



Board Office Use: Legislative File Info.	
File ID Number	19-0279
Introduction Date	2/13/19
Enactment Number	19-0255
Enactment Date	2/13/2019 lf

Memo

To Board of Education

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

Board Meeting Date February 13, 2019

Subject California Basic Education Skills Test (CBEST) Waiver for Emergency Temporary Teachers

ACTION REQUESTED

Approval by the Board of Education of Resolution No.1819-0015, authorizing the District to request CBEST waivers during a potential work stoppage or other unforeseen job action or labor disruption.

DISCUSSION

The Commission on Teacher Credentialing (CTC) issues a 30-day substitute permit which authorizes the holder to teach in day-to-day substitute positions. To qualify for the 30-day substitute permit, the individual must take and pass the CBEST within one year of issuance.

Oakland Education Association (OEA) announced that its members voted to authorize union leaders to call a strike after February 15, 2019. The Resolution authorizes the District to request the CTC to waive the CBEST requirement and issue 30-day substitute permits to authorize the holder to teach in day-to-day emergency temporary teacher positions during a potential work stoppage.

BUDGET IMPACT

No negative fiscal impact.

RECOMMENDATION

Approval by the Board of Education of Resolution No. 1819-0015, authorizing the District to request CBEST waivers during a potential work stoppage or other unforeseen job action or labor disruption.

RESOLUTION
OF THE
BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 1819-0015

Declaration of Need to Hire Emergency Temporary Teachers

WHEREAS, one of the essential components of the District's ability to sustain successful attainment of its central mission to educate all students to high standards of learning is an effective and productive partnership with all of its employees including, particularly, its classroom teachers and other certificated personnel who provide direct instruction and educational services to students; and

WHEREAS, the District and the Oakland Education Association ("OEA"), which represent classroom teachers, counselors, nurses, psychologists, substitute teachers, and other certificated personnel, have been engaged in extensive negotiation over a successor agreement to the collective bargaining agreement that expired June 30, 2017 and such negotiations culminated in a fact-finding hearing in January 2019; and

WHEREAS, on February 4, 2019 OEA announced that its members voted to authorize union leaders to call a strike after February 15, 2019 when the fact-finder report is anticipated; and

WHEREAS, with over 36,000 students in its various programs, any strike or other significant job action will constitute a major disruption in the learning process for District students and disruption of school operations and activities within the District and cause great and irreparable harm to District students and the District; and

WHEREAS, any strike or other significant job constituting a major disruption in the learning process for District students and disruption of school operations and activities within the District will require immediate action to ensure that students remain safe at school, and that academic and educational activities during the course of any such disruption continue; and

WHEREAS, the Governing Board may authorize and approve an application to the California Commission on Teacher Credentialing seeking a variable term waiver or other appropriate form of waiver as may be necessary to hire certificated employees of the District for a specific period of time to ensure that students remain safe and supervised at school and provide for the continuation of education services; and

NOW, THEREFORE, BE IT RESOLVED, that a District emergency is declared due to the OEA's strike vote, and the District shall take appropriate and reasonable steps to prepare for such strike and keep students safe while at school and provide academic and educational activities to students at school during a strike or other job action; and

BE IT FURTHER RESOLVED, that approval is given supporting an application to the California Commission on Teacher Credentialing for a variable term waiver or other appropriate waiver to be issued as needed to enable the District during the 2018-2019 school year during any strike or other job action requiring emergency temporary teachers to hire emergency temporary teachers

who have not yet had the opportunity to pass the California Basic Education Skills Test (CBEST). The Governing Board declares that, under these circumstances, it has been and will be unable to recruit enough emergency temporary teachers who have passed CBEST.

BE IT FURTHER RESOLVED, that the Governing Board authorizes all appropriate action to be taken to request CBEST waivers for those individuals including without limitation those listed on Exhibit A possessing the minimum requirements for the substitute teaching permit including possession of a bachelor's degree from an accredited university who have completed the District's Emergency Temporary Teacher process, and these waivers will allow these individuals time to pass the CBEST so that they qualify for the Emergency 30-day substitute permit and continue to serve as emergency temporary teachers during any teachers' strike or other unforeseen job action or labor disruption; and

BE IT FURTHER RESOLVED, that the Governing Board authorizes payment of the \$300 (three hundred dollars) per day for each such emergency temporary teacher for an anticipated teachers' strike or other unforeseen job action or labor disruption.

BE IT FURTHER RESOLVED, that this resolution will remain in effect until such time that is rescinded by the Governing Board.

