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22 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
23 **COUNTY OF CONTRA COSTA**

24 SAM CLEARE, SARAH KINCAID,
25 JEREMIAH ROMM, HILDA CRISTINA
26 HUERTA, AND JETAUN THOMPSON

27 Petitioners,

28 v.

WEST CONTRA COSTA UNIFIED SCHOOL
DISTRICT, KENNETH CHRIS HURST, WEST
CONTRA COSTA UNIFIED SCHOOL
DISTRICT BOARD OF EDUCATION,
JAMELA SMITH-FOLDS, DEMETRIO
GONZALEZ HOY, OTHEREE CHRISTIAN,
MISTER PHILLIPS, AND LESLIE RECKLER,

Respondents.

Case No. N24-1353

**DECLARATION OF MARK ERWIN
MITCHELL IN SUPPORT OF
PETITIONERS' MOTION FOR A NEW
TRIAL**

Judge: Hon. Terri Mockler
Dept.: 27

1 **DECLARATION OF MARK ERWIN MITCHELL**

2 I, MARK ERWIN MITCHELL, declare:

3 1. I have personal knowledge of the facts I state below, and if I were to be
4 called as a witness, I could competently testify about what I have written in this declaration.

5 2. I have served as the Executive Director for the United Teachers of
6 Richmond (UTR) since August 2022. In this role, I am the chief executive of local labor union
7 representing more than 1,500 certificated teachers employed in the West Contra Costa Unified
8 School District (WCCUSD).

9 3. My responsibilities include negotiating and administering complex
10 collective bargaining agreements that cover various categories of professional employees, such as
11 teachers, psychologists, nurses, speech and language pathologists.

12 4. In my day-to-day work, I frequently interact with teachers and
13 administrators throughout WCCUSD, including district leaders in the Human Resources
14 department who are responsible for hiring and assigning teachers. For instance, I communicate
15 with Associate Superintendent Camille Johnson when she authorizes teacher reassignments. The
16 teachers who are reassigned often turn to me for assistance in navigating the process.

17 5. Our current contract with WCCUSD, outlined in the Memorandum of
18 Understanding (MOU) between UTR and WCCUSD, specifies the terms for teacher transfers and
19 reassignments. Both voluntary and involuntary transfers are permitted under our union contract.
20 Generally, good district hiring and assignment practices such as those mentioned below, mean that
21 involuntary transfers should occur only due to declining enrollment or school closures. However,
22 WCCUSD is not prohibited by the union contract from involuntarily transferring teachers for
23 various reasons beyond declining enrollment and school closures, and often does.

24 6. For example, last year WCCUSD involuntarily transferred approximately
25 30 teachers to fill vacancies at other schools, and so far, this school year, the district has
26 involuntarily transferred approximately 20 teachers. Just recently, on December 10th, within hours
27 of taking office as the new interim Superintendent, Kim Moses ordered the involuntary transfer of
28 40 fully credentialed teachers to fill vacancies at various school sites in the district beginning on

1 January 13, 2025 through the end of the school year. Since then we have met and conferred with
2 the District, and Associate Superintendent Camille Johnson made clear that the district has the
3 authority to involuntarily transfer teachers and is using its power under our contract. We are in
4 further conversations with the district to urge them to get the WCCUSD Governing Board's
5 approval before issuing these involuntarily transfers. I attach below a true and correct copy of the
6 email correspondence from the district informing the broader WCCSUD community of these
7 transfers in addition to a list of educators who will be involuntarily transferred. (See Ex. A. and
8 Ex. B.) Column L in the list of involuntary transfers (Ex. B) details the potential placements for
9 the educators to be involuntarily reassigned. There are four educators mentioned as possible
10 assignments for Helms, alongside five other schools they could be placed at. Also attached is an
11 email from Associate Superintendent Camille Johnson sent to teachers on December 19, 2024 as a
12 follow-up to the involuntary reassignment letter the district sent out to each teacher (See Ex. E.)
13 and a letter sent to UTR by Johnson on December 20, 2024 reinforcing the district's right to
14 involuntarily reassign teachers under Education Code section 35035. (See Ex. F.)

