

OAKLAND UNIFIED SCHOOL DISTRICT  
Office of the Superintendent of Schools

May 22, 2013

Legislative File	
File ID Number:	13-1050
Introduction Date:	5/22/13
Enactment Number:	13-0902
Enactment Date:	5/22/13
By:	AK

TO: Board of Education

FROM: Anthony Smith, Ph.D., Superintendent  
Vernon Hal, Deputy Superintendent, Business and Operations *VEN*  
Brigitte Marshall, Associate Superintendent, Human Resources Services and Support *BM*

SUBJECT: Application for Two (2) Emergency Bilingual Spanish Variable Term Waivers

**ACTION REQUESTED**

Approval by the Board of Education of Resolution No. 1213-0122, for Two (2) Emergency Bilingual Spanish Variable Term Waivers.

**BACKGROUND**

The Commission on Teacher Credentialing (CTC) has the authority to issue waiver documents to allow employers to employ or assign persons who are not appropriately credentialed for a teaching and/or administrative assignment. Waivers are issued or denied based on the Commission's established criteria and factors such as an employer's continuing needs; the support the employer will provide to the applicant; or extenuating, extraordinary and unanticipated circumstances.

The District currently faces a critical shortage of teachers who are qualified to teach in Bilingual classrooms, and who can provide instruction in the primary language to Limited English Proficient students.

The District has reviewed its staffing needs, conducted a diligent search for this position, and all attempts have been made to fill this position with an appropriately credentialed candidate.

A fully credentialed candidate was not available, and a diligent search was conducted to recruit candidates in this order:

- A candidate who is scheduled to complete his or her preliminary credential requirements within six months
- A candidate who is qualified to participate and to enroll in an internship program
- A candidate who qualifies to use a local assignment option
- A candidate who qualifies for the Provisional Internship Permit (PIP) or the Short Term Staff Permit (STSP)

The District has been unable to find an individual who qualifies for one of the staffing options listed above, and an Emergency Bilingual Spanish Variable Term Waiver is being requested for the most qualified candidates.

## **DISCUSSION**

The Board of Education, exercising the power of the Governing Board, may approve an application seeking a variable term waiver from the Commission on Teacher Credentialing as may be necessary for certain certificated employees of the District for a specific period of time, as follows:

1. Evelyn Ramirez, Emergency Bilingual Spanish Variable Term Waiver, Melrose Leadership Academy, Grades K-3 and 6-8
2. Alia Ghabra, Emergency Bilingual Spanish Variable Term Waiver, Bridges Academy, Grades K-5

## **FISCAL IMPACT**

None.

## **RECOMMENDATION**

Approval by the Board of Education of Resolution No. 1213-0122, for Two (2) Emergency Bilingual Spanish Variable Term Waivers.

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By:	P.S.

**RESOLUTION  
OF THE  
BOARD OF EDUCATION  
OF THE  
OAKLAND UNIFIED SCHOOL DISTRICT  
Resolution No. 1213-0122**

- In Support of Two (2) Emergency Bilingual Spanish Variable Term Waivers

**WHEREAS**, the Board of Education, may approve an application to the California Commission on Teacher Credentialing seeking an Emergency Bilingual Spanish Variable Term Waivers as may be necessary for a certificated employee of the District for a specific period of time, and

**NOW, THEREFORE, BE IT RESOLVED** that approval is given supporting applications to the California Commission on Teacher Credentialing for Two (2) Bilingual Spanish Variable Term Waivers to be issued to the following individuals so they may work in the District for the 2012-2013 and 2013-2014 school years:

1. Evelyn Ramirez, Emergency Bilingual Spanish Variable Term Waiver, Melrose Leadership Academy, Grades K-3 and 6-8
2. Alia Ghabra, Emergency Bilingual Spanish Variable Term Waiver, Bridges Academy, Grades K-5

Passed by the following vote:

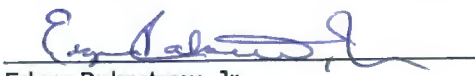
AYES: Jody London, James Harris, Christopher Dobbins, Roseann Torres,  
Vice President Jumoke Hinton Hodge, President David Kakishiba

NOES: None

ABSTAINED: None

ABSENT: None

I 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 May 22, 2013.

