

**California
Commission on Teacher Credentialing**

**Meeting of
October 1 - 2, 2003**

AGENDA ITEM NUMBER: GS - 10-A

COMMITTEE: General Session

TITLE: Request for Reconsideration of August Agenda Item 10-D on Proposed Options to Align Emergency Permits and Credential Waivers with No Child Left Behind

Action

Information

Strategic Plan Goal(s) :

Provide leadership in exploring multiple, high quality routes to prepare professional educators for California's schools.

Approved By:

Dale A. Janssen, Director
Certification, Assignment and
Waivers Division

Date: 09/11/03

Authorized By:

Sam W. Swofford, Ed.D.
Executive Director

Date: 09/11/03

Request for Reconsideration of August Agenda Item 10-D on Proposed Options to Align Emergency Permits and Credential Waivers with No Child Left Behind

September 11, 2003

Summary

At its August 2, 2003 meeting, the Commission took action to discontinue issuing emergency permits and credential waivers in the NCLB core areas of arts, English, mathematics, science, foreign languages and social science in Title 1 classrooms after September 1, 2003 and to discontinue issuing emergency permits and credential waivers after July 1, 2005. The Commission has received 16 letters from representative organizations, non-public schools, school districts and county offices of education requesting that the Commission reconsider its August action due to the difficulty these agencies are experiencing complying with the September 1, 2003 implementation date.

Options

The Commission may reconsider the action taken on the August Agenda Item GS-10-D.

If the Commission acts to reconsider the item the Commission may

1. rescind its action,
2. suspend its action and request further information regarding the continued issuance of emergency permits, or
3. sustain its previous action.

The letters from the constituents are included with this item as well as the text of the August GS-10-D agenda item.

RCSAA Riverside County Schools Advocacy Association

August 28, 2003

Ms. Margaret Fortune, Chair
Commission on Teacher Credentialing
P.O. Box 944270
Sacramento, CA 94244-2700

Dear Ms. Fortune:

I am writing on behalf of the Riverside County Schools Advocacy Association in response to the Commission's action on August 14, 2003 with regard to the discontinuance of emergency permits and credential waivers for all teachers in Title I core academic areas, effective September 1, 2003.

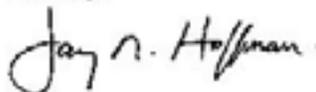
We are concerned that the CTC's action includes in this policy *all* teachers on emergency permits and waivers in Title I classrooms, including those who may have been hired prior to the first day of school in 2002-03. Under NCLB, teachers hired to teach in Title I classrooms prior to that date should have until 2005-06 to comply with NCLB highly qualified teacher requirements.

Discontinuing emergency permits and credential waivers for these teachers, especially with such short notice, will have a detrimental effect on affected school districts and educational programs.

We strongly urge the Commission to amend the August 14, 2003 decision to align it with NCLB and the State Plan -- by delaying the ban on emergency permits and credential waivers until the 2005-06 school year as it relates to teachers in Title I classrooms hired prior to the first day of the 2002-03 school year.

Thank you for your serious consideration of our request.

Sincerely,



Jay Hoffman, Ed.D., Chair
Riverside County Schools Advocacy Association

JH:sscl

Represented by:
Sandra L. Silberstein, Legislative Advocate
1215 K Street, Suite 940, Sacramento, CA 95814
Phone: (916) 325-1162 Fax: (916) 930-0542
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Alford USD
Mr. Paul Jansop, Superintendent

Banning USD
Dr. Kathleen McNamara, Superintendent

Bearmont USD
Dr. Frank Pizzarello, Superintendent

Coachella Valley USD
Mr. Fuch (Tut) Frawis, Superintendent

Comma-Noro USD
Mr. Lee V. Pollard, Superintendent

Desert Center USD
Dr. Norman Guith, Superintendent

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Mr. Antonio Arredondo, Jr., Superintendent

Perris Un. HSD
Dr. Dennis Murray, Superintendent

Riverside County Superintendent of Schools
Dr. David Long, Superintendent

Riverside USD
Dr. Susan Kelsey, Superintendent

Romoland Elem. SD
Mr. Roland Skumarwitz, Superintendent

San Jacinto USD
Dr. Peter Demyan, Superintendent

Temecula Valley USD
Dr. David Allmon, Superintendent

Val Verde USD
Dr. C. Fred Workman, Superintendent



Lancaster School District

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FAX (661) 726-5450

JAMES R. SCHETTIG
ASSISTANT SUPERINTENDENT

HUMAN RESOURCES SERVICES

August 28, 2003

Mrs. Margaret Fortune
Chair
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

Dear Mrs. Margaret Fortune,

The Lancaster School District will suffer a very negative impact if we lose the ability to obtain emergency permits and waivers or if we are forced to change teachers at this time of year. We are a multi-track year-round district and we started school in early July. Changing teachers at this time would be a severe disruption to our students and our community.

The Lancaster School District is working very hard to comply with all current legislation. While we believe we have a wonderful school district, our geography makes recruiting difficult. We are in the process of rapidly reducing the numbers of emergency permits and waivers in our district. We have used TAP grants, extensive recruiting, and a negotiated emergency salary schedule to accelerate the process. Although we have achieved a great deal of success, our district still needs the ability to utilize some emergency permits and waivers.

We appreciate your support.

Sincerely,

James R. Schettig
Assistant Superintendent
Human Resources Services

Js/rj



August 29, 2003

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Ms. Margaret Fortune
Chair
California Commission on Teacher
Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

RE: CTC Permit and Waiver Submission

Dear Ms. Fortune:

I am writing to you regarding the Emergency Permit and Waiver
Submission hearing on October 2, 2003.

As United Teachers of Los Angeles represents some 4,800 classroom
teachers including some 10,000 emergency teachers, our members and
our students are without a doubt the most affected in California.

Therefore, I am requesting that a representative of UTLA be permitted
to testify at the critical hearing on October 2, 2003.

Please advise me of the time and place of this hearing. I will let you
know in advance who will testify.

Thank you.

Sincerely

William S. Lambert
Director Governmental Relations

WSL:sd

cc: Jackie Goldberg
Sam W. Swofford, Ed.D.

Sequoia Union High School District

460 JAMES AVENUE, REDWOOD CITY, CALIFORNIA 94062-1098

Administrative Offices (650) 369-1411

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August 29, 2003

Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

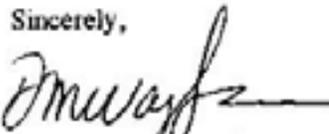
Dear Ms. Fortune:

In response to the Commission's action to eliminate emergency permits, renewals, and credential waivers for Title I classrooms as of September 1, 2003, the Sequoia Union High School District requests consideration be made based on the fact that our hiring process for the 2003-2004 school year will not be completed by September 1, 2003. Therefore, approximately twenty applications for emergency permits, renewals and waivers will need to be made during the month of September.