15 7. Note, even with these new involuntary transfers, dozens of vacancies will
16 continue to exist throughout the district, including we understand, at Helm Middle School and
17 Stege Elementary School. The District brought back a retired teacher to cover a vacancy in 5th
18 grade at Stege Elementary, but that vacancy has not been lawfully filled for the year as the retired
19 teacher cannot be assigned for the entire school year without jeopardizing her CalSTRS retirement
20 benefits. Also, we understand the district is continuing to acknowledge that it will fill vacancies
21 with substitutes teaching beyond their short-term authorization periods and other means (e.g.,
22 short-term fill-in teachers) that fail to fill these positions with year-long, certificated personnel. I
23 attach below a true and correct copy of the 24-25 HR Certificated Vacancy Report submitted to
24 UTR by the district and a list of current substitute placements. (See Ex. C. and Ex. D.)

25 8. Typically, the district will involuntarily transfer elementary art, music and
26 physical education teachers, teachers on special assignments to fill a vacancy both within their
27 school site or elsewhere in the district. The district seldom transfers fully certificated educators
28 who hold administrative roles, even though there is an abundance of such personnel serving in

1 district office non-teaching roles available. The fully-certificated educators employed as
2 administrators in non-teaching roles fill positions such as Coordinators of Educational
3 Technology, K-12 Instructional Specialists, and Assistant Principals. While these may be
4 important positions, they are not *essential* front-line positions like teachers instructing students in
5 the classroom – which is, after all, the district’s primary mission. For instance, Stege Elementary
6 School has two fully-certificated educators assigned to support the school in non-teaching, non-
7 essential roles. Helms Middle School has two fully-certificated educators in non-teaching roles
8 who could help cover the remaining vacancies.

9 9. There are various other steps the district could pursue to recruit and retain
10 properly qualified teachers in our highest-need schools, like Stege, Helms, and Kennedy. These
11 include making new hire offers earlier, well before the school-year has begun, offering pay
12 incentives and better working conditions like smaller class sizes and/or greater classroom supports
13 (e.g., classroom aids, school social workers, etc.) at these harder-to-staff schools to incentivize
14 teachers to work there. Instead, the district continues to perpetuate a cycle of teacher attrition,
15 largely due to an overreliance on substitute teachers, fostering an unsupportive and unhealthy
16 school environments for both teachers and students in WCCUSD.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: December 21, 2024


Mark Erwin Mitchell

EXHIBIT A

----- Forwarded message -----

From: **West Contra Costa Unified School District via ParentSquare** <donotreply+509e8707-ae2b-5743-ac84-d4cf2cb44bf0@parentsquare.com>

Date: Wed, Dec 11, 2024 at 6:21 PM

Subject: Dec 11, 2024 Digest: 1 new message from West Contra Costa Unified School District today

To: [REDACTED]



West Contra Costa Unified School District

Daily digest created for Samantha Cleare

- **Staffing Reassignments: Our Commitment to Students and Ongoing Support**
West Contra Costa Unified School District posted in West Contra Costa Unified School District

Staffing Reassignments: Our Commitment to Students and Ongoing Support

Posted by West Contra Costa Unified School District on Wednesday, Dec 11 at 5:00 PM in West Contra Costa Unified School District

Dear WCCUSD Community,

California is experiencing a teacher staffing shortage. Many districts across the state struggle to find a solution to address this nationwide teacher shortage. In WCCUSD, we have approximately eighty teacher vacancies across all schools. These classrooms do not have a credentialed teacher assigned to instruct our students. Instead, we rely on temporary substitutes to staff these classrooms. We are committed to making the shifts necessary to ensure that we have exhausted all efforts to address the educational needs of all students.

Rather than continue to have these classrooms temporarily staffed, we have decided to immediately reassign highly qualified and credentialed teachers, who are currently not assigned to classrooms, back to schools where vacancies exist. We are confident that this decision will provide more effective learning environments for our students during this difficult staffing period.

Sincerely,

Dr. Kim Moses
Interim Superintendent
West Contra Costa Unified School District

[View in ParentSquare](#)

