = instant dismissal

Anti-discrimination laws still apply

(Ed. Code §§ 44917, 44953)

Temporary Certificated Employees

Schools can classify teachers as temporary only for limited reasons defined by statute - be careful!

District **must must must** give written notice of temporary status on or before the first day of paid service

If not properly assigned and notified, default classification is probationary

Teachers are routinely misclassified as temporary

Temporary Certificated Employees

Common types of temporary employees

Replacing teacher
on leave
("long-term sub")

Walk-on athletic
coaches

Teachers for classes
that will not last
beyond first semester

Some categorically
funded positions

(Ed. Code §§ 44909, 44917, 44918, 44919, 44920, 44921)

Termination of Temporary Employee

Can be dismissed at pleasure of governing board prior to serving 75% of the days in the school year

OR

After 75% mark, give notice prior to the end of the school year that employment will terminate June 30th

Personal service of notice is probably required!

(Ed. Code § 44954)

Re-employment & Seniority Rights of Temps

- Temporary employees are not subject to layoff
- If employee serves as temp / sub for at least 75% of a school year
 - Employee deemed to have served one complete year IF employed as probationary next year (“tacking”)
 - And, if not given release notice, temporary employee shall be employed in vacant position for the following school year

(Ed. Code § 44914, 44918)

Notice of Intent to Return



Education Code section 44842

Districts with Less than 2,500 ADA

Teacher shall notify District of
Intent to Return by May 15

(Education Code section 44832)



