



CODED CORRESPONDENCE

DATE: May 9, 2007	NUMBER: 07-08
TO: All Individuals and Groups Interested in the Activities of the Commission on Teacher Credentialing	FROM: Dale A. Janssen Executive Director Commission on Teacher Credentialing
SUBJECT: Proposed Amendment to California Code of Regulations, Title 5 Section 80001 Pertaining to Definitions and Terms	

Notice of Public Hearing is Hereby Given

In accordance with Commission policy, the following Title 5 Regulations are being distributed prior to the public hearing. A copy of the proposed regulations is attached. The added text is underlined and the deleted text lined out.

A public hearing on the proposed actions will be held:

June 28, 2007

8:30 a.m.

**CSU Chancellor's Office
401 Golden Shore
Long Beach, California 90802**

Written Comment Period

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by e-mail on the proposed action. The written comment period closes at 5:00 p.m. on June 25, 2007. Comments must be received by that time or may be submitted at the public hearing. You may fax your response to (916) 322-0048; write to the California Commission on Teacher Credentialing, attn. Terri H. Fesperman, 1900 Capitol Avenue, Sacramento, California 95814-4213; or submit an email at tfesperman@ctc.ca.gov.

Any written comments received 18 days prior to the public hearing will be reproduced by the Commission's staff for each member of the Commission as a courtesy to the person

submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

Authority and Reference

Education Code Section 44225 authorizes the Commission to promulgate rules and regulations which will implement, interpret or make specific Sections 44225(1) and 44349 of the Education Code and govern the procedures of the Commission.

Informative Digest/Policy Statement Overview

Summary of Existing Laws and Regulations

Title 5 Section 80001 contains terms and definitions used by the Commission. The proposed changes update several outdated subsections. The main change is to amend subsection (e) concerning the credentials issued by the Commission.

Phase 1 of the Teacher Credentialing Service Improvement Project (TCSIP) was launched in October 2001, allowing teachers and administrators to view the status of applications online and provide public access to teachers' credentials online. This feature has proven to be very popular with several thousand hits per day on the website.

In February 2005, the Commission implemented the Credential Automation System Enterprise (CASE). This system replaced the prior database system and collects and stores all of the information related to the Commission's mandated credentialing functions. With the implementation of CASE, all credential and application history is stored in one database and can be viewed online via the secure lookup web. On the official documents is the information provided on the Commission's online lookup page. The online display includes the document number, issuance date, and the recommending institution as applicable.

The next technology efficiency is scheduled to take place in January 2008 when the Commission will no longer print credential documents. The Commission will only post official documents online and will no longer print and provide a paper copy of the document. Credentials will be only available online to view and print by the credential holder.

Local employing agencies must keep records of appropriate certification for all individuals serving in a position that requires certification. Education Code section 44430 requires individuals to register their documents with their employing agency. County offices receive a download of credential information from the Commission for applicants who have noted a county of employment on their application. For all other certificated staff, the employing agency must obtain verification of certification held by their employees. Using the online system instead of contacting the Commission by telephone or email would expedite the timeline for the employer to receive the appropriate information.

There has been reluctance on the part of some employing agencies to use the credential information on the Commission's website as an official record of documents held. In subsection (e), staff is proposing to add language that the Commission's online lookup is an official record for credentials in addition to the paper format of the document.

Proposed Changes to Title 5 Regulations

80001(c) The proposed change is to use the term "Chair" instead of "Chairman".

80001(d) The definition of the Commission is no longer found in Education Code section 44203(a) so the reference is deleted.

80001(e) Staff is proposing the addition of wording to make clear that the Commission's website is the official record of credentials issued in addition to the paper format of the document.

80001(f) Since the definition of degree is no longer found in subdivision (a) of Education Code section 44259 but may be found in subdivision (b)(1), the reference has been changed.

80001(h) The Education Code section cited in this subsection no longer refers to the position as Executive Secretary. The change is to reflect the appropriate term.

80001(j) The proposed change is to use the term "Vice-Chair" instead of "Vice-Chairman".

Documents Incorporated by Reference: None

Documents Relied Upon in Preparing Regulations: None

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.

Consideration of Alternatives

The Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the Commission would be more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome to affected private persons or small businesses than the proposed action. Interested individuals may present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

Contact Person/Further Information

General or substantive inquiries concerning the proposed action may be directed to Terri H. Fesperman by telephone at (916) 323-5777 or Terri H. Fesperman, California Commission on Teacher Credentialing, 1900 Capitol Ave, Sacramento, CA 95814. General question inquiries may also be directed to Janet Bankovich at (916) 323-7140 or at the address mentioned in the previous sentence. Upon request, a copy of the express terms of the proposed action and a copy of the initial statement of reasons will be made available. This information is also available on the Commission's web site at www.ctc.ca.gov. In addition, all the information on which this proposal is based is available for inspection and copying.

