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Action

Public Hearing

Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching and Services Permits

Executive Summary: This agenda item presents proposed amendments to Title 5 of the California Code of Regulations pertaining to teaching and services permits. The proposed amendments also include general clean-up of the emergency permit regulation sections.

Recommended Action: Staff recommends that the Commission adopt the proposed amendments to the regulations pertaining to teaching and services permits.

Presenter: Tammy A. Duggan, Consultant, Certification Division

Strategic Plan Goal

I. Educator Quality

- ◆ Develop, maintain, and promote high quality authentic, consistent educator assessments and examinations that support development and certification of educators who have demonstrated the capacity to be effective practitioners.

April 2013

Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Teaching and Services Permits

Introduction

This rulemaking action proposes amendments to Title 5 of the California Code of Regulations (CCR) related to teaching and services permits as approved by the Commission at the January 2013 meeting. The proposed amendments also include general clean-up of the emergency permit regulation sections.

Background

General Provisions Governing Emergency Permits

Senate Bill (SB) 674 (Chap. 344, Stats. 1997) took effect on January 1, 1998 and limited the number of times an emergency permit may be reissued. 5 CCR §80023.1, as amended to implement the provisions of SB 674, states that an individual issued an emergency permit prior to January 1, 1998 may receive reissuance of that permit for a maximum of five additional one-year periods and an individual issued an emergency permit on or after January 1, 1998 may receive reissuance of that permit for a maximum of four additional one-year periods. Education Code (EC) §44251(c) was subsequently repealed and the maximum of four reissuances on an emergency permit is now solely outlined in 5 CCR §80023.1.

All emergency permits currently issued and reissued by the Commission require possession of a non-emergency document such as a preliminary, clear, or life credential that authorizes the holder to teach in California's public schools. Reissuance of emergency permits requires annual completion of six semester (or nine quarter) units of coursework (or the equivalent number of clock hours) associated with a Commission-approved program, passage of two examination subtests, or a combination of the two.

Emergency permits authorize the holder to provide instruction or services outside the authorization on his/her prerequisite credential while completing the requirements for the associated authorization or certificate. Qualifying for the associated authorization or certificate requires completion of a Commission-approved program, passage of examinations, or a combination of the two depending on the type of emergency permit held.

The proposed amendments seek to reduce the number of reissuances available on an emergency teaching or services permit from four to two effective January 1, 2014. The proposed amendments also provide general clean-up of this section to align with previous regulatory and statutory changes.

Types of and Specific Requirements for Emergency Permits

On December 4, 2003, the Commission took action to discontinue the issuance of multiple subject, single subject and education specialist emergency permits effective July 1, 2006. In 2005, the Commission approved regulations to establish two teaching permits to address the

continuing need for documents to cover unanticipated and anticipated staffing needs. One document is to meet immediate teacher vacancies (Short-Term Staff Permit – 5 CCR §80021) and the other to staff classrooms when, after a diligent search, no appropriately credentialed teacher can be found (Provisional Internship Permit – 5 CCR §80021.1). The two permits, issued in the areas of multiple subject, single subject, and education specialist, replaced the Emergency Multiple Subject, Single Subject and Education Specialist Permits.

In addition, the Commission discontinued initial issuance of Emergency Speech-Language Pathology Services Permits (formerly titled “Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing”) with or without the Special Class Authorization effective July 1, 2000, but reissuances are still available. A search of the Commission’s computer system revealed that no reissuances of these permit types have been granted since 2006. Therefore, the amendments propose the deletion of the sections that allow reissuance of Emergency Speech-Language Pathology Services Permits with or without the Special Class Authorization.

The proposed amendments to 5 CCR §80023 are to delete the types of emergency permits no longer initially issued or reissued by the Commission. Also proposed is the repeal of 5 CCR §§80024.1, 80024.2, 80024.2.1, 80024.3.2, 80024.4, and 80024.5 that list the specific requirements for the types of emergency permits that are no longer initially issued or reissued by the Commission.

General Requirements for the Initial Issuance of Emergency Permits

The proposed amendments to 5 CCR §80023.2 are to align the basic skills requirement with Education Code §44252 and to update the reference to the types of emergency permits currently initially issued and reissued by the Commission.

Provisional Internship Permits

The addition of 5 CCR §80021.1 in 2005 created the Provisional Internship Permit (PIP). The purpose of the PIP is to allow California public school employers to staff classrooms when, after conducting a diligent search, no appropriately credentialed teacher can be found. Individuals employed on a PIP are required to attempt all subject matter examination subtests associated with the authorization(s) listed on the document. The current language of 5 CCR §80021.1 allows for a one-time reissuance of a PIP if the holder attempts but does not pass all the appropriate subject matter examination subtests.

The numbers of PIP reissuances have steadily decreased over the past five years. The proposed regulation amendments seek to remove the one-time PIP reissuance due to concerns with allowing individuals who have not yet completed or enrolled in a teacher preparation program to continue teaching in California public schools for two years without verification of subject-matter competence.

Emergency Designated Subjects Permit for 30-Day Substitute Teaching

SB 52 (Chap. 520, Stats. 2007) was signed on October 12, 2007. The provisions of SB 52 became effective immediately upon signature due to the inclusion of an urgency clause and

created Designated Subjects Career Technical Education (CTE) Teaching Credentials. Subsequently, SB 1104 (Chap. 576, Stats. 2008) was signed on September 29, 2008. The bill took effect on January 1, 2009 and further amended the Education Code sections pertaining to the issuance of CTE credentials.