While we recognize the importance of complying with NCLB, we have also been caught in a difficult position this year due to the state budget crisis.

Thank you for your consideration.

Sincerely,



Debra Moore Washington
Assistant Superintendent

ddp



Hayward Unified School District

Building a Culture of Success: "ALL Means ALL"

September 3, 2003

Dr. Joseph "Jay" Totter
Interim Superintendent

Timothy W. McClary
*Deputy Superintendent,
Chief Operating Officer*

Dr. Sunday-Joseph Otengho
*Associate Superintendent
Education Equity &
Community Response*

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*Acting Executive Director
Human Resources*

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*Executive Director,
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Research & Evaluation*

Gloria Tejeda
*Executive Director,
Instructional Support/
Professional Development*

Kimberly Hammond
*Chief Administrative Officer,
Organizational Development*

Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

Dear Ms. Fortune,

Hayward Unified School District (HUSD) wishes to express concern about your recent action to phase out emergency permits and credential waivers in NCLB core areas for Title I classrooms beginning September 1, 2003. HUSD currently operates 17 Title I schools, 15 elementary and 2 middle.

At this time the financial impact of this proposed new regulation on Hayward Unified is undetermined. It is estimated that approximately 20 teachers with emergency permits or waivers are currently in Title I classrooms. Additionally, of these 20, an estimated six teachers are assigned K-3 CSR classes. Removal of these teachers creates a potential negative financial impact on CSR funds.

We request that we be considered with other districts under Agenda Item GS-10-D at your October 2, 2003 meeting and be permitted to continue allowing emergency permit or credential waiver teachers hired prior to September 1, 2003, to continue teaching in core areas for Title I classrooms. The District has met new hire requirements for NCLB and has implemented a timetable for ensuring all teachers hired prior to September 1, 2003 will be highly qualified by 2005-06 as required by NCLB. It would be however, very difficult for Hayward to implement these new credential requirements at this late date.

Please contact us if any additional information is required. Thank you for your consideration.

Sincerely,

Joseph "Jay" Totter
Interim Superintendent



Santa Barbara County Education Office

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(805) 964-4711 • FAX: (805) 964-4712 • Direct Dial: 964-4710 plus extension

Service and Leadership • www.sbceo.org

September 4, 2003

Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Ave.
Sacramento, CA 95814

Dear Ms. Fortune:

We are writing this letter on behalf of the Santa Barbara County Education Office in response to the Commission's adoption of a motion to discontinue emergency permits and waivers in No Child Left Behind (NCLB) core areas (English, mathematics, science, foreign language, social science and arts) for Title I classrooms after September 1, 2003, and no longer issue emergency permits and waivers in core areas for any classroom after July 1, 2005.

Our Office provides direct instructional services for children in our districts for special education, regional occupational Programs (ROP), and Court and Community Schools. These programs serve children with some of the most severe behavior challenges as well as children with physical and cognitive disabilities. For our three school-age programs, we employ 207 teachers. Currently 14 teachers hold emergency credentials and 5 are on waivers. In addition, we still have 9 vacancies.

We are diligently working with our staff to ensure that all teachers work towards meeting the requirements of NCLB. We have a comprehensive BTSA program, we provide extensive staff development, and we work closely with the University of California, Santa Barbara, and the local state colleges. We understand and applaud the federal goals. However, the reality of providing day-to-day instruction without fully credentialed teachers is a need that still exists. With a dire shortage of teachers and no opportunity for waivers and emergency permits, we are left with children without a teacher. How can the Commission justify this decision? How can we do our job?

We urge you to work towards a solution that truly gives us the tools for doing our job, while maintaining the provision for emergency permits and waivers until other options are provided.

Thank you for your dedication to the children of California.

Sincerely,

Deborah M. Coleman
Assistant Superintendent
Human Resources

Florene Bodnersh, Ph.D.
Assistant Superintendent
Special Education

c: William J. Cirone, Superintendent



COMPTON UNIFIED SCHOOL DISTRICT
Human Resources and Employee Development
Certificated Personnel
604 South Tamarind Avenue
Compton, CA 90220

Telephone: (310) 639-4321 Ext. 55045
Fax: (310) 764-5892

September 4, 2003

Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

Dear Madam:

Re: Agenda Item GS-10-D/Coded Correspondence 03-0021

We applaud the efforts of the Commission to ensure that California complies with the provisions of No Child Left Behind. The Compton Unified School District is also making strenuous efforts to ensure that the qualifications of our teaching staff comply with the provisions of NCLB. Our district was successful in ensuring that approximately 225 teachers who had not previously satisfied the credential subject matter requirement did so prior to being offered a contract for the 2003/2004 school year.

However, many of those teachers satisfied the requirement by passing the July CSET exams, which meant they did not receive their passing scores until the week of August 18th. All of the public universities in the area are no longer accepting applications for the fall semester, and are therefore unwilling to either apply for an Intern Credential or support an application for an Individualized Intern Certificate. Since every school in our district is identified as schoolwide for Title I purposes, the recent decision by the Commission means that we are unable to apply for *any* Emergency Permits, even as a stopgap document pending application for an Intern Credential.

We could actually be placed in the position of having to release teachers who have met subject matter but cannot immediately get on an Intern Credential (or Individualized Intern Certificate), and rehire the 203 teachers we just released for failure to meet subject matter, since we could apply for a Pre-Intern Certificate for them.

Since most districts follow a traditional calendar with school starting at the beginning of September, we respectfully request that the Commission reconsider its decision and allow a "phase-out" period for Emergency Permits of longer than two weeks.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Gloria Chiappelli".

Gloria Chiappelli
Senior Director - Human Resources



HUMAN RESOURCE SERVICES
Office of the Assistant Superintendent
1515 Hughes Way, Long Beach, CA 90810
(562) 997-8257 ♦ Fax (562) 997-8300

September 4, 2003

CERTIFIED MAIL
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AND VIA REGULAR U.S. MAIL.

Margaret Fortune
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

Subject: Agenda Item GS-10-D - CCTC Discontinuance of Emergency Permits

Dear Ms. Fortune,

This letter will serve as a record of the district's concern with the recent action of the CCTC in regard to emergency permits.

The Long Beach Unified School District is the third largest school district in the state, serving 97,000 students, with a certificated workforce of 5400 employees. Although we are proud to have a large majority of fully credentialed teachers, we do have 270 teachers on emergency permit, teaching at 72 of our 92 schools.