Availability of Statement of Reasons and Text of Proposed Regulations

The entire rulemaking file is available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of regulations, and the initial statement of reasons.

Modification of Proposed Action

If the Commission proposes to modify the actions hereby proposed, the modifications (other than nonsubstantial or solely grammatical modifications) will be made available for public comment for at least 15 days before they are adopted.

Availability of Final Statement of Reasons

The Final Statement of Reasons is submitted to the Office of Administrative Law as part of the final rulemaking package, after the public hearing. When it is available, it will be placed on the Commission's web site at www.ctc.ca.gov or you may obtain a copy by contacting Terri H. Fesperman at (916) 323-5777.

Availability of Documents on the Internet

Copies of the Notice of Proposed Action, the Initial Statement of Reasons and the text of the regulations in underline and strikeout can be accessed through the Commission's web site at www.ctc.ca.gov.

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

§80001. Definitions and Terms.

For purposes of Part VIII:

- (a) "Applicant" means any applicant for a credential issued by the Commission.
- (b) "Application for a credential" includes an application for a credential, an application for a renewal of a credential, an application to add new authorizations to an existing credential, or a request to take any special action in relation to the issuance of a credential.
- (c) "Chairman" means the ~~Chairman~~ of the Commission pursuant to Education Code Section 44218.
- (d) "Commission" means the Commission on Teacher Credentialing as ~~defined in Education Code Section 44203(a) and as constituted under~~ established pursuant to Education Code Section 44210.
- (e) "Credential" means any credential, life diploma, permit, certificate, waiver, or document issued by, or under the jurisdiction of, the Commission which entitles the holder ~~thereof~~ to perform services for which certification qualifications are required. The official record of a credential includes any credential in a paper or electronic format, including, but not limited to, information obtained from the Commission's official website.

- (f) "Degree" means a baccalaureate or higher degree as specified in Education Code Section 44259(a)(b)(1) earned through an approved college or university, regardless of its title, when the degree program contains no less subject matter preparation than a similar degree in a subject field other than professional education in the same institution.
- (g) "Denial" includes the denial of any portion of an application for a credential, even though the requested credential is issued or renewed.
- (h) "Executive ~~Secretary~~ Director" means the Executive ~~Secretary~~ Director to the Commission pursuant to Education Code Section 44220.
- (i) "Issuance" means the granting of a credential based upon the application for or renewal of that credential.
- (j) "Vice-Chairman" means the Vice-Chairman ~~to~~ of the Commission.
- (k) "Professional" credential means a credential for which all statutory and regulatory requirements have been met, excluding credentials issued on partial, preliminary, or emergency bases. A "clear" credential means a professional credential as herein defined.
- (l) "Signature" or "signed" as used in this Chapter may include an electronic signature, as defined in Government Code section 16.5 and the California Code of Regulations, Title 2, Sections 22002 and 22005 or under any applicable state or federal law.
- (m) "Submitted" as used in this Chapter includes any documentation required by the Commission that is delivered in-person, via a delivery service or electronically.

Note: Authority cited: Section 44225, Education Code. Reference: Sections 44252, 44330, 44332.5, and 44267.5, Education Code.

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

Box 944270 (1900 Capitol Avenue)
 Sacramento, California 94244-2700



Attn: Terri H. Fesperman, CAW Division

Title: *Definitions and Terms*

Section: *Proposed Amendment of Section 80001*

Response to the Attached Title 5 Regulations

To allow the California Commission on Teacher Credentialing to more clearly estimate the general field response to the attached Title 5 Regulations, please return this response form to the Commission office, attention Terri H. Fesperman, at the above address or fax to her attention at (916) 327-3166. The response must arrive at the Commission by 5:00 pm June 25, 2007, for the material to be presented at the June 28, 2007, public hearing.

1. **Yes**, I agree with the proposed Title 5 Regulations. Please count me in favor of these regulations.
2. **No**, I do not agree with the proposed Title 5 Regulations for the following reasons:
 (If additional space is needed, use the reverse of this sheet or additional page.)

3. Personal opinion of the undersigned and/or
 Organizational opinion representing: (Circle One)
 School District, County Schools, College/University, Professional Organization, Other _____
4. I shall be at the public hearing. Place my name on the list for making a presentation to the Commission.
 No, I will not make a presentation to the Commission at the public hearing.

Signature: _____ Date: _____

Printed Name: _____

Title: _____ Phone: _____

Employer/Organization: _____

Mailing Address: _____