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Introduction Date	04/14/2021
Enactment Number	21-0610
Enactment Date	4/14/2021 If



Board Cover Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Tara Gard, Chief of Talent

Meeting Date April 14, 2021

Subject **Declaration of Need for Fully Qualified Educators - School Year 2021-2022**

Action Requested Approval by Board of Education of Resolution No. 2021-0109 – Declaration of Need for Fully Qualified Educators, School Year 2021-2022.

Discussion Division VIII of Title 5, California Code of Regulations, Section 80026, requires the governing Board of the school district to adopt a declaration certifying that there are an insufficient number of certified persons who meet the District’s employment criteria for needed positions.

The Board of Education has—among its powers to declare—that there is an insufficient number of certificated persons who meet the District’s specified employment criteria for positions. On June 20, 2001, the Office of Administrative Law for the Commission on Teacher Credentialing amended the California Code of Regulation Section 80026 and 88027. These changes require that the District now include in the Annual Declaration of Need for Fully Qualified Educators Limited Assignment Permits. As referenced in Coded Correspondence 01-0009, the newly titled Limited Assignment Permits allow fully experienced educators to apply for a permit while completing course work or test to add an authorization to their existing credential.

Additionally, the *Williams v. State of California* settlement brings a renewed focus to the requirement that all teachers with EL students in K-12 public school settings must hold an appropriate English Learner authorization. This is regardless of the number of English Learners in the class. The Settlement per EC Section 44258.9(c)(4)(A), requires county offices of education to complete additional assignment monitoring including annual review of assignments and review and collection of data on English Learner

authorizations for teachers of classes with twenty percent or more English Learners in schools with decile 1, 2, and 3. Any teacher assigned to teach one or more English Learners and providing EL services must hold an EL authorization. Teachers enrolled in a CLAD program or registered for the CTEL exam are considered mis assigned and will need to obtain the appropriate certification such as an Emergency CLAD or BCLAD permit.

Fiscal Impact None

Recommendation Approval by Board of Education of Resolution No. 2021-0109 – Declaration of Need for Fully Qualified Educators, School Year 2021-2022.



**RESOLUTION
OF THE
BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
Resolution No. 2021-0109**

- Declaration of Need for Fully Qualified Educators - School Year 2021-2022-

WHEREAS, on May 20, 1994, the State Office of Administrative Law approved the Commission on Teacher Credentialing's proposed regulations to govern emergency teaching permits under amended Division VIII of Title V, California Code of Regulations, Section 80026; and

WHEREAS, amended Division VIII of Title V, California Code of Regulations, Section 80026 require the Governing Board of the school district to adopt a – Declaration of Need for Fully Qualified Educators, including Limited Assignment Permits (Form CL-500) certifying that there is an insufficient number of certified persons who meet the District's specified employment criteria for needed positions; and

WHEREAS, class size reduction created an additional need; and

WHEREAS, Oakland Unified School District is experiencing a shortage of certified persons who meet the District's specified employment criteria in areas such as bilingual education, special education, mathematics, and science but may require emergency teaching permits, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Oakland Unified School District, pursuant to law, hereby declares that there is an insufficient number of certificated persons who meet the District's specified employment criteria for positions, for the period July 1, 2021 – June 30, 2022, as stated in the attached Declaration of Need for Fully Qualified Educators including Limited Assignment, CLAD and BCLAD Permits; and

BE IT FURTHER RESOLVED, that the Board of Education hereby authorizes the Superintendent of Schools to submit such Declaration to the Commission on Teacher Credentialing for the purposes, among others, of obtaining sufficient emergency teaching permits to meet such shortages stated in the attached Declaration.

Passed by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

AYES: Aimee Eng, VanCedric Williams, Gary Yee, Clifford Thompson,
Vice President Benjamin "Sam" Davis and President Shanthi Gonzales

NOES: None

ABSTAINED: Mike Hutchinson

RECUSE: None

ABSENT: Samantha Pal (Student Director) and Jessica Ramos (Student Director)

CERTIFICATION

We hereby certify that the foregoing is a full, true and correct copy of a Resolution passed at a Regular Meeting of the Board of Education of the Oakland Unified School District held on April 14, 2021.