These teachers are on an emergency permit or waiver for limited reasons only, such as:

- Some only need student teaching or fieldwork, and have completed all other credential coursework.
- Some have subject matter competency, but are at the mercy of university timelines to be accepted into an intern program; thus they are on an emergency permit on an interim basis only
- Many are in high need areas of Math, Science (and Special Education).

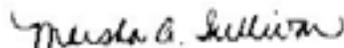
This district has an outstanding record of reducing the number of emergency permit teachers. The number has decreased dramatically from 20% in 1999-00 to just 5% today. We are hiring only fully credentialed teachers in our elementary schools and primarily fully credentialed in our secondary schools.

This district does not apply for an emergency permit for a teacher unless there are no other options. The recent CCTC ruling would affect 270 successful teachers, who are working diligently toward final completion of their credential requirements, and who are committed to the teaching profession.

In addition, the district needs the flexibility to continue to employ long term substitutes to provide coverage for teachers on a partial-year leave of absence. Substitutes who are not fully credentialed have been granted emergency permits in these cases.

To discontinue emergency permits so suddenly at this point, would have a severe and negative impact on the quality of instruction to students, as we would be unable to adequately staff nearly 300 classrooms. Therefore, we respectfully request that emergency permits, on a very limited or waiver basis, continue to be granted, as we work toward full compliance with No Child Left Behind in July of 2006.

Sincerely,



Marsha A. Sullivan
Assistant Superintendent

dn

- c: Christopher Steinhauser, Superintendent
- Sam Swofford, Ed.D., Executive Director, California Commission on Teacher Credentialing
- Reed Hastings, President, State Board of Education
- Rae Belisle, Executive Director, State Board of Education
- Andrea Ball, Director, Government Relations

Gerald F. Davis
Superintendent



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September 4, 2003

Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Avenue, Sacramento, CA 95814

Dear Ms. Fortune:

Trying to keep our budget down, our district hires mostly new teachers. As a result, many of our teachers are now (or soon will be) going out on maternity leave. Mindful of not exceeding the 30 day limit for many of our substitute teachers, most of the emergency permits I request are for long-term substitutes to fill in for these (and other) leaves.

What I was wondering is this: Would the Commission consider coming out with a permit for substitutes that would have a specialty listed on it, allowing the substitute to be in a particular class for more than 30 days if it is in that subject? Perhaps allowing the specialty to be listed if the person has a major or minor in the subject (or 18 units) or has passed subject matter exams?

Thank you for taking the time to read this.

Sincerely,

A handwritten signature in cursive script that reads "Candice Petersen".

Candice Petersen
Human Resources Technician
Manhattan Beach Unified School District
310-318-7345 X5914



Charter Oak Unified School District

20240 East Cienega Avenue • Post Office Box 9 • Covina, California 91723
Telephone: (626) 966-8331 • FAX: (626) 967-9580

John A. Roach, Ed.D., District Superintendent

September 4, 2003

Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Ave.
Sacramento, CA 95814

Dear Ms. Fortune,

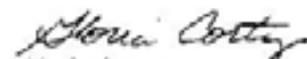
It is with great concern that I write you this letter regarding the Commission's action on Agenda Item GS-10-D and resulting Coded Correspondence 03-0021. The decision to eliminate the issuance of emergency permits for Multiple Subject and Single Subjects in the NCLB core areas of arts, English, mathematics, science, foreign language and social science in Title I classrooms as of September 2, 2003 was unexpected. It was however, a relief to find out that the deadline for applications was extended to October 1, 2003.

The District recognizes the need to comply with NCLB and the state's plan to align its certification process. The Charter Oak Unified School District has made a concerted effort to hire "highly qualified" teachers in all schools within the District. However, even in a district of our size, 320 certificated teachers, we still have four (4) teachers that have had to apply for emergency permits this year. Although they are all secondary teachers at non-Title I schools, they do teach in the NCLB core curricular areas. Each of these teachers has unique circumstances that prevent them from attaining an Intern credential. These four teachers are high quality instructors and need more time to become highly qualified.

The District is committed to complying with all regulations that provide a greater opportunity for learning for all students. Eliminating the emergency permit will only serve to fit a definition. There is no guarantee of better instruction for these students. Please reconsider.

Thank you for your consideration.

Sincerely,


Gloria Cortez
Assistant Superintendent
Human Resources

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LOS ANGELES UNIFIED SCHOOL DISTRICT

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ROY ROMER
SUPERINTENDENT OF SCHOOLS

September 4, 2003

Ms. Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95814

Dear Ms. Fortune:

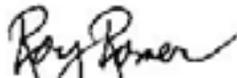
This letter is written to thank the Commission for its decision to delay the implementation of Coded Correspondence 03-0021 until after the October 2, 2003 meeting. We are grateful to have additional time and the opportunity to address the Commission regarding the issuance and renewal of emergency permits.

Staff estimates that as many as 1000 teachers in the LAUSD may be affected by this ruling. Approximately half of these teachers are at the elementary level. The remainder consists of math teachers, science teachers, English teachers, and a combination of teachers serving in other core subject areas. Many of these employees are currently working on renewals, awaiting test results, or credential verification letters for universities/colleges stating that they have completed required coursework. Additionally, many of these teachers are working in our most challenging year round schools and have already started the new school year on July 1, 2003. The disruption to the instructional program in these classrooms would be unconscionable.

As I am certain you are aware, LAUSD is in the process of phasing out emergency permits in order to comply with NCLB guidelines. At the October 2, 2003 CCTC meeting, we will present our plan to phase in the implementation for the issuance and renewal of emergency permits.

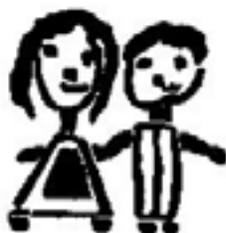
In the meantime, should you have any questions, please contact Deborah Hirsh, Chief Human Resources Officer at (213) 241-6131.

Sincerely,


Roy Romer

yv

c: Sam W. Swofford, Ed. D



five acres

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September 4, 2003

Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Ave.
Sacramento, CA 95814

Dear Margaret Fortune,

I am writing to you referencing Agenda Item GS-10-D and the resulting coded correspondence (03-0021) concerning the Commission's decision to eliminate certain credential waivers and permits.

Five Acres is a residential treatment program and therapeutic non-public school that was founded 115 years ago in 1888. Our non-public school serves special education students in the areas of Other Health Impaired, Emotional Disturbance, Mild Mental Retardation and Learning Disabilities.