  
Edgar Rakestraw, Jr.  
Secretary, Board of Education  
Oakland Unified School District





State Of California  
 Commission On Teacher Credentialing  
 Certification, Assignment and Waivers Division  
 Attention: Waiver Unit  
 1900 Capitol Avenue  
 Sacramento, CA 95811-4213

Telephone: (916) 323-7136  
 (voice mail for waivers only)  
 Email: waivers@ctc.ca.gov

### VARIABLE TERM WAIVER REQUEST (WV1 Form)

Requests must be prepared by the employing agency, not the applicant. All materials must be clear enough to photocopy.

1. EMPLOYING AGENCY (include mailing address)  Oakland Unified School District 1011 Union Street, Oakland, CA 94607  NPS/NPA (list county code _____)	County/District CDS Code  01-61259	Contact Person: Alma Morales  Telephone #: 510-879-0976  EMail: alma.morales@ousd.k12.ca.us

### 2. APPLICANT INFORMATION

Social Security Number

*All applicants must answer professional fitness questions (see #11). In addition, if fingerprint clearance is not on file at CTC, a completed LiveScan receipt (41-LS) must be submitted with this waiver request. If needed, a review by the Division of Professional Practices will be concluded before a waiver approval letter will be issued.*

Full Legal Name Ramirez, Evelyn  
Last First Middle

Former Name(s) \_\_\_\_\_ Birth Date \_\_\_\_\_

Applicant's Mailing Address 1265 Holman Road, Oakland, CA 94610

Credential Needed for Waiver Emergency Bilingual Spanish Variable Term Waiver

(List the specific title and subject area of the credential that authorizes the assignment. Note that the subject must be one that is available under current regulations.)

Assignment Bilingual Classrooml, Grade 3

Indicate specific position and grade level (e.g. chemistry teacher, grades 11-12)

- For bilingual assignment list LANGUAGE: Spanish
- Is this a full time position?  Yes  No
- If not, indicate how many periods a day the individual will be teaching the waiver assignment(s) \_\_\_\_\_
- Is this a subsequent waiver? (see #9 for additional information)  Yes  No

### 3. EDUCATION CODE OR TITLE 5 SECTION TO BE WAIVED

Specific section(s) covering the assignment: \_\_\_\_\_

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By:	JA

**4. EFFECTIVE DATES**

Waivers are dated effective the beginning date of service. Provide the ending date of your school term, track or year below. A justification *must* be included if the expiration date extends beyond the term, track or year.

Effective Dates (mm/dd/yyyy): \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ to \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Ending date of school term, track, or year: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**5. STATEWIDE HIGH INCIDENCE AREA WAIVER REQUESTS:**

**a. INDICATE THE HIGH INCIDENCE AREA FOR THE ASSIGNMENT**

- Special Education
- Clinical or Rehabilitative Services
- Speech-Language Pathology Services
- Driver Education and Training
- 30-Day Substitute

**b. INDICATE WHAT WAS DONE THIS YEAR TO LOCATE AND RECRUIT INDIVIDUALS TO FILL THIS POSITION**

No copies are necessary if this is a recognized high incidence area.

- Advertised in local/national newspapers
- Advertised in professional journals
- Attended job fairs in California
- Attended recruitment out-of-state
- Contacted IHE placement centers
- Distributed job announcements
- Internet

Other \_\_\_\_\_

**c. IF THIS IS AN INITIAL WAIVER REQUEST, EXPLAIN WHAT MAKES THE APPLICANT THE BEST CANDIDATE**

Include detailed information about the individual's professional preparation and expertise in the subject/area requested and attach appropriate documentation including transcripts, examination score reports, and verification of experience.