EXHIBIT B

	Last Name	First Name	MI	Location Description	Job Class Description
1				SYLVESTER GREENWOOD ACADEMY	INST SUPPORT READING ELD COACH
2				STEWART ELEMENTARY	TEACHER ELEMENTARY PREP
3				FORD ELEMENTARY	TEACHER ELEMENTARY PREP
4				MONTALVIN ELEMENTARY	TEACHER ELEMENTARY PREP
5				KING ELEMENTARY	PROJECT / PROGRAM ASSISTANT
6				ED SERVICES ASSOCIATE SUPERINT	INST SUPPORT READING ELD COACH
7				NYSTROM ELEMENTARY	PROJECT / PROGRAM ASSISTANT
8				STATE AND FEDERAL	INST SUPPORT READING ELD COACH
9				HIGHLAND ELEMENTARY	TEACHER ELEMENTARY PREP
10				GRANT	INST SUPPORT READING ELD COACH
11				DOVER ELEMENTARY	TEACHER ELEMENTARY PREP
12				SHELDON ELEMENTARY	TEACHER ELEMENTARY PREP
13				STEWART ELEMENTARY	TEACHER ELEMENTARY PREP
14				GRANT ELEMENTARY	TEACHER ELEMENTARY PREP
15				RICHMOND HIGH SCHOOL	INST SUPPORT READING ELD COACH
16				LINCOLN ELEMENTARY	PROJECT / PROGRAM ASSISTANT
17				RICHMOND HIGH SCHOOL	PROJECT / PROGRAM ASSISTANT
18				CURRICULUM INSTRUCTION CENTRAL	INST SUPPORT READING ELD COACH
19				PERES ELEMENTARY	INST SUPPORT READING ELD COACH
20				CHAVEZ ELEMENTARY	TEACHER ELEMENTARY PREP
21				COLLEGE & CAREER	INST SUPPORT READING ELD COACH
22				ELD	INST SUPPORT READING ELD COACH
23				ED SERVICES ASSOCIATE SUPERINT	INST SUPPORT READING ELD COACH
24				LEARNING SUPPORT SERVICES	INST SUPPORT READING ELD COACH
25				ED SERVICES ASSOCIATE SUPERINT	INST SUPPORT READING ELD COACH
26				DOVER ELEMENTARY	INST SUPPORT READING ELD COACH
27				STATE AND FEDERAL	PROJECT / PROGRAM ASSISTANT
28				KING ELEMENTARY	TEACHER ELEMENTARY PREP
29				WEST COUNTY MANDARIN	TEACHER ELEMENTARY PREP
30				VERDE ELEMENTARY	TEACHER ELEMENTARY PREP
31				GRANT ELEMENTARY	TEACHER ELEMENTARY PREP
32				MADERA ELEMENTARY	TEACHER ELEMENTARY PREP
33				PERES ELEMENTARY	INST SUPPORT READING ELD COACH
34				CURRICULUM INSTRUCTION CENTRAL	PROJECT / PROGRAM ASSISTANT

35			LINCOLN ELEMENTARY	TEACHER ELEMENTARY PREP
36			HANNA RANCH ELEMENTARY	TEACHER ELEMENTARY PREP
37			KENSINGTON ELEMENTARY	TEACHER ELEMENTARY PREP
38			PINOLE HIGH SCHOOL	PROJECT / PROGRAM ASSISTANT
39			EL CERRITO HIGH	PROJECT / PROGRAM ASSISTANT
40			HELMS	INST SUPPORT READING ELD COACH