The Title 5 regulations pertaining to Full-Time/Part-Time Designated Subjects Vocational Education and Career Technical Education Teaching Credentials (§§80035, 80035.1, and 80035.5) were amended and new sections were added (§§80034.1, 80034.2, 80034.3) in February 2010 to implement the provisions of the two bills. The proposed amendments to 5 CCR §80025.5 are to change the title of the “Emergency Designated Subjects Vocational Education Permit for 30-Day Substitute Teaching Service” to the Emergency Designated Subjects Career Technical Education Permit for 30-Day Substitute Teaching Service” and to align the experience requirement with the experience requirement for the Designated Subjects Three-Year Preliminary Career Technical Education Teaching Credential [reference §80034.2(a)(1)].

Summary of Proposed Regulation Amendments

§80021.1(a)(2). Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit

(b): Amendments to this subsection propose removal of the one-time PIP reissuance, as directed by the Commission in December 2012, to reduce the time individuals who have not yet completed or enrolled in a teacher preparation program may continue teaching in California public schools without verification of subject-matter competence.

(c): Proposes the addition of “a” prefacing the permit name to correct a previous typographical error and the capitalization of “Permit” for consistency with other references to the PIP.

§80023. Types of Emergency Permits

Opening Paragraph: Proposes amendments to update the referenced 5 CCR sections related to the issuance and reissuance of emergency permits.

(a) through (f): Because teachers serving on emergency permits are not considered compliant with the No Child Left Behind (NCLB) law, the Commission adopted a timeline in December 2003 to phase out the initial issuance and reissuance of Emergency Multiple Subject and Single Subject Teaching Permits [with or without a Crosscultural, Language and Academic Development (CLAD) or Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis]. The date set by the Commission to discontinue initial issuance and reissuance of these emergency permit types was July 1, 2006. Stakeholder testimony prior to and during the December 2003 Commission meeting indicated that there would be continued need for teaching documents to cover unanticipated and anticipated staffing needs. Therefore, Emergency Multiple Subject and Single Subject Teaching Permits were replaced by Short-Term Staff Permits (5 CCR §80021) and Provisional Internship Permits (5 CCR §80021.1). The amendments propose the deletion of these obsolete subsections since the Commission discontinued initial issuance and reissuance of the referenced emergency permits effective July 1, 2006.

(g): As amended effective May 20, 1994, subsection (a)(4) of 5 CCR §80024.5 set the final initial issuance date for an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing (later renamed Emergency Speech-Language Services Permit) at July 1, 2000. Subsection (a) was subsequently repealed effective May 11, 2009. Although reissuance of this permit type is currently possible if initially issued prior to July 1, 2000, the Commission has not received a request for reissuance of an Emergency Speech-Language Pathology Services Permit since 2006. The amendments propose the deletion of this subsection that references an obsolete permit type.

(h): As amended effective May 20, 1994, subsection (a)(4) of 5 CCR §80024.4 set the final initial issuance date for an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization (later renamed Emergency Speech-Language Services Permit, including the Special Class Authorization) at July 1, 2000. Subsection (a) was subsequently repealed effective May 11, 2009. Although reissuance of this permit type is currently possible if initially issued prior to July 1, 2000, the Commission has not received a request for reissuance of an Emergency Speech-Language Pathology Services Permit, including the Special Class Authorization since 2003. The amendments propose the deletion of this subsection that references an obsolete permit type.

(i): Proposes the re-lettering of this subsection to (a) due to the proposed deletion of subsections (a) through (h).

(j): 5 CCR §80024.7 was amended in October 2010 to change the name of the “Emergency BCLAD Permit” to “Emergency Bilingual Permit” to implement the provisions of Assembly Bill 1871 (Chap. 660, Stats. 2008). The proposed amendments to this subsection are to update the permit name to match §80024.7. Also, proposes the re-lettering of this subsection to (b) due to the proposed deletion of subsections (a) through (h).

(k): Proposes the re-letting of this subsection to (c) due to the proposed deletion of subsections (a) through (h).

(l): 5 CCR §80024.3.1 allows for the issuance of an Emergency Resource Specialist Permit. Proposes the addition of the Emergency Resource Specialist Permit to the list of available emergency permits and the deletion of the Emergency Education Specialist Instruction Permit: Mild/Moderate Disabilities that was discontinued [issuance and reissuance—refer to (m) through (q) below for additional information] effective July 1, 2006. Also proposes the re-lettering of this subsection to (d) due to the proposed deletion of subsections (a) through (h).

(m) through (q): Because teachers serving on emergency permits are not considered compliant with the NCLB law, the Commission adopted a timeline in December 2003 to phase out the initial issuance and reissuance of Emergency Education Specialist Instruction Permits in all available specialty areas. The date set by the Commission to discontinue initial issuance and reissuance of these emergency permits was July 1, 2006. Stakeholder testimony prior to and during the December 2003 Commission meeting indicated that there would be continued need for teaching documents to cover unanticipated and anticipated staffing needs. Therefore,

Emergency Education Specialist Instruction Permits were replaced by Short-Term Staff Permits (5 CCR §80021) and Provisional Internship Permits (5 CCR §80021.1). The amendments propose the deletion of these obsolete subsections since the Commission discontinued initial issuance and reissuance of the referenced emergency permits effective July 1, 2006.

§80023.1. General Provisions Governing Emergency Permits.

(a): Proposed amendment to include the regulation section pertaining to Special Education Limited Assignment Permits that was added to the 5 CCR in July 2009 [reference 5 CCR §80027.1].

