

1 **Declaration of Doug Provencio**

2 I, Doug Provencio, hereby declare:

3 1. I make this declaration based on my own personal knowledge and if called to
4 testify I could and would do so competently as follows:

5 2. I am National President of the Substitute Teachers Caucus of the National
6 Education Association (NEA) and I have been a substitute teacher in the Oakland Unified School
7 District for six and a half years, during which time I have taught in 56 Oakland schools. In
8 addition, I am active in my union, the Oakland Education Association, so I am familiar with the
9 schools and treatment of substitute teachers generally in the Oakland Unified School District.

10 3. Oakland Unified School District has a severe shortage of substitute teachers. I
11 have seen a memo from the district stating that the district needs an average of over 300
12 substitute teachers per day in its schools and only an average of approximately 170 substitute
13 teachers per day accept assignments in the schools. Because of the shortage, many schools
14 operate without substitute teachers when permanent teachers are sick or otherwise absent from
15 school. For example, at many middle schools in Oakland, permanent teachers have to give up
16 their conference periods to cover absent teachers' classes more than once per week.

17 4. Substitute teacher wages are the primary reason Oakland and other bay area
18 school districts have such severe substitute teacher shortages. In the Los Angeles Unified School
19 District, the basic rate for substitute teachers is \$151 per day. By contrast, the Oakland Unified
20 School District's basic rate for substitute teachers has been \$107 per day, and the rate recently
21 increased to \$111 per day. It is extremely expensive to live in the bay area, and the rate
22 differential for Oakland and Los Angeles substitute teachers is a serious problem in terms of
23 recruiting substitute teachers to the bay area. I know from my work as National President of the
24 Substitute Teachers Caucus of the NEA that some states, such as Alabama and North Carolina,
25 pay money to districts for substitute teachers rates which can be added to whatever the school
26 districts pay to substitute teachers. I believe that if the State of California would provide some
27 additional monies to substitute teachers above and beyond what the districts choose to pay to
28 substitute teachers, that would solve a lot of problems here. Furthermore, a web database of

1 substitute teacher rates and average daily number of vacancies for each district in California, if
2 kept current would help substitutes negotiate and obtain rates that were not artificially low.

3 5. The Oakland Unified School District provides virtually nonexistent training for
4 substitute teachers. When I started teaching in the district six and a half years ago, the
5 orientation I received was only three hours long and it did not include training about how to
6 teach. Instead, the training involved how to complete district paperwork, the TB test, and
7 cautions for teachers to be sure not to be arrested for anything, such as child abuse. Since I
8 started teaching in the district, the district has reduced the amount of training given to new
9 substitute teachers.

10 6. The Oakland Education Association monitors teacher vacancies in the Oakland
11 Unified School District, and it is clear that at any given point in the year there are between 30 and
12 300 teacher vacancies in the district. The district does a few things to hide that figure, including
13 not reporting the teacher attrition rate during the year and not including specialty prep teachers
14 and special education teachers in the accounting because the district claims that these teachers are
15 in a whole different category. But a teacher vacancy is a teacher vacancy to the students in the
16 class and it's not important to them, in terms of evaluating the effect of not having a teacher,
17 whether their teacher is a special education teacher or not.

18 7. I am fortunate never to have had to substitute in a class that had a long term
19 teacher vacancy since my first year. I know that, when I call into the substitute phone line to find
20 out where substitutes are needed, if no teacher's voice is recorded on the line then that means
21 either that there is no teacher assigned to that class or that the teacher who is assigned to the class
22 hasn't figured out how to record his or her voice (which wouldn't be a very good sign for the
23 likelihood that the teacher would be organized enough to have left a lesson plan). I have
24 therefore avoided teaching in classes for which no teacher's voice is recorded on the substitute
25 phone line because I know there is not a lot I could do in that situation and I would just be
26 babysitting a class rather than actually teaching.

27 8. I hear many concerns about the rotation of substitute teachers in classes with long
28 term teacher vacancies through my union and in my capacity as National President of the

1 Substitutes Teachers Caucus of the NEA. It is horrible to rotate substitute teachers through
2 classes with long term teacher vacancies because when kids have already seen several substitutes
3 teachers in a class, the kids have all kinds of separation anxiety issues. When kids don't have
4 stability in the classroom, kids are generally unhappier and their ability to learn is negatively
5 affected. In addition, the concern I hear most often from substitutes in long term vacancies is
6 that it is very unclear who has authority for grading in that situation. Sometimes the substitute
7 teachers turn grades in and the administration changes the grades anyway and other times
8 substitutes are told at the last minute to get their grades in to the administration when the
9 substitutes were not expecting to have had to grade the class.

10 9. I have often substituted at Hawthorne Elementary School in Oakland, and that
11 school should be the museum for all the generations of portables ever built. Hawthorne operates
12 on a year-round schedule, with many portables, and many of the smaller portables I've been in on
13 the campus do not have air conditioning. The classrooms become extremely hot and
14 uncomfortable during the summer months. The district is saying the school will go on a
15 traditional calendar starting September 24, but the district also said it would cap enrollment at the
16 school at approximately 1100 or more, when under the year-round rotation schedule, there were
17 approximately 1050 students on campus at any one time.

18 10. I also have often substituted at Fremont High School in Oakland over the years.
19 When I started substituting at Fremont during the spring of 1995, the school was in a lot better
20 shape than it is now, and for the next year or two I had most of my substitute assignments there.
21 But Fremont has really gone downhill in the last two to three years. The school is more
22 overcrowded now, which seems to result in part from the district's decision to transition junior
23 high schools from grades seven to nine to grades six to eight. It seems like there are a lot more
24 kids sent to Fremont now than there were when the district used to operate the junior high
25 schools on the old grades seven to nine schedule. I know there was new facilities work done to
26 Fremont during the summer of 2000, but that work was basically just slapping paint on the
27 school. I have been to the school during the 2000-2001 school year, and it still looks really
28 gloomy. The hallways are narrow; they were poorly constructed in the first place and now

1 they're too crowded with all the students at the school. A few years ago, Fremont started having
2 a lot of roving teachers at the school because there are not enough classrooms for all the teachers.
3 The Fremont PE field looks more like a prison yard than a school yard because the field is just so
4 small. The school was built on a very small plot of land, and the district should be sending fewer
5 kids there therefore, rather than trying to find ways to expand the school.

6 I declare under penalty of perjury of the laws of the State of California and the United
7 States that the foregoing is true and correct. Executed this 30th day of September, 2001 in
8 Los Angeles, California.

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