**6. NON STATEWIDE LOW INCIDENCE AREA WAIVER REQUESTS:**

**a. INDICATE THE LOW INCIDENCE AREA FOR THE ASSIGNMENT**

- |   |  |
|---|--|
| <input type="checkbox"/> Administrative Services                                    | <input type="checkbox"/> Multiple Subject Teaching                                     |
| <input type="checkbox"/> Single Subject Teaching (all subject areas)                | <input type="checkbox"/> Pupil Personnel Services: Counseling, Psychology, Social Work |
| <input type="checkbox"/> Designated Subjects – except driver education and training | <input type="checkbox"/> Reading Specialist/Certificate                                |
| <input type="checkbox"/> Teacher Librarian Services                                 | <input type="checkbox"/> Teacher of English Learner Students                           |

**b. INDICATE WHAT WAS DONE THIS YEAR TO LOCATE AND RECRUIT INDIVIDUALS TO FILL THIS POSITION**

Copies of announcements, advertisements, web site registration, etc. **must** be attached.

The employer must verify **all** of the following:

- Distributed job announcements
- Contacted IHE placement centers
- Internet (i.e. [www.edjoin.org](http://www.edjoin.org))

Optional recruitment methods:

- Advertised in local/national newspaper
- Attended job fairs in California
- Attended recruitment out-of-state
- Advertised in professional journals
- Other \_\_\_\_\_

**c. PROVIDE DETAILED INFORMATION ABOUT THE RESULTS OF RECRUITMENT EFFORTS. BE SURE TO ANSWER EACH OF THE FOLLOWING QUESTIONS:**

How many individuals credentialed in the authorization of the waiver request applied for the position? \_\_\_\_\_

How many individuals credentialed in the authorization of the waiver request were interviewed? \_\_\_\_\_

What were the results of those interviews? (Please indicate answers in numbers)

- \_\_\_\_\_ Applicant(s) withdrew
- \_\_\_\_\_ Candidate(s) declined job offer
- \_\_\_\_\_ Candidate(s) found unsuitable for the assignment

**d. PROVIDE THE SPECIFIC EMPLOYMENT CRITERIA FOR THE POSITION**

What special skills and knowledge are needed to successfully perform in this position? These should also be described in your recruitment advertisements and announcements.



**e. IF THIS IS AN INITIAL WAIVER REQUEST, EXPLAIN WHAT MAKES THE APPLICANT THE BEST CANDIDATE**

Include detailed information about the individual's professional preparation and expertise in the subject/area requested and attach appropriate documentation including transcripts, examination score reports, and verification of experience.

**7. REQUIREMENTS AND TARGET COMPLETION DATES FOR REACHING CREDENTIAL GOAL**

List the requirements that the applicant must complete to be eligible for the document named above as the credential goal and a target date by which he or she plans to complete those requirements.

PROGRAM, COURSE, EXAMINATION, EXPERIENCE	TARGET COMPLETION DATE

**8. LIST THE NAME AND POSITION OF THE PERSON ASSIGNED TO PROVIDE SUPPORT AND ASSISTANCE TO THE APPLICANT DURING THE TERM OF THIS WAIVER**

By assigning this individual, the employing agency makes a commitment to provide orientation, guidance and assistance to the applicant, as feasible, in completing the requirement(s) listed above.

Name \_\_\_\_\_ Position \_\_\_\_\_

**9. SUBSEQUENT WAIVER REQUESTS**

Attached is a copy of a personnel evaluation that verifies the applicant served satisfactorily in the position authorized by the previous waiver.

# 10. IS THIS EMPLOYING AGENCY GEOGRAPHICALLY ISOLATED?

Would the applicant have to travel more than 1 1/2 hours one-way to attend an institution with an approved program to meet the credential goal?