(b)(5): Proposed amendment to change the referenced EC section for charter schools to 47605 for consistency with other similar 5 CCR sections [reference 5 CCR §§80021(f)(1)(E), 80021.1f)(1)(E), 80034(c)(6), and 80034.1(a)(6)].

(c)(3): The Commission instructed staff at the December 2012 meeting to seek regulatory amendments to reduce the number of reissuances available on emergency permits from four to two to limit the time an individual may provide instruction or services outside the area authorized by his/her prerequisite credential. The proposed amendments prohibit reissuance of an emergency permit that was initially issued prior to January 1, 2014 if the permit has already been reissued two or more times.

(c)(4): The Commission instructed staff at the December 2012 meeting to seek regulatory amendments to reduce the number of reissuances available on emergency permits from four to two to limit the time an individual may provide instruction or services outside the area authorized by his/her prerequisite credential. The proposed new subsection is to allow an individual initially issued an emergency permit prior to January 1, 2014 a maximum of two reissuances.

(c)(5): The Commission instructed staff at the December 2012 meeting to seek regulatory amendments to reduce the number of reissuances available on emergency permits from four to two to limit the time an individual may provide instruction or services outside the area authorized by his/her prerequisite credential. The proposed amendments limit the number of reissuances of an emergency permit initially issued on or after January 1, 2014 to a maximum of two. Also, proposes the re-numbering of this subsection to (c)(5) due to the addition of new language in subsection (c)(4).

Note: Proposes the deletion of EC §44251(c) from the reference section due to the repeal of this subsection in 2007.

§80023.2. General Requirements for the Initial Issuance of Emergency Permits

(b): Education Code §44252 allows for additional options to passage of the California Basic Educational Skills Test (CBEST) to satisfy the basic skills requirement. The proposed amendment is to update the basic skills requirement language to align with the changes in statute pursuant to SB 1209 (Chap. 515, Stats. 2006).

(c): Proposed amendments cite the appropriate sections pertaining to the emergency permits currently initially issued and reissued by the Commission.

(e): Proposed amendments change “two fingerprint cards” to “verification of completion of livescan” (electronic process) as required by the Department of Justice. Penal Code §11077.1 as amended by SB 970 (Chap. 470, Stats. 2003) now requires submission of fingerprints via livescan and no longer accepts fingerprint cards. The proposed amendments also delete reference to the obsolete form that was previously required with the fingerprint cards (Application for Character and Identification Clearance) and the fee(s) that was previously required for the processing of fingerprint cards.

(f): Proposes the deletion of the application revision date and adds reference to §80001, which now provides definitions for applications used for certification purposes.

§80024.1. through §80024.2.1 Emergency Multiple Subject and Single Subject Teaching Permits (with or without a CLAD or BCLAD Emphasis)

Because teachers serving on emergency permits are not considered compliant with the NCLB law, the Commission adopted a timeline in December 2003 to phase out the initial issuance and reissuance of Emergency Multiple Subject and Single Subject Teaching Permits (with or without a CLAD or BCLAD Emphasis). The date set by the Commission to discontinue initial issuance and reissuance of these emergency permit types was July 1, 2006. Stakeholder testimony prior to and during the December 2003 Commission meeting indicated that there would be continued need for teaching documents to cover unanticipated and anticipated staffing needs. Therefore, Emergency Multiple Subject and Single Subject Teaching Permits were replaced by Short-Term Staff Permits (5 CCR §80021) and Provisional Internship Permits (5 CCR §80021.1). The amendments propose the repeal of these obsolete sections since the Commission discontinued initial issuance and reissuance of the referenced emergency permits effective July 1, 2006.

§80024.3.2. Emergency Education Specialist Instruction Permits

Because teachers serving on emergency permits are not considered compliant with the NCLB law, the Commission adopted a timeline in December 2003 to phase out the initial issuance and reissuance of Emergency Education Specialist Instruction Permits in all available specialty areas. The date set by the Commission to discontinue initial issuance and reissuance of these emergency permits was July 1, 2006. Stakeholder testimony prior to and during the December 2003 Commission meeting indicated that there would be continued need for teaching documents to cover unanticipated and anticipated staffing needs. Therefore, Emergency Education Specialist Instruction Permits were replaced by Short-Term Staff Permits (5 CCR §80021) and Provisional Internship Permits (5 CCR §80021.1). The amendments propose the repeal of these obsolete sections since the Commission discontinued initial issuance and reissuance of the referenced emergency permits effective July 1, 2006.

§80024.4. Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing, including the Special Class Authorization

As amended effective May 20, 1994, subsection (a)(4) of 5 CCR §80024.4 set the final initial issuance date for an Emergency Clinical or Rehabilitative Services Permit in Language, Speech

and Hearing, including the Special Class Authorization (later renamed Emergency Speech-Language Services Permit, including the Special Class Authorization) at July 1, 2000. Subsection (a) was subsequently repealed effective May 11, 2009. Although reissuance of this permit type is currently possible if initially issued prior to July 1, 2000, the Commission has not received a request for reissuance of an Emergency Speech-Language Pathology Services Permit, including the Special Class Authorization since 2003. The amendments propose the repeal of this obsolete section.

§80024.5. Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing

As amended effective May 20, 1994, subsection (a)(4) of 5 CCR §80024.5 set the final initial issuance date for an Emergency Clinical or Rehabilitative Services Permit in Language, Speech and Hearing (later renamed Emergency Speech-Language Services Permit) at July 1, 2000. Subsection (a) was subsequently repealed effective May 11, 2009. Although reissuance of this permit type is currently possible if initially issued prior to July 1, 2000, the Commission has not received a request for reissuance of an Emergency Speech-Language Pathology Services Permit since 2006. The amendments propose the repeal of this obsolete section.