Hire Date	Service Date	Permanent Date	Credentials
9/11/2024	9/11/2024	9/11/2024	CL SS: English w ELA1
08/14/2024	08/14/2024	08/14/2024	STSP - SS PE
10/01/2023	10/01/2023	10/01/2023	CL Mult Subj; ELAS
08/11/2022	08/11/2022	08/11/2022	Prel SS: PE w/ELAS
08/08/2022	08/08/2022	08/08/2022	CL Mult Subj; CL SS: Soc Sci; CL CLAD
08/11/2021	08/11/2021	08/11/2021	CL MS w. BASP
08/09/2021	08/09/2021	08/09/2021	CL Mult Subj w/ELA1; Literature Authorization
08/14/2019	08/14/2019	08/14/2019	CL SS: Biology w/ELA1
08/14/2019	08/14/2019	08/14/2019	CI SS: Home Eco, PE, Intro Health Sci; CL CLAD
08/15/2018	10/11/2016	08/15/2018	CL MS, ED Sp w. ELAM
02/01/2018	02/01/2018	02/01/2018	CL MS w. ELA1
08/18/2016	08/18/2016	08/18/2016	CL MS w. ELA
08/18/2016	08/18/2016	08/18/2016	CL SS: PE w. ELA1
11/01/2021	08/20/2015	08/20/2015	CL SS: PE w. ELAS, Clear MS w. ELAM
08/14/2014	08/14/2014	08/14/2014	CL SS: English, Social Science w. ELA1
08/16/2013	08/16/2013	08/16/2013	CL MS w. ELA1
08/18/2005	08/18/2005	08/18/2005	CL SS: Foudational Level Math, Economics, Intro to Latin w/ELA1
01/24/2005	01/24/2005	01/24/2005	CL SS: Math; CL CLAD Certificate
11/08/2004	11/08/2004	11/08/2004	CI Mult Subj w/ELA1
08/19/2004	08/19/2004	08/19/2004	CL Mult Subj; Supp: Photography, CL CLAD
08/19/2004	08/19/2004	08/19/2004	CL MS w. ELA1
08/19/2004	08/19/2004	08/19/2004	CL MS w. ELA1
08/22/2002	08/22/2002	08/22/2002	CL MS
08/24/2000	08/24/2000	08/24/2000	CL Mult Subj w/ELA1; CL Specialist Instruction in Special Ed Preschool
12/10/1998	12/10/1998	12/10/1998	CL SS: Mathematics; Intro Engl; ELA1
08/26/1998	08/26/1998	08/26/1998	CL MS w. ELA1
08/26/1997	08/26/1997	08/26/1997	CL MS w. ELA1
10/07/2002	03/03/1997	03/03/1997	CL Mult Subj; CL CLAD
9/17/2024	9/17/2024	9/17/2024	Prel SS: Art; EM CLAD; GELAP SS: Foundational Level Science
08/14/2024	08/14/2024	08/14/2024	CL Mult Subj; ELA1
08/11/2022	08/11/2022	08/11/2022	Prel Mult Subj w/ELAM
08/12/2020	08/12/2020	08/12/2020	CI SS: Art; CL CLAD
08/14/2014	08/14/2014	08/14/2014	CL Mult Subj w/ELA1; Reading/Literacy Authorization
08/19/2013	08/19/2013	08/19/2013	CL MS w. ELA1

09/14/2007	09/14/2007	09/14/2007	CL Admin, SS: Social Science w. BCLAD
08/23/2007	08/23/2007	08/23/2007	CL Mult Subj w/ELA1
08/21/2003	08/21/2003	08/21/2003	CL Mult Subj, Supp: Computer Electronics w/BCLAD: Spanish
11/19/2001	11/19/2001	11/19/2001	CL SS: Spanish wELA1
08/26/1997	08/26/1997	08/26/1997	CL PPS, CL SS: Social Science
08/08/2024	08/23/2011		CL SS: Foundation Math w. ELA1

FTE/Funding Source	Placements
1.2=.2 WASC/1 Coach	Potential HMS, PVHS (.2)
0.6 Stewart/0.4 Helms	DA, DeJean (DA highly suggested)
.5/.4/.1VAPA=1	
0.6 Prop 28/0.4 Prep=1	De Jean
1.0 General Funds Coach= 1	
1.0 General FundsCoach=1	District looking into grant implications
1.00 General Funds=1	Nystrom has a 6th grade vacancy
1.00 General Fund (coach)=1	No Bio vacancies. Helms has a science vacancy.
.4 Prep Ellerhorst/.6 Prep Highland =1	1/0 PE at Soskin
1.0 General Funds (Coach) =1	K vacancy at Grant
.6 Prep Dover/ .4 Prep Valley View =1	
.6 Prep Olinda/.3 Prep & .1 Prop 28 Sheldon=1	
1.0 General Funds DeJean Bucket Teacher	Most senior, no additional PE openings
1.00 General Funds Grant Teacher Regular	
1.0 Coach ELA =1	
1.0 General Funds Coach =1	Preschool and 5th grade (1year)
LCAP= 1.2	De Jean, Helms, HMS, Korematsu, PVHS, RHS (Algebra 1)
A-G grant= 1.0	De Jean, Helms, HMS, Korematsu, PVHS, RHS (Algebra 1)
0.5 Lit Coach /0.5 Scully =1.0	5th grade at Peres
0.4 VAPA/0.6 Prep	Upper grade options at other sites.
Title III= 1.0	Potential for Coronado
Title III= 1.0	Funded throug title III
Title 1 = 1.0	<i>Was at Lake-give list of options</i>
LCAP =1.0	De Jean, Helms, HMS, Korematsu, PVHS, RHS (Algebra 1)
0.6 CSI /0.4 Title 1 =1.0	5/6 Dover
.8 title I / .2 from LCAP= 1.0	
0.6 Prep King/ 0.4 Prep Lake = 1.0	5th grade opening at King
0.6 VAPA/0.4 Prep	
0.4 Intervention/0.3 Prep	
General funds= 1	Grant - Assignment Started 11/18
0.3 VAPA/0.5 Prep	
LCAP= 1.0	Vice Principal
1.0 General Funds =1	Stay in role per terms of grant

0.4 Prep/0.6 Coach	No social science vacancy
LCAP= 1.0	
0.5 Prep Harding/0.3 Kensington =0.8	
LCAP = 1.0	
LCAP 1.0	
0.6 Coach	

Mediacal rationale
Less than full FTE
IB Coordinator-Still needs to finish the work with the grant
Less than full FTE.

