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## Action

### *Public Hearing*

#### **Proposed Amendments to 5 California Code of Regulations §80021 Pertaining to Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit**

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**Executive Summary:** Proposed amendments to the 5 California Code of Regulations Section 80021 pertaining to Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permits are being presented for public hearing.

**Recommended Action:** Staff recommends that the Commission adopt the proposed amendments to 5 California Code of Regulations Section §80021.

**Presenter:** Terri H. Fesperman, Consultant, Certification, Assignment and Waivers Division

#### **Strategic Plan Goal: 1**

**Promote educational excellence through the preparation and certification of professional educators**

- ◆ Grant credentials, certificates and permits as set out in regulation and statute.

March 2008

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# **Proposed Amendments to 5 California Code of Regulations §80021 Pertaining to Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit**

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## **Introduction**

The proposed amendments to 5 California Code of Regulations Section 80021 pertaining to Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permits are being presented for public hearing. Included in this item are the background of the proposed regulations, a brief discussion of the proposed changes, and the financial impact. Also included are the responses to the notification of the public hearing.

## **Background**

On December 4, 2003, the Commission took action to discontinue the issuance of multiple subject, single subject and education specialist emergency permits with the understanding that there would be a continuing need for a document that addressed unanticipated staffing needs. With the assistance of stakeholders representing districts, county offices of education, colleges, universities and professional organizations, it was determined that there are two distinct types of staffing needs.

In 2005, the Commission approved regulations to establish two teaching permits. One document is to meet immediate teacher vacancies (Short-Term Staff Permit) and another to staff classrooms when, after a diligent search, no appropriately credentialed teacher could be found (Provisional Internship Permit). The two permits are issued in the area of multiple subject, single subject, and education specialist and replaced the Emergency Multiple Subject, Single Subject and Education Specialist Permits.

There continues to be a need for a document to address unanticipated staffing needs. In the two years of implementation of the two teaching permits, questions have been raised about the definition of ‘acute staffing’ for the Short-Term Staff Permit. As originally established, the short-term staff permit may be requested by an employing agency for acute staffing needs such as the teacher of record is unable to finish the school year due to approved leave/illness, enrollment adjustments or as a bridge document when an individual has completed subject matter competency but is unable to enroll in a teacher preparation internship program.

In addition, due to changes in statute, there has been an increase in the number of pre-service hours required for internship programs. On occasion, school districts are not able to employ prospective intern teachers in time to receive pre-service preparation and therefore the individual cannot be issued an internship credential but needs an authorization to teach. Once the candidate completes the pre-service preparation, an internship credential may be issued.

The proposed regulations update the definition of ‘acute staffing’ to provide specific examples and direction to our stakeholders of appropriate ‘acute staffing’ needs. In addition to clarifying the definition of ‘acute staffing’, staff is recommending updating the basic skills requirement and also clarifying the definition for ‘end of the school year’.

### **Proposed Amendments to Regulations**

**§80021(a)(2)** The proposed change is to update the basic skills requirement in alignment with recent changes in statute.

**§80021(b)** Clarification of the definition for “end of the school year” will allow for appropriate dating of the credential aligned with the type of school year in which the individual is serving.

**§80021(f)(2)** The expanded definition of “acute staffing” will clarify for the stakeholders the justification for when the permit may be requested and to correct a typo to add quotation marks.

### **Disclosures Regarding the Proposed Actions**

The Commission has made the following initial determinations:

*Mandate to local agencies or school districts:* None.

*Other non-discretionary costs or savings imposed upon local agencies:* None.

*Cost or savings to any state agency:* None.

*Cost or savings in federal funding to the state:* None.

*Significant effect on housing costs:* None.

*Significant statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states:* None.

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with Section 17500) of the Government Code.

*Cost impacts on a representative private person or business:* The Commission is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

*Assessment regarding the creation or elimination of jobs in California [Govt. Code §11346.3(b)]:* The Commission has made an assessment that the proposed amendments to the regulation would not (1) create nor eliminate jobs within California, (2) create new business or eliminate existing businesses within California, or (3) affect the expansion of businesses currently doing business within California.

*Effect on small businesses:* The Commission has determined that the proposed amendment to the regulations does not affect small businesses. The regulations are not mandatory but an option that affects school districts and county offices of education.

## Notice of Proposed Rulemaking Mailing List and Responses

### Mailing List

- Members of the California Commission on Teacher Credentialing
- California County Superintendents of Schools
- Credential Analysts at the California County Superintendents of Schools Offices
- Superintendents of Selected California School Districts
- Deans and Directors at the California Institutions of Higher Education with Commission-accredited programs
- Credential Analysts at the California Institutions of Higher Education with Commission-accredited programs
- Presidents of Selected Professional Educational Associations

Also placed on the Internet at <http://www.ctc.ca.gov>.