- Yes       No       Not applicable (program completion is not a requirement)

# 11. PROFESSIONAL FITNESS QUESTIONS (to be answered by the applicant)

Answers to the following questions are required. **If you answer yes to any question, you must complete the corresponding Professional Fitness Explanation Form.**

Before granting your application, the Commission will review, at a minimum:

- Federal Bureau of Investigation criminal history (rap sheet)
- California Department of Justice criminal history (rap sheet)
- International database of teacher misconduct maintained by the National Association of State Directors of Teacher Education and Certification (NASDTEC)
- Previous reviews by the Commission
- Complaints from others
- Notifications from school districts
- Teacher preparation test score violations

You must disclose misconduct, even if:

- It happened a long time ago
- It happened in another state, federal court, military or jurisdiction outside the United States
- It was a misdemeanor
- The conviction was for reckless driving or driving under the influence
- You did not go to court and your attorney went for you
- You did not go to jail or the sentence was only a fine or probation
- You received a certificate of rehabilitation
- Your conviction was later dismissed (even if under Penal Code section 1203.4), expunged, set aside or the sentence was suspended



**Warning:** Failure to disclose any information requested is falsification of your application and the Commission may reject or deny your application or take disciplinary action against your document.

Do you understand:

- these instructions and;
- that you will later declare under penalty of perjury that the information you give is true and correct and;
- the Commission may reject your application if it is incomplete and;
- the Commission may deny your application or take disciplinary action against your document if you do not disclose misconduct?

Yes

No



Please check here if you have ever held any credential or license authorizing service in the public schools in another state.

State \_\_\_\_\_ Type of credential \_\_\_\_\_

a. Have you ever been:

- dismissed or,
- non-reelected or,
- suspended without pay for more than ten days, or
- retired or,
- resigned from, or otherwise left school

because of allegations of misconduct or while allegations of misconduct were pending?

Yes

No

b. Have you ever been convicted of any felony or misdemeanor in California or any other place?

You must disclose:

- all criminal convictions
- misdemeanors and felonies
- convictions based on a plea of no contest or nolo contendere
- convictions dismissed pursuant to Penal Code Section 1203.4
- driving under the influence (DUI) or reckless driving convictions
- no matter how much time has passed

You do not have to disclose:

- misdemeanor marijuana-related convictions that occurred more than two years prior to this application, except convictions involving concentrated cannabis, which must be disclosed regardless of the date of such a conviction.
- Infractions (DUI or reckless driving convictions are not infractions)

Yes

No

c. Are you currently the subject of any inquiry or investigation by a state or federal law enforcement agency or a licensing agency in California or any other state?

Yes

No

d. Have you *ever been* the subject an inquiry or investigation by a state or federal law enforcement agency or a licensing agency in California or any other state regarding alleged misconduct that involved children or took place on school property?

Yes

No

e. Are any criminal charges currently pending against you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
f. Is any disciplinary action now pending against you in any school district or with any other school employer?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
g. Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service or teaching, revoked and/or otherwise subjected to any other disciplinary action (including an action that was stayed) for cause in California or any other state or place?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
h. Have you ever had any professional or vocational (not teaching or educational) license revoked and/or otherwise subjected to any other disciplinary action (including an action that was stayed) for cause in California or any other state or place?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
i. Have you ever had any application for a credential, including but not limited to, any Certificate of Clearance, permit, credential, license, or other document authorizing public school service or teaching, denied and/or rejected for cause in California or any other state or place?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**12. PUBLIC NOTICE -- CHECK THE BOX THAT APPLIES**

**Public School District:** Attached is a copy of the agenda item presented to the governing board of the school district in a public meeting showing the name of the applicant, the specific assignment including subject and grade level, and the fact that employment will be on the basis of a credential waiver. With the signature of the superintendent or his or her designee in item #14 below, the person signing verifies that the board acted upon the item favorably.

By submitting this waiver request the district is certifying that reasonable efforts to recruit a fully prepared teacher for the assignment(s) were made in the following order:

1. A candidate who is qualified to participate in an approved internship program in the region of the school district
2. An individual who is scheduled to complete initial preparation requirements within six months

**County Office of Education, State Agency, or Nonpublic, Nonsectarian School or Agency:** Attached is a dated copy of the notice that was posted at least 72 hours before the position was filled showing the name of the applicant, the specific assignment including subject and grade level, and the fact that employment will be on the basis of a credential waiver. With the signature of the superintendent or administrator or his or her designee in item #14 below, the person signing verifies that there were no objections to this waiver request.

