

LAKE COUNTY OFFICE OF EDUCATION  
Office of the Superintendent

POST-RETIREMENT EMPLOYMENT FOR A STRS RETIREE  
(Education Code 24124.5)

**ISSUE**

Due to the recent retirement of John McCann, one of the Lake/Mendocino Local Program for Leadership Coaching and Support Leadership Coaches, from his full time position as an Elementary Principal with the Ukiah Unified School District effective July 1, 2019, a waiver is required for him to continue in his adjunct assignment as a Leadership Coach.

**BACKGROUND/PREVIOUS BOARD ACTIVITY**

The Board previously approved a similar waiver on August 16, 2017 and June 22, 2016.

**DISCUSSION**

Credentialing requirements for administrators in California have undergone recent significant changes. As of July 1, 2015, all newly certificated administrators must enter into a two-year coaching-based induction program in order to fulfill their requirement to clear their Preliminary Administrative Services Credential. Candidates need to enroll in the approved coaching-based program within 120 days of starting their first administrative assignment, and the coaching element needs to begin within 30 days of enrollment in the program.

Prior to these changes to the requirements, administrators had up to 5 years to clear their credentials and on-site coaching was not a required element of administrator credentialing programs.

The changes to credentialing requirements has created an urgent need for and critical shortage of Leadership Coaches who are specially trained and certified to coach administrators as a part of the credentialing process. In order to attain their certification as a Leadership Coach, coaches attend a three-day training and orientation, attend 30+ hours per year of ongoing professional development related to school leadership coaching, and submit a coaching portfolio for approval to the Association of California School Administrators (ACSA) and the New Teacher Center (NTC) as a part of their certification requirements.

In order to be able to have a sufficient number of coaches to meet the credentialing requirements for all of the candidates in the Lake/Mendocino counties, this resolution exempts one potential LDP coach who is a recent retiree from the 180-day wait period. If approved by the Board of Trustees, the resolution would then be sent to STRS for possible final approval before this coach would begin his 2019-20 coaching assignments.

**FISCAL, STAFFING, AND FACILITIES**

The resolution addresses potential staffing shortages.

**SUPERINTENDENT'S RECOMMENDATION**

The Lake County Superintendent of Schools recommends approval of the resolution.

Report prepared by: Lynda Nichols, Senior Director/School Support

**RESOLUTION OF THE LAKE COUNTY BOARD OF EDUCATION  
RESOLUTION NO. 1920-02**

**RESOLUTION FOR EXEMPTION TO THE SEPARATION-FROM-SERVICE REQUIREMENT  
PURSUANT TO SECTION 24214.5 OR 26812 OF  
THE EDUCATION CODE**

WHEREAS, pursuant to Education Code section 24214.5 and 26812, there is a 180 calendar day separation-from-service requirement for all retired CalSTRS members and participants; and,

WHEREAS, all retired CalSTRS members and participants are subject to a restriction if they perform retired member activities as defined by section 22164.5 of the Education Code or retired participant activities as defined by section 26135.7 of the Education Code, during the first 180 calendar days after their most recent retirement; and,

WHEREAS, if the retired CalSTRS member or participant performed retired member or participant activities during this period, CalSTRS will reduce his or her retirement benefit or annuity one dollar for each dollar earned for performing retired member or participant activities during the 180-day period; and,

WHEREAS, there is an exemption from the 180 calendar day separation-from-service requirement for a member or participant who retires for service and is at or above normal retirement age; and,

WHEREAS, in order to qualify for this narrow exemption, the employer must appoint the retired member or participant to a critically needed position that has been approved by the Lake County Superintendent of Schools in a public meeting as reflected in a resolution; and,

WHEREAS, this approval by the governing body of the employer in a public meeting as reflected in a resolution must be finalized and communicated to CalSTRS before the member or participant commences to perform retired member or participant activities; and,

WHEREAS, the County Superintendent of Schools must complete the *Request for Separation-from-Service Requirement Exemption* form, which must be submitted to CalSTRS and received by CalSTRS before the member or participant commences to perform retired member or participant activities,

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the district is in critical need of a Leadership Coach to mentor new administrators because of the severe shortage of fully credentialed school administrators;

AND BE IT FURTHER RESOLVED that the Board wishes to meet this critical need by hiring John McCann, a member or participant who retired for service less than 180 days ago or who will retire;

AND BE IT FURTHER RESOLVED that this appointment is needed to fill this critical need before the 180 calendar day separation-from-service requirement is fulfilled;

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AND BE IT FURTHER RESOLVED that this member or participant did not receive a retirement incentive or any financial inducement to retire from any public employer;

AND BE IT FURTHER RESOLVED that the retired member's or participant's termination of employment is not the basis for the need to acquire his or her services;

AND BE IT FURTHER RESOLVED that the earnings for retired member activities during the 180 calendar days will still be subject to the annual postretirement earnings limit for the Defined Benefit Program;

AND BE IT FURTHER RESOLVED that this member or participant will not commence to perform retired member or participant activities before this approval is authorized by the governing body of the employer in a public meeting as reflected in a resolution and received by CalSTRS;

AND BE IT FURTHER RESOLVED that this member or participant will not commence to perform retired member or participant activities before the Lake County Superintendent of Schools completes the *Request for Separation-from- Service Requirement Exemption* form and this is transmitted to and received by CalSTRS.

PASSED AND ADOPTED this 21<sup>st</sup> day of August, 2019 at a regular meeting of the Lake County Board of Education

David Browning	Aye _____	Nay _____	Abstain _____	Absent _____
Mark Cooper	Aye _____	Nay _____	Abstain _____	Absent _____
Melissa Kinsel	Aye _____	Nay _____	Abstain _____	Absent _____
Denise Loustalot	Aye _____	Nay _____	Abstain _____	Absent _____
Anna Ravenwoode	Aye _____	Nay _____	Abstain _____	Absent _____

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Board President

I, Brock Falkenberg, Secretary of the Governing Board of the Lake County Office of Education, County of Lake, State of California, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by said Board at a meeting thereof, at the time and by the vote therein stated, which original Resolution, is on file in the office of said Board.

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Brock Falkenberg, Secretary of Governing Board  
Lake County Office of Education