Legislative File	
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By:	If

OAKLAND UNIFIED SCHOOL DISTRICT



Shanthi Gonzales
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education



State of California
 Commission on Teacher Credentialing
 Certification Division
 1900 Capitol Avenue
 Sacramento, CA 95811-4213

Email: credentials@ctc.ca.gov
 Website: www.ctc.ca.gov

DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

Original Declaration of Need for year: _____

Revised Declaration of Need for year: _____

FOR SERVICE IN A SCHOOL DISTRICT

Name of District: _____ District CDS Code: _____

Name of County: _____ County CDS Code: _____

By submitting this annual declaration, the district is certifying the following:

- A diligent search, as defined below, to recruit a fully prepared teacher for the assignment(s) was made
- If a suitable fully prepared teacher is not available to the school district, the district will make a reasonable effort to recruit based on the priority stated below

The governing board of the school district specified above adopted a declaration at a regularly scheduled public meeting held on ___/___/___ certifying that there is an insufficient number of certificated persons who meet the district's specified employment criteria for the position(s) listed on the attached form. The attached form was part of the agenda, and the declaration did NOT appear as part of a consent calendar.

► **Enclose a copy of the board agenda item**

With my signature below, I verify that the item was acted upon favorably by the board. The declaration shall remain in force until June 30, _____.

Submitted by (Superintendent, Board Secretary, or Designee):

_____ *Rachel Amsterdam* _____
Name *Signature* *Title*

_____ _____ _____
Fax Number *Telephone Number* *Date*

_____ _____
Mailing Address

_____ _____
Email Address

FOR SERVICE IN A COUNTY OFFICE OF EDUCATION, STATE AGENCY OR NONPUBLIC SCHOOL OR AGENCY

Name of County _____ County CDS Code _____

Name of State Agency _____

Name of NPS/NPA _____ County of Location _____

The Superintendent of the County Office of Education or the Director of the State Agency or the Director of the NPS/NPA specified above adopted a declaration on ____/____/____, at least 72 hours following his or her public announcement that such a declaration would be made, certifying that there is an insufficient number of certificated persons who meet the county's, agency's or school's specified employment criteria for the position(s) listed on the attached form.

The declaration shall remain in force until June 30, _____.

► **Enclose a copy of the public announcement**

Submitted by Superintendent, Director, or Designee:

<i>Name</i>	<i>Signature</i>	<i>Title</i>
<i>Fax Number</i>	<i>Telephone Number</i>	<i>Date</i>
<i>Mailing Address</i>		
<i>E-Mail Address</i>		

► *This declaration must be on file with the Commission on Teacher Credentialing before any emergency permits will be issued for service with the employing agency*

AREAS OF ANTICIPATED NEED FOR FULLY QUALIFIED EDUCATORS

Based on the previous year's actual needs and projections of enrollment, please indicate the number of emergency permits the employing agency estimates it will need in each of the identified areas during the valid period of this Declaration of Need for Fully Qualified Educators. This declaration shall be valid only for the type(s) and subjects(s) identified below.

This declaration must be revised by the employing agency when the total number of emergency permits applied for exceeds the estimate by ten percent. Board approval is required for a revision.

Type of Emergency Permit	Estimated Number Needed
CLAD/English Learner Authorization (applicant already holds teaching credential)	_____
Bilingual Authorization (applicant already holds teaching credential)	_____
List target language(s) for bilingual authorization: _____	
Resource Specialist	_____
Teacher Librarian Services	_____

LIMITED ASSIGNMENT PERMITS

Limited Assignment Permits may only be issued to applicants holding a valid California teaching credential based on a baccalaureate degree and a professional preparation program including student teaching.

Based on the previous year's actual needs and projections of enrollment, please indicate the number of Limited Assignment Permits the employing agency estimates it will need in the following areas:

TYPE OF LIMITED ASSIGNMENT PERMIT	ESTIMATED NUMBER NEEDED
Multiple Subject	
Single Subject	
Special Education	
TOTAL	

EFFORTS TO RECRUIT CERTIFIED PERSONNEL

The employing agency declares that it has implemented in policy and practices a process for conducting a diligent search that includes, but is not limited to, distributing job announcements, contacting college and university placement centers, advertising in local newspapers, exploring incentives included in the Teaching as a Priority Block Grant (refer to www.cde.ca.gov for details), participating in state and regional recruitment centers and participating in job fairs in California.

If a suitable fully prepared teacher is not available to the school district, the district made reasonable efforts to recruit an individual for the assignment, in the following order:

- A candidate who qualifies and agrees to participate in an approved internship program in the region of the school district
- An individual who is scheduled to complete initial preparation requirements within six months

EFFORTS TO CERTIFY, ASSIGN, AND DEVELOP FULLY QUALIFIED PERSONNEL

Has your agency established a District Intern program? Yes No

If no, explain. _____

Does your agency participate in a Commission-approved college or university internship program? Yes No

If yes, how many interns do you expect to have this year? _____

If yes, list each college or university with which you participate in an internship program.

If no, explain why you do not participate in an internship program.