**13. APPLICANT'S CERTIFICATION**

I understand that in order to receive a subsequent waiver for this assignment I must pursue the completion of requirements to obtain full certification in the subject or area covered by this waiver request as specified in #7 above.

I understand that if my case is heard in a public meeting, all materials submitted to the Commission regarding my suitability, including grades and test scores, may be discussed.

I hereby certify (or declare) under penalty of perjury under the laws of the State of California that all of the foregoing statements in this application are true and correct.

E. Ramirez 4/17/2013  
Signature of Applicant Date  
(Sign full legal name as listed in #2)

**14. EMPLOYING AGENCY CERTIFICATION** (To be signed by district or county superintendent, personnel administrator, NPS/NPA administrator, or designee.)

The person for whom this waiver is requested will not be employed until he or she has been cleared by the Department of Justice under the provisions of Education Code Section 44332.6 and Section 44830.1 (AB1612). The employer acknowledges that the Commission's final approval of this individual's waiver will be determined by a fitness review covering, in part, criminal activity, including certain in-state and/or out-of-state convictions. If this waiver request is for service to special education children, the Special Education Local Planning Area (SELPA) has been notified of our intent to request this waiver.

I certify under penalty of perjury that the information provided in this report is accurate and complete.

Signature: Edgar Rakestraw, Jr.  
Title: Secretary  
Date: 5/28/13  
Board of Education

Legislative File	
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Enactment Number:	13-0902
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By:	OK





State Of California  
 Commission On Teacher Credentialing  
 Certification, Assignment and Waivers Division  
 Attention: Waiver Unit  
 1900 Capitol Avenue  
 Sacramento, CA 95811-4213

Telephone: (916) 323-7136  
 (voice mail for waivers only)  
 Email: waivers@ctc.ca.gov

### VARIABLE TERM WAIVER REQUEST (WV1 Form)

Requests must be prepared by the employing agency, not the applicant. All materials must be clear enough to photocopy.

1. EMPLOYING AGENCY (include mailing address)  Oakland Unified School District 1011 Union Street, Oakland, CA 94607  NPS/NPA (list county code _____)	County/District CDS Code  01-61259	Contact Person: Alma Morales  Telephone #: 510-879-0976  EMail: alma.morales@ousd.k12.ca.us

#### 2. APPLICANT INFORMATION

Social Security Number

*All applicants must answer professional fitness questions (see #11). In addition, if fingerprint clearance is not on file at CTC, a completed LiveScan receipt (41-LS) must be submitted with this waiver request. If needed, a review by the Division of Professional Practices will be concluded before a waiver approval letter will be issued.*

Full Legal Name Ghabra Alia Suad  
Last First Middle

Former Name(s) \_\_\_\_\_ Birth Date 06/04/1984

Applicant's Mailing Address 1219 34th Avenue, Emeryville, CA 94608

Credential Needed for Waiver Emergency Bilingual Spanish Variable Term Waiver  
 (List the specific title and subject area of the credential that authorizes the assignment. Note that the subject must be one that is available under current regulations.)

Assignment Bilingual Classroom, Grade 3

Indicate specific position and grade level (e.g. chemistry teacher, grades 11-12)

- For bilingual assignment list LANGUAGE: Spanish
- Is this a full time position?  Yes  No
- If not, indicate how many periods a day the individual will be teaching the waiver assignment(s) \_\_\_\_\_
- Is this a subsequent waiver? (see #9 for additional information)  Yes  No

#### 3. EDUCATION CODE OR TITLE 5 SECTION TO BE WAIVED

Specific section(s) covering the assignment: \_\_\_\_\_

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By:	SA

**4. EFFECTIVE DATES**

Waivers are dated effective the beginning date of service. Provide the ending date of your school term, track or year below. A justification *must* be included if the expiration date extends beyond the term, track or year.