EXHIBIT C

Site/Dept	Position	FTE	Notes
Elementary			
Bayview	1st Grade	1	Ailenette Araco Processing
Bayview	2nd Grade	1	
Bayview	5th/6th Combination	1	
Collins	4th/5th Combination	1	
Chavez	Transitional Kindergarten (1 Year)	1	
Coronado	TK	1	
Coronado	Kindergraten	1	
Coronado	3rd Grade	1	
Coronado	1st Grade	1	
Coronado	6th Grade	1	
Fairmont	Kindergraten	1	
Fairmont	5th and 6th Grade Combo	1	
Fairmont	5th grade	1	
Ford	Preschool	1	
Grant	Kindergarten	1	
Lake	2nd/3rd Combination (SEI)	1	
Lincoln	Preschool	1	
Lincoln	5th 1 year	1	
Mira Vista	Transitional Kindergarten	1	
Mira Vista	4th Grade	1	
Mira Vista	4th Grade	1	
Mira Vista	Counselor (0.2 FTE)	0.2	
Montalvin K8	7th Grade	1	
Montalvin K8	Counselor (0.3 FTE)	0.3	
Murphy	6th Grade	1	
Ohlone Elementary	4th/5th Combination	1	
Ohlone Elementary	4th Grade	1	
Peres K8	5th Grade	1	
Peres K9	Counselor	0.3	
Stege	5th Grade 1year	1	
Verde	6th Grade	1	

Tara Hills	4th Grade	1	
Washington	3rd Grade (DLI)	1	
		30.8	

Site/Dept	Position	FTE
Secondary		
Soskin Middle	Math	1
Soskin Middle	Physical Education	1
DeJean Middle	PE	1
DeJean Middle	Math	1
DeJean Middle	Math/Science	0.8
Helms Middle	Science	1
Helms Middle	English	0.8
Helms Middle	Math	1
Helms Middle	Math	1
Hercules Middle	Math	1
Hercules Middle	Math	0.4
Hercules Middle	English	1
Korematsu Middle	Math	1
De Anza High	English	1
De Anza High	PE	1
De Anza High	CTE Law (0.4 FTE) Start Date: 11/4/24	0.4
De Anza High	Spanish (0.4 FTE) Start Date: 11/4/24	0.4
De Anza High	Dance (0.4 FTE) Start Date: 11/4/24	0.4
De Anza High	Math (0.4 FTE) Start Date: 11/4/24	0.4
De Anza High	English (0.4 FTE) Start Date: 11/4/24	0.4
De Anza High	History (0.6 FTE) Start Date: 11/4/24	0.6
El Cerrito High	Counselor (0.7 FTE) start date:10/7/2024	0.7
El Cerrito High	English (0.2 FTE) start date: 01/06/2025	0.2
Hercules High	Math	1
Kennedy High	APP	1
Pinole Valley High	English	1
Pinole Valley High	Math	1
Pinole Valley High	English	0.2
Pinole Valley High	Math	0.6
Richmond High	Algebra 1	1
Richmond High	Algebra 1 (1 year only)	1
Richmond High	Band	0.8

Sylvester Greenwood Academy	Math	0.9
Sylvester Greenwood Academy	PE	1
		27

Site/Dept	Position	FTE
SPED		
SPED	Adaptive Physical Education	1
SPED Itinerant	DHH	1
Itinerant	RSP	1
Cameron	Program Specialist	1
Highland	ESN 4-6	1
Peres	ESN TK-K	1
Tara Hills	Full Inclusion	1
Betty Reid	ISP	2
Hercules Middle School	RSP	1
Hercules High School	RSP	1
Hercules High School	ESN (starting January 2025)	1
Korematsu	MMSN	1
Transition	ESN	1
SPED	Speech & Language Pathologist	6
SPED	School Nurses	2
		22