§80025.5. Emergency Designated Subjects Vocational Education Permit for 30-Day Substitute Teaching Service

Title and (a): Proposes the change of “Vocational” to “Career Technical” to align with the provisions of SB 52 and SB 1104.

(a)(1): Proposes amendments to cite the correct 5 CCR section that provides the definition for the “high school diploma or equivalent” requirement as related to CTE teaching credentials.

(a)(2)(A) through (a)(2)(C): Proposed amendments to this subsection align the experience requirement for the emergency permit with the experience requirement for the Designated Subjects Three-Year Preliminary Career Technical Education Teaching Credential as specified in 5 CCR §80034.2(a)(1).

(a)(3): Proposes the deletion of the application revision date and adds reference to §80001, which now provides definitions for applications used for certification purposes.

(b) and (d): Proposes the change of “Vocational” to “Career Technical” to align with the provisions of SB 52 and SB 1104.

Documents Incorporated by Reference: None.

Documents Relied Upon in Preparing Regulations:

- September 2013 Commission agenda item and insert:
<http://www.ctc.ca.gov/commission/agendas/2012-09/2012-09-5C.pdf>
<http://www.ctc.ca.gov/commission/agendas/2012-09/2012-09-5C-insert.pdf>
- December 2013 Commission agenda item:
<http://www.ctc.ca.gov/commission/agendas/2012-12/2012-12-5B.pdf>

- January 2013 Commission agenda item:
<http://www.ctc.ca.gov/commission/agendas/2013-01/2013-01-3A.pdf>

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.

Statement of the Results of the Economic Impact Assessment [Govt. Code § 11346.5(a)(10)]: The Commission concludes that it is (1) unlikely that the proposal will create any jobs within the State of California; 2) unlikely that the proposal will eliminate any jobs within the State of California; 3) unlikely that the proposal will create any new businesses with the State of California; 4) unlikely that the proposal will eliminate any existing businesses within the State of California; and 5) unlikely the proposal would cause the expansion of businesses currently doing business within the State of California.

The Commission anticipates that the proposed amendments will benefit the welfare of students attending public schools in the State of California by limiting the time an individual may teach outside of his/her credentialed area (emergency permits) or teach prior to completing a teacher preparation program and satisfying the subject-matter competence requirement (PIPs). The proposed regulations will promote fairness and prevent discrimination by ensuring uniformity in requirements for individuals serving on teaching and services permits. The Commission does not anticipate that the proposed regulations will result in the protection of public health and safety, worker safety, or the environment, the prevention of social inequity or an increase in openness and transparency in business and government.

Effect on small businesses: The proposed regulations will not have a significant adverse economic impact upon business. The proposed regulations apply only to individuals applying for teaching or services permits that authorize service in California's public schools.

Notice of Proposed Rulemaking Mailing List and Responses

Mailing List

- Members of the 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-approved programs
- Credential Analysts at the California Institutions of Higher Education with Commission-approved programs
- Presidents of Selected Professional Educational Associations

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

Tally of Responses

As of Tuesday, April 2, 2013 the Commission had received the following written responses to the public announcement:

Support

0 organizational opinion
1 personal opinions

Opposition

0 organizational opinions
0 personal opinions

Total Responses: 1

Responses Representing Individuals in Support

1. Susana Fernandez, Support Services Manager, Orange County Department of Education

Staff Recommendation

Staff recommends that the Commission adopt the proposed amendments to the regulations pertaining to teaching and services permits.

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

§80021.1. Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit.

Employing agencies shall request the Multiple Subject, Single Subject or Education Specialist Provisional Internship Permit when a suitable credentialed teacher cannot be found after a diligent search.

- (a) The employing agencies shall demonstrate that applicants for a Provisional Internship Permit have completed the following requirements:
- (1) Possession of a baccalaureate or higher degree from a regionally accredited college or university.
 - (2) 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 Provisional Internship Permit, at least 18 semester units of course work in the subject to be listed: or
 - (B) For the Multiple Subject Provisional Internship 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 Provisional Internship 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) Multiple Subject, Single Subject, and Education Specialist Provisional Internship Permits shall be issued with an English learner authorization unless the employing agency requests and the applicant verifies target language proficiency for a bilingual authorization by one of the following:
- (A) Passage in the target language of the listening and speaking sections of Test 6 of the BCLAD Examinations or passage of Test II or III of the CSET: LOTE Examinations depending on the specific language as detailed in Section 80015.3(c)(3), or
 - (B) Passage in the target language of an assessment covering the integrated communication skills of listening, speaking, reading, and writing, administered by a California college or university as a part of its Commission accredited bilingual authorization program, or
 - (C) Passage in the target language for which the Commission has no BCLAD Test 6 or CSET: LOTE II or III of an assessment covering the integrated communication skills of listening, speaking, reading, and writing, performed by an approved organization pursuant to Education Code Section 44253.5(a), or
 - (D) Possession of a three-year or higher degree from a foreign institution in which all instruction was delivered in the target language. The foreign institution must be equivalent in status to a regionally accredited institution of higher education in the United States.
- (5) The employing agencies shall verify or submit all of the following to the Commission with each request:
- (A) That a diligent search has been conducted for a suitable credentialed teacher or suitable qualified internship teacher as evidenced by documentation of that search.
 - (B) That orientation, guidance and assistance to permit holders, as specified in Section 80026.5, will be provided.
 - (C) That the employing agency will assist the permit holder in developing a personalized plan through an agency defined assessment that would lead to subject matter competence that is related to the Provisional Internship Permit.
 - (D) That the employing agency will assist the permit holder to seek and enroll in subject-matter training, such as workshop or seminar formats and site-based courses along with training in test-taking strategies and will assist permit holders in meeting the credential subject-matter competence requirement that is related to the Provisional Internship Permit.
 - (E) Verification that a notice of intent to employ the applicant in the identified position has been made public as follows:

- (i) If the permit is being submitted by a public school district, it must include a copy of the agenda item presented to the governing board of the district in a public meeting with a signed statement from the superintendent, or his or her designee, that the item was acted upon favorably. The agenda item must state the name of the applicant, the assignment in which the applicant will be employed including the name of the school, subject(s) and grade level(s) that he or she will be teaching and that the applicant will be employed on the basis of a Provisional Internship Permit.
 - (ii) If the permit is being submitted by a county office of education, state operated school, or nonpublic, nonsectarian school or agency, it must include a dated copy of the notice that was posted at least 72 hours before the position was filled and a signed statement from the superintendent or administrator or his or her designee that there were no objections to the permit. The notice must state the name of the applicant, the assignment in which the applicant will be employed including the subject(s) and grade level(s) that he or she will be teaching and that the applicant will be employed on the basis of a Provisional Internship Permit.
- (F) Verification that the candidate has been apprised of steps to earn a credential and enroll in an internship program.
- (b) The Provisional Internship Permit shall be issued ~~in for one- calendar year increments for no more than two years. A permit and may not be renewed for a second year unless the permit holder has taken all of the subject matter examinations that are listed on the Provisional Internship Permit.~~
 - (c) Individuals who were issued an emergency permit pursuant to Education Code section 44300 that was reissued four times do not qualify for a Provisional Internship ~~p~~Permit.
 - (d) Use of the Provisional Internship Permit shall be restricted to the employing agency requesting the permit.
 - (e) The Provisional Internship Permit shall authorize the following:
 - (1) A Multiple Subject Provisional Internship Permit with an English learner authorization authorizes the same service as a Multiple Subject Teaching Credential with an English learner authorization.
 - (2) A Multiple Subject Provisional Internship Permit with a bilingual authorization authorizes the same service as a Multiple Subject Teaching Credential with a bilingual authorization.
 - (3) A Single Subject Provisional Internship Permit with an English learner authorization authorizes the same service as a Single Subject Teaching Credential with an English learner authorization.

- (4) A Single Subject Provisional Internship Permit with a bilingual authorization authorizes the same service as a Single Subject Teaching Credential with a bilingual authorization.
- (5) An Education Specialist Provisional Internship Permit with an English learner authorization authorizes the same service as an Education Specialist Instruction Credential with an English learner authorization.
- (6) An Education Specialist Provisional Internship Permit with a bilingual authorization authorizes the same service as an Education Specialist Instruction Credential with a bilingual authorization.

(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 established in Education Code Section 47605.
- (3) The term “diligent search” as used in this section shall include, but is not limited to, distributing job announcements, contacting college and university placement centers, and advertising in print or electronic media.

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

§80023. Types of Emergency Permits.

The following types of emergency permits are governed by the provisions of Sections 80023.1, ~~through 80023.2, 80024.3.1, 80024.6, 80024.7, 80024.8, and 80026 through 80026.6, except 80025.~~

- ~~(a) Emergency Multiple Subject Teaching Permit.~~
- ~~(b) Emergency Multiple Subject Teaching Permit with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis.~~

- ~~(c) Emergency Multiple Subject Teaching Permit with a Crosscultural, Language and Academic Development (CLAD) Emphasis.~~
- ~~(d) Emergency Single Subject Teaching Permit with an authorization to teach one or more of the subjects identified in Education Code Section 44282.~~
- ~~(e) Emergency Single Subject Teaching Permit with a Bilingual, Crosscultural Language and Academic Development (BCLAD) Emphasis with an authority to teach one or more subjects identified in Education Code Section 44282.~~
- ~~(f) Emergency Single Subject Teaching Permit with a Crosscultural, Language and Academic Development (CLAD) Emphasis with an authority to teach one or more subjects identified in Education Code Section 44282.~~
- ~~(g) Emergency Speech Language Pathology Services Permit.~~
- ~~(h) Emergency Speech Language Pathology Services Permit, including the Special Class Authorization.~~
- ~~(ia) Emergency Teacher Librarian Services Permit.~~
- ~~(jb) Emergency Bilingual, Crosscultural, Language and Academic Development (BCLAD) Permit.~~
- ~~(kc) Emergency Crosscultural, Language and Academic Development (CLAD) Permit.~~
- ~~(ld) Emergency Education Specialist Instruction Permit: Mild/Moderate Disabilities Resource Specialist Permit.~~
- ~~(m) Emergency Education Specialist Instruction Permit: Moderate/Severe Disabilities.~~
- ~~(n) Emergency Education Specialist Instruction Permit: Physical and Health Impairments.~~
- ~~(o) Emergency Education Specialist Instruction Permit: Deaf and Hard of Hearing.~~
- ~~(p) Emergency Education Specialist Instruction Permit: Visual Impairments.~~
- ~~(q) Emergency Education Specialist Instruction Permit: Early Childhood Special Education.~~

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d), 44225(g), 44265 and 44300, Education Code.

§80023.1. General Provisions Governing Emergency Permits.

The provisions of this section shall apply to all emergency permits specified in Section 80023.