I feel that it was an excellent change several years ago to eliminate emergency credentials that did not insist that teachers be involved in state-approved credential programs in specified areas. However, our school, and schools like it throughout California, has provided quality education to special students with a well supervised system of support for teachers on waivers and permits.

As you know, the shortage of teachers with clear credentials in special education remains serious. The current system of waivers and permits, when provided with proper administrative support on-site, allows these teachers to develop professionally in a way that allows them to earn Level 1 and Clear credentials in a timely manner. Simply removing them, or moving to another intermediate state of credentialing such as Pre-Intern or Intern certificates, would simply cause needless distress to parents, teachers, schools and students.

Although the provisions of the federal NCLB are important concerning "highly qualified teachers," I would ask that you reconsider the elimination of waivers and permits. With proper supervision by administrators with clear teaching and administrative credentials, and by completing mandatory university units on a schedule at state approved programs, waiver and permit teachers provide a tremendous resource to California while working toward the important career goal of a clear credential. The current system is working, and working well. I would respectfully encourage you to support the excellence of the



five acres

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current California system when considering compliance issues with NCLB.

Thank you for receiving these comments before your next meeting.

Sincerely,

Craig Cotter, M.A.
Assistant Director of Education
Five Acres Therapeutic School
760 W. Mountainview St.
Altadena, CA 91001
P (626) 798-6793 x316
F (626) 296-3510
ccotter@5acres.org

SFUSD

San Francisco Unified School District • 555 Franklin Street • San Francisco, California 94102-5299

September 5, 2003

Margaret Fortune
Chair, California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

Dear Ms. Fortune:

The San Francisco Unified School District (SFUSD) has considered recent decisions made by the California Commission on Teacher Credentialing concerning emergency permits and waivers. We have significant concerns with the timing and nature of this action and urge you to rescind these premature actions.

As you know, the Commission at its August meeting voted to discontinue emergency permits and waivers for Title I classrooms in core areas defined in the No Child Left Behind (NCLB) Act after September 1, 2003, and to no longer issue emergency permits and waivers in core areas for any classrooms after July 1, 2005. In response to concerns expressed by several districts, the Commission extended this date to October 2, 2003.

SFUSD has several concerns with this action. First, although our District has worked aggressively over the past few years to significantly reduce the proportion of emergency permits to below 4 percent, your action presents some challenges to our ability to adequately staff our classrooms for the remainder of this school year.

San Francisco will submit nearly 30 applications for emergency permits for teachers we have rehired at the request of the respective schools' principal. The majority of these teachers are experienced staff who have completed their teacher preparation program, but who are missing a requirement to earn their preliminary or clear credential. SFUSD only applies for emergency permits after we determine that the teacher does not qualify for a pre-intern or an intern permit. An example of this would be a bilingual education teacher who has completed all the requirements for a preliminary credential, but has not passed the Reading Instruction Competence Assessment (RICA). In this case, since the teacher has met subject matter requirements, completed student teaching, and completed all the course work for the credential, an emergency permit is needed. This person does not qualify for a pre-intern or an intern permit, but is qualified and a valuable asset to SFUSD's faculty.

Secondly, the timing of this action and resulting correspondence from the Commission demonstrates a disconnect between policy makers and the field, as it is misaligned with the realities of the beginning of the school year. Indeed, until this summer, the State Board of Education did not have a definition of "highly qualified teacher" developed. School staff had

been assigned to classrooms well before the August meeting, yet the Commission's actions give school districts only a few weeks to rearrange these assignments. To suggest that the Commission's action does not affect schools in a substantial way does not consider the realities of school operation needs.

We recommend that instead of phasing out emergency permits completely and immediately, the Commission adopt a process to review these types of permits or waivers on a case-by-case basis. Here it will be important to take into account cases like that described above. In sum, if the teacher has met subject matter requirements, and lacks student teaching, RICA, or requirements other than subject matter, the district should be allowed to apply for an emergency permit on behalf of these teachers. The Commission should find a different designation for teachers who have met the subject matter requirement and are NCLB compliant, but who do not yet qualify for a preliminary credential. We need a new title for them to distinguish them from those who are not highly qualified under NCLB.

While SFUSD intends to fully comply with NCLB, we oppose the immediate implementation of phasing out emergency permits and waivers. Although we intend to only submit a maximum of 30 applications for renewal for non-special education classrooms, we, like other school districts, need time to prepare the necessary documentation. In past years, as you may recall, districts were given a minimum of four months to submit the necessary documentation. Further, by creating an additional state-level NCLB requirement, you present districts with an unnecessary and additional barrier to success during a time of most difficult fiscal and regulatory challenges.

Finally, it is critical that the Commission understand that not all teachers on emergency permits lack qualifications and expertise in teaching, and make considerations for individual cases.

We hope this information has been useful to you, and urge you to reconsider the action taken at your August meeting. Please do not hesitate to contact me at (916) 442-4903 or via email at sfsdistrict@yahoo.com with any questions or comments. We look forward to working with you in resolving this matter and ensuring that all students have access to highly qualified teachers.

Sincerely,



Vernon Billy
Executive Director, Governmental Relations

cc: Sam Swafford, Executive Director, California Commission on Teacher Credentialing
Reed Hastings, President, State Board of Education
Jack O'Connell, Superintendent, California Department of Education
John Burton, Pro Tempore, California State Senate



Dr. Ruben Zacarias
Interim Superintendent

INGLEWOOD UNIFIED SCHOOL DISTRICT

401 S. INGLEWOOD AVE., INGLEWOOD CALIFORNIA • 90301 PHONE: (310) 419-2705; FAX (310) 560-5144

September 5, 2003

Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

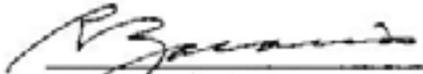
Dear Ms. Fortune:

The purpose of this letter is to officially request a waiver of the motion adopted by the California Commission on Teacher Credentialing as delineated in Coded Correspondence No. 03-0021, *Alignment of Emergency Permits and Credential Waivers with No Child Left Behind (NCLB)* for the Inglewood Unified School District to be effective for school year 2003—2004. To that end, Resolution No.30/2003—2004 and Resolution No.31/2003—2004, approved by the Board of Education, are being submitted to you and the members of the Commission for consideration and approval.