Failure to Report to Work

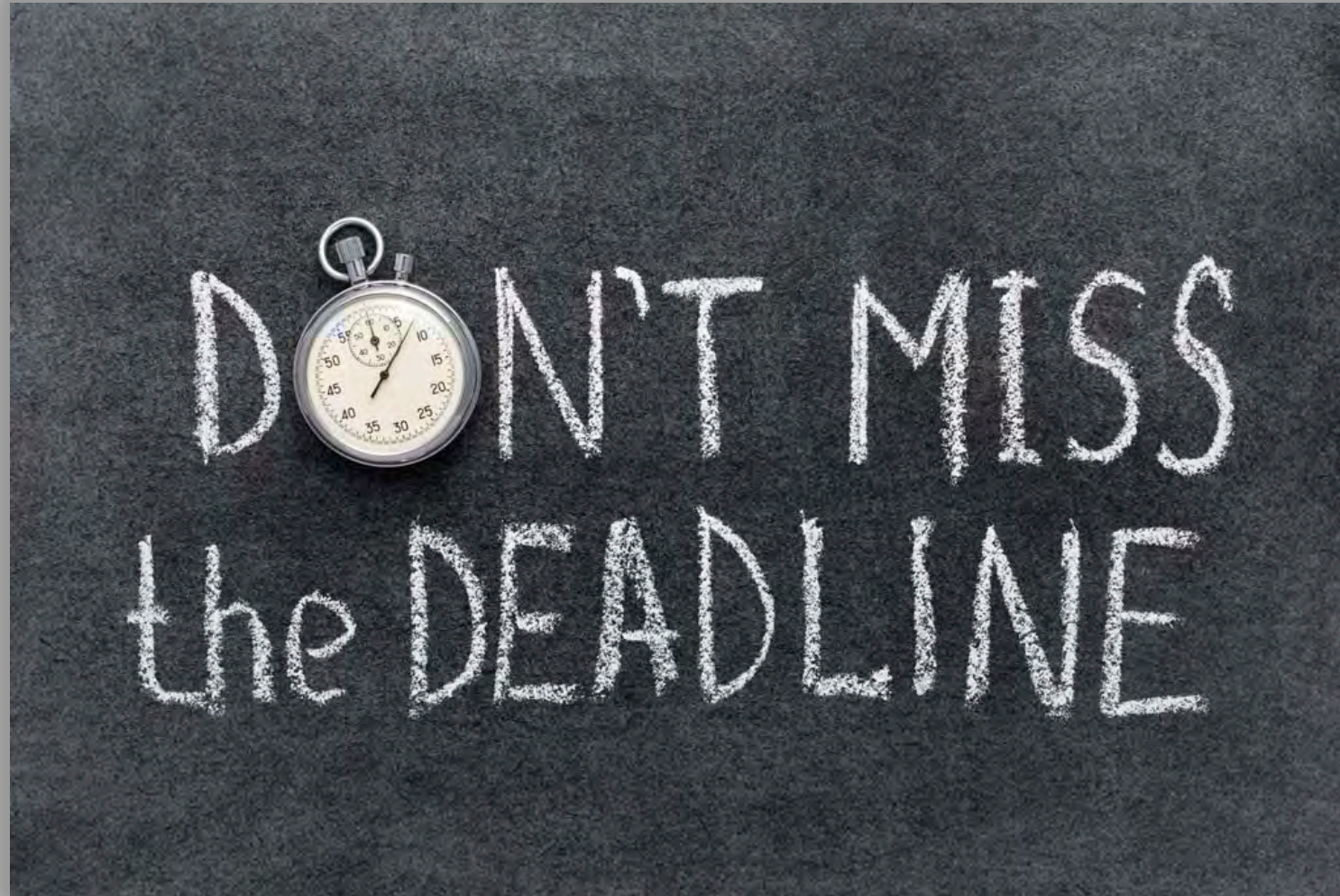


Education Code section 44842,
subdivision (6)

Classified Employees Reasonable Assurance of Employment



Notice 30 Days Before the End of the Work Year



Employment Contracts

- Certificated Employee contracts.



Questions?





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*For more information, questions and
comments about the presentation,
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*Or any of the attorneys
in one of our 8 offices.*

The logo consists of the letters 'LS' in a white, serif font, centered within a dark blue square. A thin white horizontal line is positioned below the letters. The background of the slide features a 3D-rendered pattern of blue, interlocking geometric shapes that resemble a textured surface or a stylized map.

LS



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NEW TEACHER + LEADERSHIP
DEVELOPMENT

Program Administrator
Travis Brown



02/2023 tt

Supporting Districts with the Credential Puzzle

The Tulare County Office of Education's New Teacher & Leadership Development (NTLD) unit provides a range of programs that are fully accredited by the California Commission on Teacher Credentialing. NTLD program completers earn the appropriate credentials to serve districts anywhere in the state of California.



IMPACT District Intern Credential Program

A district intern credential program that allows candidates to earn benefits and a salary while simultaneously teaching and earning a preliminary Multiple Subject, Single Subject, or Education Specialist teaching credential.



Career Technical Education (CTE) Credential Program

A program that honors the knowledge and expertise of candidates with industry experience as they earn preliminary and clear Designated Subjects CTE teaching credentials.



Teacher Induction Program (TIP)

A two-year, job-embedded program for clearing a preliminary teaching credential through mentoring, support, and professional learning.



iLead Administrative Credential Program

A program that supports new and aspiring administrators with earning preliminary and clear administrative services credentials.

<https://www.tcoe.org/ntld>

(559) 624-1035



WONDERFUL WORLD OF CREDENTIALS

WEDNESDAYS IN APRIL

The Personnel Administrative Services Committee proudly presents the 2023 Virtual Credential Sessions on Wednesdays in April! Mornings will consist of presentation(s) and afternoons questions and answers. These informative sessions will provide valuable insight into the complex world of credentials. This is open to all, and it is a perfect opportunity for those who are new to the field or those who want a refresher on credentials. These sessions are free! Please register for each session you would like to attend.

April 5, 2023, 9:00-11:00 a.m.; Q & A 2:00-3:00 p.m.

Topic: Credentials 101

[Registration Link](#) – Register by 3/31/23

April 12, 2023, 9:00-11:00 a.m.; Q & A 2:00-3:00 p.m.

Topic: Basic Skills/Transcript Evaluation

[Registration Link](#) – Register by 4/7/23

April 19, 2023, 9:00-11:00 a.m.; Q & A 2:00-3:00 p.m.

Topics: Teaching & Emergency Permits/Limited Assignment Permits/Extensions by Appeals

[Registration Link](#) – Register by 4/14/23

April 26, 2023, 9:00-11:00 a.m.; Q & A 2:00-3:00 p.m.

Topics: Child Development Permits/TK/UPK & Wrap-up

[Registration Link](#) – Register by 4/21/23