EXHIBIT D

Position		Placements	Remain
Elementary			
Bayview	1st Grade	Sub teacher: [REDACTED]	No
Bayview	2nd Grade	Sub Teacher: [REDACTED] (end date ???)	No
Bayview	5th/6th Combination	Sub Teacher: [REDACTED]	No
Collins	4th/5th Combination	Sub Teacher: [REDACTED]	Yes
Chavez	Transitional Kindergarten (1 Year)	Sub Teacher: [REDACTED]	Yes
Coronado	TK	Sub Teacher: [REDACTED]	No
Coronado	Kindergarten	Sub Teacher: [REDACTED]	Yes
Coronado	3rd Grade	Sub Teacher: [REDACTED]	Yes
Coronado	1st Grade	Sub Teacher: [REDACTED]	No
Coronado	6th Grade	Sub Teacher: [REDACTED]	Yes
Fairmont	Kindergarten	Sub teacher: [REDACTED]	Yes
Fairmont	5th and 6th Grade Combo	Sub Teacher: [REDACTED]	Yes
Fairmont	5th grade	Sub Teacher: [REDACTED]	Yes
Ford	Preschool	Sub teacher: [REDACTED]	Yes
Grant	Kindergarten	Sub Teacher: [REDACTED]	Yes
King	5th Grade	Sub Teacher: [REDACTED]	Yes
Lake	2nd/3rd Combination (SEI)	Sub Teacher: [REDACTED]	Yes
Lincoln	Preschool	Sub Teacher: [REDACTED]	Yes
Lincoln	5th 1 year	Sub Teacher: [REDACTED]	Yes
Mira Vista	Transitional Kindergarten	Sub Teacher: [REDACTED]	Yes
Mira Vista	4th Grade	Sub Teacher: [REDACTED]	Yes
Mira Vista	4th Grade	Sub Teacher: [REDACTED]	Yes
Nystrom	6th Grade	Sub: [REDACTED]	Yes
Ohlone Elementary	4th/5th Combination	Sub Teacher: [REDACTED]	Yes
Ohlone Elementary	4th Grade	Sub Teacher: [REDACTED]	Yes
Peres K8	5th Grade	Sub Teacher: [REDACTED]	Yes
Peres K9	Counselor	[REDACTED] (Retired)	Yes
Stege	5th Grade 1year	Sub Teacher: [REDACTED] (Retired)	Yes
Stege	Kindergarten	Sub Teacher: [REDACTED] (START 12/04/24)	Yes
Verde	6th Grade	Sub Teacher: [REDACTED]	No
Tara Hills	4th Grade	Sub Teacher: [REDACTED]	Yes
Tara Hills	5th	Sub Teacher: [REDACTED] (Retiree)	Yes
West County Mandarin	6th /7th DLI	Sub Teacher: [REDACTED] (start 12/4/24)	Yes

Site/Dept	Position	Placements	Remain
Secondary			
Soskin Middle	Math	Sub Teacher: [REDACTED]	Yes
Soskin Middle	Physical Education	Sub Teacher: [REDACTED]	Yes
DeJean Middle	PE	[REDACTED] sub until edTPA passed.	Yes
DeJean Middle	Math	Sub Teacher: [REDACTED]	Yes
DeJean Middle	Math/Science (0.8 FTE)	Sub Teacher: [REDACTED]	Yes
Helms Middle	Science	Sub Teacher: [REDACTED] (END 12/20/24) FIND SUB Start 01/01/25	No
Helms Middle	English	Sub Teacher: [REDACTED]	Yes
Helms Middle	Math	Sub Teacher: [REDACTED]	Yes
Helms Middle	Math	Sub Teacher: [REDACTED]	Yes
Hercules Middle	Math	Sub Teacher: [REDACTED]	Yes
Hercules Middle	Math (0.4 FTE)	Sub Teacher: [REDACTED]	No
Hercules Middle	English	Sub Teacher: [REDACTED]	Yes
Korematsu Middle	Math	Sub Teacher: [REDACTED]	No
De Anza High	PE	Sub Teacher: [REDACTED]	Yes
Kennedy High	APP	Sub Teacher: [REDACTED]	Yes
Pinole Valley High	Math	Sub Teacher: [REDACTED]	Yes
Pinole Valley High	English (0.2 FTE)	FIND SUB	
Pinole Valley High	Math (0.6 FTE)	Sub Teacher: [REDACTED]	Yes
Richmond High	Algebra 1	Sub Teacher: [REDACTED] (needs to pass EDTAP for prelim)	Yes
Richmond High	Algebra 1 (1 year only)	Sub Teacher: [REDACTED]	Yes
Richmond High	Band (0.8 FTE)	Sub Teacher: [REDACTED] (start 10/18/24, MTF)	Yes
Sylvester Greenwood Academy	Math (0.9 FTE)	Sub Teacher: [REDACTED]	Yes