While it is the policy of the Board of Education to comply with mandates at all levels—federal, state, and local—the Commission's untimely decision to eliminate emergency permits and credential waivers for teachers in NCLB core areas for Title I schools at the beginning of the school year will result in the release of approximately 125 classroom teachers. Many of these teachers of record will complete their respective credential programs during the 2003—2004 school year. This will bring them into compliance with the "highly qualified" requirement of the *No Child Left Behind Act of 2001* for teachers in Title I schools. The impact of implementing the mandates of Coded Correspondence No. 03-0021 will have immediate repercussions. For example, as of October 1, 2003, students in approximately seventeen (17) classrooms teaching at five (5) elementary and four (4) secondary schools will end up being taught by a Day-to-Day Substitute Teacher until a fully certified teacher is hired. To have students being taught by Day-to-Day Substitutes while recruitment efforts continue is not only a detrimental disruption to the instructional program, but also it is not in the best interest of the students of the Inglewood Unified School District.

On behalf of the entire Inglewood community—students and their parents, faculty and staff, and the entire Board of Education, we respectfully request that you grant a waiver of the motion adopted by the California Commission on Teacher Credentialing as delineated in Coded Correspondence No. 03-0021, *Alignment of Emergency Permits and Credential Waivers with No Child Left Behind* for the Inglewood Unified School District to be effective school year 2003—2004.

Sincerely,


Ruben Zacarias, Ed. D.
Interim Superintendent of Schools


Willie Crittendon
President—Board of Education

RESOLUTION NO. 30/2003-04

**RESOLUTION REGARDING THE DISTRICT'S POSITION IN RESPONSE TO
COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE
NO. 03-0021 ALIGNMENT OF EMERGENCY PERMITS AND CREDENTIAL
WAIVERS WITH NO CHILD LEFT BEHIND ACT OF 2001**

WHEREAS, the California Commission on Teacher Credentialing (Commission), at its August 14, 2003 meeting, voted to phase out emergency permits and credential waivers to begin aligning California's teacher certification process to the State Board of Education's (SBE) recently adopted State Plan and the requirements of the federal *No Child Left Behind Act* (NCLB) of 2001; and

WHEREAS, teachers serving on emergency permits and credential waivers do not meet the definition of "highly qualified" under the SBE State Plan or the NCLB Act; consequently, teachers serving under these documents are not NCLB compliant; and

WHEREAS, the Commission acted to discontinue multiple and single subject emergency permits and credential waivers in NCLB core areas (English, mathematics, science, foreign language, social science, music and art) for Title I classrooms effective September 1, 2003, and to no longer issue multiple and single subject emergency permits and credential waivers in *any* classroom after July 1, 2005; and

WHEREAS, Special education emergency permits and credential waivers were not included in this action. This exclusion happened because the Individuals with Disability Education Act (IDEA) is currently being reauthorized by the U. S. Congress and once it is enacted the Commission will align special education permits and waivers to "highly qualified" definition included in IDEA; and

WHEREAS, this action has impacted approximately 125 IUSD teachers who are presently working under an emergency permit or credential waiver which will expire on or after September 1, 2003. Of that number, approximately 25 teachers' permits will expire as of November 30, 2003; and

WHEREAS, This would result in numerous classes existing without a teacher of record. The only teachers who would have a CTC document under which they could provide instruction will be Day-to-Day Substitute Teachers. Day-to-Day Substitutes assigned to teach students may or may not have the requisite background or knowledge to deliver "high quality" instruction to IUSD students; and

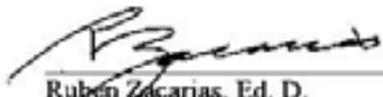
WHEREAS, This would result in numerous classes existing without a teacher of record. The only teachers who would have a CTC document under which they could provide instruction will be Day-to-Day Substitute Teachers. Day-to-Day Substitutes assigned to teach students may or may not have the requisite background or knowledge to deliver "high quality" instruction to IUSD students; and

**THE BOARD OF EDUCATION OF THE INGLEWOOD UNIFIED SCHOOL DISTRICT
HEREBY RESOLVES:**

To submit a resolution to the CTC which will allow affected teachers—only those who have complied with renewal requirements for emergency permits, multiple subject and single subject pre-intern certificates, and/or credential waivers—to continue their employment through the end of the 2003—2004 school year. This will give that group of teachers an opportunity to become highly qualified by either attaining "Intern" status in the Teacher Education Program (TEP) at the university in which they are enrolled, complete fieldwork or student teaching requirements, and/or complete requirements for a California Preliminary, Professional Clear, or Education Specialist Credential. At the same time, the District will continue its efforts to recruit "highly qualified" teachers in the event same current teachers of record do not meet the "highly qualified" definition by June 30, 2004.

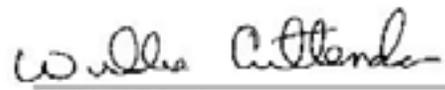
PASSED AND ADOPTED by the Governing Board of the Inglewood Unified School District on Friday, September 5, 2003.

By:



Ruben Zacarias, Ed. D.
Interim Superintendent of Schools

By:



Willie Crittendon
President—Board of Education

RESOLUTION NO. 31/2003-04

RESOLUTION REGARDING THE DISTRICT'S REQUEST FOR APPROVAL OF
A CBEST WAIVER FOR APPROXIMATELY TWENTY (20) TEACHERS

WHEREAS, the California Commission on Teacher Credentialing (CTC), requires that all teachers take and pass all sections of the California Basic Educational Skills Test (CBEST) within one year of the issuance date of the document under which a teacher is employed; and

WHEREAS, the Inglewood Unified School District Chief Human Resources Officer during the 2001—2002 school year, entered into an employment contract with approximately fifty-two (52) teachers from the Philippines; and

WHEREAS, since that time, approximately twenty-three (23) of those teachers have reported and/or served as a teacher of record in the District for one year or less. They provided services holding Emergency Permits, or Preliminary or Professional Clear Credentials issued by the CTC with the stipulation that they have one year from the date of issuance of the credential to successfully complete the CBEST requirement; and

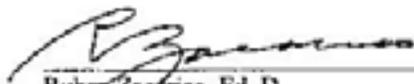
WHEREAS, Approximately 20 teachers have passed one or two sections of the CBEST and are planning to take the remaining section(s) on the October 9, 2003 test. Since their permits or credentials expire between September 2003 and March 2004, they will be required to leave the classroom at various times during the school year disrupting our educational program unless they qualify for renewal. For this reason it is recommended that the JUSD Board of Education make request to the CTC for a one year a waiver for these teachers to complete the CBEST requirement no later than June 30, 2004; and

**THE BOARD OF EDUCATION OF THE INGLEWOOD UNIFIED SCHOOL DISTRICT
HEREBY RESOLVES:**

To submit Administration recommends that the Board of Education approve Resolution No. 31/2003-04 that requests a CTC to issue a one-year CBEST waiver for approximately twenty (20) teachers, expiring no later than June 30, 2004.