Effective Dates (mm/dd/yyyy): \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ to \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Ending date of school term, track, or year: \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

**5. STATEWIDE HIGH INCIDENCE AREA WAIVER REQUESTS:**

**a. INDICATE THE HIGH INCIDENCE AREA FOR THE ASSIGNMENT**

- |  |  |
|--|--|
| <input type="checkbox"/> Special Education                   | <input type="checkbox"/> Driver Education and Training |
| <input type="checkbox"/> Clinical or Rehabilitative Services | <input type="checkbox"/> 30-Day Substitute             |
| <input type="checkbox"/> Speech-Language Pathology Services  |  |

**b. INDICATE WHAT WAS DONE THIS YEAR TO LOCATE AND RECRUIT INDIVIDUALS TO FILL THIS POSITION**

No copies are necessary if this is a recognized high incidence area.

- |  |  |
|--|--|
| <input type="checkbox"/> Advertised in local/national newspapers | <input type="checkbox"/> Contacted IHE placement centers |
| <input type="checkbox"/> Advertised in professional journals     | <input type="checkbox"/> Distributed job announcements   |
| <input type="checkbox"/> Attended job fairs in California        | <input type="checkbox"/> Internet                        |
| <input type="checkbox"/> Attended recruitment out-of-state       |  |

Other \_\_\_\_\_

**c. IF THIS IS AN INITIAL WAIVER REQUEST, EXPLAIN WHAT MAKES THE APPLICANT THE BEST CANDIDATE**

Include detailed information about the individual's professional preparation and expertise in the subject/area requested and attach appropriate documentation including transcripts, examination score reports, and verification of experience.

**6. NON STATEWIDE LOW INCIDENCE AREA WAIVER REQUESTS:**

**a. INDICATE THE LOW INCIDENCE AREA FOR THE ASSIGNMENT**

- |   |  |
|---|--|
| <input type="checkbox"/> Administrative Services                                    | <input type="checkbox"/> Multiple Subject Teaching                                     |
| <input type="checkbox"/> Single Subject Teaching (all subject areas)                | <input type="checkbox"/> Pupil Personnel Services: Counseling, Psychology, Social Work |
| <input type="checkbox"/> Designated Subjects – except driver education and training | <input type="checkbox"/> Reading Specialist/Certificate                                |
| <input type="checkbox"/> Teacher Librarian Services                                 | <input type="checkbox"/> Teacher of English Learner Students                           |

**b. INDICATE WHAT WAS DONE THIS YEAR TO LOCATE AND RECRUIT INDIVIDUALS TO FILL THIS POSITION**

Copies of announcements, advertisements, web site registration, etc. **must** be attached.

The employer must verify **all** of the following:

- Distributed job announcements
- Contacted IHE placement centers
- Internet (i.e. [www.edjoin.org](http://www.edjoin.org))

Optional recruitment methods:

- Advertised in local/national newspaper
- Attended job fairs in California
- Attended recruitment out-of-state
- Advertised in professional journals
- Other \_\_\_\_\_

**c. PROVIDE DETAILED INFORMATION ABOUT THE RESULTS OF RECRUITMENT EFFORTS. BE SURE TO ANSWER EACH OF THE FOLLOWING QUESTIONS:**

How many individuals credentialed in the authorization of the waiver request applied for the position? \_\_\_\_\_

How many individuals credentialed in the authorization of the waiver request were interviewed? \_\_\_\_\_

What were the results of those interviews? (Please indicate answers in numbers)

- \_\_\_\_\_ Applicant(s) withdrew
- \_\_\_\_\_ Candidate(s) declined job offer
- \_\_\_\_\_ Candidate(s) found unsuitable for the assignment

**d. PROVIDE THE SPECIFIC EMPLOYMENT CRITERIA FOR THE POSITION**

What special skills and knowledge are needed to successfully perform in this position? These should also be described in your recruitment advertisements and announcements.



**e. IF THIS IS AN INITIAL WAIVER REQUEST, EXPLAIN WHAT MAKES THE APPLICANT THE BEST CANDIDATE**

Include detailed information about the individual's professional preparation and expertise in the subject/area requested and attach appropriate documentation including transcripts, examination score reports, and verification of experience.