Site/Dept	Position	Placements	Remain
SPED			
Highland	ESN 4-6	Sub Teacher: [REDACTED]	Yes
Peres	ESN TK-K	Sub Teacher: [REDACTED]	Yes
Tara Hills	Full Inclusion	Sub Teacher: [REDACTED]	Yes
Betty Reid	ISP	Sub Teacher: [REDACTED]	Yes
Hercules High School	RSP	Sub Teacher: [REDACTED]	Yes
Hercules High School	ESN (starting January 2025)	Sub Teacher: [REDACTED]	Yes
Transition	ESN	Sub Teacher: [REDACTED] (Retired)	Yes
			Yes
			Yes
			Yes
			Yes
			Yes

EXHIBIT E

On Thu, Dec 19, 2024 at 8:29 PM Camille Johnson <camille.johnson@wccusd.net> wrote:

Hello,

As a follow-up to the Reassignment Letter you recently received regarding your teaching assignment for the remainder of the 2024-2025 school year, I would like to provide additional clarity and context. Your reassignment is aligned with the provisions outlined in California Education Code 35035(e), which states the following:

(e) Subject to the approval of the governing board of the school district, assign all employees of the school district employed in positions requiring certification qualifications to the positions in which they are to serve. This power to assign includes the power to transfer a teacher from one school to another school at which the teacher is certificated to serve within the school district when the superintendent concludes that the transfer is in the best interest of the school district.

Thank you once again for your dedication and adaptability during this transition. We recognize your continued commitment to supporting the students in our district.

Sincerely,

[Camille Johnson, Ed.D.](#)

Associate Superintendent, HR

Image



West Contra Costa Unified School District
Human Resources

Phone: (510) 231-1188

Fax: (520) 237- 6411

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EXHIBIT F



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT
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Kim Moses, Ed.D.
Interim Superintendent

Camille Johnson Ed.D.
Associate Superintendent, HR

Sylvia Greenwood, Ed.D.
Director, Certificated Staff, HR

December 20, 2024

Via Email Only

United Teachers of Richmond
Francisco Ortiz, President
President@unitedteachersofrichmond.com

Re: District's response to December 20, 2024 cease and desist letter

Dear Mr. Ortiz,

The District is in receipt of your cease and desist letter dated December 20, 2024, regarding the mid-year involuntary transfers. You claim that the District's reliance on Education Code section 35035 (e) and (f) is fundamentally flawed because UTR has been informed that the "Governing Board has neither approved these involuntary transfers nor discussed the matter in a public meeting."

The District's reliance on Education Code section 35035 is proper because the administrative transfer process being followed is found in Article 14, Section 5 of the 2022-2025 UTR collective bargaining agreement. The Board of Education ratified the collective bargaining agreement during a public meeting on April 12, 2023.

As you are aware, the District notified UTR of its intent to transfer credentialed non-classroom educators within UTR to classroom assignments in January 2025 due to the number of vacancies in the District. The District and UTR met on December 12, December 17, and December 18 to meet and confer over this administrative transfer process. Several agreements regarding the transfer process were made during these three bargaining sessions.

The District has determined that the reassignment letters improperly reference Article 14, Section 3, of the UTR agreement, and therefore, the District will rescind the reassignment letters issued on December 19, 2024. However, please note that the District will reissue reassignment letters on

January 6, 2025, with the correct assignment procedures outlined in Article 14, Section 5 (Transfer and Reassignment). The anticipated start date of these reassignments will be January 21, 2025, to ensure all procedures outlined in Article 14, Section 5 can be completed prior to the reassignments.

Sincerely,

A handwritten signature in black ink that reads "Camille Johnson". The signature is written in a cursive, flowing style.

Camille Johnson, Ed.D.
Associate Superintendent, Human Resources

Cc: Dr. Kim Moses, *Interim Superintendent*
Dr. Sylvia Greenwood, *Director, Certificated Certificated Staff, HR*