- (a) Terms that are used in Sections 80023 through 80027.1, inclusive, are defined as follows:

- (1) The terms “employing agency” and “local education agency” mean the school district, charter school, county office of education, nonpublic, nonsectarian school or agency, or school operating under the direction of a California state agency, which submits an emergency permit application to the Commission in order to employ the applicant.
 - (2) “Applicant” is the individual for whom an emergency permit application is submitted.
 - (3) “Regionally accredited college or university” means an institution of postsecondary education accredited by a regional accrediting body recognized by the Council on Postsecondary Accreditation and the United States Department of Education. In California the regional accrediting body is the Western Association of Schools and Colleges (WASC).
 - (4) “Related credential” refers to the credential that provides the same authorization as a particular emergency permit.
- (b) The following entities may submit emergency permit applications. Each application shall be submitted to the Commission on behalf of the applicant.
- (1) Public school districts in California.
 - (2) County offices of education or county superintendents of schools in California.
 - (3) Schools that operate under the direction of a California state agency.
 - (4) Nonpublic, nonsectarian schools and agencies as defined in Education Code Sections 56365 and 56366.
 - (5) Charter Schools as defined in Education Code Section 476005.
- (c) Emergency permits are valid for the length of time specified as follows:
- (1) An emergency permit is valid for one year.
 - (2) The expiration date of an emergency permit which is dependent upon the possession of a valid basic credential will expire with that credential if it expires before the date explained above. The emergency permit may be extended, with an application and fee but without verification of reissuance requirements, to the end of the specified period when the basic credential is renewed.
 - (3) An individual who holds an emergency permit that was initially issued prior to January 1, ~~1998~~2014, and ~~that is in effect on or after January 1, 1998, may receive one or more~~ has been reissued~~ances of that permit for a maximum of five additional~~ two or more one-year periods shall not be reissued after January 1, 2014.

(4) An individual who holds an emergency permit that was initially issued prior to January 1, 2014, and has been reissued for less than two one-year periods may receive one or more reissuances of that permit for a maximum of two one-year periods.

(45) An individual who is issued an initial emergency permit on or after January 1, ~~1998~~2014, may receive one or more reissuances of that permit for a maximum of ~~four~~ two additional one-year periods.

(d) Teaching or service authorized by an emergency permit shall be restricted to schools operated by the employing agency that requested the permit.

(e) A grade of “C” or higher, “Pass”, or “Credit” must be earned in each course required for the initial issuance and reissuance of an emergency permit. “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.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), ~~44251(e)~~ and 44300, Education Code.

§80023.2. General Requirements for the Initial Issuance of Emergency Permits.

The following requirements apply to the initial issuance of all emergency permits specified in Section 80023.

(a) The applicant must possess a baccalaureate or higher degree from a regionally accredited college or university.

(b) The applicant must ~~verify passage of the California Basic Educational Skills Test (CBEST)~~ meet the basic skills requirement as described in Education Code Section 44252, unless exempt by statutes or regulations.

(c) The applicant must satisfy the requirements for the permit being requested as specified in Sections 80024.~~4~~3.1 and 80024.6 through 80024.8.

(d) The employing agency must submit a Declaration of Need for Fully Qualified Educators that satisfies the provisions of Section 80026.

(e) If the applicant does not already have fingerprint clearance on file with the Commission, the permit application must include ~~two fingerprint cards and the completed Application for Character and Identification Clearance (form 41-CIC, rev 11-93), and fee(s)~~ verification of completion of livescan. No permit will be issued until the clearance process is completed.

(f) Issuance of an emergency permit also requires the submission of a complete application packet, including a completed Application for Credential Authorizing Public School Service (~~form 41-4, rev 11-94~~) as specified in Section 80001, payment of the fee(s) required by

Section 80487, and other documents required by the Commission to verify completion of all requirements for the emergency permit.

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), and 44300, Education Code.

§80024.1. Emergency Multiple or Single Subject Teaching Permits.

~~(a) Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit include all of the following:~~

~~(1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.~~

~~(2) The applicant must provide a written affirmation of his or her intent to complete the requirements set forth in Section 80026.6 during the period of the permit.~~

~~(3) The applicant must verify one of the following:~~

~~(A) Passage of the appropriate subject matter examination(s) approved by the Commission for the related credential; or~~

~~(B) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate course work taken at a regionally accredited college or university as follows:~~

~~1. For the Emergency Single Subject Teaching Permit, at least 18 semester units, or nine upper division or graduate semester units, of course work in the subject to be taught; or~~

~~2. For the Emergency Multiple Subject Teaching 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 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.~~

~~(b) To reissue an Emergency Multiple or Single Subject Teaching Permit, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in Section 80026.6.~~

~~(1) The applicant who has not completed the subject matter knowledge requirement specified in Section 80413(a)(3) may, for the first reissuance only, take all components of the appropriate subject matter examination as described in Section 80071 in lieu of six semester units of coursework from a regionally accredited college or university.~~

~~(c) Authorization:~~

~~(1) An Emergency Multiple Subject Teaching Permit authorizes the same service as a Multiple Subject Teaching Credential.~~

~~(2) An Emergency Single Subject Teaching Permit authorizes the same service as a Single Subject Teaching Credential in the authorized field(s) listed on the permit.~~

Note: Authority cited: Sections 44225(d), (g), and (q) and 44300, Education Code. Reference: Sections 44300 and 44301, Education Code.

§80024.2. Emergency Multiple or Single Subject Teaching Permit with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis.