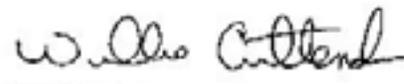
PASSED AND ADOPTED by the Governing Board of the Inglewood Unified School District on Friday, September 5, 2003.

By:



Ruben Zaparias, Ed. D.
Interim Superintendent of Schools

By:



Willie Crittendon
President—Board of Education



NEWPORT-MESA Unified School District

2985A Bear Street • Costa Mesa • California 92626 • (714) 424-5000

BOARD OF TRUSTEES

Dana Black • Dave Brooks • Tom Egan

Martha Pflor • Judy Franco • Linda Sneen • Serene Stokes

Robert J. Barbot Ed. D., Superintendent

**Mailing Address: P.O. Box 1564
Newport Beach, CA 92643-0360**

September 5, 2003

California Commission on Teacher Credentialing
Attention: Margaret Fortune, Chair
1900 Capitol Avenue
Sacramento, California 95814

Subject: Emergency Permit Waiver Submission Deadline

The Newport-Mesa Unified School District has reviewed Coded Correspondence 03-0021. We currently have thirteen (13) designated Title I schools. In the No Child Left Behind (NCLB) core areas of English, math, science, foreign language, social sciences, and arts, we have exhausted our database of qualified applicants for math, science, and foreign language. Therefore, we have been unable to complete the implementation of the Commission's action on Agenda Item GS-10-D.

At this time, the Newport-Mesa Unified School District will find it necessary to resort to emergency permits/waivers. While we will continue to seek fully credentialed applications for future positions, we are unable to avoid some permits in these shortage areas.

Respectfully,

A handwritten signature in black ink, appearing to read 'JP Ybarra, Jr.', is written over the typed name.

Joseph Ybarra, Jr.

JYJ/kv

Joseph Ybarra, Jr.
DIRECTOR, HUMAN RESOURCES

Palmdale School District

BOY R. MARYOBT EDUCATION CENTER

32130 49 NORTH TENTH STREET EAST
PALMDALE, CALIFORNIA 93550

PHONE (661) 947-7191
FAX (661) 537-6162

September 8, 2003

VIA FACSIMILE AND U.S. MAIL

Ms. Margaret Fortune, Chair
California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, California 95814

Re: *Palmdale School District's Statement In Opposition To Agenda Item
GS-10-D and Coded Correspondence 03-0021*

Dear Chairwoman Fortune:

I write on behalf of the Palmdale School District (the "District"). The District opposes the California Commission on Teacher Credentialing's (the "Commission's") proposal to eliminate emergency permits and waivers for current District teachers nearly three years before the June 30, 2006 deadline imposed by the federal No Child Left Behind Act of 2001, 20 U.S.C. § 6301 et seq. (the "NCLB" or the "Act"). Such action would be contrary to Congress's intent; would impose unnecessary hardship on the District and its current teachers; and would be inconsistent with the California Education Code.

I. The NCLB Requires The District's Current Teachers To Become "Highly Qualified" By The End Of The 2005-2006 School Year.

Title I of the NCLB contains requirements concerning the employment of "highly qualified" teachers by districts that receive Title I funds.¹ With respect to elementary and secondary school teachers, the Act defines "highly qualified" to mean those teachers who:

1. have obtained full State certification as a teacher or passed the State teacher licensing examination; and
2. hold a license to teach in the State; and
3. have not had certification or licensure requirements waived on an emergency, temporary or provisional basis. 20 U.S.C. § 7801(23); 34 CFR 200.56.

The Act requires the District to hire only "highly qualified" teachers on or after July 1, 2002. 20 U.S.C. § 6319(a)(1). However, Congress imposed a much longer deadline for teachers the District already employs to become "highly qualified" – until the end of the 2005-2006

¹ All or nearly all of the District's schools presently receive such funds.

school year, i.e., nearly three years from now. 20 U.S.C. § 6319(a)(3) ("[E]ach local educational agency receiving assistance under this part shall develop a plan to ensure that all teachers teaching within the school district served by the local educational agency are highly qualified not later than the end of the 2005-2006 school year.") (Emphasis added.)

II. Elimination of Emergency Permits and Waivers Prior To The Federal Deadline Will Impose Unnecessary Hardship On The District And Its Current Teachers.

Congress presumably provided several years of "lead time" under the NCLB for teachers already employed by the District to become "highly qualified" for at least two reasons: (1) to provide affected teachers a reasonable amount of time to obtain a non-provisional credential without fear of losing their jobs with little or no notice in the interim; and (2) to provide affected districts time to plan and implement changes in their teacher ranks in a rational, measured manner.

The District currently employs approximately 97 provisional credential holders, all of whom have spent years working to obtain a clear credential. Many of them teach full-time and attend classes after work on top of familial and other obligations. All of them have been working towards obtaining a clear credential with the understanding that they would have a reasonable amount of time to reach their goal. Simply put, it would be grossly inequitable to pull the rug out from under these educators by requiring their termination with virtually no notice, particularly when Congress has already decided to allow them almost three additional years to "clear" their credential.

Summarily eliminating provisional credentials also would unnecessarily disrupt the District's teacher workforce and academic calendar. The District has been aware of its obligations under the Act since it was signed in January 2002, and has planned accordingly to ensure that all of its teachers become "highly qualified" by the federal deadline. For example, at the beginning of the 2002-2003 school year, the District sent a letter to all of its provisional credential holders, advising them of the Act's requirements and instructing them to take immediate action to obtain a clear credential. The District is also currently working on the local plan required by the NCLB. Moreover, requiring the District to terminate and replace nearly 10 percent of its teacher workforce mid-year would be extremely disruptive for the affected teachers, the District and the District's students (who will have already started the school year with their current teachers). There simply is no reason to require the District to terminate these teachers now when the federal mandate provides them substantial time to obtain a clear credential.

III. Elimination of Emergency Permits and Waivers Prior To The Federal Deadline Would Be Inconsistent With The Education Code.

Termination of a teacher's employment under the Education Code is premised upon advance notice (and usually an opportunity to be heard) in virtually every instance. See, e.g., Cal. Educ. Code §§ 44932, 44949, 44955. Indeed, with respect to probationary teachers, the Code expressly provides that if the District does not inform them that they have been non-relected by March 15 of the applicable school year, they are automatically relected for the subsequent school year. Cal. Educ. Code § 44929.21(b). There simply is no reasonable basis to

deprive the District's provisional credential holders of adequate notice that their jobs are in jeopardy solely because they do not hold a "clear" credential.

