



February 27, 2008

RE: Board Policies regarding NCLB and EL

The CCAC email list serve has had many replies recently regarding school district board policies that may be in place regarding NCLB and EL authorizations. I am writing this response after reading all the emails, and consulting with Susana Fernandez, Orange County Department of Education, Lorie Shirley, Imperial County Office of Education, Valerie Flatt, San Mateo County Office of Education, and Susan Kissinger, El Dorado County Office of Education.

I believe that the budgetary crisis and the resulting layoffs of teaching staff in districts with declining enrollments has prompted the earnest requests for Board Policies in this area.

As an analyst who works for an Institution of High Education, these issues don't fall within my area of expertise, except to make sure our student teachers and interns are assigned to the appropriate assignment based on their credential authorization, so they will earn the credential they are seeking.

For employment, the issues are quite different. NCLB is a Federal Law enacted to ensure highly qualified fully credentialed teachers to meet assignment demands. The ELL requirement is the result of the Williams lawsuit, filed against a school district to ensure that all children have fully qualified teachers, clean and safe school sites, and full access to all instructional materials by subject area.

I believe the requests result from the "begin as you wish to continue" school of thought, but I'm unsure whether there are policies in place at this time to explain and support the budgetary constraints that will require teachers who do not meet the NCLB and/or ELL standard to be part of a Reduction in Force. The requests for information support the need for continued communication, but to reduce the number of "me too" emails that will flood the list serve, we've developed a plan to compile any information or policies that a particular district may have already put in place to address these issues in the least litigious way.

To that end, we ask that you contact your District Representatives on the CCAC Advisory Committee, Siena Van Heusen, at svanheusen@pausd.org, or Robyn Davila, at

Robyn.Davila@sbcusd.k12.ca.us, and send via email attachment or fax, any already adopted policies that may address these issues. Include any legal opinions your agency may have received if appropriate. They will compile a report as a team and send out information once that effort is complete.

Hitting “Reply All” or “reply” to this email will not be sufficient to allow your information to reach these two volunteers who have agreed to compile and publish any information they get. **Please email them directly.**

PASSCo has established a networking team working with the CTC on your behalf. Please don't hesitate to contact our colleagues in that network with your serious and important employment questions. It is my hope that they will, in turn, compile responses and share them with us as well.

PLEASE do not respond to this email. If you have questions regarding this information, please contact me directly, and I will forward your issues to the person best qualified to answer.

Let me know if you have any questions, and thank you for utilizing the electronic format to begin discussions and facilitate answers.

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