- (a) ~~Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit with a Bilingual, Crosscultural, Language and Academic Development (BCLAD) Emphasis include all of the following:~~
- ~~(1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.~~
 - ~~(2) The applicant must verify target language proficiency by one of the following:~~
 - ~~(A) Passage in the target language of the listening and speaking sections of Test 6 of the CLAD/BCLAD Examinations, or the oral language component of the Bilingual Certificate of Competence (BCC) examination, or~~
 - ~~(B) Passage in the target language of an assessment covering oral language proficiency, both listening and speaking, administered by a California college or university as a part of its Commission accredited BCLAD emphasis program, or~~
 - ~~(C) Passage in the target language for which the Commission has no BCLAD Test 6 of an assessment covering oral language proficiency, both listening and speaking, performed by an approved organization pursuant to Education Code Section 44253.5(a), or~~
 - ~~(D) Possession of a three year or higher degree from a foreign institution in which all instruction was delivered in the target language. The foreign institution must be equivalent in status to a regionally accredited institution of higher education in the United States, or~~
 - ~~(E) Possession of a valid, non-emergency California Single Subject or Standard Secondary Teaching Credential with a major in the target language.~~
 - ~~(3) The applicant must verify subject matter competence by one of the following:~~
 - ~~(A) Passage of the appropriate subject matter examination(s) approved by the Commission for the related credential; or~~
 - ~~(B) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate course work taken at a regionally accredited college or university as follows:~~
 - ~~1. For the Emergency Single Subject Teaching Permit with a BCLAD Emphasis, at least 18 semester units, or nine upper division or graduate semester units of course work in the subject to be taught; or~~
 - ~~2. For the Emergency Multiple Subject Teaching Permit with a BCLAD Emphasis, 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 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.~~
 - ~~(4) The applicant must provide a written affirmation of his or her intent to complete the requirements set forth in Section 80026.6 during the period of the permit.~~
- (b) ~~To reissue an Emergency Multiple or Single Subject Teaching Permit with a BCLAD Emphasis, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in Section 80026.6.~~
- ~~(1) The applicant who has not completed the subject matter knowledge requirement specified in Section 80413(a)(3) may, for the first reissuance only, take all components of the~~

~~appropriate subject matter examination as described in Section 80071 in lieu of six semester units of coursework from a regionally accredited college or university.~~

~~(c) Authorization.~~

~~(1) An Emergency Multiple Subject Teaching Permit with a BCLAD Emphasis authorizes the same service as a Multiple Subject Teaching Credential with a BCLAD Emphasis in the target language(s) listed on the permit.~~

~~(2) An Emergency Single Subject Teaching Permit with a BCLAD Emphasis authorizes the same service as a Single Subject Teaching Credential with a BCLAD Emphasis in the target language(s) and authorized field(s) listed on the permit.~~

Note: Authority cited: Sections 44225(d), (g), and (q) and 44300, Education Code. Reference: Sections 44300 and 44301, Education Code.

§80024.2.1. Emergency Multiple or Single Subject Teaching Permit with a Crosscultural, Language and Academic Development (CLAD) Emphasis.

~~(a) Requirements for the initial issuance of an Emergency Multiple or Single Subject Teaching Permit with a Crosscultural, Language and Academic Development (CLAD) Emphasis include all of the following:~~

~~(1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.~~

~~(2) The applicant must verify one of the following:~~

~~(A) Passage of the appropriate subject matter examination(s) approved by the Commission for the related credential; or~~

~~(B) Successful completion of the specified number of semester units, or equivalent quarter units, of appropriate course work taken at a regionally accredited college or university as follows:~~

~~1. For the Emergency Single Subject Teaching Permit with a CLAD Emphasis, at least 18 semester units, or nine upper division or graduate semester units of course work in the subject to be taught; or~~

~~2. For the Emergency Multiple Subject Teaching Permit with a CLAD Emphasis, 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 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.~~

~~(3) The applicant must provide a written affirmation of his or her intent to complete the requirements set forth in Section 80026.6 during the period of the permit.~~

~~(b) To reissue an Emergency Multiple or Single Subject Teaching Permit with a CLAD Emphasis, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in Section 80026.6.~~

~~(1) The applicant who has not completed the subject matter knowledge requirement specified in Section 80413(a)(3) may, for the first reissuance only, take all components of the appropriate subject matter examination as described in Section 80071 in lieu of six semester units of coursework from a regionally accredited college or university.~~

~~(c) Authorization:~~

- ~~(1) An Emergency Multiple Subject Teaching Permit with a CLAD Emphasis authorizes the same service as a Multiple Subject Teaching Credential with a CLAD Emphasis.~~
- ~~(2) An Emergency Single Subject Teaching Permit with a CLAD Emphasis authorizes the same service as a Single Subject Teaching Credential with a CLAD Emphasis in the authorized field(s) listed on the permit.~~

Note: Authority cited: Sections 44225(d), (g), and (q) and 44300, Education Code. Reference: Sections 44300 and 44301, Education Code.

§80024.3.2. Emergency Education Specialist Instruction Permits.