As a result of the California budget crisis, the District (and many other school districts state-wide) engaged in certificated layoffs this past spring. The District conducted that layoff in accordance with Education Code §§ 44949 and 44955, which make clear the guiding principle in determining the order of layoff is seniority, without regard to credential status. See Cal. Educ. Code § 44955(b). Interpreting the Code, the California Supreme Court recently held,

"[T]he Legislature intended teachers holding emergency credentials to be eligible for probationary classification and the benefits of that classification, except the benefit of counting that service towards attaining permanent status." California Teachers' Ass'n v. Golden Valley Unified Sch. Dist., 98 Cal. App. 4th 369, 380 (2002).²

By arbitrarily eliminating provisional credentials, the Commission would deprive the District's teachers who hold those credentials of the protections afforded them by their seniority as probationary employees. Indeed, doing so would have the incongruous result of terminating the employment of teachers who had sufficient seniority to avoid being laid off solely because they do not possess a clear credential, and replacing them with employees with less seniority (and who in fact were laid off last spring) solely because they do. While one could debate whether seniority or credential status should trump in such an instance as a matter of policy, the proper method of changing the current statutory framework is through legislation, not administrative fiat.

Conclusion

The Commission should not achieve through administrative rule what the United States Congress declined to do through federal legislation. Based on all of the foregoing, the District respectfully submits that the Commission should not eliminate emergency permits and waivers, thereby requiring the District to terminate current employees, prior to the federal deadline imposed by the NCLB.

Sincerely,



Lori Ordway-Peck
Deputy Superintendent

LAJ:1050118.1

² See Cal. Educ. Code § 44845 ("Every probationary or permanent employee employed after June 30, 1947, shall be deemed to have been employed on the date upon which he first rendered paid service in a probationary position."); Cal Educ. Code § 44911 (preventing teachers holding a provisional credential from accruing time credited towards tenure only).



ADMINISTRATION

Charles Weis, Ph.D.
County Superintendent of Schools
(805) 363-1901 (805) 363-1908 FAX
weis@voss.k12.ca.us

September 8, 2003

Margaret Fortune, Chair, California Commission on Teacher Credentialing
1900 Capitol Avenue
Sacramento, CA 95814

Dear Ms. Fortune:

As Chairperson of the AB 312 "No Child Left Behind" (NCLB) Liaison Team, I am writing this letter on behalf of our entire committee. At today's meeting, the committee discussed a recent decision made by the California Commission on Teacher Credentialing (Commission) regarding highly qualified teachers.

Specifically, the Commission voted at its August meeting to phase out emergency permits and waivers to align with the federal NCLB requirement. This mandate states that all Title I schools by July 1, 2002, and all public schools by July 1, 2006, must be staffed with teachers who meet new federal requirements. The California State Board of Education adopted a State Plan stating that emergency permits and waivers do not meet the new federal requirements.

The Commission adopted a motion to:

- discontinue emergency permits and waivers in NCLB core areas (English, mathematics, science, foreign language, social science and arts) for Title I classrooms after September 1, 2003; and
- no longer issue emergency permits and waivers in core areas for any classroom after July 1, 2005.

We are aware that since this action was taken, many districts have indicated that they would have problems implementing this decision and have requested another opportunity to address the Commission concerning specific difficulties in implementing this action. We support this additional hearing, and we are pleased that the Commission will continue to accept applications for any teacher hired prior to September 1, 2003, until its October Commission meeting.

As a contribution to that dialogue, the AB 312 NCLB Liaison Team today passed the following motion:

"The AB 312 Committee recommends to the State Board of Education and the California Commission on Teacher Credentialing (CCTC) that the Commission's action [as summarized above] be revised so that the granting of emergency permits and waivers continues until the NCLB mandated deadline of June 2006."

It is the hope of the AB 312 NCLB Liaison Team that the Commission will take this recommendation under consideration at its October 2, 2003, meeting. We remain hopeful that the Commission will continue to grant emergency permits and waivers until the NCLB mandated deadline of June 2006.

Sincerely,

Charles Weis, Chair
AB 312 NCLB Liaison Team

Cc: Jack O'Connell, State Superintendent of Public Instruction
Reed Hastings, President, State Board of Education

Proposed Options to Align Emergency Permits and Credential Waivers with No Child Left Behind

July 24, 2003

Summary

The Federal *No Child Left Behind Act* of 2001 (NCLB) requires teachers in NCLB core areas hired to teach in Title I schools after July 1, 2002 and for all teachers in NCLB core areas by July 1, 2006 to be “highly qualified”. This agenda item offers options the Commission may wish to consider to align emergency permits and credential waivers with the “highly qualified” teacher requirement of NCLB.

Fiscal Impact

Funding for this work is provided in the Commission’s baseline budget.

Policy Issues to be Resolved

Should the Commission change emergency permit requirements and credential waiver criteria to be in alignment with the “highly qualified” teacher requirement of NCLB?

Background

Teachers serving on emergency permits and credential waivers do not meet the State Board of Education’s (SBE) “highly qualified” definition, consequently teachers serving on these documents are not NCLB compliant. As of the first day of school for the 2002-03 school year NCLB required all teachers being placed in classrooms receiving Title I funding to be “highly qualified.” School districts may be in jeopardy of losing Title I funding when teachers serve on emergency permits and credential waivers and are providing services in Title I classrooms or schools. By the end of the 2005-06 school year, all elementary and secondary teachers (in the core areas of English, reading, language arts, mathematics, science, foreign languages, civics and government, economics, arts, history and geography) serving on emergency permits and credential waivers will not be in compliance with the requirements of NCLB.

There are a several options the Commission may wish to consider to determine if the emergency permits and credential waivers should be aligned with the “highly qualified” teacher requirement of NCLB. The various options for both documents consider the NCLB requirement that all teachers must be “highly qualified” by the 2006 school year. The issuance of education specialist emergency permits and credential waivers have been excluded from all of the options outlined below. Currently the U.S. Congress is in the process of reauthorizing the Individuals with Disabilities Education Act (IDEA), which is intended to define a “highly qualified” special education teacher. Options pertaining to education specialist emergency permits and credential waivers will be presented to the Commission after the reauthorization of IDEA.

Current Emergency Permit Requirements

The overall goal of NCLB is to have a “highly qualified” teacher in every classroom in the country. However the use of non-credentialed teachers is not a new phenomenon. Prior to the origins of the California Commission on Teacher Credentialing, the State Department of Education issued Provisional Credentials to persons who met minimum qualifications, but had not completed a teacher preparation program. This was the pre-1970 antecedent to the emergency credential or permit, which the state has issued regularly for over 30 years. In 2001-02, the most current data available, the Commission issued 29,083 emergency permits, of which 12,610 were for multiple subject and 9,546 were for single subject. (See Appendix A for all emergency permits issued in 2001-02.)