### **Tally of Responses**

As of Friday, February 15, the Commission had received the following written responses to the public announcement:

<i>Support</i>	<i>Opposition</i>
2 organizational opinions	0 organizational opinion
5 personal opinions	0 personal opinion

**Total Responses: 7**

### ***Responses Representing Organizations in Support***

1. California Association of Private Special Education Schools (CAPSES): Wayne K. Miyamoto, Director of Public and Governmental Affairs
2. Tulare County Office of Education: Jeanne Nava, Assistant Superintendent, Human Resources

### ***Responses Representing Individuals in Support***

1. Enid Brinkman, Tulare County Office of Education, Credentials Supervisor
2. Joseph Hunter, Delano Union School District, Assistant Superintendent of Human Resources
3. Helene Mandell, California State University, Office of the Chancellor, Systemwide Director, CalState TEACH
4. Teresa J. Pedroza, Montebello Unified School District, Credentials Coordinator
5. Nora Roque, Beverly Hills Unified School District, Human Resources Coordinator/Credential Analyst

### **Staff Recommendation**

Staff recommends that the Commission adopt the proposed amendment to California Code of Regulations Section 80021 pertaining to Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permits.

**CALIFORNIA CODE OF REGULATIONS  
TITLE 5. EDUCATION  
DIVISION 8. COMMISSION ON TEACHER CREDENTIALING**

**5 California Code of Regulations §80021 Pertaining To Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit**

**§80021 - Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit**

Employing agencies shall request the Multiple Subject, Single Subject or Education Specialist Short-Term Staff Permit when there is an acute staffing need.

- (a) The employing agencies shall demonstrate that applicants for the Short-Term Staff Permit have completed all of the following requirements:
- (1) Possession of a baccalaureate or higher degree from a regionally accredited college or university.
  - (2) ~~Verification of passage of the California Basic Education Skills Test (CBEST)~~ Meet the basic skills requirement as described in Education Code Section 44252, unless exempt by statutes or regulations.
  - (3) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate non-remedial course work taken at a regionally accredited college or university with a grade of “C” or higher, “Pass”, or “Credit” as found in (A), (B) and (C) below. Non-remedial coursework for the purposes of this section shall be defined as coursework that is applicable toward a bachelor's degree or a higher degree at a regionally accredited college or university.
    - (A) For the Single Subject Short-Term Staff Permit, at least 18 semester units of course work in the subject to be listed.
    - (B) For the Multiple Subject Short-Term Staff Permit, at least 10 semester units of course work in each of at least four of the following subject areas or at least 10 semester units of course work in each of three subject areas and an additional 10 semester units of course work in a combination of two of the remaining subject areas. The subject areas are as follows: language studies, history, literature, humanities, mathematics, the arts, science, physical education, social science and human development.
    - (C) For the Education Specialist Short-Term Staff Permit either (A) or (B) above or verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students or verify a minimum of nine semester units of course work in special education or in a combination of special education and regular education that are appropriate to special education or regular education teaching credential.
  - (4) The employing agency shall verify or submit the following to the Commission:
    - (A) That it has conducted a local recruitment for the Short-Term Staff Permit being requested.
    - (B) That it has provided permit holders with orientation to the curriculum and to techniques of instruction and classroom management and assigned a mentor teacher for the term of the Short-Term Staff Permit.

- (C) Written justification for the Short-Term Staff Permit signed by the employing agency's Superintendent or designee. In the case of a state certified non-public school, the director of the school must sign the justification.
- (b) The Short-Term Staff Permit shall be issued for no more than one-year, provided that it shall expire at the end of the employing agency's school year and shall not be issued more than once to an individual. The end of the school year shall be no later than July 1 unless the Short-Term Staff Permit is being used for a summer school assignment whereby the end of the school year shall be no later than September 1.
- (c) Individuals who were issued an emergency permit pursuant to Education Code Section 44300 that was reissued four times do not qualify for the Short-Term Staff permit.
- (d) Use of the Short-Term Staff Permit shall be restricted to the employing agency requesting the permit.
- (e) The Short-Term Staff Permit shall authorize the following:
- (1) A Multiple Subject Short-Term Staff Permit authorizes the same service as a Multiple Subject Teaching Credential.
  - (2) A Single Subject Short-Term Staff Permit authorizes the same service as a Single Subject Teaching Credential.
  - (3) An Education Specialist Short-Term Staff Permit authorizes the same service as an Education Specialist Teaching Credential.
- (f) Definitions:
- (1) The term “employing agencies” as used in this section shall mean:
    - (A) Public school districts in California.
    - (B) County offices of education or county superintendents of schools in California.
    - (C) Schools that operate under the direction of a California state agency.
    - (D) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.
    - (E) Charter Schools as defined in Education Code Section 47600.
  - (2) The term “acute staffing” as used in this section shall mean when an employing agency needs to fill a classroom immediately based on an unforeseen need including but not limited to:
    - (A) individual needs additional time to complete pre-service requirements for enrollment into a Commission-approved internship program.
    - (B) enrollment adjustments require the addition of another teacher.
    - (C) individual is unable to enroll in a Commission-approved internship program due to timelines or lack of space in the program.
    - (D) unavailability of a third-year extension or withdrawal from an internship program.
    - (E) teacher of record is unable to finish the school year due to approved leave/illness.

Note: Authority cited: Section 44225(a) Education Code. Reference: Sections 44225(b), 44225(d) and 44225(l)