~~(a) Requirements for the initial issuance of an Emergency Education Specialist Instruction Permit in the areas of Mild/Moderate Disabilities, Moderate/Severe Disabilities, Deaf and Hard of Hearing, Physical and Health Impairments, Visual Impairments, and Early Childhood Special Education include all of the following:~~

- ~~(1) The applicant and the employing agency must meet the general requirements specified in Section 80023.2.~~
- ~~(2) In addition, the applicant must meet (A), (B), (C) or (D) below:
 - ~~(A) must possess a valid California teaching credential requiring a baccalaureate degree and a professional preparation program, including student teaching, or~~
 - ~~(B) must possess or show eligibility for an out-of-state credential in special education requiring a baccalaureate degree, and have completed a program approved by the responsible state licensing agency at a regionally accredited institution, or~~
 - ~~(C) must verify a minimum of three years of successful full-time classroom experience, or the equivalent in part-time experience, working with special education students in a public school or a state-certified nonpublic, nonsectarian school or a state-certified nonpublic, nonsectarian agency with students in the age range of the authorization being requested, or~~
 - ~~(D) must verify a minimum of nine semester units of coursework in special education or in a combination of special education and regular education that are appropriate to a special education or regular education teaching credential.~~~~
- ~~(3) The applicant must provide a written affirmation of his or her intent to complete the requirements set forth in Section 80026.6 during the period of the permit.~~

~~(b) To reissue an Emergency Specialist Instruction Permit in the areas of Mild/Moderate Disabilities, Moderate/Severe Disabilities, Deaf and Hard of Hearing, Physical and Health Impairments, Visual Impairments, and Early Childhood Special Education, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in 80026.6.~~

- ~~(1) The applicant who completed a professional preparation program as described in Section 80048.3(b)(2) must complete at least six semester units of coursework toward completion of the requirements described in Section 80048.3(b)(4) through (8) in lieu of the requirements described in 80026.6(a)(5)(A).~~
- ~~(2) The applicant who has not completed the subject matter knowledge requirement specified in Section 80413(a)(3) may, for the first reissuance only, take all components of the appropriate subject matter examination as described in Section 80071 in lieu of six semester units of coursework from a regionally accredited college or university.~~

~~(e) Authorization: An Emergency Education Specialist Instruction Permit authorizes the same service as the Education Specialist Instruction Credential in the authorized field(s) listed on the permit.~~

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225, subdivisions (d) and (g), 44265 and 44300, Education Code.

§80024.4. Emergency Speech-Language Pathology Services Permit, Including the Special Class Authorization.

~~(a) To reissue an Emergency Speech Language Pathology Services Permit, including the Special Class Authorization, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in Section 80026.6.~~

~~(b) Authorization. An Emergency Speech Language Pathology Services Permit, including the Special Class Authorization, authorizes the same service as a Speech Language Pathology Services Credential, including the Special Class Authorization.~~

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d), 44225(g), 44265.3 and 44300, Education Code.

§80024.5. Emergency Speech-Language Pathology Services Permit.

~~(a) To reissue an Emergency Speech Language Pathology Services Permit, the applicant and the employing agency must meet the requirements for reissuance of emergency permits specified in Section 80026.6.~~

~~(b) Authorization. An Emergency Speech Language Pathology Services Permit authorizes the same service as a Speech Language Pathology Services Credential.~~

Note: Authority cited: Section 44225(q), Education Code. Reference: Sections 44225(d), 44225(g), 44265.3 and 44300, Education Code.

§80025.5. Emergency Designated Subjects ~~Vocational~~ Career Technical Education Permit for 30-Day Substitute Teaching Service.

(a) Requirements for issuance and reissuance of the Designated Subjects ~~Vocational~~ Career Technical Education Permit for 30-Day Substitute Teaching Service include all of the following:

(1) High School Diploma or equivalent as defined in Section 80034.1~~(h)~~;

(2) Verification, by employers, of ~~five~~ three years of work experience directly related to an subject industry sector listed in Section 80035.5. One year of the required work experience shall be within the last five years, or two years within the last ten years, immediately preceding the issuance of the permit. One or more of the following may be used for up to a maximum of two of the three years of work experience:

(A) Possession of an advanced industry certificate related to the industry sector to be named on the permit may be used as one year of work experience;

(B) One year of full-time teaching experience providing instructional services in preschool or grades K-12 earned in a public or private school of equivalent status

while holding a general education teaching credential based on completion of a teacher preparation program and student teaching may be used as one year of work experience;

(C) Forty-eight semester units or the quarter unit equivalent of postsecondary vocational training, related to ~~that vocational education subject~~ the industry sector(s) to be named on the permit and verified by official transcript, may be substituted for a maximum of two of the ~~five-three~~ years of work experience. ~~This substitution may be made on a pro rata basis up to the two year maximum. Teaching shall not be considered as acceptable work experience.~~

(3) Submission of a completed Application for Credential Authorizing Public School Service ~~(REV. 11/94)~~ as specified in Section 80001; verification of completion of requirements specified in Subsections (a)(1), and (a)(2), above; verification of completion of livescan, unless clearance is already on file with the Commission; and payment of a fee as specified in Section 80487.

(b) Authorization. The Emergency Designated Subjects ~~Vocational~~ Career Technical Education Permit for 30-Day Substitute Teaching Service authorizes the holder to serve as a substitute in any classroom in any county in which the permit is registered provided the employing agency has a completed Statement of Need. Such substitute teaching shall be part of a program of technical, trade or vocational education. However, the holder shall not serve as a substitute for more than 30 days for any one teacher during the school year.

(c) The Statement of Need for 30-day Substitute Teachers must:

(1) describe the situation or circumstances that necessitate the use of an emergency permit holder, and

(2) state that either a credentialed person is not available, or that one or more credentialed persons are available, but do not meet the specified employment criteria established by the employing agency, and

(3) be prepared and signed by, as applicable, the superintendent of the employing school district, the superintendent of the employing county if the service will be rendered in county operated schools, or the head of the state agency under which the employing school operates.

(d) An Emergency Designated Subjects ~~Vocational~~ Career Technical Education Permit for 30-Day Substitute Teaching is valid for no less than one year and expires one calendar year from the first day of the month immediately following the date of issuance.

Note: Authority cited: Section 44225, Education Code. Reference: Section 44300(g), Education Code.