Passed by the following vote:

PREFERENTIAL AYE: None

PREFERENTIAL NOE: None

PREFERENTIAL ABSTENTION: None

PREFERENTIAL RECUSE: None

AYES: Jumoke Hinton Hodge, Gary Yee, Shanthi Gonzales, James Harris, Vice President Jody London and President Aimee Eng

NOES: None

ABSTAINED: Roseann Torres

RECUSE: None

ABSENT: Student Directors Yota Omosowho and Josue Chavez

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 February 13, 2019.

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OAKLAND UNIFIED SCHOOL DISTRICT



Aimee Eng
President, Board of Education



Kyla Johnson-Trammell
Superintendent and Secretary, Board of Education

Attachment: Exhibit "A"

EXHIBIT A

AGUILERA, SONDRA
ALARCON, ROSA
ANAS, SONIA F
ANDERSON, CHRISTIE
AUGUSTUS, LAURA H
BATTLE, MARCUS
BEAUGARD, BRENDA
BELTZ, SUSAN
BERMUDEZ, RAYMOND
BHATHAL, NEENA B
BRADY, LAURA
BRANDT, AMY D
BROACH, ROLAND
BROOKS, VANESSA
BULLOCK-MATHEWS, YOLANDA
BUSTAMANTE, ANDREA
CALVANO, COLLEEN L
CALVIN, LYNNETTE
CARROLL-MOORE, CENNE
CHATMON, CHRISTOPHER
CHRISTMAS, TROY F
COCKERHAM, DEANDRIA
DELGADO, MARY CLAIRE L
DILLON, JEFF
DOOLITTLE, ERICKA S
DUCKWORTH, ANJANETTE L
ENRIQUEZ, WILMA
EPPS, ANDREA N
FERNANDEZ, ALEXIS B
FLOYD, LINDA F
GARD, TARA L
GEBHARDT, NELY
GILLETT, NICOLE
GLASBAND, SARAH G
GODOWN, JEFF L
GOODE, VALERIE S
GRICE, CYNTHIA
HAAR, ERIC
HAN-HARRIS, SOO HYUN
HIDALGO, JACQUELYN A
HUDSON, KAMIKA M
HUDSON, NIKITRA N
JACKSON, COURTNEY R
JACQUES, WESLEY
JOHNSON, KYLA
JOHNSON, LATY
JONES, TRAVIS N
JOSEPH, STEPHANIE
KOH, PAUL J

KRATZ, JOHN S
LA JOURE, CINDEE M
LABRIE, DASHA
LACOCQUE, REBECCA C
LAW, ROBERT W
LINDSEY, JENINE A
LITTLEJOHN, REBECCA R
LOPEZ, ROSANNA
MAGANA BOLANOS, DIANA
MARTIN, LARESHA
MCMEARN JOHNSON, RENEE
MCRAY, SILINDRA N
MCWILLIAMS, MARION L
MITCHELL, MARTIN
MOORE, MICHAEL L
MORENO, STEVEN
MORITZ, LUCIA
MORRIS, RONALD D
MURARKA, SONALI B
MURPHY-GARRETT, GINA R
NAKADEGAWA, TADASHI
NAVARRO, ANA C
NELSON, CHRISTIAN M
NEWTON, DANIELLE
OCHOA, AMPARO
OCHOA, ANGELICA
OTIS, MILDRED
POLK, TASHA
PUCETTI, JANETTE L
RAKESTRAW, EDGAR M
RANEY, KIMBERLY E
REED, DEBRA D
RENERIA, YVETTE A
REYES, CARMELITA
REYNOLDS, IRENE D
ROBLES, SANTIAGO D
ROGERS-ARD, RACHELLE
ROLAND, KAMEELAH J
ROQUE-CORNEJO, NANCY D
ROXAS, OFELIA B
SAECHAO, OU FIN
SARIKEY, CURTISS M
SASADA, ROBIN
SCHNEIDER, MARY JO
SIFUENTES, VANESSA
SMITH, CHARLES H
SMITH, MICHAEL L
SPIVEY, TRACEY K
STONE, SARA
SULLIVAN, MARY E
TALKINGTON, JODY B

TAVERNIER, LESLIE C
THOMAS, MONICA H
THOMAS, PRESTON
TRIPLETT, MARK
VALENZUELA, GABRIEL
WARITH, SOPHIA M
WESLEY, LAWANDA
WHITE, GIA M
WHITE, TIMOTHY E
WICKELGREN, JEANETTE G
WILSON, CHARLES
WING, JEAN Y
YUNG, NIA