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| Introduction Date | 05/24/2023 |
| Enactment Number | 23-0868 |
| Enactment Date | 5/24/2023 os |



Board Cover Memorandum

To Board of Education

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

Meeting Date May 24, 2023

Subject **Declaration of Need for Fully Qualified Educators - School Year 2023-2024**

Action Requested Approval by Board of Education of Resolution No. 2223-0187 – Declaration of Need for Fully Qualified Educators, School Year 2023-2024.

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. 2223-0187 – Declaration of Need for Fully Qualified Educators, School Year 2023-2024.

**RESOLUTION
OF THE
BOARD OF EDUCATION
OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
Resolution No. 2223-0187**

- Declaration of Need for Fully Qualified Educators, 2023-2024 -

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, 2022 – June 30, 2023, 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: VanCedric Williams, Valarie Bachelor, Clifford Thompson, Benjamin "Sam" Davis , Vice President Clifford Thompson, President Mike Hutchinson

NOES: None

ABSTAINED: None

RECUSE: None

ABSENT: Student Director Gallegos Chavez, Student Director Linh Le

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 May 24, 2023.

OAKLAND UNIFIED SCHOOL DISTRICT

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 Mike Hutchinson
 President, Board of Education



 Kyla Johnson-Trammell
 Superintendent and Secretary, Board of Education

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. Additionally, for the Single Subject Limited Assignment Permits estimated, please include the authorization(s) which will be requested:

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

| AUTHORIZATION(S) FOR SINGLE SUBJECT LIMITED ASSIGNMENT PERMITS (A separate page may be used if needed) | ESTIMATED NUMBER NEEDED |
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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.