**7. REQUIREMENTS AND TARGET COMPLETION DATES FOR REACHING CREDENTIAL GOAL**

List the requirements that the applicant must complete to be eligible for the document named above as the credential goal and a target date by which he or she plans to complete those requirements.

PROGRAM, COURSE, EXAMINATION, EXPERIENCE	TARGET COMPLETION DATE

**8. LIST THE NAME AND POSITION OF THE PERSON ASSIGNED TO PROVIDE SUPPORT AND ASSISTANCE TO THE APPLICANT DURING THE TERM OF THIS WAIVER**

By assigning this individual, the employing agency makes a commitment to provide orientation, guidance and assistance to the applicant, as feasible, in completing the requirement(s) listed above.

Name \_\_\_\_\_ Position \_\_\_\_\_

**9. SUBSEQUENT WAIVER REQUESTS**

Attached is a copy of a personnel evaluation that verifies the applicant served satisfactorily in the position authorized by the previous waiver.

**10. IS THIS EMPLOYING AGENCY GEOGRAPHICALLY ISOLATED?**

Would the applicant have to travel more than 1 1/2 hours one-way to attend an institution with an approved program to meet the credential goal?

- Yes       No       Not applicable (program completion is not a requirement)

**11. PROFESSIONAL FITNESS QUESTIONS (to be answered by the applicant)**

Answers to the following questions are required. **If you answer yes to any question, you must complete the corresponding Professional Fitness Explanation Form.**

Before granting your application, the Commission will review, at a minimum:

- Federal Bureau of Investigation criminal history (rap sheet)
- California Department of Justice criminal history (rap sheet)
- International database of teacher misconduct maintained by the National Association of State Directors of Teacher Education and Certification (NASDTEC)
- Previous reviews by the Commission
- Complaints from others
- Notifications from school districts
- Teacher preparation test score violations

You must disclose misconduct, even if:

- It happened a long time ago
- It happened in another state, federal court, military or jurisdiction outside the United States
- It was a misdemeanor
- The conviction was for reckless driving or driving under the influence
- You did not go to court and your attorney went for you
- You did not go to jail or the sentence was only a fine or probation
- You received a certificate of rehabilitation
- Your conviction was later dismissed (even if under Penal Code section 1203.4), expunged, set aside or the sentence was suspended



**Warning:** Failure to disclose any information requested is falsification of your application and the Commission may reject or deny your application or take disciplinary action against your document.

Do you understand:

- these instructions and;
- that you will later declare under penalty of perjury that the information you give is true and correct and;
- the Commission may reject your application if it is incomplete and;
- the Commission may deny your application or take disciplinary action against your document if you do not disclose misconduct?

- Yes       No

Please check here if you have ever held any credential or license authorizing service in the public schools in another state.

State \_\_\_\_\_ Type of credential \_\_\_\_\_

a. Have you ever been:

- dismissed or,
- non-reelected or,
- suspended without pay for more than ten days, or
- retired or,
- resigned from, or otherwise left school

because of allegations of misconduct or while allegations of misconduct were pending?

Yes

No

b. Have you ever been convicted of any felony or misdemeanor in California or any other place?  
You must disclose:

- all criminal convictions
- misdemeanors and felonies
- convictions based on a plea of no contest or nolo contendere
- convictions dismissed pursuant to Penal Code Section 1203.4
- driving under the influence (DUI) or reckless driving convictions
- no matter how much time has passed

You do not have to disclose:

- misdemeanor marijuana-related convictions that occurred more than two years prior to this application, except convictions involving concentrated cannabis, which must be disclosed regardless of the date of such a conviction.
- Infractions (DUI or reckless driving convictions are not infractions)

Yes

No

c. Are you currently the subject of any inquiry or investigation by a state or federal law enforcement agency or a licensing agency in California or any other state?

Yes

No

d. Have you *ever been* the subject an inquiry or investigation by a state or federal law enforcement agency or a licensing agency in California or any other state regarding alleged misconduct that involved children or took place on school property?