The Education Code authorizes the Commission to issue emergency permits based upon the request of employing agencies. All districts must have a Declaration of Need on file prior to the Commission issuing emergency permits. The Declaration of Need is an annual declaration a public school district makes stating the number of teachers the district anticipates hiring on emergency permits. The general requirements for emergency permits are:

- Bachelor’s or higher degree from a regionally accredited institution;
- Passage of the California Basic Educational Skills Test;
- Subject matter requirement;
 - for the Emergency Multiple Subject Teaching Permit, at least ten semester units of course work in each of at least four of the following subject areas or at least ten semester units of course work in each of three subject areas and an additional ten semester units in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, literature, history, humanities, human development, mathematics, physical education, science, social science and the arts;

for the Emergency Single Subject Teaching Permit, at least eighteen semester units, or nine upper division or graduate semester units of course work in the subject to be taught (For an emergency permit in one of the science subjects, at least nine units must be in the specific area of concentration. For an emergency permit in one of the specialized science areas, all units must be completed in the area of specialization.)

Proposed Options for Emergency Permits

OPTION 1E The Commission would no longer issue any emergency permits in any subject area after September 1, 2003. This option is NCLB compliant.

OPTION 2E The Commission would no longer issue emergency permits in the NCLB core areas of arts, English, mathematics, science, foreign language and social science, in Title 1 classrooms after September 1, 2003 and no longer issue emergency permits after July 1, 2005. The Commission would continue to issue emergency permits in non-core subjects. This option is NCLB compliant.

OPTION 3E The three internship documents the Commission issues (university, district and individualized) meet the SBE's definition of a "highly qualified" teacher. Starting with the 2003-04 school year the focus of the emergency permit could be changed from emphasis on enrollment in a credential program to subject matter competency. This shift to subject matter would focus the permit holder on completing the subject matter requirement; once met the permit holder would qualify for an intern document.

Under this option the Commission may wish to increase the unit requirement for the multiple subject emergency permit from 40-semester units in four subject areas to 60 semester units and the 18-semester unit requirement for the single subject permit to a degree in the subject of the emergency permit. The unit requirement change follows the findings of the pre-intern program that candidates with 60 semester units were more likely to pass the liberal studies subject matter exam (MSAT & CSET) and the candidate with a major is more likely to pass the appropriate subject matter examination. The document would be issued for one year only. Once the candidate meets subject matter competency, the candidate would qualify for one of the internship documents, which are NCLB compliant. The emergency permits issued under this option would not be NCLB compliant. A statement on the document would indicate this. This option would be evaluated annually to determine the continuing need.

OPTION 4E The Commission would not change the requirements for emergency permits and would continue to offer them as needed by employers. This option would not be NCLB compliant. A statement on the document would indicate this.

Current Credential Waiver Process

When an employing agency reviews its staffing needs and starts recruiting for various positions, it first attempts to fill a position with an appropriately credentialed employee per Education Code Section 44225.7. If a credentialed individual is not available, the employer searches for an individual who qualifies for an internship credential or certificate, an emergency permit, or under one of the assignment options available to employers. When the employer is unable to find an individual who would qualify under one of the above staffing options, it then requests a variable term waiver.

Once an employing agency determines it has a need for a variable-term waiver, it must then check to see if the individual will meet the criteria approved by the Commission. (See attached chart for Commission Waiver Criteria.) Commission staff reviews each waiver request and determines if it should be placed on the consent calendar, conditions calendar, or the denial calendar. These determinations are based on the Commission's criteria and other factors, such as the employing agency's continuing need; the support the employer will provide to the applicant; or extenuating, extraordinary, and unanticipated circumstances. The Commission has amended the credential waiver criteria over the years. In 2001-02 the Commission issued 5,776 credential waivers of which 149 were for multiple subject and 444 were for single subject. (See Appendix A for all credential waivers issued in 2001-02.)

Proposed Options for Credential Waiver Criteria

OPTION 1W No longer initially issue multiple subject and single subject credential waivers in NCLB core areas of English, mathematics, science, foreign languages, social science and arts in Title 1 classrooms after September 1, 2003 and all classrooms after July 1, 2005. The Commission would continue to issue credential waivers for all other with no phase out date. This option is NCLB compliant.

OPTION 2W The Commission would no longer issue credential waivers in any subject after July 1, 2006. This option would not be NCLB compliant during the 2003-04, 2004-05, and 2005-06 school years. A statement on the document would indicate this.

OPTION 3W This option allows the continued issuance of credential waivers on a “case-by-case” basis for employers who are unable to recruit teachers who are NCLB compliant. New criteria could be established that required recruitment documentation, a specific number of units in the subject to be taught and the expectation that the subject matter examination would be taken during the year. This option is not NCLB compliant. A statement on the document would indicate this.

OPTION 4W The Commission would continue to issue credential waivers under existing criteria. This option is not NCLB compliant. A statement on the document would indicate this.

The chart below summarizes the options outlined in this agenda item.

Summary of Options to Align Emergency Permits and Credential Waivers With NCLB

Option	Emergency Permits	Consistent with SBE State Plan
1E	No longer issue emergency permits after September 1, 2003	Yes
2E	No longer issue emergency permits in NCLB core area Title 1 classrooms after September 1, 2003 and all emergency permits after July 1, 2005	Yes
3E	Continue to issue emergency permits with emphasis on subject matter	No
4E	No change	No

Option	Waivers	Consistent with SBE State Plan
1W	No longer issue credential waivers in NCLB core area in Title 1 classrooms after September 1, 2003 and all credential waivers after September 1, 2005	Yes
2W	No longer issue credential waivers after July 1, 2006	Yes after July 1, 2006
3W	Continued issuance of credential waivers with new criteria	No
4W	No change	No

Appendix A

Credential Type	Emergency Permits	Waivers
30-Day Substitute	N/A	2,973
Multiple Subject	12,610	149
Single Subject	9,546	444
Special Education	5,970	1,185
Resource Specialist	153	0
Reading Specialist	N/A	241
Adapted PE	*	141
Clinical or Rehabilitative	53	380
Administrative Services	N/A	34
Pupil Personnel Services	N/A	74
Library Media	232	49
Other	519	106
Total	29,083	5,776

* Adapted PE emergency permits are included in the total of special education emergency permits.