Yes

No



<p>e. Are any criminal charges currently pending against you?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <span style="margin-left: 200px;"><input type="checkbox"/> No</span></p>
<p>f. Is any disciplinary action now pending against you in any school district or with any other school employer?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <span style="margin-left: 200px;"><input type="checkbox"/> No</span></p>
<p>g. Have you ever had any credential, including but not limited to, any Certificate of Clearance, permit, credential, license or other document authorizing public school service or teaching, revoked and/or otherwise subjected to any other disciplinary action (including an action that was stayed) for cause in California or any other state or place?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <span style="margin-left: 200px;"><input type="checkbox"/> No</span></p>
<p>h. Have you ever had any professional or vocational (not teaching or educational) license revoked and/or otherwise subjected to any other disciplinary action (including an action that was stayed) for cause in California or any other state or place?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <span style="margin-left: 200px;"><input type="checkbox"/> No</span></p>
<p>i. Have you ever had any application for a credential, including but not limited to, any Certificate of Clearance, permit, credential, license, or other document authorizing public school service or teaching, denied and/or rejected for cause in California or any other state or place?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <span style="margin-left: 200px;"><input type="checkbox"/> No</span></p>

**12. PUBLIC NOTICE -- CHECK THE BOX THAT APPLIES**

**Public School District:** Attached is a copy of the agenda item presented to the governing board of the school district in a public meeting showing the name of the applicant, the specific assignment including subject and grade level, and the fact that employment will be on the basis of a credential waiver. With the signature of the superintendent or his or her designee in item #14 below, the person signing verifies that the board acted upon the item favorably.

By submitting this waiver request the district is certifying that reasonable efforts to recruit a fully prepared teacher for the assignment(s) were made in the following order:

1. A candidate who is qualified to participate in an approved internship program in the region of the school district
2. An individual who is scheduled to complete initial preparation requirements within six months

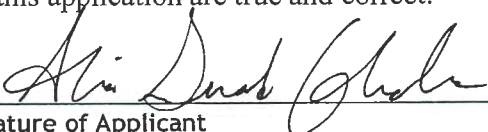
**County Office of Education, State Agency, or Nonpublic, Nonsectarian School or Agency:** Attached is a dated copy of the notice that was posted at least 72 hours before the position was filled showing the name of the applicant, the specific assignment including subject and grade level, and the fact that employment will be on the basis of a credential waiver. With the signature of the superintendent or administrator or his or her designee in item #14 below, the person signing verifies that there were no objections to this waiver request.

**13. APPLICANT'S CERTIFICATION**

I understand that in order to receive a subsequent waiver for this assignment I must pursue the completion of requirements to obtain full certification in the subject or area covered by this waiver request as specified in #7 above.

I understand that if my case is heard in a public meeting, all materials submitted to the Commission regarding my suitability, including grades and test scores, may be discussed.

I hereby certify (or declare) under penalty of perjury under the laws of the State of California that all of the foregoing statements in this application are true and correct.

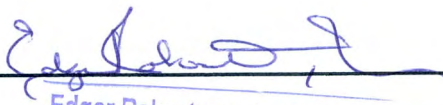
  
 Signature of Applicant \_\_\_\_\_ Date 4/11/13  
*(Sign full legal name as listed in #2)*

**14. EMPLOYING AGENCY CERTIFICATION** *(To be signed by district or county superintendent, personnel administrator, NPS/NPA administrator, or designee.)*

The person for whom this waiver is requested will not be employed until he or she has been cleared by the Department of Justice under the provisions of Education Code Section 44332.6 and Section 44830.1 (AB1612). The employer acknowledges that the Commission's final approval of this individual's waiver will be determined by a fitness review covering, in part, criminal activity, including certain in-state and/or out-of-state convictions. If this waiver request is for service to special education children, the Special Education Local Planning Area (SELPA) has been notified of our intent to request this waiver.

I certify under penalty of perjury that the information provided in this report is accurate and complete.

Signature: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_

  
 Edgar Rakestraw, Jr., Secretary  
 Board of Education  
 5/28/13

Legislative File	
File ID Number:	13-1050
Introduction Date:	5/22/13
Enactment Number:	130902
Enactment Date:	5/22/13
By:	O.K